

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

2
3 279TH MEETING

4
5 FULL COUNCIL SESSION

6
7 Via Webinar

8
9 June 17-18, 2020

10
11 **VOTING MEMBERS**

- 12 Kevin Anson (designee for Scott Bannon).....Alabama
- 13 Patrick Banks.....Louisiana
- 14 Susan Boggs.....Alabama
- 15 Leann Bosarge.....Mississippi
- 16 Roy Crabtree.....NMFS
- 17 Dale Diaz.....Mississippi
- 18 Jonathan Dugas.....Louisiana
- 19 Phil Dyskow.....Florida
- 20 Tom Frazer.....Florida
- 21 Martha Guyas (designee for Jessica McCawley).....Florida
- 22 Paul Mickle.....Mississippi
- 23 Lance Robinson (designee for Robin Riechers).....Texas
- 24 John Sanchez.....Florida
- 25 Bob Shipp.....Alabama
- 26 Greg Stunz.....Texas
- 27 Ed Swindell.....Louisiana
- 28 Troy Williamson.....Texas

29
30 **NON-VOTING MEMBERS**

- 31 Dave Donaldson.....GSMFC
- 32 Lt. Nicholas Giancola.....USCG

33
34 **STAFF**

- 35 Matt Freeman.....Economist
- 36 John Froeschke.....Deputy Director
- 37 Beth Hager.....Administrative Officer
- 38 Lisa Hollensead.....Fishery Biologist
- 39 Ava Lasseter.....Anthropologist
- 40 Mara Levy.....NOAA General Counsel
- 41 Jessica Matos.....Document Editor & Administrative Assistant
- 42 Natasha Mendez-Ferrer.....Fishery Biologist
- 43 Emily Muehlstein.....Public Information Officer
- 44 Kathy Pereira.....Meeting Planner & Travel Coordinator
- 45 Ryan Rindone.....Lead Fishery Biologist/SEDAR Liaison
- 46 Bernadine Roy.....Office Manager
- 47 Charlotte Schiaffo.....Administrative & Human Resources Assistant
- 48 Camilla Shireman.....Administrative & Communications Assistant

1 Carrie Simmons.....Executive Director
2 Carly Somerset.....Fisheries Outreach Specialist
3
4 **OTHER PARTICIPANTS**
5 Ralph Andrew.....Fort Myers Beach, FL
6 Charles Bergman.....MS
7 Eric Brazer.....Reef Fish Shareholders Alliance
8 Julie Brown.....
9 Catherine Bruger.....Ocean Conservancy
10 Jason Delacruz.....FL
11 David Gloeckner.....NMFS
12 Ken Haddad.....ASA
13 Sepp Haukebo.....EDF
14 Peter Hood.....NMFS
15 Bill Kelly.....FKCFA, FL
16 Lawrence Marino.....LA
17 Jack McGovern.....NMFS
18 Gary Jarvis.....Destin, FL
19 Carole Neidig.....Mote Marine Laboratory
20 Steve Poland.....SAFMC
21 Rusty Reardon.....Medina, OH
22 Jeffrey Senarighi.....Mora, MN
23 Andy Strelcheck.....NMFS
24 Charles Tyer.....NOAA OLE
25 Jim Zurbrick.....Steinhatchee, FL
26
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3 [PAGE 37](#): Motion in Action 1 to make Alternative 2 the preferred
4 alternative. Alternative 2 is prohibit fishing year-round in
5 the Madison-Swanson and Steamboat Lumps MPAs. This prohibition
6 does not apply to Atlantic highly migratory species (HMS). [The](#)
7 [motion carried on page 37](#).

8
9 [PAGE 38](#): Motion in Action 2 to add an Alternative 4 and make it
10 the preferred. Alternative 4 is the possession of any species
11 of Gulf reef fish is prohibited year-round in the Madison-
12 Swanson and Steamboat Lumps MPA, except on a vessel in transit
13 with gear stowed with a VMS and valid commercial reef fish
14 permit. [The motion carried on page 52](#).

15
16 [PAGE 52](#): Motion for the council write a letter to the NMFS
17 Atlantic Highly Migratory Species Division requesting
18 commensurate regulations for HMS species in the Madison Swanson
19 and Steamboat Lumps MPAs. [The motion carried on page 53](#).

20
21 [PAGE 56](#): Motion to approve the Framework Action: Modification
22 of Fishing Access in Eastern Gulf of Mexico Marine Protected
23 Areas and that it be forwarded to the Secretary of Commerce for
24 review and implementation, and deem the codified text as
25 necessary and appropriate, giving staff editorial license to
26 make the necessary changes in the document. The Council Chair
27 is given the authority to deem any changes to the codified text
28 as necessary and appropriate. [The motion carried on page 58](#).

29
30 [PAGE 82](#): Motion that the council recommend NMFS delay the for-
31 hire electronic reporting logbook program final rule effective
32 January 1, 2021 and make the rule effective the same date as the
33 SAFMC for-hire program. [The motion carried on page 92](#).

34
35 [PAGE 93](#): Motion that the council send a letter to SERO
36 requesting that NMFS reach out to Mississippi DMR and schedule a
37 meeting, to take place prior to the August council meeting,
38 between relevant SEFHIER personnel and Mississippi DMR personnel
39 to begin discussions on the overlap of and the integration of
40 SEFHIER reporting and Tails \n Scales reporting for federally-
41 permitted for-hire fishermen. [The motion carried on page 96](#).

42
43 [PAGE 106](#): Motion to send a letter from the Council Chair to Sam
44 Rauch asking for NOAA Fisheries leadership designate the
45 state/federal private recreational data calibration a high
46 priority within the agency with the goal of achieving
47 calibrations necessary to establish a common currency for state
48 recreational red snapper landings with the federal landings.

1 Specifically, the council requests finalization of the
2 state/federal calibration workshop before July 31, 2020.
3 Materials requested for distribution to workshop participants
4 should include all prior state survey workshop summaries and
5 consultant reports. The workshop should also include time to
6 investigate surveys or methodologies that will assist with
7 future harvest comparisons or calibrations. A workshop report
8 is requested to be completed before the August 2020 council
9 meeting. [The motion carried on page 116.](#)

10
11 [PAGE 116:](#) Motion to request that council and SERO staff work
12 together to begin developing options to address calibrations for
13 red snapper necessary to achieve a common currency for private
14 recreational fishery data. Staff may consider potential
15 allocation changes in state currencies for each Gulf state that
16 would be necessary to maintain the existing state ACLs as
17 calibrated to the various state data collection programs. Staff
18 should also consider private recreational gulf-wide or state
19 specific buffers necessary to calibrate the state surveys to the
20 MRIP-CHTS data. [The motion carried on page 118.](#)

21
22 [PAGE 127:](#) Motion to direct staff to initiate work on a
23 framework action to modify the OFL, ABC, and ACL for vermilion
24 snapper based on SSC recommendations. [The motion carried on](#)
25 [page 131.](#)

26
27 [PAGE 132:](#) Motion that the council write a letter to the states
28 emphasizing the preliminary calibrations and uncertainty
29 surrounding those calibrations, and the potential consequences
30 on catch rates exceeding the private recreational quota in the
31 2020 season. Ask the states to consider adjusting their
32 individual state quotas and/or state seasons accordingly based
33 on not only the preliminary calibrations provided at the June
34 2020 council meeting, but also any in-house state calibrations.
35 [The motion failed on page 144.](#)

36
37 [PAGE 146:](#) Motion to make the changes to the SOPPs in Sections
38 3.0 and 3.6 to read: 3.0 Council Meetings. The council prefers
39 in-person meetings with the ability to freely discuss and
40 exchange information and interact with the public. However,
41 health, budgetary, and/or time constraints may require virtual
42 participation of a council member when an in-person council
43 meeting is held. Therefore, council members must be physically
44 present at in-person council meetings in order to present a
45 motion or vote, unless approved to do so remotely by a majority
46 decision of the Chairman, Vice-Chairman, and Executive Director.
47 3.6 Location. The council meetings will ordinarily be held
48 within the five state geographical area. However, if the council

1 determines that the best interests of the work of the council,
2 its committees, advisory groups or panels, in joint management
3 actions with other councils, will be better served, meetings may
4 be held outside of the five state area, particularly in any of
5 the constituent states affected by a joint management plan.
6 Public access will be given primary consideration in meeting
7 plans. The Council Chair with input from staff will select the
8 meeting sites for the council with the understanding that
9 members are given adequate advance notice. The council prefers
10 holding in-person meetings; however, national emergencies,
11 health pandemics, natural catastrophes, budgetary, and time
12 sensitive issues may require the use of remote meeting
13 technologies. In these rare cases, the council is prepared to
14 hold virtual meetings using alternative technologies for
15 committee and council meetings. Members of the public will be
16 given the opportunity to provide written and/or verbal comments
17 during virtual meetings of the Full Council. [The motion carried](#)
18 [on page 147.](#)

19
20 [PAGE 148](#): Motion to allow a temporary exception to the Chair &
21 Vice Chair two-year term limit for the upcoming year allowing
22 the Chair & Vice Chair to serve a third term. [The motion](#)
23 [carried on page 150.](#)

24
25
26 - - -
27

1 The Full Council of the Gulf of Mexico Fishery Management
2 Council convened via webinar on Wednesday afternoon, June 17,
3 2020, and was called to order by Chairman Tom Frazer.

4
5 **CALL TO ORDER, ANNOUNCEMENTS, AND INTRODUCTIONS**
6

7 **CHAIRMAN TOM FRAZER:** Welcome to the 279th meeting of the Gulf
8 Council. My name is Tom Frazer, Chair of the council. The Gulf
9 Council is one of eight regional councils established in 1976 by
10 the Fishery Conservation and Management Act, known today as the
11 Magnuson-Stevens Act. The council's purpose is to serve as a
12 deliberative body to advise the Secretary of Commerce on fishery
13 management measures in the federal waters of the Gulf of Mexico.
14 These measures help ensure that fishery resources in the Gulf
15 are sustained, while providing the best overall benefit to the
16 nation.

17
18 The council has seventeen voting members, eleven of whom are
19 appointed by the Secretary of Commerce and include individuals
20 from a range of geographical areas in the Gulf of Mexico with
21 experience in various aspects of fisheries.

22
23 The membership also includes the five state fishery managers
24 from each Gulf state and the Regional Administrator from NOAA's
25 Southeast Fisheries Service, as well as several non-voting
26 members.

27
28 Public input is a vital part of the council's deliberative
29 process, and comments, both oral and written, are accepted and
30 considered by the council throughout the process. Anyone
31 wishing to speak during public comment should call the toll-free
32 number that is provided on our website. A digital recording is
33 used for the public record, and therefore, the purpose of voice
34 identification, please unmute your line when your name is called
35 and state your name, first and last name.

36
37 **MS. CAMILLA SHIREMAN:** Kevin Anson.

38
39 **MR. KEVIN ANSON:** Kevin Anson, Alabama.

40
41 **MS. SHIREMAN:** Patrick Banks.

42
43 **MR. PATRICK BANKS:** Patrick Banks, Louisiana.

44
45 **MS. SHIREMAN:** Susan Boggs.

46
47 **MS. SUSAN BOGGS:** Susan Boggs, Alabama.

48

1 MS. SHIREMAN: Leann Bosarge.
2
3 MS. LEANN BOSARGE: Leann Bosarge, Mississippi.
4
5 MS. SHIREMAN: I believe Glenn is absent. Roy Crabtree.
6
7 DR. ROY CRABTREE: Roy Crabtree, NOAA Fisheries.
8
9 MS. SHIREMAN: Dale Diaz.
10
11 MR. DALE DIAZ: Dale Diaz, Mississippi.
12
13 MS. SHIREMAN: Dave Donaldson.
14
15 MR. DAVE DONALSON: Dave Donaldson, Gulf States Marine Fisheries
16 Commission.
17
18 MS. SHIREMAN: J.D. Dugas.
19
20 MR. J.D. DUGAS: J.D. Dugas, Louisiana.
21
22 MS. SHIREMAN: Phil Dyskow.
23
24 MR. PHIL DYSKOW: Phil Dyskow, Florida.
25
26 MS. SHIREMAN: Tom Frazer.
27
28 CHAIRMAN FRAZER: Tom Frazer, Florida.
29
30 MS. SHIREMAN: Lieutenant Nicholas Giancola.
31
32 LT. NICHOLAS GIANCOLA: Lieutenant Giancola, New Orleans,
33 Louisiana.
34
35 MS. SHIREMAN: Martha Guyas.
36
37 MS. MARTHA GUYAS: Martha Guyas, Florida.
38
39 MS. SHIREMAN: Lance Robinson.
40
41 MR. LANCE ROBINSON: Lance Robinson, Texas.
42
43 MS. SHIREMAN: John Sanchez.
44
45 MR. JOHN SANCHEZ: John Sanchez, Florida.
46
47 MS. SHIREMAN: Bob Shipp. Paul Mickle.
48

1 **DR. PAUL MICKLE:** Paul Mickle, Mississippi.

2

3 **MS. SHIREMAN:** Greg Stunz.

4

5 **DR. GREG STUNZ:** Greg Stunz, Texas.

6

7 **MS. SHIREMAN:** Ed Swindell.

8

9 **MR. ED SWINDELL:** Ed Swindell, Louisiana.

10

11 **MS. SHIREMAN:** Troy Williamson.

12

13 **MR. TROY WILLIAMSON:** Troy Williamson, Texas.

14

15 **MS. SHIREMAN:** Thank you.

16

17 **ADOPTION OF AGENDA AND APPROVAL OF MINUTES.**

18

19 **CHAIRMAN FRAZER:** Okay. Thank you, everybody. The first item
20 of business is the Adoption of the Agenda. Are there any
21 modifications or additions to the agenda as written?

22

23 **MS. GUYAS:** Mr. Chair, I would like to add flounder to Other
24 Business.

25

26 **CHAIRMAN FRAZER:** Okay. Noted. Ms. Guyas from Florida would
27 like to add flounder to Other Business. Thank you, Martha. I
28 also understand, from Ms. Muehlstein, that we would like to add,
29 to Other Business, promotion of the council's Something's Fishy
30 tool, and so we will add that as well. Are there any other
31 additions or modifications to the agenda? Hearing none, can I
32 get a motion to adopt the agenda with the modifications?

33

34 **MR. BANKS:** So moved, Mr. Chairman.

35

36 **CHAIRMAN FRAZER:** It's moved by Mr. Banks. Thank you. Is there
37 a second?

38

39 **MR. DIAZ:** Second.

40

41 **CHAIRMAN FRAZER:** It's seconded by Mr. Diaz. Is there any
42 further discussion? Hearing none, is there any opposition to
43 the motion? Hearing none, we will adopt the agenda with the
44 modifications.

45

46 Next on the list here would be Approval of the Minutes, and we
47 have minutes from January of 2020 as well as minutes from May of
48 2020, and so I think, as a matter of protocol, we will adopt

1 those and approve those minutes separately, and so, with regard
2 to the January 2020 minutes, can I get a motion to approve those
3 minutes?
4

5 **MS. GUYAS:** So moved.
6

7 **CHAIRMAN FRAZER:** It's moved by Ms. Guyas. Is there a second?
8

9 **MR. ROBINSON:** Second.
10

11 **CHAIRMAN FRAZER:** It's seconded by Mr. Robinson. Is there
12 further discussion with regard to the January 2020 minutes?
13 Hearing none, is there any opposition to approving the January
14 2020 minutes? Hearing no opposition, we will consider the
15 January 2020 minutes approved as written. We will move now to
16 the May 2020 minutes. Can I get a motion to approve those
17 minutes?
18

19 **MS. GUYAS:** I will make that motion again, the motion to approve
20 the minutes.
21

22 **CHAIRMAN FRAZER:** Thank you, Ms. Guyas. Is there a second to
23 that motion?
24

25 **DR. MICKLE:** Second.
26

27 **CHAIRMAN FRAZER:** It's seconded by Dr. Mickle. Thank you, Paul.
28 Is there any further discussion that might relate to the May
29 2020 minutes? Hearing none, is there any opposition to
30 approving those minutes? Hearing none, I will go ahead and
31 accept the May 2020 minutes as approved.
32

33 We will now move into our public comment period, and so let me
34 just check quickly with the staff, to make sure that everything
35 is in order here. Okay. It looks like we're all good to go
36 here, and so good afternoon, everyone. Public input is a vital
37 part of the council's deliberative process, and comments, both
38 oral and written, are accepted and considered by the council
39 throughout the process.
40

41 The Sustainable Fisheries Act requires that all statements
42 include a brief description of the background and interest of
43 the persons in the subject of the statement. All written
44 information shall include a statement of the source and date of
45 such information.
46

47 Oral or written communications provided to the council, its
48 members, or its staff that relate to matters within the

1 council's purview are public in nature. Please email any
2 written comments to the staff at gulfcouncil@gulfcouncil.org, as
3 all written comments will also be posted on the council's
4 website for viewing by council members and the public, and it
5 will be maintained by the council as part of the permanent
6 record.

7
8 Knowingly and willfully submitting false information to the
9 council is a violation of federal law. If you would like to
10 provide testimony, please dial the toll-free-operator-assisted
11 number at 1-(844)467-8947, as shown on the screen. Please press
12 *1 on your telephone now to be placed in the speaker queue. The
13 operator will come on the line and let you know when it's your
14 turn to speak. When your line is unmuted, please introduce
15 yourself by stating your first and last name for the record and
16 begin your testimony. Stay tuned after speaking for any
17 questions the council may have for you. You will lose your
18 place in the queue if you are not present when called. To re-
19 enter the queue, you must press *1. If you get disconnected
20 from the phone call, you will have to call back in and press *1
21 to re-enter to queue.

22
23 You will have three minutes to comment. There will be a
24 countdown timer visible on the screen. We accept only one
25 registration per person, and I will now go to the operator for
26 our first speaker.

27
28 **UNIDENTIFIED:** Your first speaker at this time is Ken Haddad.

29
30 **CHAIRMAN FRAZER:** Okay. Thank you.

31
32 **PUBLIC COMMENT**

33
34 **MR. KEN HADDAD:** Good afternoon, council members and Mr.
35 Chairman. I'm Ken Haddad with the American Sportfishing
36 Association. I have a couple of comments. On the GAO report,
37 we want to point out what may be an overlooked part of a needed
38 work effort by the council.

39
40 Specifically, during the online report during this meeting by
41 GAO, it was noted that, of the two allocation review triggers,
42 the second trigger, public interest, has no process or
43 guidelines on how that criteria works, and so that's something
44 we think should be followed up on.

45
46 On the allocation review working group, we note that there is no
47 acknowledgement in the timeline for public input or comment, and
48 so you have a timeline in front of you, and, while I'm sure that

1 we can provide comments in some form around the council
2 meetings, we would like to see a call for public input
3 acknowledged in the timeline someplace.

4
5 On the MRIP state calibrations, we are disappointed that the
6 Ocean Conservancy would take such a harsh position on this new
7 state management process and the data being developed, and we
8 disagree with a fast-tracked temporary rule that forces
9 calibration between MRIP and the states in a simple ratio
10 without understanding the flaws in that calibration.

11
12 The National Academy of Science recommended that directed
13 surveys would be far more accurate, timely, and more cost
14 effective for quota monitoring than the current MRIP, and this
15 is what states are doing, and so that needs to be accounted for
16 somehow.

17
18 In addition, internal MRIP recalibrations are underway that
19 could change ACLs significantly, and so, to force a calibration
20 effort just to make it happen is premature, and we ask the
21 council to be deliberate and cautious in this transition process
22 for state management.

23
24 On Amendment 53, a reminder, and to paraphrase I believe it was
25 Dr. Crabtree, no action in Action 1 on Amendment 53 is de facto
26 changing the allocation. Based on the new and best available
27 data, we believe, in Action 1, that Alternative 2 and/or 3
28 should be the preferred alternatives. We do not support
29 Alternative 1.

30
31 For Action 2, it makes sense to continue the multiuse provision
32 in the commercial sector, and so we support Alternatives 2
33 and/or 4 as preferred alternatives and do not support
34 Alternative 1. Thank you. That concludes my testimony.

35
36 **CHAIRMAN FRAZER:** Thank you, Mr. Haddad.

37
38 **UNIDENTIFIED:** Your next testimony comes from Charles Bergman.

39
40 **CHAIRMAN FRAZER:** I am going to try to establish the protocol
41 here. After each of the speakers, I will ask if there are any
42 questions. In the absence of questions, we will then move to
43 the next speaker. Again, I apologize, but were there any
44 questions for Mr. Haddad? Seeing none, we'll proceed.

45
46 **UNIDENTIFIED:** Mr. Bergman's line is open.

47
48 **CHAIRMAN FRAZER:** Is Charles Bergman on the line? Okay. One

1 more time for Mr. Bergman. Okay. We will move to the next
2 speaker.

3
4 **UNIDENTIFIED:** The next speaker is Gary Jarvis.

5
6 **MR. GARY JARVIS:** I sent you all a written public testimony as
7 well, and I'm just going to be reading off of it. I'm Captain
8 Gary Jarvis from Destin, Florida, Executive Director of the
9 Charter Fishermen's Association.

10
11 I am speaking on behalf for the CFA with concerns about the
12 results of the recalibration data released earlier this week.
13 It draws deep concerns for how Amendment 50 will impact the
14 entire fishery across all sectors, and it's been over ten years
15 that the issue of overharvest of red snapper has been at the
16 feet of this council, and here we are in 2020 still experiencing
17 Groundhog's Day. We've been here before, and we know the
18 ramifications of reducing angling opportunities and the economic
19 loss by the for-hire and commercial sectors if that takes place.
20 The newest recalibration shows, once again, that reduced OFLs
21 could be reality in the near future.

22
23 The provision in 30B has held the for-hire industry's feet to
24 the fire since 2005, effectively making our industry a sub-
25 sector of the recreational fishery by applying more stringent
26 guidelines. CFA has supported the development of Amendment 50
27 since the beginning and the flexibility it gives -- With such
28 control by each individual state comes the responsibility to
29 manage their programs to a higher standard, one which does not
30 adversely affect the for-hire sub-sector.

31
32 I want to point out that Florida is doing a really good job with
33 its program, and we're working with them now to increase that
34 level of accountability and to narrow the overall size of the
35 fishery by getting people not to get permits if they're going to
36 be fishing inshore for redfish or trout or snook or stuff like
37 that, and that will reduce the unit per effort.

38
39 The biggest concern is the recalibration, that it shows the
40 states could be reaching the OFL, overfishing limit, soon. This
41 possibility is real, and it could trigger paybacks that will
42 severely harm the success of the rebuilding plan for this
43 fishery, and so the recalibration should not be part of any
44 reallocation discussion until this council can figure out how to
45 apply any available mitigation to bring Amendment 50 into
46 compliance with the Magnuson-Stevens Act.

47
48 I highly recommend, and so does our association, that some form

1 of common currency be established, and I know it's not going to
2 take place in 2020, but, to prevent this discussion from being
3 kicked down the road and the states losing their capabilities
4 under Amendment 50 to manage their own fisheries, I think common
5 currency is going to have to be the end-all to actually begin to
6 fix this problem. Thank you, guys, for your effort and your
7 time and the difficulties faced having a council meeting with
8 this much on the agenda via webinar. Thank you very much.

9
10 **CHAIRMAN FRAZER:** Thank you. Do we have any questions for
11 Captain Jarvis? Go ahead, Susan.

12
13 **MS. BOGGS:** Gary, thank you for calling in today. I would like
14 to know, in brief comment, what are some of the effects that you
15 all have seen from COVID-19, as far as the charter fleet there
16 in the Destin area, please.

17
18 **MR. JARVIS:** The biggest effect was early, before our governor
19 went to Phase 2, when he had a ban on short-term rentals. Even
20 though, in Florida, we could continue to fish, and FWC only made
21 a requirement that numbers had to be ten or less on a vessel or
22 social distancing of six feet or more, and so we were able to
23 fish.

24
25 Unfortunately, because of the ban on short-term rentals, which
26 is 87 percent of our stay market, we were virtually shut down
27 here in Destin, and that was the same for Pensacola and Panama
28 City. It was devastating, and so, right before Memorial Day, on
29 that Thursday, our governor went and released that ban on short-
30 term rentals, and, since then, business is flourishing at the
31 moment, and guys are beginning to once again have normal
32 bookings.

33
34 It took about a ten-day lag from the time it was opened, the
35 Thursday before Memorial Day weekend, to about the 5th of June,
36 or maybe even the 8th of June, and now everybody I'm talking to
37 is stating that their bookings for the summer is beginning to
38 look a lot better. A concern for us here in Florida is there
39 has been a resurgence of reported cases, and so everybody is --
40 Pun intended, but everybody is waiting with bated breath to make
41 sure that doesn't get out of hand, and so that's where we're at
42 at the moment, Susan.

43
44 **MS. BOGGS:** Thank you, sir.

45
46 **CHAIRMAN FRAZER:** John Sanchez.

47
48 **MR. SANCHEZ:** Good afternoon, Captain Gary.

1
2 **MR. JARVIS:** Good afternoon, Mr. Sanchez.
3
4 **MR. SANCHEZ:** I have a question for you that's kind of unrelated
5 to the recalibration, but, as SEFHIER goes forward and
6 electronic logbooks for the for-hire industry, would you or do
7 you support having some questionnaire part of it, where it asks
8 where your customers are from, either state or country of
9 origin? I think that information could be useful. Thank you.
10
11 **MR. JARVIS:** One of the shortcomings of self-reported data, and
12 data in the recreational fishery in general, is that type of
13 information, and I think having a better perspective of the
14 public access to the fishery, as it pertains to federal charter
15 boats, is very important, especially in later management
16 processes, where economic impact studies need to be done.
17
18 Having that information would be extremely valuable, and the
19 country of origin is important as well, because what we're
20 seeing here is, even in the Panhandle of Florida, it's more and
21 more foreign visitors, and so those two items would be, I think,
22 very important to have in the SEFHIER program, that information
23 request from the captains themselves.
24
25 **MR. SANCHEZ:** Thank you.
26
27 **CHAIRMAN FRAZER:** Okay. Are there any more questions for
28 Captain Jarvis? Seeing none, thank you, Gary.
29
30 **MR. JARVIS:** Thank you, Mr. Chairman. I appreciate it.
31
32 **CHAIRMAN FRAZER:** Thank you. We're ready for our next speaker.
33
34 **UNIDENTIFIED:** The next speaker is Catherine Bruger.
35
36 **MS. CATHERINE BRUGER:** Good afternoon. This is Catherine
37 Bruger. Thank you for the opportunity to speak. I am here
38 today on behalf of Ocean Conservancy, and I would like to thank
39 the council and staff for coming up with solutions to meet
40 virtually, despite unprecedented circumstances. I would also
41 like to congratulate Peter Hood and Dr. Frazer on their new
42 positions.
43
44 Ocean Conservancy continues to support state management of red
45 snapper. However, the current method of comparing state survey
46 landings to an MRIP-based ACL is statistically indefensible.
47 Further, NMFS acknowledged in the final rule for Amendment 50
48 that management is not currently compliant with the MSA.

1
2 Without a common currency, the private angler sector is
3 exceeding their share of red snapper. Immediate action is
4 necessary to ensure that overages do not continue.

5
6 As noted yesterday, red snapper landings in 2019 were only 9,000
7 pounds below the OFL. The only reason that landings were not
8 over the OFL is due to underages from other sectors. The
9 council should request NMFS to present comparisons of the annual
10 landings to the OFL, for transparency. If each sector caught
11 their full quota in 2020, Amendment 50 would allow states to
12 catch nearly two-million pounds over the private angler ACL,
13 which would trigger overfishing by 1.4 million pounds.

14
15 Amendment 50 sets us up to bet against everyone catching their
16 full quota. The issues of unfairness and inequity among sectors
17 and among states can no longer be ignored. The for-hire and
18 private angler components are held to different calibration
19 standards, as new programs are being implemented and it becomes
20 more and more likely that the cost of the currently availed
21 overfishing will have obvious downstream consequences for both
22 the commercial and for-hire sectors.

23
24 Conversations yesterday suggest that the council and the agency
25 are prioritizing longer-term action instead of focusing on MSA
26 compliance for the current season. It is the obligation of both
27 the council and NMFS to ensure that every year is compliant with
28 the MSA, and the states, as partners in state management, are
29 similarly obligated.

30
31 We see four options. One is issue a temporary or emergency rule
32 for 2020 to calibrate the state-specific ACLs. This is our
33 preferred method. Two is calibrate catch from state surveys and
34 then compare those to the ACL. Three is implement a 32 percent
35 buffer to reduce management uncertainty. Four is implement
36 calibrated overages from 2020 as necessary to pay back in 2021.

37
38 We see the decisions that the council makes tomorrow as a last
39 opportunity to add precaution. Without your immediate action,
40 the first official year of state management is keyed up to
41 trigger overfishing and remains out of compliance with Magnuson.
42 We are committed to working with you to resolve this. Thank
43 you.

44
45 **CHAIRMAN FRAZER:** Thank you. Are there any questions for Ms.
46 Bruger?

47
48 **MR. ANSON:** I have a question. Thank you, Catherine, for your

1 comments. I am just curious as to where the 32 percent number
2 comes from. Typically, we deal with more like 20 percent or 30
3 percent, those types of things, and so I'm just curious at where
4 the 32 percent comes from. Thank you.

5
6 **MS. BRUGER:** Thank you, Mr. Anson. To answer that, we looked at
7 a 20 percent buffer, but, after applying the calibrations, even
8 if you reduced by 20 percent, that still doesn't get you to a
9 calibrated amount that would reduce you to keep landings below
10 the current MRIP-based ACLs. We're happy to share the
11 calculations that we did to get to a 32 percent buffer, and I'm
12 happy to share those with you after this as well.

13
14 **MR. ANSON:** All right. Thank you very much, and it's
15 encouraging to hear your willingness to work with us, work with
16 the council and such, and I don't know if you saw my
17 presentation yesterday, but certainly, from the state level, we
18 would be happy to sit down and talk with you or anyone else
19 about the data that we have, again, that kind of went into our
20 perspective on the situation. We feel that there's a little bit
21 of a fairness and equity issue that we're dealing with relative
22 to the recreational data, and I hope I conveyed that effectively
23 in the presentation yesterday. Thank you.

24
25 **CHAIRMAN FRAZER:** Thank you, Kevin, for that question. Are
26 there any other questions for Ms. Bruger? Seeing none, Ms.
27 Bruger, if you would be so kind as to provide the calculations
28 for the 32 percent buffer, provide it to the council staff, that
29 would be great. Thank you.

30
31 **MS. BRUGER:** Absolutely. Thank you so much.

32
33 **CHAIRMAN FRAZER:** Okay. We are now ready for our next speaker.

34
35 **UNIDENTIFIED:** Your next speaker is Jeffrey Senarighi.

36
37 **MR. JEFFREY SENARIGHI:** Hello. I'm Jeffrey Senarighi, and I'm
38 from Mora, Minnesota. I'm one of the co-founders of America's
39 Gulf, and I'm an MREP alumni. I fish down there about three
40 months out of the year, about three-plus months, actually, in
41 Gulf Shores, and I started fishing down there in 1994, and I was
42 out of Mobile at the time.

43
44 Our group is interested in Amendment 42. In the year 2014 and
45 2015, when we had the Headboat Collaborative, it was -- What can
46 I say, but it was a successful experiment, and I talked to Kevin
47 Anson and Steve Bannon at Alabama DNR, to see what their
48 thoughts were on that, if that at the state they would be

1 against this sort of thing, and they seemed very sympathetic to
2 our senior citizens getting an opportunity to have access to the
3 red snapper.

4
5 It's been a while, like I said, since we've been able to keep
6 and catch them, but, even during the MRIP presentation, and I
7 know Andy Strelcheck said that it was very successful, and twice
8 he went over it, and, to tell you the truth, he didn't know why
9 this thing wasn't being implemented. It seemed to increase the
10 economic income to the area, and it was good for data
11 collection, and it decreased the dead snapper discards, and we
12 still stayed under the allotment for that sector.

13
14 It also decreased crowding during the summer season, and this
15 seemed to be a win/win to us seniors, and we're just wondering
16 if we have a chance or what we need to do to advance this thing
17 to get this passed to allow us to have access to this resource.
18 I guess that's about all I have to say, but it's what my group
19 is interested in pushing forward. Thank you for the
20 opportunity.

21
22 **CHAIRMAN FRAZER:** Thank you, Mr. Senarighi. Are there any
23 questions?

24
25 **MR. ANSON:** I have a question. Mr. Senarighi, thank you for
26 your comments, and it's good to hear your voice, and thank you
27 for staying engaged in the process, and certainly, as we
28 discussed during our meeting, we're interested in trying to
29 spread the fish out, so to speak, and such, and trying to work
30 within a state management system or something, or a state-level
31 system, and that might be the best way forward, but,
32 unfortunately, as we discussed, it's just currently, the way the
33 fish are allotted, that we're not able to do that, but just,
34 again, thank you for your comments, and thank you for staying
35 engaged in the process.

36
37 **MR. SENARIGHI:** Well, we're interested in it and our group gets
38 smaller every year, but I guess, as more people retire, we'll
39 get a few more into it, but we would like the opportunity that
40 we've had in the past to have access to this resource, and
41 that's all, but thank you for listening. I appreciate it.

42
43 **CHAIRMAN FRAZER:** Again, thank you, Mr. Senarighi, for your
44 comments. Seeing no more hands up or any questions, we will
45 proceed to the next speaker.

46
47 **UNIDENTIFIED:** Your next speaker comes from Carole Neidig.

48

1 **MS. CAROLE NEIDIG:** Hello. This is Carole Neidig from the
2 Center for Fisheries Electronic Monitoring at Mote Marine
3 Laboratory. Thank you, council members and Mr. Chairman. I
4 appreciate the opportunity. I wanted to comment in reference to
5 the consideration of video-based electronic monitoring that
6 we've been working on, and I have presented to the council,
7 since 2016 as a potential additional data stream for e-logbook
8 validation, particularly of catch composition, effort, discard
9 disposition, and interaction with protected species.

10
11 We have introduced this idea to some of the council members, and
12 also NMFS scientific staff, and what our thoughts are, with
13 particularly thoughts on the upcoming e-logbook application
14 voluntary basis in the Gulf, is that we have a strong consortium
15 of fishers that have been working with us through several
16 groups, like SOFA and the Shareholders Alliance, that we
17 currently have a huge database from and are funded to continue
18 that the next several years, through both NOAA grants and NFWF,
19 and I wanted to put that suggestion out there, that possibly we
20 could work together with e-logbook and work with EM as a
21 possible data stream for validation.

22
23 Also, we're working in partnership with the Charter Fishermen's
24 Association on a grant to do this work and also introduce it
25 into the charter fishing fleet, the federally-permitted fleet,
26 and hopefully that comes through, but we are looking at new
27 systems for EM that are portable and that can be easily moved
28 between vessels, to keep costs down, and also for any technician
29 work that needs to be done with those systems, but we are
30 basically collecting all of the attributes that are on the list
31 for the e-logbook requirement, and we would be able to provide
32 permanent documentation, plus along with the additional data
33 that we do of details in hot-spot analysis and also of the
34 depredation situations that occur with sharks and marine
35 mammals, with gear and catch.

36
37 I wanted to bring that to the attention of the council and those
38 listening, and so thank you for this opportunity, and I greatly
39 appreciate your support and taking the time for me.

40
41 **CHAIRMAN FRAZER:** Thank you, Ms. Neidig. Are there any
42 questions? Seeing none, we will move on. Again, thank you, Ms.
43 Neidig.

44
45 **MS. NEIDIG:** Thank you.

46
47 **CHAIRMAN FRAZER:** We are ready for our next speaker.

48

1 **UNIDENTIFIED:** Your next speaker comes from Eric Brazer.

2
3 **MR. ERIC BRAZER:** Thank you very much. Thank you all very much.
4 This is Eric Brazer, Deputy Director of the Gulf of Mexico Reef
5 Fish Shareholders Alliance, and thank you for the opportunity to
6 participate in this virtual meeting.

7
8 A few things for you guys today, and number one is IFQ
9 carryovers. As we wrote in our letter, some of our members want
10 it, and others don't think it's necessary at this point. Our
11 position, as of today, is that it's too early to tell, and so
12 we're supportive of council and agency staff pulling something
13 together for us to comment on in August, and hopefully, at that
14 time, we'll have a better idea of what the state of the world
15 looks like, as we wrap up the remainder of this year.

16
17 On common currency, clearly this is a critical issue, and
18 Captain Jarvis spoke really well on it, and we were supportive
19 of state management and sector separation, because it was sold
20 to us as something that wasn't going to harm the commercial
21 sector.

22
23 Based on the information that we've seen this week, and we
24 acknowledge that it's preliminary, but, based on this
25 information, we're seeing a pretty strong potential for some
26 drastic consequences for the commercial sector, and so we know
27 this is complicated, and we know it's controversial, but we
28 really urge you guys to resolve this as quickly and as fairly as
29 possible.

30
31 Red grouper reallocation, it looks like there are ways to
32 maintain a twelve-month season for the recreational without
33 reallocating, and so that's great news. We have always opposed
34 reallocation, because of, among many reasons, fairness and
35 equity issues, and so it seems to us that the most fair option
36 in front of you guys right now is to push for the maximum
37 sustainable access for the recreational sector without taking it
38 from the commercial fishermen.

39
40 That being said, at this time, it seems premature to make this
41 decision on the preferred alternatives when we don't yet have
42 the results of next month's SSC meeting, and so let's see what
43 they have to say, and then we can all make a more informed
44 recommendation in August.

45
46 Real quick, we're really excited to see the timeline and the
47 trajectory for commercial electronic logbooks, and they've been
48 a long time coming, and we're glad to see this program finally

1 getting off the ground, and then, lastly, I just wanted to
2 comment on the format of this meeting.

3
4 We really think that council members and staff are doing a great
5 job holding this meeting virtually, and there have been a few
6 hiccups along the way, but everybody is trying their best, and I
7 think that, at the end of the week, we're all going to say this
8 was a success. It's challenging, but you guys are getting it
9 done. Whoever chose that phone music, that was on point, and so
10 well done to that person, but let's get back to an in-person,
11 face-to-face meeting as quickly as we can do it and as safely as
12 possible. With that, I conclude my comments.

13
14 **CHAIRMAN FRAZER:** Thank you, Eric, and thank you for the
15 compliments to the staff. They have in fact worked incredibly
16 hard to pull this off, and so I appreciate that. Are there any
17 comments for Mr. Brazer? Seeing none, thank you, Eric, for your
18 time and your comments.

19
20 **MR. BRAZER:** Thank you.

21
22 **CHAIRMAN FRAZER:** We are now ready for our next speaker.

23
24 **UNIDENTIFIED:** Your next speaker is Jim Zurbrick.

25
26 **MR. JIM ZURBRICK:** How do you follow Eric Brazer? This is Jim
27 Zurbrick, and I'm a commercial fisher from Steinhatchee,
28 Florida, and I'm also a fish dealer, and I'm also President of
29 Fish for America USA. All of Eric's comments, if anybody was
30 jotting down notes, I agree with, but he did not mention the
31 charter/for-hire electronic reporting that was scheduled to
32 start on September 1.

33
34 I am not in the charter business, and I was in the charter
35 business for twenty-five years, and this was so exciting for me,
36 being on the sidelines and cheering it on, and the delay is just
37 -- It's tearful at my end, and so I would like to see us, if
38 there is any way to try to put this in, if, as some kind of
39 compromise on part of it, we have to do something.

40
41 The second is the red grouper reallocation, and I made a comment
42 online earlier in the month that I thought it was morally wrong,
43 but the argument that I would make is that, after seeing the
44 discard report for recreational fishers of how huge it was for
45 red snapper, it scares me to think of how many fishermen are
46 going to keep the twenty or twenty-one-inch red grouper.

47
48 These fish don't make it on a discard scenario, and so it really

1 worries me that we could take fish from the truly only
2 accountable fishery in the Gulf, and we count every fish, and we
3 have tracking, and we have law enforcement interaction, and to
4 give it to a sector that needs more opportunity, but this is the
5 wrong way to do it.

6
7 Also, the closed areas, and there was a lot of discussion
8 yesterday, and I would believe that you should be able to come
9 through, travel through, a closed area with reef fish, as long
10 as you didn't stop. The VMS, we had an episode here in town
11 where a gentleman accidentally anchor pulled and ended up into
12 it, and law enforcement arrived here to meet him. I think that
13 we could work through this, and, obviously, no fishing, if
14 that's what it is, but to transport through it with the gear
15 stowed is what I favor.

16
17 Also, the Executive Order from Mr. Trump, I think it's pretty
18 clear that the council is mandated to strengthen our food
19 supply, and I know people could argue that they eat the red
20 snappers and the groupers that they catch, but the bottom line
21 is it's not actually a food source that people count on to put
22 on their table, and I know I could hear some arguments from
23 that, but I think that that needs to be a driving force behind
24 some of our decisions here, and I thank you very much.

25
26 **CHAIRMAN FRAZER:** Thank you, Captain Zurbrick. Are there any
27 questions for Jim? Seeing none, Captain Zurbrick, thank you for
28 your time and your comments.

29
30 **MR. ZURBRICK:** Thank you.

31
32 **CHAIRMAN FRAZER:** We are ready for our next speaker.

33
34 **UNIDENTIFIED:** Your next speaker is Charles Bergman.

35
36 **MR. CHARLES BERGMAN:** This is Charlie Bergman, and I've got a
37 few comments, and not a whole lot. I want to commend
38 Sustainable Fisheries for pushing forward the Madison-Swanson
39 and Steamboat Lumps provision on the trolling, to stop the
40 trolling. I think there needs to be some sort of a transit
41 provision, but I'm not really sure that folks have to transit
42 those areas carrying reef fish onboard, and so I support both
43 decisions of the Sustainable Fisheries Committee earlier.

44
45 Where it gets to red grouper, I get a little uneasy, and I can
46 look back as far as 2004, when the recreational landings
47 exceeded their TAC by about two-million pounds, whereas the
48 commercial fishery has stayed within their TAC. In fact, at

1 some point, somewhere around 2009 or 2010, when the council
2 moved the red grouper longline fishery out seaward of thirty-
3 five fathoms, the fishery wasn't able to catch their quota, and
4 I believe, at one of the council meetings, the underage of
5 harvest was transferred over to account for some of the
6 recreational effort that was much needed at the time, I guess.

7
8 Then you have a change in the TAC, and that was 2016 or 2017 or
9 somewhere thereabouts, and now we're talking about
10 reallocating, and it's not a small amount that you're talking
11 about changing over, and I believe, in the table, it indicated
12 that the recreational fishery could stay within its quota by
13 having the Alternative 1 under Action 1 and Alternative 1 under
14 Action 2, and I am at a loss as to why we're headed that way,
15 but, when you get into the public hearing stages, and I agree
16 that you have to pick them from the State of Florida, but
17 certainly the Panhandle of Florida needs to be in the scope as
18 to where the hearings are held.

19
20 ITQ carryover, it needs to be for all shareholders, people that
21 have leased as well as people that own, and that's all I have to
22 say. Thank you.

23
24 **CHAIRMAN FRAZER:** Thank you, Charlie. Are there any questions
25 for Mr. Bergman? Seeing none, thank you again, Charlie, for
26 your comments, and we'll move on to our next speaker.

27
28 **UNIDENTIFIED:** Currently, Mr. Chair, we have no further
29 questions in the queue.

30
31 **CHAIRMAN FRAZER:** All right. Thank you, and I thank everybody
32 for their comments, and so it's two o'clock now, and we will go
33 ahead and take a break, and we will reconvene with staff to make
34 sure that we've got all of our technology squared away, and so
35 go ahead and just put your phones on mute, and we can re-join
36 this call, and let's take a twenty-minute break until 2:20.
37 Thank you.

38
39 **CHAIRMAN FRAZER:** I've got a thing that says there are other
40 people on the line that want to speak.

41
42 **UNIDENTIFIED:** Yes, and Mr. Bill Kelly's line did come in on the
43 queue.

44
45 **MR. BILL KELLY:** Can you hear me?

46
47 **CHAIRMAN FRAZER:** Yes, Bill, and can you just sit tight for one
48 sec and let me -- Don't go away. Let me figure this out.

1
2 **MR. KELLY:** Not a problem.

3
4 **CHAIRMAN FRAZER:** Bill, I think, because I have let people go to
5 a break, I don't think it would be fair to you, or anybody else
6 that we might have in the queue, to go ahead and speak now, and
7 what we'll do is try to restart the queue, and we're going to
8 come back at 2:20, and so the moderator will keep you on the
9 line, I believe, and, again, I apologize for the technological
10 kind of snafu here, but what we'll do is, when I reconvene the
11 group at 2:20, we will continue with any public comment for
12 anybody that is in queue, and so just sit tight, and, again, I
13 apologize for that.

14
15 **MR. KELLY:** No problem, and I will just stay in the queue here
16 now. I have no problem with that.

17
18 **CHAIRMAN FRAZER:** Yes, just stay in the queue, and the
19 moderator, Elaine, will get in touch with you when it's your
20 turn.

21
22 **MR. KELLY:** Good deal. Thank you.

23
24 **CHAIRMAN FRAZER:** Thank you.

25
26 (Whereupon a brief recess was taken.)

27
28 **CHAIRMAN FRAZER:** Welcome back, folks. Sorry for the delay. We
29 had a bit of a little technological difficulty, and I think we
30 have a number of folks who still want to provide public comment,
31 and so we're going to work through those right now, and, after
32 that, we'll reconvene, and so we will be ready for our next
33 public speaker.

34
35 **UNIDENTIFIED:** The next speaker will be Bill Kelly.

36
37 **MR. KELLY:** Mr. Chairman and council members, Bill Kelly,
38 representing the Florida Keys Commercial Fishermen's
39 Association, and I must say that I looked forward to Monday's
40 presentation on allocation, only to be appalled when the
41 timeline revealed that king mackerel would not be considered
42 until the year 2025.

43
44 I have been before you for the past ten years asking the council
45 to address reallocation in the king mackerel fishery. During
46 this timeframe, the recreational side has left more than thirty-
47 million pounds of unharvested king mackerel, while they fish
48 less than 50 percent of their six-million-pound quota every

1 year.

2
3 During that same timeframe, commercial gillnetters, working
4 closely with Dr. Steve Branstetter, Sue Gerhart, and others have
5 made sweeping changes in the fishery, only to be rebuffed on
6 allocation at every turn. We voluntarily retired latent permits
7 and reduced the fleet from twenty-two to seventeen stakeholders.

8
9 We negotiated an increase in trip limits from 25,000 to 45,000
10 pounds in a high-yield fishery and virtually eliminated overruns
11 and fines. We volunteered paybacks in exchange for the trip
12 limit increase, which no other sector is required to do. We
13 provide real-time catch data and eliminated lags in dealer
14 reporting that provide immediate daily catch information to NMFS
15 SERO.

16
17 Meanwhile, the council has come up with every excuse it can not
18 to comply with National Standard 4 in the Magnuson Act. Changes
19 to MRFSS, changes to MRIP, recalibration of recreational
20 landings, waiting for the next stock assessment, ten years'
21 worth of excuses instead of acting on the best available
22 science.

23
24 In our opinion, the Gulf Council missed a golden opportunity to
25 set the standards for allocation and reallocation several years
26 ago that could have served as a model for all of the councils,
27 in what is generally referred to as the Bosarge Plan, and I
28 never thought, ten years later, that I would still be asking you
29 to bump up the timeline and address allocation of king mackerel,
30 and especially considering how quickly the council is willing to
31 consider reallocating red grouper to the recreational side, and
32 now most likely red snapper as well.

33
34 Once again, I ask you to please address allocation issues in the
35 king mackerel fishery, and do me a favor. Please do it while
36 I'm still around. Thank you.

37
38 **CHAIRMAN FRAZER:** Thank you, Captain Kelly. Are there any
39 questions for Bill? Okay. Seeing none, again, thank you,
40 Captain Kelly, for your comments.

41
42 **MR. KELLY:** Thank you.

43
44 **CHAIRMAN FRAZER:** We're going to go ahead now and proceed to the
45 next speaker.

46
47 **UNIDENTIFIED:** Our next speaker is Sepp Haukebo.

48

1 **MR. SEPP HAUKEBO:** Thank you, Mr. Chairman, and thank you,
2 council members. It's good to see you all, even if it's just on
3 the computer, and it's good to hear your voices. My name is
4 Sepp Haukebo, and I'm Program Manager at the Environmental
5 Defense Fund.

6
7 EDF has been supportive of Amendment 50 from the start, so long
8 as it includes federally-set ACLs and the proper accountability
9 measures. Now, regarding common currency, there is no doubt
10 this is a complex issue, and I want to remind the council that
11 this isn't about which survey is more accurate. The problem is
12 that the allocations handed out to the states at the beginning
13 of the season are based on historical federal landings data,
14 which nobody denies has its own biases.

15
16 Meanwhile, the states are measuring in-season harvest in their
17 own currency, which also has their own biases, and so, again,
18 this isn't about which is more accurate. It's about measuring
19 the right harvest at the right time, and we're talking about
20 what are the implications of taking action, but I also want to
21 encourage you to consider the implications of inaction. As I
22 understand it, the models ran by NMFS staff, as well as the
23 models ran by OC, highlight the potential for the eastern stock
24 to experience recruitment and stock overfishing if a solution is
25 not enacted.

26
27 Now, another thing to consider is the next red snapper
28 assessment, and I would like to ask the council and staff,
29 because I don't know the answer, what happens if a common
30 currency is not established, and, as a result, the next red
31 snapper assessment is not blessed by the SSC or NMFS. I think
32 we all agree that we don't want to go back to the days of three-
33 day red snapper seasons, but that's entirely possible if we
34 don't take action, and it's also possible if we don't roll out
35 solutions in a very careful way.

36
37 Lastly, Kevin, I wanted to acknowledge your idea to run a local
38 comparison using cameras and artificial intelligence. I want to
39 say that technology is out there, and it's already being applied
40 in several fisheries. The Mid-Atlantic Council is funding a
41 similar study at the Ocean City Inlet this year to provide a
42 local comparison between state and federal recreational data
43 systems.

44
45 EDF has also been testing this tech in Indonesia's blue swimming
46 crab fishery, and tech providers have also done this in British
47 Columbia's salmon fishery, where a camera automatically
48 identifies boats and counts total effort in real time, and I'm

1 happy to send any of those resources to you, or other council
2 members, if you would like, and I appreciate everyone's time.
3 Thank you.

4
5 **CHAIRMAN FRAZER:** Thank you, Mr. Haukebo. Are there any
6 questions for Sepp? Seeing none, Sepp, if you would provide
7 those materials to the council, that would be appreciated.

8
9 **MR. HAUKEBO:** Absolutely. Thank you, Dr. Frazer.

10
11 **CHAIRMAN FRAZER:** Thank you. We'll proceed to our next speaker.

12
13 **UNIDENTIFIED:** Currently, I have no speakers in the queue.

14
15 **CHAIRMAN FRAZER:** Okay. We're going to sit tight for just a
16 minute, and I would like to remind people that, if they want to
17 speak, after they dial in the number, they will need to press *1
18 to enter the queue.

19
20 **UNIDENTIFIED:** You did have a question come in from Jason
21 Delacruz.

22
23 **CHAIRMAN FRAZER:** Okay.

24
25 **MR. JASON DELACRUZ:** Hello, council. This is Jason Delacruz,
26 owner and operator of Wild Seafood Company and also Brickyard
27 Fishing and multiple fishing companies as well as Don's Dock,
28 one of the single largest passes in the Gulf of Mexico for
29 recreational fishing as well.

30
31 A couple of quick points about the Madison-Swanson and Steamboat
32 closures, and I do think they are quite needed. We have a
33 pretty pervasive issue of that, because those are directly west
34 of my facility, and the challenge I have is that, when it comes
35 to the commercial fishery, we have had VMSS on our boats since
36 2009, and, more often than not, they've been used a tool to hurt
37 us, and, time and time again, I have always requested that why
38 can't they be used as a tool to help us.

39
40 In this particular case, when it comes to transiting these areas
41 that are going to be closed, I have been told by NMFS that these
42 VMSS can be used to tell when a guy is fishing and when a guy is
43 not fishing for multiple gear types, and so why can't it be
44 acceptable that we transit when we're doing that with an eight-
45 knot boat and having to make an out-of-the-way drive just so
46 that we don't drive through that area, and let this opportunity
47 be an advantage for us to have VMSS that we can transit these
48 areas and be able to prove that we're not fishing?

1
2 That blows me away, and, as a fella that just got off a boat
3 that spent many days near closed areas and a lot of time
4 fishing, and I know what that looks like at eight knots, and
5 that's not a fun thing, and I don't think it's a fair thing to
6 cause us to have to do that, and so I would hope that we would
7 use the VMSs to some positive effect of the fishermen and not
8 just always negative effects.

9
10 One other aspect too is the red grouper reallocation
11 conversation, and it blows me away that we're willing to use
12 this as a way to reallocate from one sector to another, when it
13 doesn't even really fit the provisions that have been laid out
14 in Magnuson as to why we would go to allocation arguments one
15 way or another, and so, if we could think about that a little
16 more in-depth, I really would appreciate it as well, and that's
17 all I have.

18
19 **CHAIRMAN FRAZER:** Thank you, Jason. Do we have any questions
20 from council members?

21
22 **MS. BOSARGE:** Dr. Frazer, can I speak to the gentleman?

23
24 **CHAIRMAN FRAZER:** Please go ahead, Ms. Bosarge.

25
26 **MS. BOSARGE:** Jason, I just want to thank you for that comment
27 on transiting those closed areas and that VMS. The council uses
28 VMS as both a data collection tool as well as an enforcement
29 tool, and so it is one that actually kind of functions in both
30 ways, and I have had the same issue arise with our boats, where
31 we were transiting a closed area, and it was actually just an
32 area where a season was closed, and not Steamboat Lumps or
33 something like that, and an enforcement action was opened
34 against us because we have a VMS on that boat.

35
36 We were never boarded, and we were never given the option to
37 show this law enforcement officer that we had no shrimp on the
38 boat, nor any other fish of that nature, but enforcement action
39 was opened against us, and we weren't contacted until three
40 weeks later, when the boat is already at the dock, and so we
41 really have no avenue to pursue at that point, and I was told
42 that I needed to produce something to show that we were not
43 shrimping, and so I was guilty until proven innocent, and,
44 unfortunately, that happens more often that comes out in the
45 public, and those sorts of things were the impetus for my
46 comments during the commercial electronic logbook discussion.

47
48 If we are going to collect electronic data and more data from

1 commercial fishermen for the purpose of data collection, then we
2 have to safeguard that information and make sure that it doesn't
3 end up being used against commercial fishermen, because, many
4 times that our data is used against us, we're actually in the
5 right, and we're innocent, and we haven't done anything wrong,
6 but it's just the way that it's carried out, and so I just want
7 to make that point and make sure we're thinking about that as
8 the discussions happen between our Science Center staff and
9 others and ACCSP. Thank you.

10

11 **MR. DELACRUZ:** Thank you very much, Leann.

12

13 **CHAIRMAN FRAZER:** Okay. Again, thank you, Leann, for that
14 question. Are there any other questions from the council?
15 Seeing none, Jason, thanks for the comments.

16

17 **MR. DELACRUZ:** No problem, Tom. Thank you.

18

19 **CHAIRMAN FRAZER:** All right, and so do we have any other
20 speakers? It's time to proceed to the next one. Just so people
21 know, we're trying to let some speakers into the queue, and so
22 sit tight. Lawrence, go ahead.

23

24 **MR. LAWRENCE MARINO:** Good afternoon. My name is Larry Marino,
25 and I'm here on behalf of Louisiana Attorney General Jeff
26 Landry. As we've heard, the recreational harvest calibrations
27 appear to be showing that the recreational catch has been
28 greater than previously thought. This means that the
29 recreational harvest is greater than --

30

31 **MS. SHIREMAN:** Mr. Marino, I believe we're getting feedback from
32 perhaps your computer, and that's also feeding out the sound.

33

34 **MR. MARINO:** Has it gone away? Is that better?

35

36 **CHAIRMAN FRAZER:** Much better.

37

38 **MR. MARINO:** I apologize. This has been problematic. If I
39 could start again, we have heard that the recreational harvest
40 calibrations appear to be showing that the recreational catch
41 has been greater than previously thought. This means that the
42 recreational harvest is greater than projected, but it also
43 means that the stock is larger than projected, since obviously
44 the harvest rate is an input into stock assessments.

45

46 It also suggests that the recreational allocation should -- The
47 sector harvests were a key input into that decision, and so
48 calibration obviously has implications for both the stock

1 assessment and the allocation discussions that are going to be
2 coming up, but it seems that the question would be whether or
3 how much the quota should be increased and whether or how much
4 the recreational allocation should be increased.

5
6 Now we're hearing that folks want to stand it on its head, and
7 they want the recreational quota lowered, because the
8 recreational catch is greater, but that ignores the fact that it
9 means that the stock is also greater and that the recreational
10 allocations, based on the true historical catch, should be also
11 be greater, and that's improper. It's flip sides of the same
12 coin, the harvest taken and the harvest that should be allowed.
13 The harvest rate factors into the quota determination on both
14 sides of that coin.

15
16 The comments that we're hearing were counted only on the harvest
17 taken side and ignored on the allowable harvest side, and that's
18 not good science, and that's not fair to all sectors, as
19 Magnuson requires. We heard repeatedly that the numbers
20 presented by NOAA Fisheries are preliminary and may, or even are
21 likely, to change, but part of the analysis as to what to do
22 about those numbers, once they are finalized, must be
23 considering both sides of that quota coin. Certainly the
24 council has a responsibility to prevent overfishing, but it also
25 has a responsibility to do it fairly and based on good science.
26 Thank you very much.

27
28 **CHAIRMAN FRAZER:** Thank you. Do we have any questions for Mr.
29 Marino? Seeing none, thank you, Mr. Marino, for your comments.

30
31 **MR. MARINO:** Thank you, and I apologize for the difficulty.

32
33 **CHAIRMAN FRAZER:** No problem at all. We want to make sure that
34 -- We've got a few more speakers out there, and so we're going
35 to try to work through them. We are ready to proceed to the
36 next one.

37
38 **UNIDENTIFIED:** Your next speaker is Rusty Reardon.

39
40 **MR. RUSTY REARDON:** Ladies and gentlemen of the council, thank
41 you for this opportunity to allow us to share our input into a
42 very important discussion. I am from Medina, Ohio, and I spend
43 ten months of the year there and two months in Gulf Shores. In
44 those two months, I drop a considerable amount of money that
45 supports the communities in Alabama, and my dollars are a small
46 amount of the recorded \$132 million that we contribute every
47 single year, roughly, give or take, to restaurants and gift
48 shops and other businesses during the four months of your

1 offseason.

2

3 We haven't met all of the 65,000 employees who we help maintain
4 full-time employment, but I'm sure, if we polled them, they
5 would be in support of cutting loose a few red snapper for the
6 senior citizens that come during the winter months.

7

8 On top of that, eleven state clubs provide fundraisers that
9 raise hundreds of thousands of dollars over the years to go
10 directly to the charities of the communities, and I'm sure they
11 also would lobby for us to have a few red snapper during January
12 and February.

13

14 I come down to Gulf Shores not specifically to fish, but to get
15 out of the winter months of Ohio, but, at the same time, I do
16 love to fish, and I fish from the shore, and, probably in the
17 two months, I will fish four or five or six times on a headboat,
18 and, oftentimes, we catch red snapper and triggerfish that we
19 have to release.

20

21 Years ago, I was fortunate enough to participate in the Headboat
22 Collaborative out of Destin, Florida. We were able to keep two
23 red snapper, and, at the end, when we brought the fish in, there
24 were scientists there that were collecting data that would help
25 to determine the health of the species.

26

27 This past February, as Jeff, one of my colleagues in this
28 venture, had mentioned earlier, we met with Kevin Anson and
29 Scott Bannon, both, by the way, two handsome, good-looking,
30 smart, knowledgeable people, and they gave us the time,
31 considerable time actually, to talk about our opportunities to
32 share in some of the harvest.

33

34 The consensus was that the Collaborative was a successful
35 program, as Jeff had mentioned earlier, and that it would be
36 nice to be able to phase-in an approach to the Amendments 41 and
37 42 and to move on those, and, to end my comments, when the BP
38 oil spill was set to bankrupt thousands of businesses in Gulf
39 Shores, or the Gulf states, I should say, the snowbirds showed
40 up, and we helped support those businesses, and many of them did
41 not have to go bankrupt. Now we face the shutdown of the virus,
42 and hopefully, in the winter coming up, the businesses will be
43 open, and I'm sure that we will also be there to help out.

44

45 My request is threefold. Put in motion a systematic progression
46 to phase-in Amendment 41 and 42. Number two is consider the
47 success of the Headboat Collaborative and any future
48 possibilities with that. Also, number three is help me to

1 understand why the snowbirds and all that we contribute to the
2 communities in Gulf Shores and the Gulf states -- Why we are
3 left out of harvesting just a few red snapper during the
4 offseason. Again, thank you very much for letting us share in
5 this program, and we hope that you will consider our request.
6 Thank you very much.

7
8 **CHAIRMAN FRAZER:** Thank you, Mr. Reardon. Do we have any
9 questions? It looks like Dr. Shipp.

10
11 **DR. SHIPP:** Rusty, thank you for your comments. I am just
12 curious. When you fish from the beach in December and January,
13 what species are you trying to catch, and how successful are you
14 in catching them? Thank you.

15
16 **MR. REARDON:** Well, as one of the anglers said, and I asked him,
17 I said, how's the fishing doing, and he said, well, the fishing
18 is great, but the catching is not too good. When I fish from
19 the beach, black drum I have caught often, whiting, pompano, and
20 sometimes grunts, and, basically, I am there to sit on the
21 beach, and I also have a book with me at the same time, with my
22 pole in the water, and so I'm not there to kill too many of the
23 fish.

24
25 **CHAIRMAN FRAZER:** Okay. Do we have any other questions for Mr.
26 Reardon? Kevin Anson, go ahead.

27
28 **MR. ANSON:** Thank you, Mr. Chair, and thank you, Mr. Reardon,
29 for providing your testimony today. We got a little flavor of
30 different parts of the country that we sometimes probably don't
31 get when we have a face-to-face meeting, and so this format, at
32 least in that regard, is helpful in providing more access to
33 folks to participate in the process, and we certainly appreciate
34 that, and I just appreciate your time and, again, your efforts
35 and your energies devoted to these issues that we deal with,
36 and, again, just thanks again, and it's good to hear your voice.

37
38 **MR. REARDON:** I'm sure we will see you again this winter.

39
40 **MR. ANSON:** I look forward to it. Thank you.

41
42 **MR. REARDON:** Okay. Thank you.

43
44 **CHAIRMAN FRAZER:** Thank you, Kevin. Are there any additional
45 questions for Mr. Reardon? Seeing none, we are going to proceed
46 to the queue, and, again, I would like to remind people that, if
47 they are on the line and they do want to speak, they need to
48 press *1 to speak. We are waiting now to see if we have anybody

1 else on the line.
2
3 **UNIDENTIFIED:** Currently, I have no one else in the queue.
4
5 **CHAIRMAN FRAZER:** It looks like we might have had somebody just
6 join the queue.
7
8 **UNIDENTIFIED:** Yes. We do have Ralph Andrew.
9
10 **CHAIRMAN FRAZER:** Welcome, Mr. Andrew.
11
12 **MR. RALPH ANDREW:** I'm from Fort Myers Beach, Florida, and I'm
13 an operator/owner of a commercial bandit boat for reef fish and
14 red snapper. I have been fishing for thirty years out of Fort
15 Myers Beach, and my bottom is basically from 26 45 to 24 45,
16 which is 120 nautical miles. I fish from eighty foot to 240
17 foot, and I've been doing it for, like I said, thirty years.
18
19 Over the last three years, four years, there has been a decline
20 in fishing, and I blame it on, as far as I'm concerned,
21 overfishing and more pressure from sport fishermen, and it's
22 been mismanaged by National Marine Fisheries, because of giving
23 us more quota, and we're catching less fish. That, as far as
24 I'm concerned, is not accountable measures.
25
26 The red tide killed a ton of fish two years ago, and, if
27 something is not done about it, you all won't have to worry
28 about where you want to reallocate grouper, because there won't
29 be any left, and, really, that's basically the most important
30 thing, is we need more grouper than we need quota, so that we
31 keep a healthy fish stock for sport fishermen and commercial,
32 and that's basically what I wanted to get across.
33
34 **CHAIRMAN FRAZER:** Thank you, Captain Andrew, for those comments.
35 Do we have any questions for Captain Andrew? Okay. I am seeing
36 none. Thank you, sir.
37
38 **MR. ANDREW:** Yes, sir.
39
40 **CHAIRMAN FRAZER:** Again I would remind you, if there's any other
41 speakers on the line, you need to press *1 on your phone to
42 enter the queue, and we will wait just a couple of minutes here.
43
44 **UNIDENTIFIED:** Currently, I am showing no one in the queue. We
45 did have someone come into the queue. One moment for their
46 name.
47
48 **CHAIRMAN FRAZER:** Okay.

1
2 **UNIDENTIFIED:** They did hang up their line.

3
4 **CHAIRMAN FRAZER:** Okay, and so we had a speaker, but they
5 appeared to have hung up the line, and so we're going to wait
6 just two more minutes, to make sure that they don't want to dial
7 back in, and so, again, I appreciate people's patience.

8
9 It looks like we have exhausted the queue, and so we're going to
10 give Bernie an opportunity to pull the materials up that we will
11 need to move forward here, and so we will stay close, and, at
12 3:00, we're going to start, and we will start with some
13 committee reports, and we are going to do the Sustainable
14 Fisheries Committee, Mr. Diaz, if you're prepared to do that.

15
16 **MR. DYSKOW:** Which number do you want us to use, Tom, which
17 cellphone number?

18
19 **CHAIRMAN FRAZER:** You can stay on the line right where you are.
20 I wanted to make sure that I have Mr. Diaz on the line.

21
22 **MR. DIAZ:** Yes, sir, and I would be glad to proceed with that
23 committee.

24
25 **CHAIRMAN FRAZER:** Okay. Great. Thank you. We'll let Bernie
26 get squared away, and, at 3:00 sharp, we'll start with that
27 report. Thank you, guys.

28
29 (Whereupon, a brief recess was taken.)

30
31 **CHAIRMAN FRAZER:** All right. It looks like we're all back, and,
32 again, I want to thank everybody for their patience as we
33 struggle through some of these issues, but I think we got
34 everybody that wanted to talk on the phone and provided them an
35 opportunity, and so, with that said, we're going to try to knock
36 out the Sustainable Fisheries Committee report, and, if we can
37 make it through that and we have a little bit of time, we will
38 then try to deal with our Other Business before we leave today.
39 Mr. Diaz, if you want to go ahead with the report, the floor is
40 yours.

41
42 **COMMITTEE REPORTS**
43 **SUSTAINABLE FISHERIES COMMITTEE REPORT**
44

45 **MR. DIAZ:** Thank you, Mr. Chairman. Before I start the report,
46 after each section, I am going to do a short pause of about ten
47 seconds or so, in case people have anything they want to chime
48 in on that section, and then I'll resume reading the report to

1 the next section.

2

3 The Sustainable Fisheries Committee met on June 15, 2020, and
4 the committee adopted the agenda as written and approved the
5 minutes of the January 2020 meeting as written.

6

7 The Government Accountability Office Report on Allocation, Ms.
8 Anne-Marie Fennell of the Government Accountability Office
9 provided background information about the GAO and summarized the
10 report on allocation reviews for mixed-use fisheries in the
11 South Atlantic and Gulf of Mexico.

12

13 Ms. Fennell discussed the objectives, methodology, and scope of
14 the report and presented the two recommendations included in the
15 report. Ms. Fennell noted that the South Atlantic and Gulf
16 Fishery Management Councils have established criteria for
17 initiating allocation reviews and that the Gulf Council has
18 begun the development of its allocation review process.

19

20 Committee members inquired about the mandate to produce the
21 report on allocation reviews. Ms. Fennell replied that the
22 report was mandated by the Modernizing Recreational Fisheries
23 Management Act of 2018. The committee noted that the two
24 recommendations included in the report appear to be similar.
25 Ms. Fennell explained that the first recommendation addresses the
26 development of documented processes for allocation reviews,
27 while the second recommendation suggests elements to include in
28 the documented processes.

29

30 The committee noted that, within the Gulf recreational sector,
31 the for-hire component is subject to a permit moratorium.
32 Finally, the committee invited Ms. Fennell to listen to
33 deliberations of the Reef Fish Committee relative to allocation
34 issues. I will pause there for a few seconds.

35

36 **CHAIRMAN FRAZER:** John Sanchez, go ahead.

37

38 **MR. SANCHEZ:** Dale, I just wanted to say that I don't know if
39 Ms. Fennell is listening, but I believe she did take up our
40 request to listen in on yesterday's Reef Fish, and so I would
41 like to thank her for that, if she's listening. Thank you.

42

43 **MR. DIAZ:** Thank you, John. Update on Allocation Review Working
44 Group, staff provided background information on the expected
45 starting dates of initial allocation reviews in the Gulf,
46 membership of the Allocation Review Working Group, and dates of
47 previous allocation review-related discussions.

48

1 Staff then discussed the required steps to develop the council's
2 allocation review guidelines, which will include procedures and
3 processes for conducting allocation reviews and evaluation
4 criteria to consider during those reviews.

5
6 Steps required during the development of guidelines include
7 allocation review working group meetings, drafting of review
8 guidelines, Scientific and Statistical Committee reviews, and
9 council discussions and recommendations. For the final step,
10 the council would formally adopt the guidelines.

11
12 Staff discussed a tentative timeline and noted that the adoption
13 of the guidelines is anticipated during the October 2021 council
14 meeting. The committee inquired about the council's review of
15 draft procedures and processes that is planned for the October
16 2020 meeting. Staff noted that it is anticipated that the SSC
17 will review draft procedures in September 2020, to allow the
18 council to review the draft and discuss the SSC recommendations.

19
20 Framework Action: Modification of Fishing Access in Eastern Gulf
21 of Mexico Marine Protected Areas, staff reviewed the public
22 comments received on the framework action, which indicated
23 support for Alternative 2 in Action 1 and Alternative 2 in
24 Action 2.

25
26 The Law Enforcement Technical Committee, which met in March
27 2020, recommended the council select Alternative 2 in Action 1
28 and Alternative 3 in Action 2 as preferred. The impetus for
29 these actions came from the council's Reef Fish Advisory Panel,
30 which had noted poaching was common in the marine protected
31 areas, especially by recreational vessels. A law enforcement
32 officer from Florida at that AP meeting said that the MPA
33 regulations were difficult to enforce for Madison-Swanson and
34 Steamboat Lumps, due to the remote nature of the MPAs and the
35 long line of sight in open water.

36
37 Staff reviewed Action 1, which would remove the provision to
38 allow surface trolling. The surface trolling exemption was
39 originally implemented in 2004, but would be rescinded by
40 Alternative 2 of Action 1, because of concerns that this is
41 allowing for illegal bottom fishing and harvest within the MPAs.

42
43 If rescinded, the council would need to consider a timetable to
44 review part iii of Section 303(b)(2)(C) of the Magnuson-Stevens
45 Fishery Conservation and Management Act, which requires that,
46 when an FMP designates zones completely closed to fishing, that
47 closure must establish a timetable for review of the closed
48 area's performance that is consistent with the purposes of the

1 closed area.

2

3 The council could achieve this review by, after a period of
4 time, convening its Reef Fish AP and the Law Enforcement
5 Technical Committee to provide contextual comments as they
6 relate to the prohibition of fishing in the MPAs. The council
7 could then send a letter to the National Marine Fisheries
8 Service detailing these findings.

9

10 The Committee also expressed an interest in the ratio of male to
11 female gag, and whether that ratio has changed much since the
12 implementation of the reserves. Sex ratio studies will be
13 reviewed in the upcoming stock assessment meetings for gag,
14 SEDAR 72. Some Committee members thought that Alternative 2 of
15 Action 1 was too restrictive, while other committee members
16 noted the enforcement problems with the current regulations.

17

18 **The committee recommends, and I so move, in Action 1, to make**
19 **Alternative 2 the preferred alternative. Prohibit fishing year-**
20 **round in the Madison-Swanson and Steamboat Lumps MPAs. This**
21 **prohibition does not apply to Atlantic highly migratory species.**

22

23 **CHAIRMAN FRAZER:** We have got a committee motion on the board.
24 Is there any further discussion of that motion? **Hearing none,**
25 **is there any opposition to the motion?**

26

27 **MR. BANKS:** I oppose that motion.

28

29 **CHAIRMAN FRAZER:** Okay, Patrick. Noted. Is there any other
30 opposition to the motion?

31

32 **MR. SWINDELL:** I oppose the motion, also.

33

34 **CHAIRMAN FRAZER:** Okay. Are there any others opposed to the
35 motion? I've got two. **Hearing none, the motion carries with**
36 **two in opposition.** Mr. Diaz.

37

38 **MR. DIAZ:** Staff reviewed Action 2 and Appendices B and C with
39 the committee, detailing the data available from the vessel
40 monitoring system and shrimp electronic logbook programs on
41 vessel traffic through the MPAs. Though there were several
42 hundred VMS vessel trips through the MPAs from 2011 through
43 2019, these were predominantly commercial reef fish vessels that
44 did not commonly spend more than a couple hours within the
45 boundaries of either MPA, suggesting that they were transiting.

46

47 Similarly, but to a lesser magnitude, shrimp vessel traffic, as
48 reported through the electronic logbook program suggests most

1 shrimp vessels are only in the MPAs while transiting to other
2 locations. The committee noted that Alternative 3 of Action 2
3 would still permit shrimp vessel transit through the MPAs, so
4 long as the vessel had all fishing gear stowed and was not in
5 possession of any Gulf reef fish species.

6
7 Some committee members expressed concern with the transit
8 restrictions in Alternatives 2 and 3 of Action 2, noting also
9 the potential for safety-at-sea concerns for vessels caught in
10 storms and trying to return to port.

11
12 **The committee recommends, and I so move, in Action 2, make**
13 **Alternative 3 the preferred alternative. Alternative 3 is the**
14 **possession of any species of Gulf reef fish is prohibited year-**
15 **round in the Madison-Swanson and Steamboat Lumps MPAs, with no**
16 **exception for vessels in transit.**

17
18 **CHAIRMAN FRAZER:** Okay. We've got a committee motion on the
19 board. Is there any further discussion of that motion? I
20 expected we would have a few folks, and so, Susan Boggs, go
21 ahead.

22
23 **MS. BOGGS:** I guess I'm going to have to show my ignorance in
24 why I did not catch this before now, but what is the difference,
25 or how is there not a conflict, and I guess I need to ask it
26 this way, and we just passed the motion for Alternative 2, and
27 this does not apply to Atlantic highly migratory species, but
28 now we're going to come down here and we've got a motion on the
29 board that's going to exclude any Gulf reef fish. Am I -- What
30 am I missing or not understanding, and I apologize that I am
31 just now bringing this up.

32
33 **CHAIRMAN FRAZER:** I mean, Gulf reef fish are distinct from the
34 highly migratory species composition, and so they are not --
35 There is no overlap in the composition of those two.

36
37 **MS. BOGGS:** I guess it's just the wording.

38
39 **CHAIRMAN FRAZER:** Right, and so, again, one of the things that I
40 think, if people recall, the council would very likely, or
41 should, right, request from the HMS group compatible
42 regulations, if this moves forward, and so we might need a
43 motion for that purpose here in a minute. Is that okay, Ms.
44 Boggs?

45
46 **MS. BOGGS:** I guess it's just the wording, and I just read it
47 different today than I have the last several times that I've
48 read it, but I appreciate the clarification.

1
2 **CHAIRMAN FRAZER:** Okay. Again, we're going to go through a
3 couple of questions, and, if you want to stew on it a bit and
4 come back, I'm happy to do that. In the interim, let's move to
5 Ed Swindell.

6
7 **MR. SWINDELL:** Mr. Chairman, thank you. I guess I am concerned
8 that, if a vessel has a vessel monitoring system, and he has
9 reef fish aboard, he still is going to not be legal to go over
10 the place, and that's what -- Which is kind of ridiculous.

11
12 As long as he's got a vessel monitoring system that shows he
13 didn't stop to fish there, I don't see any problem with it, but
14 yet we're prohibiting anybody, even vessels with vessel
15 monitoring systems onboard, and so I don't agree that -- We've
16 got to have a better way of managing this whole thing, and I've
17 also heard that the enforcement people, which I should have
18 spoke up in the previous motion, did not suggest, did not
19 strongly suggest, that they couldn't manage it. They were just
20 saying that it was difficult, and so I think we had a little bit
21 wrong information when we approved the first motion. That's all
22 I have to say at this point. Thank you.

23
24 **CHAIRMAN FRAZER:** Thank you, Mr. Swindell. Mr. Banks.

25
26 **MR. BANKS:** Thank you, Mr. Chairman. Like I mentioned in the
27 committee, I agree that we need to be protective of some of
28 these areas, to a point, but I do think that this is a bridge
29 too far, to tell folks that they can't even travel over this
30 area, and I think that seems to be some typical government
31 overreach in this particular situation.

32
33 I also think, if you just look at just the commercial side
34 alone, we dealt with an Executive Order from the President that
35 says we need to promote and support our seafood industries, and
36 things like this -- I mean, this seems, and even the one before,
37 seems to make it more restrictive and more difficult for our
38 seafood industries to deal with things, and I recognize this is
39 a small area off the coast of one state, but it just doesn't
40 seem to be in keeping with what the Executive Order was, and
41 then we also heard some public testimony earlier today about
42 this issue, and it goes to what Ed just said about a VMS.

43
44 I mean, we heard from somebody that said, look, I have a VMS,
45 and why can't that be used to help us as fishermen, rather than
46 hurt us, and so there's just -- Again, protecting this area I
47 think is good, in terms of bottom disturbance, but I think
48 restricting trolling over the top of it, or just restricting

1 just anybody traveling over the top of it, I think it's just
2 government overreach and it goes too far, and I hope folks would
3 agree with me on that. Thank you.

4

5 **CHAIRMAN FRAZER:** Thank you, Patrick. Ms. Bosarge.

6

7 **MS. BOSARGE:** Thank you, Mr. Chairman. First, just to kind of
8 clarify and answer Susan's question, Susan, the first action is
9 actually prohibiting the actively fishing, like going out there
10 and actively fishing, and so that's the motion that we already
11 voted on. This new action really kind of gets to the idea of
12 transiting, and so that's your possession. In other words, if
13 you have possession, you didn't catch them in that area, but you
14 do have shrimp or fish on the boat, and what can you do and what
15 can you not do.

16

17 Right now, if we pass this motion, we will tell people that, if
18 you have reef fish on your boat, then you can't transit that
19 Madison-Swanson and Steamboat Lumps MPA areas, and we heard a
20 lot of testimony today, or some testimony today, and I have
21 brought it up before, that I felt that there should be a transit
22 provision for everyone. It doesn't matter if you have reef fish
23 on the boat or shrimp or HMS or whatever. If you're not fishing
24 in there, you ought to be able to transit through it, and I
25 think you all know my reasons for that.

26

27 This is scheduled for final action today. If Patrick or
28 somebody offered up a substitute motion that would add an
29 Alternative 4 and essentially create a transit provision for
30 anyone, I would be supportive of that and making it the
31 preferred.

32

33 **CHAIRMAN FRAZER:** Thank you, Ms. Bosarge, for the clarification
34 of the difference between the two action items and the items
35 that are being discussed, and I probably should have done a
36 better job on that. In any case, you're right that it is slated
37 for final action, and so, with those comments, I am going to go
38 ahead and proceed to Dr. Crabtree.

39

40 **DR. CRABTREE:** Responding to the comment we heard from Mr.
41 Delacruz, I think the issue is whether we could allow an
42 exception for Gulf reef-fish-permitted vessels, because they
43 have VMS onboard. Now, I think the VMS pings once per hour,
44 and, Tom, I believe that we have Charles Tyre on the call, and
45 possibly Manny Antonaras, from NOAA Law Enforcement, but, if
46 there was a way we could ask them about this, I would be
47 interested in hearing their take as to whether having a VMS
48 onboard is adequate.

1
2 I don't think we want to allow the transit provision for anyone
3 else. The charter boat rule doesn't strictly require VMS,
4 because it allows the use of cellphone units, which don't give
5 real-time pings, and I think it would be more of a problem. No
6 one else really should have reef fish onboard who would have a
7 VMS, and so I think, if we tailored this to just vessels with
8 Gulf reef fish permits, commercial reef fish permits, maybe we
9 could do that, but I would be interested in hearing from law
10 enforcement if that's possible, but I can't tell, Tom, just
11 looking, whether they're on or not, and so I leave that to you.

12
13 **CHAIRMAN FRAZER:** Right, and so, Roy, we have Charles on the
14 list here, and he has raised his hand. Right now, we're trying
15 to figure out if we can allow him access to talk, and so we'll
16 work on that in the background, but, in the short-term, let's go
17 ahead and get some comments from Mr. Diaz.

18
19 **MR. DIAZ:** Real quick, Tom, I mean, I think, after hearing
20 public testimony today, it sounds like me and Roy are kind of
21 thinking the same way. Prior to public testimony, I'm not sure
22 I would -- I was not where I am right now, but, if there was a
23 way to allow people with a reef fish permit that had VMS
24 onboard, and we could use that in a positive way, I would sure
25 like to hear about it, and so I just wanted to say that the
26 public comments did make me pause and try to rethink this.
27 Thank you.

28
29 **CHAIRMAN FRAZER:** Thanks, Dale. Let me just take one second
30 here offline, maybe thirty seconds, and see if I can get with
31 Bernie and see if we can get Charles on the line. Sit tight,
32 guys.

33
34 **MR. CHARLES TYRE:** I'm on the phone now.

35
36 **CHAIRMAN FRAZER:** All right, and so we've got Charles, and so,
37 Roy, if you could quickly rephrase your question for Charles,
38 that would be great.

39
40 **DR. CRABTREE:** Hi, Charles, and thanks for being with us. The
41 question is, right now, we have a preferred alternative for
42 Steamboat Lumps and Madison-Swanson that prohibits fishing, and
43 then we currently have a preferred that prohibits transit by any
44 vessels with reef fish onboard.

45
46 We had public comment from one of the commercial guys who felt
47 like they should be allowed to transit, because they have VMS
48 onboard the vessels, and so I guess the question is what would

1 law enforcement's position be if we allowed vessels with a
2 commercial reef fish permit to transit through the area, even if
3 they have reef fish onboard, provided they don't stop and they
4 transit through and the gear is all stored?
5

6 **MR. TYRE:** Obviously, with VMS, we can see the track lines of
7 the vessel, and the pinging for the VMS is every hour, and so we
8 have to keep that in consideration. If a vessel transits
9 across, we're only going to get a ping every hour, unless we
10 change that ping rate, and so, if we can still see the vessel,
11 but we just have to take that into account for this action and
12 that alternative.
13

14 **DR. CRABTREE:** I guess, Charles, if I could, Tom, so, in theory,
15 the vessel could be in there just shy of an hour before it would
16 ping a second time, and I guess, if it's a fast vessel, it would
17 have time to stop, but it seems like they wouldn't really have
18 time to do much in the way of fishing before they had to get out
19 of there, and does that seem accurate to you?
20

21 **MR. TYRE:** Yes, sir, and that's exactly correct. I mean, you
22 can't do much in an hour, but that's the max ping rate. Also,
23 if the VMS malfunctions in any way, then it may be the second
24 hour before we get a ping, but that doesn't happen all the time,
25 but we just have to keep that in mind.
26

27 **DR. CRABTREE:** Okay, and so I guess, Mr. Chairman, that's sort
28 of the tradeoff that we're looking at. We could provide an
29 exception for the Gulf reef fish vessels, and it sounds like,
30 outside of malfunctions or something, if somebody was up to some
31 nefarious reason, they wouldn't be able to do much, in terms of
32 fishing, but I think that's the tradeoff.
33

34 **CHAIRMAN FRAZER:** Sure. I understand that, and so, given those
35 comments, and coupled with those that Patrick made, would either
36 Patrick or yourself prefer to offer a substitute motion with
37 that language?
38

39 **DR. CRABTREE:** If I could, Tom, if Patrick or Leann want to make
40 it, but I think what you would do is offer a substitute motion
41 to add a fourth alternative, which would be the same as
42 Alternative 3, but provide an exception for vessels with a
43 commercial Gulf reef fish permit.
44

45 **CHAIRMAN FRAZER:** Yes, and I would agree with that, and so the
46 substitute motion, should someone choose to make it, and I guess
47 you just did, Roy, but maybe you were just offering up the
48 wording, and does either Patrick or Leann want to own that

1 substitute motion?

2

3 **MS. BOSARGE:** I will make that motion. As they're getting it up
4 on the board, since it's really Roy's motion, I will ask him --
5 Roy, do you want it to say commercial reef-fish-permitted
6 vessels, or do you just want to say vessels with a VMS? I just
7 didn't know -- The optics of it look a little funny when you say
8 you can't possess them unless you have a commercial reef fish
9 permit.

10

11 **DR. CRABTREE:** Well, I think it should be with a commercial reef
12 fish permit. I don't think, for the for-hire fishery -- We
13 don't have a strict VMS requirement there, because some of the
14 vessels may opt to use the cellphone systems, and I think that's
15 more of a problem, since we wouldn't be able to tell if they
16 were in there until they get back to the dock, and, really, no
17 one else should have reef fish onboard, if they don't have a
18 commercial reef fish permit and would have a VMS, and none of
19 the private rec boats would have a VMS, and so I think it's
20 really the commercial reef fish vessels that we would be talking
21 about, and so that's how I would write it. I think law
22 enforcement would probably prefer that it be a permit required
23 in order to transit, rather than something less specific.

24

25 **MS. BOSARGE:** Thank you, Roy. Then, Mr. Chairman, that's my
26 motion then.

27

28 **CHAIRMAN FRAZER:** Okay, and so what we've got here, real quick,
29 and let's just sort down and sort through this a bit. There is
30 some language that was offered by Mr. Banks that I don't think
31 is completely compatible with the discussion that we've all just
32 heard, and so the language provided by Mr. Banks reads: "The
33 possession of any species of Gulf reef fish is prohibited year-
34 round in the Madison-Swanson and Steamboat Lumps MPAs, except on
35 a vessel in transit with fishing gear stowed."

36

37 The subtle difference there is the discussion that Roy and Leann
38 were having, that it would say something like except on a vessel
39 with VMS and valid reef fish permit, and I just want to make
40 sure that I'm capturing the discussion. Except on a vessel with
41 VMS and a valid -- I think it would say "except on a vessel in
42 transit with a VMS and valid reef fish permit".

43

44 **DR. CRABTREE:** I would make that "a valid commercial reef fish
45 permit", just to be very clear.

46

47 **CHAIRMAN FRAZER:** Okay. A valid commercial reef fish permit.

48

1 **DR. CRABTREE:** I think it should also say that they have to be
2 in transit with gear stowed, and I think we have provisions in
3 the regs now about what "transit" and "gear stowed" mean, and
4 Mara might want to comment on that, and I'm not sure.
5

6 **CHAIRMAN FRAZER:** Okay, and so we've got a number of folks.
7 Before we do any more wordsmithing, let's go ahead and go to
8 Mara first.
9

10 **MS. LEVY:** Thank you. The wordsmithing might be necessary, but,
11 also, is this motion just to add an alternative, or are you
12 adding it and making it preferred at the same time, meaning the
13 prior motion was to make a particular alternative the preferred,
14 and so now we've kind of switched gears and are adding
15 alternatives, and I didn't know if the intent was to try to do
16 both things at once.
17

18 **CHAIRMAN FRAZER:** Yes, and so I believe the intent here is to --
19 I guess we should deal with both of these issues at the same
20 time, and clearly that's the intent. Patrick is next.
21

22 **MR. BANKS:** I would like to make a second substitute motion,
23 please.
24

25 **CHAIRMAN FRAZER:** Go ahead, Patrick, and make the second
26 substitute motion.
27

28 **MR. BANKS:** That is to add an alternative to Action 2 and make
29 it the preferred that reads: The possession of any species of
30 Gulf reef fish is prohibited year-round in the Madison-Swanson
31 and Steamboat Lumps MPAs, except on a vessel in transit with
32 fishing gear stowed.
33

34 I feel like that is the fair way to go about this. I do think
35 that Roy's substitute motion is better, and making it be the
36 preferred is better than what we had coming out of committee,
37 but I still think it doesn't treat all sectors fairly, and it
38 only makes an exception for the commercial guys, and we've got
39 recreational guys prosecuting the fishery in this same area, and
40 so it's not being fair, and so I feel like this is the fair way
41 to go.
42

43 **CHAIRMAN FRAZER:** Okay.
44

45 **MS. LEVY:** Mr. Chair, can I say something?
46

47 **CHAIRMAN FRAZER:** Sure.
48

1 **MR. LEVY:** Just that that's currently what's in the regs, right,
2 and so, right now, you can't have possession of reef fish year-
3 round unless you are on a vessel in transit with gear stowed,
4 and so what we were trying to do is change that, and so, if that
5 -- That is already, I guess, no action at this point, or maybe
6 it's a tweak from the no action, because there's more in the no
7 action than that, but that's already what it says with respect
8 to reef fish.

9
10 **MR. BANKS:** The no action had something about November through
11 April, and including coastal migratory pelagic species, and so
12 this has to do with Gulf reef fish year-round.

13
14 **CHAIRMAN FRAZER:** I appreciate the differences, again, between
15 the no action alternative and this substitute motion for a
16 preferred Alternative 4, and so I do believe that there are
17 differences. The next person here would be Kevin Anson.

18
19 **MR. ANSON:** Thank you. I am not going to support the second
20 substitute motion, and, for the record, I won't support the
21 substitute motion. We've got these areas far offshore, or at
22 least one of them is far offshore, and Martha pointed out during
23 Reef Fish that, if you're in the area, you are basically going
24 there, and so, whether you're going around it to get to the
25 other side of it -- I think, if you allow any provisions that
26 allow a vessel to go in there, speaking from an enforcement
27 perspective, of which I'm not an enforcement officer, and I
28 don't have any knowledge of how that goes, but just to look at
29 it, and what does "transit" mean?

30
31 We've got fast boats, and we've got slow boats, and we talked
32 about that, and we've got drift fishing, and we've got trolling
33 with weights, and, I mean, I just see it as another opportunity,
34 another loophole, and we're not maximizing the potential of the
35 protected area, which we went through a lot of heartache to
36 establish those, and the maximum efficiency of those protected
37 areas are not being met, and, since they're so geographically
38 isolated, and technology is available for folks to keep the
39 radar up and keep their eyes open, so to speak, and look at the
40 radar, and, if a blip shows up, they could be going slow enough
41 to be, quote, unquote, in transit, which we haven't defined
42 here, and they could stow gear away before that blip comes close
43 enough to even determine what they're doing, and so I just think
44 we need to go all in with this and not allow anybody in there
45 with any fish, and we can deal with the HMS, or the HMS can deal
46 with the HMS species, but we just ought to prohibit any
47 possession of fish in there. Thank you.

1 **CHAIRMAN FRAZER:** Thank you, Kevin. John Sanchez.

2
3 **MR. SANCHEZ:** Thank you, Mr. Chair. I am not going to support
4 the second substitute, because I remember hearing, on several
5 occasions, the challenges that this posed for law enforcement,
6 given the ability to quickly be in transit and stow your gear
7 away and all this stuff, and so I'm not going to do that.

8
9 Then, going back to the comments today by Mr. Delacruz, he
10 brought up a very valid point that I'm sympathetic to, and I
11 will be speaking in support of the substitute that Leann made,
12 and I will be voting in favor of that, and I'm hoping that that
13 becomes the preferred, and the reason being -- Maybe somebody
14 knows the answer to this question, but I don't think vessel
15 operators are aware, when the VMS pings, that it has pinged, and
16 so I really don't see somebody operating a boat with say an hour
17 window in between pings, and then not even knowing when it has
18 pinged, to be trying to game the system.

19
20 I think an example like Jason's, where you have a very, very
21 slow boat with a six to eight-knot cruise -- You are just
22 providing something, a means to transit a large area and go
23 through it, with a lawfully-caught load of fish, and, again,
24 there's an Executive Order where we're supposed to be helping
25 the industry, and I just don't see them being the ones that law
26 enforcement is complaining about, and so I will be in support of
27 that. Thank you.

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

30
31 **MR. SWINDELL:** It seems to me like what I would prefer, instead
32 of closing the whole lump area to no fishing, is to say anybody
33 that wants to fish, wants to troll in there, fish in there,
34 trolling-wise, has to have a VMS aboard the boat, and so any
35 recreational boat that wants to be in there trolling has to have
36 a VMS, and I don't know how you would support it, but I just
37 know that that's what you would have to do, but I don't know
38 either whether or not they will be catching Gulf reef fish, and
39 are Gulf reef fish supposed to go across, and, as long as they
40 have a VMS, it seems like it's easy enough to determine whether
41 or not they stopped or not somewhere along the way. Thank you.

42
43 **CHAIRMAN FRAZER:** Thank you, Mr. Swindell. Ms. Guyas.

44
45 **MS. GUYAS:** Thanks. I have been listening to the comments and
46 the discussion this afternoon, and I hear what everybody is
47 saying, but I don't think that I am going to support this second
48 substitute motion. I think it still presents a number of

1 issues, and we would only be getting at half of the issue.

2
3 However, I think I probably could get onboard with the original
4 substitute that could allow some transit for the commercial reef
5 fish vessels that have VMS, just because law enforcement
6 potentially could tell where they are, and that does help them
7 out a little bit, and it's not perfect, but I think it helps,
8 and so that's just my thoughts. Thanks, everybody.

9

10 **CHAIRMAN FRAZER:** Dr. Mickle.

11

12 **DR. MICKLE:** Thank you, Mr. Chair. I will be brief. Again, I
13 do support the overall endeavor of I guess this action item, but
14 what makes me hesitant about the second substitute motion, and
15 also the substitute motion, is that enforcement aspect of these
16 areas, because they are so far offshore, is so extremely
17 difficult, and we have to value the law enforcement perspective
18 of both the state folks executing JEA patrols as well as the
19 federal folks, and it's difficult for me to jump on one or
20 another without having some sort of law enforcement opinion that
21 can be provided here or by the Coast Guard representative, and I
22 would just feel a lot more comfortable that way, and that's all
23 I have to say.

24

25 **CHAIRMAN FRAZER:** Thank you, Dr. Mickle. Dr. Crabtree.

26

27 **DR. CRABTREE:** Just to be clear, for the record, the substitute
28 motion was Leann's motion and not mine, but I can't support the
29 second substitute motion of Patrick's. I think, to use
30 Patrick's language, that certainly goes a bridge too far, and I
31 think it opens it up to abuse, and I don't agree with him that
32 it's not fair, because we have a valid reason for why we would
33 make an exception for the commercial reef fish vessels, because
34 they have VMS onboard, and so I think there is a reason for
35 that.

36

37 I don't necessarily object to the substitute motion, and I can
38 understand the rationale behind that. These are pretty far
39 offshore, and I'm not so convinced how much of a burden it is
40 for people to have to re-route and go around them, but I
41 probably wouldn't object to the substitute motion, and law
42 enforcement didn't seem to object to it, but I certainly can't
43 support the second substitute.

44

45 **CHAIRMAN FRAZER:** Thank you. Ms. Boggs.

46

47 **MS. BOGGS:** Thank you, Mr. Chair. I am really torn on this, and
48 I can't support anything at this moment, and I hear the

1 conversation about it's so far offshore that boats can't get to
2 it, and I highly disagree with that. I mean, there's boats --
3 We've got boats that come and go at our fuel dock that do 600
4 miles a day, and, if they got caught in weather or something and
5 needed to transit through there, I wouldn't want to be the one
6 to tell them no.

7
8 I understand why it's a marine protected area, and I get that,
9 but, if people are going to poach, I hate to tell you all that
10 they're going to poach, and it doesn't matter what we do, and,
11 if you can show me how they can absolutely enforce this, if we
12 tell them they cannot transit, I will be 100 percent onboard. I
13 know our law enforcement guys are overloaded, and they work
14 hard, and they do the best they can, but it's hard for me to
15 implement something that is not going to be enforceable. Thank
16 you.

17
18 **CHAIRMAN FRAZER:** Thank you, Ms. Boggs. Patrick.

19
20 **MR. BANKS:** I just wanted to make one last comment in response
21 to Roy, and I understand what he means about we have
22 justification because of the VMS, but we do not offer, to my
23 knowledge, a private recreational angler to have that same VMS
24 under our systems, and so, therefore, it's not fair, because, as
25 a recreational angler, the first thing I would say is where do I
26 get one of these VMSs, and can I get one so that I can transit
27 through there, and I don't know that we have that ability, and
28 so that's why I don't feel like it's fair.

29
30 **CHAIRMAN FRAZER:** Okay. Thank you, Patrick. Mr. Giancola.

31
32 **LT. GIANCOLA:** Good afternoon. I'm just trying to offer some
33 insight from the Coast Guard perspective, and we do have limited
34 resources, as far as actual cutters being able to get out there
35 and into those closed areas, and we're pretty tied up most of
36 the time with the IUU fishing threat down on the southern Gulf,
37 but, other than that, we do have aircraft, and they do fly those
38 areas relatively frequently, but I will say that, other than VMS
39 and the aircraft being able to determine what type of fishing is
40 going on there, those areas are harder to enforce than some of
41 those closer to shore.

42
43 **CHAIRMAN FRAZER:** Thank you. All right, and so we're going to
44 reel this back in, and clearly there's a wide range of opinions
45 on the original motion, as well as the two substitutes, and so
46 we're going to start at the bottom, with the second substitute
47 motion, and I will read it. **In Action 2, to add an Alternative**
48 **4 and make it the preferred. Alternative 4 would be the**

1 possession of any species of Gulf reef fish is prohibited in the
2 Madison-Swanson and Steamboat Lumps MPAs, except on a vessel in
3 transit with fishing gear stowed. Again, that's a substitute
4 motion offered by Mr. Banks, and I don't believe that we had a
5 second for that motion. Is there a second for that motion?
6
7 **MS. BOGGS:** I will second it.
8
9 **CHAIRMAN FRAZER:** It's seconded by Ms. Boggs. I believe that
10 we've had enough discussion on all of this, and so I will go
11 ahead and take a vote, and, again, it's a bit difficult here,
12 but I'm going to ask -- I guess I will get a roll, and I am
13 going to have Dr. Simmons kind of go through the names. Dr.
14 Simmons.
15
16 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Ms. Boggs.
17
18 **MS. BOGGS:** Yes.
19
20 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Sanchez.
21
22 **MR. SANCHEZ:** No.
23
24 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Robinson.
25
26 **MR. ROBINSON:** No.
27
28 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Mickle.
29
30 **DR. MICKLE:** No.
31
32 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Banks.
33
34 **MR. BANKS:** Yes.
35
36 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Bosarge. We'll come back. Mr.
37 Dyskow.
38
39 **MR. DYSKOW:** No.
40
41 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Stunz.
42
43 **DR. STUNZ:** No.
44
45 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Diaz.
46
47 **MR. DIAZ:** No.
48

1 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dugas.
2
3 **MR. DUGAS:** Yes.
4
5 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Shipp. We'll come back. Mr.
6 Williamson.
7
8 **MR. WILLIAMSON:** No.
9
10 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Swindell.
11
12 **MR. SWINDELL:** Yes.
13
14 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Guyas.
15
16 **MS. GUYAS:** No.
17
18 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Crabtree.
19
20 **DR. CRABTREE:** No.
21
22 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Anson.
23
24 **MR. ANSON:** No.
25
26 **EXECUTIVE DIRECTOR SIMMONS:** I will go back to Ms. Bosarge.
27
28 **MS. BOSARGE:** Sorry about that. I think I'm going to abstain.
29
30 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Shipp. **The motion failed four**
31 **to ten, one abstain, and one absent.**
32
33 **CHAIRMAN FRAZER:** Okay, and so the motion fails. The second
34 **substitute motion fails.** Now we will go back and consider the
35 first substitute motion. Before we get to that, that motion was
36 made by Ms. Bosarge, and was there a second to that motion? Let
37 me rephrase that. Can I get a second for that motion?
38
39 **MR. SANCHEZ:** Second.
40
41 **CHAIRMAN FRAZER:** It's seconded by John Sanchez. If I might,
42 Leann, if I could ask a quick question, and perhaps add a
43 friendly amendment to the substitute. In Action 2, to add an
44 Alternative 4 and make it the preferred, and is that what you
45 want to do, to get to Ms. Levy's point earlier on?
46
47 **MS. BOSARGE:** Yes, sir. That was my intention, and I thought
48 that's what you had stated earlier, and I didn't say anything,

1 but, yes, that was my intention.
2
3 MR. SANCHEZ: The seconder agrees.
4
5 CHAIRMAN FRAZER: Thank you, Mr. Sanchez. Again, we have a
6 substitute motion on the board, and we are going to go through
7 the same exercise. Dr. Simmons.
8
9 EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. Mr.
10 Swindell.
11
12 MR. SWINDELL: No.
13
14 EXECUTIVE DIRECTOR SIMMONS: Mr. Williamson.
15
16 MR. WILLIAMSON: No.
17
18 EXECUTIVE DIRECTOR SIMMONS: Dr. Crabtree.
19
20 DR. CRABTREE: Yes.
21
22 EXECUTIVE DIRECTOR SIMMONS: Mr. Dyskow.
23
24 MR. DYSKOW: This is a difficult one. I could vote either way,
25 but I'm going to vote yes, because I think it does more good
26 than harm.
27
28 EXECUTIVE DIRECTOR SIMMONS: Mr. Anson.
29
30 MR. ANSON: No.
31
32 EXECUTIVE DIRECTOR SIMMONS: Ms. Bosarge.
33
34 MS. BOSARGE: Yes.
35
36 EXECUTIVE DIRECTOR SIMMONS: Dr. Stunz.
37
38 DR. STUNZ: No.
39
40 EXECUTIVE DIRECTOR SIMMONS: Mr. Robinson.
41
42 MR. ROBINSON: No.
43
44 EXECUTIVE DIRECTOR SIMMONS: Ms. Boggs.
45
46 MS. BOGGS: I am torn. Yes.
47
48 EXECUTIVE DIRECTOR SIMMONS: Mr. Dugas.

1
2 **MR. DUGAS:** No.
3
4 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Guyas.
5
6 **MS. GUYAS:** Yes.
7
8 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Shipp. Absent. Mr. Sanchez.
9
10 **MR. SANCHEZ:** Yes.
11
12 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Diaz.
13
14 **MR. DIAZ:** Yes.
15
16 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Banks.
17
18 **MR. BANKS:** Yes.
19
20 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Mickle.
21
22 **DR. MICKLE:** Yes.
23
24 **EXECUTIVE DIRECTOR SIMMONS:** The motion carried nine to six.
25
26 **CHAIRMAN FRAZER:** Okay. The motion carries nine to six with one
27 absent. Mr. Diaz.
28
29 **MR. DIAZ:** I had sent a motion earlier, through the meetings
30 email address, if they could put that on the board, please.
31
32 **CHAIRMAN FRAZER:** Okay. We'll get that motion on the board. We
33 have a motion on the board by Mr. Diaz. I will read the motion.
34 **The motion is for the council to write a letter to the National**
35 **Marine Fisheries Service Atlantic Highly Migratory Species**
36 **Division requesting commensurate regulations for HMS species in**
37 **the Madison-Swanson and Steamboat Lump MPAs. Is there a second**
38 **to that motion?**
39
40 **MS. GUYAS:** I will second that.
41
42 **CHAIRMAN FRAZER:** It's seconded by Ms. Guyas. Is there further
43 discussion on the motion? Dale, do you want to say anything
44 about it?
45
46 **MR. DIAZ:** We had some discussion during committee, and it's
47 obvious that we don't control the highly migratory species. I
48 do think the staff has had some discussion with them, and I

1 believe they would be receptive to considering it, and so I
2 think it's a good idea to write the letter and ask them to
3 consider what's in this motion. Thank you.

4
5 **CHAIRMAN FRAZER:** Okay. I agree. If we take final action on
6 this, then that would be appropriate, and so is there any
7 further discussion on the motion? Mr. Rindone.

8
9 **MR. RYAN RINDONE:** My apologies, Mr. Chair. I was going to
10 raise my hand after this.

11
12 **CHAIRMAN FRAZER:** Okay. We will get to you in a minute. Is
13 there any further discussion on the motion? **Seeing none, is**
14 **there any opposition to the motion? Hearing none, the motion**
15 **carries.** Dale, go ahead. Excuse me. I want to go back to Mr.
16 Rindone. I apologize.

17
18 **MR. RINDONE:** Thank you, Mr. Chair. I just wanted to, before
19 you guys went any further with this, I just wanted to bring back
20 in front of you the portion for --

21
22 (Part of Mr. Rindone's comment is not audible on the recording.)

23
24 -- on fishing activity been in line with what your intent was,
25 with what you guys are doing today, and so if the council could
26 make some comment on how they might like to proceed with that,
27 and that will give staff direction for lining the appropriate
28 things up at the appropriate time, and, ultimately, the council
29 could just send a letter to NMFS detailing its findings, and
30 Mara might be able to speak more succinctly about what should be
31 required.

32
33 **CHAIRMAN FRAZER:** Ms. Guyas.

34
35 **MS. GUYAS:** I was just going to say that I think it makes sense
36 to couple this review with the gag assessment, and so with the
37 results of that, so potentially we have the AP or the SSC or
38 whoever review this area at the same time we're looking at the
39 assessment results, and then, if we needed to make some tweaks,
40 or we were able to make some changes, it would seem to make
41 sense to do that all at the same time, since these areas were
42 set up largely with gag grouper in mind.

43
44 **CHAIRMAN FRAZER:** Okay. Thank you, Martha. I'm just trying to
45 make sure we're all on the same page here, and I want to -- I
46 mean, this is a final action item, and I want to ask Ms. Levy if
47 we're in a position to move forward with this as a final action
48 item.

1
2 **MS. LEVY:** I mean, you're adding in a new alternative, and I
3 think it's within sort of the range of what you were
4 considering, meaning no transit versus everyone gets to transit,
5 and we're kind of having an exception to that, and I think you
6 could take final action if you want, knowing that the document
7 does not have this alternative in it or any direct analysis of
8 it, and so staff would need to add that to the document.

9
10 In addition, the codified text that you just got did not have
11 this in it, because we just did it now, and, I mean, the other
12 option is to wait until the next meeting and get all of this
13 written up and then look at it again and take final action.
14 Ultimately, that would be my preferred course, just so that we
15 don't rush things, but I'm not going to say that you can't take
16 final action now if you want to.

17
18 **CHAIRMAN FRAZER:** Thank you, Ms. Levy. Mr. Anson.

19
20 **MR. ANSON:** I apologize, but I was slightly distracted when Ryan
21 was talking about that report relative to the performance of the
22 MPAs, and, if I heard him correctly, would we not want to
23 include any summaries from enforcement patrols or anything
24 relative to the number of vessels observed, number of citations
25 and such, or violations?

26
27 Then, likewise, what about any survey information relative to
28 that that might also detect illegal poaching or the extent of
29 that? There were some researchers, I think with the Florida
30 Research Institute, that were using hydroacoustic arrays in
31 there, and they were able to discern number of vessels, or
32 number of instances, during certain times of the year and such,
33 and so I'm just curious if that was what Ryan was looking for
34 and that maybe we can try to get that information as well.

35
36 **CHAIRMAN FRAZER:** Thank you, Mr. Anson. All right. Again, I
37 understand Ms. Levy's comments and thoughts on the matter, and
38 I'm going to take a couple more comments, and I think we could
39 go either way on this particular one. If anybody is adamantly
40 opposed to taking final action on this particular item, then we
41 can certainly wait until August, but I would like to hear some
42 thoughts on that. Mr. Swindell.

43
44 **MR. SWINDELL:** Thank you, Mr. Chairman. I was just reading the
45 alternative that we just voted on, and it says no fishing year-
46 round in the area, and that doesn't mean that the vessel can't
47 be in there, and is that correct?

1 Vessels could be in there playing around and not doing anything,
2 but just moving around or whatever, and you're still going to
3 have a problem with enforcement of trying to do something about
4 it, and you still have to check on them all the time, and so I
5 don't know that we've done much here.

6
7 I mean, if they could pretend they are trolling and still be
8 poaching reef fish, then what's to stop them from just sitting
9 there and doing the same thing? I don't know that you have
10 reached any conclusion on this whole issue. Thank you.

11
12 **CHAIRMAN FRAZER:** Thank you, Mr. Swindell. Dr. Mickle.

13
14 **DR. MICKLE:** Overall, what I interpreted as the law enforcement
15 is, the way that these action items have been selected so far,
16 they could actually write citations on the water, where now they
17 currently couldn't. Now, they can't be out there all the time,
18 obviously, but it still gives them the tool in the toolbox,
19 which in my opinion, is a useful thing.

20
21 My other statement is toward the timing here, and can anybody
22 who knows more about these areas than I do -- Is there potential
23 poaching in there year-round, or is it just a summertime thing,
24 and that is a question that pertains to our schedule and Tom's,
25 our Chairman's, request on comment. If we don't go final on it
26 now, and we go final on it in August, when we're all a little
27 bit more comfortable about it, will it be implemented in the
28 next year, during the summertime period, if that's when the
29 majority of the poaching is occurring? Thank you.

30
31 **CHAIRMAN FRAZER:** Real quick, Paul, I can just comment on that,
32 and others might be able to as well, but I think poaching is a
33 year-round issue in both of those areas. J.D.

34
35 **MR. DUGAS:** Tom, thank you. I'm not sure if I missed this, and
36 I have a question, and I don't know who to direct it to, but why
37 are we working on both areas at the same time? It seems that
38 one area is much further off the coast than the other, and so
39 maybe the restrictions should be different in each area, and
40 it's just a question.

41
42 **CHAIRMAN FRAZER:** Thank you, J.D. That's the way the original
43 discussion was brought up, in aggregate. Mr. Rindone.

44
45 **MR. RINDONE:** You answered the first thing that I was going to
46 bring up, and the second thing pertains to Mr. Dugas's comment.
47 The Reef Fish AP was pretty explicit that it should apply to
48 Madison-Swanson and Steamboat Lumps, which were created with the

1 intent of protecting gag spawning aggregations.
2
3 **CHAIRMAN FRAZER:** Thank you, Mr. Rindone. Okay. I am, again,
4 going to make -- I am not hearing any tremendous opposition to
5 moving forward with this as a final action item. I think I
6 would prefer to do that, given the workload that we are going to
7 experience in August, if that's okay with folks, and so --
8 Martha.
9
10 **MS. GUYAS:** I am good. Go ahead.
11
12 **CHAIRMAN FRAZER:** Okay. All right. We have some language for
13 final action, a motion, and we'll put that on the board.
14
15 **MS. BOSARGE:** Mr. Chairman, I will make that motion, as long as
16 we don't have to review any codified text first.
17
18 **CHAIRMAN FRAZER:** Okay.
19
20 **MR. DIAZ:** I will second it.
21
22 **CHAIRMAN FRAZER:** Mr. Diaz, thank you.
23
24 **DR. CRABTREE:** Tom, if I could, the codified text will clearly
25 need to be revised to reflect the new preferred alternative.
26
27 **CHAIRMAN FRAZER:** Sure. If we accept this motion and move
28 forward, I think people need to have the understanding that we
29 will modify the codified text accordingly.
30
31 **MS. BOGGS:** Tom, may I clarify? Will we see this again in
32 August, or will we not?
33
34 **CHAIRMAN FRAZER:** This is a final action item, and so we will
35 not see this again in August. Okay. We have a motion on the
36 board. **That motion reads to approve the Framework Action:**
37 **Modification of Fishing Access in the Eastern Gulf of Mexico**
38 **Marine Protected Areas and that it be forwarded to the Secretary**
39 **of Commerce for review and implementation and deem the codified**
40 **text as necessary and appropriate, giving staff editorial**
41 **license to make the necessary changes in the document. The**
42 **Council Chair is given the authority to deem any changes to the**
43 **codified text as necessary and appropriate. Is there any**
44 further discussion of this motion? Seeing none, it's a final
45 action item, and so we will take a roll call vote. Dr. Simmons.
46
47 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Mr. Anson.
48

1 MR. ANSON: Yes.
2
3 EXECUTIVE DIRECTOR SIMMONS: Dr. Crabtree.
4
5 DR. CRABTREE: Yes.
6
7 EXECUTIVE DIRECTOR SIMMONS: Dr. Mickle.
8
9 DR. MICKLE: Yes.
10
11 EXECUTIVE DIRECTOR SIMMONS: Dr. Stunz. I will come back. Mr.
12 Williamson.
13
14 MR. WILLIAMSON: Yes.
15
16 EXECUTIVE DIRECTOR SIMMONS: Mr. Dugas.
17
18 MR. DUGAS: Yes.
19
20 EXECUTIVE DIRECTOR SIMMONS: Ms. Bosarge.
21
22 MS. BOSARGE: Yes.
23
24 EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.
25
26 MR. SANCHEZ: Yes.
27
28 EXECUTIVE DIRECTOR SIMMONS: Mr. Robinson.
29
30 MR. ROBINSON: Yes.
31
32 EXECUTIVE DIRECTOR SIMMONS: Ms. Boggs.
33
34 MS. BOGGS: Yes.
35
36 EXECUTIVE DIRECTOR SIMMONS: I believe Dr. Shipp is absent. Mr.
37 Dyskow.
38
39 MR. DYSKOW: Yes.
40
41 EXECUTIVE DIRECTOR SIMMONS: Mr. Banks.
42
43 MR. BANKS: Yes.
44
45 EXECUTIVE DIRECTOR SIMMONS: Mr. Swindell.
46
47 MR. SWINDELL: Yes.
48

1 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Guyas.
2
3 **MS. GUYAS:** Yes.
4
5 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Diaz.
6
7 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Stunz.
8
9 **DR. STUNZ:** Yes.
10
11 **EXECUTIVE DIRECTOR SIMMONS:** The motion carries unanimously.
12
13 **CHAIRMAN FRAZER:** Okay, and so the motion carries unanimously.
14 Mr. Diaz, if you would like to carry on with the committee
15 report.
16
17 **MR. DIAZ:** Thank you, Mr. Chair. Report from Joint Working
18 Group on Section 102: Modernizing Recreational Fisheries
19 Management Act of 2018, staff provided an overview of the joint
20 council workgroup's efforts on Section 102 of the MFA, which
21 will focus on evaluating alternative recreational fisheries
22 management strategies. The workgroup elected Mr. Steve Poland as
23 its chair.
24
25 The Joint Workgroup agreed that the goals to be achieved through
26 alternative management for a species needed to be identified to
27 better understand which strategy might be best for a species.
28 Stability, accessibility, and flexibility were offered as
29 desirable traits of any strategy, acknowledging that all three
30 are not likely mutually achievable. The workgroup will
31 reconvene in the late summer of 2020 to continue their
32 discussions and explorations of these and other alternatives.
33
34 **MS. BOGGS:** Dale, may I make a comment?
35
36 **CHAIRMAN FRAZER:** Yes, go ahead, Ms. Boggs. I'm sorry that I
37 didn't see your hand.
38
39 **MS. BOGGS:** I quit trying to raise it, because of the delay, and
40 I apologize. I am a part of this working group, and the comment
41 of the stability, accessibility and flexibility being offered as
42 desirable, but not likely, I do disagree with that, and I did
43 mention it when I was taking part in this working group, and you
44 had two comments about it today in this Amendment 42.
45
46 It does everything that this working group discussed for two-
47 and-a-half hours of what they're looking to do, and I think that
48 this council and the South Atlantic Council needs to take a hard

1 look at Amendment 42, the properties of it, and try to apply it
2 to all sectors of the recreational fishing industry in some form
3 or fashion. It's been tried, and it's true, and we know it
4 works. Thank you.

5
6 **CHAIRMAN FRAZER:** Thank you, Ms. Boggs. Mr. Diaz.

7
8 **MR. DIAZ:** Other Business, including NOAA Fisheries Letter on
9 Executive Order 13921, staff summarized the letter Chris Oliver
10 sent to the councils regarding Executive Order 13921 on
11 promoting American seafood competitiveness and economic growth.

12
13 Staff noted that the council should submit its list of
14 recommended actions with proposals for initiating the actions to
15 the NOAA Office of Sustainable Fisheries by November 2, 2020.
16 Staff also indicated that National Marine Fisheries Service and
17 council staff have already met to begin discussing the executive
18 order.

19
20 Dr. Crabtree noted that, if council members have specific
21 questions about the order, they could forward them to Dr.
22 Simmons and himself, and he will consult with National Marine
23 Fisheries Service to provide answers. The committee noted that
24 suggestions provided by the council will be broadcast to a wide
25 range of agencies. Therefore, ideas proposed may not
26 necessarily be limited to usual fishery management issues.

27
28 Committee members recommended several actions, including holding
29 off on additional areas closed to fishing, increasing testing
30 for banned substances in imported seafood, requiring country of
31 origin labelling on restaurant menus nationwide, supporting
32 young fishermen development programs, recommending SSC review of
33 HMS assessments, revising safety compliance programs, and
34 considering measures to reduce agriculture runoff into the
35 Mississippi River. Dr. Frazer suggested that council members
36 could organize their recommendations and email them to Dr.
37 Simmons and himself.

38
39 Council staff also plans to collect potential ideas from the
40 public through the Something's Fishy platform. Public comments
41 received and suggestions provided by council members will be
42 gathered and presented during the August council meeting. Mr.
43 Chair, this concludes my report.

44
45 **CHAIRMAN FRAZER:** Thank you, Mr. Diaz. I, again, appreciate
46 everybody's patience today. It looks like we've gone a bit over
47 our schedule, but I think that it was important to get something
48 accomplished, so that tomorrow will be a little more efficient.

1 We'll pick up at 9:30 in the morning with the remainder of the
2 committee reports and the agency updates and two Other Business
3 items, and so, again, thank you for your patience and your
4 input, and I will see everybody tomorrow at 9:30 in the morning.
5 Thank you.

6
7 (Whereupon, the meeting recessed on June 17, 2020.)
8

9 - - -

10
11 June 18, 2020

12
13 THURSDAY MORNING SESSION

14
15 - - -

16
17 The Full Council of the Gulf of Mexico Fishery Management
18 Council reconvened via webinar on Thursday morning, June 18,
19 2020, and was called to order by Chairman Tom Frazer.
20

21 **GULF SEDAR COMMITTEE REPORT**

22
23 **CHAIRMAN FRAZER:** Good morning, everybody. It looks like we've
24 got everybody on the line except for Troy Williamson, and so
25 we're going to sit just a second, but not too long, and he can
26 join us in a minute, if he doesn't show up in about one or two
27 minutes, and just sit tight.

28
29 What we'll do today is start off with the committee reports, and
30 we will start off first with the SEDAR Committee Report, then go
31 to Data Collection, and then we'll go Reef Fish at that point,
32 and so I will start with the Gulf SEDAR Committee Report.
33

34 The Committee adopted the agenda as written and approved the
35 minutes of the October 2019 meeting as written. SEDAR Steering
36 Committee Summary Report, staff provided a summary presentation
37 from the SEDAR Steering Committee webinar held May 20 and 21 via
38 webinar.
39

40 The full report is not yet available, but council staff
41 highlighted the important items related to the Gulf Council.
42 Due to the COVID-19 pandemic, the joint Gulf of Mexico and South
43 Atlantic research track assessment for scamp, SEDAR 68, has been
44 delayed about three months.

45
46 Several webinars for the data portion of the process have been
47 held. Issues with identifying a technical chair were brought
48 up, with regard to the reluctance of SSC members and analysts to

1 serve as the technical chair. As a solution, the Gulf Council
2 offered to solicit its SSC for a volunteer to serve as the next
3 technical chair.

4
5 The Southeast Fisheries Science Center clarified its position on
6 operational assessments, noting that new data and model changes
7 needed to be approved by the SEFSC prior to the assessment, as
8 well as numerous other clarifications. The Gulf SSC will need
9 to be briefed about the Science Center's intent for the
10 operational assessments.

11
12 Dr. Simmons recounted the proposed assessment schedule for 2023
13 and 2024. Under Other Business, the Steering Committee also
14 discussed a procedural workshop to examine combining separate
15 indices into a single index of abundance. A path forward to
16 reassess penaeid shrimp stocks in the Gulf was proposed and for
17 the Science Center to send cooperators a memo after the scope of
18 work for each operational assessment that has been developed to
19 improve communication and close feedback loops. After receiving
20 this memo, cooperators can move forward with terms of reference.

21
22 Dr. Mickle asked whether the SSC's recommendations concerning
23 the Science Center's intent for operational assessments would be
24 presented to the council and when that would be possible. Dr.
25 Simmons noted that the SSC could be briefed on the Science
26 Center's intent as soon as July 21 to 23, 2020, and an SSC
27 member could summarize any recommendations to the council at its
28 August 2020 meeting in this committee.

29
30 Ms. Guyas asked for clarification regarding the process for
31 proposing new data or model adjustments in operational
32 assessments. Dr. Simmons said that council staff typically
33 develops the scope of work with the SSC and the Science Center
34 prior to submitting the scope of work to the Science Center.
35 This scope of work becomes the terms of reference for the
36 assessment, which is ultimately approved by the SSC and the
37 council.

38
39 Ms. Bosarge asked whether there would be an opportunity for SSC
40 members to participate in the topical working groups for shrimp.
41 Dr. Porch replied that there would be four topical working
42 groups for the shrimp assessment, which will include SSC,
43 industry, and other participants to assist the assessment
44 process.

45
46 Dr. Porch went further to explain some of the areas in the
47 present assessments which are going to be readdressed in the
48 near future and generally how those problem areas would be

1 reconsidered. Ms. Bosarge said she was open to the idea of a
2 primarily webinar-based process, but expressed concern about
3 excluding the public from more of the assessment process in
4 trying to make the assessments timelier. Dr. Porch said that
5 there would still be public webinars for operational assessments
6 when necessary. However, there may be fewer of them.

7
8 Review of Gulf of Mexico SEDAR Schedule, council staff reviewed
9 the Gulf of Mexico SEDAR Schedule, noting changes following the
10 SEDAR Steering Committee meeting. The committee inquired about
11 the availability of the Gulf king mackerel assessment, which
12 staff noted will be reviewed by the SSC in July 2020 and the
13 council in August 2020.

14
15 Council and Science Center staff also reaffirmed that red
16 snapper occupies two assessment slots, since it consists of
17 eastern and western Gulf models, which are combined to produce a
18 single, Gulf-wide assessment model.

19
20 Mr. Swindell asked when a red drum assessment could be conducted
21 in the Gulf of Mexico. Dr. Porch described the
22 interconnectivity of red drum in the Gulf and how most states
23 have state-specific assessments for the species.

24
25 The ongoing studies and availability of data from various purse
26 seine operators by geographic region were discussed. Ms.
27 Bosarge thought that industry cooperation would be key to
28 executing such a study.

29
30 Ms. Guyas asked about the timing of an interim analysis for red
31 snapper. Dr. Porch said that the Science Center is planning to
32 conduct an interim analysis for 2021 and 2022, in anticipation
33 of the council requesting as much. The Science Center could use
34 an existing index of abundance or, depending on the data
35 presented, the Great Red Snapper Count could be used as an
36 estimate of absolute abundance.

37
38 Dr. Simmons asked when the red snapper interim assessment could
39 be available for the SSC to review. Dr. Porch replied that it
40 depends on when the data from the Great Red Snapper Count become
41 available, possibly in July 2020. The red snapper interim
42 assessment would be conducted after that, and would be available
43 for SSC review in early 2021. This concludes my report. Are
44 there any questions or further discussion about the committee
45 report? Ms. Bosarge, what's on your mind this morning?

46
47 **MS. BOSARGE:** I just want to give a kudos to staff for -- When
48 we were talking about Steamboat Lumps and Madison-Swanson, I

1 asked did we have any updated research on the ratio of males to
2 females inside those MPAs, versus in the greater population,
3 because I thought that would be maybe helpful during our next
4 stock assessment for gag, which starts in the next quarter, I
5 think, and so, anyway, staff, as usual, was already two steps
6 ahead of me, and they had already located that information and
7 red-flagged it as something that needed to be presented to the
8 SSC as soon as possible, knowing that it might be helpful for
9 that assessment, and I just wanted to let everybody know that
10 they were already ahead of us, as usual, and I just wanted to
11 tell them thank you for that.

12
13 **CHAIRMAN FRAZER:** All right. Thank you for those comments. I
14 would agree that they're always on it. They're a good group.
15 Kevin Anson.

16
17 **KEVIN ANSON:** Thank you, Mr. Chair. Going back to the
18 conversation that was held during committee and provided in the
19 report that you just read, regarding operational assessments and
20 the change in the procedure and basically the review of the SSC,
21 since they will be reviewing the proposal that was presented on
22 Tuesday, I wonder if a specific question could be asked of them
23 of, in lieu of less oversight or review time by the SSC members,
24 which isn't the case now, but if a CIE review, a desk review,
25 could be had of those operational assessments, if this proposal
26 goes through, and I just wanted to see if there's any discussion
27 related to that. Thank you.

28
29 **CHAIRMAN FRAZER:** Thanks, Kevin. That might be a question that
30 we might direct back to Clay, if Clay is available.

31
32 **DR. PORCH:** Well, I mean, it's like anything, and that will slow
33 the process down, and the whole point of having research tracks
34 and benchmarks is that you have that independent peer review,
35 and so an operational assessment is just updating the previous
36 peer-reviewed assessment, and so I don't really see a reason to
37 have a peer review every single time we update a peer-reviewed
38 assessment.

39
40 Now, if you are looking at some really large changes, do you
41 have fundamentally new data streams that require fundamentally
42 new models, then I could see having a CIE review, but, in that
43 case, I would say that should be part of a research track
44 assessment, and it wouldn't be an operational.

45
46 **CHAIRMAN FRAZER:** Thanks, Clay. Roy.

47
48 **DR. CRABTREE:** One of the things we've talked about over the

1 years is how we need more stock assessments and more throughput,
2 and the Center has worked hard to get that to us, but, to the
3 extent we start adding on workshops and adding on more reviews
4 and these things, it's going to slow it all down, and we're not
5 going to get to where we need to be, and so I tend to agree with
6 Clay that, for these operational assessments, they have been
7 reviewed, and they have been through the process, and I think
8 that our emphasis should be on increasing throughput and make
9 sure that these assessments that we're working off of are
10 fresher and newer and not as out-of-date as we have been in the
11 past, but I think I agree with Clay, and I don't think the
12 additional review is likely to add much.

13
14 **CHAIRMAN FRAZER:** I appreciate those comments as well, and I do
15 think that a lot of effort is going into trying to streamline
16 the process, so we can get more throughput, but, Kevin, are you
17 satisfied with those kind of responses?

18
19 **MR. ANSON:** Well, I understand the logic of what Clay and Roy
20 have explained, and I guess, relative to the comment of the
21 benchmark and such, and the level of data, or what constitutes
22 going from an operational assessment, as far as the data streams
23 are concerned, to a benchmark, I don't know, and we're going to
24 have the Great Red Snapper Count, and that's a pretty
25 significant piece of data, and that will be included in this
26 interim assessment.

27
28 I just -- Again, I understand the trying to get throughput and
29 everything, and that adding a workshop and adding these reviews
30 slows that process down, but I don't want to put ourselves in a
31 situation where we could be missing out on an opportunity or
32 have the opportunity to have some review of that as we go
33 forward and make these decisions with the data, and that's all,
34 and I was just asking to see if it could be brought up at the
35 SSC meeting, when they do review the proposed change to the
36 operational assessment, and it's just a specific question to the
37 SSC, to get their opinion as to the value of a CIE, and you can
38 put it in the context of slowing the process down, or taking
39 more time. Thank you.

40
41 **CHAIRMAN FRAZER:** Thank you, Kevin. Ms. Bosarge.

42
43 **MS. BOSARGE:** Mr. Chairman, if Clay wants to respond to that
44 point, he's welcome to go before me.

45
46 **CHAIRMAN FRAZER:** Sure. Clay.

47
48 **DR. PORCH:** Thank you, Ms. Bosarge. I think, if Kevin is

1 referring specifically to reviewing the Great Red Snapper Count,
2 then, arguably, I think he has a point. If we do an interim
3 analysis, based on that, there may be enough subtleties in there
4 that we would want some level of independent review.

5
6 Having said that, I think Dr. Stunz made a good point earlier,
7 is that you have some of the best minds in the Gulf working on
8 this, and so, yes, there's not the same level of external peer
9 review as our assessments go through, but you do have a lot of
10 good people working on it, and so, in any case, I think Kevin
11 makes a legitimate point there that we could potentially be
12 using the Great Red Snapper Count to provide interim management
13 advice before the research track. The research track will be
14 reviewed, but, potentially, we could be using it before the
15 research track to develop interim ABC advice, and, arguably, it
16 could stand for some level of review.

17
18 **CHAIRMAN FRAZER:** Okay. Thanks, Clay. Ms. Bosarge.

19
20 **MS. BOSARGE:** Thank you, Mr. Chairman. My comment goes back to
21 gag, and I see where it's supposed to start Q3 of 2020, and that
22 may have been delayed a little bit due to this COVID-19, and I'm
23 not sure, but it's coming up pretty soon, and I'm guessing that
24 the bulk of the private recreational landings probably come from
25 Florida on gag, and that would be my first question, if somebody
26 could respond to that.

27
28 **CHAIRMAN FRAZER:** I am pretty confident that the bulk of the gag
29 landings do come from Florida.

30
31 **MS. GUYAS:** Yes, for sure.

32
33 **MS. BOSARGE:** If that's the case, as we go through these
34 assessments, one of the things that the scientists do is look at
35 the landings and the stream of landings, and they look for
36 outliers, and they look at a lot of different things, and I
37 think that would be a good time to also put the GRFS numbers in
38 front of them.

39
40 I understand that they probably won't use them in the
41 assessment, because we don't have a calibration that takes them
42 back in time, but GRFS has been in place almost as long as the
43 FES. It's been in place for five years now, and the only
44 difference is we don't have a back-calibration for GRFS the way
45 we do for FES, but I think, especially since almost all the
46 private recreational landings come from Florida, and GRFS is
47 actually MRIP on steroids, and it's a supplemental survey that
48 tries to really get at that offshore effort and what is

1 happening out there, and I think it would be a good time to at
2 least look at the difference in the landings and understand that
3 as they go through the assessment process and hopefully better
4 understand the results coming out of the assessment. Thank you.

5
6 **CHAIRMAN FRAZER:** Thank you, Leann. I think those are nice
7 comments. Ms. Guyas.

8
9 **MS. GUYAS:** I was just going to agree with Leann. We've been
10 running that survey since 2015, and it has included, I guess you
11 would say, the ten major reef fish, and we're actually expanding
12 it, starting next month, state-wide and to include a couple
13 other reef fish for which we need some additional information,
14 like hogfish, but it seems like, now that we have a few years of
15 data under our belts, it would be the appropriate time to look
16 at that.

17
18 **CHAIRMAN FRAZER:** Thank you. Kevin Anson.

19
20 **MR. ANSON:** Then, for process purpose and timing, since this
21 interim assessment using the Great Red Snapper Count information
22 is important for the council, I am not familiar with the CIE
23 process and such, but, at least in your report, it was provided
24 for the scope of work related to assessment and inclusion of
25 certain data and such, or at least certain questions to be
26 asked, that it comes from the council, and so I'm just curious
27 as to how the CIE request process goes, if that also comes from
28 the council to NOAA and then NOAA develops the proposal.

29
30 That was a question, I guess maybe to Clay, and, again, I'm not
31 familiar with the process and who sets up the terms of reference
32 or the proposal for the desk reviews for CIEs, and I'm just
33 trying to figure that out.

34
35 **DR. PORCH:** Usually, when it comes to assessment-type
36 activities, we have done it through SEDAR, but I guess we could
37 independently approach the Office of Science and Technology and
38 ask them to set up a CIE -- I see Julie is asking to make an
39 intervention, and maybe it's to this point.

40
41 **CHAIRMAN FRAZER:** Julie, go ahead. I think that we haven't
42 enabled Julie Neer to speak, and so we are going to have to
43 circle back on that, perhaps. Dr. Simmons.

44
45 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. While
46 they're trying to get Julie on the line, just a couple of points
47 of clarification, just to make sure that staff understands. Dr.
48 Porch, when we have been requesting interim analyses, the

1 council has been sending letters to you requesting that, and
2 kind of giving you an idea of what we would like to see.

3
4 However, we do not develop scopes of work and terms of
5 reference, et cetera, for interim analyses, or we haven't
6 typically, or generally, done that, to date, and so I wanted to
7 make sure that everyone was clear with that.

8
9 The other item on gag that Ms. Bosarge brought up, I was trying
10 to quickly look up our scope of work for gag, and I think we
11 could add that, Ryan, to our terms of reference and redistribute
12 that to SEDAR, and is that correct?

13
14 **MR. RINDONE:** I'm sorry. I was trying to send Julie the call-in
15 information. Can you ask the question again? I apologize, but
16 I was trying to do too many things at one time.

17
18 **EXECUTIVE DIRECTOR SIMMONS:** Well, maybe it's to Dr. Porch. We
19 have, for gag, SEDAR 72, right, a scope of work for an
20 operational assessment, and we have sent that to the Steering
21 Committee, or to the SEDAR process, to Julie. Ms. Bosarge is
22 asking if we can also consider the GRFS survey landings, and can
23 we simply add that to our terms of reference and re-send that to
24 SEDAR?

25
26 **CHAIRMAN FRAZER:** Dr. Porch.

27
28 **DR. PORCH:** I am just trying to think. I mean, this is a
29 statement of work that we've already approved, correct, since
30 gag is on the schedule?

31
32 **EXECUTIVE DIRECTOR SIMMONS:** Correct.

33
34 **DR. PORCH:** So, ideally, we don't go back and forth and keep
35 modifying statements of work and adding things to them.
36 However, I think it would be a useful endeavor to, if we ran the
37 gag assessment, to see how sensitive the results are to using
38 the GRFS data, and so I am just leery of creating a process
39 precedent where we approve statements of work and then, in the
40 last hour, we start changing them and you add more work, in
41 which case we've got to go back and redo the whole schedule.

42
43 Then that can end up being a problem, because we don't have an
44 infinite number of people to do the work, and so we want to --
45 That was a problem in the past that we're trying to avoid. In
46 principle, yes, I think we can do it. Again, I don't want to
47 set up a process where we repeatedly change statements of work
48 later in the game.

1
2 **CHAIRMAN FRAZER:** Again, I understand that you wouldn't want to
3 do that, and we certainly don't want to set a precedent where
4 you are continually adding information at the last minute, but I
5 think, in this particular case, there is a pretty strong
6 rationale for trying to at least incorporate it. Anyway, let's
7 see. We have Kevin Anson and then Julie Neer.

8
9 **MR. ANSON:** I'm sorry. I didn't know that I had my hand up. I
10 don't need to speak at this time. Thank you.

11
12 **CHAIRMAN FRAZER:** Okay. Gotcha. Is Julie able to speak yet?

13
14 **MS. JULIE NEER:** I think so. Can you all hear me?

15
16 **CHAIRMAN FRAZER:** Sure can.

17
18 **MS. NEER:** Okay. Excellent. I am going to flip my answer and,
19 first of all, come back to the CIE request, but, with regard to
20 your discussion that you were just having about gag, gag is past
21 statements of work, and we actually have approved terms of
22 reference, and the data scoping for gag is next Tuesday.

23
24 Just so you guys are aware of where we are with regard to the
25 timing of that assessment, it really begins on Tuesday, and so
26 I'm not saying that your request to look at something should be
27 changed at all, but I'm just saying that we're starting Tuesday
28 with data scoping, and so that just means that -- I just wanted
29 to put that out there, for everyone to be aware of the timing,
30 and perhaps Clay will want to revise his statements, given that
31 this is not starting six months from now and it's starting on
32 Tuesday.

33
34 With regard to the CIE request, yes, SEDAR handles all of the
35 CIE requests for the assessments that come through SEDAR, and we
36 get a data request call for sort of what's coming up from the
37 CIE contacts at NOAA about every six months, where we indicate
38 upcoming assessments that we are requesting to have CIE
39 participation in, and we don't handle the money.

40
41 They have a Steering Committee that then reviews the proposals
42 and determines who gets funded. We have never not been funded,
43 but we only usually request one or two review panels a year, and
44 so I am happy to put in the request for operational assessments,
45 but, if we go from requesting one or two to seven or eight a
46 year, for all of our operational across the region, there's a
47 possibility that we won't get them all, and certainly desk
48 reviews cost quite a bit less than in-person review workshops,

1 but, like I said, that's a -- We need about a six to eight-month
2 window of their planning, and they like to plan a year out, but
3 we can usually squeeze something in with about a six-month
4 window, but that's how we usually handle those CIE requests for
5 the assessments.

6
7 Currently, we only request CIE reviews for research tracks,
8 benchmarks for the State of Florida, and the commission
9 benchmarks, when they come to us for review, and those are the
10 components, and we have not traditionally done requests for CIE
11 reviews of any form for updates for operational, and so I hope
12 that answers your questions.

13
14 **EXECUTIVE DIRECTOR SIMMONS:** We lost Dr. Frazer, and he's
15 dialing back in. Mr. Anson, did you want to go ahead?

16
17 **MR. ANSON:** Thank you, and thank you for the information, Julie.
18 I appreciate it, and you answered a couple of my questions that
19 I had relative to the timing of sort of the CIE folks and their
20 lead time, in order to develop their budgets, and then the
21 actual time it takes to complete a CIE.

22
23 Although it may qualify, the Great Red Snapper Count information
24 may qualify, as new data, which could then trigger a CIE review,
25 relative to the timing of getting information that we need, it
26 doesn't appear that a CIE is feasible, or doable, for this
27 interim assessment, but it is something that we ought to
28 consider, if it is something that we have to navigate kind of
29 within our own structure and process, but also navigate within
30 the CIE's budgeting and timelines, and it may be something that
31 we ought to consider for prioritizing these assessments as they
32 come up, and I don't know if it's standard practice or not, but,
33 Julie, if you're still on the phone and can answer this, as to
34 every research track, and you said one or two, and so I assume
35 that's from the Southeast, and I assume that at least one or
36 two, if not more, research track assessments are done each year,
37 and so you might be at capacity regardless, but thank you.

38
39 **MS. NEER:** Kevin, I would say that, if you feel there is a need
40 to request a CIE review for this interim or the Great Red
41 Snapper Count or something, and the Science Center concurs, it
42 certainly wouldn't hurt to run it by those guys, and it may not
43 be feasible, given the timing of things, I would agree, but you
44 never know.

45
46 With regard to what I mentioned about we seem to be having,
47 across the region, roughly one to two benchmark/research track
48 reviews per year, and that's for all across the entire SEDAR

1 process, the entire region, because we have really not been
2 doing a lot of benchmarks or research tracks the last few years,
3 and the bulk of the assessments have been the standard or
4 operational or update forms.

5
6 That is why we haven't had that many requests, and not one to
7 two per region, and so I'm sorry if I confused you with my
8 answer, but we just haven't done a great deal of -- We haven't,
9 the last few years, done a lot of benchmarks and research
10 tracks, because they take longer, and the bulk of the
11 assessments have been in the standard or operational form, and
12 we have, to date, not done very much -- We have not done any CIE
13 requests in that form, for the council assessments at least, and
14 so I hope that clarifies it.

15
16 I don't know that we're at -- That we have a capacity of the
17 number we can do, but it's simply that the CIE serves the entire
18 country, and not just the Southeast, and so our requests go in
19 the pot with everybody else's, with regard to how much money
20 they have to divvy up, and so it's just we've been requesting
21 roughly two a year for the last few years. By we, I mean the
22 Southeast.

23
24 **MR. ANSON:** Thank you for the clarification.

25
26 **CHAIRMAN FRAZER:** Dr. Porch.

27
28 **DR. PORCH:** Thank you, and so I have several things to comment
29 on, but, in regards to the interim analysis, I think what we
30 planned to do is give both the standard interim analysis that
31 links to one of our existing surveys, and the SSC has already
32 reviewed, and we've also published a peer-reviewed paper on it
33 that shows that it works.

34
35 Then the other thing that we can do is use the Great Red Snapper
36 Count. Now, that one does have the issue of not having been
37 peer reviewed yet, but we can present both of those things to
38 the SSC, and the SSC can take everything into consideration when
39 they develop their ABC advice.

40
41 Regarding what Julie was commenting first on, this idea of
42 changing the statement of work, I mean, basically, what I was
43 saying is I don't think we should change the statement of work,
44 but I agree that it is an important thing, to look at the
45 sensitivity of the assessment to using a different recreational
46 time series, and so probably the best way forward would just be
47 for the council to send a memo requesting us to take a look at
48 that. It doesn't have the same force of a statement of work,

1 but we will do our best to accommodate it as a sensitivity run.

2
3 **CHAIRMAN FRAZER:** Kevin Anson.

4
5 **MR. ANSON:** Thank you, Mr. Chair. I don't mean to be taking up
6 a lot of the committee's time here, or the council's time, but
7 I'm just curious to follow back on the comment that Clay had
8 just said regarding the interim analysis and linking back to the
9 survey, a survey, and what survey was that, or where would we
10 find that report, the peer review?

11
12 **CHAIRMAN FRAZER:** Dr. Porch.

13
14 **DR. PORCH:** I can send you a copy of the peer-reviewed document
15 that goes over the simulation testing of the method, basically
16 an MSE, and I can copy the whole council, if you would like, or
17 send it to Carrie, and she can distribute it, and the indices
18 that we would likely use would be, since we're given Gulf-wide
19 advice, a Gulf-wide index for updating the Gulf-wide ABC, and so
20 it would be -- If we used a conventional approach, the longline
21 index is probably the most robust index of overall red snapper
22 abundance, and we could also look at the results with some of
23 our other surveys, like the video survey.

24
25 **CHAIRMAN FRAZER:** Thanks, Clay. A couple of things on those
26 last comments, and I think that, given the nature of the
27 discussion, we'll go ahead and provide a letter of request to
28 consider the GRFS data in the sensitivity analysis. Then, if
29 you would, Clay, be so kind as to send that report to Carrie,
30 she could distribute it, as appropriate, and so are there any
31 other questions or discussion about the SEDAR Committee report?

32
33 **DR. PORCH:** I mostly have been answering questions, and there
34 were a couple of points that I wanted to make. With regard to
35 public webinars, there is a statement in there of when necessary
36 that I can imagine people will think that a lot of times we'll
37 say it's not necessary, and I think the main point is that they
38 will be public webinars, but there just may not be as many as
39 there sometimes have been scheduled, and so maybe we can just
40 strike "when necessary".

41
42 **CHAIRMAN FRAZER:** Sure. We can make those modifications to the
43 report, and they are relatively minor. Thank you.

44
45 **DR. PORCH:** If you will permit me, there's a couple of minor
46 wordsmithing changes that I could just send you offline, things
47 like saying "index of absolute abundance" rather than "absolute
48 index of abundance", et cetera.

1
2 **CHAIRMAN FRAZER:** Sure. I appreciate those minor modifications
3 to the report, and we'll clean it up. Thank you.

4
5 **DR. PORCH:** Thanks.

6
7 **CHAIRMAN FRAZER:** Okay. Are there any other questions or any
8 other discussion? Seeing or hearing none, we are going to go
9 ahead and move to the Data Collection Committee Report and Kevin
10 Anson.

11
12 **DATA COLLECTION COMMITTEE REPORT**

13
14 **MR. ANSON:** Thank you, Mr. Chair. The committee adopted the
15 agenda, Tab F, Number 1, as written and approved the minutes,
16 Tab F, Number 2, of the October 2019 meeting as written.

17
18 Update on Commercial Electronic Logbook Pilot Project, Tab E,
19 Number 4, Dr. Julie Brown from the Southeast Fisheries Science
20 Center outlined information regarding the justification,
21 changes, and progress for developing an electronic logbook
22 program for commercial fishing vessels in the Gulf of Mexico.

23
24 The electronic program serves to improve the precision and
25 efficiency in commercial data collection by monitoring data at
26 the trip level and reduce errors by automating certain aspects
27 of data entry.

28
29 Additionally, she provided the results from a pilot study that
30 was completed in 2015. Results from the pilot study indicated
31 that fishermen found the additional data entry requirements
32 feasible and favored the ability to use a variety of hardware to
33 report catch. A timeline was also presented to inform the
34 committee as to when the SEFSC expects to formalize details of
35 the program.

36
37 The committee asked Dr. Brown what determination was used to
38 define when a vessel was considered fishing. SEFSC staff
39 indicated that the determination was somewhat subjective, but
40 that additional information collected from GPS units could help
41 clarify when a vessel was deemed to be actively fishing.

42
43 The committee also inquired whether improvements in quantifying
44 discard data would be possible with the new program. SEFSC
45 staff indicated that it was still difficult to measure discards
46 without associated observer data. However, the SEFSC has
47 indicated that there are fewer instances of captains reporting
48 no discards in the Gulf compared to the South Atlantic,

1 indicating there is likely better reporting compliance. Still,
2 the SEFSC indicated that discard information used in stock
3 assessment would still be highly variable.

4
5 The committee questioned how GPS data collected in the program
6 might be validated. SEFSC staff stated that an algorithm could
7 be used to identify errors in a timely matter. However,
8 captains still retained the option to input locational
9 information at a later date, which could cause lags in data
10 processing.

11
12 The committee asked how many Gulf commercial vessels currently
13 report to the SEFSC. SEFSC indicated that approximately 1,700
14 vessels report between the Gulf and South Atlantic, but did not
15 know how many vessels were specific to the Gulf. SEFSC
16 indicated that they could provide that information to the
17 committee at a later date.

18
19 I mentioned that the implementation timeline with mandatory
20 participation of the program, expected to be in effect in late
21 2021, might be ambitious with the complications associated with
22 COVID-19. Ms. Mara Levy also indicated that the development of
23 an associated policy document could take time, depending on how
24 detailed the program requirements are. Ms. Leann Bosarge
25 stressed the importance of securing and ensuring the data
26 collected from the commercial fishing industry is appropriately
27 used and access to the data should be limited.

28
29 Update on Southeast For-Hire Integrated Electronic Reporting
30 Program, Mr. Peter Hood from the Southeast Regional Office
31 discussed the latest development to the Southeast For-Hire
32 Integrated Electronic Reporting (SEFHIER) program.

33
34 The presentation covered updated rules, timelines, status of the
35 reporting system approvals, reimbursement for the purchase of
36 equipment for the program, addressed some common questions from
37 program participants, and outlined updates to program support.

38
39 Mr. Hood indicated that the final rule for the Gulf is expected
40 to be published in late June 2020, with an effective date of
41 September 1, 2020. However, this effective date could be moved
42 to early 2021, should the for-hire industry, along with the
43 council, request extra time due to delays associated with COVID-
44 19. If the effective date is moved, Mr. Hood indicated it would
45 still be advantageous for the effective date to be the same for
46 both the Gulf and South Atlantic.

47
48 Additionally, Ms. Levy presented an update to the language in

1 the proposed rule and informed the committee that most of the
2 changes were made to clarify the formal language for the rule.
3 Ms. Levy also indicated that the Gulf has not yet published the
4 final rule, and so, if a change to the effective date was
5 warranted, the updated date could be included in the publishing
6 of the final rule. In the interest of time, all committee
7 questions associated with SEFHIER were postponed until the Full
8 Council meeting. Mr. Chair, this concludes my report.

9

10 **CHAIRMAN FRAZER:** Thank you, Kevin. As the last thing in the
11 report indicated, we were moving quickly through that committee,
12 to stay on time, and I imagine that there will be a number of
13 questions, and I see the hands are starting to come up, and so
14 we will start with Ms. Boggs.

15

16 **MS. BOGGS:** Good morning. I have given this a lot of thought,
17 about delaying the start, and I talked to a couple of people
18 about the start date for the Gulf, and, because there is no
19 financial obligation at the start of this, because we're only
20 reporting our catch, I would really like us to move forward with
21 the September 1 start date.

22

23 We keep finding delays and reasons not to do it, and I'm a
24 little interested in the fact that Peter Hood said yesterday
25 that it could all run concurrently, which is not what has been
26 told to me in the past, but, if we could go ahead and start with
27 the data collection, or the logbook, in September, I would
28 really like us to stay on track with that, because it's been a
29 long time coming, and it seems like we keep finding reasons why
30 we can't move forward, and I would just like to see it move
31 forward. Thank you.

32

33 **CHAIRMAN FRAZER:** Thank you, Susan. Ms. Guyas.

34

35 **MS. GUYAS:** I see Steve Poland's hand is up, and so I'm sure
36 that he'll talk about the South Atlantic Council's discussion
37 about delaying this, and I would support delaying, and I know
38 that there's a lot of anticipation and excitement about this
39 program, but there's a couple of things that I want everybody to
40 think about.

41

42 I think it makes sense to roll out the Gulf and South Atlantic
43 at the same time, and we've made this point several times and in
44 comments on the proposed rule, but there's a lot of people in
45 Florida that have those permits, and it sure would make things a
46 lot easier for them to just roll this out all at once, and so
47 there's that.

48

1 The other thing is, if it starts on September 1, I understand
2 that NOAA folks have been in contact, I think, with the
3 commission, and I see Dave on the list to speak, and the states
4 about doing the validation, and so we've had some conversations
5 about that, but we're not at the point where we're ready to go
6 and do this yet, and so, if we were planning to start on
7 September 1, we would need to have an agreement for budget and
8 exactly what we're going to be doing, and all that is not in
9 place yet, and so that makes me a little bit concerned.

10
11 It does take time to get people hired and trained, and, at least
12 right now in Florida, and I mentioned it in the last committee
13 report, that we're rolling out our state reef fish survey, and
14 we're really focused on getting that program off the ground
15 right now, and so, considering we don't have the budget and
16 don't know exactly what we're going to be doing to help with
17 validation for SEFHIER, I just don't think that we're in a place
18 to get this started on September 1, and so I just wanted
19 everybody to be aware of that. Thanks.

20
21 **CHAIRMAN FRAZER:** Okay. I see Dave Donaldson.

22
23 **MR. DONALDSON:** Thank you, Mr. Chair. To kind of add on to what
24 Martha said, and she mentioned that we have been working with
25 NOAA Fisheries and the states for the validation stuff, and, in
26 Peter's presentation, he mentioned working on the funding and
27 the survey development, and we have worked with the funding, and
28 we have come up with some draft budgets, but, as Martha pointed
29 out, we really don't have a good idea exactly what we're trying
30 to do, and the states are very interested in being involved in
31 this survey, the survey development, and trying to make sure
32 that their ideas and thoughts are incorporated in this.

33
34 There hasn't been a whole lot of involvement in the states
35 throughout this whole process, which has been somewhat
36 frustrating, and so I just want to emphasize the importance of
37 including the states and the commissions in the development of
38 this survey, and I think a September 1 -- I understand the
39 desire to get something going, but I don't want to do something
40 that's not 100 percent ready to go, and so I'm a little
41 concerned about moving forward with this without having a lot of
42 the details worked out.

43
44 Then I've got one question, and I don't know if Roy or -- I
45 don't know if Peter is still on, but, in terms of moving
46 forward, for the survey development, has the PRA been approved
47 at all? Can anyone answer that question, because, if not,
48 that's going to delay things as well.

1
2 **CHAIRMAN FRAZER:** Roy, can you handle that?
3
4 **DR. CRABTREE:** I am going to have to defer to Peter or Jack, who
5 are on.
6
7 **CHAIRMAN FRAZER:** Okay. Let's sit tight until we can identify
8 whether Peter Hood or Jack McGovern are available to speak.
9
10 **DR. PETER HOOD:** Just a couple of points, and one is the
11 validation. We're starting from January 1, and, with regards to
12 the Paperwork Reduction Act, the PRA has not been done for the
13 survey design, and so that's something that we're still working
14 on. We have submitted the PRA, but it just hasn't been approved
15 yet.
16
17 **MR. DONALDSON:** Thank you, Peter, and I just want to reiterate
18 that getting the states involved in the survey development as
19 soon as possible, and don't wait. Do it sooner and not later.
20 Thanks.
21
22 **CHAIRMAN FRAZER:** Thank you. Dr. Stunz.
23
24 **DR. STUNZ:** Thank you, Mr. Chairman. My question was also for
25 Peter Hood, but, to follow up on Dave Donaldson's comment, I
26 would -- Having done this with our group in the past, pushing
27 something through a little bit early, before it's really ready
28 for primetime, can lead to a lot of disenfranchisement and other
29 things that might get it off to a bad start, and so I definitely
30 encourage waiting until everyone feels really good about it
31 before we really begin to roll it out.
32
33 My main question was from the presentation that Dr. Hood gave,
34 and you talked about there was \$800,000 to essentially get VMS
35 equipment. Obviously, some of these guys are dually-permitted
36 and probably already have it, or they have it, I guess, if they
37 would be, but what -- Do you have any idea of what percentage
38 this covers of the fleet? Then my next follow-up to that would
39 be how are you going to distribute that, or how do you determine
40 who gets a portion of those funds to buy the VMS?
41
42 **DR. HOOD:** In terms of what will be covered, I think that's
43 really dependent on what sort of units the fishermen try to get.
44 These lower-cost cellular-type units are much less expensive,
45 and we're talking that some can be less than \$500, or could be,
46 and many of these haven't been approved yet, but certainly they
47 are, for the most part, under \$1,000, whereas the satellite-
48 based units are more expensive and do get into the -- They would

1 be over \$1,000.

2
3 With respect to how the money goes out, my recollection, at
4 least based on the commercial, when we did the reimbursement for
5 the commercial reef fish fishery, it was a first-come-first-
6 served basis, but, in that particular situation, they didn't run
7 out of money, and so there wasn't anybody left out in the cold.
8 Does that answer your question?

9
10 **DR. STUNZ:** Yes. Thank you, Peter.

11
12 **CHAIRMAN FRAZER:** Okay. Great. Thank you, Peter, for that.
13 We're going to move to Steve Poland.

14
15 **MR. STEVE POLAND:** Thank you, Mr. Chair. I just wanted to
16 provide a little bit more context on our discussion last week
17 related to our request to potentially delay the rollout of
18 SEFHIER.

19
20 We had a considerable amount of discussion around the table, not
21 only related to that, but just in general of the impacts of
22 COVID, and there was a lot of concerns about rolling this out on
23 September 1, given that a lot of the for-hire captains were
24 basically out of work for a few months, and we're not quite sure
25 what kind of status, financial status, they were in and, also,
26 kind of rolling it out right in the middle of a fishing season
27 like that.

28
29 Also, the fact that there will be, or there is the intent to
30 have, some trainings, some additional trainings, between now and
31 then, whenever that rollout period is, and those trainings
32 really go a lot better when they're in-person, and so anything
33 we can do to delay long enough and maybe allow for some of those
34 trainings to be in-person, as opposed to web-based, and, also, a
35 lot of the same reasons that have already been mentioned by
36 Martha, the desire to have this program rolled out at the same
37 time in the Gulf and the South Atlantic, just to make this a
38 more seamless rollout. That's really everything, off the top of
39 my head, right now. Thank you.

40
41 **CHAIRMAN FRAZER:** Thank you, Steve. Susan Boggs.

42
43 **MS. BOGGS:** Thank you, Mr. Chair. When is the South Atlantic
44 anticipating now to roll out, and then I have a follow-up.

45
46 **CHAIRMAN FRAZER:** I will let Steve -- Go ahead, Roy.

47
48 **DR. CRABTREE:** The South Atlantic final rule has already

1 published, and it has an effective date of September 1. The
2 Gulf final rule has not published yet, and it's still in
3 Headquarters.

4
5 **MS. BOGGS:** So if the South Atlantic is delaying, and the Gulf
6 is going to need to follow along, which is what I'm hearing, and
7 I will get to that in a moment, I'm just trying to determine how
8 long is that delay going to be? Is it going to be October or
9 next May? That's what I am trying to understand, is how long
10 are we going to be delaying this.

11
12 **DR. CRABTREE:** If I could, Mr. Chairman, and I think I'm next on
13 the list anyway.

14
15 **CHAIRMAN FRAZER:** Go ahead. You were.

16
17 **DR. CRABTREE:** The discussion, most of what we've had in terms
18 of the discussion, is the effective date being pushed back to
19 probably January 1, but let me explain what that means, exactly.
20 We would go ahead and publish a final rule in the Gulf, and it
21 would just mean the effective date for when the requirement
22 becomes mandatory would be pushed out, and then we would have to
23 publish some sort of amended rule in the South Atlantic to push
24 their effective date out to match.

25
26 There have been a lot of -- This has turned out to be a heavier
27 lift than I think any of us anticipated going in, and it has
28 taken a lot of work on security and all those kinds of things,
29 and we have set up, in the Gulf, that we wanted the effective
30 date to be sixty days after the publication of the final rule,
31 to give fishermen sixty days' notice.

32
33 I can't promise you that it will even publish by July 1, because
34 it's hard to predict when things are going to happen right now,
35 in part because a great part of the staff of the Federal
36 Register and other places are all on teleworking status, and so
37 it's possible that, even if you don't want to delay, that it may
38 be delayed anyway, because we may not be able to get it done by
39 July 1.

40
41 If we did hold off making it mandatory until January 1, the
42 requirements would all be out there, and people would know what
43 is coming and what they need to do, and they could go ahead and
44 start getting the equipment on their boat, and I think they
45 could apply for reimbursement, if they put a VMS on, and they
46 could probably set up their accounts and start voluntarily
47 reporting, but it just wouldn't be mandatory until January 1.

1 There were some questions about PRA earlier, and my
2 understanding is the PRA work is done for the logbook portion of
3 it, but it's just not done for the survey portion of the work,
4 and, Peter, if I got any of that wrong, please correct me, but,
5 when we say delay, we're talking about the effective date, when
6 it becomes mandatory, and not sitting on the final rule.

7
8 **CHAIRMAN FRAZER:** Thanks, Roy. I think Steve Poland might have
9 wanted to jump into this conversation, and then I will get to
10 the list.

11
12 **MR. POLAND:** Thank you, Mr. Chair. To Susan's question, we did
13 not discuss a specific date, and it seemed like it was the
14 desire of the council to at least hold off, or delay, the
15 effective date until sometime after the first of the year, and,
16 really, we just wanted to communicate to the Gulf Council this
17 desire, and, ideally, depending on if the Gulf Council decides
18 that they want to delay to the first of the year, or some point
19 later, there was a strong desire around our council to match
20 that, but we really didn't have any strong feelings, as far as
21 it had to be January 1 or the like, and we just felt like it
22 needed to be delayed, the implementation, or effective date,
23 needed to be delayed past September 1, just to give folks a
24 little bit more time and provide the opportunity for that
25 effective date in the Gulf and the South Atlantic to be the
26 same.

27
28 **CHAIRMAN FRAZER:** Thanks, Steve. We're going to go to Paul
29 Mickle.

30
31 **DR. MICKLE:** Thank you, Mr. Chair. I just wanted to mention,
32 and I have in the past, that, in the State of Mississippi, it's
33 somewhat unique in the SEFHIER. Although it seems like a good
34 data program, it's causing some issue in the State of
35 Mississippi, because we will, I guess next year, have MRIP,
36 which is a voluntary survey, and Tails 'n Scales, which is
37 mandatory for our federal captains, and then now SEFHIER, and so
38 that's a lot of repetition, and multiple data streams, which may
39 cause problems down the road.

40
41 To this point in time, and Sue Gerhart had reached out and made
42 statements that they were going to at least continue discussions
43 with the DMR, to potentially hybridize the system so that it
44 becomes a little bit less burdensome for our federal for-hire
45 captains, and, Peter, I hope that that continues, and maybe we
46 can work towards some level of hybridization.

47
48 I understand that SEFHIER has that tracking component, and Tails

1 'n Scales does not, but, again, the data needs for the state are
2 temporally much shorter than the feds really have, and so, if we
3 end up having to do some sort of potential rule change to help
4 our captains, to not make it mandatory for them to do Tails 'n
5 Scales, to try to relieve some of the burden, then we will have
6 a data issue in our state.

7
8 It's a complicated issue, unfortunately, because Mississippi is
9 so unique with our Tails 'n Scales system, and there's been a
10 problem with the potential transition, and, again, I really
11 encourage NOAA to work with us to try to combat some of these
12 things, to relieve the burden on these captains, as well as
13 their clients, because of all this, I guess, repetition in
14 reporting. Thank you.

15
16 **CHAIRMAN FRAZER:** Thank you, Dr. Mickle. Ms. Guyas.

17
18 **MS. GUYAS:** I guess I have a couple of questions, I guess, also.
19 Just thinking about the big picture here, I think that, at least
20 as far as I'm aware, the survey that's going to be used for
21 validation in this whole program is not MRIP certified yet, and
22 so my assumption, and somebody correct me if I'm wrong, is that
23 it's going to be a while before we can use these data for stock
24 assessments and for management.

25
26 My question is do we have a timeline for when this program is
27 going to be reviewed by the SSC, the methods and I guess the
28 data, and then we do have a process for considering it the best
29 available science for assessment and management? I think that's
30 going to be part of the, I guess, MRIP certification, but
31 there's a lot that needs to happen, at least as far as I can
32 tell, really before this program really gets going, and so I
33 think it's important to get off on the right foot here, but I am
34 not sure who is the best person to answer those questions at
35 this point.

36
37 **CHAIRMAN FRAZER:** Well, I think they're important questions,
38 Martha, but I think that we can hold off a bit on trying to
39 identify the timeline and how those survey data might ultimately
40 be incorporated into the process that allows for management
41 advice, but I do think the two things that we need to think
42 about here are whether or not the council wants to formally
43 adopt a motion, perhaps, to extend, or revise, the effective
44 date of the rule, and that would be number one.

45
46 If they decide, or if we decide, to do that, I think Roy's
47 comments were important as well, and it doesn't preclude folks
48 that will participate in the program from going forward and

1 purchasing the VMS systems and/or seeing reimbursement for those
2 investments, and the second part of his comment I think is a
3 good one as well, that we could work with the charter/for-hire
4 group to go ahead and start setting up their accounts, and there
5 is nothing that would preclude them from collecting or
6 voluntarily inputting data at this point.

7
8 I think there are a lot of issues to overcome and work out
9 during that interim period, and so, as long as there is a
10 commitment on behalf of all the interested parties to keep
11 moving forward on that front, I think we'll be in good shape,
12 and so I will now be quiet for a minute and let Susan Boggs go
13 ahead and speak.

14
15 **MS. BOGGS:** I appreciate Roy's comments, and, I mean, that's
16 helpful, that people can move forward and start working through
17 this, and it makes me kind of come back to what I didn't say
18 about the commercial electronic logbook pilot project, is it
19 sounds like that is something that we should have done with the
20 SEFHIER program, because now I'm hearing, for the first time,
21 and I don't know if I've just not been paying attention or what,
22 but there's a lot of issues with this program.

23
24 My question would be is how do we get all these people in the
25 same room and work out these issues, so that, when we move
26 forward with this program, it may not be perfect, and every
27 program, when you start it, is going to have to be tweaked and
28 changed and things like that, and I get that, but I'm hearing
29 all these issues with the states and the Gulf States Commission
30 and NMFS, and now is it best available science and a review, and
31 so it sounds to me like we really have a long way to go with
32 this.

33
34 Is there a way that we can implement some kind of a pilot study
35 to start rolling this out, and then I would suggest, and, if I
36 need to put it in the form of a motion after we finish
37 discussion, at the very, very least, and, of course, I know we
38 have to get the South Atlantic to concur, but see if there's a
39 way to get this on the water by March 1 of 2021, all at one
40 time, your electronic logbooks and your VMS and GPS, and get
41 this program started.

42
43 They are not typically that busy that time of the year, and,
44 yes, it's spring break, but it's not like if you're trying to
45 implement this in June or July, and that is my suggestion, and I
46 will be happy to put it in the form of a motion after everybody
47 speaks, if you would like. Thank you.

48

1 **CHAIRMAN FRAZER:** Thank you, Ms. Boggs. I think we will be
2 looking for a motion after the discussion, and so I will go
3 ahead and acknowledge Peter Hood.

4
5 **DR. HOOD:** Thank you. I just wanted to make a couple of points.
6 One is I think somebody brought up early on about being able to
7 start both the Phase 1 and Phase 2, and you remember Phase 1 is
8 the logbook and hail-out, and Phase 2 is the VMS together, and
9 so the reason that we have that delay between our Phase 1 going
10 into effect on September 1 and the VMS portion on January 1 is
11 just it takes a minimum of ninety days for our Office of Law
12 Enforcement to be able to approve a VMS unit, and so knew that,
13 if we had the logbook program go into place on September 1, we
14 would be very limited, in terms of what VMS units are available.

15
16 By postponing the effective date of the VMS part, it gives us
17 time to deal with that, and, also, just a point to Paul's
18 question, and we are trying to find an overlap between MRIP and
19 SEFHIER's survey, and, if Mississippi wants to work with us, we
20 actually could approve Tails 'n Scales as an approved vendor, if
21 they can work with us and meet the technical specs that are
22 necessary for that.

23
24 Then, with regard to the calibrating some data and for MRIP to
25 approve the SEFHIER program, we actually need to have the
26 program run concurrently for a few years with MRIP, and so, that
27 part about certification of MRIP, that's going to take a few
28 years, just because we need to have those couple of years of
29 running concurrently, and so that's really all I wanted to bring
30 up, was just a couple of clarifications.

31
32 **CHAIRMAN FRAZER:** Thanks, Peter. We're going to go to Martha
33 and then Roy.

34
35 **MS. GUYAS:** I am trying to send a motion over to staff, and so
36 that should be heading your way right now, but I will say it
37 here. It's not so eloquent, but I think it gets the job done.

38
39 **The motion would be the council recommends NMFS delay the for-**
40 **hire electronic logbook program final rule effective date until**
41 **2021 and make the rule effective the same date as the South**
42 **Atlantic program.**

43
44 **CHAIRMAN FRAZER:** Let's get that on the board, if people can
45 just sit tight and let staff get caught up. We have a motion on
46 the board. Before I ask for a second, it looks like there's a
47 question regarding clarification from Dr. Simmons.

1 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Ms. Guyas,
2 is the intent for this to be both phases for the Gulf, both the
3 cellular and the VMS?
4

5 **MS. GUYAS:** I could go either way on that. I mean, I think it
6 would be nice to implement them all at the same time, especially
7 if we push it back and give people a chance to get the
8 equipment, but I also understand what Peter is saying about the
9 time needed to have law enforcement approve different units and
10 that kind of thing, and so I am specifically interested in the
11 logbook part of it, but, if it makes sense to do everything at
12 once or -- I could go either way on the other part, depending on
13 what makes the most sense. I am open to suggestions from the
14 council, if they want to get that specific.
15

16 **CHAIRMAN FRAZER:** I am just making sure that we have the
17 appropriate language and notes up on the board for everybody,
18 and so this is an update on SEFHIER and not the commercial --
19 Okay. We're good, and so, again, just making sure that
20 everybody is on the same page here.
21

22 I would actually defer, perhaps, to Roy here on whether or not
23 we need to be explicit in this motion with regard to the
24 incorporation of Phase 1 and Phase 2 or if it's unnecessary.
25

26 **DR. CRABTREE:** I think that is unnecessary, and I would prefer
27 that you leave the motion more open on that. There are a lot of
28 things that have to happen to get the GPS/VMS piece in place,
29 and some of those things that need to happen are not within our
30 control, and so it's possible that that would have to be moved
31 anyway to deal with that, and so I think, with the motion where
32 it is, we would be looking at an effective date of no sooner
33 than January 1, and we would just have to figure out, based on
34 what happens between now and then, how ready we are and whether
35 we could get all this done, to do it all at once or still have a
36 Phase 1 and Phase 2 implementation.
37

38 You know, there are a lot of things that can happen between now
39 and January, both with respect to COVID-19 and finances of the
40 for-hire sector and just a host of things, and so I think having
41 some flexibility on that is good, and we could report back to
42 you at subsequent council meetings.
43

44 **CHAIRMAN FRAZER:** Okay, and so I think we certainly will be
45 looking forward to the reporting back to the councils to keep
46 track of progress, and I think that's key. We've been working
47 on this for a long time, and I think there's been a lot of
48 goodwill invested in moving this forward, and I think everybody

1 wants to see better data collection moving forward, and so, the
2 sooner we can get things going, that would be good, or at least
3 demonstrate that we're making every effort to move forward as
4 quickly as possible, given the current situation. We do have a
5 motion on the board. Is there a second to that motion?
6

7 **MR. DYSKOW:** I will second it.
8

9 **CHAIRMAN FRAZER:** Okay, and so we have a second. That's great.
10 Thank you. Next, I guess we'll go straight to discussion.
11 Susan Boggs.
12

13 **MS. BOGGS:** I can't support this motion. I would really like to
14 put a specific date in there, something to hold our feet to the
15 fire, and maybe that's not something that's possible, and I know
16 we're trying to do something so that we can get it in the rule
17 that's about to be published, but I would like to see something
18 that's more definitive that's going to hold our feet to the fire
19 and get this program on the water.
20

21 Then how do we coordinate with the South Atlantic? When are
22 they going to be ready, and that's what I'm trying to figure
23 out. Do they have any timeframe, or are they waiting for us? I
24 mean, who comes first, the chicken or the egg? Somebody has got
25 to do something, but we've got to get this thing moving. Thank
26 you.
27

28 **CHAIRMAN FRAZER:** Thank you, Susan. Mr. Anson.
29

30 **MR. ANSON:** Thank you, Mr. Chair. In listening to the
31 discussion and the pros and cons and from the states'
32 perspectives, and a couple other folks have already commented on
33 the process, at least from our perspective, of trying to be
34 participants in the data collection side of things, for the
35 validation survey and how that is -- We are concerned, from our
36 vantage point, and it is a September 1 start date, of getting
37 all the materials we need to make sure we're hitting the ground
38 running at full speed, or as close to full speed as possible,
39 and so there's that.
40

41 Then there's these other administrative programmatic issues, and
42 COVID-19 has been mentioned, and so, yes, I realize that there
43 is a lot of moving parts here, but I do recognize Susan's and
44 others desire to continue on with forward progress and that
45 maybe putting a date in here would kind of hold people's feet to
46 the fire, so to speak, and let the public know that, yes, there
47 is a deadline.
48

1 I am just torn right now as to the possibility of making a
2 substitute motion that would put back in that March 1 date, and
3 then that would give the South Atlantic kind of an idea too as
4 to where the Gulf is at least relative to this issue, but I will
5 sit back and continue to listen to further discussion. Thank
6 you.

7

8 **CHAIRMAN FRAZER:** Thank you, Kevin. Ms. Levy.

9

10 **MS. LEVY:** Thank you. Just to talk a little bit about the
11 council's role in deciding the effective date, I think the
12 agency has come to the council with the recognition that there
13 might be some desire by the council and various constituents to
14 potentially delay the effective date of these things, but,
15 ultimately, NMFS is going to decide when the rule is effective.

16

17 The South Atlantic Council expressed a desire to not have it
18 effective until sometime in 2021, and that's what this motion
19 does, and it does not need to be an iterative process of going
20 back between the Gulf and South Atlantic Council to decide on a
21 date, because, even if you put a date in there of something like
22 March 1, you're expressing your desire to the agency, but
23 something might happen that requires a further delay, or the
24 agency might decide that they want to get it up and running a
25 month sooner than that, and, especially in these cases where
26 we've implemented these extensive programs, we have, in the
27 past, published an effective date and realized, for whatever
28 reason, that we needed to give more time and then another
29 effective date.

30

31 I encourage you to express what you want, but just know that,
32 ultimately, the agency is going to decide when the rule can be
33 effective. Thanks.

34

35 **CHAIRMAN FRAZER:** Thanks, Ms. Levy. Dr. Crabtree.

36

37 **DR. CRABTREE:** That's good advice, and there really wouldn't be
38 any more back-and-forth with the South Atlantic. They made
39 their desire known, and I can tell you that where I would likely
40 want to go with this would be to publish your final rule by July
41 1, if I can get it published, and my inclination would be to set
42 a January 1 effective date, and so I'm likely to want to get
43 this done a little quicker than the March 1, but, as Mara said,
44 if we get there, and it's evident that we're going to need to
45 change that, then we would extend it some.

46

47 I can tell you, when we first required VMS in the commercial
48 reef fish fleet, I believe the effective date was extended

1 twice, and the trouble was, when we got to the first effective
2 date for the requirement, half the fleet didn't have a VMS
3 onboard, and so they would have either been out of business or
4 we would have to extend, and so there are all kinds of things
5 like that that you just have to deal with and that you can't
6 always anticipate in advance, but my inclination, at the moment,
7 would be to shoot to get at least the logbook reporting part of
8 this in place on January 1, and so the South Atlantic date would
9 be January 1 as well, and that may change, but that's my
10 thinking at the moment.

11
12 **CHAIRMAN FRAZER:** Thank you, Dr. Crabtree. Ms. Guyas.

13
14 **MS. GUYAS:** I think that's helpful insight into how this may go,
15 and, based on what Roy said, I think my inclination would be to
16 not put a specific date in here, recognizing that there are a
17 lot of balls in the air here, many of which we can't control,
18 but I certainly understand, Susan, where you're coming from,
19 wanting to put March in here or some other date, and my
20 intention here is really to set this up as best as we can for
21 success, like right off the bat, even though this is a motion to
22 delay the effective date, but it's just so that we can get our
23 ducks in row before we launch for everybody.

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

26
27 **MS. BOGGS:** Well, if we can't put an effective date -- I mean,
28 it's tearing me apart to even talk about delaying this program,
29 and, at the very least, I would like to see, since it's been
30 delayed so many times, that we roll it all out at once, and then
31 we can work all the kinks out at once, but I don't want to delay
32 it any further, and so I would like to see --

33
34 If I need to send in a substitute motion, I can, but I would
35 like to see now that at least we roll it out all at once, and
36 that would be, I guess, my compromise, and I understand putting
37 in a definitive date, because, yes, Roy, I would love to see it
38 come out January 1, but I just, like I said, want to have
39 something that's going to hold feet to the fire, and I
40 understand there may be another delay, but I don't want this to
41 be now we're talking about an October 2021 and we still don't
42 have it on the water. Thank you.

43
44 **DR. CRABTREE:** If I could, to that point, Tom?

45
46 **CHAIRMAN FRAZER:** God ahead, Roy.

47
48 **DR. CRABTREE:** None of us want to see this delayed any more than

1 absolutely necessary. We have invested a lot of time and money
2 and resources in working on this, and we want to see it go into
3 effect. If we could put both the reporting requirement and the
4 VMS requirement effective January 1, that may be the way to go,
5 and it's just hard to say right at this moment if we would be
6 able to do the VMS requirement at that point, because we still
7 are waiting on the VMS rule to come out and the certification
8 process, and so I would not encourage you to make another
9 substitute motion to that effect, but I understand the sense of
10 the council is that, okay, hold off to January 1, but then you
11 would like to see us get this program up and rolling next year,
12 as quickly as we can.

13
14 **CHAIRMAN FRAZER:** Thank you, Dr. Crabtree. Ms. Bosarge.

15
16 **MS. BOSARGE:** Thank you, Mr. Chairman. I just kind of wanted to
17 echo Kevin's comments, and I'm listening to everything that's
18 said around the table, but, philosophically, I have issues with
19 delaying something with no date certain, and I think that,
20 generally, society works better under a deadline, and I think
21 that we will have a huge outcry from the public if we delay this
22 with no date certain and they have no idea again.

23
24 Maybe it will be this, and maybe it will be that, and we're
25 waiting on the South Atlantic, and it depends on them, and I
26 think we probably need some dates of some sort, even if we don't
27 meet the dates, but at least they know what we're shooting for.

28
29 **CHAIRMAN FRAZER:** Thank you, Ms. Bosarge. Dr. Crabtree.

30
31 **DR. CRABTREE:** Again, if I could, like I said, we're going to
32 publish the final rule as soon as we can, I hope by July 1, and
33 that will have the effective date in the rule, and it will be
34 set, and then we will make the change to the South Atlantic
35 effective date as quickly as we can and set it up to be the same
36 as the Gulf, and so it's not going to be a situation, I hope,
37 where things drag on. People are going to know that here's the
38 program, and here's what it does, here is what's required, and
39 here is when it becomes effective.

40
41 **CHAIRMAN FRAZER:** To that point, Roy, when the rule is
42 published, it's your intent to include the January 1, 2021 as
43 the effective date?

44
45 **DR. CRABTREE:** Unless I'm persuaded that that's unrealistic and
46 something needs to happen, that would be the effective date for
47 the Phase 1 portion of this, which is the electronic reporting
48 part, and then, if we can do it, we will look at the VMS, but

1 I'm not prepared right now to say one way or another, but I
2 don't see compelling reasons, at the moment, to delay it beyond
3 that.

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

6
7 **MR. ANSON:** Then, just because there might be other folks
8 listening in, or at least certainly for Florida's perspective,
9 since they have both coasts, the January 1 then would also apply
10 to the South Atlantic, and I just want to be certain of that, or
11 clear of that. Thank you.

12
13 **DR. CRABTREE:** We would want the effective date for both
14 programs to be the same in the South Atlantic and the Gulf, and
15 I think that would reduce confusion, because we have about 350
16 dually-permitted vessels, mostly in south Florida, and so that
17 would be our intent, to have the effective date the same for
18 both programs.

19
20 **CHAIRMAN FRAZER:** Okay. Ms. Bosarge and then Ed Swindell, and
21 then I think we'll try to reel this in a bit.

22
23 **MS. BOSARGE:** I keep forgetting to hit the unmute button. If
24 that's what is actually going to happen, or is what proposed and
25 what NMFS thinks is going to happen, then we need to put that
26 January 1 in here, delay the for-hire electronic reporting
27 logbook program final effective date until January 1, 2021, and
28 make the rule effective the same date as the South Atlantic
29 Fishery Management Council for-hire program.

30
31 Let's tell the public what we intend to do. I think that date
32 needs to be in here. I mean, obviously, Roy has the ability to
33 change that without us saying anything, but we need to give him
34 and the public a heads-up that that's what we expect and shoot
35 for that.

36
37 **CHAIRMAN FRAZER:** Okay, and so I guess, Ms. Guyas, would you be
38 willing to accept that as a friendly amendment to your motion,
39 rather than having a substitute motion?

40
41 **MS. GUYAS:** I guess, but it's just I guess a little misleading,
42 because it's definitely not the end-all-be-all, but, yes, just
43 to get this done.

44
45 **CHAIRMAN FRAZER:** Let's go ahead and make the change. Is the
46 seconder good with the friendly amendment?

47
48 **MR. DYSKOW:** Yes.

1
2 **CHAIRMAN FRAZER:** Okay. I'm going to take a couple more
3 comments, and then we're going to decide where to go on this,
4 and so two more people, Ed Swindell and then Ms. Boggs.

5
6 **MR. SWINDELL:** I guess I'm looking for the advisory panel, to
7 see what did the charter advisory panel, for-hire advisory
8 panel, have to say about this rule, about having it on September
9 1, because, in my mind, what I have continually heard from all
10 these people is they are looking forward to doing this
11 electronic logbook program, and so, from the charter boat
12 people, and, Susan, you can maybe help me there, but I think
13 that they're all in favor of doing it, for the most part, and I
14 just don't know what the advisory panel had to tell us about
15 this. Does anybody know? Thank you.

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

18
19 **MS. BOGGS:** The only thing, and thank you for the amendment of
20 the January 1, 2021, because I sent in a substitute motion, but
21 I would really like to -- Maybe we don't have to be specific,
22 but I would like to see -- When I read for-hire charter
23 reporting logbook program, to me, that means it's all going to
24 roll out at the same time, and I don't know if we need to be
25 specific about that, because I would hate to see delays in one
26 part or the other. I would just like to see us just get it on
27 the water, and let's get it moving.

28
29 I may not be the one to answer this, but I think I know the
30 answer, Ed, and I don't think the Data Collection has ever met
31 and discussed this, and someone correct me if I'm wrong. Thank
32 you.

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

35
36 **DR. CRABTREE:** In my experience, the advisory panel wouldn't
37 comment on effective dates for the rule. They might provide
38 advice as to how long they think people need notice to get the
39 equipment and have it installed on their boat, but I would
40 caution you guys against getting too specific with the dates,
41 because I'm afraid what you're going to do is confuse the
42 public, because this motion may say January 1, but that does not
43 mean that will be the effective date of the rule.

44
45 That's going to be determined in the final rule, and, if you
46 start putting dates in there for the VMS portion of this, that
47 doesn't mean that's going to be the date that we're able to
48 them, and so I just think, more likely than not, that you're

1 going to confuse people by putting specific dates in there,
2 because those dates are going to be set in the rule by the
3 agency, and I get the intent that you would like it to occur
4 early next year, if we can, and you would like it all to come
5 out at once and time it with the South Atlantic, but I think,
6 the more specifics you put in there, I think you're actually
7 confusing people.

8

9 **CHAIRMAN FRAZER:** Ms. Boggs, to Roy's point?

10

11 **MS. BOGGS:** I guess now my question, Roy, is do we even need to
12 do this, because, if you have the ability to make the changes
13 and all, do we just not let the final rule publish as it is and
14 let NMFS/NOAA make the decisions, instead of the council
15 spending all this time on a motion that doesn't sound like it
16 may be necessary? I don't know. Thank you.

17

18 **DR. CRABTREE:** Well, if I could, Tom. As I said, I'm interested
19 as to your desires as to whether you think postponing this to
20 next year is a wise thing to do, and it came up at the South
21 Atlantic, and it's coming up here, and we're in a unique period
22 of time here, and there's been a lot of stress on the industry,
23 and so I'm interested in your views on that, and I think that's
24 good. I preferred the original motion that just said 2021, but
25 I don't have strong objections if you want to pass this motion.
26 Just understand that, even though you say January 1, the council
27 doesn't set the effective date, and that may not actually be the
28 effective date.

29

30 **CHAIRMAN FRAZER:** Thank you, Roy. Ms. Bosarge, and then I will
31 make a few comments, and then I think we'll wrap this one up.

32

33 **MS. BOSARGE:** Thank you. I don't think this is going to -- This
34 is the council recommending to NMFS what we hope to see, January
35 1 as the final rule effective date, and this is not us sending
36 out a public notice to all the federal for-hire fishermen
37 saying, guess what, it's going to roll out on January 1.

38

39 This is just us making our intentions known to NMFS that, hey,
40 if you want to delay it a little bit, and the South Atlantic has
41 talked about this, then okay, and we're all right with a little
42 bit of a delay, but we would like to see January 1, if you're
43 going to delay it, but that is what we would like to see. We
44 don't want to write a blank check and say you can just delay it
45 indefinitely and let us know when you think you will get it
46 done. This is us telling you that, okay, we're all right with a
47 little delay, and that's about as far as we want to take it, if
48 at all possible.

1
2 **CHAIRMAN FRAZER:** Okay. Thank you, Ms. Bosarge. I think there
3 was a lot of discussion, and important discussion to have, and I
4 think that we've got a pretty good record here of the intent of
5 the council, from the sense that everybody would like to see
6 better data collected and made available, and, the sooner that
7 we can get that date in the pipeline, that's great. We
8 recognize that there are some challenges, and we're going to
9 have to move through those challenges I think, and we do want
10 to, if possible, kind of coordinate our efforts with the South
11 Atlantic.

12
13 I think this motion will help us get there. What I would ask,
14 moving forward as well, is that, in our August meeting, and
15 subsequent meetings, that we get a pretty detailed update and
16 reporting on the status of where we are, so all the council
17 members, as well as the public, can be kept as informed as
18 possible about the status of the situation moving forward, and
19 so I'm going to go ahead and, given the amount of discussion
20 that we've had on this motion, just kind of work through a roll
21 call type of vote. Dr. Simmons, if you would go ahead.

22
23 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. I will start
24 with Dr. Stunz.

25
26 **DR. STUNZ:** Yes.

27
28 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dyskow.

29
30 **MR. DYSKOW:** Yes.

31
32 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Guyas.

33
34 **MS. GUYAS:** Yes.

35
36 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Mickle.

37
38 **DR. MICKLE:** Yes.

39
40 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Sanchez.

41
42 **MR. SANCHEZ:** Yes.

43
44 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Crabtree.

45
46 **DR. CRABTREE:** Yes.

47
48 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Boggs.

1
2 **MS. BOGGS:** Yes.
3
4 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dugas is absent. Mr. Diaz. We
5 will come back. Ms. Bosarge.
6
7 **MS. BOSARGE:** Yes.
8
9 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Williamson.
10
11 **MR. WILLIAMSON:** Yes.
12
13 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Banks. Mr. Anson.
14
15 **MR. ANSON:** Yes.
16
17 **EXECUTIVE DIRECTOR SIMMONS:** I think I heard Patrick. Mr.
18 Swindell.
19
20 **MR. SWINDELL:** Yes.
21
22 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Robinson.
23
24 **MR. ROBINSON:** Yes.
25
26 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Shipp.
27
28 **DR. SHIPP:** Yes.
29
30 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Banks.
31
32 **MR. BANKS:** Yes.
33
34 **EXECUTIVE DIRECTOR SIMMONS:** The motion carried unanimously, Mr.
35 Chair.
36
37 **CHAIRMAN FRAZER:** Okay. Great. **The motion carries.** Roy, you
38 have your hand up?
39
40 **DR. CRABTREE:** Yes, Tom.
41
42 **CHAIRMAN FRAZER:** Go ahead.
43
44 **DR. CRABTREE:** The other program that we've talked about in this
45 committee is the commercial electronic logbook program, and I
46 believe, to fully implement that and make the electronic
47 reporting mandatory, it's going to take an amendment as well,
48 and we'll probably need an amendment by both the Gulf and the

1 South Atlantic to do that, and so that's something we need to
2 get on the radar screen and on the workplan, to figure out how
3 and when to do that.

4
5 **CHAIRMAN FRAZER:** Okay. We will make a note of that for the
6 August agenda. Ms. Bosarge.

7
8 **MS. BOSARGE:** Thank you, Mr. Chairman. I sent a motion to
9 staff, and I was sensitive to Dr. Mickle's comments, and I think
10 he's right, when he was talking about Tails 'n Scales and the
11 new SEFHIER program and the overlap.

12
13 I have heard him make those comments before, and I have heard
14 NMFS make several comments that we really need to have some
15 discussions with the states for some of this overlap, but it's
16 almost like a bad married couple that's in a spat, and neither
17 one wants to be the first to speak, I guess, and so I sent a
18 motion to maybe be the catalyst to get that meeting actually
19 scheduled, and let's start to talk about this, because this
20 program has been in the works for a while, and we just talked
21 about a January 1 date in that last motion, and we need to have
22 this meeting.

23
24 **My motion, when we get it on the board, reads for the council to**
25 **send a letter to SERO requesting that NMFS reach out to the**
26 **Mississippi DMR and schedule a meeting to take place prior to**
27 **the August council meeting between relevant SEFHIER personnel**
28 **and Mississippi DMR personnel to begin discussions on the**
29 **overlap of and the integration of SEFHIER reporting and Tails 'n**
30 **Scales reporting for federally-permitted for-hire fishermen.**

31
32 I hope that that will be the impetus needed to get one of the
33 two parties to be the first to ask for scheduling a meeting and
34 begin these talks, and let's try and make some progress on this
35 for our fishermen, and I did not talk to my state personnel
36 before I made that motion, and so hopefully I didn't frustrate
37 them.

38
39 **CHAIRMAN FRAZER:** Thank you, Ms. Bosarge. We have a motion on
40 the board. Is there a second to that motion?

41
42 **DR. MICKLE:** I will second that, and I appreciate the motion,
43 Leann. Thank you.

44
45 **CHAIRMAN FRAZER:** Okay. Thank you. It's seconded by Dr.
46 Mickle. Is there any further discussion on the motion? **Seeing**
47 **none, is there any opposition to the motion?**

48

1 **MR. ANSON:** Tom, if you don't mind, I know there's been a couple
2 of instances during this meeting, and Leann mentioned previous
3 meetings, of the exact issue, and so I think there might be a
4 possibility for Alabama to be included in this motion, but, Dr.
5 Mickle, if you could explain exactly what it is that you
6 requested, or would like to get, from SERO staff, or NMFS staff,
7 to accomplish essentially what this motion would attempt to do.

8
9 **CHAIRMAN FRAZER:** Dr. Mickle.

10
11 **DR. MICKLE:** Thanks, Tom. It's not an easy thing, and I
12 understand why there's been a little bit of a delay here on the
13 collaboration, and there's a timing issue of when the data, once
14 it leaves, whether SEFHIER or Tails 'n Scales or whatever hybrid
15 is born from this endeavor, that it goes through the QA/QC and
16 where that happens and when it actually becomes formal data and
17 comes back to the states that we can use for our own data needs.

18
19 Then there's the issue of the technology, which Peter mentioned,
20 and he was right on point, of getting the web-based programs to
21 interact with each other, and so you have to compartmentalize
22 what the SEFHIER data needs are and then what the State of
23 Mississippi data needs are to allow the technology to hybridize,
24 and so you need to go into those meetings, Kevin, and
25 compartmentalize every piece of data that SEFHIER needs and
26 every piece of data that Tails 'n Scales needs and then really
27 get into the weeds of the technology to work there.

28
29 I think it's going to incorporate getting the VMS to talk to
30 Tails 'n Scales, so it can be a single program, and then there's
31 the data issue of we're mostly going to have data that comes
32 through Tails 'n Scales that we need right away, and it won't be
33 QA/QC'd by NOAA, and there will be a lag there, and so there's
34 an issue there as well, and so I'm sorry to jump into the weeds,
35 but I think, Kevin, that's what you were looking for.

36
37 Again, there is more issues, and I don't want to take the mic
38 for too long, but it involves that aspect of it, but it's not an
39 easy thing, and it's no one's fault, but it's just a difficult
40 thing, but I appreciate the motion. Thank you.

41
42 **CHAIRMAN FRAZER:** Thank you, Dr. Mickle. Dr. Crabtree.

43
44 **DR. CRABTREE:** Well, I don't think the motion is necessary.
45 Everyone should remember that there hasn't been a program yet,
46 and we have to get a final rule out, and then there is a
47 program.

1 We also haven't staffed-up a program yet, and we're in the
2 process of trying to hire people to do these things, and the
3 process of trying to get these programs to talk to state
4 programs and what Paul is talking about will be lengthy, and I
5 suspect that we'll address those kinds of things over the next
6 couple of years or so, and there's going to be all kinds of data
7 security issues and certification issues and everything else,
8 and it's going to involve the ACCSP, because that's where the
9 data is going, and so this is a really complicated process to
10 try and get to.

11
12 We're going to have to have duplicate programs for a while,
13 because we're going to have to calibrate all of these programs,
14 and we're going to have to calibrate the charter boat electronic
15 reporting with the current MRIP charter boat estimates, and so
16 there's going to be a period where there are going to be
17 duplicate programs running simultaneously for those purposes,
18 and so you can pass the motion if you want, and I don't know
19 that much can happen.

20
21 Yes, we can have a phone call with Paul about some of this, but
22 I don't know that much will be able to happen between now and
23 August, because we need to get staffed up, and we need to get
24 the rule out, and then we can start having the rest of these
25 conversations, and we also need to work with the commission and
26 Dave Donaldson to get the survey portion of this and the
27 validation worked out, and that involves a lot of work and
28 things that need to happen too, and so we're going to have to
29 prioritize what things need to happen when, and we'll do the
30 best we can, but this, to me, is the council getting much too in
31 the weeds.

32
33 **CHAIRMAN FRAZER:** Thank you, Roy. Mr. Anson.

34
35 **MR. ANSON:** I will brief. Just to follow-up, Paul's situation I
36 think is a little bit more complex than our situation in the
37 Snapper Check, and they ask for more information than we do
38 currently, and I have been trying to work through the scenes,
39 talking with folks at ACCSP and trying to figure out some of
40 those issues that Roy just mentioned regarding security and
41 access and data transmission and such, and so we will work
42 toward that end, and Mr. Hood provided some documentation here
43 in the last couple of days, based on his presentation that he
44 provided during Reef Fish, and so I wish Mississippi luck, and I
45 will just be checking in with them periodically. Thank you.

46
47 **CHAIRMAN FRAZER:** Okay. I think we'll hold off on any further
48 discussion and just ask if there is any opposition to this

1 **motion. Hearing none, the motion passes.**

2
3 Is there any further business to come or any discussion of this
4 particular committee report? Seeing none, we will conclude this
5 committee report, and we will take a break, a ten-minute break,
6 and we'll come back right at 11:30. Thank you.

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

9
10 **CHAIRMAN FRAZER:** It looks like we've got everybody that needs
11 to be back on the line. Again, I appreciate everybody's paying
12 attention and helping us move through these committee reports,
13 and so I think what I would like to do is begin the Reef Fish
14 Committee Report and work until 12:00 on that, to make some
15 progress on it, and so, Martha, if you are willing to start, the
16 floor is yours.

17
18 **REEF FISH COMMITTEE REPORT**

19
20 **MS. GUYAS:** Thank you, Mr. Chair. We're in Tab B. The
21 committee adopted the agenda and approved the minutes of the
22 January 2020 meeting as written.

23
24 Update on Federal Fisheries Assistance Package, Process, and
25 Status, Ms. Kelley Denit from the Department of Commerce updated
26 the committee on the Federal Fisheries Assistance Package, which
27 is part of the Coronavirus Aid, Relief, and Economic Security
28 (CARES) Act and will be administered for Alabama, Mississippi,
29 Louisiana, and Texas through the Gulf States Marine Fisheries
30 Commission. Funding for Florida will be administered through
31 the Atlantic States Marine Fisheries Commission.

32
33 Revenue histories were calculated by region and fleet to
34 determine the funding levels that would be made available to
35 fishery segments. Fishery businesses are considered eligible
36 (commercial, recreational, and for-hire) if they experienced at
37 least a 35 percent loss in revenue, with some business-type
38 exclusions. States are responsible for determining the amount
39 of revenue loss for businesses and for determining spend plans.

40
41 Committee members asked whether the data used to determine the
42 funding allocations per state would be made available for the
43 states to discern how their allocation was determined. Ms.
44 Denit replied that the department planned to post those data by
45 next week. Businesses should apply for funding in the state in
46 which they land their fish, or, for processors, in the state in
47 which their facilities are physically located.

1 For businesses operating in multiple states, those businesses
2 may need to apply in each state in which their businesses
3 experienced at least a 35 percent loss in revenue. States may
4 require a signed affidavit from business owners to certify a
5 business's eligibility. The National Marine Fisheries Service
6 will provide the states with an example of an affidavit, which
7 the states may use if they choose.

8
9 The committee asked whether the Department of Commerce spoke
10 with fishermen about how to allocate funding from the act. Ms.
11 Denit replied that the department had not consulted fishermen
12 and instead used the data they had available, in order to
13 release funding quickly. Further, the states and the Gulf
14 States Marine Fisheries Commission will discuss, in future
15 meetings, how to make public each state's spend plan.

16
17 Status of Gulf State Recreational Data Collection Programs and
18 2020 Red Snapper Seasons, Texas landed approximately 98 percent
19 of its private recreational red snapper allocation in 2019.
20 Part of that allocation was apportioned at the beginning of the
21 season for the state waters year-round season, which was also
22 done for the 2020 fishing season. The Texas 2020 private
23 recreational red snapper fishing season will be sixty-three
24 days, June 1 through August 2. Some fishery sampling effort has
25 been scaled back as a result of social distancing, in response
26 to the COVID-19 pandemic.

27
28 For Louisiana, almost all creel sampling in Louisiana through
29 the LA Creel program was conducted from March 2020 onward.
30 Louisiana has observed about 18 percent more trips and 20
31 percent more anglers on the water, and about 7 percent more
32 catch compared to 2019. Louisiana's 2020 private recreational
33 red snapper fishing season opened on May 22 with weekends,
34 Friday through Sunday only, with Monday also included on holiday
35 weekends.

36
37 Thus far into the 2020 fishing season, about 22 percent of
38 Louisiana's state allocation has been harvested. Louisiana
39 doesn't project its seasonal closure at the beginning of its
40 fishing season, due to variability in catch-per-unit-effort due
41 to weather conditions and socioeconomic considerations.

42
43 Mississippi's private recreational red snapper fishing season is
44 open seven days a week, with a two to three-week closure during
45 July. The CPUE estimates for 2018 through 2020, so far, are
46 stable, as are mean weights for red snapper landed in
47 Mississippi. The state's main goal is stability in the fishing
48 season.

1
2 Fishery-dependent and fishery-independent sampling supports that
3 Mississippi is experiencing a very stable red snapper fishery.
4 Mississippi saw some increase in CPUE in 2020 compared to past
5 years for the opening weekend, but CPUE has leveled out to the
6 mean as the fishing season has progressed. The state's goal is
7 for the private recreational red snapper fishing season to go
8 through Labor Day, including the summer closure.

9
10 Alabama's 2020 private recreational red snapper fishing season
11 was determined by considering the state's available allocation,
12 landings trends, and weather, to decide on a May 22 opening
13 date, closing on July 19, Friday through Monday of each week.
14 As of June 8, Alabama anglers have landed 50 percent of the
15 state's allocation.

16
17 Alabama experienced only minor impacts to recreational data
18 collection programs due to COVID-19. The CPUE for the 2020
19 fishing season appears to mirror that of 2018, which
20 demonstrated considerable effort in the first half of the
21 season.

22
23 Florida opened its private recreational red snapper fishing
24 season on June 11 and will close it on July 25. The state
25 suspended all fishery-dependent monitoring sampling on March 25,
26 and has gradually resumed sampling activities beginning mid-May.
27 Florida Fish and Wildlife Conservation Commission field staff
28 routinely undergo temperature checks, wear masks, and follow
29 social distancing guidelines.

30
31 Florida's Gulf Reef Fish Survey mail survey continued
32 uninterrupted since March 2020, during which CPUE was observed
33 to be lower when compared to 2019, and this was not surprising,
34 due in part to public park and boat ramp closures. I don't know
35 if I need to pause there, if there are hands. It doesn't look
36 like it.

37
38 **CHAIRMAN FRAZER:** I think we're good to go.

39
40 **MS. GUYAS:** Okay. Review of Reef Fish and Coastal Migratory
41 Pelagics Landings, Mr. Peter Hood presented 2019 and 2020
42 commercial and recreational reef fish and coastal migratory
43 pelagic landings. For 2020, only Wave 1 data (January and
44 February) from the Marine Recreational Information Program are
45 currently available for 2020 preliminary landings.

46
47 At the end of May 2020, 48 percent of the gray triggerfish and
48 35 percent of the greater amberjack commercial annual catch

1 limits had been landed. 2019 harvest for both species remained
2 under their respective commercial ACLs. To date, 34 percent of
3 the recreational greater amberjack ACL has been harvested,
4 whereas 87 percent of the ACL was harvested during the same
5 period last year.

6
7 Only Wave 1 landings for recreational gag, gray triggerfish, and
8 for-hire red snapper are currently available for 2020. However,
9 pounds harvested are minimal thus far. In 2019, recreational
10 gray triggerfish harvest exceeded the ACL. Harvest will
11 continue to be monitored closely.

12
13 Preliminary 2019 recreational red snapper landings were provided
14 by each state to compare to each states' ACL. Louisiana was the
15 only state that reported exceeding their state allocation by
16 approximately 4 percent.

17
18 Based on preliminary data, lane snapper landings did exceed the
19 ACL in 2019. King mackerel gillnet landings in the Southern
20 Zone exceeded the ACL in the 2018-2019 season, but not for the
21 2019-2020 season. Very few landings have been reported since
22 the 2020 season opened for Spanish mackerel and cobia.

23
24 A committee member suggested that SERO provide the summation of
25 state-generated red snapper landings for discerning the total
26 landings to date from the landings report. The committee also
27 recommended implementing a standard protocol for states to
28 provide relevant red snapper information for inclusion in
29 meeting materials. It was also suggested that partial MRIP wave
30 data be made available, rather than only reporting completed
31 waves.

32
33 Presentation and Discussion on Calibration Process for Red
34 Snapper with the Gulf States, Dr. Richard Cody of the NOAA
35 Office of Science and Technology provided a status update on the
36 Gulf state red snapper survey calibration efforts. These survey
37 calibrations were performed as part of the MRIP transition plan,
38 to account for differences between the state survey and MRIP
39 estimates.

40
41 Benchmarking for the Access Point Angler Intercept Survey and
42 the Fishing Effort Survey, during which these MRIP surveys ran
43 alongside the respective state surveys, was completed for
44 Florida, Alabama, Mississippi, and Louisiana for various time
45 periods between 2014 and 2019. The FES replaces the previous
46 Coastal Household Telephone Survey, against which the state data
47 collection programs were developed.

1 A ratio was calculated for each state to convert between that
2 state's data to MRIP-FES, and then ultimately to the MRIP-CHTS
3 data currency, for the purpose of quota monitoring.

4
5 The next steps are to establish approval and acceptance of the
6 calibrations, including any additional refinement of the ratios.
7 This would be done via a workshop, possibly in July 2020, via
8 webinar, and before the August 2020 council meeting.

9
10 Dr. Cody also provided an update on impacts from COVID-19 on
11 MRIP survey operations. APAIS dockside intercepts were limited
12 for Waves 2 (March through April) and 3 (May through June), with
13 dockside intercepts largely suspended for all of April and May
14 of 2020. The FES mail survey and the for-hire telephone survey
15 efforts continued as scheduled. However, out-of-state angler
16 effort will be missing.

17
18 Options for producing estimates for Wave 2 and 3 in 2020 include
19 modeling efforts, which would be time-intensive, imputation
20 based on previous years' estimates, which would be faster, but
21 would rely on key assumptions, or other options for proxy catch
22 information for 2020.

23
24 Mr. Andy Strelcheck reviewed the state survey to MRIP-CHTS red
25 snapper data calibrations. Based on the calibration results,
26 Mississippi, Alabama, and Louisiana would experience a
27 considerable reduction in landings. The committee stressed the
28 importance of reviewing the calibration methods, and Dr. Frazer
29 stated that a meeting with NOAA OS&T and state agencies should
30 be convened, so that the methodology and justification for these
31 calibration methods are fully understood.

32
33 The committee also recommended consulting with the council's
34 Science and Statistical Committee about state survey
35 calibrations for red snapper at its July 21 through 23, 2020
36 meeting. Several committee members pointed out that these
37 initial calibration results were preliminary, subject to future
38 adjustments, and should not be interpreted as finalized
39 estimates.

40
41 The committee asked about the delay in the release of the
42 calibrations report by NMFS that was based on a September 2018
43 red snapper workshop. Dr. Cody replied that the goal was to
44 avoid confusion between the Recommended Use of the Current Gulf
45 of Mexico Surveys of Marine Recreational Fishing in Stock
46 Assessments Document, which was released fall 2019, and the
47 calibration report, the latter of which is to be completed
48 before the anticipated July 2020 workshop to finalize the

1 calibrations.

2

3 The committee asked whether the state survey data or the MRIP
4 survey data were more accurate and when such a determination
5 could be made. Dr. Cody replied that any survey comparison
6 would take time to complete, with no guarantee of being able to
7 assess all survey differences.

8

9 NMFS is limited to comparing MRIP to one state at a time, which
10 is not considerate of the region as a whole. Further, the
11 states sample off-frame effort differently, and which are not
12 necessarily directly comparable.

13

14 Dr. Paul Mickle noted that Mississippi did not recommend the use
15 of 2018 and 2019 data for benchmarking MRIP to Mississippi's
16 Tails 'n Scales data. These years were used only because they
17 were the only years with consistent season lengths.

18

19 In 2018, Louisiana opened its private recreational red snapper
20 fishing season early in the year and showed large landings in a
21 time period during which Mississippi's fishing season was not
22 open. Dr. Mickle reiterated that using few years of data is
23 generally inappropriate. By not looking at all states together,
24 but each state versus MRIP individually, some of the dynamics
25 necessary for accurate calibrations is likely missed. NMFS
26 agreed that a substantial amount of time would be necessary to
27 further refine the calibration ratios further. However, it is
28 necessary to compare the data in a similar currency.

29

30 The committee supports efforts for conducting a blanket effort
31 survey to more accurately understand recreational effort. Mr.
32 Kevin Anson added that Alabama plans to deploy a camera at
33 Perdido Pass, which accounts for 50 to 60 percent of Alabama
34 recreational vessel traffic, and will be used to estimate
35 private and for-hire recreational fishing effort.

36

37 Further, Dr. Paul Mickle noted that Mississippi has conducted a
38 mail survey parallel to the FES mail survey, which Mississippi
39 thinks may demonstrate why FES is not appropriately sampling
40 Mississippi anglers. Dr. Mickle indicated interest in
41 presenting the findings of this survey to the Gulf SSC for
42 review.

43

44 The committee acknowledged that future stock assessments would
45 need to be sensitive to how adjusted estimates of recreational
46 catch and effort will affect perceptions of stock size. For red
47 snapper, if the MRIP-FES data are used, the estimate of red
48 snapper biomass in the Gulf would be expected to be higher than

1 with the MRIP-CHTS data. The next assessment of red snapper,
2 SEDAR 74, will consider this and the results of the Great Red
3 Snapper Count project, which will be used to tune the model for
4 biomass.

5
6 Mr. Ed Swindell commented on the need for vessel-level
7 electronic reporting for all vessels, not just commercial and
8 some for-hire vessels. Dr. Cody clarified that statistical
9 considerations for collecting that much data would be
10 significant, and that variations in the degree of compliance and
11 skill with which observation systems are used should be
12 expected. Dr. Cody reiterated the essential nature of the
13 current surveys.

14
15 Dr. Roy Crabtree informed the committee that NMFS Southeast
16 Regional Office received a letter from the Ocean Conservancy
17 asking NMFS to issue a temporary rule to implement calibration
18 ratios to adjust the state catch limits.

19
20 Amendment 50 to the Reef Fish Fishery Management Plan will not
21 be compliant with the Magnuson-Stevens Fishery Conservation and
22 Management Act without the use of the calibrations, since the
23 data generated by MRIP have been deemed the best scientific
24 information available by NMFS, and NMFS will be obligated to
25 address this discrepancy between what is BSIA and the current
26 data currency used for quota monitoring.

27
28 NMFS SERO responded to the OC letter, acknowledging its role and
29 the importance of using a common data currency and that SERO
30 would work with the council on this issue.

31
32 Application of the calibration ratios could be addressed in a
33 number of ways. In the meantime, council staff, in cooperation
34 with the Gulf SSC, could begin work on a document to address the
35 data, and NMFS can hold a workshop to work towards addressing
36 some of the council's and the states' concerns with the
37 calibrations. The Committee agreed that it was a substantial
38 challenge to get state data collection programs in place and
39 that the committee wanted to see those programs succeed.

40
41 Until meetings to address calibration can be convened, the
42 council would need to consider a course of action to ensure that
43 overfishing does not occur. Options for actions could include
44 using the finalized calibration ratios to adjust state-specific
45 allocations, or the council could consider a buffer on the
46 state-specific ACLs.

47
48 Either option would require different means for implementation,

1 with the former ultimately requiring a plan amendment and the
2 latter an emergency rule, followed by a framework action, to
3 specify the buffers formally.

4
5 Further, the Southeast Fisheries Science Center could conduct an
6 interim analysis for red snapper to update the current catch
7 advice. This interim analysis would need to be in CHTS currency
8 to be comparable to the state-generated data currently being
9 used for quota monitoring.

10
11 NMFS clarified that the total harvest of red snapper, commercial
12 and recreational, for 2019 was approximately 9,000 pounds less
13 than the 2019 overfishing limit, using the MRIP-CHTS data
14 currency. The committee expressed concern about any effects on
15 the for-hire component of the recreational sector and commercial
16 sector as a result of the consideration of the proposed
17 calibration ratios and requested that the SSC review the
18 pertinent data at the next available opportunity.

19
20 Staff noted that the SSC is scheduled to meet twice in July,
21 with the earliest opportunity for the SSC to consider this
22 information being at its July 21 through 23, 2020 meeting.

23
24 The Committee asked whether the results of the Great Red Snapper
25 Count project would be reviewed by the SSC before being used for
26 management purposes. Additionally, many SSC members remain
27 directly involved in GRSC as principal investigators.

28
29 Mr. Anson presented the State of Alabama's perspective on
30 federal/state recreational red snapper data calibrations. Of
31 concern to Alabama is how the state and federal accounting
32 methods, catch and effort estimates, correspond with the
33 assessment results.

34
35 Alabama thinks their data collection program, Snapper Check, is
36 more accurate than MRIP-CHTS or MRIP-FES, especially given that
37 Snapper Check allows Alabama to monitor harvest with greater
38 temporal resolution than MRIP.

39
40 The committee inquired about the reporting compliance for
41 Snapper Check. Mr. Anson indicated that the annual reporting
42 compliance was estimated to be approximately 46 percent in 2019
43 and about 31 percent so far in 2020. He explained the variation
44 about the reporting estimates by suggesting that, during periods
45 of ideal marine weather, more fishermen are likely on the water.
46 However, many of these fishermen may not be aware of the program
47 and are less likely to report. In periods of inclement weather,
48 more experienced fishermen are likely to take trips and are

1 often more involved in the reporting program, resulting in an
2 increase in reporting compliance.

3
4 Mr. Anson advocated for an SSC review of state survey methods in
5 comparison to those used for MRIP to better inform fishery
6 management. Finally, Mr. Anson noted that Alabama's private
7 recreational red snapper landings for 2020 are thus far similar
8 to 2018, and that, because Snapper Check is mandatory, it is
9 equivalent to vessel-level reporting.

10
11 Ms. Martha Guyas summarized the discussion, reiterating that
12 calibration results were preliminary and could change and agreed
13 that several questions about the calibrations should be
14 considered at the upcoming SSC meeting scheduled for July 21
15 through 23, 2020.

16
17 The committee encouraged the council to continue these
18 calibration discussions into the fall council meetings. The
19 Committee decided to consider any motions regarding calibrations
20 during Full Council. With that, I will pause.

21
22 **CHAIRMAN FRAZER:** Thank you, Martha. I think it is a good time
23 to pause, and I want to go back, before I get to the hands, and
24 clarify something on page 5, and I'm going to ask Roy
25 specifically to weigh-in on this, but, on page 5, if we can pull
26 that up.

27
28 Roy, the way that I read the report here, in the middle of the
29 paragraph, it says either option would require different means
30 for implementation, with the former ultimately requiring a plan
31 amendment, and the latter an emergency rule, followed by a
32 framework, action, to specify the buffers formally. I just want
33 to make sure that language is correct, because I think that it
34 might actually be reversed, and so can you provide some
35 clarification there?

36
37 **DR. CRABTREE:** The former, meaning to adjust the state-specific
38 allocations, could be done either with a plan amendment or an
39 emergency rule. Putting in a buffer, or just changing the
40 state-specific ACLs, could be done through a framework action.
41 Does that clarify it, Tom?

42
43 **CHAIRMAN FRAZER:** Yes, that helps, and I think staff understands
44 it.

45
46 **DR. CRABTREE:** I think requiring a plan amendment or an
47 emergency rule, and then the latter ones could be done through a
48 framework.

1
2 **CHAIRMAN FRAZER:** Okay. Excellent.
3
4 **DR. CRABTREE:** I had one other comment specific to the report,
5 if I could, Tom.
6
7 **CHAIRMAN FRAZER:** Sure. Go ahead.
8
9 **DR. CRABTREE:** Where -- I think it's the paragraph above that,
10 that starts out by saying "Dr. Roy Crabtree informed the
11 committee that NMFS Southeast Region received a letter from the
12 Ocean Conservancy asking NMFS to issue a temporary rule", could
13 you make sure you indicate that, in the next sentence, that
14 Amendment 50 -- That is a quotation from the Ocean Conservancy
15 letter.
16
17 **CHAIRMAN FRAZER:** Yes, we can do that, and I saw that as well,
18 and so the statement was attributed to -- We'll attribute that
19 statement to the letter.
20
21 **DR. CRABTREE:** Correct. Thank you.
22
23 **CHAIRMAN FRAZER:** Okay. John Sanchez.
24
25 **MR. SANCHEZ:** Thank you, Mr. Chair. After listening to the
26 discussions this week, I think, given that we're considering, or
27 we've discussed, looking at a couple of things, a possible
28 framework action involving a buffer, and, with that in mind, you
29 heard me during the meeting say that it would unjustly affect
30 segments of the fishery that have operated accountably and
31 responsibly.
32
33 Then we're also perhaps playing around with revisiting again the
34 allocation percentage squabbles by states that we've already had
35 by plan amendment, and I think, if we're going to proceed with
36 either of these options, I would love to see the inclusion of a
37 third one for consideration, which would be to address the real
38 problem, and that would be that I suggest that we task the
39 Standing SSC to work with SERO and the Science Center staff to
40 develop a common currency for state recreational red snapper
41 landings.
42
43 Otherwise, I just see us creating new methodologies, such as
44 counting boats going under a pass with a camera and these types
45 of things, which will require further calibration and
46 recalibration. For years, the public has been asking for a
47 common currency, and I think it has come to roost with these
48 recalibration estimates, and I think, once and for all, we need

1 to ask the folks that I mentioned earlier to develop a common
2 currency that we can use and have this work going forward.

3
4 We all support the state plans, but I don't want to be having
5 this same Groundhog Day, as it was alluded to in public
6 testimony, argument just about every year as we're getting into
7 it, and let's establish a common currency. Thank you.

8
9 **CHAIRMAN FRAZER:** Thanks, John. I am going to go ahead and take
10 Kevin's question or comment, real quick.

11
12 **MR. ANSON:** Potentially a good segue, John. I am with you. We
13 need to get to that common currency that matches up with the
14 rest of the science that the SSC looks at and provides to us, so
15 that we can make good management decisions. I have sent a
16 motion that will be a step forward, I think, in that direction,
17 to try to get us to the goal line, so to speak, at least for the
18 immediate concern of calibration, and so I sent that to staff,
19 if they can bring that up.

20
21 **CHAIRMAN FRAZER:** We'll get that on the board, Kevin. Okay,
22 Kevin, and so if you want to go ahead and read that motion.

23
24 **MR. ANSON:** Okay. Thank you. To send a letter from the Council
25 Chair to Sam Rauch asking for NOAA Fisheries leadership to
26 designate the state/federal private recreational data
27 calibration a high priority within the agency. Specifically,
28 the council requests finalization of the state/federal
29 calibration workshop before July 31, 2020. Materials requested
30 for distribution to workshop participants should include all
31 prior state survey workshop summaries and consultant reports.
32 The workshop should also include time to investigate surveys or
33 methodologies that will assist with future harvest comparisons
34 or calibrations. The workshop report is requested to be
35 completed before the August 2020 council meeting. Thank you.

36
37 **CHAIRMAN FRAZER:** Thank you. Is there a second to that motion?

38
39 **DR. MICKLE:** I second it.

40
41 **CHAIRMAN FRAZER:** It's seconded by Dr. Mickle. Go ahead, Kevin.

42
43 **MR. ANSON:** I will be brief, but we've heard from NOAA this
44 week, and they gave a summary of the calibration process, and
45 we've heard from states, various states, on their perspective on
46 the calibration process, and we started this process back in
47 2018, and so we've been requesting information, and we've been
48 participating in phone calls and a couple of meetings since that

1 time, and we ended up with something that was kind of brought
2 together pretty quickly, in my opinion, last week, essentially,
3 and so we just need to prep this issue, so that we can get more
4 throughput through the agency, so that we can have a more
5 transparent process, to try to get this issue in a much better
6 situation, so that everyone feels a little better. Thank you.

7

8 **CHAIRMAN FRAZER:** Thank you, Kevin. We're going to just take a
9 couple of questions, real quick, and I have a feeling that we're
10 going to have to come back to this after lunch, but, first, I
11 will go to John Sanchez.

12

13 **MR. SANCHEZ:** I can agree with the intent of what Kevin has
14 presented, but I would like to see something, and I don't know
15 if he's opposed to it, that really brings us to the finish line
16 and establishes a common currency, and that would be the input
17 from the folks that he has mentioned, SERO and the Science
18 Center.

19

20 If we don't do that, I think we're just kicking the can further
21 down the road, ultimately, and we're going to find ourselves
22 having the same discussion year after year. Let's establish a
23 common currency that's fair and that works and that puts an end
24 to this. I appreciate it.

25

26 **CHAIRMAN FRAZER:** John, I appreciate those comments, and I think
27 that this can actually be a series of actions and motions here,
28 and I think the intent of the motion that Kevin made was to
29 initiate the process, and so we'll circle back on your comment
30 again, and it's stuck in my head for the time being. Roy
31 Crabtree.

32

33 **DR. CRABTREE:** I mean, if I'm understanding, John, what he means
34 by a common currency, that is the goal of what we're trying to
35 do here, is develop calibrations that enable us to convert back
36 and forth between the various surveys, and so that is really
37 what we have here, and I guess that's what John means. The one
38 that is kind of left out of this is Texas Parks and Wildlife,
39 and, at some point, we're going to need to try and figure out
40 how comparable that survey is to some of the others, but that I
41 think is what this workshop is trying to finalize.

42

43 We have the calibrations now, and we just need to finalize that
44 process, and so I don't have a problem with Kevin's motion, but
45 I think we're going to need to do more than that and start
46 developing some options as to how to deal with that as well.

47

48 **CHAIRMAN FRAZER:** I agree with that, and, again, I view this as

1 an important first step moving forward, and I think we will
2 leave this motion on the board for right now, and we're going to
3 take a break, a lunch break, but, when we come back, we will
4 have a little bit more discussion about this motion, vote it up
5 or down, and then continue on with what I think will be
6 additional discussion, and possibly a few other motions, and so,
7 if everybody is okay with that, we will break, but I'm going to
8 give Leann a moment to say what's on her mind, and then perhaps
9 Kevin, and then we'll break for lunch.

10
11 **MS. BOSARGE:** Thank you, Mr. Chair. I will be brief. I just
12 wanted to say that, that workshop, I expect that it will be
13 broadcast via webinar to the public.

14
15 **CHAIRMAN FRAZER:** Thank you, Leann. Kevin.

16
17 **MR. ANSON:** I mean, I didn't specify the participants, but
18 certainly, in my mind, because they have been included in prior
19 discussions and meetings and such, certainly SERO staff,
20 Southeast Fisheries Science Center staff, Office of Science and
21 Technology staff, as well as the consultants that have been
22 hired by NOAA to guide us through this state certification
23 process and now migrated into a calibration process, and all of
24 those people is what I intended, and, if I need to, I will add
25 it, but certainly I just want to put it on the record that those
26 were the folks, including the state folks, all Gulf state folks,
27 to be included in the workshop, as part of the discussions, and
28 so that's all, and I just wanted to make sure that that was
29 clear. Thank you.

30
31 **CHAIRMAN FRAZER:** Great. Thank you, Kevin, and so, again,
32 without getting too far into this, the intent is to write a
33 letter, and we can capture those issues as related to the nature
34 of the workshop and potential participants in the workshop, and
35 then I would also like the council to think about whether or not
36 the date is appropriate, given the fact that we would ultimately
37 like the SSC to look at some of this prior to the August council
38 meeting.

39
40 Those are all things that I think we should continue to think
41 about over the lunch break, and we will come back and address
42 those at 1:00 and continue on with the Reef Fish Committee
43 report at that time, and so enjoy your lunch. I will see
44 everybody at 1:00, and, if you could try to log in about ten or
45 fifteen minutes early, that would be great. Thank you.

46
47 (Whereupon, the meeting recessed for lunch on June 18, 2020.)

48

1
2
3 June 18, 2020
4

5 THURSDAY AFTERNOON SESSION
6
7 - - -
8

9 The Full Council of the Gulf of Mexico Fishery Management
10 Council reconvened via webinar on Thursday afternoon, June 18,
11 2020, and was called to order by Chairman Tom Frazer.
12

13 **CHAIRMAN FRAZER:** I think we've got everybody back on the line.
14 I hope you enjoyed your lunch. We are going to revisit the
15 motion, and so this was a motion made by Kevin Anson and
16 seconded by Paul Mickle, and so let me just read that motion, so
17 we're all back on the same page.
18

19 The motion reads: To send a letter from the Council Chair to Sam
20 Rauch asking for NOAA Fisheries leadership to designate the
21 state/federal private recreational data calibration a high
22 priority within the agency. Specifically, the council requests
23 finalization of the state/federal calibration workshop before
24 July 31, 2020. Materials requested for distribution to workshop
25 participants should include all prior state survey workshop
26 summaries and consultant reports. The workshop should also
27 include time to investigate surveys or methodologies that will
28 assist with future harvest comparisons or calibrations. The
29 workshop report is requested to be completed before the August
30 2020 council meeting.
31

32 People have had some time to think about this, and, again, I
33 think, if we do in fact approve this motion and write that
34 letter, we can certainly indicate in the letter, again, the
35 nature of the workshop, who the suggested participants would be,
36 and the scope of that participation list, and we might also
37 indicate the date that is preferred, perhaps, because the point
38 here is to have that workshop prior to the SSC meeting, which is
39 currently scheduled for July 21, 22, and 23, and so then that
40 could be embedded and discussed at the council meeting. With
41 all that as a backdrop, I will entertain discussion on the
42 motion, and the first person will be Ms. Boggs.
43

44 **MS. BOGGS:** Thank you, Mr. Chair. This is actually a question
45 to Kevin, but, specifically, the council requests finalization
46 of the state/federal calibration workshop before July 31, 2020,
47 and are you stating or asking that the calibrations be
48 finalized, or just the workshop be completed, and then I have a

1 follow-up to his response.

2

3 **CHAIRMAN FRAZER:** Okay. Kevin, to that point?

4

5 **MR. ANSON:** To that point, I would hope that, depending upon the
6 length of the workshop, that we could come to a better
7 understanding of what has been reviewed here during this
8 meeting, as far as the ratio, or the final number, and how that
9 was derived, just another review, for state folks to get a
10 better understanding of that actual process, and then hopefully
11 come to some consensus, and so, yes, that would be my hope and
12 anticipation, but, as it states there in the final sentence or
13 two, we need to look forward or toward what, if anything, since
14 the consultants would be there, as to how the states might be
15 able to reconcile that data, because, in my mind, and I think I
16 tried to convey it during the presentation the other day, it was
17 that there is a calibration process that needs to occur here.

18

19 Yes, one, the immediate need is to try to get some sort of
20 common currency to run through the model for immediate
21 management concerns and needs, but the other calibration is to
22 calibrate the recreational data within the model, within the
23 assessment, and to see if there's anything that could be done,
24 and that may not be necessarily decided by this workshop, but it
25 could certainly help carry conversations forward that would
26 explain the disparities further and maybe identify reasons why
27 there is disparities and such, so that other groups, like the
28 SSC and the council, could talk about that relative to, again,
29 its impact in the assessment. Thank you.

30

31 **MS. BOGGS:** May I follow-up to that, Mr. Chair?

32

33 **CHAIRMAN FRAZER:** Yes. Go ahead, Susan.

34

35 **MS. BOGGS:** Okay. So, I mean, I would like to see -- Kevin,
36 it's your motion, but if maybe we could request finalization of
37 calibration and common currency and not just like the completion
38 of a workshop, but maybe get some final, definitive answers on
39 where we're going with this moving forward.

40

41 **CHAIRMAN FRAZER:** Do you want to speak to that, or do you want
42 me to speak, Kevin?

43

44 **MR. ANSON:** Go ahead, if you've got insight.

45

46 **CHAIRMAN FRAZER:** Again, Susan, I think that this is the first
47 of two motions, perhaps, and the second motion I envision coming
48 from one of the council members, and, if not, I will make it, is

1 to provide some direction to staff prior to our August meeting
2 about what our options moving forward might look like with
3 regard to establishing that common currency, and so hopefully
4 that answers your question. Martha.

5
6 **MS. GUYAS:** My question, and I think we're kind of talking
7 around it, was also relative to the workshop, and I would like
8 to make sure that we have clear objectives and realistic
9 outcomes that we would like to see come out of this workshop.

10
11 The states have been working on calibration with the MRIP folks
12 for a while, and I think we are almost done, and the
13 calibrations are happening on a one-on-one basis and not all
14 five states and MRIP, and so I just want to make sure that we're
15 setting ourselves up for success and are clear about what this
16 is going to produce.

17
18 **CHAIRMAN FRAZER:** To that point, I would agree, and, so, as part
19 of the letter, I would envision that we have some direction in
20 there about what the expected outcome of that workshop would be.
21 Mr. Anson.

22
23 **MR. ANSON:** I think I made my point through Susan's question
24 earlier, and, just to Martha's point, not that I don't believe
25 council staff could come up with those points, but, if there's
26 anyone thinking of this that has specific outcomes or products,
27 if you will, for this workshop, then certainly at least state
28 them now, and not to include them in the motion, but certainly
29 state it, to make sure that council staff can capture all of
30 those items. Thank you.

31
32 **CHAIRMAN FRAZER:** To that point, Martha, do you have something
33 in mind that you would like to add specifically in the direction
34 that is provided in the letter?

35
36 **MS. GUYAS:** Well, no. I am more just thinking about what
37 actually is going to come out of it, right, because I think a
38 lot of this work is happening on the side, and I guess this
39 could be a forum just to talk about these things, but that's
40 what I'm trying to ask, is what is going to happen, what are we
41 going to get out of this workshop, and that's unclear to me at
42 this point.

43
44 **CHAIRMAN FRAZER:** In my mind, an ideal outcome would be that
45 there is a discussion that enables each of the states and S&T to
46 understand the process and calculations involved in the
47 calibrations and that there's agreement and a consensus that
48 they are correctly applied, I guess, or correctly developed, and

1 the reason for having the workshop prior to the SSC meeting is
2 for the SSC then to look at the calibrations and to evaluate
3 them as well prior to, again, bringing them to the council
4 meeting in August, and so, in my mind, that's the intent, and
5 that's where we would go, and that's how I would try to write
6 the letter. Paul, to that point?
7

8 **DR. MICKLE:** Thank you, Mr. Chair. I think that's a really good
9 thing to bring up, Tom, and I completely agree, and really I
10 just wanted to voice that the calibration conversations have
11 gone fairly well up until recently, but I just want to state on
12 the record that, when the ratios were released a week ago, we
13 immediately took it down to our staff and started trying to
14 reconstruct those ratio values, and they couldn't be restricted,
15 and so we don't understand how it was done.
16

17 I think there are conversations of what data to be used and
18 things like that, but, again, there needs to be a lot more
19 conversation on exactly what you stated about what's been done,
20 how it's been done, and a little bit more input from the states
21 and just the transparency of the methodology of the calibration
22 itself. Thank you.
23

24 **CHAIRMAN FRAZER:** Thank you, Paul. We'll certainly try to
25 achieve that in the direction. Dave Donaldson.
26

27 **MR. DONALDSON:** Thank you, Mr. Chair. Just kind of some
28 logistics of the workshop. After Dr. Cody gave his presentation
29 during Reef Fish, he contacted myself and Greg Bray here in our
30 office about such a workshop and the commission helping
31 coordinate the workshop and making sure that the appropriate
32 people are going to be there and looking at dates. We were
33 aware that it had to happen prior to the SSC, and, in looking at
34 it, Richard has tentatively scheduled June 13 for a potential
35 meeting, and so we are working on something, and we wanted to
36 make sure that it happened sooner than later, and so I just
37 wanted to let you guys know.
38

39 **CHAIRMAN FRAZER:** Great, Dave, and so it would be awesome if we
40 could pull that off on July 13, and, again, I just appreciate
41 your efforts and Richard's and all the states on that front.
42 Mr. Swindell.
43

44 **MR. SWINDELL:** Mr. Chairman, I am just assuming that, when we
45 say "specifically the council" that we mean the Gulf Council, or
46 are we working this with the South Atlantic, or is it just the
47 Gulf Council to do all this workshop? Thank you.
48

1 **CHAIRMAN FRAZER:** This is a Gulf-Council-specific effort, Ed.
2 Mr. Sanchez.
3
4 **MR. SANCHEZ:** Thank you, Mr. Chairman. I like the spirit that
5 this is -- The direction it's charting. I would feel better
6 about it if it had a clear, definitive direction that it was
7 going in, but you did say that you were thinking of putting
8 forth a motion after this, and I'm in the quandary of, without
9 knowing what that motion is going to be, whether I should offer
10 a friendly amendment to add to the language to this motion that
11 might give me the comfort and the direction that I'm looking
12 for.
13
14 To give you an idea of what I'm talking about, after the first
15 sentence, where it says "agency", perhaps the inclusion of some
16 verbiage that says "with the goal of establishing a common
17 currency", and, that way, it's very clear what the goal is for
18 convening all of these groups and what the focus is, what the
19 task at hand is.
20
21 **CHAIRMAN FRAZER:** Again, John, I think I'm certainly -- I am one
22 of seventeen folks here, or more, but I think that, if the maker
23 of the motion wants to accept an amendment to this particular
24 motion, to provide a little extra direction, I think that would
25 be fine, and I think the motion that I was thinking of that
26 might follow this would have to do with providing direction to
27 staff about specific actions that we might take moving forward,
28 and so I think it certainly builds on what you might want to add
29 to this motion.
30
31 **MR. SANCHEZ:** That said, then I would offer a friendly amendment
32 to incorporate the language, after the word "agency" in the
33 first sentence, that says "with the goal of establishing a
34 common currency". Thank you.
35
36 **CHAIRMAN FRAZER:** Thank you, Mr. Sanchez. Mr. Anson, are you
37 okay with that friendly amendment?
38
39 **MR. ANSON:** I am okay with it, to just add "common currency"
40 between "datasets", and someone who didn't know anything and has
41 no history, and they read this, just a common currency to what,
42 and so just between "federal/state datasets" or something like
43 that, and that would be fine.
44
45 **CHAIRMAN FRAZER:** Go ahead, John.
46
47 **MR. SANCHEZ:** Common currency for state recreational red snapper
48 landings.

1
2 **MR. ANSON:** I am fine with that.
3
4 **MR. SANCHEZ:** Thank you, Kevin.
5
6 **CHAIRMAN FRAZER:** Dr. Mickle, as the seconder, are you good with
7 that?
8
9 **DR. MICKLE:** Thank you, Tom. Yes, I'm good with it, and I may
10 be overreading it, and I know we overcomplicate things, but, the
11 common currency for state recreational red snapper landings, I
12 read that as just we're creating common currency across all five
13 states. **In my opinion, it needs to be common currency for state**
14 **recreational red snapper landings with the federal landings**
15 **data.** Am I wrong in that, Tom?
16
17 **CHAIRMAN FRAZER:** No, I think that's fine. Again, we're going
18 to circle back, to make sure we get this language right, and so
19 we continue to massage the language a little bit. Kevin, are
20 you good with that?
21
22 **MR. ANSON:** Yes, that will be great. Thank you.
23
24 **CHAIRMAN FRAZER:** Okay, and so I think we've landed on a motion.
25 I see a couple of hands up still. Martha.
26
27 **MS. GUYAS:** Well, I think my question was answered. My question
28 was going to be to John, based on his previous comments about
29 common currency and then this addition. When he was talking
30 about it before, it sounded like some sort of common currency
31 would be some sort of new program that spanned all the states,
32 but now, with this additional language, I think I see where he's
33 going now, and so I think I'm good. Thanks.
34
35 **CHAIRMAN FRAZER:** Great. Thank you. Dr. Porch.
36
37 **DR. PORCH:** Thank you, Chair. I think, between Paul and Martha,
38 they made my point. **The way it was reading, it sounds like all**
39 **the states would be operating with a common currency, and I**
40 **don't know how we would achieve that, since they all use very**
41 **different methods, but you might want to say something to the**
42 **effect of establishing calibrations that will achieve a common**
43 **currency.**
44
45 **CHAIRMAN FRAZER:** Okay, and so let's go ahead, again, and I'm
46 going to consider this a friendly amendment, and I will come
47 back to Kevin and Paul. The goal of achieving calibration
48 necessary to establish a common currency. Is that what you have

1 in mind, Clay?
2
3 **DR. PORCH:** Yes, I think that gets it.
4
5 **CHAIRMAN FRAZER:** Kevin, are you good with that?
6
7 **MR. ANSON:** I am.
8
9 **CHAIRMAN FRAZER:** Paul?
10
11 **DR. MICKLE:** It looks good to go.
12
13 **CHAIRMAN FRAZER:** Okay. Is there any further discussion on this
14 motion? **Seeing none, is there any opposition to this motion?**
15 Go ahead, Roy. Sorry.
16
17 **DR. CRABTREE:** Just a question. Include time to investigate
18 surveys or methodologies that will assist future harvest
19 comparisons or calibrations, I assume that's some sort of
20 discussion at the end as to how to improve things and do better
21 in the future and better understand what's going on, and is that
22 kind of what you meant, Kevin?
23
24 **MR. ANSON:** Yes, that's exactly what I meant. There was some
25 discussion during Reef Fish on Tuesday of ways to cross-check
26 not only the federal data, the FES numbers, but also the state
27 numbers with some other alternative sampling methodologies,
28 through cameras and such, and so, if there were some of those,
29 get kind of just a summary of that new technology, or new
30 methodology, that might be being used elsewhere in the world, to
31 try to, again, get to the final goal, and that is to get the
32 best information we have, the best idea we have, on what the
33 actual effort is. Thank you.
34
35 **DR. CRABTREE:** I guess I'm okay with that. If it's going to be
36 a one-day kind of webinar, I don't want to overload them, and I
37 think some discussion about future directions and things is
38 fine, but we just want to be careful that we aren't asking too
39 much of them for the time they're going to have.
40
41 **CHAIRMAN FRAZER:** I agree with that, and I think, to Kevin's
42 point, part of the discussion in committee was that this is a
43 long-term process. I mean, we certainly have some short-term
44 immediate needs, but these data will continue to mature, and
45 hopefully we will refine our methods, moving forward, and get an
46 even better product down the road, and so we'll continue to
47 strive to get better all the time. One more quick one from Ms.
48 Boggs.

1
2 **MS. BOGGS:** This is kind of to Roy's point, because I agree that
3 we don't want to get bogged down, but the other thing that I
4 don't want that to do is, when we say investigate surveys or
5 methodologies, is I hope we're not looking -- I know we need to
6 look for ways to improve, moving forward, but I don't want this
7 to be something that's going to stop where we are to incorporate
8 new methodologies and to prolong this even longer. I would like
9 to see us get done with where we are and then look to improve
10 down the road, after we get this calibration and common currency
11 established. Thank you.

12
13 **CHAIRMAN FRAZER:** I think, again, a number of good comments on
14 this point, and we'll try to draft the letter in a way that
15 captures the intent here. Okay. I think we're done with the
16 discussion there. **Is anybody opposed to this motion? Hearing**
17 **no opposition, the motion carries.**

18
19 I think, again, there are two parts to where the discussion was
20 headed during the committee, and I have some language that was
21 provided to staff with regard to a follow-up motion, and let's
22 try to get that on the board.

23
24 Again, as part of the discussion that we had in the committee,
25 it was not only to convene the workshop, and the necessity and
26 urgency of doing that, but, also, to think about what we're
27 going to do and what the appropriate actions might be moving
28 forward and what direction we could provide the council staff in
29 August, or prior to August, that would allow them to develop
30 some information and guidance for us at that meeting.

31
32 **The motion, as written, and it was quickly crafted, and so we**
33 **can certainly entertain some wordsmithing, if necessary, is to**
34 **request that the council and SERO staff work together to begin**
35 **developing options to address calibrations for red snapper**
36 **necessary to achieve a common currency for private recreational**
37 **fishery data, and that's the linkage with the previous motion.**
38 **The staff may consider potential allocation changes in state**
39 **currencies for each Gulf state that would be necessary to**
40 **maintain the existing state ACLs as calibrated to the various**
41 **state data collection programs. Staff should also consider**
42 **Gulf-wide or state-specific buffers necessary to calibrate the**
43 **state surveys to the MRIP Coastal Household Telephone Survey**
44 **data.**

45
46 Again, the intent here is to provide staff with enough direction
47 that, at our August meeting, they could say, hey, these are some
48 potential paths forward, if the council chooses to do so, with

1 regard to implementing buffers, perhaps, to deal with some of
2 the uncertainty, or, ultimately, if we want to consider some
3 allocation changes down the road, and that was language that was
4 in the report, on page 5, that I was seeking clarification from
5 by Dr. Crabtree. I would welcome any discussion at this point,
6 and so I'll start with Paul Mickle.

7
8 **DR. MICKLE:** Tom, thank you. I guess just a point of
9 clarification. Are you making this motion? It seemed like you
10 said council staff, and I got lost when you started, and that's
11 just to clarify. Thank you.

12
13 **CHAIRMAN FRAZER:** I'm sorry, Paul, but I didn't hear you. Can
14 you repeat that?

15
16 **DR. MICKLE:** Sure. Are you making this motion, or did someone
17 send this in? I was lost when you began of who is making this
18 motion.

19
20 **CHAIRMAN FRAZER:** No, it's actually a motion that I am making,
21 in an effort to try to provide staff some direction. We will
22 need a second for this, but it's just a skeleton motion at this
23 point, and I'm looking for some feedback. Mr. Sanchez.

24
25 **MR. SANCHEZ:** I just wanted to thank you for including your
26 verbiage for state-specific buffers, so that, if we as a group,
27 as a body, determine that certain states, in the recalibrated
28 numbers, have been compliant, perhaps they don't need to incur
29 being looped in, roped in, to a Gulf-wide buffer, and so I
30 appreciate that thoughtfulness.

31
32 **CHAIRMAN FRAZER:** At this point, again, it's just directing
33 staff to explore these alternatives and what types of
34 information or analysis might go into a more formal document
35 moving forward. Ms. Bosarge.

36
37 **MS. BOSARGE:** Thank you, Mr. Chairman. First off, I will second
38 your motion, and then I will offer up a minor friendly
39 amendment, just as a clarification. **In that last sentence,**
40 **staff should also consider private recreational Gulf-wide or**
41 **state-specific buffers necessary to calibrate the state surveys**
42 **to the MRIP-CHTS data, because that's what you're talking about.**

43
44 **CHAIRMAN FRAZER:** Thank you, Ms. Bosarge, for the second and
45 also the friendly amendment. **I accept that.** Okay. Is there
46 any additional discussion on this motion? I will give people a
47 few seconds, to see if there's any lags in the hands. Okay.
48 **Seeing none, is there any opposition to the motion?**

1
2 **DR. MICKLE:** Opposition.
3
4 **CHAIRMAN FRAZER:** I just want to make sure, and, Paul, you're
5 opposed to the motion?
6
7 **DR. MICKLE:** Yes.
8
9 **CHAIRMAN FRAZER:** Okay. **Is there any other opposition to the**
10 **motion? Seeing none, the motion carries.**
11
12 I think those are the major issues to confront, I think, in this
13 section of the Reef Fish report, and so, Martha, if you want to
14 carry on with the report, the floor is yours.
15
16 **MR. ANSON:** Mr. Chair, I am having trouble with my raise-hand
17 button, and could I --
18
19 **CHAIRMAN FRAZER:** Go ahead, Kevin.
20
21 **MR. ANSON:** You mentioned that we need a little bit more
22 direction and such, relative to the goal, or the immediate goal,
23 of getting some calibrations of the state data collection
24 program, but I'm also trying to look at the bigger picture too
25 and down the road, and I would like to see if we can develop
26 some sort of roadmap, if you will, or timeline for review in
27 front of the SSC of the issue of the federal recreational data
28 held in the light side-by-side with the state data, and I don't
29 know if maybe Dr. Porch could kind of explain this relative to
30 the interim analysis, but what's the process forward, three
31 months from now or six months from now or nine months from now,
32 relative to this?
33
34 It would be great, and we'll come up with some state
35 calibrations, and we'll see where that shakes out, as far as
36 impacts to various states, and the states will make decisions
37 based on that, as to how they want to proceed, but, ultimately,
38 we still have the elephant in the room, and the elephant in the
39 room is the federal data, at least, again, from Alabama's
40 perspective, and so what's the pathway forward for that process,
41 relative to, again, the Southeast Fisheries Science Center
42 running some analysis looking at different comparisons and such
43 of the data and use of the data in a model run, and what does
44 that look like?
45
46 We have several things that are coming up here in the near term
47 that are just going to be more information to provide towards
48 this issue, and we have the Great Red Snapper Count report,

1 which is going to be used in the interim analysis, and we've got
2 the SSC review of the FES, and, granted, they're not looking at
3 red snapper specifically as one of their test species, but at
4 least they will have a better understanding of that.

5
6 We'll have, hopefully, our workshop by the end of July, and
7 we'll have the interim assessment results, and the National
8 Academy of Science is currently reviewing data collection
9 methods to meet in-season management, specifically using the
10 federal data sources, and their report will be coming out at the
11 end of the year, or the first of next year.

12
13 There's that report that Dave had mentioned that he and Bob Gill
14 are working on, and I believe it's a MARFIN electronic
15 monitoring report, and that's supposed to be coming out, and so
16 there's lots of information that's coming up here in the near
17 term that will be helpful for the council, as well as the SSC,
18 to try to look at not only the federal data by itself, but use
19 of the federal data in the assessment and then use of the
20 federal data with transitions or calibrations back to state data
21 relative to in-season management and monitoring and what that's
22 going to look like.

23
24 I'm curious to see if there's anybody at the council that has
25 any thoughts on that, and timelines and such, because we'll have
26 a calibration, and we'll have a document to review, potentially,
27 at the August meeting that we could approve and go forward with,
28 but where does that leave us six months from now, and where does
29 that leave us a year from now, relative to, again, what I
30 believe, at least in the northern Gulf, is a disparity between
31 reality of what you see on the water and managing what's on the
32 water with federal data that is cause for being suspect. Thank
33 you.

34
35 **CHAIRMAN FRAZER:** Okay, Kevin. Again, I think there's a lot in
36 there to unpack. I think I'm going to offer an opportunity to
37 both Dr. Porch and Dr. Crabtree to weigh-in, I think, on the
38 shorter term, with regard to recognition of any new information,
39 and I would first like to hear from Dr. Porch.

40
41 **DR. PORCH:** I can take the question regarding the interim
42 analysis, and so the bottom line is it really depends a lot on
43 what we will get out of the Great Red Snapper Count. If we used
44 our standard interim analysis approach, it hinges off the last
45 assessment, and, in this case, it was conducted in the CHTS
46 currency, and so the ABC advice would be given in the CHTS
47 currency, and so you need to calibrate from CHTS to the state
48 currencies, and so the same discussion we've been having.

1
2 Potentially the same thing will happen when we use the data from
3 the Great Red Snapper Count. If the primary information we get
4 is the abundance at age for red snapper, then we could multiply
5 it by the fishing mortality rate that gives us a 26 percent SPR
6 from the assessment and come up with an ABC recommendation,
7 which then would be in CHTS currency.

8
9 I can't really say much more on that until I see what we get
10 from the Great Red Snapper Count and if there's some other
11 independent way to estimate the fishing mortality rate that
12 would achieve the management objectives, and that is F SPR 26
13 percent, but that's where we stand in the shorter term.

14
15 In the longer term, all of this will fall within the timeframe
16 of the research track assessment, and so, in the research track,
17 everything is open, and so we'll be reviewing not only the Great
18 Red Snapper Count information, but also any information on what
19 are the most appropriate recreational statistics to use.

20
21 **CHAIRMAN FRAZER:** Thank you, Dr. Porch. Dr. Crabtree, do you
22 have anything that you would like to add?

23
24 **DR. CRABTREE:** Well, I thought that Clay answered it well. The
25 only thing I would add is that the whole MRIP program has been
26 subject to extensive reviews, and remember that the FES survey
27 really came out of the reviews by the National Academy some time
28 ago, and so that has happened regularly, and with extensive
29 external review, and I think that will continue to occur, and I
30 believe they will continue to refine and improve the survey.

31
32 I think the question that Kevin has brought up about why are we
33 seeing the difference between the survey that we talked about is
34 an important one, and it's one that I have talked to the S&T
35 folks, and so has Clay quite a bit, and I think we all
36 understand the need to better understand that and to do the
37 research that may be needed to figure that question out.

38
39 **CHAIRMAN FRAZER:** Thank you, and so we have Leann and then
40 Kevin.

41
42 **MS. BOSARGE:** Thank you, Mr. Chairman. I had my hand up to talk
43 about a different point, but I will hold that thought for a
44 moment and address Kevin's concerns, and, Kevin, I agree with
45 you completely that it has to be addressed. Now, I said that
46 until I was blue in the face, and I seemed to get nowhere, but
47 what I have also said is we need a common currency. For two or
48 three years now, I've been screaming, and what I realized is

1 that nothing happens until you actually put some numbers in a
2 document in our briefing book. Then the you know what hits the
3 fan, and we finally have some good conversations, right, and we
4 get down to what we need to get down to.

5
6 My suggestion would be, if you want those conversations to
7 happen sooner rather than later, maybe, in our next briefing
8 book, we can have a table that shows state landings for each
9 state, and you can do it for red snapper if you want, or you can
10 do it for all species, whatever you want, but every state does
11 collect red snapper landings anyway, and it shows all those
12 landings for each state, for as many years as they have, and it
13 shows the corresponding MRIP-CHTS landings for those years, and
14 then the corresponding MRIP-FES landings for those years, and we
15 can start to have at least a surface-level discussion about
16 these numbers, and maybe pass a motion that will get us looking
17 further down the road.

18
19 **CHAIRMAN FRAZER:** Again, I appreciate all of those comments, and
20 I would expect that those numbers, Leann, that you just referred
21 to would be a vital part of the workshop that will happen
22 between the states and S&T, and so, Kevin, do you want to
23 respond?

24
25 **MR. ANSON:** Yes, and I appreciate the comment, Leann, and I'm a
26 little exasperated myself with the calibration process and such,
27 and I look forward to getting to that point, where we can have
28 that sit-down, and you're right that it comes down to having
29 data and having numbers being put on paper before things really
30 start to get shaking at the council level, and the numbers is
31 what has got us to this point and the possibility of legal
32 action, I guess, from the agency's point of view, to offer the
33 things that we've been discussing relative to calibration thus
34 far.

35
36 Roy had mentioned about the data that's being used and that it's
37 getting better and better and such, and that may be true, but,
38 again, I just go back to trying to put those numbers and put
39 them into the particular states for which they apply, and, since
40 the redo of the APAIS survey back in 2012, when they did the
41 dockside interview and changed that to the FES, from my
42 perspective, things have not improved.

43
44 They have gotten worse with each of those improvements, in
45 Alabama's case, and I can take the FES numbers from 2018, and
46 you back-calculate the number of fish that were estimated to
47 have been harvested off of Alabama, and then use the Snapper
48 Check average anglers per vessel, and we're talking about 98,000

1 vessel trips were made in 2018 for red snapper, that harvested
2 red snapper.

3
4 Then, if we take the Snapper Check data and look at the date
5 with the highest number of reports, and on that day it
6 represented approximately 10 percent of all the reports that
7 were submitted, that means we've got about 9,800 vessels going
8 offshore on that particular day, according to FES numbers.

9
10 I made my comment earlier about Perdido Pass has about 50
11 percent of the effort, or more, and you take half of those
12 vessels, and you multiply them by twenty-five feet, and stack
13 them end-to-end, and you've got a line of vessels that stretch
14 twenty-three-and-a-half miles. It will take you over four-and-
15 a-half hours, if they go idle speed underneath the bridge at
16 Perdido Pass, end-to-end, touching one another, it will take you
17 four-and-a-half hours to get that twenty-three-mile-long-line of
18 vessels to go underneath the pass.

19
20 I don't know if -- I mean, Alabama is a special place, in regard
21 to red snapper, and we've got a lot of passionate anglers out
22 there, but I just find it hard to believe that we can catch that
23 many fish and have that much effort out there, and so, again,
24 it's critical, and I've been pretty boisterous about this issue
25 at this meeting, because it hits real close to home in Alabama,
26 and this is big stuff. This is serious stuff to our
27 recreational fishermen, and so that's my last comment, Mr.
28 Chair, on this issue, and I know you want to wrap things up, and
29 I do appreciate the accommodations that were made for this
30 meeting for me to speak. Thank you.

31
32 **CHAIRMAN FRAZER:** No problem. Thank you for your comments,
33 Kevin. Ms. Guyas.

34
35 **MS. GUYAS:** Well, I don't want to pile on, but just to follow-up
36 on Leann and Kevin, and we've raised similar issues, and we sent
37 a letter to Chris Oliver, back in March of 2019, addressing
38 several issues we see with FES, and it goes well beyond red
39 snapper, and so, if we end up doing some sort of discussion
40 about putting some numbers out there, we have identified a
41 number of discrepancies in Florida, and we would be happy to
42 work with council staff, or whoever is putting those materials
43 together, I think, to flag some items, but, again, we're looking
44 forward to that workshop in a couple of weeks on FES, and I
45 think that's supposed to be more of a learning opportunity than
46 a discussion, but, yes, we have some issues to work out here
47 with FES. Thanks.

48

1 **CHAIRMAN FRAZER:** Okay, and so, again, I appreciate the comments
2 from Alabama and Florida and the representatives from
3 Mississippi on all of this. I think the details of those, and
4 those types of discussions, certainly will come out in the
5 workshops that fall under the purview of the SSC, and I think
6 we'll move on at this point with something else. Ms. Bosarge.

7
8 **MS. BOSARGE:** Thank you. I do have one more comment, and it's a
9 pretty big one. My issue, Mr. Chairman, and it was addressed in
10 that Ocean Conservancy letter, is they thought we needed to do
11 something for this season. My problem is that we were not -- If
12 you recalibrate just based off these preliminary numbers, we
13 were 9,000 pounds away from a 15.5-million-pound OFL.

14
15 If I look back at 2018, I have to figure that we were pretty
16 close to that same realm there. In 2017, surely we blew it out
17 of the water in 2017, if you actually apply some calibrations to
18 these things, with these new FES numbers and such, and so we
19 have been putting a lot of pressure on this stock from the
20 private angling component for a minimum of three years now, and
21 we knew it. I have been asking for the calibrations, and I got
22 nowhere, and we're starting to move on that, and it sounds to me
23 like I doubt we would be able to implement anything until next
24 year, and I hate to be a pessimist, but I don't think that one
25 meeting is going to do it, and I think it will be next year, and
26 we'll still be kind of arguing about it, and June will roll
27 around again, and we'll be doing the same thing.

28
29 That, at this point, is having implications for everyone. If we
30 go over that OFL, it has implications, just from a quota
31 standpoint for the commercial sector, but, worse than that, the
32 pressure that we've put on this stock for the last several years
33 is not imaginary. It's there, and it's going to show up in that
34 next stock assessment, and then everybody is going to pay.
35 Everybody is going to have lower quotas across-the-board.

36
37 I am sure they will point at the shrimp fleet, even though we're
38 staying within our bounds, and I'm sure we'll be the first ones
39 pointed at, and so I am not going to stand by idly and let it
40 happen. I think something needs to be implemented for this
41 season. We know, based on these calibrations, that we're going
42 to way overshoot that private rec quota this season.

43
44 At a minimum, I would expect that we would have an emergency
45 rule that would implement a private rec buffer. For crying out
46 loud, we have a buffer on the for-hire sector of 9 percent, and
47 they're not overshooting things. They have been doing great.
48 They have been staying at or under their ACT. How we could sit

1 here and not put an emergency buffer on the sector that is
2 overrunning, and we know will overrun this year, based on the
3 calibrations and the way we're managing it -- I'm sorry, but I
4 think that's irresponsible, and I would like to hear feedback.

5
6 **CHAIRMAN FRAZER:** Okay. I mean, these are important discussions
7 to have, and I see Susan has her hand up. I will go ahead and
8 let Susan talk first. Go ahead, Susan.

9
10 **MS. BOGGS:** Thank you, Mr. Chairman. I appreciate it, and I
11 agree with what Leann is saying. The recreational fishery is --
12 I'm not going to say they're not accountable, because we have
13 state collection systems now, and that's certainly much better
14 than what we've had in the past, but they're unlimited. I mean,
15 there's more and more and more boats, and I was trying to do
16 some numbers real quick, and I wasn't quick enough.

17
18 As a marina owner, I can see the effort has increased greatly
19 this year, and I look at that by my volume of fuel sales. Think
20 about that. It's becoming increasingly more and more and more,
21 and I don't know what we do about that. I've thought about it
22 and thought about it, but if implementing some type of buffer,
23 just to keep people in line, to say, hey, we just can't go kill
24 fish, and it's evident.

25
26 Randy has run several, obviously, snapper trips the last couple
27 of weeks, and the red snapper fishing is so bad that he quit
28 fishing for them, and he's fishing for vermilion snapper now. I
29 mean, he's coming in with ten or eleven keeper fish, and fishing
30 thirty-five or forty miles offshore, and we discussed this
31 yesterday, about the boats are getting bigger and faster, and
32 it's become a problem, and I don't know how we address it, but I
33 think this is a good start, with what Leann is suggesting.
34 Thank you.

35
36 **CHAIRMAN FRAZER:** Thank you, Ms. Boggs. Again, I will circle
37 back, and the intent of all of the discussion is I think
38 everybody on this council recognizes that we have a
39 responsibility, and you've heard me say this many times, to make
40 sure that we sustainably manage these fisheries, and this is a
41 particularly challenging fishery, and it's received a lot of
42 attention, and we have delegated authority to the states to
43 manage this particular fishery, and that came with some changes
44 in how we actually estimate effort and the harvest, and we are
45 working through those challenges.

46
47 Now, again, because we have not come to a resolution, or at
48 least not complete understanding, about all of the approaches

1 that were used, and I think we do have to come to a resolution
2 there, and it is an important step to get us to where we need to
3 be.

4
5 Hopefully, at this meeting, we assured all of our stakeholders
6 that there is a sense of urgency, and I was encouraged with Dave
7 Donaldson's comments that they've already been in contact with
8 Richard Cody's group, and they will in fact have a meeting on
9 July 13 that I think will provide substantial, I guess,
10 understanding, or provide a much better understanding, of the
11 process to-date and how those calibrations were arrived at.

12
13 Again, we have an opportunity to move that information forward
14 through the SSC. At the same time, we will be providing some
15 direction, or have provided direction, to staff to help us with
16 a path forward about what the appropriate actions are moving
17 forward. We have already started fishing in the 2020 season,
18 and, from my perspective, it's difficult to see how we can use
19 the information in hand that is still uncertain and still being
20 challenged to move forward with any specific action.

21
22 It's not that I don't want to, and I recognize the issue that
23 Leann brought up, and it's been brought up by a number of folks
24 here, but I don't -- In the absence of an action, an identified
25 action, I think the path that we have chosen is the best one,
26 but I'm going to ask for Roy to join us one more time here.
27 From the agency's perspective, is there an option moving forward
28 in the short-term? Dr. Crabtree.

29
30 **DR. CRABTREE:** Well, it's difficult, and so, if you ask for an
31 emergency rule today, it would take, minimally, weeks to
32 implement a change, and, by the time you did it, I think a lot
33 of the state seasons would already be over.

34
35 You could try and address some way of paying back some fish, or
36 a reduction to potentially next season, I suppose, and you could
37 potentially request to close the private recreational fishery
38 down, but anything like that you try to do for an emergency rule
39 is going to require analysis and time, and my suspicion is, by
40 the time anything could be done, you would already be looking at
41 the end of summer, but, without understanding exactly what it
42 would be, it's difficult to know. I suppose, if you wanted to,
43 you could write a letter to each of the states, urging them to
44 be more conservative in their seasons and consider closing
45 early.

46
47 **CHAIRMAN FRAZER:** Okay. Thank you, Dr. Crabtree. I will let
48 people stew on that, and, in the interest of time, I would like

1 Ms. Guyas to continue on with the Reef Fish report, and, if
2 necessary, we can circle back at the conclusion of the report to
3 address this topic. I see Ms. Bosarge's hand is up. Leann and
4 then we'll go to Martha.

5
6 **MS. BOSARGE:** It's okay. I put it down, because you said you
7 wanted to move on, but I like Roy's suggestion of writing that
8 letter and asking the states to at least consider that
9 preliminary calibration and make some adjustments to their
10 season accordingly, based on their calculations that they have
11 for a calibration.

12
13 **CHAIRMAN FRAZER:** Leann, if you want to think about some
14 language and an appropriate motion while Ms. Guyas is moving
15 through this report, we can certainly consider it at the
16 conclusion of the committee report. Ms. Guyas, the floor is
17 yours.

18
19 **MS. GUYAS:** Thank you, Mr. Chair. I am going to move on to
20 Review of SEDAR 67, Gulf of Mexico Vermilion Snapper Stock
21 Assessment. Dr. Joe Powers reviewed the results of the SEDAR 57
22 stock assessment of Gulf vermilion snapper.

23
24 Dr. Joe Powers reviewed the results of the SEDAR 67 stock
25 assessment of Gulf vermilion snapper. SEDAR 67 found that
26 vermilion snapper is not overfished and is not experiencing
27 overfishing as of 2017, the terminal year of the assessment.
28 Overfishing did occur between the mid-1990s and the mid-2000s.
29 However, the stock is thought to have never been overfished.

30
31 SEDAR 67 included the updated recreational catch and effort data
32 as adjusted for MRIP-FES. Because the projections appeared to
33 underestimate the uncertainty in the estimates, the SSC decided
34 to use the projections at 75 percent of the fishing mortality
35 rate at maximum sustainable yield, which was set at the proxy
36 value of a spawning potential ratio of 30 percent.

37
38 The projected yields spike early in the projection period,
39 because of two factors. One is the landings have been below the
40 ABC for much of the historical time series, and two is strong
41 recruitment in 2015 and 2016 showed the greatest recruitment
42 events on record for the stock.

43
44 This suggests that the stock is currently above the spawning
45 stock biomass level at MSY and can be harvested above FMSY in
46 the short term, as harvest ultimately approaches a level
47 equivalent to FMSY with time. Ultimately, the SSC recommended a
48 constant catch OFL of 8.6 million pounds whole weight and an ABC

1 of 7.27 million pounds whole weight.
2
3 Mr. Anson asked about the exclusion of indices as a function of
4 the jack-knife diagnostic analysis, which is used to test the
5 model's reliance to each particular index. In the case of SEDAR
6 67, the fishery-independent indices and the fishery-dependent
7 CPUE indices were removed one at a time to test the model's
8 stability. However, the fishery-dependent catch and composition
9 data were left in the model, as they were deemed fundamentally
10 necessary to stabilize the assessment.
11
12 Ms. Bosarge suggested not truncating the commercial effort data
13 since the inception of the IFQ programs. Dr. Powers replied
14 that the assessment panels have not given up on including the
15 effort from IFQ years. However, the methods for including those
16 data appropriately have not yet been finalized. The SEDAR 74
17 stock assessment for red snapper will explore these data
18 further. The committee will discuss the proposed catch
19 recommendations during Full Council. I will pause there.
20
21 **CHAIRMAN FRAZER:** Thank you, Martha. I just want to make a
22 quick note before you entertain any discussion, or we entertain
23 discussion here. When you started up on the report, we actually
24 skipped the section on discussion of fishing industry impacts,
25 and so, after we're done with --
26
27 **MS. GUYAS:** My bad.
28
29 **CHAIRMAN FRAZER:** No problem, but I just want to make sure that,
30 when we carry back on, that you start with that. Is there any
31 discussion on this section of the report? Hearing none, Martha,
32 if you want to go back to -- Dr. Simmons.
33
34 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Well, I
35 guess, would you like staff to start working on a framework
36 action to put in place these new OFLs and ABCs for vermilion
37 snapper? If so, we would probably need a motion for that.
38
39 **MR. DIAZ:** So moved, Mr. Chair.
40
41 **MS. GUYAS:** I will second that.
42
43 **CHAIRMAN FRAZER:** Okay, and so we have a motion on the board by
44 Mr. Diaz, and it's seconded by Ms. Guyas. We will get that
45 motion on the board right now. The motion is to direct -- Dale,
46 do you want to go ahead and provide some language for the
47 motion?
48

1 **MR. DIAZ:** If Carrie could restate what she said, and I was
2 going to go exactly with what she said.
3
4 **CHAIRMAN FRAZER:** Okay. Dr. Simmons.
5
6 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. It would say
7 direct staff to initiate work on a framework action, because I
8 believe this can be done by framework, to modify the OFLs, ABCs,
9 and ACLs for vermilion snapper, based on the SSC
10 recommendations. We have a stock ACL for this species
11 currently. Thank you.
12
13 **CHAIRMAN FRAZER:** Mr. Diaz, does that capture your intent?
14
15 **MR. DIAZ:** It does. Thank you, Dr. Frazer.
16
17 **CHAIRMAN FRAZER:** Okay. I have a motion on the board, and it
18 was seconded by Ms. Guyas. Ms. Bosarge.
19
20 **MS. BOSARGE:** Thank you, Mr. Chairman. We just had this long
21 discussion about state data and FES data, and did I hear one of
22 the states call them suspect, and, essentially, those same
23 sentiments, and even some of those very similar examples to what
24 Kevin gave, is exactly what was given in that meeting in 2018
25 that we still don't have a summary report for.
26
27 I am almost hesitant, at this point, to implement the higher
28 OFL, ABC, and ACLs. Somebody help me out here. Somebody tell
29 me how we're doing on vermilion. Have we been having season
30 closures, and are we hearing a lot of pushback from people,
31 saying I need more fish? Where are we at on vermilion right
32 now?
33
34 **CHAIRMAN FRAZER:** Let's see if we can get John Froeschke on the
35 line here. Dr. Froeschke. Ms. Muehlstein, if you want to take
36 this question.
37
38 **MS. EMILY MUEHLSTEIN:** I can certainly try. Thanks for the
39 question, Leann. You might remember that we do continue to
40 conduct the Something's Fishy efforts prior to each stock
41 assessment. We did perform one of these Something's Fishy for
42 vermilion snapper, and we received sixty-three responses.
43
44 60 percent of the responses that we received indicated some
45 positive trends in abundance of the stock, from our fishermen's
46 perspective. 29 percent was negative, and 11 percent was
47 neutral. I am just trying to dig here real quick, and so it
48 looks like, based on the analysis, anglers were indicating that

1 they're generally seeing more fish, and larger fish, and I think
2 that's really -- It was a pretty simple response, and so I have
3 that helps give a little perspective.

4
5 **MS. BOSARGE:** Can I follow-up with Emily, Dr. Frazer?

6
7 **CHAIRMAN FRAZER:** You sure can, Leann.

8
9 **MS. BOSARGE:** Thank you. You essentially got a 60/30, 60
10 positive and 30 negative, and 10 percent neutral, and did you
11 see a delineation among sectors on that negative? Is it mainly
12 commercial saying negative, or mainly recreational, or is it an
13 even mix? I ask that because, in my experience on the council,
14 when a stock starts to take a downturn, for whatever reason, you
15 will hear the commercial people start to raise a flag first and
16 say, hey, something is wrong, and I would imagine that's because
17 they work on volume. They have to be able to go out in a short
18 period of time and catch a large volume.

19
20 When their CPUE starts going down, they can't keep pushing on
21 those fish, and they've got to find something else to supplement
22 or switch to, whereas recreational anglers, because of the way
23 we manage them, with bag limits that are low, they are going out
24 to catch a handful of fish, and, even with the stock decreasing,
25 you still catch your handful, and you can catch five or ten, but
26 you can't catch 5,000 or 10,000 at a time. Can you tell me if
27 there is any trend in the negative, in the 30 percent negative?

28
29 **MS. MUEHLSTEIN:** Unfortunately, I did not classify the response
30 sentiment by the sector. I can tell you that sixteen of the
31 sixty-some respondents were commercial respondents, and so
32 that's something that I would have to go back and look at, and I
33 can do that for you.

34
35 What I can say is I sort of found the text here that was
36 discussing a little bit more of the nuances, and it might give
37 you a little bit of insight. What we have here is that anglers
38 noted that the stock has been continuously healthy for years and
39 that stocks may be healthier now than ever. They said that they
40 are seeing larger vermilion in deeper water and that vermilion
41 are moving into shallow water more than they have been
42 historically.

43
44 They indicated negative trends in abundance and speculated that
45 vermilion snapper are being outcompeted by triggerfish and red
46 snapper, and they also noted that juveniles are being found in
47 lionfish stomachs, and dolphin depredation is especially harmful
48 to vermilion. It is said that fishing effort is shifting to

1 vermilion because of unhealthy grouper stocks, short seasons for
2 other species, and increased commercial pressure, because the
3 IFQ program does not include them. Hopefully that might give a
4 little bit, but I would actually have to do the analysis in
5 order to let you know if the commercial folks were indicating a
6 specific sentiment.

7
8 **CHAIRMAN FRAZER:** Thank you, Emily. I think Peter Hood is on
9 the line. Peter, do you have something that you want to add to
10 this?

11
12 **DR. HOOD:** I just wanted to mention that, if you look at that
13 landings report that I went through in the Reef Fish Committee,
14 basically, in 2019, and this is preliminary landings, 84.5
15 percent of the 3.11-million-pound ACL was caught, and then, for
16 2020, and this is through May 26, 13.8 percent of that same ACL
17 has been caught, and so at least, this year, it doesn't look
18 like we'll probably go over, and definitely last year we didn't
19 go over.

20
21 **CHAIRMAN FRAZER:** Thank you, Peter. Let's see what we're trying
22 to put up on the board here. We have the 2019 and 2020 landings
23 for vermilion by sector. Ms. Bosarge, did you want any
24 additional information in the short-term, or are you good?

25
26 **MS. BOSARGE:** Like I said, I'm just hesitant. I think, before
27 we start on a document, maybe, at the next meeting, the thing to
28 do is let's bring back some of Emily's information, and let's
29 actually look at something other than just the stock assessment
30 and the numbers that come out of it.

31
32 Let's look at sentiment, and let's look at -- Depending on where
33 those recreational landings, what state they're coming out of,
34 and I'm not sure, and let's look at some state numbers, and
35 let's compare it. Let's figure out what impact that had on our
36 assessment, since it is a predominantly commercial fishery, from
37 what I'm looking at here, and it may not have had a big impact
38 on the assessment, but I would like to actually get deeper into
39 these things and really look at them before we just start
40 changing ABCs and ACLs and things like that with this.

41
42 **CHAIRMAN FRAZER:** Okay. Ryan Rindone.

43
44 **MR. RINDONE:** Thank you, Mr. Chair. I was just going to answer
45 Leann's question about the closure history. Council staff and
46 SERO and the Science Center is required to develop management
47 history ahead of every stock assessment, and, when we looked at
48 vermilion snapper, the only closure for vermilion snapper was

1 for the commercial fishery, due to Amendment 23, which had put a
2 fishing season in place, but a follow-up framework action
3 removed that season, and so that was a regulatory closure and
4 not a closure because the quota had been met, and, in fact,
5 vermilion snapper fishing has never been halted as a result of
6 the quota being met. Mr. Chair.

7

8 **CHAIRMAN FRAZER:** Thank you, Mr. Rindone. Ms. Boggs.

9

10 **MS. BOGGS:** I was just going to reply to Leann's question about
11 the health of the stock, and I can tell you, off of Alabama, as
12 I stated in my previous comment with the red snapper situation
13 being as it is, I know that our business, Reel Surprise, we're
14 very dependent on the vermilion snapper fishery, and it's been
15 healthy, and the fish are getting bigger. We're seeing a lot of
16 bigger fish, and we've seen a lot of juveniles too this summer,
17 but, especially in the winter months, they are a healthy fish,
18 to say the least. Thank you.

19

20 **CHAIRMAN FRAZER:** Thank you, Ms. Boggs. Ms. Guyas.

21

22 **MS. GUYAS:** Just real quick, I hear everything that Leann is
23 saying, and we have talked about these FES issues in the last
24 discussion, but I would still move forward with this motion,
25 because we have an OFL and ABC recommendation from the SSC, and
26 an ACL, and so the council, if they so choose, after reviewing
27 other information, we can set the ABC lower than the SSC's
28 recommendation, and we certainly can't exceed it, but we do have
29 some wiggle room, and I feel like starting on a framework would
30 continue the conversation about what to do with vermilion
31 snapper, and so I think I'm comfortable moving forward with this
32 motion. Thanks.

33

34 **CHAIRMAN FRAZER:** Thank you, Ms. Guyas. I don't see any other
35 hands up at this point. If we do approve this motion, we will
36 certainly augment the framework action with additional
37 information related to the fishery, as Leann has requested.
38 **Having said that, is there any opposition to this motion?**
39 **Hearing none, the motion passes.**

40

41 I think, Martha, if you would circle back in the committee
42 report to deal with the discussion of fishing impacts due to
43 COVID, that would be great.

44

45 **MS. GUYAS:** I will do that. This is what happens when I don't
46 print out my Reef Fish report and I'm scrolling on through.
47 Discussion of Fishing Industry Impacts Due to COVID-19 and
48 Potential Emergency Rule Requests, Ms. Muehlstein presented the

1 results from the online comment form which gathered public
2 comments related to impacts associated to the COVID-19 pandemic.
3 Most respondents identified as members of the commercial sector.
4
5 Overall, public comment indicated that it is engaging in less
6 fishing activity than usual. Private recreational anglers
7 attribute this to factors that limited access to the water
8 including, closing of ramps and beach access, cancellation of
9 fishing tournaments and closure of charter businesses.
10
11 The for-hire industry reported loss of revenue due to temporary
12 business closures and a lack of tourism. In some cases, the per
13 person cost of taking a charter increased to accommodate social
14 distancing requirements.
15
16 The commercial sector reported loss of revenue due to reductions
17 in demand for seafood as fish markets and restaurants closed.
18 Fishermen noted that allocation prices remained high, while ex-
19 vessel value dropped. Similarly, ex-vessel and wholesale prices
20 dropped, while retail prices remained the same.
21
22 Stakeholders suggested the council consider including requests
23 for modification of seasons and bag limits, to allow people to
24 make-up for the lack of fishing during quarantine. Commercial
25 respondents requested that uncaught quota and allocation be
26 allowed to roll over to next year. Some respondents recommended
27 no action, to avoid a risk of overfishing.
28
29 Dr. Stephen presented a comparison of landings data for red
30 snapper, gag, and red grouper. Since the pandemic started,
31 similar trends were reported for all three species, with a
32 decrease of trips, pounds landed, total ex-vessel value, and
33 weekly price per pound value. Although the data show a decrease
34 after the onset of social distancing, the data are within the
35 confidence interval and similar for the trends observed in 2017
36 through 2019.
37
38 The new IFQ system is moving to a cloud-based design to monitor
39 weekly landings that can be accessed through any device with a
40 web browser. The potential for carryover will be calculated at
41 the end of 2020. As part of this process, the SSC will need to
42 approve the acceptable biological catch with carryover pounds.
43 If approved, the disbursement of the quota would occur on the
44 first quarter of 2021. A comparison of landings data for the
45 last four years shows that, even with the pandemic, landings
46 between these years have been consistent. Dr. Stephen reminded
47 the council that the red grouper catch limits significantly
48 decreased between 2018 and 2019.

1
2 To move forward with the carryover, considerations should be
3 given to the amount to be carried over and to whom it would be
4 distributed and determine if the carryover will be for primary
5 usage or multi-use.

6
7 The committee agreed to wait until the August 2020 meeting
8 before providing recommendations for any emergency rules, given
9 the current data are not dissimilar from previous years that
10 were not affected by a pandemic. The data from the past few
11 weeks show a possible increase in landings, as the economy
12 slowly reopens and landings data through August may be
13 informative for interpreting COVID-19 impacts. The committee
14 also agreed to continue discussing this topic during Full
15 Council, to also consider any feedback received during public
16 testimony. I will pause there.

17
18 **CHAIRMAN FRAZER:** Is there any further discussion on this
19 element of the Reef Fish report? Ms. Bosarge.

20
21 **MS. BOSARGE:** If there aren't any questions there, I just wanted
22 to clarify one thing on the last topic, because it's sort of the
23 next topic on the actual report. Yes, when you bring us back
24 that document, please bring us, for vermilion, anything that you
25 can put in there because we are looking at going from an ACL of
26 3.1 million to an ABC, at least, of 7.27 million, and so we're
27 more than double that TAC, and this is a -- There is not
28 individual allocations here. If you throw that out there and
29 let people catch it, I just -- I have reservations, and so bring
30 me any state data you've got on vermilion when you bring that
31 document, please.

32
33 **CHAIRMAN FRAZER:** Thanks, Leann. I definitely understand the
34 request. Okay. Seeing no other hands, Martha, if you want to
35 carry on with the report.

36
37 **MS. GUYAS:** I have my hand up, too. Just, since we spent a lot
38 of time in committee talking about commercial, I feel like one
39 thing we should also just keep our eye on, and I don't think we
40 need an emergency rule right now, but triggerfish and amberjack
41 both have spring recreational seasons that may have been
42 impacted here, and, of course, we don't really have solid
43 landings for either of those at this point, but I think we
44 should keep our eye on those, and, if it turns out that we have
45 a lot of quota left on the table, either doing some sort of
46 reopening later this year, or potentially looking at carryover
47 into next year for those species, just depending on what shakes
48 out when those landings start coming in, and so I just wanted to

1 put that out there as well.

2

3 **CHAIRMAN FRAZER:** That's a good point, and thank you, Martha.
4 We will certainly keep our eye on those data, moving forward,
5 and see what might be possible later on. Okay. Are there any
6 other hands? I am seeing none, and I'm trying to keep us on
7 schedule here, and so if you want to go to an update on the
8 recreational closure, and I believe that's the next part of the
9 report.

10

11 **MS. GUYAS:** Yes. Staff reviewed the actions and alternatives in
12 Reef Fish Amendment 53 and noted that they result in a variety
13 of annual catch targets (ACTs) for the recreational sector. Mr.
14 Pulver from SERO then presented on the predicted recreational
15 season length for Gulf red grouper, based on the ACTs currently
16 under consideration in Amendment 53.

17

18 The analysis uses MRIP-FES recreational landings from 2017
19 through 2019 and is based on two-month waves of those landings.
20 Mr. Pulver provided predicted closure dates, along with season
21 length, with a 95 percent confidence interval, associated with
22 the various ACTs from Action 2's alternatives.

23

24 The committee stated that, with the reallocation in Amendment
25 53, fairness to various user groups was a goal, and it indicated
26 a preference for Alternative 2 of Action 1, since it uses the
27 same timeframe on which the current allocation is based. The
28 committee noted that there would be implications to the
29 recreational sector, depending on which alternatives in
30 Amendment 53 were selected, and encouraged public testimony.

31

32 Staff requested the council discuss whether virtual or in-person
33 public hearings would be preferred for Amendment 53, as well as
34 locations, if in-person public hearings were selected. The
35 committee inquired about the timeline for public hearings.
36 Staff responded that if no additional actions were added to the
37 amendment, public hearings might occur in September or October.
38 I will pause there.

39

40 **CHAIRMAN FRAZER:** Are there any comments? Ms. Bosarge.

41

42 **MS. BOSARGE:** It kind of struck me, during committee, that we
43 were talking about public hearings, because I don't think we've
44 sent this to our AP yet. If I was on the AP, I would be a
45 little offended that I am your special advisory panel, and you
46 sent it out to the general public before you ever asked me what
47 I thought, when I volunteer my time to participate in these
48 discussions.

1
2 **CHAIRMAN FRAZER:** Thank you, Ms. Bosarge. Dr. Simmons, do we
3 have an AP meeting scheduled?
4

5 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. If you look
6 at our action schedule, and it's Tab A, Number 7(a), we have
7 tried to anticipate when we might be able to hold in-person
8 meetings, and we have reached out to the Reef Fish AP Chair and
9 Vice Chair, to try to figure out a time when we may convene this
10 panel and if we should do it virtually first, if we can't do in-
11 person, in late summer, and then try to do a fall in-person
12 meeting later, but we are struggling right now, both due to
13 COVID-19 and basically everyone is very busy with trying to get
14 back on track with their businesses and trying to find a time
15 that they can meet. Right now, we're thinking of September, and
16 we really don't know if that can occur or not, but that's what
17 we're aiming for. Thank you.
18

19 **CHAIRMAN FRAZER:** Okay. Ms. Guyas.
20

21 **MS. GUYAS:** I am going to I guess start some conversation about
22 public hearings, and so, similar to Carrie -- Normally, I would
23 say, yes, let's do in-person public hearings, but there is,
24 obviously, a lot up in the air with COVID, and that's kind of
25 why I was asking about timing as well.
26

27 In a perfect world, I would like to have in-person hearings. I
28 feel like there would be one in the Panhandle, probably Panama
29 City, something in the Tampa/St. Pete area, and then somewhere
30 in southwest Florida, and maybe Phil can chime in on where that
31 would be, but I'm also sensitive to the COVID situation and
32 realize that may not be possible, and people may not be
33 comfortable coming to a big public hearing, even if we do have
34 one, and so I know Emily has been really good about having
35 online options for people, where they can watch a video, but it
36 may -- I think it would be good to continue that, and it may be
37 good to have a webinar, where people can jump on and ask
38 questions of council staff and a council member, but that's kind
39 of the plan right now.
40

41 **CHAIRMAN FRAZER:** Thank you, Ms. Guyas. Mr. Sanchez.
42

43 **MR. SANCHEZ:** Thank you, and I have a question. Is our SSC --
44 Are they scheduled to review the FES calibrations next month on
45 red grouper?
46

47 **CHAIRMAN FRAZER:** My understanding, John, is that the SSC has
48 already reviewed those calibrations. Let me confer quickly with

1 the staff. Is that correct? I got a thumbs-up on that. Mr.
2 Diaz.

3
4 **MR. DIAZ:** Thank you, Mr. Chair. I also agree with Leann, and I
5 think, as soon as we can get it to the AP, I think it would be a
6 good idea to get the AP to look at this document, and so I
7 concur with what Leann had to say.

8
9 As far as public hearings, I am kind of thinking that we
10 shouldn't hold public hearings until after the point that we've
11 had face-to-face meetings ourselves, and then even that might
12 not be the determining criteria of when to hold public hearings,
13 and I think we need to think through that very carefully. For
14 sure, I would be in favor of, when it's time to hold public
15 hearings, to do them by webinar. Like I say, I am reluctant to
16 do face-to-face public hearings until at least after we've met
17 face-to-face. Thank you.

18
19 **CHAIRMAN FRAZER:** Okay. Are there any more comments? Ms.
20 Bosarge.

21
22 **MS. BOSARGE:** I just wanted to bring up one more thing on the
23 idea of whether the public hearings will be in face or via
24 webinar, and I think we need to survey council staff, too. I
25 mean, we're talking about how we feel about it and how the
26 public might feel about it, but are they comfortable going out
27 to these meetings, which means they travel, and they're on the
28 road, and they're in a room, in a place that's not their
29 hometown, and that's how the virus has spread in the past, and
30 we just need to know how they feel too, and I think that's
31 important, to make sure that they are comfortable as well, and
32 obviously not all of them would have to be comfortable, but
33 there would have to be at least enough comfortable that you
34 could have enough staff to carry out the travel portion of this,
35 and so I think that's important, too.

36
37 Then, on a different note, if we're about to leave this section,
38 when the amendment comes back before us again, I would like to
39 see, in the tables, because I assume that almost all of the red
40 grouper recreational catch is out of Florida, and FES and GRFS
41 are pretty much the same age, and FES is a little bit older than
42 GRFS, but not by much, and I would like to see the state data
43 for this species in the amendment, and maybe, to Kevin's point
44 earlier, maybe that will spur the discussion, and we can start
45 to really look at these, when we have numbers in front of us.
46 Thank you.

47
48 **CHAIRMAN FRAZER:** Okay. We have noted that request, and I

1 think, to summarize quickly, we will continue the efforts to try
2 to convene an AP meeting, and we'll work through those
3 challenges, and we will continue to keep our eye on some
4 potential dates for public hearings following that AP meeting,
5 but it's a fluid situation, and we'll keep an eye on what's
6 going on with the pandemic, and we'll also make sure that we're
7 taking care of all the staff in that process, and so I think
8 we're covered on that front, and so, Ms. Guyas, if you want to
9 continue.

10
11 **MS. GUYAS:** Sure thing. Draft Framework Action: Modification of
12 the Gulf of Mexico Lane Snapper Annual Catch Limit, this item
13 was not covered during the committee meeting, due to time
14 constraints, and will be reviewed during the August 2020 council
15 meeting. No other business was brought before the committee.
16 Mr. Chair, this concludes my report, unless I have skipped
17 another section, in which case it doesn't.

18
19 **CHAIRMAN FRAZER:** I think your report has been concluded. Thank
20 you, Ms. Guyas, for working through that. Unless there is any
21 other discussion related to the report, we will take a ten-
22 minute break. I will wait two seconds to look for hands. I am
23 seeing none, and we will reconvene at 2:45.

24
25 **MS. BOSARGE:** Mr. Chairman, are we reconvening to finish up with
26 the discussion on the letter to the states about the
27 calibrations and this year's seasons, or are we moving on to
28 something else after the break?

29
30 **CHAIRMAN FRAZER:** Leann, thank you for reminding me. I
31 certainly forgot about that, and let's sit tight real quick, and
32 let's not take the break, because I did ask Ms. Bosarge to come
33 back with a motion, and, Leann, if you want to make that motion
34 right now, let's do that, if you're okay with it.

35
36 **MS. BOSARGE:** I would make a motion that -- Let me ask Roy a
37 question. Roy, did you say that NMFS would write the letter or
38 that the council would write the letter to the states?

39
40 **DR. CRABTREE:** No, and this is the council. I'm not sure what
41 your motion is, but, no, the council would do that.

42
43 **MS. BOSARGE:** Okay. Then the council will write a letter to the
44 states emphasizing the preliminary calibrations and the high
45 probability of exceeding the recreational quota in the 2020
46 season and ask the states to please consider adjusting their
47 individual state quotas accordingly, based on not only the
48 preliminary calibrations provided at the June council meeting,

1 but also any individual calibrations, state calibrations, in-
2 house. Thank you, Mr. Chair.
3
4 **CHAIRMAN FRAZER:** Ms. Bosarge, are you on the line?
5
6 **MS. BOSARGE:** Yes, sir.
7
8 **CHAIRMAN FRAZER:** I want you to take a quick peek at that motion
9 and make sure that it captures your intent.
10
11 **MS. BOSARGE:** The council will write a letter to the states,
12 emphasizing the preliminary calibration and the high
13 probability, and the resulting high probability, of exceeding
14 the private recreational quota in the 2020 season, and ask the
15 states to consider adjusting their individual state quotas
16 accordingly, based on not only the preliminary calibrations
17 provided at the June 2020 council meeting, but also any state
18 calibrations in-house. Any in-house state calibrations would
19 probably be the best way to say that. That's just me trying to
20 give them a little bit of flexibility, if they have some better
21 information and they think they have a slightly more accurate
22 calibration.
23
24 **CHAIRMAN FRAZER:** Again, I think, if the motion captures your
25 intent, I think, from my perspective anyway, I'm pretty clear on
26 what you want to achieve, and I'm asking you to -- I'm going to
27 take a peek, real quick, at the staff and see if we've got
28 enough direction to write that letter. It looks like we do, and
29 so we have this motion on the board, Leann. If you're happy
30 with it conceptually, and if we can get a second to that motion,
31 that would be great. Mr. Dyskow.
32
33 **MR. DYSKOW:** I actually have a question, and I'm not prepared to
34 second it at this time.
35
36 **CHAIRMAN FRAZER:** Okay, and so go ahead with the question.
37
38 **MR. DYSKOW:** Is it the intent, in what I guess is the second-to-
39 the-last sentence, or perhaps even the last, but are we asking
40 them to consider adjusting their individual state quotas or
41 individual state seasons?
42
43 **MS. BOSARGE:** Mr. Chairman, can I respond?
44
45 **CHAIRMAN FRAZER:** Yes. Go ahead, Ms. Bosarge.
46
47 **MS. BOSARGE:** Phil, thank you for that. The same thing went
48 through my mind as I read it again. **To consider adjusting their**

1 individual state quotas and/or seasons accordingly. Thank you,
2 Phil. If we could add that after "state quotas", the "and/or
3 state seasons".

4
5 **CHAIRMAN FRAZER:** Okay. Ms. Bosarge, are you good with that
6 language?

7
8 **MS. BOSARGE:** Yes. Just leave "accordingly" in there, after
9 "based", or, wherever it was, put it back in.

10
11 **CHAIRMAN FRAZER:** Okay. Again, I just want to make sure that
12 we've got the intent out of the motion captured adequately, so
13 we can prepare the letter, and I'm less concerned about the
14 wordsmithing the language. Is there a second to this motion, as
15 written?

16
17 **MR. SANCHEZ:** I will second it.

18
19 **CHAIRMAN FRAZER:** It's seconded by John Sanchez. Mr. Banks.

20
21 **MR. BANKS:** Thank you, Mr. Chairman. I am not all that opposed
22 to writing a letter asking the states to look at this and
23 further evaluate it, and we certainly are all into evaluating
24 our management actions and the way our seasons are going, but
25 what I have some concern with in this motion is the part of the
26 motion that states "resulting in the high probability of
27 exceeding the quota", and I just don't think that we know that.
28 I mean, it could be a low probability, and it could be no
29 probability.

30
31 Certainly I think anything is possible, but, to state that
32 there's a high probability of something happening, with the
33 information we have as of right now, I just don't think it's
34 accurate, and I am hoping that Leann and John would consider
35 revising that language out of there.

36
37 **CHAIRMAN FRAZER:** Okay. Thank you, Patrick. I'm just going to
38 take a quick look at the highlighted area. The council write a
39 letter to the states emphasizing the preliminary calibrations.
40 Okay. I'm going to go to Dale Diaz, and we'll keep that
41 highlighted for right now, and then Paul Mickle.

42
43 **MR. DIAZ:** Thank you, Mr. Chair. I agree with Patrick. I
44 definitely don't think that would be needed in the motion, and
45 I'm not really sure that a motion is needed anyway. I mean, our
46 state partners are on top of this, and I still think there's a
47 lot of work to be done, and this is a lot of preliminary stuff
48 that's got to be worked through, and it's a heavy lift, and

1 there's a lot to be done, but I'm not sure there's even a need
2 for a letter, but thank you, Mr. Chair.

3

4 **CHAIRMAN FRAZER:** Thank you, Mr. Diaz. Dr. Mickle.

5

6 **DR. MICKLE:** Thanks, Tom. It's difficult to support a motion
7 such as this, because of mostly the language that Patrick
8 identified specifically in it, but, just from a State of
9 Mississippi perspective, from our landings program and the
10 confidence that we have in it and our ability to manage red
11 snapper under 50, and what I believe, and I believe is a
12 scientifically-sound way, where we're doing sustainable harvest
13 on our targeted quota, the fact that we would take into
14 consideration reducing that based on a process that I have not
15 agreed with, and don't understand, and cannot recreate the
16 numbers that have been thrown at me, I'm not supporting this
17 motion.

18

19 **CHAIRMAN FRAZER:** Thank you, Dr. Mickle. Dr. Crabtree.

20

21 **DR. CRABTREE:** Well, just a thought, Leann. You might have more
22 success if you reword it a little bit, to just say, given all of
23 the uncertainty surrounding issues with respect to how to
24 calibrate the state surveys, that you're asking the states to
25 consider being more conservative with the red snapper seasons
26 this year, something along those lines. I mean, in essence, I
27 think that's what your motion is asking, is that the states
28 exercise a more precautionary approach in setting their seasons
29 this year.

30

31 **CHAIRMAN FRAZER:** Ms. Bosarge, do you want to respond?

32

33 **MS. BOSARGE:** Yes, and I'm torn on that, Roy, because I'm just
34 going to put it out there that I don't think that any of the
35 states are going to vote for this motion anyway, no matter what
36 I put in it. In my mind, there is a high probability of
37 exceeding that quota, if you look at the past. What we have to
38 go on is what we have to go on.

39

40 We don't like the numbers, but we seem to have no reservations
41 using those numbers to set ABCs and OFLs, which I also have
42 reservations about, or change allocations, for that matter, in
43 red grouper. We don't like it, but we're doing it. We are
44 using those numbers for that, and so, to say that those aren't
45 the numbers, and that we won't exceed it based on them, that's
46 hard for me to stomach, because it's going to have ramifications
47 for everyone, and so I have to hold people's feet to the fire
48 here.

1
2 We delegated some authority, but we are the ones that are
3 supposed to say when people are out of compliance and things are
4 revoked, and we can see the two-year history in the EFP and how
5 close we got to the OFL Gulf-wide for all sectors, and yet we
6 don't want to say anything to anybody about this season, and I
7 guess I just have to be the turd in the punchbowl. I say leave
8 the verbiage just like it is, and I don't think the states are
9 going to vote for it either way, and so leave it like it is.

10
11 **CHAIRMAN FRAZER:** I appreciate that colorful language, Leann,
12 and I also -- I mean, not to make light of the situation, but
13 can you keep that area highlighted, please? That area is
14 highlighted, and the discussion that we're having right now is
15 exactly why we are pushing so hard on that workshop and to have
16 a discussion with the states and S&T.

17
18 I think there's some value in what Roy had to say here, and, if
19 I can, I might incorporate a compromise here with regard to the
20 language, because I do think you're right that we need -- We
21 have a responsibility, and I continue to say this, to make sure
22 that we make every effort to sustainably manage our fisheries,
23 and there is some considerable uncertainty at this point.

24
25 Perhaps the motion could read: The council write a letter to
26 the states emphasizing the preliminary calibrations, the
27 uncertainty surrounding those calibrations, and the potential
28 consequences on catch rates exceeding the private recreational
29 quota in the 2020 season.

30
31 I have tried to temper the language a little bit, and we'll just
32 leave it right there for right now, Leann, and we would then
33 delete the highlighted area, and, again, this is a letter, if I
34 understand your intent, to compel the agencies of the various
35 states to look at their own information and to make a decision
36 of how they might modify their state seasons in the future, and
37 they are not compelled to do that, but you're alerting them to
38 the potential issue moving forward. Are you okay with that?
39 Would you accept my friendly amendment?

40
41 **MS. BOSARGE:** Thank you, Mr. Chairman, as always. Just I would
42 change that word "on catch rates" to "of the potential
43 consequences of catch rates exceeding the private recreational
44 quota in the 2020 season". Then, if we make that change, I
45 would want to incorporate the language that Roy suggested, where
46 -- No, that's good, because you still have -- We still have the
47 last part, and so that's fine. **Yes, I will take that as a**
48 **friendly amendment.** Thank you, Dr. Frazer.

1
2 **CHAIRMAN FRAZER:** Okay. We can go ahead and delete the yellow
3 highlighted part. John Sanchez, you were the seconder of the
4 motion, and are you okay with that?
5
6 **MR. SANCHEZ:** I'm fine.
7
8 **CHAIRMAN FRAZER:** Okay. Is there further discussion? Ms.
9 Boggs.
10
11 **MS. BOGGS:** Just real quickly, I get the idea of what Leann is
12 trying to do here, and I really appreciate it, and I also kind
13 of see the side of the states, because they don't understand
14 where the calibrations are coming from, and none of us do, and I
15 agree with what you said, Tom, that we'll have more
16 understanding, hopefully, after July.
17
18 I mean, I am going to support this motion, just because it just
19 says that the council is paying attention to what's going on,
20 and we hope that the states will do the same, which I think they
21 will, and I think they're trying to, but it just kind of keeps
22 everyone in check, but I kind of see both sides of the argument
23 here of what we should and what we shouldn't do, but I will
24 support the motion. Thank you.
25
26 **CHAIRMAN FRAZER:** Okay. Thank you, Ms. Boggs. Phil Dyskow.
27
28 **MR. DYSKOW:** Thank you, Mr. Chairman. This may surprise some
29 people, but I want to support this motion as well. We do not
30 want the result of the 2020 season to impact the long-term
31 viability of state management under Amendment 50.
32
33 We know the data, as it exists today, is imperfect, and we know
34 that, over the next few months, we're going to be a lot better
35 on data, and we'll have the results of the Great Red Snapper
36 Count, and we'll have some calibration studies resolved, and so
37 I think it's prudent to ask the states to not disrupt the long-
38 term viability of Amendment 50 and the state management program
39 simply to have a great season in 2020. Let's err on the side of
40 caution in 2020, rather than disrupt the long-term viability of
41 the state management program under Amendment 50.
42
43 **CHAIRMAN FRAZER:** Thank you, Mr. Dyskow. We are going to move
44 on, and so I am going to ask Dr. Simmons to ask for kind of a
45 roll call vote on this one, given the discussion, and so, Dr.
46 Simmons.
47
48 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Do we need

1 to read the motion, or have you already done that?

2
3 **CHAIRMAN FRAZER:** I will read it, real quick. The council write
4 a letter to the states emphasizing the preliminary calibrations
5 and uncertainty surrounding those calibrations and the potential
6 consequences on catch rates exceeding the private recreational
7 quota in the 2020 season. Ask the states to consider adjusting
8 their individual state quotas and/or state seasons accordingly,
9 based on not only the preliminary calibrations provided at the
10 June 2020 council meeting, but also any in-house state
11 calibrations. Dr. Simmons.

12
13 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Dr.
14 Crabtree.

15
16 **DR. CRABTREE:** Yes.

17
18 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Diaz.

19
20 **MR. DIAZ:** No.

21
22 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Williamson.

23
24 **MR. WILLIAMSON:** Let me just say this, that nobody wants to see
25 the private recreational sector go over their quota, but, if we
26 have to write a letter like this to the state agencies empowered
27 with managing this resource after we've asked them to, then this
28 council has made a gross misjudgment, and, for that reason, I'm
29 going to vote no.

30
31 **EXECUTIVE DIRECTOR SIMMONS:** Thank you. Mr. Banks.

32
33 **MR. BANKS:** Yes.

34
35 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Anson.

36
37 **MR. ANSON:** No.

38
39 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Bosarge.

40
41 **MS. BOSARGE:** Yes.

42
43 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Robinson.

44
45 **MR. ROBINSON:** No.

46
47 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Swindell.

48

1 MR. SWINDELL: No.
2
3 EXECUTIVE DIRECTOR SIMMONS: Dr. Stunz.
4
5 DR. STUNZ: No.
6
7 EXECUTIVE DIRECTOR SIMMONS: Mr. Dugas is absent. Dr. Mickle.
8
9 DR. MICKLE: No.
10
11 EXECUTIVE DIRECTOR SIMMONS: Ms. Boggs.
12
13 MS. BOGGS: Yes.
14
15 EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.
16
17 MR. SANCHEZ: Yes.
18
19 EXECUTIVE DIRECTOR SIMMONS: Dr. Shipp.
20
21 DR. SHIPP: No.
22
23 EXECUTIVE DIRECTOR SIMMONS: Mr. Dyskow.
24
25 MR. DYSKOW: Yes.
26
27 EXECUTIVE DIRECTOR SIMMONS: Ms. Guyas.
28
29 MS. GUYAS: Yes.
30
31 EXECUTIVE DIRECTOR SIMMONS: Dr. Frazer.
32
33 CHAIRMAN FRAZER: I vote yes, that I will write the letters.
34
35 EXECUTIVE DIRECTOR SIMMONS: The motion carried eight to seven
36 with one absent.
37
38 CHAIRMAN FRAZER: Okay. I think we are --
39
40 MR. ANSON: Mr. Chair, can you do a recount, please?
41
42 CHAIRMAN FRAZER: Okay. Let's look at a recount. Dr. Simmons.
43 We have done a recount, and I reserved the right to vote in the
44 case of a tie, and so, prior to my vote, the vote was seven for
45 and eight against, and so the motion fails.
46
47 EXECUTIVE DIRECTOR SIMMONS: Sorry. Thank you.
48

1 **CHAIRMAN FRAZER:** Okay. I think we are done, at this point,
2 with the Reef Fish Committee. I thank, again, everybody for
3 their time, and I am going to ask for just a few more minutes of
4 your time, because Mr. Diaz has to leave, and he's still on the
5 line to announce the Law Enforcement Officer or Law Enforcement
6 Team of the Year Award. Mr. Diaz, do you have a minute?
7

8 **ANNOUNCEMENT OF LAW ENFORCEMENT OFFICER/LAW ENFORCEMENT TEAM OF**
9 **THE YEAR AWARD**

10
11 **MR. DIAZ:** I do. Thank you, Mr. Chair. I am very happy to
12 announce the Gulf of Mexico Fishery Management Council's 2019
13 Officer of the Year, and that officer is Sergeant Scott Dupre
14 with the Louisiana Department of Wildlife and Fisheries.
15

16 Sergeant Dupre has been highly praised for his professionalism,
17 interview and investigative skills, and it was noted that
18 Sergeant Dupree always answers calls, even when off-duty. He
19 also relays any information that he receives to other agents in
20 the field, and his work ethic is unmatched, and his drive to
21 apprehend violators is what separates him from his peers. As a
22 field training officer, Sergeant Dupre passes on his knowledge
23 to cadets in training, and it was also noted that he made a case
24 in federal waters related to a skimmer vessel trawling in excess
25 of fifty-five minutes, and that was one thing that really made
26 him stand out in my mind.
27

28 These are extremely tough cases to make, and officers have to
29 stay out there for a long time and keep constant sight on the
30 vessel, and, a lot of times, if it's in open waters, it's tough
31 to make those cases, and he is highly skilled.
32

33 Sergeant Dupre is truly a great asset for protecting the
34 fisheries of the Gulf of Mexico, and we are very proud for him
35 to be the recipient this year. Council staff will be in contact
36 with Mr. Banks and his staff, to set up a time to present this
37 award to Mr. Dupree. Mr. Chairman, that concludes my remarks.
38

39 **CHAIRMAN FRAZER:** Thank you, Mr. Diaz, and congratulations to
40 Sergeant Dupre, and congratulations to the State of Louisiana
41 for this year's award. We are going to take a break. It's
42 3:00, and we are going to reconvene at 3:10.
43

44 (Whereupon, a brief recess was taken.)
45

46 **CHAIRMAN FRAZER:** We are getting everybody back on the line. We
47 are good to go, and so we will just pick back up with the
48 committee reports, and we have one final committee report, and

1 that would be the Administrative Budget Committee Report, and,
2 Mr. Dyskow, if you're ready to go, the floor is yours.

3
4 **ADMINISTRATIVE BUDGET COMMITTEE REPORT**

5
6 **MR. DYSKOW:** Thank you, Tom. I am ready. The committee adopted
7 the agenda as written and approved the minutes of the January
8 2020 meeting as written.

9
10 Discussion of SOPPs: Section 3.0-Council Meetings, the council
11 requested that a discussion of the council's Statement of
12 Organizational Policies and Procedures be placed on the June
13 Council agenda for further discussion to better reflect the
14 importance of in-person meetings.

15
16 Verbiage from the South Atlantic Council's Administrative
17 Handbook was brought up as a potential example. Staff proposed
18 language similar to the South Atlantic Council's Administrative
19 Handbook and offered proposed revision for two sections of the
20 SOPPs. One change was to section 3.0, Council Meetings, and the
21 other change was to Section 3.6, Location. After discussion the
22 committee made the following motion.

23
24 **The committee recommends, and I so move, to make the changes to**
25 **the SOPPs in Sections 3.0 and 3.6 to read: 3.0 Council Meetings,**
26 **the council prefers in-person meetings with the ability to**
27 **freely discuss and exchange information and interact with the**
28 **public. However, health, budgetary, and/or time constraints may**
29 **require virtual participation of a council member when an in-**
30 **person council meeting is held. Therefore, council members must**
31 **be physically present at in-person council meetings in order to**
32 **present a motion or vote, unless approved to do so remotely by a**
33 **majority decision of the Chairman, Vice-Chairman, and Executive**
34 **Director. 3.6 Location, the council meetings will ordinarily be**
35 **held within the five state geographical area. However, if the**
36 **council determines that the best interests of the work of the**
37 **council, its committees, advisory groups or panels, in joint**
38 **management actions with other councils, will be better served by**
39 **having the meeting outside of the five-state area, particularly**
40 **in any of the constituent states affected by a joint management**
41 **plan. Public access will be given primary consideration in**
42 **meeting plans. The Council Chair, with input from staff, will**
43 **select the meeting sites for the council, with the understanding**
44 **that members are given adequate advance notice. The council**
45 **prefers holding in-person meetings. However, national**
46 **emergencies, health pandemics, natural catastrophes, budgetary,**
47 **and time sensitive issues may require the use of remote meeting**
48 **technologies. In these rare cases, the council is prepared to**

1 hold virtual meetings using alternative technologies for
2 committee and council meetings. Members of the public will be
3 given the opportunity to provide written and/or verbal comments
4 during virtual meetings of the Full Council. Mr. Chairman, I
5 believe a motion is required and a vote to authorize these
6 changes.

7
8 **CHAIRMAN FRAZER:** We have a committee motion on the board. Is
9 there any further discussion of the motion? I see John Sanchez
10 has his hand up. Mr. Sanchez.

11
12 **MR. SANCHEZ:** Mr. Chairman, that's for a topic unrelated to
13 this, and so I'm in support of this.

14
15 **CHAIRMAN FRAZER:** Okay. We will come back then to your question
16 after this, or at the end of the report. Is there any further
17 discussion of this motion? **Seeing or hearing none, is there any**
18 **opposition to the motion? Hearing none, the motion passes.** Mr.
19 Dyskow.

20
21 **MR. DYSKOW:** Mr. Chairman, I have one last item on my report,
22 and that item regards extending the terms of the Chair and Vice
23 Chair discussion. A council member brought up a suggestion to
24 the committee about the council policy limiting the Chair and
25 Vice Chair to serve no more than two consecutive terms.

26
27 Given the closures and meeting delays that we have had due to
28 the pandemic situation, that member felt that our current
29 council officers may not have had the opportunity to fully serve
30 the council when their terms expire. This sentiment was echoed
31 by various committee members.

32
33 NOAA General Counsel advised that the council had two paths
34 forward for action. The council could change the SOPPs to allow
35 for the Chair and Vice-Chair to serve more than two consecutive
36 terms or make a one-time exception, due to the extenuating
37 circumstances. The discussion of the committee leaned towards a
38 single instance and not a request a permanent alteration of the
39 SOPPs. The Full Council should decide on the path forward prior
40 to the elections of the Chair and Vice-chair at the August
41 Council meeting. Mr. Chair, this concludes my report.

42
43 **CHAIRMAN FRAZER:** Thank you, Mr. Dyskow. With regard to any
44 other discussion on the committee report, John, I think we'll
45 circle back.

46
47 **MR. SANCHEZ:** Thank you, Mr. Chairman. I was the person
48 referred to, and I thought that the Chair and Vice Chair have

1 done a fantastic job throughout their tenure these almost two
2 years, but, due to COVID, their term, their second-year term,
3 has been cut drastically short, and I also feel that, given
4 their expertise in virtual meetings and in dealing with this
5 pandemic, it might be appropriate, and I would encourage
6 support, to allow the Chair and Vice Chair to be considered for
7 a third term, and I would like to couch this as a one-time
8 unique exception, and I do not want to change the SOPPs, which
9 have a limited two-year term limit, but I do think, given the
10 circumstances that we've experienced in 2020, a one-time
11 extension might be needed, or should be considered, and so I
12 hope I get support for this, because I think they've done a
13 fantastic job. Thank you. Do I need a motion to that extent,
14 Mr. Chairman, or, if it's a one-time exception, can we do it by
15 consensus or what have you?

16
17 **CHAIRMAN FRAZER:** John, I just asked staff to -- It looks like
18 you have prepared a motion, and I will have them put it up on
19 the board. Give me just a second.

20
21 **MR. SANCHEZ:** Okay. If it's not needed, then so be it.

22
23 **CHAIRMAN FRAZER:** Okay, and so it looks like we've got a motion
24 on the board, and let's get the font right. John, if you want
25 to read the motion.

26
27 **MR. SANCHEZ:** Yes, sir. **To allow a temporary exception to the**
28 **Chair and Vice Chair two-year term limit for the upcoming year,**
29 **allowing the Chair and Vice Chair to serve a third term, or to**
30 **be considered for a third term, whatever pleases the council.**

31
32 **CHAIRMAN FRAZER:** Okay. Is there a second for that motion?

33
34 **DR. STUNZ:** I will second that motion, assuming the Chair and
35 Vice Chair want to do that.

36
37 **CHAIRMAN FRAZER:** It's seconded by Greg Stunz. Speaking for
38 myself, I am happy to do anything in service of the council that
39 ensures that things are going well, and I certainly don't want
40 to cause any problems, and it's not my goal to cause any
41 problems at all on the council, and I really like the way that
42 it's operating and the people involved and the nature of the
43 discourse, and so, if anybody at all is concerned about this, or
44 has any opposition, I am certainly happy to walk away from it.

45
46 **MR. DIAZ:** I feel the same way that Tom does. If it's the
47 council's will for me to serve another year in this capacity, I
48 would be willing to do it, but just the will of the council is

1 fine with me, however that shakes out.
2
3 **CHAIRMAN FRAZER:** I see Bob Shipp has his hand up.
4
5 **DR. SHIPP:** I totally concur with John, and I don't want to
6 change the SOPPs, but I think, in these really unusual
7 circumstances, and for continuity, I think that we really ought
8 to keep the team we have in place right now, and so I fully
9 support the motion.
10
11 **CHAIRMAN FRAZER:** Dr. Crabtree.
12
13 **DR. CRABTREE:** I, frankly, always thought it was silly to have
14 the two-year limit in there to begin with. We vote on it every
15 year anyway, and, if the council feels like someone is doing a
16 good job as Chair and wants to keep them on, I really don't
17 understand why we would limit it anyway, but I'm fine with the
18 motion.
19
20 **CHAIRMAN FRAZER:** Ms. Levy.
21
22 **MS. LEVY:** Thanks. You probably all know this already, but just
23 to make clear for the folks listening that you still have to
24 have the nomination and the votes in August, right, and this
25 just allows for that to happen.
26
27 **CHAIRMAN FRAZER:** Okay. Thank you for that point of
28 clarification. Mr. Anson.
29
30 **MR. ANSON:** Again, I thought the two-year window limitation was
31 on there because we have basically three-year terms, and so that
32 person, if they were on their last term, then that would come
33 into play, as far as occupying the Chair or Vice Chair position
34 for the length of time that they have remaining, and so I just
35 thought that it fit in with the three-year time period for their
36 status. Thank you.
37
38 **CHAIRMAN FRAZER:** Thank you, Kevin. John Sanchez.
39
40 **MR. SANCHEZ:** I am absolutely aware and fine with, I guess, come
41 August, we'll be putting up the nominations, but I did want to
42 bring this up at this meeting, rather than at that meeting, so
43 that everybody -- I don't want to catch anybody by surprise with
44 this, since it's an exception, and I wanted to be very
45 transparent and bring it up, and I appreciate everybody's
46 support, and I guess you know that I will be nominating Tom and
47 Dale. Thank you.
48

1 **CHAIRMAN FRAZER:** Thanks, John. Ms. Bosarge.

2
3 **MS. BOSARGE:** Thank you. I just wanted to say that I am
4 definitely in support of that as well, having a temporary
5 exception to extend that term for the Chair and Vice Chair, and,
6 obviously, we still have to have the election and everything,
7 but the fact that you have both commercial and recreational
8 representatives from the council speaking in support of this
9 says a lot about the Chair and Vice Chair that we currently
10 have, and so kudos to you all.

11
12 **CHAIRMAN FRAZER:** Thank you, Leann, and, again, thank you for
13 that confidence. Is there any other discussion of this
14 particular committee's business? Seeing none, I think we're
15 going to continue on with our agenda. Sorry. We've got to vote
16 on that. My bad. Is there any further discussion on that
17 motion? **Seeing none, is there any opposition to the motion?**
18 **Seeing none, the motion carries.**

19
20 I would like to now move on to the Supporting Agencies Updates,
21 and it looks like we have four of those, and we will start off,
22 if we can, with the South Atlantic Council liaison report.

23
24 **SUPPORTING AGENCIES UPDATES**
25 **SOUTH ATLANTIC COUNCIL LIAISON**

26
27 **MR. POLAND:** Thank you. The South Atlantic Council met via
28 webinar last week, and most of our discussion was related to
29 COVID-19 and impacts to the fisheries, based off of various
30 states going to shelter-in-place and that kind of stuff, but we
31 were able to kind of forge ahead on some other items.

32
33 The meeting did start off with a discussion on best fishing
34 practices and council staff's endeavors to roll out as much
35 information as much possible, as much public outreach
36 information as possible, on best fishing practices, and this was
37 a request by the council a few meetings ago to have a
38 presentation and a thorough discussion on the various public
39 outreach documents and programs that not only the council but
40 the states have, as far as descending devices and best fishing
41 practices and what have you, and all this was on the heels of
42 our approval of Regulatory Amendment 29 to the Snapper Grouper
43 Fishery Management Plan.

44
45 Among other things in that amendment, it requires the possession
46 of a descending device for all anglers in the snapper grouper
47 fishery, commercial and recreational, and we did receive word
48 from NOAA Fisheries, at the meeting last week, that the final

1 rule for Regulatory Amendment 29 will be implemented on July 15,
2 and this is about halfway through our red snapper season.

3
4 To segue into red snapper, NOAA Fisheries also announced the red
5 snapper season for the Atlantic, and we will get four days this
6 year, and it starts the weekend of July 10, and so July 10, 11,
7 and 12, and then the following Friday, July 17.

8
9 There was considerable discussion throughout the meeting on red
10 snapper and any actions that the council could take to
11 potentially offer additional days, and there was considerable
12 discussion about requesting emergency action, but, based off of
13 feedback that we received from the agency and discussion around
14 the table, it was pretty obvious that that was kind of outside -
15 - Any additional action on red snapper was kind of outside of
16 what was allowed through the Act, through the Magnuson Act, but
17 we did send a letter to the Secretary, thanking him for the
18 quick turnaround on approval of Regulatory Amendment 29 and just
19 expressed a desire to continue to work through the relevant
20 federal statutes and fishery management process and try to
21 provide additional days of red snapper in the future.

22
23 All throughout our committee meetings, again, we talked about
24 the impacts from COVID-19 related to those specific fisheries,
25 and so coastal migratory pelagics, snapper grouper, and dolphin
26 wahoo, and it seemed like the general theme was that commercial
27 landings were down, and a lot of this was due to disruptions in
28 the supply chain of the commercial sector, as far as restaurants
29 being closed and some retail markets being closed, not only in
30 the region, but outside of the region.

31
32 There were also impacts to the for-hire industry, and a lot of
33 states in the South Atlantic, again, had shelter-in-place
34 executive orders, which basically restricted for-hire
35 operations, and I know, here in North Carolina, for example, we
36 were limited to -- We had to stay six feet apart, like
37 everybody, but you were limited to groups of less than ten when
38 you went out in public, and so that really impacted that
39 industry.

40
41 The states, each state provided some information on just some of
42 the impacts that they observed from COVID-19, and each state
43 provided information on license sales, commercial landings,
44 qualitative information from law enforcement, as far as number
45 of interactions and observations on the water, and it seemed
46 that the general trend was that boating effort, in general, was
47 up during that time, and recreational efforts, just based off of
48 license sales, appear to be up, or kind of unchanged, during the

1 first part of the year, but, looking at license data also, like
2 a lot of that effort, tended to be from state residents, and
3 there was a sharp decline in the sale of out-of-state licenses,
4 and, at least for South Carolina, since they already have a for-
5 hire logbook program, they did provide some information on the
6 impacts to the for-hire industry in South Carolina, and there
7 was a significant decline in trips.

8
9 All of that information fed into the council's discussion on
10 potential emergency actions, and we did pass a motion to request
11 NOAA Fisheries take emergency action to increase the federal
12 recreational bag limit for Atlantic king mackerel to four fish
13 per person per day from the east coast of Florida through the
14 Mid-Atlantic.

15
16 The discussion around the table mostly centered on trying to
17 provide some type of incentive for for-hire operators, and that
18 was to potentially sell more trips, and the council did --
19 Discussions around the table did acknowledge that, at least in
20 the better parts of the region, that increasing from three to
21 four fish may not provide much incentive, but, given the
22 positive results from the stock assessment that we received
23 during this meeting, the council felt that it was a low-
24 risk/high-reward scenario.

25
26 This will increase the bag limit, or potentially increase the
27 bag limit, in part of Florida from two to four, and I know that
28 will create some disparity between the bag limits, king mackerel
29 bag limits, on the west coast of Florida, in the Gulf Council's
30 side, and so certainly I wanted to make sure that the Gulf
31 Council was aware of this request.

32
33 We also requested emergency action to increase the trip limit
34 for vermilion snapper to 1,500 pounds gutted weight, and we
35 manage vermilion snapper in a split season of January to June
36 and July to December, and it appeared that the landings were
37 down compared to previous years.

38
39 This is one of those fisheries that, along with triggerfish,
40 does tend to close at the end of both of those seasons, split
41 seasons, and, this year, it was on track to come in considerably
42 below the ACL, and so we felt like that this would allow
43 commercial fishermen an opportunity, as long as they still have
44 a market to sell these fish, could find a market to sell these
45 fish, a little positive benefit, as far as being able to land a
46 few more b-liners.

47
48 The council also had discussion on a potential emergency action

1 to allow carryover of any unused annual catch limits from 2020
2 into 2021, but the council did not take action through a motion
3 to make that request at this meeting. We felt that we needed to
4 see landings data at the September meeting, and we asked staff
5 to put together an analysis of kind of projected underharvest
6 throughout the rest of the year, before we took action on that,
7 and so that's something that we will be discussing at that
8 September meeting.

9

10 Moving into stock assessments, we received the results from
11 three stock assessments, and I have already mentioned Atlantic
12 king mackerel and that stock assessment results, and Atlantic
13 king mackerel were not overfished and not experiencing
14 overfishing, and we also received ABC recommendations from our
15 SSC, and we also received a stock assessment report and ABC
16 recommendations for greater amberjack, and, like king mackerel,
17 greater amberjack is not overfished, and overfishing is not
18 occurring. The council just took action to instruct staff to
19 begin development of amendments to adjust catch levels and
20 allocations for those two stocks, as needed.

21

22 We also received the red porgy stock assessment, and,
23 unfortunately, nothing has really changed with red porgy, and
24 it's still overfished and undergoing overfishing, and the
25 council did direct staff to begin work on an amendment to
26 address overfishing and a rebuilding plan with that.

27

28 The council also spent a considerable amount of time discussing
29 special management zones relative to a request from North
30 Carolina and South Carolina for thirty-four artificial reefs off
31 those two states, and we received concerns from a number of
32 council members and law enforcement, as well as our Law
33 Enforcement Advisory Panel, and, after considerable debate, the
34 council did decide to approve that action for formal secretarial
35 review.

36

37 In other business, we continued work on two dolphin wahoo
38 amendments, Dolphin Wahoo Amendment 10, and that's the amendment
39 that, at the beginning of the meeting, had fifteen different
40 actions in it, and it was kind of a buffet amendment, as far as
41 different types of actions, and there were actions in the
42 amendment to adjust allocations as well as update ACLs, and
43 there were some actions that we eventually took out at this
44 meeting that would have considered redefining optimum yield for
45 the dolphin and wahoo fishery.

46

47 This amendment also includes actions that would modify
48 accountability measures as well as look at management and gear

1 requirements for the dolphin longline fishery and potential
2 action to adjust the vessel limit for dolphin. This one has
3 been about two years in the making, and it still seems like we
4 have quite a few council meetings to go before we can wrap this
5 one up.

6
7 We also reviewed Amendment 12 to Dolphin Wahoo, and there's one
8 action in Amendment 12, and that is to designate bullet mackerel
9 and frigate mackerel as ecosystem component species in the
10 Dolphin Wahoo Fishery Management Plan, and the council took
11 action to approve this amendment for public hearings, and we are
12 scheduled to take final action on Amendment 12 in September.
13 That is kind of the high notes, and, if anyone has any
14 questions, I will do my best to address them. Thank you.

15
16 **CHAIRMAN FRAZER:** Thank you, Steve, for providing that report
17 and for your stamina in back-to-back virtual meetings. That's
18 impressive, and so thank you for hanging in there until the very
19 end. It looks like we do have a question from Mr. Swindell.

20
21 **MR. SWINDELL:** I appreciate you coming today and giving us all
22 that good and lengthy report about what is going on in the South
23 Atlantic. Thanks a lot. I do have a couple of questions.
24 Cobia, you regulate cobia in recreational fishing by so many
25 fish per vessel, and is that correct?

26
27 **MR. POLAND:** Yes, and so the South Atlantic Council used to
28 manage the Atlantic group, migratory group, of cobia, and the
29 Gulf stock there on the east coast of Florida, and, within the
30 last year or year-and-a-half, we handed management of the
31 Atlantic group off to the Atlantic States Marine Fisheries
32 Commission, but, for both of those stocks, yes, they are managed
33 at a vessel level, a vessel/trip level, for I think both
34 sectors, and I am more familiar with what goes on up here with
35 the Atlantic group, but, yes, there's a two-fish-per-person
36 vessel limit for the commercial sector, and it varies by state
37 now, but a one or two-fish-per-person possession limit for the
38 recreational sector.

39
40 **MR. SWINDELL:** Per person or per vessel?

41
42 **MR. POLAND:** In North Carolina, and I will provide this example,
43 because, again, it is different for each of the Atlantic states,
44 but, in North Carolina, we have a one-per-person bag limit and a
45 no more than two-per-person vessel limit for the recreational
46 sector. Then the commercial limit is tied to the number of
47 crew, and it's two per person, no more than six per commercial
48 operation.

1
2 **MR. SWINDELL:** I'm sorry. I thought somewhere that you had like
3 a two-fish-per-vessel limit, regardless of the number of people
4 you have on the recreational vessel, but evidently that is not
5 the case.
6
7 **MR. POLAND:** That is the case for certain parts of the year, at
8 least here in North Carolina, and I can't -- Off the top of my
9 head, I am not familiar with the other state managements,
10 because, once management transitioned to interstate management,
11 based off of the interstate plan, it allowed flexibility to the
12 states to set their own vessel limits.
13
14 **MR. SWINDELL:** What happens if the vessel is in violation? Who
15 gets the violation? Is it the vessel operator or individual
16 fishermen individually on the boat or what?
17
18 **MR. POLAND:** I am not 100 percent sure. I would have to confer
19 with our law enforcement here, but I would assume it would be
20 the vessel operator, and I think it would also depend on the
21 type of operation, if it's a private vessel or a for-hire
22 vessel.
23
24 **MR. SWINDELL:** I think of a private vessel, and that's why I was
25 wondering just how in the world you manage it. Descending
26 devices, you said they are recommended and not required,
27 necessarily?
28
29 **MR. POLAND:** They are required to have onboard, starting July
30 15, if you're in possession of snapper grouper species in the
31 South Atlantic.
32
33 **MR. SWINDELL:** All right. One more question that I will bother
34 you with is the king mackerel. You increased the king mackerel
35 for the recreational people from two to four, and did you do
36 anything for the commercial side, or has that stayed the same?
37
38 **MR. POLAND:** We didn't do anything for the commercial side.
39 Both sectors stay well below the ACL for that fishery, but the
40 commercial king mackerel fishery -- The peak of that fishery
41 really isn't until the later part of the year, until the fall of
42 the year, and so there really wasn't, per se, a -- There were
43 still landings during this time of the year, but the impact is
44 not that much, and I don't think we really had a discussion on
45 the commercial trip limits for king mackerel, and I don't think
46 it came up during the discussion.
47
48 **MR. SWINDELL:** All right. I thank you, and that's all, Mr.

1 Chairman.

2
3 **CHAIRMAN FRAZER:** Thank you, Mr. Swindell. Bob Shipp had his
4 hand up, but it looks like he's put it down, and I just wanted
5 to make sure that Bob is all taken care of.

6
7 **DR. SHIPP:** Yes, I'm taken care of. I just pushed the wrong
8 button.

9
10 **CHAIRMAN FRAZER:** Okay. No problem, Bob. Thank you. All
11 right. Thank you, Steve, again, for the report. We are going
12 to move on to the NOAA Office of Law Enforcement, and I believe
13 we have Charles Tyre on the line.

14
15 **NOAA OFFICE OF LAW ENFORCEMENT**

16
17 **MR. TYRE:** That's correct. Thank you very much, Mr. Chair.
18 Council members and staff, thank you for your dedication and
19 hard work to our natural resources. It doesn't go unnoticed by
20 many, and so, for those who don't know me, my name is Charles
21 Tyre. I'm a first-time supervisor for NOAA Law Enforcement in
22 the Gulf of Mexico.

23
24 Before I get started on the report, Mr. Chairman, if you would
25 like, I would answer that question on who gets charged, the
26 captain or the owner.

27
28 **CHAIRMAN FRAZER:** I think that would be great if you can do
29 that.

30
31 **MR. TYRE:** Just for everybody's knowledge, unless the captain
32 and the owner are the same person, we issue, law enforcement
33 issues, the citation to both of them, and the legal term is
34 joint and several, and they are both issued the citation
35 together. As long as the citation is taken care of by one or
36 the other, then it has been met, but that's how that happens on
37 our side.

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

40
41 **MR. TYRE:** You're very welcome. This report that you have on
42 the screen has been prepared for the South Atlantic, Gulf of
43 Mexico, and Caribbean Councils, and it's our quarterly report.
44 Because it involves details for other councils, I will be
45 focusing on the parts of the report related to this council. In
46 that regard, if you would turn to page 5, please.

47
48 This page gives statistics and numbers on the number of

1 incidents by law enforcement during this quarter. By the way,
2 this is the second quarter, or Quarter 2, report, which would be
3 January through March. Incidents for NOAA Law Enforcement
4 includes patrols, complaints, investigations, dealer checks, or
5 border import/export seafood checks. Any activity, really, by
6 law enforcement is labeled as an incident, and so, when you see
7 number of incidents, that's the background on what that means.

8
9 In this case, we have a total of 104 incidents from law
10 enforcement, and just to point out that a majority, overwhelming
11 majority, of those were Magnuson-Stevens Act related, and, in
12 fact, fifty-nine of them were Magnuson Act, and you can see the
13 others there as well.

14
15 Of the total of 104, seventy-four of those incidents were
16 referred to us from our U.S. Coast Guard and state partners, and
17 most of these investigations are still ongoing, and some were
18 issued summary settlement offers, and some were forwarded to our
19 General Counsel office, requesting a notice of violation and
20 assessment be issued. Later in this report, we'll go into
21 statistics on the numbers of those.

22
23 Now if you can go to page 10, please. What I would like to do
24 now, starting on page 10, is the highlights, enforcement
25 highlights, and so some highlights of cases we've worked.
26 Obviously, NOAA Law Enforcement works Lacey Act, Magnuson Act,
27 Endangered Species Act, and the Marine Mammal Act, and we also
28 work IUU and PSM, and that's illegal, unregulated, and
29 unreported, and the PSM stands for port state measures.

30
31 Port state measures allows foreign fishing vessels to dock
32 inside the United States under certain conditions, and they do
33 come into the United States sometimes for repairs and sometimes
34 for extreme weather conditions offshore, and sometimes just to
35 fill up with fuel, and this mainly occurs, for us, for this
36 council, mainly this is done in Brownsville, in the Brownsville
37 area.

38
39 One of the highlights here under the illegal, unregulated, and
40 unreported section is EOs, which is enforcement officers, from
41 Galveston and Houston, and an enforcement officer from Georgia
42 worked with these guys, and they completed port state measures
43 boardings on two Mexican shrimp vessels during an operation in
44 south Texas. The officers determined that both vessels were in
45 violation for failing to stow their fishing gear on deck while
46 in U.S. waters. These violations were documented and will be
47 further investigated. That's just one of the highlights, and
48 what I'm going to do is highlight a couple of different cases

1 that they won.

2

3 The last paragraph on that page, a Special Agent from the St.
4 Petersburg office worked with CBP and Florida Fish and Wildlife
5 officers, and they went to the Port of Tampa and conducted
6 examination of seafood containers coming in from other
7 countries, and, in this inspection, they looked at approximately
8 thirty boxes of frozen shrimp, and they did not find any
9 violations.

10

11 The next page, page 11, the second paragraph down, a Special
12 Agent from Miami, Florida requested documentation from a local
13 importer regarding a shipment into the Port Everglades of
14 snapper, several different snapper, and, once we got the
15 documents that were initially not with the product, we found no
16 violations.

17

18 The next paragraph there is NOAA OLE Enforcement personnel
19 conducted a joint IUU border operation with Texas Parks and
20 Wildlife and other federal agencies down at the Brownsville Port
21 of Entry, and we inspected eleven seafood trucks containing
22 different types of seafood, including crab, snapper, grouper,
23 and tuna, and the state did find several state violations and
24 made some state seizures for that, but we did not find any
25 federal violations during that operation.

26

27 Moving to the bottom of the page, under Magnuson-Stevens Act,
28 I'm fairly certain this council has been briefed on this case in
29 the past, but the update on this is that a St. Petersburg,
30 Florida Special Agent attended the sentencing hearing for the
31 defendant in an IFQ fraud cases, and the defendant was sentenced
32 to sixty days in prison and has three years of supervised
33 release for committing mail fraud in the fraudulent scheme to
34 overharvest more than 50,000 pounds of Gulf reef fish, including
35 IFQ species, from the waters off of Florida. He was also
36 ordered to pay a little over \$286,000 in forfeiture and a little
37 over \$5,600 in restitution to National Marine Fisheries Service
38 for cost recovery fees.

39

40 In this case, the individual was the fisherman and the dealer,
41 and so that's why it doesn't show that a dealer was also
42 charged. The dealer was charged, and it was the same person.
43 This was a long-term undercover case by NOAA Law Enforcement.

44

45 On the next page, page 12, under the heading of Endangered
46 Species Act, during this quarter, two defendants, in an ongoing
47 Endangered Species Act case, which involved the killing and
48 mutilating of two green sea turtles, the two individuals pled

1 guilty to criminal charges in the Southern District of Texas,
2 and they were -- They had to serve twelve months of supervised
3 probation, and they were issued \$500 fines by the judge. That
4 was a joint effort also by NOAA Law Enforcement and Texas Parks
5 and Wildlife law enforcement officers. It was a really good
6 effort by both agencies.

7
8 At the bottom of the page, an enforcement officer from
9 Galveston, Texas was going offshore to patrol the Flower Garden
10 Banks National Marine Sanctuary, and he was onboard a U.S. Coast
11 Guard cutter. On the way to the Flower Garden Banks, he boarded
12 several shrimp boats and checked the TEDs on the shrimp boat,
13 and the violations on the first vessel consisted of possession
14 of out-of-season red snapper, possession of a shark that was not
15 intact, an illegal TED that was sewn closed, and the bar spacing
16 on the TED was also illegal, or not within the regulations.

17
18 On page 13, the second vessel that was boarded that day had
19 possession of out-of-season red snapper, and, again, TED bars
20 that were not within regulation, and the TEDs were not within
21 regulations, and there were multiple violations on the TED,
22 making it an illegal TED.

23
24 The third vessel, while they were in route to the Flower Garden
25 Banks, to try and do a patrol out there, had two TEDs that were
26 illegal, because the flap on the TED was sewn down the side,
27 over six inches, which is the maximum required by federal law.

28
29 An enforcement officer from Houma, Louisiana conducted a two-day
30 patrol onboard a Coast Guard cutter in Louisiana, and, during
31 the patrol, the officer and the Coast Guard boarding officer
32 boarded three shrimp vessels in federal waters. The first
33 vessel was found with illegal TEDs and possession of four shark
34 fins that were hidden inside the vessel's freezer. They were
35 purposefully hidden, and they were doing their best to keep us
36 from finding the shark fins.

37
38 The second shrimp vessel was found with illegal TEDs with the
39 angles -- As you can see in the report, there were multiple,
40 again, TED violations, which made the TED inoperable. The third
41 shrimp vessel was found to have documented exceeding the double-
42 cover flap on two of the four TEDs, one on port and one on
43 starboard.

44
45 At the bottom of this page, under compliance assistance, just to
46 point out that not only does NOAA Law Enforcement conduct
47 boardings and inspections and check fishing gear, et cetera, but
48 we are also tasked with compliance assistance and outreach to

1 the industry and education to the industry, and so one example
2 of that from this quarter is that an enforcement officer from
3 Mobile, from Alabama and Louisiana, provided training to the
4 U.S. Coast Guard, and they discussed federal permits, VMS, case
5 package preparation, and the notification process for seizures.
6 They also discussed the current fishery trends in the Gulf of
7 Mexico.

8
9 On page 14, a Special Agent and an Enforcement Officer from
10 Galveston conducted a Marine Mammal Protection Act patrol, in
11 Sabine, Texas, and they provided TED outreach to the commercial
12 shrimp fleet captains, and, in this case, they went to the dock,
13 and they provided outreach to all the shrimp boats that were on
14 the dock, to the captains that were there. They also, during
15 that trip, met with the Coast Guard and provided case package
16 training to the Coast Guard.

17
18 An enforcement officer from Galveston, Texas conducted joint
19 one-way patrols with Coast Guard and the Matagorda County, or
20 the local county, Sheriff's Office and other federal law
21 enforcement agencies. An enforcement officer provided on-the-
22 job training to the Coast Guard and outreach and education to
23 the other agencies. During their patrol, they did not find any
24 violations.

25
26 We also have an investigative support team in St. Petersburg,
27 Florida, and the investigative support technician, or IST,
28 presented at the Marine Resource Education Programs, or MREP,
29 Southeast Fisheries Science workshop. The Office of Law
30 Enforcement's mission and division-specific issues were
31 presented, along with VMS program capabilities. Industry
32 participants had numerous questions regarding upcoming program
33 requirements, basically with SEFHIER, but with the whole
34 charter/headboat fleet, and how enforcement would be addressing
35 our part of that program.

36
37 The next section, under Headlines, all of these links to
38 articles involve one case and one company, and you will see,
39 within the links, the name of the company is Indian Ridge
40 Seafood, and it's based out of Louisiana, and this is an ongoing
41 Lacey Act investigation involving the illegal harvest and sale
42 in interstate commerce of oysters, and this company has been
43 charged federally, in federal court. We would have more
44 information, but, due to COVID-19, all the courts in Louisiana
45 have been shut down, and so we have not been able to have a
46 court date for this individual yet, but it appears, in July,
47 we'll get that court date.

1 Now, if we can go to page 16, this is where I will highlight --
2 I mentioned earlier that we had I believe it was 104 incidents
3 in the Gulf of Mexico, and these next few pages are the
4 statistics on the outcomes of these cases, and I definitely am
5 not going to read each one, but, just to give you an idea, there
6 were sixty summary settlements issued during this quarter, and
7 they ranged from \$3,000 to down to \$100, and they ranged from
8 the -- The violations ranged from TED violations to no permit
9 violations, undersized fish, catch share program violations, bag
10 limit violations, chartering without a permit violation, and
11 bycatch reduction device violations, and so the numbers are
12 there for any of you guys to review, but that's an example of
13 our summary settlements for this Quarter 2.

14
15 If you can go to page 20, page 20 is our Investigative Support
16 Program, and we track the number of incidents that the
17 investigative support team, or the technicians, help us with,
18 and the thing that this team found, the violations ranged from
19 fishing in a closed area -- This team really monitors the VMS
20 and looks at the VMS and where the boats are operating, and so
21 they see a lot of closed area cases and improper use of gear,
22 and they see a lot of failure to comply with reporting, like a
23 logbook, and they can see that a vessel is fishing, and then,
24 the time after that, the weeks to follow, they can see that
25 there was not a logbook presented, or submitted, for that
26 fishing activity that they had seen occur on the VMS.

27
28 The Investigative Support Program has been working closely with
29 NOAA Southeast Regional Office staff regarding the new for-hire
30 reporting amendment, and we've talked -- This council has
31 discussed that at-length during this meeting this week, and I'm
32 just pointing out that we have an investigative support team
33 that is working with them to make sure that, on the law
34 enforcement side, we're ready for that.

35
36 On page 21, our observer program highlights, I wanted to
37 highlight that, during this quarter, the Southeast Division
38 Observer Program deployed observers on forty-five trips, for a
39 total of 434 sea days, and approximately 98 percent of all
40 selected trips were completed without an enforcement-related
41 enforcement incident, which was excellent.

42
43 There were twenty-seven fishery violations, and these observer
44 programs being deployed are for multiple fishery programs. It's
45 the Gulf of Mexico shrimp program, the Panama City gillnet
46 program, the Panama City bottom longline program, and the Panama
47 City reef fish vertical line program. I just wanted to
48 highlight there the numbers there that the Office of Law

1 Enforcement has been working on.

2

3 On the next page, 22, eleven cases were referred to either
4 General Counsel for civil assessment or directly to the United
5 States Attorney's Office for criminal prosecution during this
6 quarter, and these ranged from TED or bycatch reduction
7 requirement violations, or closed area violations, prohibited
8 shark violations, closure violations, failure to keep fish
9 intact violations, and also engaging in charters without
10 required permits.

11

12 This would conclude my report from the Office of Law
13 Enforcement, from NOAA's Office of Law Enforcement, and I would
14 be glad -- I didn't want to just read everything, obviously, and
15 so I will open it up to do my best to answer any questions you
16 guys have.

17

18 **CHAIRMAN FRAZER:** All right. Thank you, Charles. Again, I
19 think I speak for everybody on the council when I say that we
20 have a great deal of respect for our federal law enforcement
21 officers, and their state partners as well, and so we continue
22 to do a great job, and I just wanted to let you know that. I am
23 looking around to see if there are any hands up. It looks like
24 there are none, and so, Charles, you're free to go. Thank you
25 for that presentation.

26

27 **MR. TYRE:** You are very welcome.

28

29 **CHAIRMAN FRAZER:** Okay. Next on the list would be Dave
30 Donaldson and the Gulf States Marine Fisheries Commission.

31

32 **GULF STATES MARINE FISHERIES COMMISSION**

33

34 **MR. DONALDSON:** Thank you, Mr. Chairman. I appreciate the
35 opportunity to talk to the council, and I've got a couple of
36 issues that I want to brief you all on. The commission has been
37 working with the NOAA Restoration Center to coordinate Damage
38 Assessment Remediation and Restoration Program, DARRP, projects
39 in the Gulf of Mexico. We've been working with Jamie Reinhart
40 and his folks, and we're in the process of establishing a
41 cooperative agreement that hopefully will be completed later
42 this summer.

43

44 As part of the program, it's establishment of a program
45 management team to provide guidance on the projects, and
46 agencies on that team include SERO, the Restoration Center, S&T,
47 and the Science Center, the commissions, the Gulf Council, Sea
48 Grant, and other pertinent agencies.

1
2 The first project that we're focusing on under this program has
3 to do with the reduction of post-release mortality from
4 barotrauma in the Gulf of Mexico reef fish recreational
5 fisheries, utilizing descending devices. The duration of the
6 project is scheduled to be about seven years, and total funding
7 is about \$30 million.

8
9 The commission is going to be involved in is about \$10 million,
10 and it includes administrative oversight of Gulf-wide attitudes,
11 an opinion survey about descending devices and a validation
12 survey to test the effectiveness of these tools, monitoring
13 efforts to assess the use and restoration impact of the tools,
14 and an observer program for headboats and charter boats, to
15 monitor the effectiveness of the tools.

16
17 The PMP will be exploring the possibility of working with the
18 state agencies to address the monitoring and observer programs,
19 and hopefully we'll have some more information later in the
20 year.

21
22 The other issue has to do with something that Dr. Porch sent out
23 about the cancellation of the summer trawl survey on the Oregon
24 II, due to the COVID and the restrictions of the pandemic, which
25 is unfortunate, but I do have some good news. As part of the
26 SEAMAP program, the states will be -- Louisiana, Mississippi,
27 Alabama, and Florida will still be doing some sampling.

28
29 It will only be east of the Mississippi River, from Stat Zones 2
30 to 11, and only in July, and we'll only be sampling about 150
31 stations, which is about half of the normal sampling level, and
32 so it's going to be a reduced geographic and temporal scope, and
33 the total number of stations, but at least we will be getting
34 some information, which is good news.

35
36 The last thing that I've got to say is I just wanted to thank
37 the council staff for all their hard work, and these meetings
38 are difficult in the best of times, and, through doing it
39 virtually, it just adds another level of complexity and
40 difficulty, and I think it's been a fairly successful meeting,
41 and I just wanted to relay my thanks and appreciation for all
42 their hard work, and so, with that, I will answer any questions.

43
44 **CHAIRMAN FRAZER:** Thanks, Dave, and thanks for the shout-out to
45 the staff, and it's really good to hear that the states are
46 picking up some of the sampling for the SEAMAP program. Every
47 little bit will help, and so it looks like we have a question
48 from Susan Boggs.

1
2 **MS. BOGGS:** The descending devices and the comments that you
3 made about observers, is that going to be voluntary or
4 mandatory?
5

6 **MR. DONALDSON:** That's later down the road, in probably year-six
7 or seven, and so we're not really sure, and I don't think that
8 it's going to be mandatory, but I don't know. We're still
9 working on the details, and, like I said, we just started to get
10 the agreement, the funding agreement, in place, and those
11 details are still to be determined.
12

13 **CHAIRMAN FRAZER:** Okay. Do we have any other questions for
14 Dave? Seeing none, Dave, thanks for that report and all the
15 updates. We appreciate it. Next on the list would be the U.S.
16 Coast Guard, and we've got Lieutenant Giancola.
17

18 **U.S. COAST GUARD**

19

20 **LT. GIANCOLA:** Good afternoon, Mr. Chairman and council members.
21 As you know, I relieved Lieutenant Mark Zanowicz in the spring,
22 and, during his last brief, he provided the council with an
23 update where he mentioned that Mexican lanchas were being
24 interdicted for illegal, unreported, and unregulated fishing at
25 an increased rate. I can report to you now that the trend has
26 continued, and we have had over 100 interdictions thus far this
27 fiscal year, and that's the most ever reported during a single
28 fiscal year that we have on record.
29

30 However, I would like to note that the Coast Guard and its
31 partners had to take certain precautions while working within
32 the COVID-19 environment that has reduced our overall
33 effectiveness during that time. That being said, as our
34 enforcement posture has returned to a more normal state, as of
35 recently, and along with the hotter months, where IUU fishing is
36 traditionally down, interdictions have trended downward
37 drastically so far over the past four weeks, and we've actually
38 had no interdictions thus far this month. We expect that trend
39 to continue through the end of the fiscal year.
40

41 As far as domestic fishing enforcement goes on the U.S. fleet,
42 the COVID environment, again, created a reduction in overall
43 boardings, and I think that also aligns with the reduction we
44 saw in the fishing fleet being out there on the water, but, as
45 we see here, in the summer, things start to pick back up, and we
46 should see an increase in boardings over the course of the
47 summer.
48

1 Finally, the last update is these are our new fast-response
2 cutters, FRCs, and, during the last council meeting, we had two
3 currently working within the Gulf, and we are now up to four,
4 and we commissioned our fourth one just about two weeks ago, and
5 then we have our fifth and final one coming online next month,
6 and that should help us tremendously moving forward within doing
7 our domestic boardings as well as combating the Mexican lancha
8 threat on the maritime boundary line. This concludes my update
9 for the Coast Guard, pending any questions.

10
11 **CHAIRMAN FRAZER:** Okay. Do we have any questions for Lieutenant
12 Giancola? Seeing none, thank you, Lieutenant Giancola for the
13 updates. We appreciate it.

14
15 **LT. GIANCOLA:** Thank you, Mr. Chairman.

16
17 **OTHER BUSINESS**
18 **DISCUSSION OF SOMETHING'S FISHY TOOL**

19
20 **CHAIRMAN FRAZER:** Okay, and so we've got a couple of Other
21 Business items to go. The first one on the list is the
22 promotion of the council's Something's Fishy tool and Ms.
23 Muehlstein.

24
25 **MS. MUEHLSTEIN:** Thank you, Mr. Chair. I just wanted to mention
26 that we are continuing to collect our stakeholder wisdom on each
27 species through our Something's Fishy tool prior to each stock
28 assessment. We have done a number of them recently, and I know
29 that you guys sort of haven't seen those, because they go
30 straight from our office to the Science Center, and we have been
31 working really hard to improve our analysis, and we've had some
32 feedback from the analysts at the Southeast Fisheries Science
33 Center on the utility of the tool, especially as it pertains to
34 the yield projections that come out of the assessment.

35
36 Here's where I need your help. The success of our tool is
37 strongly dependent on the amount of feedback that we receive
38 from our anglers. In the instances when the other state
39 agencies, such as FWC and Louisiana Department of Wildlife
40 Fisheries, have cross-promoted and amplified our ask for
41 responses to the tool, we have had incredible response rates,
42 and I know those anglers really trust their state agencies, and,
43 in knowing that adding angler perspectives into the assessment
44 is important to the council and the state agencies alike, I
45 would just really like to request your help.

46
47 If you see us promoting a tool, if you can have your state
48 agency amplify our request, by asking for comments to the tool,

1 it would be really, really helpful, and, just as a heads-up, we
2 will be producing one for gag pretty soon, and I so I suspect,
3 Martha, that that will be mostly relevant for FWC, but it's
4 becoming a very successful effort, and it can only be made more
5 successful with your help, and so thank you.

6
7 **CHAIRMAN FRAZER:** Thank you, Ms. Muehlstein, and so we have a
8 question from Leann Bosarge.

9
10 **MS. BOSARGE:** Thank you. Emily, I'm excited to hear that it's
11 successful, and I love that it's even more successful when it's
12 promoted by the states before an assessment, and I think it's
13 great, and it was obviously extremely useful, I found, with the
14 red grouper assessment. I just wanted to make sure that we look
15 at that assessment schedule for HMS as well and do our part to
16 push that out for some of those more frequently encountered
17 species that they might be assessing.

18
19 They mentioned that they have been hearing about interactions
20 with sharks and people having problems and this and that, but
21 they don't really have a way to quantify that, and so I really
22 want to make sure that we follow-up on that and push it out
23 before those shark assessments, for sure. Thanks, Emily.

24
25 **CHAIRMAN FRAZER:** Thank you, Leann, for those comments. Do we
26 have any additional questions for Emily at this time? Okay.
27 Seeing none, thank you, Ms. Muehlstein. The next order of other
28 business, I guess, for other business items would be Ms. Guyas,
29 who would like to discuss flounder.

30
31 **FLOUNDER DISCUSSION**

32
33 **MS. GUYAS:** Thanks, Mr. Chair. I will be quick. FWC sent a
34 letter to the council on June 2, and I just wanted to flag that
35 for everybody. We recently have been looking at flounder off of
36 Florida, and we've been seeing declining trends, which I think
37 is similar to what some of the other Gulf states and Atlantic
38 states have been seeing, and so our agency is going to be
39 looking at making some changes to regulations for flounder.

40
41 I think it's going to be on our schedule for our July meeting,
42 and one of those changes will be potentially extending our state
43 regulations into federal waters, and so we sent a letter to both
44 the Gulf and South Atlantic Councils, just to confirm that the
45 councils do not have imminent plans to consider managing
46 flounder in federal waters.

47
48 We've talked about this with other species before, and I don't

1 think the council needs to take any action here unless the
2 council is going to start managing flounder soon, but I'm just
3 putting that out there as an FYI, and also just to fishermen who
4 may be interested in this issue and might want to sit into that
5 meeting or contact us with their feedback. Thanks.

6
7 **CHAIRMAN FRAZER:** Thank you, Martha, again, and I think
8 everybody received that letter that was sent in June, and we're
9 just glad to know that it's on everybody's radar and keeping us
10 up-to-date on that issue, and so thank you for that. Are there
11 any questions for Martha? Leann.

12
13 **MS. BOSARGE:** Just real quick, Martha, what are your current
14 commercial regulations on flounder?

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

17
18 **MS. GUYAS:** I am looking to pull those up right now, and so, for
19 commercial, they would need to have a saltwater products license
20 and restricted species endorsement. There is no trip limit when
21 using an allowable gear, and there is an incidental bycatch
22 limit of fifty pounds, but we are potentially looking at
23 changing regulations. The commission hasn't talked about it
24 yet, and so what comes out the other side -- I can certainly
25 update you all in August of whatever the draft will end up
26 being, assuming they approve one, and then I guess the soonest
27 we would have a final rule would be -- I think our next meeting
28 is in October, if they decide to move forward with consideration
29 of a final rule.

30
31 **MS. BOSARGE:** Just a quick follow-up, Mr. Chairman. As you step
32 out into federal waters, I'm thinking about incidental catch and
33 that fifty-pound limit. As you step out into federal waters,
34 you deal with boats that tend to stay out for longer periods of
35 time, and, the longer the trip, obviously, the more effort went
36 into it, and so you may have a higher level of incidental catch
37 that you would be retaining for that, and it may want to be
38 something that you consider as you extend these regulations out
39 200 miles, and it may be a different type of fishing that you're
40 incurring there, that you're interacting with there. Thanks.

41
42 **MS. GUYAS:** Thanks, Leann.

43
44 **CHAIRMAN FRAZER:** Martha, it would be good, at the August
45 meeting, if you can provide us with any updates from your end.
46 Okay. Are there any other questions for Martha at this time?
47 Seeing none, I'm going to ask if there are any other business
48 items that we need to consider here.

1
2 **MS. BOSARGE:** Mr. Chairman, I had one final thing for Other
3 Business, if I can.

4
5 **CHAIRMAN FRAZER:** Go ahead, Leann.

6
7 **MS. BOSARGE:** Well, first off, here's the latest edition, since
8 you all have been around for the birth of all three of my
9 children, and I wanted to show the council family my latest-and-
10 greatest child, but then, on a more serious note, I was
11 wondering, Mr. Chairman, at an upcoming meeting, is it possible
12 for us to maybe get an oceanography update on the Gulf of Mexico
13 and what are the latest trends, and we haven't had that in a
14 while.

15
16 Specifically, I'm thinking about I want the latest in what we're
17 seeing in changes in current and ocean temperatures, or Gulf
18 temperatures, I guess I should say, and maybe some pH levels and
19 things like that, and I figure that's all kind of in the
20 oceanography realm, and so that's important to keeping our
21 fisheries sustainable and understanding of that, because that
22 informs changes that we may see, and we always want to remain
23 sustainable, and so, maybe in the upcoming Sustainable Fisheries
24 Committee, when we can, if we could just have a little
25 presentation on that by whoever you see as appropriate, and
26 Mandy Karnauskas came to my mind, but there may be others.
27 Thank you.

28
29 **CHAIRMAN FRAZER:** No problem. First of all, you made me smile
30 with your latest edition to the family, and so congratulations
31 again, and I hope you all are doing well. With regard to the
32 request for a science-type of a presentation, I can certainly
33 work with Carrie and the staff here to provide an appropriate
34 speaker, and we'll try to get that on the agenda for some time
35 in August, and so no problem. Are there any other business
36 items that need to come before the council?

37
38 Hearing none, this concludes the council meeting for this week.
39 Again, I just want to thank everybody for their incredible
40 patience, and I think, like many of you have said, I believe the
41 staff did a really good job keeping this all together, and so
42 thanks to everybody, and I will see you in August.

43
44 (Whereupon, the meeting adjourned on June 18, 2020.)

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