

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

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

8 WEBINAR
9

10 June 3, 2021
11

12 **WORKGROUP MEMBERS**

13 Kevin Anson.....GMFMC
14 Susan Boggs.....GMFMC
15 Tom Frazer.....GMFMC
16 Martha Guyas.....GMFMC
17 Chris Schieble.....GMFMC
18 Troy Williamson.....GMFMC
19 Mel Bell.....SAFMC
20 Chester Brewer.....SAFMC
21 Jessica McCawley.....SAFMC
22 Steve Poland.....SAFMC
23 Spud Woodward.....SAFMC
24

25 **COUNCIL STAFF**

26 Myra Brouwer.....SAFMC
27 John Carmichael.....SAFMC
28 Chip Collier.....SAFMC
29 John Froeschke.....GMFMC
30 Ryan Rindone.....GMFMC
31 Carrie Simmons.....GMFMC
32

33 **OTHER PARTICIPANTS**

34 Richard Cody.....NMFS
35 Russ Dunn.....NMFS
36

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TABLE OF CONTENTS

1
2
3 Table of Contents.....2
4
5 Introductions and Adoption of Agenda.....3
6
7 Approval of the Minutes: September 10, 2020 Webinar.....3
8
9 Scope of Work.....5
10
11 Brief: NMFS Allocation and Use of \$3.5 Million Budgeted for the
12 Modern Fish Act of 2018.....6
13
14 Discussion: Flexibility Under the Magnuson-Stevens Act for
15 Alternative Management Approaches.....13
16
17 Discussion: Recommendations to the Councils on Alternative
18 Recreational Management Approaches.....25
19
20 Public Comment.....39
21
22 Other Business.....39
23
24 Adjournment.....41
25

1 The Joint Workgroup for Section 102 of the Modernizing
2 Recreational Fisheries Management Act of 2018 of the Gulf of
3 Mexico Fishery Management Council and the South Atlantic Fishery
4 Management Council convened via webinar on Thursday, June 3,
5 2021, and was called to order by Mr. Steve Poland.

6
7 **INTRODUCTIONS AND ADOPTION OF AGENDA**
8 **APPROVAL OF THE MINUTES: SEPTEMBER 10, 2020 WEBINAR**
9

10 **CHAIRMAN STEVE POLAND:** My name is Steve Poland, Chair of the
11 Joint Meeting of the Gulf Council and South Atlantic Council.
12 We appreciate everyone's attendance on this webinar and input at
13 this meeting.

14
15 Notice of this meeting was provided to the Federal Register and
16 sent via email to subscribers of the councils' press release
17 email lists, and it was posted on the council's website.
18 Today's meeting will include the following topics: Adoption of
19 the Agenda and Approval of the Minutes from the September 10,
20 2020 Meeting, a review of the scope of work, a brief on National
21 Marine Fisheries Services' Allocation and Use of \$3.5 Million
22 Budgeted for the Modern Fish Act of 2018, Discussion of
23 Flexibility Under the Magnuson-Stevens Act for Alternative
24 Recreational Management Approaches, Discussion of
25 Recommendations to the Councils on Alternative Recreational
26 Management Approaches, Public Comment, and any other business.

27
28 This webinar is open to the public, and it is being streamed
29 live and recorded. A summary and verbatim minutes of the
30 meeting will be produced and made available via the Gulf
31 Council's website. For the purposes of voice identification,
32 and to ensure that you are able to mute and unmute your line,
33 please identify yourself by stating your full name when your
34 name is called for attendance.

35
36 Once you have identified yourself, please re-mute your line.
37 Please remember to identify yourself before speaking during the
38 meeting and to also re-mute your line each time you finish
39 speaking. Thank you, and now Bernie will take attendance.

40
41 **MS. BERNADINE ROY:** Kevin Anson.

42
43 **MR. KEVIN ANSON:** Kevin Anson.

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

46
47 **MS. SUSAN BOGGS:** Here.
48

1 **MS. ROY:** Tom Frazer.
2
3 **DR. TOM FRAZER:** Tom Frazer.
4
5 **MS. ROY:** Martha Guyas.
6
7 **MS. MARTHA GUYAS:** Martha Guyas.
8
9 **MS. ROY:** Chris Schieble.
10
11 **MR. CHRIS SCHIEBLE:** Chris Schieble.
12
13 **MS. ROY:** Troy Williamson.
14
15 **MR. TROY WILLIAMSON:** Troy Williamson.
16
17 **MS. ROY:** Mel Bell.
18
19 **MR. MEL BELL:** Mel Bell.
20
21 **MS. ROY:** Chester Brewer.
22
23 **MR. CHESTER BREWER:** Chester Brewer.
24
25 **MS. ROY:** Jessica McCawley.
26
27 **MS. JESSICA MCCAWLEY:** Jessica McCawley.
28
29 **MS. ROY:** Steve Poland.
30
31 **CHAIRMAN POLAND:** Steve Poland.
32
33 **MS. ROY:** Spud Woodward.
34
35 **MR. SPUD WOODWARD:** Spud Woodward.
36
37 **MS. ROY:** Thank you. Now I will move on to Gulf Council and
38 South Atlantic staff. Myra Brouwer. I don't believe she's on.
39 John Carmichael.
40
41 **MR. JOHN CARMICHAEL:** John Carmichael.
42
43 **MS. ROY:** Chip Collier.
44
45 **DR. CHIP COLLIER:** Chip Collier.
46
47 **MS. ROY:** John Froeschke.
48

1 **DR. JOHN FROESCHKE:** John Froeschke.
2
3 **MS. ROY:** Ryan Rindone.
4
5 **MR. RYAN RINDONE:** Ryan Rindone.
6
7 **MS. ROY:** Carrie Simmons.
8
9 **DR. CARRIE SIMMONS:** Carrie Simmons.
10
11 **MS. ROY:** Okay. Thank you. Now the presenters. Richard Cody.
12
13 **DR. RICHARD CODY:** Richard Cody.
14
15 **MS. ROY:** Russell Dunn.
16
17 **MR. RUSSELL DUNN:** Yes, I'm here. Thanks.
18
19 **MS. ROY:** Thank you. Okay. You may proceed.
20
21 **CHAIRMAN POLAND:** All right. Thank you, Bernie. If everyone
22 will turn their attention to the agenda, the first order of
23 business is Introductions and Adoption of the Agenda. I don't
24 see a need to go through the introductions, since we just did a
25 roll call, and this is our third meeting of the workgroup, and
26 so we'll move on to Adoption of the Agenda. Are there any
27 modification to the agenda as presented before us? Hearing
28 none, is there any opposition to approval of the agenda as
29 presented? Hearing none, the agenda stands approved.
30
31 Next, we'll move on to Approval of the Minutes from the
32 September 10, 2020 Webinar. Are there any suggested edits or
33 modifications to those minutes? Hearing none, is there any
34 opposition to approval of those minutes? Hearing none, those
35 minutes stand approved. Next, we'll turn it over to Mr. Rindone
36 to review the Scope of Work. Whenever you're ready, Ryan.

37 38 **SCOPE OF WORK**

39
40 **MR. RINDONE:** Can do. Bernie, can you pull that up? All right,
41 folks, and so we're going to start with a brief from Dr. Richard
42 Cody on NMFS Allocation and Use of the Budgeted three-and-a-half
43 million dollars for the Modern Fish Act, and this was allocated
44 to NMFS to help address the act, and so you guys can ask Dr.
45 Cody questions, as appropriate.
46

47 Then, next, we'll have a presentation by Mr. Russ Dunn, who is
48 the National Policy Advisor for Recreational Fisheries for NMFS,

1 and Russ is going to talk to you guys about the flexibility
2 afforded to the councils under Magnuson, and we're looking at
3 some of these alternative management approaches for recreational
4 fisheries, and some of these we've talked about already, and
5 some of the councils have either already implemented or
6 discussed it in the past, and you guys should ask Mr. Dunn
7 questions about the information that he has presented, as
8 appropriate.

9
10 Then we'll tie it all together on Number VI, where we're going
11 to talk about recommendations to the councils from this
12 workgroup, and I will throw a couple of things out there on a
13 whiteboard for you guys to poke at, and I would encourage you to
14 do the same, but we'll try and see if we can come up with a few
15 things that this workgroup can recommend to the councils for
16 consideration for future alternative approaches to managing
17 certain species. Then we'll take some public comment, if
18 there's any to be taken, and then any items for other business,
19 which right now we don't have any. Mr. Poland.

20
21 **CHAIRMAN POLAND:** Thank you for that, Ryan. Any questions for
22 Ryan on the scope of work? Will there be a sticky pad or a
23 Google Doc with hands raised?

24
25 **MS. ROY:** Yes, I will do that.

26
27 **CHAIRMAN POLAND:** Okay. Thanks. All right. Thank you for
28 that, Ryan. Next, we'll move into discussion, or a
29 presentation, from Dr. Richard Cody from the Office of Science
30 and Statistics, on the allocation and use of three-and-a-half
31 million dollars that have been budgeted for the Modern Fish Act.
32 Whenever you're ready, Dr. Cody, you can take it away.

33
34 **BRIEF: NMFS ALLOCATION AND USE OF \$3.5 MILLION BUDGETED FOR THE**
35 **MODERN FISH ACT OF 2018**

36
37 **DR. CODY:** Thank you. I will focus today on the three-and-a-
38 half million that was budgeted for the Modern Fish Act that was
39 distributed through the Office of Science and Technology, and
40 it's worth noting that this started out as a \$3 million
41 distribution and increased to \$3.5 in the last year, and so I
42 want to make the point, from the beginning, that Congress did
43 not appropriate additional funds for this directive. Instead,
44 NOAA Fisheries was directed to distribute funds to this and
45 other specified programs within funds available.

46
47 This is a very short presentation, and so we'll have, I think,
48 plenty of time for questions, and the congressional

1 appropriation, as I mentioned, was to be allocated from existing
2 agency funds, and it's largely driven by constituent interest in
3 implementation of the Modern Fish Act provisions, and namely
4 improvements to precision and accuracy and improvements overall
5 to general survey performance, and then, also, development and
6 use of the electronic reporting technologies.

7
8 The strategy that we used within NOAA for the distribution of
9 these funds is based on our implementation of Section 202, and
10 this is detailed in our report to Congress on state
11 partnerships. Basically, the state partnership model that we
12 used is the FIN process that is in place formally within the
13 Pacific States, Atlantic States, and the Gulf States, and these
14 programs are administered through the different commissions, the
15 three different commissions.

16
17 In that model, basically, we identified priorities, data
18 collection priorities, within the various regions, and so each
19 of the regions, and there were other ad hoc regional
20 implementation teams that were in place for the Pacific Islands,
21 as well as the Highly Migratory Species, and the Caribbean and
22 Alaska regions produced plans as well, that detailed data
23 collection and survey needs in those regions.

24
25 The three FINs, existing fins, within the Pacific, Atlantic, and
26 Gulf regions are formerly identified as FINs, and so they are
27 more -- I would say they have an established history, when it
28 comes to partnering with NOAA and the states, and so this is the
29 basic model that we used, and I will just briefly describe it a
30 little bit more in detail.

31
32 Within each of the FINs, there were established what we call
33 regional implementation teams, and, in those teams, there were
34 membership from the states, our regional NOAA offices and
35 Science Centers, as well as the commission and Headquarters,
36 NOAA, as well, but, in addition to that membership, it included
37 participation from the council staff.

38
39 Within these teams, a series of, or set of, data collection and
40 survey priorities were identified, and, for each of the
41 different regions, those priorities were basically presented
42 with a goal towards detailing a national inventory of data
43 collection priorities, and so the MRIP regional implementation
44 plans are available on our website, and you can visit -- You can
45 get more detailed information on those priorities there, but, if
46 we go to the next slide, we see here that there is a small table
47 here that details the regional implementation teams, the top
48 regional plan priorities, and then how it's cross-walked with

1 the Modern Fish Act investment priorities.

2
3 As I mentioned, the FINs are formerly established within the
4 Gulf, Pacific, and the Atlantic regions, and so we have ACCSP on
5 the Atlantic Coast, GulfFIN, and then Pacific RecFIN on the
6 Pacific coast.

7
8 In each of these regional implementation plans that were
9 presented by these entities, the top goals were identified, and,
10 in each case, they pretty much are the same, and so, for
11 instance, with ACCSP, the top priority was identified as
12 producing more precise estimates, and, if we go to GulfFIN, we
13 see that the funding is identified to support base level general
14 survey sampling and provide funding to LA Creel, Snapper Check,
15 and Tails 'n Scales.

16
17 Supporting base-level general survey sampling, what that means,
18 really, is that, over the years, with increasing costs, there
19 has been a decrease in our ability to meet base level sampling
20 levels, and so the top priority was identified as to return to
21 that level, or get beyond it, or increase it to beyond that
22 amount, and the end goal, of course, is to increase the
23 precision of the estimates that are produced.

24
25 For the Pacific RecFIN, we see funding is to support base-level
26 general survey sampling as well, and so, in each of the regions,
27 basically, the top priority is to improve sample sizes and to
28 increase the precision of the estimates that are produced, and,
29 if you cross-walk it over here to the column on the right, the
30 Modern Fish Act investment priorities are addressed, and you can
31 see that precision is one of those priorities. There is also,
32 associated with improving precision, an increase in accuracy,
33 possibly, but it's not guaranteed.

34
35 Last, in 2018, or 2020, we developed a decision process, as I
36 said, based on state partnering, through the FIN entities, and
37 then, also, the development of the MRIP Regional Implementation
38 Planning process to distribute the funds, and the initial amount
39 that was distributed amounted to \$3 million.

40
41 In each of the cases, for each of the FINs, the three FINs, \$0.9
42 million went towards improving the precision of the surveys, and
43 so increasing sample sizes. In the case of the Gulf States, an
44 additional \$300,000 was provided to fund electronic reporting
45 development, and so to support electronic reporting initiatives
46 with the state surveys.

47
48 You can see, from the graph here, or the table, and I have two

1 years that are presented, FY20 and FY21, and so you see the
2 amounts, the total amounts, that include the additional funding
3 on the bottom for each of the regions that go through the FINs,
4 and there is division to the FINs.

5
6 In the case of the Pacific States, there is an additional \$1
7 million that goes through the Northwest Fisheries Science
8 Center, bringing that total up to about \$3.2 million, and so, in
9 each of the cases, that funding has been continued through FY21,
10 and so we are considering the \$3 million that we are getting
11 currently as permanent funding, or at least hopefully permanent
12 funding, that will be used on a continual basis to maintain the
13 sample sizes and to identify or to address the priorities for
14 improving precision and increasing sample sizes.

15
16 We're working with the ACCSP, and also the Gulf Commission, as
17 well as the Pacific States Commission, the RecFIN Technical
18 Committee, to develop metrics, or indicators, of the performance
19 of the increases in sample size with respect to improving
20 precision.

21
22 I think I have one more slide, and so, as mentioned, there was
23 an additional \$0.5 million that was appropriated this year, for
24 a total of \$3.5 million. We're not sure whether that's a
25 permanent mandate, or directive, but the initial -- As I said,
26 the initial \$3 million is considered a permanent part of the
27 financial support to the FINs, but it depends on changes,
28 possibly, in congressional appropriations.

29
30 The additional \$0.5 million will support, at least this year, a
31 study to examine known sampling error with the Fishing Effort
32 Survey, and so this gets at the Modern Fish Act provision for
33 improving accuracy of surveys, and this study will be piloted in
34 Alabama, Florida, and in Maryland, and it is expected to be
35 implemented for at least two waves, and I'm not sure of this
36 right now, but I think, later this year, in those states.

37
38 Just to summarize, we will continue to distribute the funds
39 based on the MRIP Regional Implementation Plan priorities, and
40 there is a process in place for updating these priorities, based
41 on partner input, and we do solicit input from partners on
42 updating those priorities on a regular basis, at least an annual
43 basis. I think that's the end of the presentation, and, as I
44 said, it's pretty short, just to give you a summary of how the
45 funding is spent.

46
47 **CHAIRMAN POLAND:** All right. Thank you, Dr. Cody. Are there
48 any questions from workgroup members? Nobody has a question?

1 Mel Bell, go ahead.

2
3 **MR. BELL:** Thank you, Richard. I appreciate that. I just
4 wanted to make sure that I understood the money, and it says a
5 congressional appropriation, but it was through existing agency
6 funds, and so there were no additional monies given to the
7 agency to pass through for this, and it's just that they were
8 directed to utilize funds within their existing budget to cover
9 the \$3.5, and is that correct?

10
11 **DR. CODY:** That is more or less correct. There was an increase
12 of \$1.5 million in new, unspecified funds that were provided in
13 FY20, but they weren't identified as specifically to address the
14 provisions of the Modern Fish Act.

15
16 **MR. BELL:** Okay. Thanks.

17
18 **CHAIRMAN POLAND:** All right. Mr. Brewer, go ahead.

19
20 **MR. BREWER:** Thank you, Mr. Chairman. Dr. Cody, I had a
21 question, and you've outlined additional funds that have been
22 provided, but I am curious as to how those funds have been
23 utilized to try to get more specific data, I guess you would
24 say. Thank you.

25
26 **DR. CODY:** That's a very good question, and that's the reason,
27 or the rationale, for trying to establish some criteria that
28 could be used to evaluate the performance of the increase in
29 funding. Obviously, 2020 was an exceptional year, with COVID
30 and its impact on survey performance, but, moving forward, we
31 have met with ACCSP, and also with the Gulf Commission, and the
32 RecFIN Technical Committee of the Pacific RecFIN, to look at
33 ways that we can evaluate the performance of the increases in
34 sample sizes.

35
36 It's not as straightforward as getting an increase in precision
37 for all species across-the-board, based on improving sample
38 sizes. Some species would be impacted more so than others, and
39 some of the regions may prefer to direct, or target, sampling
40 towards specific species, to improve the precision of those
41 estimates, and so what we're doing right now is working with
42 those entities, ACCSP, GulfFIN, and Pacific RecFIN, to come up
43 with indicators of how we would assess the performance of the
44 sample size increases.

45
46 Right now, it's easy enough to measure the amount of sample size
47 increase based on the funding that is allocated, but it doesn't
48 tell us much about the improvements to the precision, and I

1 think that's going to take a little bit more time.

2
3 **CHAIRMAN POLAND:** All right. Thank you, Dr. Cody. I guess that
4 money -- I will just use, from my frame of reference here, North
5 Carolina, and I'm more familiar with ACCSP, and so would that
6 money be, I guess, funneled through ACCSP to the states to fund
7 additional APAIS samplers, or is it more just a draft --

8
9 **DR. CODY:** Yes, it's directed towards APAIS sampling, in
10 particular, and so, I mean, it will account for an increase in
11 the numbers of assignments that are distributed to the
12 workforce, and possibly increases in the numbers of samplers
13 needed to conduct that sampling.

14
15 **CHAIRMAN POLAND:** Okay. Evenly across all strata or --

16
17 **DR. CODY:** Well, we did leave it up to the discretion of the
18 FINs to decide how they wanted to do this. I mean, obviously,
19 they could distribute the funds proportionally among the states
20 and increase sampling size that way, just proportionally, or it
21 could be targeted towards different species, and so, at this
22 point, I think it's being used as a general increase in
23 sampling, and I think, with our discussions with ACCSP and
24 others, and GulfFIN, we should be able to have some metrics for
25 evaluating that performance.

26
27 That doesn't mean that it would stay static, in terms of how it
28 would be distributed going forward, and it might be that the
29 regions may prefer to not just allocate sampling proportionally
30 among the states, or maybe to target it towards species within
31 each state, or within the region, and so there are different
32 strategies that can be used, but I think that points to the need
33 for some way to evaluate the performance of the increases in
34 sample size.

35
36 **CHAIRMAN POLAND:** All right. Thank you, and one last question,
37 unless anyone else on the committee has a question, and so I'm
38 trying to think, as far as the charge of this workgroup, and
39 we'll conclude the meeting with a long discussion on
40 recommendations to our two councils on alternative ways to
41 manage recreational fisheries.

42
43 We've heard, during the last two workgroup meetings, a lot of
44 information on different surveys out there and different
45 technologies and presentations, the language in the Act and what
46 have you, and so this is more of a question to try to get at
47 what tools we might have available to us, or at least
48 improvement in tools we might have available to us, when we have

1 those conversations about recommendations, and so was there any
2 discussion, as far as using any of these additional funds, to
3 evaluate maybe looking one-month waves, either throughout the
4 entire year or at least one-month waves through kind of Waves 3
5 and 4, at least -- Again, up from North Carolina and my
6 perspective, when effort is high, relative to other waves, maybe
7 looking at shorter periods, shorter time of the waves, to at
8 least provide not real time, but more timely catch estimates,
9 and was that any of that discussion had or considered?

10

11 **DR. CODY:** Well, we focused on the regional implementation
12 plans, and, as I mentioned, there is a seat at the table for the
13 council staff, and they are participants on that planning
14 process. In addition to that, we have the states, and we have
15 also the NOAA Regional Science Center and Regional Offices, as
16 well as the commission, and so that process we developed
17 intentionally to identify priorities within the different
18 regions, noting that each region is unique, in some respects,
19 and may not have consistent priorities.

20

21 That process itself, as I said, was used by us to identify the
22 direction of where we would send the funding, and it's not
23 static, and it can be updated, and so what I would offer is that
24 that is a vehicle that's available for getting priorities that
25 maybe North Carolina has, or that there is an interest in
26 addressing, and having those identified in those regional
27 implementation plans.

28

29 I will say, too, that there have been pilot studies that we've
30 done to look at one-month waves, and so there is information
31 available there as well that could be used to inform those
32 priorities, to get them on the list, we'll say.

33

34 **CHAIRMAN POLAND:** Thank you for that response. Are there any
35 other questions for Dr. Cody? I am not seeing any more hands
36 raised. Excuse me. Dr. Simmons, go ahead.

37

38 **DR. SIMMONS:** Thank you, Mr. Chair. Thank you for the
39 presentation, Richard. Just a quick question on Slide 3. Could
40 you talk a little bit more about -- It says provide angler
41 electronic reporting options in Florida, Alabama, and
42 Mississippi, and could you elaborate on that a little bit?

43

44 **DR. CODY:** Well, we have an initiative to move from paper-based
45 surveys to electronic tablets in the Gulf. It's already in
46 place on the Atlantic coast, and ACCSP is administering the
47 APAIS using electronic tablets on that coast, and so, for all
48 the states over there, with the exception of Florida, the survey

1 is done using tablets, and so that's part of the electronic data
2 collection there.

3
4 It's probably better described as data collection, rather than
5 reporting, but, that said, there are funds available to each of
6 the states, through that additional \$300,000, to help fund, or
7 defray the costs, of the electronic reporting options for
8 Alabama and Mississippi and for Florida to consider in the
9 administration of the State Reef Fish Survey, and so I don't
10 know if that answers your question.

11
12 **DR. SIMMONS:** Yes. Thank you.

13
14 **CHAIRMAN POLAND:** All right. Any additional questions from the
15 workgroup? All right. Seeing none, thank you for the
16 presentation, Dr. Cody, and the information. We appreciate it.

17
18 **DR. CODY:** Sure. Thank you. Thanks for the opportunity.

19
20 **CHAIRMAN POLAND:** All right. Next, we'll receive a presentation
21 from Russ Dunn on flexibility under the Magnuson-Stevens Act for
22 alternative management approaches. Russ, whenever the
23 PowerPoint gets pulled up and you're ready, you can proceed.

24
25 **DISCUSSION: FLEXIBILITY UNDER THE MAGNUSON-STEVENS ACT FOR**
26 **ALTERNATIVE MANAGEMENT APPROACHES**

27
28 **MR. DUNN:** Okay. Thanks. It looks like we're there, and so
29 we'll jump in. Thanks again, and I'm Russ Dunn, with NOAA
30 Fisheries, and, as Steve said, I'm here to discuss a little bit
31 of management flexibility under the Modern Fish Act and
32 Magnuson.

33
34 As you all may recall, the purpose of the Modern Fish Act is to
35 expand recreational fishing opportunities and to enhance marine
36 fisheries conservation and management, and it required, more or
37 less, a number of reports and studies looking at this issue from
38 different angles, and it authorized use of various management
39 measures, which is really sort of the primary interest of this
40 subcommittee, or this workgroup, with regard to recreational
41 fisheries or the recreational portion of a mixed-use fishery.

42
43 It also reaffirmed requirements for ACLs and AMs and rebuilding
44 requirements, and it also directed NOAA to provide guidance on
45 implementation of state recreational registries and data
46 collection programs, best practices, and, as Richard just
47 touched on, it authorized a grant program to support
48 improvements in state collection around various priorities.

1
2 While this workgroup is focused on exploring the flexibilities
3 that are offered under the management approaches authorized in
4 Section 102 of the Modern Fish Act, I did want to take a minute,
5 since we are all here, to provide a brief status update on the
6 implementation of the act as a whole, and it's often a question
7 on people's mind of where do things stand, and so I'm going to
8 take just a minute here to run through the status of things.

9
10 As per the screen, Section 101 required a GAO-led study on
11 allocation in recreational and mixed-use fisheries, and that
12 document was submitted to Congress, by GAO, back in March of
13 2020. Section 202 did two things, and, first, it authorized the
14 use of various approaches that we'll touch on and you'll see in
15 a minute, and, secondarily, it mandated a DOC-led report on
16 management actions taken pursuant to Modern Fish Act, and that
17 document was submitted to Congress in March of 2020.

18
19 Section 103 required a National-Academy-of-Sciences-led study on
20 limited access permit programs in parts of the country. NOAA
21 dedicated substantial staff time and expertise to supporting the
22 NAS on this study, and we anticipate that it will be out this
23 summer, maybe in July-ish, is the latest that I am hearing.

24
25 Section 201 is another Department-of-Commerce-led report on
26 facilitating the incorporation of state and non-government data
27 into the federal management process, and that document was
28 submitted to Congress in December of 2020.

29
30 Section 202 had a number of sub-components, and the first was a
31 mandate to establish partnerships with states and adopt guidance
32 on the best practices for administering state angler registries
33 and state surveys, and our MRIP program produced a plan for
34 state partnerships that was released in October of 2020, and it
35 built largely on existing partnerships that are out there, and
36 then it followed up, in December of 2020, with the release of
37 MRIP data standards.

38
39 Another component of Section 202 was the authorization of the
40 state grant programs to improve data collection, which you just
41 heard in-depth on from Dr. Cody, and so I won't touch on that.
42 The next component was a biannual report from DOC regarding
43 implementation status of recommendations from the 2017 National
44 Academies review of MRIP, and that is, as I understand it, in
45 the final stages of clearance.

46
47 Then, finally, Section 202 also required a second National
48 Academy study on how MRIP's design can be improved to better

1 meet the needs of in-season management of ACLs and what actions
2 the Secretary and councils and states could take to improve the
3 accuracy and the timeliness of data collection and analysis.
4 That is another study to which NOAA Fisheries, and Richard's
5 office in particular, dedicated really substantial amounts of
6 time and expertise to supporting, and that too is anticipated
7 this summer. Again, I believe it is also anticipated for July.

8
9 One remaining piece here that isn't on the screen is that, six
10 months after receipt of that last report from the National
11 Academies' study, the Secretary of Commerce must submit to
12 Congress, with recommendations, changes that need to be made to
13 MRIP to make the program better meet the needs of in-season
14 management as well as alternative management approaches that
15 could be applied to recreational fisheries, and so I think we
16 are all really looking forward to seeing the findings of that
17 study.

18
19 With that, I guess we'll turn to sort of the more meat of the
20 discussion here, and so what I want to do is just touch on some
21 of the flexibilities which exist out there already under
22 Magnuson, and these have to do primarily with National Standard
23 1, and, if you recall, the National Standards are principles
24 that have to be followed, must be followed, in any FMP to ensure
25 sustainable and responsible management of the resource, and, as
26 mandated by the MSA, NOAA Fisheries has developed guidelines for
27 each of the ten National Standards, and, as most of you will
28 recall, the National Standard 1 deals with preventing
29 overfishing and achieving optimum yield on a continuing basis.

30
31 As such, National Standard 1 is really the primary National
32 Standard that you all will be sort of grappling with, in a way,
33 with regard to alternative management approaches. It deals with
34 overfishing, annual catch limits, optimum yield, rebuilding, and
35 so these core aspects of fishery management that are sort of key
36 to efforts to look at flexibility.

37
38 Some of the areas you can see on the screen where flexibility
39 currently exists, and they're primarily developed with the 2016
40 revisions to the National Standard Guidelines, but conditional
41 accountability measures, which can help mitigate the effects of
42 more rigid AMs, and, essentially, in many cases, allowing
43 paybacks to vary, depending on status of the stock and the
44 degree of overage, should an overage have occurred in a fishery,
45 and so, really, the primary approach has been taken so far, and
46 it allows sort of a mock duration of the impact of ACL impacts,
47 or I'm sorry. Paybacks.

48

1 Carryover of unused quota is pretty straightforward, and it's
2 allowing unused ACL to be brought forward, and it allows a
3 short-term, temporary increase in the ACL or ABC, and it can't
4 exceed the OFL, but it can be a temporary bump that allows
5 additional flexibility in a fishery that may have
6 underperformed, for some reason, in a given year.

7
8 Phase-in of catch levels, those were really designed to prevent
9 a sudden reduction in take and mitigate, or minimize,
10 unanticipated or harsh socioeconomic impacts that may be a
11 result of a sudden dramatic decrease in catch levels, and this
12 phase-in can occur over a period of not more than three years.

13
14 Multiyear overfishing definitions have been allowed, because
15 there may be an instance where a one-time overage does not
16 jeopardize the ability of a stock to achieve MSY in the long
17 term, and so overfishing designation, either because of a year
18 that may be an outlier in the fishery itself, or maybe there is
19 some uncertainty in the data, or an outlier in the data, that
20 pushed the fishery into overfishing, and the multiyear
21 overfishing definition can allow that to be smoothed out and not
22 trigger a rebuilding plan immediately.

23
24 Rebuilding timeline, I think you all are aware that there is
25 flexibility there. If the minimum time exceeds a ten-year
26 rebuilding, there is three different approaches which can be
27 utilized in order to determine the rebuilding timeframe.

28
29 Then alternative approaches for management and status
30 determination criteria is out there, and it sounds very
31 applicable to today's discussion, and it is really limited in
32 use to data-poor fisheries.

33
34 In the Mid-Atlantic, the Mid-Atlantic Council is trying to take
35 action and move towards some alternative approaches, really in a
36 quest for stability, flexibility, and access, or opportunity,
37 that's aligned with stock status, and they are looking at a
38 range of approaches.

39
40 The first there, the predefined management measures based on
41 indicators of stock health and fishery performance, that is
42 really an effort to identify harvest control rule that's been
43 brought forward by a number of constituents, and it's getting a
44 lot of focus and attention right now, and they are looking at
45 revising the annual timeframe for when they evaluate fishery
46 performance, and that goes towards stability in the fishery and
47 when the final regs are available relative to when the season
48 starts.

1
2 They are looking at establishing a multiyear set of
3 specifications to try and alleviate some of the up and down that
4 can occur each year, and so they would set the specifications,
5 and there would be no increase or decreases for two years, even
6 if there was a big underperformance, and the regs would stay the
7 same, to try and provide some stability, and then, also going
8 towards stability, is they're looking at establishing guidelines
9 for maintaining the status quo, and, again, that's to help avoid
10 sort of whipsaw regulatory changes that can come in year to
11 year, and so they're looking at kind of more or less a way to
12 consider both harvest, data, as well as stock status metrics,
13 when deciding if it reaches a threshold that should trigger a
14 change from the status quo.

15
16 The Pacific Fisheries Management Council has been using harvest
17 control rules for quite some time, and they had nine overfished
18 groundfish stocks which have been rebuilt in the last few years,
19 and they have used a combination of harvest control rules for
20 both rebuilt and rebuilding conditions. For example, they have
21 different levels of ABC, which equates to when a stock is
22 rebuilding is rebuilt, and it's ABC in combination with a P* of
23 -- Of different P*s, I believe, of around 0.4, or 0.45, if I
24 recall.

25
26 Those provide different harvest guidelines, whether it's
27 rebuilding or rebuilt, and so it's a very simple control rule,
28 and they use that in combination with depth-based measures, and
29 those have some seasonality, in terms of their structure, and
30 they have been easing, fortunately, since the stocks have
31 recovered, and they combine all of that with a fairly intense
32 in-season management, monitoring, and adjustment process, if
33 necessary. More or less, they have as much continuous
34 monitoring as possible, and they get updates before each council
35 meeting, and then they review that status and determine whether
36 changes can and should be made.

37
38 The Atlantic States Marine Fisheries Commission -- Admittedly,
39 cobia and the commission fall outside of Magnuson now, with the
40 transfer, but they are working on -- Or have an approach in
41 place with three-year coastwide specs, and that's sort of the
42 biggest change from more traditional management, and they have a
43 state-by-state -- An overarching quota and then state-by-state,
44 and the vessel and individual possession limits are in place,
45 minimum sizes, all pretty standard things, but then they
46 evaluate the landings every three years, as a three-year
47 average, to determine if they have met or exceeded the catch
48 limit for that period of time.

1
2 Some additional examples are conditional AMs, as we already
3 mentioned that, in terms of trying to moderate the impact of
4 some of the pound-for-pound payback AMs that have been in place,
5 and some sort of out-of-the-box kind of examples of flexibility
6 would include the island-based fishery management plans that
7 have been developed down in the Caribbean, where they have
8 shifted from a sort of stock basis to an island fishery
9 management plan, and that approach really comports well with the
10 authority provided in the Modern Fish Act with regard to
11 traditional or cultural practices of native communities, as they
12 have traditionally had sort of island-based management, and then
13 it had shifted, per Magnuson, to that sort of larger stock-based
14 management, and now it has shifted back.

15
16 Then, finally, up in Alaska, I think you've all heard reference
17 to the recreational quota entity, which is a market-based
18 solution for allocation, reallocation, of halibut between
19 commercial and for-hire operators, where an independent non-
20 profit is set up as a holder of the quota, and the recreational
21 community, the for-hire community, can purchase from the willing
22 sellers in the commercial sector to then extend, or expand,
23 their fishery as a whole, and it goes into a large pool, and it
24 doesn't go to, in this case, individuals, and it would go
25 towards easing bag limits or extending fishing days.

26
27 The takeaways, there is substantial flexibility out there in
28 different aspects already by National Standard 1 and other areas
29 within Magnuson, and the Modern Fish Act authorizes additional
30 approaches that expand that flexibility, and this is all really
31 from what I think most of us see as being driven by interest in
32 stability and predictability and an interest in opportunity and
33 access, and multiple approaches, as you can see, have either
34 been tried or are in place or are being explored now. With
35 that, I will turn it back over to the chairman.

36
37 **CHAIRMAN POLAND:** Thank you for that presentation, Russ. Are
38 there any questions from the workgroup members? Chester, go
39 ahead.

40
41 **MR. BREWER:** Thank you, Mr. Chair. Russ, there is one thing
42 that I have been having some trouble kind of getting my arms
43 around, and that is the fishing act speaks in terms of managing
44 with like extraction rates and some of these other types of
45 management protocols, and, yet, it seems to me that it is saying
46 that we still have to manage to a hard TAC.

47
48 Whether you're changing the accountability measures or not, you

1 are still managing to a hard TAC, and that, to me, presents
2 quite a hurdle, because, in Chester's perfect world, what you
3 would do is you would set a reasonable bag limit, a reasonable
4 season, and monitor that particular fishery, and, here, we're
5 talking about individual species, and you would monitor that and
6 see whether these indices of abundance are going up or going
7 down.

8
9 If your indices of abundance are going down, then you tighten
10 the thing up, and you don't have any of these in-season
11 closures, which are -- To me, they're disastrous, and so, in any
12 event, I would love to hear your thoughts on how we can move
13 towards that particular goal of managing to -- Essentially, I
14 call it to an extraction rate, or with an extraction rate.

15
16 **MR. DUNN:** Okay, and so you're just going with a sticky one
17 right off the bat. All right. I will say -- I will give you
18 part of an answer that I think you've heard before, but I think
19 with a twist from my perspective, and certainly this will have
20 to -- This will require additional conversation at all sorts of
21 different levels, but, right now -- Well, catch is defined in
22 the National Standard Guidelines as the total quantity of fish
23 that is measured in weight or numbers or fish.

24
25 Then there is other fishery benchmarks that reference catch.
26 The overfishing limit is expressed in terms of numbers or weight
27 of fish, and the ABC, according to the Guidelines, should be
28 expressed in terms of catch, and so, as the Guidelines currently
29 stand, ACLs, which, again, were -- The need, for which was
30 reinforced, or not altered, in the Modern Fish Act, stands, and
31 ACLs currently should be expressed in terms of an amount of
32 fish.

33
34 I do certainly see the quandary that you point out, and I also
35 see that there is a -- Even within the Guidelines, there is a
36 recognition of the need for flexibility to deviate from that
37 standard approach, in some instances, and that instance is
38 actually identified within the National Standards in 50 CFR
39 600.310(h)(2).

40
41 That points to data-limited stocks, and it essentially says
42 that, for stocks for which data are not available to set
43 reference points, based on MSY or MSY proxies, that there is
44 flexibility, and so what I -- My understanding of that provision
45 is that, in some instances, ACL requirements can still be met,
46 or requirements for ACLs can still be met, by using an
47 alternative approach that expresses ACLs in terms of a rate.

48

1 Now, that opening, if you will, is, as I mentioned, currently
2 limited to data-poor fisheries. If you look at the Act, I don't
3 see a definition of catch in the Act, and I do see, again, the
4 National Standards, and those are -- Potentially, there is an
5 ability to amend those, as we've seen, where we've modified the
6 National Standard 1 Guidelines a few years ago, and so I will
7 stop there.

8
9 **CHAIRMAN POLAND:** Does that satisfy you, Chester, or did you
10 have a follow-up?

11
12 **MR. BREWER:** It just seems like, to me, that thing needs to be
13 revisited, and a qualifier that's put in there about --
14 Essentially, I call it managing to a hard TAC, and you can call
15 it managing to an ACL, but nobody wants to overfish, and that's
16 not good for anybody or anything, but, by the same token, we --
17 I will paraphrase what Dr. Crabtree said one time, and I was
18 really impressed with this, but it's almost perverse the way
19 that we manage some of these fisheries, because, if a -- Let's
20 say that there's a really great recruitment year, and, all of a
21 sudden, in one year, the fishery is doing better than it has for
22 years and years and years, and some people catch a lot of those
23 fish.

24
25 What is our response been in the past? Well, we shut the
26 fishery down, because we caught too many fish, and I would like
27 to get away from that kind of perversion and go to something
28 that says, well, wait a minute, let's take a look and see, and,
29 yes, we caught a lot of fish, but let's take a look at our
30 indices of abundance. If there's still a bunch of fish out
31 there in the water, then we really don't have a problem.
32 Managing to -- I call it a hard TAC, but managing to hard TAC,
33 to me, just exacerbates that problem, and, with that, I will be
34 quiet.

35
36 **MR. DUNN:** I totally understand that, and I don't disagree with
37 those past statements of Roy's at all. I think, in terms of the
38 hard TAC, I guess there are two components to that that I see.
39 One is there is no -- There is no discretion, in terms of
40 establishing a hard ACL, right, and that is in the law and has
41 not been changed through the Modern Fish Act, and so we are
42 required to do that.

43
44 The question is how is that ACL structured, and, traditionally,
45 as I think you mean when you say a hard TAC, it is drawn
46 directly to pounds or numbers of fish, and the question is, is
47 there a way to alter that approach to something else, and, you
48 know, one approach that I think can be establishing a harvest

1 control rule, which is more or less a set of pre-agreed-to
2 guidelines, or actions, that determine how much fishing can take
3 place, based on indicators of stock status.
4

5 If you can think through how to write an algorithm that adjusts
6 fishing opportunity relative to stock status, but still draws a
7 line when an ACL can be triggered, or it still draws an ACL,
8 which the law requires, I think that is one potential approach.
9

10 **CHAIRMAN POLAND:** All right. Thank you, Russ, and thank you,
11 Chester, for those questions and follow-up. I think there was a
12 few nuggets in there that we can hold onto and we can discuss
13 further, towards the end of the meeting, when we start to
14 develop our recommendations. All right. Next, we'll go to Dr.
15 Frazer. Go ahead.
16

17 **DR. FRAZER:** Thanks, Mr. Chair, and thanks, Russ, for the
18 presentation. I am struggling with this idea of stability,
19 right, and I appreciate the need for stability, from an
20 economics perspective, but how does that fit into any definition
21 of optimum yield? I mean, they're both fairly subjective, but I
22 don't understand what the agency, or folks on this call, might
23 be thinking with regard to how do you quantify the value of
24 stability? I will leave it at that.
25

26 **MR. DUNN:** That is a very good and difficult question. You
27 know, I don't have an answer, offhand. That is a challenging
28 question. I mean, stability -- I think there are different
29 effects of stability on different sectors of the fishery.
30 Certainly, it is more important, in many aspects, to the for-
31 hire component of the rec fishery, in terms of business
32 planning, than it is for the private angler, who may not suffer
33 financial losses, directly, but may suffer substantial
34 frustration, to the point where it could drive them to give up
35 participation, if there is too much instability from season to
36 season or in a given season, but, how do they comport, I would
37 need to think about it a little more.
38

39 **DR. FRAZER:** I just think it's an important thing. I mean,
40 we've all struggled with the word "optimum" for a long time, and
41 optimum, obviously, kind of depends on your perspective, but, at
42 some point, I think that we're going to have to really wrap our
43 arms around what that means and be able to put some metrics on
44 it, in order to move forward in way that people can at least
45 understand and any decisions can be defended, and so it's
46 tricky, and I get it. Thanks though.
47

48 **CHAIRMAN POLAND:** All right. Next, I've got John Carmichael.

1 Go ahead.

2
3 **MR. CARMICHAEL:** Thank you, Steve, and thank you, Russ, for the
4 presentation. It's tough to describe flexibility. By nature of
5 the beast, it's hard to give a strict definition and answer for
6 how you go about applying this flexibility, and I think that
7 shows in the efforts and in the Act, because, really, the Act
8 doesn't bring in a whole lot of new ideas that aren't already
9 somewhat described within the National Standards.

10
11 It provides clarification, in a lot of places, and it reiterates
12 some things, and it puts some new ideas on the table, but it's
13 still based on the principles, and, to me, the most important
14 thing is that there is nothing in the National Standards that
15 says an ACL has to be a hard limit. It doesn't have to be a
16 TAC, and it's actions that we as councils have taken, in some
17 cases, that have made them function, like a hard in-season TAC.

18
19 We need to have an ACL, and the Act recognizes that, and we
20 recognize that, and we need to have an AM that is simply a
21 response when you exceed the ACL, but it pretty well ends there,
22 and there is a lot of flexibility inherent in the language.
23 Even the in-season AMs, the standard doesn't say you must have
24 it, and it says you should have in-season AMs whenever possible,
25 and it doesn't specify that in-season AMs are just a closure, an
26 in-season closure. It gives a whole list of things, and so it
27 pretty much comes up with anything you could think of to manage
28 a fishery that could be applied as an AM.

29
30 I think the challenge is, for us as councils, coming up with
31 ways that we can apply these things and say, yes, as the
32 council, in our judgment, this is the appropriate accountability
33 measure to respond if this fishery exceeds its ACL, and
34 recognize, in some cases, it is probably going to be in a gray
35 area for the Magnuson Act, and it's going to be different than
36 what we've done before, and it's not going to be as
37 straightforward, giving the Regional Administrator authority to
38 close the fishery if it goes over, and that may cause some
39 frustration on behalf of NMFS, and we'll hear about workloads,
40 and we'll hear about I don't know, and the lawyers might not be
41 comfortable with it, but I think the council needs to just push
42 through and look at the language itself that is in this act and
43 reflect on what the National Standards say, and I feel like we
44 have a lot of flexibility to deal with some of these issues.
45 We're just going to have to figure out how to craft them that
46 meet our particular fishery needs.

47
48 **MR. DUNN:** I didn't hear a question in there, and I agree with

1 the sentiments that you just expressed.

2
3 **CHAIRMAN POLAND:** All right. Thanks for the statement, John.
4 We appreciate it. Spud, go ahead.

5
6 **MR. WOODWARD:** Thank you, Steve, and thanks, Russ. You piqued
7 my interest when you talked about data-poor species, and I'm
8 curious as to who ultimately makes the decision about whether a
9 species is data poor. Is that the bailiwick of our SSC, or is
10 that information that comes out of the service, or is it the
11 absence of a quantitative stock status determination, or is it
12 catch estimates with high PSEs that are imprecise? I would just
13 like a little more input on that, if you can provide that.

14
15 **MR. DUNN:** That's a great question, and I can't answer it. I
16 have a list of data-poor species, but I don't know how that is
17 designated, and so let me ask -- I don't know who may or may not
18 be on from fisheries, or one of the councils who may know the
19 answer to that, but I will look into the answer and get you're
20 the answer. Unfortunately, that won't happen today, unless
21 maybe Richard or somebody else on the line knows the answer to
22 that, but, like I said, I have a list of them, but I don't know
23 how that list is determined, who is the official decider of that
24 issue.

25
26 **CHAIRMAN POLAND:** Thanks for the question, Spud. I certainly
27 don't have an answer, but I guess I can say that I have always
28 considered a data-poor stock to be a stock that we did not have
29 a stock assessment for, but I don't know if there is any clear
30 direction on that or any guidelines on that.

31
32 **MR. RINDONE:** Mr. Chair, in the Gulf, we consider data-poor
33 species being those that we can't conduct an age or length-based
34 stock assessment for, because something else has to be done,
35 like the lane snapper that we have used. from the NMFS Data-Poor
36 Toolkit, the iTarget model to assess that species.

37
38 With SEDAR 49 in the Gulf, we looked at eight different species,
39 including lane snapper, red drum, wenchman, and several others,
40 and it was determined that the only one out of those eight
41 species that we were able to do something functionally with was
42 lane snapper, and that was using that data-poor model, and so
43 the rest of the species that have yet to be assessed are also
44 considered to be data-poor, essentially for a lack of a
45 different designation.

46
47 **CHAIRMAN POLAND:** All right. Thank you for that, Ryan. Does
48 that address your question, Spud?

1
2 **MR. WOODWARD:** Yes, and that's helpful but, again, I think I'm
3 just trying to get my head around what that really means in the
4 context of what we're talking about, and so it seems that we
5 have stocks and species for which we probably would consider
6 them data-poor, but, yet, we have still set ACLs, based on catch
7 histories and that sort of thing, and is this an opportunity to
8 revisit some of that and maybe rethink whether or not we should
9 have set ACLs based on quantity, either weight or numbers, and,
10 anyway, that may be for more discussion, but that's helpful,
11 and, Russ, I certainly didn't want to put you on the spot, but I
12 appreciate it.

13
14 **MR. DUNN:** No problem, Spud, and I appreciate it, and I
15 apologize for not having the answer. It's one of those things
16 that here is the list, and I didn't think to ask how do we
17 generate this list.

18
19 **CHAIRMAN POLAND:** Thanks, Spud and Russ. Spud, you said that's
20 something we can certainly discuss as we move into the next item
21 on the agenda, and it certainly seems pretty clear, to me, that
22 these data-limited species -- That we have quite a bit of
23 flexibility already, and so maybe that's something we can
24 consider, at least from our perspective in our council, for a
25 lot of those snapper grouper species we have that are
26 unassessed. Maybe that's where we can really look at multiyear
27 catch, or landing, evaluations and that kind of stuff. All
28 right. John, I see you have your hand up. Go ahead.

29
30 **DR. FROESCHKE:** This is just a quick follow-up, and the -- I
31 forget the name of it here, but the NS 1 Technical Guidance Sub-
32 Group tech memo is being finalized, and it has an interpretation
33 of data-limited stocks in here that is perhaps even more limited
34 than what's being discussed, and, essentially, their tiers are,
35 if it has available removal records for absolute abundance, and
36 removal is monitored, essentially, it should be pounds or
37 numerical-based catch limits, which was, I guess, a little bit
38 surprising to me, that it was that strict of an interpretation.

39
40 **CHAIRMAN POLAND:** Wow. Thanks for that. Is that -- I am trying
41 to remember from the CCC meeting a few weeks ago, and John or
42 Carrie or Mel or somebody can jump in, but was that the tech
43 memo that we discussed briefly and then requested that the
44 comment period be extended to allow the councils and the SSCs
45 some additional time to weigh-in on that, or am I thinking of
46 another tech memo?

47
48 **DR. FROESCHKE:** No, that's the one.

1
2 **CHAIRMAN POLAND:** Okay. Thank you.

3
4 **DR. FROESCHKE:** If you're looking at the document, look at
5 Figure 1 in that.

6
7 **CHAIRMAN POLAND:** All right. Thanks for that, John.

8
9 **MR. CARMICHAEL:** Steve, they extended that until October 1.
10 Kelly said they wanted to get comments to discuss at the next
11 CCC meeting, but they would take comments after that as well,
12 given the council and SSC schedules.

13
14 **CHAIRMAN POLAND:** Okay. All right. Any additional questions
15 for Russ on the presentation? I am not seeing any hands. Thank
16 you for the information, Russ.

17
18 **MR. DUNN:** Thanks. I appreciate it.

19
20 **DISCUSSION: RECOMMENDATIONS TO THE COUNCILS ON ALTERNATIVE**
21 **RECREATIONAL MANAGEMENT APPROACHES**

22
23 **CHAIRMAN POLAND:** All right. Next, we will move into Agenda
24 Item VI, our discussion on recommendations to the councils on
25 alternative recreational management approaches. Ryan, I know
26 you had mentioned that you were going to bring up a few ideas
27 for us to bat around.

28
29 **MR. RINDONE:** Yes, and I'm going to capture this discussion that
30 we're fixing to have in the summary for you guys to review, and
31 so, if you feel like I miss something along the way, let's
32 definitely take some more swings at it.

33
34 We have talked about a lot of different things and different
35 ideas that we might be able to use for the councils to try and
36 look at things, just through a little bit different lens, and
37 some things that I had mentioned to you guys in the past are
38 things like looking at accountability measures in a little bit
39 of a different way, and an example might be that, if -- I will
40 pick on vermilion snapper in the Gulf.

41
42 If the limit for vermilion snapper is ten fish per person, and
43 the ACL isn't being met, then, if that happens for two years,
44 then perhaps the limit is automatically increased to twelve fish
45 per person, or fifteen fish per person, to increase access for
46 those people that want to keep those fish, and the inverse of
47 that would be that let's say, in the Gulf, for red grouper, we
48 think that we might be faced with some seasonal closures, or

1 some quota closures, that would end the fishing season early for
2 red grouper in the future, and, if we wanted to find a way to
3 try to avoid those, to keep access and to keep the fishery open,
4 then maybe we might think about something like we do for some of
5 the trip limit step-downs for the commercial fisheries.

6
7 We do a step-down for the recreational fishery, either at some
8 point in time or when we think that some portion of the quota is
9 going to be met, and so, for instance, once it's identified that
10 50 percent of the recreational ACL has been landed, then the
11 limit, at that point in time, drops to one fish per person from
12 two, and so you can still go out and catch them, but it will
13 slow the pace of harvest down, and maybe that helps keep the
14 season open longer, and so people can at least still go out and
15 fish for and keep that species, or it can be done just based on
16 a fixed date.

17
18 Since we know that our recreational landings data can be a bit
19 uncertain, and we know that the pace of those landings can vary
20 based on bad weather days or other economic influences, maybe we
21 just say, on September 1, and, again, just picking an arbitrary
22 date that the recreational limit goes from two to one.

23
24 Then you guys kind of see how that works, and maybe you want to
25 move that date at some point in the future, and you just make
26 those changes through a framework procedure, and, as new stock
27 assessment information comes in and the status of the stock
28 changes, you go back to that, and these are all kind of like
29 piecemeal bits and pieces of what might be included in a harvest
30 control rule, but, since we don't currently have those developed
31 for every species, this might be an approach that can be used
32 for certain species to be a little bit more adaptive and
33 proactive about what we think might happen in the future.

34
35 If the status quo remains the same, and it doesn't trigger a
36 change, based on whatever is being proposed, like the things
37 that I talked about, then the status quo would remain. Those
38 are just some ideas for you guys to think about.

39
40 Another one that we had talked about in the past though is also,
41 when we talk about phase-in, phase-in specifically addresses
42 when the catch limit is recommended to be decreased following an
43 assessment, and that decrease can be phased-in over a three-year
44 period.

45
46 Likewise, there may be reasons why the councils would want to do
47 the inverse of that and phase-in an increase over a three-year
48 period. When we get some of our assessments back, and it shows

1 that we've been fishing underneath MSY, sometimes we get a big
2 jump in what the landings can be, and then you will see that
3 spike, and then that spike trends downward, and, of course, that
4 assumes that we're going to catch all the fish in 2021, and so
5 2022's estimated yield is based on all those fish in 2021 being
6 caught.

7
8 If that doesn't happen, then 2022 is not going to -- So, instead
9 of shooting up like that in the beginning, and we have used
10 constant catch in the past, but there is also -- If we're
11 looking at how it affects the stock as a whole, we may also be
12 able to look at phasing-in those increases over a period of time
13 as well, as opposed to having that spike there at the beginning,
14 if we don't go with constant catch, and so that's just some
15 ideas for you guys to think about.

16
17 **CHAIRMAN POLAND:** All right. Thank you for that, Ryan. I will
18 open it up to the workgroup, and this is our time for just open
19 discussion, and Ryan has given us a couple of things to chew on
20 right now, and there were a few things that came out during the
21 questions for the last two presentations, and so I will open it
22 up to any of the workgroup members. Please don't be shy. We've
23 got thirty-five minutes left. Chester, go ahead.

24
25 **MR. BREWER:** Thank you, Mr. Chair. I was struck by sort of
26 what's going on in the Mid-Atlantic and some of the things that
27 they're looking at, because it seems like, to me, they're kind
28 of on the right track, and I don't know whether -- How far along
29 they are on some of the things that they're reviewing, but I
30 sure would like to know, because what they seem to be reviewing
31 are the things that, at least to me, we should probably be
32 recommending to the Gulf Council and South Atlantic Council that
33 we need to be looking at.

34
35 In other words, our suggestions to the council, and I don't know
36 who would do the presentation, and somebody on staff with the
37 Mid-Atlantic could do that, or maybe, at our next meeting, we
38 could get Tony to give us an update on that, and, with that, I
39 will close.

40
41 **CHAIRMAN POLAND:** Thanks, Chester. I mean, I agree. What the
42 Mid-Atlantic is doing, there's a lot there that I think that we
43 can pull from, and I'm not sure who the best person would be to
44 give us another presentation, and our council is fortunate to
45 have a liaison from the Mid-Atlantic attend our meetings, and so
46 we can certainly ask them to give us an update on that. As far
47 as the Gulf, there might have to be an actual agenda item
48 discussion. Spud, go ahead.

1
2 **MR. WOODWARD:** Thank you, Steve. I was just going to respond
3 back to Chester that that is an interesting situation,
4 especially because you're dealing with jointly-managed species,
5 and so you've got state management, through the Atlantic States
6 Marine Fisheries Commission, and you have federal management,
7 and so it is particularly challenging, but certainly worth
8 learning from, in terms of how those challenges are being
9 addressed, and I think -- I know that we've got staff on the
10 call, but maybe, in the future, we could get a formal
11 presentation, and there's a lot of moving parts to it, and it
12 takes a little bit to understand exactly how all those parts fit
13 together and how they would be implemented in a coherent manner,
14 but it's probably not a bad idea.

15
16 I was just going to throw out that it seems that we are in a
17 situation where it's going to be difficult to convert quantity-
18 based ACLs to anything else, and so, if we're bound to that
19 fate, then what we really have in the toolbox to help us with
20 flexibility, and Ryan has thrown out some ideas, and I think we
21 certainly need to look at how we live within the constraints of
22 ACLs, realizing that we're going to have persistent accuracy
23 issues and some precision issues that just can't be addressed
24 with the simple addition of money.

25
26 I am curious about multiyear ACLs and how those would actually
27 work. At the commission level, as Russ said, we're not bound by
28 the Magnuson Act, and so, in the end, we sit down at the table
29 and go, okay, you exceeded your state quota for two out of three
30 years, or all three years, or one year, and we'll make a
31 decision about what we think is a reasonable step to address
32 that, but, yet, what happens in the context of the MSA is, if
33 you do a three-year ACL, and you average it out, and, if you
34 average it out, if you implement post-season accountability
35 measures, if they exist the next year, do you make up for all
36 three years? There is some questions that I have got about that
37 one, but, with that, I will yield. Thank you.

38
39 **MR. RINDONE:** Steve has stepped out for a second, and so I will
40 take over for the moment, until he comes back. Thanks, Mr.
41 Woodward. Mr. Dunn, can you talk a little bit more about the
42 multiyear ACL approach? Then we'll go to Martha and then Tom.

43
44 **MR. DUNN:** The councils are able to set a multiyear period of
45 ACLs. However, each individual year still needs to have its own
46 individual ACL in place, because it is an annual catch limit.
47 Unfortunately, I can't really give you a good example, at the
48 moment, of how to apply the multiyear ACL.

1
2 **MR. RINDONE:** That actually sounds a lot like what we have now,
3 where the SSCs will project what the ABC is going to be for a
4 certain number of years, and then the councils, based on that
5 information, set the ACL for those same years out to a certain
6 point, and then it's just fixed at that endpoint for all
7 subsequent years, until it's changed, and so, if that's what is
8 meant by a multiyear ACL, then I think the councils are already
9 doing that. Ms. Guyas.

10
11 **MS. GUYAS:** I thought it might be helpful, for this discussion,
12 to back up a little bit. Ryan, I am trying to remember, but
13 didn't we -- Maybe it was our first meeting, or the next one,
14 but didn't we come up with a list of some of the problems that
15 we were trying to solve? If we haven't done that, maybe we need
16 to do that before we try to figure out what solutions we want to
17 consider, but I feel like we have done that, and I am trying to
18 dig through my files for the old meeting summaries.

19
20 **MR. RINDONE:** The last meeting summary should be up on the
21 webpage, and I've got it up in front of me now, and so we went
22 through -- At the last meeting, we went through a whole bunch of
23 different ideas from around the country, and we talked about the
24 interim analyses and conditional accountability measures and
25 zone management and carryover and phase-in.

26
27 Then you guys developed a charge. You talked a little bit more
28 about how fish tags might be an option for some things, but not
29 for other things, and the same thing with zone or area
30 management, and that you agreed that recommendations should be
31 reasonable and possible to implement. As far as problems to
32 solve --

33
34 **MS. GUYAS:** Okay. I think I found it.

35
36 **MR. RINDONE:** Where are you looking at, Martha?

37
38 **MS. GUYAS:** I am looking at the summary from our May meeting, at
39 the bottom, under the develop a workgroup charge and workplan
40 and timeline, and so, at that meeting, we didn't set a charge,
41 which you just kind of mentioned, and we finalized that at the
42 last meeting, but we did identify some goals that are listed in
43 bullets.

44
45 **MR. RINDONE:** Right. Do you want me to read those out?

46
47 **MS. GUYAS:** Sure. Yes.

48

1 **MR. RINDONE:** You guys had talked about wanting greater
2 accessibility for recreational fishermen in the red snapper
3 fishery, and I think that likely applied to the Gulf and the
4 South Atlantic, and then stability in management annually, being
5 able to predict exactly what's going to happen year-over-year.

6
7 Avoidance of in-season closures, whenever possible, and
8 accounting for the uncertainty in MRIP, which I think is an
9 ongoing point of attention for both councils. Flexibility in
10 management techniques, which Mr. Dunn has helped us learn a
11 little bit more about what we can and cannot do today, and
12 improving data collection on harvest and discards, and I know
13 the states in the Gulf have certainly worked on this, with
14 respect to red snapper, and the South Atlantic Council has
15 employed apps in the past, like with scamp, to try to get a
16 better idea about things with discards.

17
18 Then managing public expectations and striving for high levels
19 of public buy-in, and so things like making this process open
20 and available to the public, and engaging public comment
21 certainly, hopefully, helps with that some.

22
23 Then other things, and like the South Atlantic Council has done
24 in the past with visioning, and the South Atlantic and Gulf
25 Council efforts for outreach I would hope help try and increase
26 public buy-in. Some thoughts on those?

27
28 I think that, when we talk to recreational fishermen, at least
29 in the Gulf, and I'm sure in the South Atlantic as well, and I
30 used to live over there, when we're talking about accessibility,
31 often, it's described as the opportunity to go out and catch
32 fish, and so, if the seasons are closed, then that opportunity
33 isn't really there, in terms of being able to catch something
34 that you can then take home.

35
36 Whether it's one fish or ten fish, or anything in between,
37 having the season be open is something that we've often heard in
38 the past as being of great importance, and so, when the councils
39 are thinking about the species that they're managing, and if
40 they think that they might be looking at an in-season quota
41 closure as part of an accountability measure, then maybe that
42 would be an opportunity to think about -- Like we've changed
43 season start dates in the past, such that, if the season is
44 going to be closed, it's closed at a time that is best for the
45 fishery biologically, like during a spawning season.

46
47 If we're going to reduce a bag limit during a certain point in
48 the year, the same thing, and maybe it's commensurate with a

1 time when the fish are particularly vulnerable, like mutton
2 snapper in the Keys. During the summertime, they will bite
3 bologna. They will bite anything, and so the councils have
4 addressed that for mutton snapper with that reduction to five
5 fish.

6
7 Things like that are efforts that the council have taken. For
8 stability, we think about things like constant catch. When we
9 get those yield projections from the SSC for the ABC, and then
10 the councils set their ACLs based on that, if a constant catch
11 approach is used, then, for the private anglers, the tackle
12 shops that supply them, the for-hire fishermen, and the people
13 that are relying on being able to go on those charters, if they
14 know what the season is going to be for the next two years, that
15 certainly provides some stability there.

16
17 Avoiding the in-season closures, whenever possible, I think
18 that's something that both councils are definitely trying for,
19 whenever they can, and you guys jump in too, if you have some
20 ideas about this, and you can see these things up on the screen.

21
22 We try and think about when we're going to have a season open,
23 and we try to best accommodate the fishermen, but also the
24 stock, but doing something like perhaps like I had suggested,
25 with having a step-down at some point for the bag limit, if that
26 helps keep the season open longer, if having access -- Like
27 having the season open at all is of the most importance, then
28 perhaps something like that might be worth considering for
29 certain species.

30
31 The accounting for uncertainty in MRIP is something that is kind
32 of difficult for the councils explicitly to do, and so the
33 application and management of MRIP is something that is kind of
34 outside the scope of what the councils are directly responsible
35 for, but, thankfully, we've been able to communicate frequently
36 with Dr. Cody's shop about that program.

37
38 For flexibility in management techniques, harvest control rules
39 I personally think is something that the councils should take a
40 deeper dive into and spend some time on, and it looks like the
41 Mid-Atlantic Council has definitely run down that road with some
42 success, and so perhaps there is more to be learned there.

43
44 I think the councils are continuing to try to improve data
45 collection on harvest and discards, as are the states, and so
46 that is something that I think we would put an "in progress"
47 next to that, but we certainly could benefit from some new ideas
48 there, and I think both councils have very strong outreach

1 departments that do an excellent job at trying to reach the
2 public and engaging those people.

3
4 We try and have, of course, everything as public as we can, so
5 we can gather than input, but, if the public thinks that there
6 is a better way for their input to be received, then we
7 certainly should hear from them, too. Martha, anything else,
8 before I go to Tom?

9
10 **MS. GUYAS:** You can go to Tom.

11
12 **MR. RINDONE:** Okay. Tom.

13
14 **DR. FRAZER:** Thanks, Ryan. I just wanted to kind of follow-up,
15 and I really like this concept of a step-down in the bag limit,
16 right, to prolong the season, which it essentially gets at this
17 Bullet Point 1 of greater accessibility, and, to some degree,
18 stability, as long as -- If we're defining stability as the
19 time, right, that you have with any year to access a particular
20 fish and a fishery, I think that's good, but it also brings up
21 this point about improved data collection.

22
23 I'm not aware of any studies that look at discard mortality in
24 response to a change in bag limits, and those are things that we
25 typically get a value over some period of time, and I am just
26 wondering if you have thought at all about how you might address
27 that issue of a discard mortality rate that scales, in some way,
28 with a change in the bag limit.

29
30 **MR. RINDONE:** I think that's just probably a multi-pronged
31 analysis, right, because recreational fishermen, especially, are
32 very rarely single-species fishermen. When we go out to catch
33 something, we go out to catch what we can catch, and we might be
34 shooting for something in particular, but I know that, if I
35 start getting into a mess of gray snapper, I'm going to try to
36 take home some gray snapper, and so those are just swimming
37 tacos.

38
39 When it comes down to that though, obviously, as the bag limit
40 decreases, if the stock is -- Maybe there is some relationship
41 there between the decrease in the bag limit though and the stock
42 status, which could be incorporated into a harvest control rule,
43 perhaps, and, if the stock status is such that the stock is very
44 healthy, and there are presumed to be quite a few fish, but
45 perhaps the size of those fish is larger, and so the ACL is
46 being met more quickly, then we could anticipate there being
47 some increase in discard mortality as it relates to a decrease
48 in the bag limit, for the sake of trying to extend the fishing

1 season.

2
3 Then we also have to think about the effects of things like
4 circle hooks and descending devices and things of that nature,
5 and so, mathematically, I don't know how precise such a rule
6 could be, but it's certainly something we could try to explore.

7
8 **DR. FRAZER:** I'm just -- Again, I liked the thought that you
9 kind of shared, and you're imposing a dynamic, right, into the
10 management regime that has potentially some consequences that
11 also have a dynamical nature as well, and so it's just something
12 that we would have to consider and think about, and so I would
13 like to see a little more study in that regard, and so, anyways,
14 thanks, Ryan.

15
16 **MR. RINDONE:** I think that, for some of these species anyway, we
17 may be able to rely upon previous bag limit analyses, and
18 previous stock assessments, to get an idea of what the discard
19 mortality was like during certain management regimes. Some of
20 these species, for the Gulf and the South Atlantic, like gag and
21 red grouper, have very storied histories, for which a lot of
22 attention has been paid to them, and we may be able to look back
23 at previous assessments, to try to determine what discard
24 mortality rates were like, presumptively anyway, for the
25 different fleets at different points in time.

26
27 Though those data may not have the same precision today, as we
28 would presume the data that are collected today would have, then
29 perhaps it might still be informative, and so that might be a
30 place to start looking. Spud.

31
32 **MR. WOODWARD:** Thank you. It's an interesting approach, but I
33 guess just a cautionary word is that we have struggled with the
34 balance between the effectiveness of management prescriptions
35 and the ability of the affected fishermen, whether they be
36 commercial or recreational, to understand them and comply with
37 them.

38
39 I think back to a lot of the things that I have been involved
40 in, and it's rare that we've used sort of an in-season variation
41 in size and bag limits in the recreational sector, and,
42 obviously, there is going to be a learning curve, and not that
43 it won't work, but it's adding a layer of complexity to what a
44 lot of fishermen already believe is an unreasonably complicated
45 set of regulations for fishing anyway, and so that's just a
46 cautionary word.

47
48 **CHAIRMAN POLAND:** Hey, Ryan.

1
2 **MR. RINDONE:** That's a great point. Hi, Steve.
3

4 **CHAIRMAN POLAND:** I was just saying that I am back, and my
5 apologies for having to run out, real quick, but I agree with
6 Spud, and, I mean, that's certainly a concern, but I think it's
7 also going to have to be weighed against an individual's access,
8 or ability to access it. If I can drop my bag limit from ten to
9 two, and it means that I get another wave to fish, then I might
10 be comfortable with that type of complexity, but I think a lot
11 of the complexity that fishermen, especially on the recreational
12 side, complain about is complexity that kind of -- What they
13 would consider the hidden complexity, or the complexity behind
14 the curtain, as far as how decisions are made and then the lack
15 of public outreach explaining when changes are made.
16

17 I certainly think that, if either of our councils move forward
18 with something like an in-season step-down or something like
19 that, it would have to be accompanied with a massive public
20 outreach campaign, much like we just did, and are still doing,
21 for our best fishing practices and descending device amendment,
22 but I like the idea of considering recreational -- Or step-downs
23 in the recreational fishery, and my only concern is the
24 timeliness of catch data coming in.
25

26 My comments earlier about looking at one-month waves, or even
27 less, I think where that might be beneficial is if we can get
28 the recreational data in a little bit more timely manner, so
29 we're not basing those decisions off of landings that are forty-
30 five days after the wave, and then we wind up in a situation
31 where we still blow through the ACL. All right. Jessica, go
32 ahead.
33

34 **MS. MCCAWLEY:** Thank you, Mr. Chairman. I had a suggestion, and
35 this is kind of a procedural suggestion, and I know that we're
36 almost out of time today, but I liked how Martha suggested and
37 then Ryan brought up this list of goals that we wanted to
38 accomplish, and so, in thinking about how, I guess, ultimately
39 we want to produce a report that's going to go back to each
40 council, and we've seen a lot of presentations at the last two
41 or three meetings about some things that we could do, but I was
42 wondering if maybe, at the next meeting, we could take these
43 goals and, underneath them, we could talk about either how we're
44 accomplishing the goal now, and those were some of the things
45 that Ryan brought up, and he gave some examples.
46

47 Like how maybe we're using a particular tool to accomplish the
48 goal now, and we could have a couple of examples of how we're

1 doing that, for each council or whichever council is using it,
2 and then maybe some suggested additional tools, or techniques.
3 For example, avoidance of in-season closures, we're having a
4 discussion today about step-down bag limits, and so that would
5 be a tool that could be used, and, if we wanted to give some
6 example fisheries where we think it could be considered, these
7 are things that could be in our report.

8
9 I keep hearing these good discussions of information, and I
10 would like to tie them back to what we originally set out to do,
11 and I thought Ryan gave some good examples of say here's how the
12 Gulf Council might have done this, and here's the example
13 species, but here's where the councils could go further, if you
14 think about things that we've learned about at all three of
15 these meetings, or especially the presentation that Russ gave us
16 today.

17
18 Like here's some ideas of things we might want to use, or we
19 might want to try, and so that was just something that visually
20 help me and might kind of focus us to figuring out what are some
21 things that are either underway or we think we could try, or
22 test out, as various councils, in the future to get there.

23
24 I just want to also add -- I know we got a presentation, I think
25 from the Mid-Atlantic, at one of our first meetings, but I do
26 agree with Chester, and I think I would like to learn a little
27 bit more about what they're doing, maybe at our future meeting,
28 but then also have a discussion about what are some of these
29 examples, because I feel like, at every one of these meetings,
30 we get excited about these different things we want to do in the
31 last like fifteen, or maybe twenty, minutes of the meeting, and
32 we don't necessarily have a lot of time to discuss it and flesh
33 it out and talk about the pros and cons, and so just some ideas
34 to throw out there. Thanks, Steve.

35
36 **CHAIRMAN POLAND:** Thank you for that, Jessica, and I'm open to
37 your suggestion, and I think that would be a good way to move
38 this forward. At the very least just to get this list down on
39 paper and then start filling out the recommendations and the
40 discussion, try to reflect the discussions we've had, and that
41 will move us closer to actually getting this report with the
42 recommendations done, and I would be open to receiving a
43 presentation from the Mid-Atlantic on their recreational
44 initiative.

45
46 With that suggestion, are there any other things that we have
47 talked about today that we feel like could be included as sub-
48 bullets under this list to address these seven kind of

1 identified goals or areas of work, and I know Chester had
2 mentioned considering redefining catch, or at least asking the
3 agency to consider redefining catch and National Standard 1
4 Guidelines, to maybe provide a little bit more flexibility
5 relative to the Modernizing Fish Act, and I certainly see that
6 as a bullet that could go under that fifth bullet.

7
8 Is there anything else, not necessarily that we want to put it
9 on the list, but at least capture it in the minutes, so that,
10 when we get back and get ready for the next meeting, it's there,
11 and, with that, I will go to Martha.

12
13 **MS. GUYAS:** I guess another thing that we might want to look at
14 when we meet again, since we've kind of been talking a little
15 bit about the in-season bag limit adjustments, and we had
16 something like this in place in the Gulf for red grouper, and I
17 can't remember if it was in-season or post-season, where the bag
18 limit would drop based on I think the ACT being met, and we
19 ultimately ended up getting rid of that, because it was very
20 confusing to anglers, and difficult to enforce, and, because we
21 were using MRIP, the data were usually way later than forty-five
22 days after the wave, and so, by the time we got the data, oops,
23 we should have dropped the bag limit down.

24
25 Anyway, it might be good to look at that, look at how that went
26 right and how it went wrong, if this is something that we may
27 want to look at recommending to the councils, and I guess trying
28 to think about some lessons learned there and where that
29 strategy might work and where it might not.

30
31 I mean, even with red grouper now, the game may have changed a
32 little bit if we like use Florida State Reef Fish Survey data to
33 track that, just because it is one-month waves, getting back to
34 your point, Steve, but the enforcement part of it, and I guess
35 to Spud's point, complexity of regulations I think were
36 challenges in that situation.

37
38 **MR. RINDONE:** To that point, Steve?

39
40 **CHAIRMAN POLAND:** Go ahead, Ryan.

41
42 **MR. RINDONE:** Thinking about that though, Martha, that was kind
43 of why I had also thrown out perhaps fixing a date, as opposed
44 to saying when we think a certain amount of the quota has been
45 landed, because then it would be a fixed point in time, and it
46 doesn't really matter what is landed at that point, but the bag
47 limit would be decreased, or perhaps increased, if we're trying
48 to limit harvest during a particularly vulnerable part of the

1 year, like during a spawning species for a species.
2
3 Maybe, at that point, it's two fish, and then, outside of the
4 spawning season, when the fish are perhaps a little bit more
5 difficult to catch, then maybe it's increased to three fish.
6 Again, it could go either way, really, but using a fixed point
7 in time would absolve the reliance on the timeliness of the
8 recreational data, and, if it came to pass that the season was
9 still closing before we wanted it to, then we could adjust that
10 date, or adjust the change in the bag limits, or, if the season
11 wasn't closing, the same thing.

12
13 **MS. GUYAS:** Yes. I hear that, and I think it's worth looking
14 at.

15
16 **CHAIRMAN POLAND:** Thanks, Martha, and thanks, Ryan. I agree
17 that, if there's any examples out there that we can look at,
18 and, here in North Carolina, we manage our recreational cobia
19 fishery on private vessels with a step-down and, for the months
20 of May and June, it's two per vessel, and then, at the end of
21 June, it steps down to one, and we're going into our fourth year
22 of that management, and, actually, this year, we added a second
23 month, with the two before the step-down, and so, I mean, that's
24 another example that I can discuss further at the next meeting,
25 and those are fixed dates too, and so the public is relatively
26 used to it now. All right. Any other thoughts from the
27 workgroup? Ryan, it looks like -- Excuse me. Chris, go ahead.

28
29 **MR. SCHIEBLE:** Thank you. I will be brief, and I know we don't
30 have much time left, and so I just wanted to make the comment
31 that I agree with what Jessica said. I think I, at least
32 personally, am not at the point where I feel we can start
33 recommending options for changes to management to the councils,
34 as we're directed to in our scope of work for today.

35
36 I think, looking at a lot of these different examples, and I
37 thank Dr. Cody and Russ for their presentations, and they were
38 very informative, but I feel like I need a little time to
39 assimilate some of these. A lot of these examples are good, but
40 they're also very regional.

41
42 For example, the halibut catch share program with these RQEs,
43 we're presuming that works effectively, but it also, I guess,
44 presumes that the commercial sector had available quota shares
45 to lease or sell to this individual quota bank, in order for
46 this to function, and I guess I am very snapper-centric in the
47 Gulf, and I just don't see how something like that could work,
48 and so it's a good example for maybe a different fish, a

1 different species, but I am trying to look at examples that can
2 be very useful in the short term for us in the Gulf as well.

3
4 I guess the bottom line, keeping it short, is I just need a
5 little more time to sit down and assimilate some of these
6 examples that we were given today. That's all. Thank you.

7
8 **CHAIRMAN POLAND:** Thanks, Chris, and I agree. It seems like
9 we're almost there, and I feel like we did a lot of good work
10 today, a lot of discussion, and hopefully, at this next meeting,
11 the discussion we've had today and the examples that are in
12 front of us, we might be able to provide some recommendations,
13 and hopefully we can get the next workgroup meeting scheduled in
14 fairly short order.

15
16 All right. Any other questions or comments from the workgroup?
17 Ryan, it seems like our charge is pretty clear. We need to kind
18 of flesh out this list a little bit, with some of the potential
19 recommendations, and have a more focused discussion at the next
20 workgroup meeting, to really kind of dial in on what
21 recommendations we feel comfortable moving forward, given the
22 tools that we have, or could potentially have, with some
23 modifications.

24
25 **MR. RINDONE:** Understood.

26
27 **CHAIRMAN POLAND:** Mel Bell, go ahead.

28
29 **MR. BELL:** Steve, I just wanted to -- Kind of following up on
30 what you were just saying, and I really liked Jessica's concept
31 of picking those and then kind of stacking things under each one
32 that we have come up with and all, and is there a way that we
33 could maybe capture -- I know we're going to capture the minutes
34 from this and all, but is there a way that we could sort of
35 capture what we've got and have that to look at kind of in
36 between meetings, so we can kind of chew on this a little more
37 or something?

38
39 I guess that just helps me, visually, to try to put this into
40 something I can kind of look at and chew on and work on a little
41 bit in between, but I don't know if that's something that Ryan
42 could do or something, but just like an additional item to not
43 necessarily wait until the very next meeting to look at it.

44
45 **MR. RINDONE:** Well, Mel, I was going to recommend you for it.

46
47 **MR. BELL:** Thanks, man. I appreciate that.

48

1 **MR. RINDONE:** I can try and put together like a PowerPoint
2 presentation, and each slide can have one of these points on it,
3 and it say these are the things we're currently doing to satisfy
4 this goal, and these are some ideas that might be thought about
5 for further addressing it, and then, that way, it will all be in
6 one place, and I can work on that and send that out to you guys
7 in the interim, and then we can revisit that presentation when
8 we meet, and we can think about what kinds of changes you guys
9 want to make.

10
11 **CHAIRMAN POLAND:** Ryan, I can help you out with that too,
12 because, just going back to the previous meeting, there were a
13 lot of potential recommendations that we discussed that we just
14 didn't have time to address again today that we can populate
15 that list with, and so I can certainly work with you in the
16 interim, between now and the next workgroup meeting, to get the
17 rest of the workgroup something to chew on. All right. Any
18 other comments? Hearing or seeing none, thank you for the
19 discussion.

20
21 We will move into the next agenda item, which is Public Comment.
22 Are there any members of the public wishing to make public
23 comment?

24
25 **PUBLIC COMMENT**

26
27 **MR. RINDONE:** If a member of the public would like to comment,
28 please just go ahead and raise your hand, and Bernie will add
29 your name to the notepad queue, and you will have a couple of
30 minutes to address the workgroup.

31
32 **CHAIRMAN POLAND:** No hands raised. All right. Last call for
33 public comment. All right. Hearing none, that leads us to our
34 last item on the agenda, Other Business. There was no other
35 business that came before the approval of the agenda, and is
36 there any other business right now to come before the workgroup?

37
38 **OTHER BUSINESS**

39
40 **MR. RINDONE:** None from me, Mr. Chair.

41
42 **CHAIRMAN POLAND:** Thank you, Ryan. Martha, go ahead.

43
44 **MS. GUYAS:** Just a question. Do we have an idea of when we
45 might meet again, and I guess, if we are going to be at the
46 point where this committee is really trying to throw out ideas
47 and formulate some recommendations, would we want to consider an
48 in-person meeting, given where we are with the COVID situation?

1 I don't know that we need to answer that right now, but I just
2 kind of offer that.

3
4 **CHAIRMAN POLAND:** Thanks, Martha. I mean, I don't know how the
5 other states and the councils are feeling about traveling right
6 now. I mean, personally, I would be willing to meet in-person.
7 I feel like that we could be very productive with a short in-
8 person meeting, but that's something that I can discuss with
9 council leadership, Gulf Council and South Atlantic Council, and
10 we can provide some input on that when we send out a doodle poll
11 for potential meeting dates. Is there any other workgroup
12 members that have any strong feelings one way or another, as far
13 as meeting in-person, potentially? Chris, go ahead.

14
15 **MR. SCHIEBLE:** I just wanted to say that I agree, and I think an
16 in-person meeting, where we can just have discussions, as well
17 as maybe perhaps making a hybrid meeting, as the upcoming
18 council meeting is, so that others can get in that are not
19 allowed to travel, and I would just suggest maybe even in
20 association with one of the upcoming council meetings, the day
21 before or the day after, something like that, and not,
22 obviously, San Antonio, and that doesn't really work, but Orange
23 Beach, and I'm just throwing that out there. I don't know, but
24 that's my two-cents. Thanks.

25
26 **CHAIRMAN POLAND:** All right. Thanks, Chris. Spud.

27
28 **MR. WOODWARD:** I agree with Martha, and I think we're at the
29 point where we could benefit from being together in a room, with
30 flip charts and other types of things, and start bringing some
31 of this together in a coherent manner, and so I think that would
32 be good, and maybe one more virtual meeting and then a follow-up
33 in-person meeting, to try to wrap it up, but I would certainly
34 support that.

35
36 **MR. RINDONE:** Mr. Chair?

37
38 **CHAIRMAN POLAND:** Ryan, go ahead.

39
40 **MR. RINDONE:** Looking at the calendar of what's where, the South
41 Atlantic's next meeting is the week of September 13 in
42 Charleston, which for some of us has its challenges of getting
43 to, and the Gulf Council meeting in October is in Orange Beach,
44 and there is connecting flight issues there as well, and then
45 the next meeting for the South Atlantic Council is in Beaufort,
46 and so it looks like you guys have all decided to tie-off 2021
47 in parts far flung from large municipal airports.

48

1 **CHAIRMAN POLAND:** I like the idea of Beaufort, myself.
2
3 **MR. RINDONE:** I haven't been to Beaufort in a while. I would
4 support Beaufort personally, and I don't know how everyone else
5 feels about that, but I do know the fishing in Beaufort can be
6 pretty good around the jetties for flounder around that time of
7 year.
8
9 **MS. GUYAS:** It sounds cold.
10
11 **CHAIRMAN POLAND:** I think the season will be out for flounder
12 too in December.
13
14 **MR. RINDONE:** Don't tell me things like that. Tell me something
15 else.
16
17 **CHAIRMAN POLAND:** But the bluefin will be here.
18
19 **MR. RINDONE:** There we go. We'll make some money on there.
20 Okay. Well, we'll convene Mr. Poland and council leadership,
21 and we'll try to figure out a good opportunity for trying to do
22 something in-person, and we can send out a little survey to you
23 guys too and see, once we nail down some better idea of times,
24 like whether you would rather or be required to attend
25 virtually, as opposed to in-person, so we have a better idea of
26 how to plan.
27
28 **CHAIRMAN POLAND:** Chester, go ahead.
29
30 **MR. BREWER:** Because of problems with connections and all of
31 that, I am thinking that it might be better to pick somewhere
32 where you go that you can get in and out of easily, and that
33 might be Atlanta, and I realize that that would not be in
34 conjunction with a council meeting, but you can fly into Atlanta
35 early and have the meeting and fly out that day, and so I will
36 just throw that out there.
37
38 **CHAIRMAN POLAND:** All right. Thanks, Chester. I haven't flown
39 in so long that I don't know what it's like to fly anymore, and
40 I don't really know how airlines are delayed or how flights are,
41 but we will look at all the options and consider everything.
42 All right. Anything else from the workgroup? Hearing none, I
43 will call our meeting adjourned. I appreciate everyone joining
44 us and the good discussion today. You guys have a good
45 afternoon.
46
47 (Whereupon, the meeting adjourned on June 3, 2021.)
48