

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

2
3 MACKEREL MANAGEMENT COMMITTEE

4
5 IP Casino and Resort Biloxi, Mississippi

6
7 OCTOBER 17, 2016

8
9 **VOTING MEMBERS**

10 Pamela Dana.....Florida
11 Patrick Banks.....Louisiana
12 Chris Blankenship.....Alabama
13 Roy Crabtree.....NMFS
14 Dale Diaz.....Mississippi
15 Martha Guyas (designee for Nick Wiley).....Florida
16 John Sanchez.....Florida
17 David Walker.....Alabama

18
19 **NON-VOTING MEMBERS**

20 Leann Bosarge.....Mississippi
21 Doug Boyd.....Texas
22 LCDR Leo Danaher.....USCG
23 Dave Donaldson.....GSMFC
24 Tom Frazer.....Florida
25 John Greene.....Alabama
26 Kelly Lucas (designee for Jamie Miller).....Mississippi
27 Campo Matens.....Louisiana
28 Robin Riechers.....Texas
29 Ed Swindell.....Louisiana
30 Greg Stunz.....Texas

31
32 **STAFF**

33 Steven Atran.....Senior Fishery Biologist
34 John Froeschke.....Fishery Biologist - Statistician
35 Douglas Gregory.....Executive Director
36 Morgan Kilgour.....Fishery Biologist
37 Mara Levy.....NMFS
38 Jessica Matos.....Administrative Assistant
39 Ryan Rindone.....Fishery Biologist/SEDAR Liaison
40 Claire Roberts.....EFH Specialist
41 Bernadine Roy.....Office Manager
42 Charlotte Schiaffo.....Research and Human Resource Librarian
43 Bryan Schoonard.....GIS Analyst
44 Carrie Simmons.....Deputy Director

45
46 **OTHER PARTICIPANTS**

47 Pam Anderson.....Panama City, FL
48 Shane Bonnorf.....Houston, TX

1 Eric Brazer.....GMRFSA
2 J.P. Brooker.....Ocean Conservancy
3 Myron Fischer.....LA
4 Richard Fischer.....LA
5 Traci Floyd.....MS DMR
6 Troy Frady.....Lillian, AL
7 Sue Gerhart.....NMFS
8 Chad Hanson.....Pew Charitable Trusts
9 Scott Hickman.....Galveston, TX
10 Bill Kelly.....FKCFA
11 Jack McGovern.....NMFS
12 Gary Morgan.....CLS America
13 Charlie Phillips.....SAFMC
14 Bonnie Ponwith.....SEFSC
15 Joe Powers.....SSC
16 Lance Robinson.....TX
17 Dale Stevens.....Pascagoula, MS
18 Tom Wheatley.....Pew Charitable Trusts, Tampa, FL
19
20 - - -
21

TABLE OF CONTENTS

1
2
3 Table of Contents.....3
4
5 Table of Motions.....4
6
7 Adoption of Agenda and Approval of Minutes.....5
8
9 Action Guide and Next Steps.....5
10
11 Final Draft: CMP Amendment 30: Atlantic Cobia Recreational
12 Fishing Year.....5
13
14 Final Draft: CMP Framework Amendment 5: Modifications to Pelagic
15 Commercial Permit Restrictions in the Gulf of Mexico and
16 Atlantic.....8
17
18 Public Hearing Draft: CMP Amendment 29: Allocation Sharing and
19 Accountability Measures for Gulf King Mackerel.....9
20 Review of Public Hearing Locations.....23
21
22 Review of SSC Discussion of Updated Gulf King Mackerel
23 Projections.....24
24
25 Adjournment.....26
26

27 - - -
28

TABLE OF MOTIONS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

PAGE 7: Motion in Action 1 that Alternative 2 be the preferred alternative. [The motion carried on page 7.](#)

PAGE 7: Motion to approve CMP Amendment 30 and that it be forwarded to the Secretary of Commerce for review and implementation and deem the codified text as necessary and appropriate, giving staff editorial license to make the necessary changes in the document. The Council Chair is given the authority to deem any changes to the codified text as necessary and appropriate. [The motion carried on page 7.](#)

PAGE 9: Motion to approve CMP Framework Amendment 5 and that it be forwarded to the Secretary of Commerce for review and implementation and deem the codified text as necessary and appropriate, giving staff editorial license to make the necessary changes in the document. The Council Chair is given the authority to deem any changes to the codified text as necessary and appropriate. [The motion carried on page 9.](#)

PAGE 13: Motion in Action 1 to make Alternative 2b and 2g the preferred alternatives. [The motion carried on page 17.](#)

PAGE 18: Motion that in Action 2 to make Alternative 3 the preferred alternative. [The motion carried on page 23.](#)

- - -

1 The Mackerel Management Committee of the Gulf of Mexico Fishery
2 Management Council convened at the IP Casino and Hotel, Biloxi,
3 Mississippi, Monday afternoon, October 17, 2016, and was called
4 to order by Chairman Pamela Dana.

5
6 **ADOPTION OF AGENDA**
7 **APPROVAL OF MINUTES**
8

9 **CHAIRMAN PAMELA DANA:** I am going to call to order the Mackerel
10 Management Committee, and the new members are myself, Patrick
11 Banks or Myron Fischer, Chris Blankenship, Roy Crabtree, Dale
12 Diaz, John Sanchez, David Walker, and Martha Guyas. We have a
13 quorum.

14
15 Can I have a motion to adopt the agenda? Is there any additions
16 to the agenda as written? I would like to propose a change in
17 the order on the agenda. I would like to do Number VI and place
18 that as Item Number IV and keep Item V the same, but then put
19 Number IV as Number VI. Do I have a motion to adopt the agenda?

20
21 **MR. DALE DIAZ:** I make a motion that we approve the agenda as
22 amended.

23
24 **MS. MARTHA GUYAS:** Second.

25
26 **CHAIRMAN DANA:** All those in favor. The agenda is recorded. If
27 everyone has had the opportunity to review the minutes,
28 particularly those who are returning committee members, can I
29 get a motion to approve the minutes?

30
31 **MS. GUYAS:** So moved.

32
33 **CHAIRMAN DANA:** We've got a second. All those in favor. The
34 minutes pass. In Tab C, Number 3, we have the Action Guide and
35 Next Steps, and, again, we're just changing the order slightly
36 of that action guide, and let's just go ahead into the Final
37 Draft for CMP Amendment 30, Atlantic Cobia Recreational Fishing
38 Year, Tab C, Number 6. Ryan, do you mind going over that?

39
40 **FINAL DRAFT: CMP AMENDMENT 30: ATLANTIC COBIA RECREATIONAL**
41 **FISHING YEAR**
42

43 **MR. RYAN RINDONE:** Thank you, Madam Chair. Amendment 30 had
44 originally started out as part of Framework Amendment 4, and we
45 amended the framework procedure for mackerel stuff a while back,
46 so that each council could deal with things on their own through
47 framework amendments without having to involve the other
48 council. Unfortunately, changing the fishing season isn't one

1 of those things that is included in the framework procedure, and
2 so that had to do be done via a plan amendment.

3
4 You guys probably heard a little while back that the Atlantic
5 overran their recreational cobia ACL by a fair bit, and so
6 they're taking several actions to try to step back the fishing
7 effort, so that they don't run into problems like that again and
8 they can make sure that the season stays open during the time
9 when most fishermen really want to be out there and be able to
10 catch those fish, which is starting in May and going through the
11 end of the summer and into the early fall.

12
13 The South Atlantic created Amendment 30, which I know you guys
14 are just seeing for the first time here, but thankfully it's
15 just one action, and that is to modify the recreational fishing
16 year for Atlantic cobia.

17
18 The South Atlantic posed a few alternatives looking at different
19 start dates for the recreational fishing year, which currently
20 just runs the calendar year, and they ultimately settled on
21 Alternative 2, which would modify the recreational fishing year
22 for Atlantic cobia to be May 1 through April 30.

23
24 An important note is that this only applies to the stock of
25 cobia which occurs north of the Florida/Georgia line, and so
26 that body of fish north. The fish off the coast of Florida
27 would still be on the calendar year season. Are there any
28 questions so far?

29
30 **CHAIRMAN DANA:** Again, this does not impact the Gulf stock of
31 the cobia. This is the South Atlantic from the north of the
32 Florida/Georgia line.

33
34 **MR. RINDONE:** Just to continue on, the public comments that were
35 received are in Tab C, Number 6(b), and there were only a few
36 comments that were received by the South Atlantic with respect
37 to this action, and one individual supported Alternative 1. One
38 supported Alternative 3, and several stated that it's important
39 that the recreational fishery for cobia, for Atlantic cobia, be
40 open for the month of May and for a season of May through
41 September or October, and so that was the priority, is that the
42 season be opened from that late spring start through the summer
43 and into the early fall. That's why the South Atlantic picked
44 Alternative 2. Madam Chair.

45
46 **CHAIRMAN DANA:** Okay. Given that this is primarily a South
47 Atlantic amendment, but we are in a joint -- We do handle these
48 things jointly, and how do we move forward, Ryan? Do we need to

1 go through each of these alternatives and actions and support
2 their preferred or -- Martha Guyas.

3
4 **MS. GUYAS:** I think that's a yes. **For Action 1, I move that the**
5 **Gulf preferred be Alternative 2.**

6
7 **CHAIRMAN DANA:** We have a motion that in Action 1 to have
8 Alternative 2 be the preferred, which is to modify the
9 recreational fishing year for Atlantic cobia to be May 1 through
10 April 30. Do I have a second? Second by Dr. Crabtree. Any
11 discussion? **Seeing none, all those in favor, raise your hand.**
12 **It's a unanimous vote, and the motion passes.**

13
14 Now I am told that we need a motion to go final with this Draft
15 CMP Amendment 30. Do I have a motion?

16
17 **MR. JOHN SANCHEZ:** So moved.

18
19 **CHAIRMAN DANA:** John Sanchez moves to take this Amendment 30 to
20 final action. Do I have a second? Second by David Walker. Any
21 discussion? Mara Levy.

22
23 **MS. MARA LEVY:** Can we just put the motion up and then also note
24 that I think you have the codified text that goes with it in
25 your briefing book, just to let you know that it's there.

26
27 **CHAIRMAN DANA:** Mara, just for clarification, are these two
28 different motions or does the codified text override the --

29
30 **MS. LEVY:** Can we just read the motion, for the record, since we
31 didn't actually have the language up there?

32
33 **CHAIRMAN DANA:** The motion is to approve CMP Amendment 30 and
34 that it be forwarded to the Secretary of Commerce for review and
35 implementation and deem the codified text as necessary and
36 appropriate, giving staff editorial license to make the
37 necessary changes in the document. The Council Chair is given
38 the authority to deem any changes to the codified text as
39 necessary and appropriate. Any discussion on the motion? **All**
40 **those in favor, raise your hand.**

41
42 **EXECUTIVE DIRECTOR DOUG GREGORY:** Eight.

43
44 **CHAIRMAN DANA:** **The vote is unanimous, and the motion passes.**
45 Okay. Mara.

46
47 **MS. LEVY:** Thank you. I just wanted to clarify one thing about
48 the idea of doing a fishing year through a framework or not.

1 The framework language is a little bit ambiguous, but I don't
2 think the decision was that you couldn't do it through a
3 framework. The South Atlantic Council decided that they didn't
4 want to do it through a framework, because the language is
5 somewhat ambiguous, and so they decided to do a full plan
6 amendment.

7
8 We have very identical language in the Gulf reef fish framework,
9 and we just did a framework action to change the yellowtail
10 snapper fishing year, and so I just don't want it to be on the
11 record that you cannot legally do it through a framework.

12
13 **CHAIRMAN DANA:** Thank you for the clarification. Speaking of
14 frameworks, now let's move into Item Number V, which is Final
15 Draft for CMP Framework Amendment 5: Modifications to Pelagic
16 Commercial Permit Restrictions in the Gulf of Mexico and
17 Atlantic. It's Tab C, Number 5. Ryan, can you help us?

18
19 **CMP FRAMEWORK AMENDMENT 5: MODIFICATIONS TO PELAGIC COMMERCIAL**
20 **PERMIT RESTRICTIONS IN THE GULF OF MEXICO AND ATLANTIC**

21
22 **MR. RINDONE:** Yes, ma'am. This was a framework that was
23 proposed to the council by the CMP Advisory Panel, and,
24 essentially, what it does is it allows commercial fishermen to
25 fish recreationally for king and Spanish mackerel when the
26 commercial fishing season is closed.

27
28 They still can't sell these fish, but it's just that it allows
29 them to go on their commercially-permitted vessels with their
30 family or friends or by themselves and be recreational fishermen
31 for the day.

32
33 If you guys move down to page 5, you will see the one and only
34 action for this framework amendment, which is to modify
35 restrictions applicable to federal commercial permits for king
36 and Spanish mackerel.

37
38 We are working with the South Atlantic Council on this as well,
39 and we have agreed-upon preferred alternatives here, which are
40 Alternatives 2 and 3, and I will read those. Preferred
41 Alternative 2 would remove the restriction on fishing for and
42 retaining the recreational bag limit of king mackerel on a
43 vessel with a federal commercial permit for kingfish when the
44 vessel is on a recreational trip and commercial harvest of
45 kingfish in that zone is closed. Preferred Alternative 3 would
46 essentially do the exact same thing for Spanish mackerel. Any
47 questions?

48

1 Where we are right now with this is that we have agreed-upon
2 preferred alternatives between the Gulf and the South Atlantic,
3 and this is one of those rare frameworks that we're doing
4 together, because it affects both sides, and both sides want the
5 same thing, and so, if you guys are happy with where things are,
6 you can also recommend that this go to the Secretary for
7 implementation. Madam Chair.

8
9 **CHAIRMAN DANA:** Thank you, Ryan. This was what Martin Fisher
10 had brought up probably two meetings ago, just as a refresher.
11 Is there anyone wanting to make a motion on 2.1, Action 1? John
12 Sanchez.

13
14 **MR. SANCHEZ:** I think we're already there, and we're in
15 agreement, and so let's send it to the Secretary for approval.

16
17 **CHAIRMAN DANA:** We have a motion to --

18
19 **MR. RINDONE:** The codified text is available in the briefing
20 book for you to review.

21
22 **CHAIRMAN DANA:** John, is this your motion? Would you like to
23 read your motion?

24
25 **MR. SANCHEZ:** To approve CMP Framework Amendment 5 and that it
26 be forwarded to the Secretary of Commerce for review and
27 implementation and deem the codified text as necessary and
28 appropriate, giving staff editorial license to make the
29 necessary changes in the document. The Council Chair is given
30 the authority to deem any changes to the codified text as
31 necessary and appropriate.

32
33 **CHAIRMAN DANA:** Do I have a second for the motion? David Walker
34 seconds. Any discussion on the motion? **Seeing none, all those**
35 **in favor, please raise your hand.**

36
37 **EXECUTIVE DIRECTOR GREGORY:** Eight. It passes eight to zero.

38
39 **CHAIRMAN DANA:** **The motion to approve CMP Framework Amendment 5**
40 **passes.** Next, we move into Item Number VI, which is Public
41 Hearing Draft for CMP Amendment 29: Allocation Sharing and
42 Accountability Measures for Gulf King Mackerel, Tab C, Number 4.
43 Ryan, if you can walk us through that.

44
45 **PUBLIC HEARING DRAFT: CMP AMENDMENT 29: ALLOCATION SHARING AND**
46 **ACCOUNTABILITY MEASURES FOR GULF KING MACKEREL**

47
48 **MR. RINDONE:** Yes, ma'am. Just to review, this is the action

1 that we pulled out of CMP Amendment 26, and it's looking at
2 allocation sharing between the recreational and commercial
3 sectors in the Gulf for Gulf kingfish.

4
5 If we move on down to page 6 in the document, we get to Action
6 1. The general purpose here is to try to get closer to
7 harvesting OY and to reduce the chance for regulatory discards,
8 and we have a lot of underharvest in the Gulf migratory group of
9 king mackerel right now, and you guys are just exploring ways to
10 try to use that.

11
12 We have three alternatives in Action 1. Alternative 1 is no
13 action. Alternative 2 is the alternative which considers a
14 conditional transfer, whereby some percentage of the stock
15 allocation would conditionally transfer to the commercial
16 allocation, so long as a recreational ACL minimum threshold
17 hasn't been met, and Alternative 3 would go back to the SSC to
18 consider increasing the ABC for the following fishing year if
19 some percentage of the stock ACL has gone unharvested.

20
21 At this point, this is our public hearing draft that we're
22 considering here, and, if you guys are satisfied with these
23 alternatives in Actions 1 and 2, which we'll get to in just a
24 minute, then we will carry that out to public hearings, and we
25 do need to talk about the public hearing locations, but we'll do
26 that in just a second. Are there any questions though that you
27 guys have for Action 1? Martha.

28
29 **MS. GUYAS:** I have one, and it's just a clarification, and I
30 think I know the answer, but I couldn't tell if it was -- It
31 wasn't totally clear to me in the document. Let's pretend this
32 is in place now, maybe Alternative 2. If the ACL is adjusted
33 during the year that you're using for the data, are you using
34 the original sector ACL or that adjusted ACL when you're trying
35 to calculate your triggers or determine if the trigger has been
36 met?

37
38 **MR. RINDONE:** It would be whatever the ACL was for that year.
39 If the ACL had been adjusted for that year, then it's whatever
40 it is. If you transferred 10 percent, let's say, from the stock
41 ACL to the commercial sector, and so, by default, the
42 recreational sector's ACL would be decreased, then that minimum
43 threshold would be based on that adjusted ACL, and so, going
44 into the future, the ACL for that year, the threshold would be
45 based upon that adjusted ACL.

46
47 **MS. GUYAS:** Okay.

48

1 **MR. RINDONE:** So it wouldn't be based on what it could have
2 been, but whatever it was set at as a function of the amendment.
3 A clarifying point is that we're saying that we're using two-
4 year-old data for Alternative 2, and the purpose of that was to
5 make sure that we were focusing on using data that had been
6 QA/QC'd and were final.

7
8 However, if the recreational minimum threshold is met in the
9 year in between the data year, which is two years prior, and the
10 intermediary year, if you will, then the transfer also would not
11 occur, and that language is described in a little more detail in
12 Chapter 4, but, that way, if the threshold isn't met in say
13 2014, but it was met in 2015, then it might not be responsible
14 to do that shift in 2016, because there could be an even
15 temporary change in the effort environment, which could impact
16 the ACL and could trigger an accountability measure, and so that
17 was just a clarifying remark. Does everybody understand that?

18
19 **CHAIRMAN DANA:** Mara.

20
21 **MS. LEVY:** Does that just apply to the recreational trigger then
22 and not the 90 percent of the commercial landings that are
23 required? Meaning, if the two years prior, if they meet the 90
24 percent, but somehow in the intermediate year they don't, we're
25 not going to look at that?

26
27 **MR. RINDONE:** The 90 percent -- It would apply to that, too.
28 That's across the board for the commercial sector. They have to
29 be landing 90 percent of their ACL in order to be eligible for
30 this. That's the way it's written right now.

31
32 **MS. LEVY:** So what does having the two-year-old data do then?
33 We're saying we're using two-year-old data, but then we're
34 saying if either of the thresholds aren't met in the year in
35 between with the newer data, it's not going to get triggered,
36 and I guess I'm just trying to figure out what the purpose of
37 even saying we're looking at two-year-old data is if we're
38 really not and we're really looking at the most recent data to
39 decide whether to do the action.

40
41 **MR. RINDONE:** It gives the council a little bit more landings
42 history to base the decision on, and it includes using data
43 which are in fact final and not preliminary, which was one of
44 the things that the council had expressed a desire to include.

45
46 If we had just used the previous year's data, then we would be
47 using preliminary landings, which, in the past, you guys have
48 expressed a little bit of hesitation to leaning on fully, and

1 so, by including the two-year-old data, we have a little bit
2 more history that's involved, and you're using final landings
3 data in addition with the data in the intermediary year to make
4 the decision.

5
6 **CHAIRMAN DANA:** Did that answer your question, Mara? Do we have
7 more questions of Ryan? Martha.

8
9 **MS. GUYAS:** Just thinking about that and the two-year lag, is
10 the two-year thing an issue for Alternative 3 also? It looks
11 like, for that one, we're just using the following fishing year.

12
13 **MR. RINDONE:** It's not an issue for Alternative 3, because we're
14 taking that one to the SSC to consider, and you guys will hear
15 this in the SSC report later on, but, just in summary, the SSC
16 isn't as comfortable increasing the ABC without there being a
17 certain number of things that they're able to take a look at,
18 including -- It's not just limited to landings, but also growth
19 and recruitment and age frequency distribution and things like
20 that. They want to have a better examination of what's actually
21 going on with the stock, as opposed to just the landings.

22
23 Alternative 3 would require a more in-depth look than
24 Alternative 2, since Alternative 2 is based on landings triggers
25 and conditional transfers and only lasts for a year and then it
26 comes right back. Alternative 3 also would only be good for a
27 year, but it has a much larger degree of scrutiny involved.

28
29 **CHAIRMAN DANA:** Ryan, what are we looking for here? Do we need
30 to get some preferreds?

31
32 **MR. RINDONE:** Yes, ma'am.

33
34 **CHAIRMAN DANA:** What is the timing for moving this to the South
35 Atlantic, et cetera? There are some timing factors here, aren't
36 there?

37
38 **MR. RINDONE:** If you guys pick preferreds here for Actions 1 and
39 2 and we go out to public hearings and we get those public
40 comments back and we get those to the South Atlantic before
41 their December meeting, the South Atlantic, if they are in
42 agreement, could agree with the Gulf's preferreds and take final
43 action. Then the Gulf, subsequently, would take final action in
44 January. Then we could submit it to NMFS soon thereafter.

45
46 However, if you don't pick preferreds here and it goes out to
47 public hearings without preferreds, then the South Atlantic
48 isn't likely to do much of anything with it in December, and it

1 would come back to you in January to pick preferreds then. Then
2 the next time the South Atlantic would have an opportunity to
3 see it would be March, and so it wouldn't have an opportunity to
4 be finalized by both councils until March, and so that's what
5 you're looking at for timelines.
6

7 **CHAIRMAN DANA:** Thank you. What is the pleasure of the
8 committee? John Sanchez.
9

10 **MR. SANCHEZ:** I have a question. When do you think the SSC is
11 going to meet on this, to look at Alternative 3?
12

13 **MR. RINDONE:** We haven't brought Alternative 3 to them
14 specifically, but we did go along a very similar tangent with
15 the red snapper carryover that the council is considering, and
16 it kind of falls in the same boat. What I mean by that is that,
17 for the SSC to consider an increase in the ABC, there is a suite
18 of things that they want to be able to examine before they make
19 that recommendation to the council.
20

21 Since we're talking about timelines, and Martha had actually
22 asked a while back how long some of this stuff would take,
23 Alternative 3 would require the SSC to be convened and to have
24 certain data received from the Science Center to be considered
25 to change the ABC. Then the subsequent adjustments to the ACLs
26 would happen after that.
27

28 Alternative 2, we've tried to set it up to be a little bit more
29 automatic, and so, from a timeliness standpoint, the idea is
30 that it wouldn't take as long to actually implement on an annual
31 basis. Either way though, it's going to require a temporary
32 rule to be issued by NMFS to make an adjustment to the ACL, and
33 so that has to happen either way. Alternative 2 probably
34 happens a little bit faster than Alternative 3.
35

36 **CHAIRMAN DANA:** What is the pleasure of the committee? John
37 Sanchez.
38

39 **MR. SANCHEZ:** I guess I will try to move with picking up
40 preferreds. For Alternative 2, as written, Option 2c, the 15
41 percent, and then couple it with the minimum threshold below of
42 Option 2g.
43

44 **CHAIRMAN DANA:** We have a motion that in Action 1 that
45 Alternative 2 --
46

47 **MR. SANCHEZ:** Alternative 2, Option 2c and 2g.
48

1 **CHAIRMAN DANA:** The motion is, that in Action 1, to make
2 Alternative 2c and 2g the preferred alternative. Do I have a
3 second for that motion? Dale Diaz seconds for discussion. Any
4 discussion? John, would you like to explain your position?
5

6 **MR. SANCHEZ:** Yes, and we've discussed this before, and the
7 rationale or the motivation is you have one sector that has been
8 leaving a balance on their allocation, whereas another one has
9 been fully utilizing it, and it could benefit from more.
10

11 One of the oaths that I took was to maximize the benefits to the
12 nation of these resources that we're using, and I think this
13 would help to accomplish that, and it does have some safeguards
14 in it. If they start to also fully utilize their allocation,
15 then this would cease and desist, and so I think it does follow
16 one of the National Standard mandates that we're supposed to
17 use, and we've discussed it before, and I think it's kind of
18 something we could use in other fisheries too, where it benefits
19 the sector, perhaps, in need, while the one that isn't perhaps
20 utilizing it, they can give some to someone that might need it.
21

22 **CHAIRMAN DANA:** Thank you, John. Is there further discussion?
23 Myron Fischer.
24

25 **MR. MYRON FISCHER:** Thank you, Madam Chair. John or Ryan, in
26 the conditionally transferring the first portion of our options,
27 it's 15 percent of the entire stock allocation and not of the
28 recreational quota, and is that correct?
29

30 **MR. RINDONE:** Yes, sir. Essentially, what that means -- Right
31 now, the allocations are 68 percent recreational and 32 percent
32 commercial, and so Option 2c, for one-year increments, would
33 change that allocation to 53 percent recreational and 47 percent
34 commercial, and that would be annually evaluated, and it would
35 stay that way so long as the recreational sector stayed under 75
36 percent of that adjusted ACL, and so that 53 percent, and it's
37 not cumulative. It doesn't keep changing. It's just that --
38 Since it's done in one-year increments, that's what it means.
39

40 **MR. FISCHER:** My comment is, if recreational doesn't have to
41 catch very much more, because I would hope commercial stays
42 around their 100 or 105 percent, we're just not leaving that big
43 buffer of fish in the water that we have for the last few
44 decades.
45

46 I just thought these options were a little more risk-averse than
47 maybe some of the conservative options, because you're pulling
48 the historic 70/30 that was changed to 68/32 down to 53/47, and

1 we are really just working off of that buffer that we've been
2 saving out in the ocean for all these years.

3

4 **CHAIRMAN DANA:** John, to that point?

5

6 **MR. SANCHEZ:** Thank you. Yes, I think, in most of our
7 management strategies and our quota allocations and everything,
8 there is buffers -- Since I was in fisheries management in the
9 1990s, there's buffers on top of buffers, and I think this is
10 completely within the realm of doing something without remotely
11 risking a biological impact to this. These fish, from what I'm
12 hearing, some of them are growing old, and I just -- There is
13 buffer on top of buffer, and I don't agree with that.

14

15 **CHAIRMAN DANA:** Dr. Crabtree and Martha Guyas.

16

17 **DR. ROY CRABTREE:** If I am understanding this right, Ryan,
18 assuming in Action 2 that we change the recreational
19 accountability mechanism to eliminate the in-season closure
20 provision, then, by doing this, the recreational fishery would
21 never be shut down just because of this, because the AM would
22 apply the next year and the temporary allocation shift would be
23 negated at that point, and is that correct?

24

25 **MR. RINDONE:** Yes, sir.

26

27 **CHAIRMAN DANA:** Martha Guyas.

28

29 **MS. GUYAS:** I am not so sure about this. I am good with this
30 general concept, but I may be inclined to go a little more
31 conservative, just because we do have that amendment hanging out
32 there that's adjusting some things, including the recreational
33 bag limit, and I know that it's projected to -- The recreational
34 still wouldn't hit their quota, but stranger things have
35 happened. Let's just say that.

36

37 On the other side, if we made the move and then we had a
38 situation where it reverted back to the default allocation, I
39 wouldn't want to have a situation where commercial anticipates
40 getting this huge hunk of quota and they spend a bunch of money
41 on gear and stuff, anticipating this higher yield, and then they
42 have to pull back on that and they're kind of out, but --

43

44 **CHAIRMAN DANA:** John Sanchez.

45

46 **MR. SANCHEZ:** I wouldn't be opposed to a friendly adjustment in
47 percentage, perhaps, like Option 2, the e or f or g or what have
48 you. Now, as far as gear investments, pretty much there is what

1 there is in the runaround gillnet fleet, and I don't see that
2 people are going to make any significant investment in the
3 fishery because of this.

4

5 **CHAIRMAN DANA:** Dale Diaz.

6

7 **MR. DALE DIAZ:** Thank you. I seconded for discussion because,
8 right before John made his motion, I was leaning towards making
9 a motion that was slightly more conservative, and it might be
10 something that would be a little bit more appealing, but I was
11 leaning towards making a motion, and I'm going to substitute
12 motion, and that's what I would like to do right now, for Option
13 2b and Option 2g to be the preferred alternatives for Action 1.

14

15 **CHAIRMAN DANA:** Okay. We have a substitute motion that in
16 Action 1 to make Alternative 2b and 2g the preferred
17 alternative.

18

19 **MR. DIAZ:** That's my motion.

20

21 **CHAIRMAN DANA:** Do I have a second for the substitute motion?
22 Martha Guyas seconds. Any discussion? John Sanchez.

23

24 **MR. SANCHEZ:** I am agreeable with this.

25

26 **CHAIRMAN DANA:** Okay, and so John is agreeable with that, and so
27 do you then -- Mara, how do I handle this?

28

29 **MR. SANCHEZ:** Can I withdraw that?

30

31 **CHAIRMAN DANA:** Should we just vote on the substitute? Okay.
32 Any other discussion? Seeing none, all those in favor, please
33 raise your hand. Let me just read the motion. The motion is,
34 in Action 1, that Alternative 2, which reads to conditionally
35 transfer a certain percentage of the allocation to the
36 commercial sector in the next fishing year if the minimum
37 recreational landings threshold is not met. If the commercial
38 sector does not land at least 90 percent of its annual catch
39 limit, this transfer will not occur. Landing data from two
40 years prior will be used to determine allocation transfers.
41 Option 2b is conditionally transfer 10 percent from the stock
42 allocation to the commercial allocation. Option 2g is less than
43 75 percent of the recreational ACL. **All those in favor, please**
44 **raise your hand.**

45

46 **EXECUTIVE DIRECTOR GREGORY:** Eight. It passes eight to zero.

47

48 **CHAIRMAN DANA:** Thank you. **The substitute motion passes.** Ryan,

1 let's move into Action 2.

2
3 **MR. RINDONE:** Action 2 starts on page 11, and this is the
4 accountability measure for the recreational sector that Dr.
5 Crabtree alluded to a little bit earlier, and Action 2 would
6 adjust the recreational accountability measure for Gulf
7 kingfish. Our current AM for the recreational sector is an in-
8 season AM, whereby, if the recreational landings reach or are
9 projected to reach the recreational ACL, the bag limit will be
10 reduced to zero for the remainder of the fishing year, and so
11 that's what is on the books right now.

12
13 Two alternatives to that have been proposed. Alternative 2
14 would replace the current in-season AM with a post-season one,
15 whereby, if the recreational ACL is exceeded in any fishing
16 year, the length of the following fishing season, so the next
17 year, will be reduced by the amount necessary to ensure the
18 landings don't exceed the ACL.

19
20 Alternative 3 would also replace the current in-season AM with a
21 post-season one, whereby, if both the recreational and stock ACL
22 are exceeded in a fishing year, then the length of the following
23 recreational fishing season would be reduced by the amount
24 necessary to ensure that landings don't exceed the recreational
25 ACL.

26
27 In terms of leniency, Alternative 1 is the most stringent, and
28 then Alternative 2 is less stringent, and Alternative 3 is less
29 stringent still, and the point of all of this is to account for
30 the activity that you guys may elect to do in Action 1 with the
31 allocation sharing.

32
33 If the recreational sector, for whatever reason, exceeds its ACL
34 in say 2016, then their fishing season in 2016 isn't
35 abbreviated. Any change to that would happen in 2017, but, in
36 2017, the recreational sector would have already received back
37 the fish that it might have shared, based on the landings, and
38 so I don't know if that makes any sense. Action 1 would give
39 those fish back to the recreational sector before the
40 accountability measure could have any effect. They kind of work
41 together. Does that make sense to everybody?

42
43 **CHAIRMAN DANA:** Dr. Crabtree.

44
45 **DR. CRABTREE:** Yes, it does make sense to me. Just from a
46 practical standpoint, I don't think there is a lot of difference
47 between Alternative 2 and 3. If you assume the commercial guys
48 are going to catch their ACL every year, if the recreational

1 goes over, the total ACL is going to be exceeded.

2
3 Nonetheless, it does seem to me if somehow the recreational went
4 over a little bit and the commercial were under and we were
5 beneath the overall ACL, there wouldn't really be a need to do
6 anything, and so Alternative 3 makes sense to me. **I would make**
7 **a motion that we adopt Action 2, Alternative 3 as our preferred.**

8
9 **CHAIRMAN DANA:** We have a motion in Action 2, to make
10 Alternative 3 the preferred alternative. Alternative 3 reads to
11 replace the current in-season AM with a post-season AM. If both
12 the recreational ACL and the stock ACL are exceeded in a fishing
13 year, the length of the following recreational fishing season
14 will be reduced by the amount necessary to ensure the landings
15 do not exceed the recreational ACL. Do I have a second?

16
17 **MS. GUYAS:** I will second it, and then I will ask a question.

18
19 **CHAIRMAN DANA:** Martha Guyas seconds. Is there discussion?
20 Martha.

21
22 **MS. GUYAS:** I feel like I ask this question every time, but I
23 maybe haven't asked it in the right words. I understand that we
24 are using an adjusted fishing year for recreational here, to
25 match the commercial, when we're tracking catches. When is that
26 data actually final? In other words, if there is an overage on
27 the recreational side, when is that caught? When would that
28 overage -- Not the overage, but the season be adjusted to
29 account for that for the recreational?

30
31 **MR. RINDONE:** The recreational fishing year technically runs
32 from January 1 to December 31, but the landings are recorded on
33 the same timeline as the Western and Southern Zone hand-line
34 seasons, which is July 1 to June 30.

35
36 If there was going to be -- Since we're talking about making an
37 adjustment to the commercial ACL with the allocation sharing
38 thing in Action 1, it would be based on that July to June
39 season, and so we would know whether there had been an issue
40 within I guess forty-five days after the closing of Wave 3, and
41 so the middle of August.

42
43 **MS. GUYAS:** So preliminary landings would be used for that, in
44 this case?

45
46 **MR. RINDONE:** In this case, yes.

47
48 **MS. GUYAS:** I guess the reason I'm asking is because a few years

1 ago, with red grouper, we got into a situation where we were
2 over the ACL, but it didn't get caught until the following
3 spring, and I guess it wasn't handled for that following year
4 until like May or something like that, and that caused some
5 problems, and so I'm trying to make sure that we're not -- Even
6 though the fishing year would be ending I guess the end of June,
7 for accounting purposes, and we're not waiting until the
8 following March or April to say, okay, the recreational went
9 over and then do a rule to adjust the quota, and do you see what
10 I'm saying?

11
12 **MR. RINDONE:** These things all would kind of happen together,
13 the allocation sharing thing and the analysis of the
14 accountability measure. It would all happen at the same time,
15 and so, if the recreational sector is over, or if they have
16 exceeded the minimum threshold, then there's not going to be any
17 allocation sharing, but, if they have exceeded their ACL, then
18 the accountability measure would be considered.

19
20 Since there wouldn't be any allocation sharing in the following
21 year, because the minimum threshold was met, then all of those
22 fish come back to the recreational sector and then the AM kind
23 of becomes a moot point and doesn't get put into place.

24
25 Now, for a large number of the AMs that we have, we have to use
26 preliminary data, and so when we say they're projected to be
27 reached, and so that's that whole head-it-off-at-the-pass thing.
28 As far as that, that's kind of hard to get around with this
29 specifically, but it just serves as an insurance, combined with
30 Action 1.

31
32 **MS. GUYAS:** Okay. I am just trying to ask the questions,
33 because I sense there is still some people that are
34 uncomfortable with this on the recreational side.

35
36 **CHAIRMAN DANA:** Is there further discussion? Doug Boyd.

37
38 **MR. DOUG BOYD:** I'm not on the committee, but I have a question.
39 Ryan, if I understand this correctly, what will happen,
40 procedurally, is that if the recreational sector shares, and
41 then they go over their reduced ACL, the following year, they
42 will be punished with an accountability measure that next year
43 out of their increased limits the next year, and is that
44 correct?

45
46 **MR. RINDONE:** In a way. The accountability measure would come
47 into effect, but it would be based on what the ACL was going to
48 be for that next fishing year, and since that next fishing year

1 would include all the fish that would have been shared, then
2 that would be taken into account. If they were over by say a
3 few percent, then it would be a moot point, because, in the case
4 of what you guys picked in Action 1, their chunk of the stock
5 ACL pie would go up, to back to 68.

6
7 **MR. BOYD:** Okay, but the point that I would like to make is that
8 they would have -- In that next year, they would have a reduced
9 ACL because they are being punished because they went over
10 because they shared fish that they wouldn't have had anyway, and
11 so my thought would be, and, again, I'm not on your committee,
12 is those fish shouldn't come out of the recreational, but it
13 should come out of the commercial at that point and let them
14 have a reduced bag limit, a reduced ACL.

15
16 **MR. RINDONE:** Technically, it is, because, instead of that 10
17 percent annual increase going to the commercial, it's now
18 reverted back to the recreational, and so the commercial loses
19 that 10 percent of allocation sharing and the recreational gets
20 it back.

21
22 **MR. BOYD:** But if there was never a shift in the first place,
23 the recreational sector would not have gone over and there
24 wouldn't be any accountability measure.

25
26 **CHAIRMAN DANA:** Dr. Crabtree.

27
28 **DR. CRABTREE:** But the accountability measure doesn't apply that
29 year. It's the next year, and you get the fish back the next
30 year, and so you would only have something happen if your
31 projected catches for the next year are higher than your entire
32 ACL without any of this taking place, and so I don't see that
33 there is any kind of punishment or anything there, because you
34 get the fish back before anything happens, and you would only
35 have some adjustment if you were going to catch those fish and
36 your entire ACL, and so I'm not sure I see what you're saying,
37 Doug.

38
39 **MR. BOYD:** What I'm saying is that, in effect, the recreational
40 sector, whether they go over their ACL or not the next year,
41 have a reduced ACL because they shared fish.

42
43 **DR. CRABTREE:** The status quo, Doug, right now, is, if you go
44 over your ACL, we're going to shut you down, and so you're going
45 to get a closure if you exceed your ACL under status quo.

46
47 **MR. BOYD:** But if we had never shared fish, we wouldn't be in
48 this situation.

1
2 **DR. CRABTREE:** You would, because, if you exceed your ACL now,
3 you would get a closure.
4
5 **MR. BOYD:** But we don't, and that's my point.
6
7 **DR. CRABTREE:** If you don't, then you will never get a closure,
8 and you will never exceed it.
9
10 **MR. BOYD:** Well, I am going to agree to disagree with you. My
11 point is that the recreational sector is talking about sharing
12 fish. Then we end up with a punishment, at some point in the
13 future, if we go over our reduced ACL because we were nice
14 enough to share. Regardless of what the outcome is, we still
15 have a punishment of some sort, because we went over a reduced
16 ACL. That's my point.
17
18 **MR. RINDONE:** Mathematically, it's the commercial sector that
19 loses the fish in the following year.
20
21 **MR. BOYD:** They just lose what we gave them. If they were
22 really going to lose something, we would take whatever the
23 recreational overage was and take it away from their then
24 reduced ACL back to what it should be.
25
26 **CHAIRMAN DANA:** Dale Diaz.
27
28 **MR. DIAZ:** Thank you. I just want to state that I like this
29 concept of what we're trying to do. Basically, we've got a
30 fishery that we have not been fully utilizing. The recreational
31 sector, if you look at it over the last fifteen years, we've
32 been leaving roughly four-million pounds a year unharvested, and
33 I think we're just trying to figure out a way to utilize this
34 king mackerel fishery a little bit more efficiently and still be
35 conservative, and I think what we've got on the table does that.
36
37 I do agree with Mr. Boyd that I don't want to see a situation
38 where the recreational fishery is ever punished. I think the
39 IPT gave us some good recommendations, and they helped improve
40 what we had from the first couple of drafts, and I believe,
41 where we're at right now, we're in a pretty good place and we're
42 doing as much as we can do to protect the recreational fishery.
43
44 Even the Alternative 3 that Dr. Crabtree is proposing is the one
45 that is the most restrictive and does the most to protect the
46 recreational fishery, and so, anyway, in my mind, I think we're
47 breaking some new ground. We're doing some stuff that's
48 innovative, and I think we're trying to do everything we can to

1 make this fair and to protect the recreational folks, and I am
2 hoping, at the end of the day, we get some good public comments.
3 Maybe we can even improve the document from where it's at now
4 and we can look at trying to look at this way of managing
5 fisheries. Thank you.

6
7 **CHAIRMAN DANA:** Thanks, Dale. Dr. Crabtree and then Leann.

8
9 **DR. CRABTREE:** I just want to come back to this, because there
10 is no punishment here or anything like that, and I don't think
11 folks are understanding it. Under the current status quo
12 regulations, if the recreational fishery is projected to catch
13 their ACL, they are going to be closed.

14
15 Under this provision, if the recreational exceeds their ACL in
16 the same year as this transfer takes place, they don't get
17 closed. They would only be closed the next year if we projected
18 they're going to exceed their entire ACL without any sharing.
19 That is the same provision that is on the books now, and so,
20 under either the status quo or under this scenario, they will
21 only have a closure if they're going to exceed their full ACL.
22 That is currently the way it is, and that's the way it is under
23 this amendment.

24
25 **CHAIRMAN DANA:** Martha, to that point?

26
27 **MS. GUYAS:** Roy, to that point, I am trying to help break it
28 down to what this actually looks like. Let's pretend that the
29 recreational ACL and the stock ACL are exceeded during one of
30 these transfer years. The following fishing year, you guys
31 would be watching the landings as they come in that following
32 year.

33
34 Then, if you get towards the end of the year and it's looking
35 like the recreational is going to hit their quota again, you
36 would do some kind of early closure. It wouldn't be like, okay,
37 it's July 1 and it's a new fishing year and we think, instead of
38 the fishery running through June 30, that we need to close March
39 1.

40
41 **DR. CRABTREE:** Yes, we would look at what data we have and make
42 a projection out. If they're projected that they're going to
43 exceed their entire ACL, without any borrowing or anything, and
44 if the entire ACL was exceeded in the previous year, then they
45 would have a closure. Under the current regulations, if we
46 projected out that they're going to catch their entire ACL, they
47 would have a closure. It is effectively the same thing.

48

1 **CHAIRMAN DANA:** Leann Bosarge.

2
3 **MS. BOSARGE:** Thank you, Madam Chair. I was just to ask Ryan if
4 maybe, at Full Council or at some point in the future, if you
5 could maybe give us two examples of this with actual numbers.
6 Could you come up with some numbers for us to look at? Like
7 maybe base one of them off of what typically has been landed in
8 the past and give us that evaluation, and I am talking about for
9 these accountability measures, and then give us a worst-case
10 scenario. Show us something that, if these numbers were what
11 was landed, this is how somehow the recreational sector would be
12 penalized, so that we can really visualize it and make sure we
13 have a good grip on it.

14
15 **MR. RINDONE:** It will be done.

16
17 **CHAIRMAN DANA:** Thanks, Leann. Let's bring this in for a
18 landing. Again, this does go to the Full Council for further
19 discussion, and so we have a motion on the board. Unless anyone
20 has a burning further comment, and I don't see any, the motion
21 is, in Action 2, to make Alternative 3 the preferred
22 alternative. Alternative 3 reads to replace the current in-
23 season AM with a post-season AM. If both the recreational ACL
24 and the stock ACL are exceeded in a fishing year, the length of
25 the following recreational fishing season will be reduced by the
26 amount necessary to ensure the landings do not exceed the
27 recreational ACL. **All those in favor, signify by raising your**
28 **hand.**

29
30 **EXECUTIVE DIRECTOR GREGORY:** Seven.

31
32 **CHAIRMAN DANA:** **All those opposed. The motion passes.**

33
34 **EXECUTIVE DIRECTOR GREGORY:** It was seven to zero.

35
36 **CHAIRMAN DANA:** All right. Now we have to discuss the locations
37 for the public hearings.

38
39 **REVIEW OF PUBLIC HEARING LOCATIONS**

40
41 **MR. RINDONE:** Thank you, Madam Chair. You guys actually already
42 selected locations for this particular amendment, but you had
43 selected them in tandem with the coral hearings, which aren't
44 going to happen quite as quickly, or aren't likely to happen
45 quite as quickly, as these.

46
47 You had included Brownsville, Texas, which is not a city that we
48 typically visit for mackerel stuff, and so, basically, I'm just

1 asking that you guys clarify whether you think that we need to
2 take this to Brownsville or not, because it's not somewhere we
3 have gone before for mackerel.

4
5 **CHAIRMAN DANA:** Lance.

6
7 **MR. LANCE ROBINSON:** Brownsville is not necessary for mackerel.

8
9 **CHAIRMAN DANA:** Ryan, offhand, can you remember the locations?

10
11 **MR. RINDONE:** We had Corpus, Galveston or adjacent, and I think
12 it was League City, Houma, Biloxi, Mobile, Panama City,
13 Tampa/St. Pete, and Key West.

14
15 **CHAIRMAN DANA:** Okay. Unless there is any opposition to having
16 Brownsville taken off the list, we can just go ahead and go with
17 the revised list of locations.

18
19 **MR. RINDONE:** I will assume that's good enough. Thank you.

20
21 **CHAIRMAN DANA:** Let's go into our final item, which is Review of
22 the SSC Discussion of Updated Gulf King Mackerel Projections.
23 Dr. Powers.

24
25 **REVIEW OF SSC DISCUSSION OF UPDATED GULF KING MACKEREL**
26 **PROJECTIONS**

27
28 **DR. JOE POWERS:** Thank you. There is a short PowerPoint
29 presentation. Essentially, there was a presentation of the time
30 streams for yield, and these were being adjusted because of the
31 changes in catch, or not changes in catch, but the fact that the
32 catches were lower than originally projected when we did these
33 projections first.

34
35 This more or less explains that. The previous projection ran
36 through 2020, and they were based on landings in 2013 through
37 2014, and assuming that those would be equal to the 2012. Of
38 course, as we accumulated information for those years, then
39 those catches were different. Therefore, the objective was to
40 just use those catches and do another projection. It also
41 defines here what was the definition of the overfishing level
42 and the ABC, in terms of the P* sorts of probabilities.

43
44 Unfortunately, there are some things that the SSC doesn't really
45 understand, and, if you look at the original projections for the
46 fishing years 2017 through 2019, you see the OFL there, which is
47 basically the overfishing limits that are based on fishing
48 mortality rates at maximum sustainable yield, and so you see

1 there on the order of about nine-million pounds. Then the ABC,
2 which adjusts for that P*, was on the order of about eight-and-
3 a-half to 8.8 million pounds for those three years.

4
5 When they were updated, using the actual catches for those
6 years, you can see there that they are significantly lower.
7 Now, there are a lot of questions about this, and, essentially,
8 what the SSC was saying is we don't really understand this.
9 Some of the concerns were, some of the references were, that
10 these were 4 percent lower, but, in fact, that table is
11 something on the order of 15 to 18 percent lower.

12
13 There is all kinds of things that can go on when doing these
14 sorts of projections. Basically, when you do the projections,
15 the original projections, what you're saying is what is going to
16 happen to recruitment over that whole time series, up to 2020?
17 What is going to happen to the sizes of fish that are being
18 caught? Like I said, there is a number of things that can go
19 wrong.

20
21 Ultimately, from a scientific standpoint, you recognize that
22 doing any of these sorts of projections, where you're sort of
23 adjusting the baseline from which you start from, those are
24 always going to be better if you have the most recent data and
25 you include all the information, which, in essence, is what a
26 stock assessment is. These updated projections are just sort of
27 ad hoc way of including some of the information, and
28 particularly the changes in catches.

29
30 These are some of the comments that were being made, that,
31 because there isn't much change between the 2017 to 2019, the
32 supposition is that this is near to where the maximum
33 sustainable yield or the overfishing level ought to be, the
34 sustainability point, but, in fact, the assessment itself said,
35 in 2013, that the spawning stock biomass was above the
36 overfished level, and so the question is why would you have,
37 over a relatively short period of time, have a dropping down to
38 that level over a relatively short period of time.

39
40 It also was noted that you can get shifts in the sizes of
41 animals or fish that are being caught, and those can change
42 things like the allocations and the relative fishing mortality
43 rates between sectors, and those are important, in terms of the
44 projection.

45
46 In essence, the SSC said basically that we were unwilling to
47 accept these adjustments without some further guidance from the
48 Center, and, essentially, that's the conclusion, but I would

1 also indicate that you're always going to have some sort of
2 problems with doing long-term projections and then adjusting
3 them mid-stream, based on partial data. It is partial data, and
4 so you kind of get what you pay for there. Ideally, of course,
5 it would be better to do an assessment every year, but nobody in
6 the Center would want to do that, and nobody here would want it
7 done either, I think.

8
9 Essentially, the SSC is saying that we were unwilling to go
10 forward with those sorts of adjustments until we get further
11 information, but also sending the signal that you're always
12 going to have some sort of problems, because you're making
13 midstream adjustments based on partial data. Thank you.

14
15 **CHAIRMAN DANA:** Thank you, Dr. Powers. Any questions? Dale
16 Diaz.

17
18 **MR. DIAZ:** Thank you, Dr. Powers. I am just trying to figure
19 out what the next step is. At the next SSC meeting, are you all
20 going to address this and give some further guidance?

21
22 **DR. POWERS:** Yes, and I think that was the essence of it, is
23 that it was referred back to get some further guidance from the
24 Center and that then we would address that at the next meeting.

25
26 **CHAIRMAN DANA:** Any further questions? Are you here for the
27 whole meeting, Dr. Powers, or just today?

28
29 **DR. POWERS:** Through Wednesday morning.

30
31 **CHAIRMAN DANA:** I encourage anyone, if you have questions
32 offline, to please ask Dr. Powers. Okay. That concludes our
33 committee meeting.

34
35 (Whereupon, the meeting adjourned on October 17, 2016.)

36
37

- - -