

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL  
2  
3 MIGRATORY SPECIES COMMITTEE  
4

5 Omni Hotel Corpus Christi, Texas  
6

7 August 24, 2022  
8

9 **VOTING MEMBERS**

10 Tom Frazer.....Florida  
11 Susan Boggs.....Alabama  
12 Jonathan Dugas.....Louisiana  
13 Dakus Geeslin (designee for Robin Riechers).....Texas  
14 Bob Shipp.....Alabama  
15 Greg Stunz.....Texas  
16 Troy Williamson.....Texas  
17

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20 Billy Broussard.....Louisiana  
21 Dale Diaz.....Mississippi  
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49 Enric Cortes.....NOAA

1 Tim Griner.....SAFMC  
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3  
4 - - -  
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1 The Migratory Species Committee of the Gulf of Mexico Fishery  
2 Management Council convened at The Omni Hotel in Corpus Christi,  
3 Texas on Wednesday morning, August 24, 2022, and was called to  
4 order by Chairman Tom Frazer.

5  
6 **ADOPTION OF AGENDA**  
7 **APPROVAL OF MINUTES**  
8 **ACTION GUIDE AND NEXT STEPS**  
9

10 **CHAIRMAN TOM FRAZER:** I would like to call together the  
11 Migratory Species Committee. The first order of business on the  
12 agenda is the Adoption of the Agenda, Tab M, Number 1. Could I  
13 get a motion to approve the agenda?  
14

15 Let me remind people who are on the committee. It's Dr. Greg  
16 Stunz, Susan Boggs, J.D. Dugas, Dakus Geeslin, Bob Shipp, and  
17 Troy Williamson, and so is there a motion to approve the  
18 adoption of the agenda?  
19

20 **MS. SUSAN BOGGS:** So moved.  
21

22 **CHAIRMAN FRAZER:** We have a motion to approve the agenda by  
23 Susan Boggs. Is there a second? Second by Dr. Stunz. Thank  
24 you. All right. The next item of business on the agenda is the  
25 Approval of the June 2021 Minutes. That's Tab M, Number 2 in  
26 your materials. Can I get a motion to approve the June 2021  
27 minutes?  
28

29 **MS. BOGGS:** Motion to approve.  
30

31 **CHAIRMAN FRAZER:** Thank you, Susan. Can I get a second? Dakus  
32 or Greg, would you like to second to approve the minutes for  
33 this committee? It's seconded by Mr. Geeslin. Thank you. The  
34 third item on the agenda is the Action Guide and Next Steps.  
35 Dr. Hollensead will lead us through that. Lisa.  
36

37 **DR. LISA HOLLENSEAD:** Thanks, Mr. Chair. We have one item for  
38 the committee today, but it will comprise two presentations. We  
39 have Dr. Enric Cortes, representing the Science Center, and Ms.  
40 Karyl Brewster-Geisz from the Atlantic Highly Migratory Species  
41 Division, as well as Randy Blankenship is in the back. They did  
42 a question-and-answer session last night, and so we certainly  
43 appreciate them taking the time to do that.  
44

45 Dr. Cortes is going to speak specifically to give a presentation  
46 on the migratory shark species assessment process, and Ms.  
47 Brewster-Geisz is going to give a presentation on management  
48 strategies, and so the committee should review those meeting

1 materials, ask questions of presenters, and provide suggestions  
2 for shark management in the Gulf, and then, Mr. Chair,  
3 additionally, and it's not on the action guide, but, under Other  
4 Business. Dr. Stunz has agreed to give a verbal update on  
5 modifications to the quota adjustments for swordfish as well.

6  
7 **CHAIRMAN FRAZER:** Thank you, Dr. Hollensead, and so we'll just  
8 get started with a couple of presentations, and so I would like  
9 to invite Dr. Cortes first to come up and tell us a little bit  
10 about stock status abundance trends and fishery mortality  
11 trajectories of U.S. Atlantic coastal shark stocks, and that  
12 will be Tab M, Number 4(a) in your briefing materials. Welcome,  
13 Dr. Cortes.

14  
15 **PRESENTATION ON STOCK STATUS, ABUNDANCE TRENDS, AND FISHERY**  
16 **MORTALITY TRAJECTORIES OF U.S. ATLANTIC COASTAL SHARK STOCKS**  
17 **WITH A FOCUS ON THE GULF OF MEXICO**  
18

19 **DR. ENRIC CORTES:** Good morning, everybody. It's nice to be  
20 here for the first time in Corpus Christi, and so I would like  
21 to tell you a little bit about the status of shark stocks,  
22 abundance trends, and also fishery mortality trajectories for  
23 the Atlantic, but we will focus in the Gulf, since we are the  
24 Gulf of Mexico Fishery Management Council, but many sharks are  
25 assessed basin-wide, and so it includes both Gulf and Atlantic.

26  
27 I am going to compare the status of the different species of  
28 sharks that we have assessed from the previous assessment to the  
29 most recent one, and we'll also look at trends in biomass, or  
30 abundance, relative trends in biomass, or abundance, and fishing  
31 mortality that we can extract from the latest assessments for  
32 each species, and then we'll open up for a little bit of  
33 discussion.

34  
35 This is very busy, very small, and I can hardly read it, and so,  
36 essentially, we started assessing sharks under the SEDAR process  
37 is about 2005, and so we follow the same process as for other  
38 fish, and, before, we had a slightly different process. What  
39 makes us different is that we don't have a council and an SSC,  
40 as my colleague, Karyl Brewster-Geisz, said yesterday, and so  
41 all of our assessments are CIE reviewed, Center for Independent  
42 Experts.

43  
44 What I have here is a number of species that we have assessed,  
45 sandbar, dusky, blacktip, scalloped hammerhead, and then other  
46 species that we have not yet assessed, and so what I wanted to  
47 show is that -- While sandbar is still in a rebuilding plan, the  
48 relative status, and so the degree of being overfished, and

1 being overfishing, which is no longer the case, the overfishing,  
2 and it has improved since the last assessment, and, in fact,  
3 that led us to propose, based on projections, only about a 10  
4 percent increase in TAC.

5  
6 Dusky shark is another species that is under rebuilding, and it  
7 still shows a little bit of undergoing overfishing, but the  
8 situation is also improved, and so it's a slow improvement, but  
9 the trends are going up, in terms of, you know, recovery of the  
10 stock in general, and so that was reflected by us saying that  
11 the reduction in F necessary to reach -- To rebuild with a 70  
12 percent probability of rebuilding here was not as high as we had  
13 estimated before.

14  
15 We have a Gulf-specific stock of blacktip shark, and that has  
16 never been overfished or undergoing overfishing, and the most  
17 recent assessment we did, also compared to the previous one, the  
18 trends were better, and so there are increases in relative  
19 biomass and decreases in relative fishing mortality.

20  
21 Scalloped hammerheads, we are currently assessing, together with  
22 other species of hammerheads, under SEDAR 77. The previous  
23 assessment, done a long time ago, in 2009, was an external  
24 assessment, and it found that the species, and this is for the  
25 whole Gulf and Atlantic combined, was overfished and undergoing  
26 overfishing. In 2024, we are expecting to assess the status of  
27 the other main coastal sharks that have not yet been assessed,  
28 and that is the skinner, tiger, and bull shark.

29  
30 Just looking at each of these stocks, and I will go over these  
31 slides pretty quickly, but, essentially, these are the results  
32 of the latest assessment that was done in 2017, and it shows  
33 that there has been a 10 percent increase in SSF since 2008, and  
34 SSF is spawning stock fecundity, and these charts -- We can  
35 count the plots for the actual years that measure. In many  
36 cases, depending on the type of assessment, we are able to do  
37 this with the data available, and so, for sandbar shark as well,  
38 there has been a decrease, a substantial decrease, in F since  
39 about the mid-2000s.

40  
41 Another thing here to look at is that, as I said, for certain  
42 species, we look at the spawning stock fecundity, but, if we  
43 actually look at the biomass, this graph shows like the relative  
44 abundance, with SSF or in numbers, with respect to virgin  
45 levels, and you see that there -- The abundance, in numbers, is  
46 recovering a little faster than the other measure, SSF, or  
47 spawning stock biomass, or other fishes, and so this is also due  
48 to the fact that many of these sharks have a late age at

1 maturity, and it takes time for the new pups to reach maturity  
2 and produce pups, in turn.

3  
4 For the dusky shark situation, we still found that it was still  
5 undergoing overfishing, and the trend in SSF, the relative SSF,  
6 was slowly down, and so this assessment was done in 2016, if I  
7 remember correctly, but the rate of decline in biomass, or in  
8 SSF, in this case, had slowed down, particularly since 2011, and  
9 the F had declined a lot since that peak in 2000, and it had  
10 further decreased, by 9 or 10 percent, since 2010.

11  
12 Again, with dusky shark here, you can see it a little better,  
13 that the abundance in numbers is recovering faster than what the  
14 SSF is telling us, and so that's something to keep in mind, but  
15 the stock is still overfished, and it's recovering at a slower  
16 rate, because, again, these are species that have a very late  
17 age-at-maturity and live many years, a long life span.

18  
19 For the blacktip shark, there was never an issue, and these are  
20 the results from the states of nature from that last assessment,  
21 and it has never been overfished or overfishing occurring.

22  
23 Again, as I said, the scalloped hammerhead was a long time ago,  
24 and we are reassessing it, as we speak, and, even though it was  
25 overfished, it has already showed an increasing trend since the  
26 late 1990s, and the trends in relative fishing mortality were  
27 volatile in the past few years, in the most recent years.

28  
29 This is just a composite view of these four stocks, and again,  
30 the three, the sandbar, dusky, and scalloped hammerhead, that  
31 are still overfished, but on a positive trend, and then the  
32 blacktip, which is not overfished, and so this is just the  
33 relative fishing mortality for these four species, and only, as  
34 I said, the dusky shark, in red, still showed a little bit of  
35 overfishing, and, of course, the scalloped hammerhead trends  
36 showed overfishing.

37  
38 This is the analogous thing for small coastal sharks, where we  
39 have finetooth, blacknose, Atlantic sharpnose, bonnethead, and  
40 we also threw in there the smoothhound complex, which was done  
41 specifically for the Gulf of Mexico. For finetooth, we are  
42 reassessing it as well, together with the other species that I  
43 mentioned, in 2024, and the previous assessment was done a long  
44 time ago, and it was not overfished or undergoing overfishing.

45  
46 The blacknose, we have two stocks, and the stock in the Gulf --  
47 Actually, that specific assessment was not approved by the CIE  
48 reviewers, and so we don't have a status, and then, for the

1 Atlantic sharpnose, we consider a combined stock, and they are  
2 not overfished, with overfishing not occurring, and the same  
3 thing for bonnethead, and I would mention that the status also  
4 had improved, with respect to the previous assessments that were  
5 done years before, and, again, the smoothhound complex, we only  
6 have one assessment that showed that there was no problem with  
7 that.

8  
9 This is for the finetooth shark, and, again, no problem here,  
10 with not overfished and not overfishing. For the Atlantic  
11 sharpnose, the blue line, dotted line, indicates the relative  
12 biomass, and so, if you go to the right axis, it's not  
13 overfished, and the red line shows that it's well under the  
14 dotted-horizontal line, and so no overfishing. There has been  
15 an increasing case in SSF, in this case, in the 2000s, and  
16 accompanied by a decreasing trend in F.

17  
18 This is a very similar situation for the bonnethead shark, with  
19 not being overfished or in an overfishing condition, and this is  
20 for the smoothhound complex, and that shows an increasing trend  
21 from the beginning of the time series in relative biomass, or  
22 SSF, in this case, and a decreasing trend in fishing mortality.

23  
24 Again, this is all the small coastal sharks together, and, as  
25 you can see here, they're all above the dotted line, and so it's  
26 not in an overfished condition, and, analogously, they are all  
27 under the fishing mortality threshold, and so no overfishing is  
28 occurring.

29  
30 This is just putting everything together for large and small  
31 coastal sharks for the relative biomass, or abundance, and this  
32 is for the fishing mortality, and so the same trends are just  
33 repeated, just summarized, here.

34  
35 The conclusion here is that all large coastal shark stocks that  
36 have been reassessed, and so assessed more than once, have  
37 improved in status since the previous assessments, the sandbar,  
38 the dusky, and the Gulf of Mexico blacktip shark, in this case.  
39 Increasing trends in abundance were detected in three or four  
40 cases. With the dusky, it's still questionable, and it's still  
41 evening out, but, as I showed, if you consider abundance in  
42 numbers, the picture is better than when you consider the SSF,  
43 and they have all showed either decreasing or stable, in the  
44 case of the dusky shark, trends in fishing mortality.

45  
46 For the small coastal sharks that have been reassessed, they  
47 have all improved in status since the previous assessment, and,  
48 as I said, increasing trends in abundance and decreasing trends



1 in fishing mortality were detected in all cases.

2  
3 This leads to me this, my last slide, and so the big question,  
4 right, and is there a discrepancy between the results of stock  
5 assessments and these on-the-water observations that show a lot  
6 of increased stock abundance, and so what I would say is that,  
7 from the data we have in the assessments we have done, almost  
8 all the trends obtained from stock assessments lend support, as  
9 I showed, for increasing trends in abundance and decreasing  
10 trends in fishing mortality, and especially in the cases where  
11 we simply look at the numbers, and we see that improvement.

12  
13 One thing to consider, as you know, is that stock assessments  
14 use multiple sources of information, and we are not only looking  
15 at the indices of abundance, right, and so there is catches,  
16 biology, length compositions, depending on the type of  
17 assessment you do, and the indices of abundance are supposed to  
18 reflect changes in --

19  
20 Or be proportional to the abundance of the population, right,  
21 which is one of the main assumptions of these models, and so  
22 what I am saying is that the on-the-water observation, to me,  
23 could be looked at as an index, in a way, but it's in areas  
24 where effort is concentrated in areas of high abundance of other  
25 fishes, and sharks, of course, will take the opportunity to go  
26 and deplete on them, right, and I'm not saying that this is  
27 the only explanation, but I'm saying it's one potential  
28 explanation, and so, that way, you see what we call  
29 hyperstability, where the abundance is higher in these areas  
30 than it would be in other areas, but, for stock assessments, we  
31 are interested in the total abundance of the population, right,  
32 and, in theory, that's what we are doing when we conducting the  
33 assessments.

34  
35 We have representative samples, and so that would, in part,  
36 explain why we see recovery for many of the stocks, but at a  
37 different rate, a slower pace, because we are considering the  
38 entire population, and that's just a hypothesis of that's why we  
39 see the differences, but, in general, what we see supports the  
40 increasing shark abundance that is observed by many of you.  
41 This is it, and I don't know if I should take questions now or  
42 wait until the end.

43  
44 **CHAIRMAN FRAZER:** I think we can start, if there are any  
45 questions for Dr. Cortes at this point. If not, we'll slide  
46 into the next presentation, and then we can combine the Q&A  
47 time, and so is there any questions now for Dr. Cortes, or  
48 should we hold off for a minute? All right. It looks like

1 we're not seeing a lot of questions, and so we'll go ahead and  
2 slide into the second presentation by Ms. Brewster-Geisz.

3  
4 **ATLANTIC SHARK FISHERY MANAGEMENT UPDATE**  
5

6 **MS. KARYL BREWSTER-GEISZ:** All right. Thank you, everybody. It  
7 is great to be back in front of you in-person. The last time I  
8 was here in front of all of you, it was in January of 2020, and  
9 it was before everything shut down. At that time, I focused on  
10 shark depredation issues and noted the need for data collection,  
11 and, now that I am back, I would like to tell you what has  
12 happened since that time and what we're considering to be our  
13 next steps.

14  
15 I do want to remind all of you, and I don't know how many of you  
16 were here last night when we presented the Q&A, but there is no  
17 council for sharks, and we manage them directly in the Highly  
18 Migratory Species Management Division, but we are still bound by  
19 the Magnuson-Stevens Act requirements. The other thing to note  
20 is that ICCAT, the International Commission for the Conservation  
21 of Atlantic Tunas, is increasingly involved in managing shark  
22 species as well.

23  
24 Since I was last here, we have released Draft Amendment 14, and,  
25 in fact, we released that back in September of 2020. During  
26 that comment period, we received a lot of support for what we  
27 had proposed in Amendment 14, but a lot of people also noted the  
28 need for us to provide more detail on what we were doing for our  
29 tiered ABC, or acceptable biological catch, control rule, and so  
30 we worked with Dr. Cortes, and others in the Science Center, to  
31 supplement Draft Amendment 14, which we released that supplement  
32 earlier this year, and, again, we received a lot of support for  
33 everything that we proposed in Amendment 14.

34  
35 Specifically, we are preferring a tiered ABC control rule. This  
36 control rule is very similar to the one for the Caribbean, and  
37 it has aspects that all of you have implemented in your own  
38 control rules.

39  
40 We would be actively managing the commercial and the  
41 recreational annual catch limits. Those of you who are familiar  
42 with shark management know that, right now, we have quota  
43 linkages, and so, for example, the hammerhead management group,  
44 and the aggregated large coastal management group, if one of  
45 those quotas is met, we close both of them together. We have  
46 proposed removing those quota linkages entirely, and we're also  
47 proposing to allow carryover of underharvest for all stocks.  
48 Right now, we only allow underharvest if the stock is a healthy

1 status.

2  
3 Then allowing for stock status changes between assessments,  
4 specifically regarding overfishing, which you have seen our  
5 stock assessments, and sometimes there's a decade or more in  
6 between them, and so, if we believe we are under the overfishing  
7 level, we would be assessing that every three years, and  
8 possibly changing that without a stock assessment, and so we are  
9 working very hard to finalize Amendment 14, and Amendment 14  
10 doesn't have any regulatory text with it. It is just setting up  
11 the framework for what we would be doing later on, and that we  
12 would be implementing through a future rule, which we've already  
13 labeled as Amendment 16, and so you'll hear me talking about  
14 that in the future, I'm sure.

15  
16 We've also released a draft document that we call SHARE, and  
17 SHARE stands for Shark Fishery Review, and is reviewing the  
18 entire fishery and not just the stock status, but the fishery as  
19 a whole. We released this back in October of last year, and we  
20 had a lot of really good comments and suggestions on ways to  
21 improve it, and so the next few slides are focused on some of  
22 the information that we shared in SHARE.

23  
24 This slide shows the number of limited access permits by region  
25 from 2014 to 2019, and the number of permits go up on the Y-  
26 axis. On the left-hand side is the directed shark permit  
27 holders, and those are the ones who can target sharks, versus  
28 the shark incidental permit holders, who can only land a very  
29 limited number of sharks when they are targeting other species.  
30 The top of each bar, the red, is the Atlantic, and the green  
31 underneath is the Gulf of Mexico, and these are the active  
32 permits, and so these are people who are actually landing  
33 sharks, and, as you can see, over the last five years, the  
34 number of active permit holders are decreasing.

35  
36 This graph shows the number of trips those active permit holders  
37 are taking. The red line shows the state permit holders, and so  
38 how many vessels that only hold state permits, and what are they  
39 doing, and, as you can see, their number of trips zig-zags up  
40 and down over time, and our purely directed shark permit  
41 holders, which is that dark purple-blue line, is decreasing.  
42 That's how many trips they are taking, and it's decreasing over  
43 time.

44  
45 The orange line is our tripack directed permit holders, and, by  
46 tripack, they hold a directed shark permit, but they also hold a  
47 swordfish permit and a tuna permit, and their number of trips  
48 are increasing, but, on the whole, we are seeing a decreasing

1 number of trips, in addition to a decreasing number of  
2 commercial permit holders.

3  
4 This is one of our many recreational slides showing just the  
5 sheer number of sharks that can be harvested and released in  
6 every year. On the left-hand side, you see the Atlantic, and,  
7 on the right, you see the Gulf of Mexico. This is for blacktip  
8 sharks, which, as Dr. Cortes just said, was -- They are not  
9 overfished in either the Atlantic or the Gulf of Mexico.

10  
11 You can see that, overall, a large number of sharks are  
12 harvested recreationally, but they are not retained. In the  
13 Gulf of Mexico, that lower blue bar, that's how many are  
14 retained, and so the Gulf of Mexico is retaining more than the  
15 Atlantic, but, overall, most sharks are released.

16  
17 Of course, we also looked at our favorite topic, which is shark  
18 depredation, and this is the proportion of fishing sets that had  
19 interactions that we depredated. These were looking at observer  
20 data, and, as you can see from the green line, which is the  
21 pelagic longline sets, the proportion of depredation was pretty  
22 stable, but, if you switch to bottom longline, which is the red,  
23 or vertical line, which is the blue, those proportions of  
24 depredated sets are increasing over time.

25  
26 Besides those documents, we have also been dealing with a number  
27 of other individual species actions. One of those has to do  
28 with dusky sharks. This shark has been prohibited from  
29 retention since the year 2000. The updated stock assessment  
30 showed that, despite that, it is still overfished, and  
31 overfishing is still occurring. Thus, back in 2017, we issued a  
32 final rule for Amendment 5B that had a number of actions in it,  
33 but all of those actions were focused on maximizing the survival  
34 of dusky sharks, when they were released, and also minimizing  
35 the number of interactions. Obviously, it's a prohibited  
36 species, and so you can't retain it anyway.

37  
38 As a result of Amendment 5B, Oceana sued the agency, claiming  
39 that we were not doing enough to protect them. There were a lot  
40 of back-and-forth in that lawsuit, including a remand document,  
41 where we were required to go back and look at the data and  
42 determine whether or not we could come up with an estimated for  
43 the number of dusky sharks. Ultimately, the District Court  
44 upheld Amendment 5B. Oceana then appealed that ruling, and,  
45 just in June, the District Court again upheld what we had done  
46 in Amendment 5B, and, of course, this is just an example of not  
47 everyone agrees that sharks are -- Or at least not all species  
48 of sharks are increasing at the same rate.

1  
2 Shortfin makos, shortfin mako sharks are assessed by ICCAT. The  
3 last stock assessment, in 2017, showed overfished and  
4 overfishing. This triggered a number of actions on our part,  
5 but also ICCAT adopted a recommendation to maximize live release  
6 and improve data collection for the species. This triggered us  
7 to do an emergency rule, followed by, in March of 2019,  
8 finalizing Amendment 11 to our fishery management plan.

9  
10 In this amendment, we required that all live sharks be released  
11 that were caught commercially, and, recreationally, we set up  
12 our first split between male and female minimum sizes.

13  
14 Overall, for the United States, those measures reduced our  
15 shortfin mako mortality by 90 percent, and so it was highly  
16 successful, from our standpoint, but, across all of the nations  
17 that catch shortfin mako sharks, it was not quite as successful.  
18 As a result, in November of last year, ICCAT adopted a new  
19 recommendation that prohibited retention of shortfin mako for  
20 the next two years, and it will only allow retention of shortfin  
21 mako again, in future years, if fishing mortality across all  
22 nations is reduced below 250 metric tons.

23  
24 We, just recently, implemented a final rule that sets the  
25 default retention limit for shortfin mako sharks at zero. We  
26 can increase that, if ICCAT gives us an allowance, but, until  
27 that point, no one is allowed to retain any shortfin mako  
28 sharks.

29  
30 I know I've given you several presentations virtually about this  
31 report to Congress, and it was just handed over to Congress on  
32 Monday, and so I believe some of you have it, and we will  
33 definitely be releasing it, and I haven't been checking emails  
34 much since coming down here, but I know that it is available if  
35 you want it.

36  
37 Where does this leave us? We need to finalize Amendment 14.  
38 That sets up a framework that will allow us to make a lot of  
39 changes in the future for sharks, and so we're also starting  
40 Amendment 16, and that's using that framework in Amendment 14,  
41 and we will be revising all of our shark quotas based on that  
42 framework, and, in addition to that, we're going to need to look  
43 at retention limits, because all the retention limits we have  
44 right now are set based on those quotas and what we're  
45 expecting, and so you can expect big changes in the coming  
46 years, in terms of how many sharks are allowed.

47  
48 We're also working to finalize SHARE, to see where it is we can

1 improve and change to maximize the utilization of sharks, while  
2 also maintaining the rebuilding progress that we need to, and  
3 then, finally, depredation, and we had a lot of great comments  
4 and questions last night, and we still need to continue  
5 collecting information, in order to characterize and determine  
6 what the scope is, and define best practices to help improve the  
7 situation, as much as we can, and, as you heard Randy  
8 Blankenship say last night, sharks are not going to go down.  
9 They are going to keep increasing in numbers as we rebuild them.  
10 That is part of the process, and they are also predators, and so  
11 we can't expect the depredation issue to go away. That's all I  
12 have, and I don't know if you have questions specifically for  
13 me, or if you want to bring Dr. Cortes back.

14  
15 **CHAIRMAN FRAZER:** Well, thank you, Ms. Brewster-Geisz. I really  
16 appreciate the presentation and the review that both you and Dr.  
17 Cortes provided, and so, at this time, I guess we will open it  
18 up to the floor, and if there's a question specifically for Dr.  
19 Cortes, we'll invite him back, and so are there any questions at  
20 this point from the council? Ms. Boggs.

21  
22 **MS. BOGGS:** Thank you. The report that you mentioned that was  
23 submitted this week, how do we get a copy of that, or is that  
24 something you can send to the council staff, and they can  
25 forward it to the council members?

26  
27 **MS. BREWSTER-GEISZ:** I believe we sent already, earlier this  
28 week.

29  
30 **CHAIRMAN FRAZER:** Chairman Diaz.

31  
32 **MR. DALE DIAZ:** Thank you, Dr. Frazer. I have a couple of  
33 questions. First, I see the number of permits in the Gulf has  
34 gone down substantially over time, and are those permits  
35 transferable, and if you could give us the primary reason why  
36 they're not being renewed, or allowing them to lapse, and I  
37 would be curious to know those things.

38  
39 **MS. BREWSTER-GEISZ:** Yes, the limited access permits can be  
40 transferred to other vessels. That is part of the question, as  
41 to why are both the number of permits, and the number of active  
42 permits, and so why are they going down? Some of the answers we  
43 have are just it doesn't make economic sense for the vessels to  
44 go out fishing for sharks, especially a number of states have  
45 implemented state fin bans, and that means that the vessels,  
46 when they land their sharks, need to destroy the fins, and  
47 that's half their profits, or maybe a little less than half the  
48 profit, and that is not true for blacktip sharks.

1  
2 Blacktip sharks are mostly a meat market, but those fins still  
3 need to be destroyed, and the fins are still part of the profit,  
4 even if they aren't the main part of it, and retention limits is  
5 another aspect. The retention limits are low for sharks, and so  
6 it's hard to land enough to make it financially feasible to land  
7 sharks.

8  
9 **CHAIRMAN FRAZER:** Go ahead, Chris. Mr. Schieble.

10  
11 **MR. CHRIS SCHIEBLE:** Thank you, Mr. Chair. I'm not on the  
12 committee, but this is just a quick question. Back in, I guess,  
13 February or March, the possession limit on the commercial  
14 harvest of the large coastal sharks was increased, I think from  
15 forty-five to fifty-five per day, and, you know, the terminal  
16 year of the assessments for those species in that complex don't  
17 all line up together, and so I'm trying to figure out -- If you  
18 could elaborate on how that was determined to increase from  
19 forty-five to fifty-five, and what was the impetus for the ten-  
20 shark increase? What determined that, and do you expect any  
21 potential increase in that going into the future?

22  
23 **MS. BREWSTER-GEISZ:** Thanks for that. When we established the  
24 aggregated large coastal complex quota, we looked at what -- At  
25 how many sandbar sharks and dusky sharks could possibly be  
26 interacted with as people were catching that quota, and so we  
27 set up a retention limit with a default of forty-five, but a  
28 range going from zero up to fifty-five, in order to ensure that  
29 sandbar and dusky sharks could still rebuild while they were  
30 fishing for large coastal, but we also wanted to make sure, to  
31 the extent we could, that the quota would be caught throughout  
32 the year.

33  
34 The past few years, the quota has not been caught, and so we  
35 have capped that retention limit at fifty-five sharks, in order  
36 to try to maximize the quota as much as we can throughout the  
37 year. This is not -- In the Gulf of Mexico, we have the region  
38 split between east and west, and that is because, in Florida, in  
39 that area, they want the quota to last the whole year, whereas,  
40 in the Louisiana area, they actually prefer having most of the  
41 quota caught in the beginning of the year, before Lent, and so  
42 that's why there is that sub-regional split, and so I do want to  
43 just clarify that, while we are aiming to have it open the full  
44 year in the east part of the Gulf of Mexico, in the west, we do  
45 recognize that they are looking to catch it mostly in the  
46 beginning of the year.

47  
48 **CHAIRMAN FRAZER:** Mr. Anson.

1  
2 **MR. KEVIN ANSON:** Thank you, Mr. Chair. I'm not on your  
3 committee, and I appreciate you allowing me to ask the question,  
4 and I was wondering if you could just quickly review the slide  
5 you had, Number 4, and the Amendment 14 ABC control rule, and  
6 you have on there the bullet to allow stock status changes  
7 between assessments, and could you briefly describe how you will  
8 do that, or what the mechanism is that's proposed?  
9

10 **MS. BREWSTER-GEISZ:** That is a mechanism that a number of the  
11 councils use, where we are basically just doing it for  
12 overfishing, and not for the overfished, status, and we're  
13 looking to see are we below where the assessment said we needed  
14 to be to get to that not experiencing overfishing stage, and so,  
15 if we are consistently under a particular ACL, on average over  
16 three years, we would remove the overfishing determination.  
17

18 **MR. ANSON:** Thank you.  
19

20 **CHAIRMAN FRAZER:** Okay. I've got a couple of questions on the  
21 other side of the table. Dr. Porch and then Mr. Dugas.  
22

23 **DR. CLAY PORCH:** Thank you very much for the presentation. It's  
24 really interesting to see the trends from all the different  
25 stocks. One thing I noticed is that most of the stocks are  
26 increasing, but just a little bit, except for maybe smoothhound,  
27 and that has like tripled or something, over the timeframe that  
28 we've been looking at, whereas what I'm hearing from the  
29 fishermen is that they've increased quite a lot, more than just  
30 a few percent, but the other thing I noticed is that, in most  
31 cases, the data, the last year of data, is probably seven years  
32 ago, for a lot of the assessments, and some are even older than  
33 that.  
34

35 They were overfished at the time of the last assessment, but  
36 overfishing had stopped, and so that implies, to me, that there  
37 could still have been quite a bit of increase since the last  
38 assessment was done, and this is something we see quite often.  
39 You get the regulations on the books after the assessment, and  
40 several years go by, and what the fishermen see on the water is  
41 a little different than the last assessment, because things have  
42 changed.  
43

44 My question to you is, given the regulations that are on the  
45 books, that have stopped overfishing, how much might we expect  
46 that the stocks have increased since even these graphs have been  
47 shown, and just a rough guess, and it might be something that I  
48 could direct towards Dr. Cortes, but, given that some of them



1 that I see overfishing has been reduced to the point where it's  
2 something like, you know, almost half of the overfishing level,  
3 and so, potentially, they could have increased quite a lot, even  
4 in the last several years.

5  
6 **DR. CORTES:** Yes, and I would expect the trend to keep trending  
7 up, increasing, and I wouldn't dare provide an amount, but what  
8 we do know, with these species, is that recovery will be slow.  
9 I mean, we have rebuilding years of many decades into the  
10 future, and that may be -- That won't change when we do a  
11 completely new assessment, but, yes, you're right that we don't  
12 have real-time information, and we have a delay of several  
13 years, and what we know, from the assessment trends, is that  
14 they're increasing.

15  
16 Another thing is, as you know very well, looking at indices of  
17 abundance as an indicator, and the information for that is a  
18 little bit more contradictory, in some cases, and we don't  
19 necessarily have a unified solution, but, yes, it's true that  
20 there is this delay, and you're seeing things as they happen  
21 now, and we are a few years into the past. In some cases, quite  
22 a few.

23  
24 **CHAIRMAN FRAZER:** Mr. Dugas.

25  
26 **MR. J.D. DUGAS:** Thank you, Mr. Chair. I think I heard you say,  
27 and I just want to clarify, that you all manage east and west,  
28 and you all divide the Gulf, and this is a migratory species  
29 that you all are managing in two different areas?

30  
31 **MS. BREWSTER-GEISZ:** Yes. We manage some of our stocks in two  
32 different areas within the Gulf, east and west.

33  
34 **CHAIRMAN FRAZER:** I guess, as a follow-up to that question by  
35 Mr. Dugas, I realize that there are a number of different kind  
36 of areas of consideration when you're managing the different  
37 shark species, but so, in the Gulf of Mexico specifically, are  
38 there assessments that are restricted to the Gulf only, and are  
39 there regional assessments as well, and where would I go to find  
40 those assessments?

41  
42 **DR. CORTES:** As I showed in my presentation, there are a number  
43 of Gulf-specific assessments, and I think I forgot to show the  
44 very last slide, and that has essentially the SEDAR website, and  
45 I can tell you, from memory, the SEDAR assessment numbers for  
46 each of the shark, and it's 11, 13, 29, 34, 54, 65, and 77.

47  
48 **CHAIRMAN FRAZER:** That's all right. I got it. Thank you.

1  
2 **MS. BREWSTER-GEISZ:** I am just going to add to that that we have  
3 some stocks, like blacknose, which are, for biological reasons,  
4 Atlantic and Gulf of Mexico, but then, within the Gulf of  
5 Mexico, we split it between east and west for management  
6 purposes, and it's not for biological reasons, and so we don't  
7 have an east Gulf of Mexico stock assessment.

8  
9 **CHAIRMAN FRAZER:** That was the nature of my question, right, and  
10 so you've adopted some local, or regional, management, although  
11 the assessment isn't really carried out on the same scale, and  
12 so I was trying to better understand what prompted you to do  
13 that.

14  
15 **MS. BREWSTER-GEISZ:** Yes, and that is, as I said, the fishermen  
16 in the east Gulf of Mexico often want to fish in very different  
17 ways, at different times, than people in the west Gulf of  
18 Mexico, and so that was our attempt to try to make sure that  
19 Louisiana, who wants to fish really hard at the beginning of the  
20 year, do not close Florida fishermen out before Florida  
21 fishermen even want to go out and go fishing.

22  
23 We do -- Because it's for management purposes, we watch the  
24 quotas on either side, and, just recently, we did end up  
25 switching quotas all around, in order to maximize the  
26 opportunities for all fishermen.

27  
28 **CHAIRMAN FRAZER:** I guess, to that point, and so, essentially,  
29 you're making an allocation decision internally, right, and  
30 you're trying to figure out, well, how much quota are you going  
31 to allow in the eastern region, as opposed to the western, and  
32 so I'm starting to probe a little harder right now, but what's  
33 the process involved in that decision-making?

34  
35 **MS. BREWSTER-GEISZ:** We did that all in Amendment 6, and we did  
36 a lot of scoping, and then public hearings, to figure out what  
37 should be. In the end, we essentially looked at the percentages  
38 over a series of years, to make that split, but where the line  
39 actually was -- We required a lot of public input on that.

40  
41 **CHAIRMAN FRAZER:** I really appreciate you answering those  
42 questions, and so are there any additional questions? Mr.  
43 Dugas.

44  
45 **MR. DUGAS:** Thank you, Mr. Chair. One more. I hear a lot of  
46 challenges with the anglers in the room, and my question is do  
47 you all have any advice that you can give the anglers that are  
48 challenged with sharks?

1  
2 **MS. BREWSTER-GEISZ:** I don't have any good advice for them. I  
3 would say the best thing to do is to participate in those  
4 studies, such as the one that I had on the previous slide, that  
5 are trying to characterize and collect information about it.  
6 The more information we have, in terms of what fishing  
7 techniques they are using, which ones work, or time of year, the  
8 better we are equipped, in order to come up with, as I said,  
9 those best practices, while trying to rebuild all the shark  
10 stocks, and we also want to make sure that everybody has a  
11 chance to enjoy their time out on the water and go fishing.

12  
13 **CHAIRMAN FRAZER:** All right. I would like to thank both of you,  
14 and other members of the HMS team, that were here for the  
15 workshop as well last night, and thank you very much for your  
16 presentations. They were quite informative.

17  
18 All right, and so we are moving on to our Other Business item,  
19 and that would be Dr. Stunz is going to provide us an update on  
20 the adjustment of the 2022 North and South Atlantic swordfish  
21 quotas. Dr. Stunz.

22  
23 **OTHER BUSINESS**  
24 **UPDATE ON ADJUSTMENT OF THE 2022 NORTH AND SOUTH ATLANTIC**  
25 **SWORDFISH QUOTAS**  
26

27 **DR. GREG STUNZ:** Thank you, Mr. Chairman. This is just a really  
28 brief update on swordfish and some new regulations coming out  
29 that are generally of interest to the Gulf, I think, and I would  
30 also -- Clay, I just want to give you a heads-up, and I know  
31 your team is heavily involved in this process, as well as HMS  
32 folks, and so, if I'm not covering something, feel free to jump  
33 in, because it's a pretty complicated process.

34  
35 In the North Atlantic and South Atlantic, as far as swordfish is  
36 managed through the ICCAT process, and then there's the Atlantic  
37 Tunas Conservation Act, which governs things, as well as the  
38 Magnuson Act, and it gets really confusing, of course, as we  
39 talk, and, by the way, I guess I should say that I'm the  
40 representative for a lot of our HMS work at ICCAT meetings and  
41 things like that.

42  
43 What happens in the swordfish fishery, depending if you're in  
44 the North Atlantic or South Atlantic, you get to carry over  
45 unharvested quota, a smaller percentage in the North Atlantic  
46 and 100 percent in the South Atlantic. Because of very limited,  
47 or no, catches in commercial swordfish, there is some quota to  
48 be carried over, and, by the way, I'm talking about the

1 commercial side here.

2  
3 Recreational swordfish, as it's related to the Gulf and South  
4 Atlantic, are still managed at the HMS office, through bag  
5 limits per person and vessel limits, and, of course, size  
6 restrictions as well, and so this has to do with some uncaught  
7 carryover in the South Atlantic on the commercial fishery, which  
8 is essentially about seventy-five metric tons.

9  
10 There are some other issues going on, and a lot of those  
11 swordfish, through different agreements, are transferred to  
12 countries like Namibia and Belize, and part of that quota is  
13 given to them through ICCAT agreements and other things.

14  
15 What it all boils down to is that there's about seventy-five  
16 metric tons left over, and, just a few days ago, it was  
17 published in the Federal Register, and it goes through the end  
18 of the year, that those seventy-five metric tons will be  
19 available for harvest, and this is kind of a one-time deal. At  
20 the beginning of year, it reverts back to the normal -- What the  
21 normal quota will be, and this was just to allow for that  
22 overage, and so, Mr. Chairman, I don't know how much more  
23 detail, or, Lisa, you were wanting for this group, as it relates  
24 to that, but that's a brief general update.

25  
26 **CHAIRMAN FRAZER:** I think, Greg, I really appreciate that update  
27 as well. I mean, we don't talk about swordfish very much in  
28 this group, but I think there's an increasing amount of interest  
29 in that fishery in the Gulf of Mexico, and so I think it's  
30 timely, and it's time to probably put it on people's radars a  
31 little bit. I don't have any additional questions, and I am  
32 looking around, to make sure that the council doesn't. Dr.  
33 Simmons.

34  
35 **EXECUTIVE DIRECTOR CARRIE SIMMONS:** Thank you, Mr. Chair, and so  
36 not questions, per se, but staff has been discussing ways that  
37 we could try to engage with Highly Migratory Species, and, you  
38 know, the council is on the periphery of that, but we think that  
39 one way we could do this is try to ask one of the staff at HMS  
40 to participate in our Ecosystem Technical Committee, because one  
41 of the things that the council is starting to work on is fishery  
42 ecosystem issues and modules, and this is certainly a fishery  
43 ecosystem issue, in my opinion, and so I think, if you have the  
44 resources, if we could ask a staff member to participate in  
45 that, it would be very beneficial to that group.

46  
47 Even though, you know, tackling some of these difficult issues  
48 may not lead the council to make any different management

1 changes, it could inform at least the public why we're seeing  
2 those interactions.

3  
4 For example, if you wanted to try to understand the effects of  
5 why there's more depredation, like say in the private  
6 recreational fishery, at certain times of the year, as we know  
7 more about these sharks and where their movement is, with the  
8 tagging studies, we know they're in certain areas in the norther  
9 Gulf in the summertime, and so that's maybe why we're seeing  
10 those interactions.

11  
12 Now, that may not change the council's decision regarding when  
13 those seasons are open, but that could help explain some of  
14 those interactions, moving forward in management, and so I would  
15 like to do that.

16  
17 **CHAIRMAN FRAZER:** All right. Thank you, Dr. Simmons. All  
18 right. Are there any other questions and/or comments or other  
19 business to come before this committee? I am not seeing any.  
20 Mr. Chairman, back to you.

21  
22 **MR. DIAZ:** Thank you, Dr. Frazer, and we're going to move right  
23 into the Sustainable Fisheries Committee.

24  
25 **MS. BOGGS:** Mr. Chair.

26  
27 **MR. DIAZ:** Go ahead, Ms. Boggs.

28  
29 **MS. BOGGS:** So, Carrie, you didn't need a motion for that, did  
30 you?

31  
32 **EXECUTIVE DIRECTOR SIMMONS:** No, and I think we just need to  
33 look down to the agency, down the table, and see if they would  
34 be willing to provide a staff that would help us with that, and  
35 we would just add them to the technical committee.

36  
37 **MR. DIAZ:** Okay. Thank you, Ms. Boggs.

38  
39 **CHAIRMAN FRAZER:** Real quick, I think Dr. Porch wants to weigh-  
40 in.

41  
42 **DR. PORCH:** I think, at least from our end, we would be happy to  
43 do that.

44  
45 **MR. DIAZ:** Okay, and so we're going to move right into the  
46 Sustainable Fisheries Committee.

47  
48 (Whereupon, the meeting adjourned on August 24, 2022.)