

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

2
3 RED DRUM MANAGEMENT COMMITTEE

4
5 Opal Key Resort & Marina and Virtual Key West, Florida

6
7 June 22, 2021

8
9 **VOTING MEMBERS**

- 10 Joe Spraggins.....Mississippi
- 11 Patrick Banks.....Louisiana
- 12 Susan Boggs.....Alabama
- 13 Leann Bosarge.....Mississippi
- 14 Dave Donaldson.....GSMFC
- 15 Jonathan Dugas.....Louisiana
- 16 Phil Dyskow.....Florida
- 17 Martha Guyas (designee for Jessica McCawley).....Florida
- 18 Andy Strelcheck.....NMFS
- 19 Greg Stunz.....Texas
- 20 Ed Swindell.....Louisiana
- 21 Troy Williamson.....Texas

22
23 **NON-VOTING MEMBERS**

- 24 Kevin Anson (designee for Scott Bannon).....Alabama
- 25 Dale Diaz.....Mississippi
- 26 Tom Frazer.....Florida
- 27 Robin Riechers.....Texas
- 28 John Sanchez.....Florida
- 29 Bob Shipp.....Alabama

30
31 **STAFF**

- 32 Assane Diagne.....Economist
- 33 Matt Freeman.....Economist
- 34 John Froeschke.....Deputy Director
- 35 Beth Hager.....Administrative Officer
- 36 Lisa Hollensead.....Fishery Biologist
- 37 Ava Lasseter.....Anthropologist
- 38 Mary Levy.....NOAA General Counsel
- 39 Jessica Matos.....Document Editor & Administrative Assistant
- 40 Natasha Mendez-Ferrer.....Fishery Biologist
- 41 Emily Muehlstein.....Public Information Officer
- 42 Kathy Pereira.....Meeting Planning - Travel Coordinator
- 43 Ryan Rindone.....Lead Fishery Biologist/SEDAR Liaison
- 44 Bernadine Roy.....Office Manager
- 45 Carrie Simmons.....Executive Director
- 46 Carly Somerset.....Fisheries Outreach Specialist

47
48 **OTHER PARTICIPANTS**

1 Chester Brewer.....SAFMC
2 Peter Hood.....NMFS
3 Clay Porch.....SEFSC

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1 The Red Drum Management Committee of the Gulf of Mexico Fishery
2 Management Council convened on Tuesday afternoon, June 22, 2021,
3 and was called to order by Chairman Joe Spraggins.

4
5 **ADOPTION OF AGENDA**
6 **APPROVAL OF MINUTES**
7 **ACTION GUIDE AND NEXT STEPS**
8

9 **CHAIRMAN JOE SPRAGGINS:** First off, I would like to call the Red
10 Drum Committee to order and give the names of our members. It's
11 myself and Rick Burris, who will be helping me with this. Also,
12 Mr. Swindell is the Vice Chair. We have Mr. Banks, Ms. Boggs,
13 Ms. Bosarge, Mr. Donaldson, Mr. Dugas, Mr. Dyskow, Ms. GUYAS,
14 Mr. Strelcheck, Dr. Stunz, and Mr. Williamson. Also, Mr.
15 Rindone is the staff that is helping us very much on this.

16
17 I would like to bring up the agenda and see if there's any
18 changes or anything that anyone would like to make on the agenda
19 at this time. Hearing none, can I get a motion to accept the
20 agenda? We have a motion and a second. Any discussion?
21 Hearing none, we'll pass the agenda as-is.

22
23 We've got the old -- I will tell you what, but this is kind of
24 neat, but we're going to do Approval of the Minutes from October
25 of 2014, and so I can look at that list, and about 80 percent on
26 there was not on the committee, and about 90 percent probably
27 wasn't even here, and so I guess I would ask is if we can look
28 at the minutes for 2014, the October meeting, and is there
29 anyone that has anything that they need to discuss or change or
30 make any corrections?

31
32 I don't know that it would be easy to do, and so, if not, I
33 would ask for a motion to accept those minutes of October of
34 2014. We have a motion and a second. Do we have any
35 discussion? If not, any opposed? If none, we'll pass the
36 minutes. With that, I would like to turn over to Mr. Rindone.

37
38 **MR. RYAN RINDONE:** Well, staff doesn't normally do this, but I
39 heard that Mr. Gregory is picking up the bar tab, and so motion
40 to adjourn.

41
42 **CHAIRMAN SPRAGGINS:** Denied. Only for a short period denied.

43
44 **PRESENTATION ON PROCESS TO MODIFY RED DRUM MANAGEMENT OUT TO**
45 **NINE NAUTICAL MILES**
46

47 **MR. RYAN RINDONE:** What you guys have in front of you is the

1 action guide, and we only have one main agenda item on here,
2 which is Number IV, which is a presentation on the process of
3 modifying red drum management out to nine nautical miles, and
4 this would be primarily for Alabama, Mississippi, and Louisiana,
5 since Florida and Texas already have state-water management
6 authority out to nine nautical miles.

7
8 I will present this information to you guys, with some options
9 that we have looked at for how best to address this, and you
10 should consider this information and ask some questions and
11 provide feedback on what we should do next, and so we can go
12 ahead and bring up Tab J, Number 4.

13
14 The motion that you guys had given us was to direct us to start
15 a document to allow the states of Alabama, Mississippi, and
16 Louisiana to manage red drum out to nine nautical miles. Just
17 to give you an idea of where we've come from and where we are
18 now, the original FMP from 1986 had said no direct harvest for
19 the commercial sector from the EEZ for the 1987 fishing year,
20 but incidental catch was allowed for net and shrimp fishermen.

21
22 The federal recreational bag limit was one fish per person per
23 trip, and the total harvest was estimated to be 625,000 pounds,
24 with 300,000 pounds attributed to the commercial sector and
25 325,000 to the recreational sector.

26
27 The stock assessment had said that there was high inshore
28 fishing mortality on juveniles and sub-adults, which could have
29 significant long-term risks to the spawning stock biomass and
30 reduce juvenile recruitment to the adult population, and
31 continued exploitation of adults was thought to be detrimental
32 to the stock overall.

33
34 Then, in Amendment 1 from 1987, it continued the commercial
35 closure in federal waters and restricted recreational landings
36 and commercial incidental catch off the primary area, which was
37 identified as Louisiana, Mississippi, and Alabama, and it
38 requested all Gulf states implement rules to achieve a 20
39 percent escapement rate for juveniles.

40
41 Then, in 1988, you guys passed Amendment 2, which prohibited all
42 retention and possession in the EEZ, and it set the total
43 allowable catch at zero pounds, and it requested that the Gulf
44 states increase escapement to 30 percent.

45
46 Amendment 3 in 1992 modified the framework procedure, specifying
47 that NMFS would conduct biennial stock assessments, and then

1 Amendment 4 in 2001 was also part of the EFH, Generic EFH,
2 Amendment. Then Amendment 5, which was also part of Reef Fish
3 Amendment 48, modified the status determination criteria.

4
5 Currently, there is, of course, no red drum harvest allowed in
6 federal waters, but red drum make an important state-water
7 fishery throughout the Gulf of Mexico. The only state to allow
8 any commercial harvest is Mississippi, which allows 60,000
9 pounds whole weight, most of which is caught via hook-and-line.

10
11 Some considerations for you guys about red drum. There hasn't
12 been a stock assessment completed for the entire Gulf, like a
13 comprehensive stock assessment, since 2000, and this means that
14 updating the ACL, which is currently zero, is just not possible
15 with the data that we have.

16
17 Each state does stock assessments on red drum, but states don't
18 do these stock assessments in a comparable way or at the same
19 time intervals. The states are managing by escapement rate,
20 endeavoring to manage to at least a 30 percent escapement, and
21 some states endeavor to manage to higher escapement rates than
22 that, but each state measures this escapement rate differently,
23 and the methods aren't comparable, and we discovered this during
24 a red drum working group meeting back in 2014. Those
25 assessments of escapement rate, like I said, they vary in
26 frequency by state.

27
28 This is just a summary of the stock assessment findings for the
29 Gulf-wide stock. At this point, we could essentially consider
30 like the Gulf-wide federal stock status to be unknown, given how
31 far removed we are from any comprehensive Gulf-wide assessment.

32
33 Back to some considerations. If we can't update the ACL, then
34 delegating the management authority to the states, like was done
35 with Amendment 50, would be out, because we have to be able to
36 set an ACL. If the ACL is zero, nothing can be done with that.

37
38 The other option would be the conservancy equivalency plan, and
39 the states would need to ensure that management measures, under
40 their respective CEPs, would be consistent with the Magnuson-
41 Stevens Act and be consistent with the Red Drum FMP, to prevent
42 overfishing, to monitor the fishery, conserve habitat, and
43 minimize conflict with the user groups, and it would require the
44 states to have a way to monitor and constrain harvest.

45
46 Any conservation equivalency plan would require that annual
47 plans are reviewed by NMFS, and, again, this is annual, and

1 states don't assess red drum annually, and I don't think any of
2 them do, as a matter of a fact, and so that would be an
3 increased burden on the states, and there would likely need to
4 be some commensurate way of determining that that 30 percent
5 escapement rate was being met for each state, and so all of this
6 gets to the point of what is there available to manage, and this
7 gets us back to the fact that the ACL for federal waters is
8 still equal to zero.

9
10 Commensurate with the Red Drum FMP, the question before us is,
11 is there anything, even under the CEP approach, for the states
12 to manage in federal waters as long as that ACL is set at zero,
13 and then the next slide has other details about conservation
14 equivalency plans, and I won't go through reading all of this,
15 but suffice it to say that it would be a considerable increase
16 in the attention that would need to be paid towards red drum on
17 an annual basis, both by the three subject states and by the
18 agency, to ensure that the requirements both set forth in
19 Magnuson and in the Red Drum FMP are still being adhered to.
20 Mr. Chair.

21
22 **GENERAL SPRAGGINS:** Okay. I appreciate that. A little update
23 on where we were at from 2014, and, obviously, a lot has not
24 been done with red drum over the last thirty years, twenty or
25 thirty years, and it's something to look at, and I think it's a
26 viable option to get something on the radar and be able to see
27 what's out there. Does anybody have any questions about the
28 presentation at this time, or where we should go with this?
29 Patrick.

30
31 **MR. PATRICK BANKS:** I was just curious from NMFS' perspective.
32 What would it take -- Do you all have any estimate on the cost
33 to do a full Gulf assessment? What would it take for that?

34
35 **DR. CLAY PORCH:** We have actually submitted some documentation
36 in the past of what it would take. The bottom line is we need
37 either a good picture of the age composition of the offshore
38 stock, which, right now, there is just partial studies that have
39 been done in a couple of states, and the big gap being, of
40 course, Louisiana, because it's the big -- That's the teeth of
41 the fishery.

42
43 Then we could compare the age composition now with the age
44 composition back from the last time we collected data, which was
45 in the 1990s, and that's why -- The last stock assessment ended
46 in 2000, and I think the last year of data was 1998 or something
47 like that in that assessment.

1
2 I don't remember, offhand, exactly how much it would cost, but
3 it's something like sampling sixty different schools in a
4 random, stratified way, and then I can't remember if it's a
5 couple dozen or a dozen fish per school, but it's something on
6 that order, or we could get an absolute abundance estimate, and
7 then you would have to do sort of a mark-recapture type
8 experiment, like NMFS did many years ago, the downside being
9 that, when you purse seine a lot of fish and hold them for a
10 while, you do run the risk, in the warm water, of killing them,
11 which actually is what ended the NMFS program, because they did
12 have that happen, and so you have to be real careful about doing
13 it.

14
15 It can be done, because they did it off of Florida just
16 recently, Sue Barbieri's group, and I was on one of the trips,
17 and they net a lot of red drum, and they didn't have big
18 mortality, but probably the water wasn't quite as warm and
19 anoxic as it was in the northern Gulf, but that's another way,
20 if you can get an absolute abundance estimate to compare with
21 the previous ones, but, to get to your -- The short answer to
22 your question is it's going to be in the neighborhood of
23 probably a half-million dollars, minimum, to do it properly, but
24 I can't give you an exact number.

25
26 **GENERAL SPRAGGINS:** Thank you. Any other questions? Kevin.

27
28 **MR. KEVIN ANSON:** Thank you, General. I'm not on your
29 committee, but this has come before. The last time we talked
30 about it, I think it was after 2014, and it was just another
31 committee, but Dr. Powers -- His research I know is kind of
32 minimized in geographic scope, due to logistics, but I think his
33 is coming out here -- The results should be coming out at the
34 end of this year, and are you familiar with that? I can ask, if
35 you're not.

36
37 **DR. PORCH:** I don't remember all the details of it, and I have
38 talked to Dr. Powers about it. That would actually help us
39 refine what the cost estimate would be, but, again, when I
40 talked to him, the scale wasn't quite what we would need for a
41 Gulf-wide assessment. Similarly, Sue Barbieri's work off of
42 Florida, but, again, the teeth of the fishery, on a Gulf-wide
43 basis, is Louisiana. If you don't get Louisiana, you don't
44 really have the fishery data.

45
46 **GENERAL SPRAGGINS:** Mr. Dyskow.

47

1 **MR. PHIL DYSKOW:** Thank you, General. I have a two-part
2 question. The first part is what is the endgame of all of this?
3 What are we looking to accomplish?
4

5 **GENERAL SPRAGGINS:** Well, what has been brought to my attention
6 by several places -- I mean, obviously, you have it in Florida,
7 and you have it in Texas, out to nine miles, and the idea of
8 being able to fish it to nine miles in Louisiana, Alabama, and
9 Mississippi would just kind of equalate that across-the-board,
10 but what's happening -- One of the big things is, if you take a
11 fisherman, and they go out, and they're fishing, and they're out
12 there, out in the nine-mile area, and they catch one, and, if
13 it's a dead discard, then that's just a lost fish.
14

15 Where that happens sometimes with people fishing for reef fish
16 and other things in the area, depending on the depths, and so
17 that could be another way of being able to do it. It would just
18 help someone be able to save that fish, and then they wouldn't
19 be able to fish coming inside the nine miles, or inside the
20 three miles, normally that they do, but a thirty-inch fish
21 wouldn't change, and the one over thirty and two under thirty
22 wouldn't change.
23

24 I don't think it would change a whole lot to deal with the
25 effect of the stock assessment itself, and I can't personally
26 say that, and I don't have the data in front of me showing any
27 type of proof of it, but we can see that people are not going to
28 keep them, and I don't know of too many people that want to keep
29 anything over thirty inches, but, if you catch something, it
30 could work in the favor of a discard, that you could be able to
31 utilize it in some way.
32

33 That's one of the major things, and the other is there's a lot
34 of people that like to just go catch them, and they like to
35 catch them in charter boats and other places, like to go and
36 catch a fish, even though they don't want to keep it. They can
37 catch some in that three to nine-mile area, catch those fish and
38 be able to have a little bit of help with the business that
39 they're doing, and most people don't want to keep them, and they
40 might want to keep one or two that are under thirty inches, but
41 most people won't keep any at all, hardly, and it's just
42 something to help the fisheries move forward.
43

44 I don't think it's going to hurt anything, and I don't think
45 it's going to build anything. I don't think it's going to build
46 any money industry or anything else, if that's what you're
47 looking for, but that answered it, I hope.

1
2 **MR. DYSKOW:** May I ask the second part of my question now?
3

4 **GENERAL SPRAGGINS:** Sure.
5

6 **MR. DYSKOW:** I live in Florida, and we have the nine-mile limit,
7 and redfish happens to be one of the species that I target on a
8 -- If not daily, certainly on a weekly basis, and I may need
9 some help from Martha on this, but we have a healthy
10 recreational redfish program in Florida, but it's concentrated
11 inshore, and our slot fish are quite a bit smaller than the type
12 of fish you just mentioned.
13

14 We look at these offshore fish two ways. One, they're a
15 breeding stock that we want to leave alone, and, secondly, they
16 have such high levels of toxicity that we wouldn't want them
17 even if we could keep them, and so I don't understand what the
18 allure of taking these brood stock and killing them for no
19 purpose, because they don't have the food value, and, Martha,
20 could you comment on that for me, please?
21

22 **MS. MARTHA GUYAS:** I can talk a little bit more about Florida's
23 management, and so we manage to a 40 percent escapement rate.
24 Our slot is eighteen to twenty-seven, and we have some zone
25 management in place in different parts of the state, and so, in
26 general, we've got two fish in northeast Florida, one per
27 harvester, and other places in the state -- Southwest Florida
28 has had some issues with red tide, as we all know, and so
29 there's been some changes in that area recently, over the past
30 few years.
31

32 We do assessments every couple of years. You're right that the
33 escapement rate -- That's trying to conserve our offshore stock
34 and the breeding fish, and so that's, in a nutshell, how we
35 work, and does that help?
36

37 **MR. DYSKOW:** I'm sorry, and I don't mean to dwell on this,
38 General, but does anybody fish those offshore stocks?
39

40 **MS. GUYAS:** Not to a large degree in Florida, certainly. I
41 mean, the fish are there, and so I'm sure people catch them, but
42 it's not what the inshore fishery is, like you experience.
43

44 **GENERAL SPRAGGINS:** Thank you, sir. Dale.
45

46 **MR. DALE DIAZ:** A little bit to Mr. Dyskow's point, and I agree
47 with what you said, Mr. Dyskow, and I think that's a lot of how

1 people operate in our area too, but we're constrained to three
2 miles instead of nine miles, and so, outside of nine miles, it
3 still would be considered, and still is, a breeding stock, but
4 some of the complications in our area -- I think I speak for the
5 three middle states here, but, in Mississippi, the Mississippi
6 legislature has claimed nine miles for everything, and not just
7 fish, but oil and gas and everything.

8
9 Folks in our area, and I believe in Louisiana and Alabama, and
10 Patrick and Kevin can jump in if I'm wrong, but folks are in an
11 uncomfortable position, where they have to tell folks from
12 their state that, in that area, they have to fish at their own
13 risk, because, if a federal law enforcement officer comes up
14 alongside them, I don't think NOAA recognizes -- I know NOAA
15 does not recognize it as state law, and so it's an awkward
16 thing.

17
18 I have always wanted to fix this, for that one reason alone, and
19 I will say, in our area, that's different from you all's area.
20 Our charter fishermen do fish on red drum a good bit more than
21 in other areas, and I believe more than -- In a lot of other
22 areas, red snapper are the bread-and-butter, but, in
23 Mississippi, I would say it's red drum.

24
25 They still mostly fish inshore, but, occasionally, they get
26 outside the islands, in this no-man's land between three and
27 nine miles, and they're in that awkward situation, where they
28 have to decide how to handle that, and I would love to see us
29 take that away.

30
31 There's another issue that I think is unique for Mississippi and
32 Louisiana that it may not be to other states, and so Dr. Porch
33 just said that Louisiana is the teeth of the red drum fishery,
34 and there's a lot of red drum in Louisiana, and so folks that
35 transit from Louisiana, if they just cut through the area that
36 is considered the three to nine-mile area, they're transiting
37 through an area where they would be transiting illegally. They
38 would be at an illegal point, when they transit that area, if
39 they go in that three to nine-mile zone, and so that would be
40 another thing that could be corrected, if we could get to the
41 point where we could do something with this species. Thank you,
42 General.

43
44 **GENERAL SPRAGGINS:** Yes, sir. Martha.

45
46 **MS. GUYAS:** Thank you, Mr. Chair. I have some questions about
47 the conservation equivalency, and so I guess the first one is

1 for Ryan. With the 30 percent escape rate, since everyone is
2 using a different definition of escapement, would that need to
3 be standardized, if the central Gulf states went down this path?
4

5 **MR. RINDONE:** We would really look to NMFS to clarify that, but,
6 given that this is a Gulf-wide stock that we're talking about,
7 and we have to manage with deference to the goals of the FMP and
8 Magnuson, it would certainly suggest that, yes, that there would
9 have to be some way to standardize and calibrate the results of
10 those escapement rate evaluations to be comparable and
11 commensurate with one another, so that NMFS could ensure that
12 the CEPs, collectively, were still satisfying the requirements
13 of the FMP and Magnuson.
14

15 **MS. GUYAS:** I've got one more, if you will entertain me.
16

17 **GENERAL SPRAGGINS:** Okay.
18

19 **MS. GUYAS:** I don't want to put you guys on the spot, but I've
20 got to ask. The last time we talked about conservation
21 equivalencies was with the original iteration of regional
22 management for red snapper, and that was kind of a no-go, at
23 least in my mind, and I guess, Kevin and Patrick and General, it
24 sounds like you're ready to go there, but, I guess, are you guys
25 willing to do this, knowing that this is going to mean maybe
26 annual assessments and a lot of resources and administrative
27 stuff?
28

29 **GENERAL SPRAGGINS:** Go ahead, Patrick.
30

31 **MR. BANKS:** Well, I don't know that we have fully evaluated that
32 yet, and so I think it's too early to really answer that
33 question, at least for Louisiana.
34

35 **GENERAL SPRAGGINS:** I think one of the things too that -- One of
36 the major things was to get this back on the radar, and that's
37 number one. Obviously, I am not expecting anybody to try to
38 push something forward in the short term. I think we need to
39 look at it, and I think it needs to be something that is looked
40 at, and we can kind of -- The old saying of kick this can down
41 the road a little bit, but to see what we're doing, but I don't
42 want to make the staff, or ask the staff, to go out and do a
43 whole lot of work for no reason, until we find reason for us to
44 move forward.
45

46 We've asked them to do something, and they have opened a
47 document, and they have started it, and so I think that we're

1 there, unless, Carrie, there is something different that I am
2 missing there. If we leave it alone, as it is, and just say
3 that we're going to look at it in the future, is there anything
4 wrong with that?

5
6 **EXECUTIVE DIRECTOR CARRIE SIMMONS:** Thank you, Mr. Chair. I
7 guess, just for clarity, you would like us to move forward with
8 a draft options that would consider this conservation
9 equivalence process? Is that what I am understanding, because
10 we haven't started the document. This is just a presentation.
11 Is that the route the committee would like us to go?

12
13 **GENERAL SPRAGGINS:** Go ahead, Mr. Rindone.

14
15 **MR. RINDONE:** Well, similar to what Dr. Simmons was getting at,
16 part of the reason that you guys aren't looking at an options
17 paper is because the options aren't great, if we're being frank,
18 right, and so, again, just a reminder, for the conservation
19 equivalency to work, there has to be fish to catch, and, between
20 three and nine nautical miles right now, the ACL is still zero,
21 and we lack the data to have a different ACL right now.

22
23 Even if the states went through all of the colloquial hoop-
24 jumping in order to achieve a CEP, you're doing it for an ACL
25 that is equal to zero, and so you're doing it for no fish, and I
26 see that Ms. Levy has her hand up, and she might have something
27 to add.

28
29 **GENERAL SPRAGGINS:** Okay. I had Andy also, but, Mara, go ahead.

30
31 **MS. MARA LEVY:** I think Ryan covered it. I mean, I think, for
32 me, and, if you look back at those 2014 minutes, I actually said
33 it there, is that, if you're going to have any harvest in the
34 EEZ, you're going to have to have an FMP that allows for that
35 harvest, and, right now, the ACL is zero for the EEZ, and so I
36 think that, at this point, seems to be the biggest hurdle.

37
38 **GENERAL SPRAGGINS:** Okay. Andy.

39
40 **MR. ANDY STRELCHECK:** Along those lines, I think, before we
41 would proceed with an options paper, I think it would be
42 beneficial to understand what, if anything, could be done to set
43 an ACL greater than zero. We talked about a Gulf-wide
44 assessment, but there might be other options, in terms of
45 looking at what the states are doing from an escapement rate
46 standpoint, yield per recruit, other information that could be
47 consistent with that, in order to allow that.

1
2 I am struggling though with kind of the level of administrative
3 burden and the benefit. It's kind of weighing those cost-and-
4 benefit calculations here, and it seems like a lot of work for
5 maybe limited gain.

6
7 **GENERAL SPRAGGINS:** Yes, sir, and I agree with that, and that's
8 why I am kind of struggling with it with you, and the fact of
9 asking them to do something without us having some type of a
10 good plan to go forward with is what bothers me. I think, Dr.
11 Stunz, are you still on? Greg, do you have your hand up?

12
13 **DR. GREG STUNZ:** Yes, sir, I do. I have a question, and maybe
14 this is for Clay, or maybe Andy. Since this is managed largely
15 right now looking at escapement rates, and I don't recall how
16 often -- Is that an annual deal that the states submit that, or
17 is it -- I don't remember seeing that, and it's been years ago
18 since we really discussed or looked at that, and so the concern
19 I would have, and, I mean, I definitely feel that the states
20 should --

21
22 We should all be equal, in terms of nine miles, but, if you're
23 managing on a certain escapement rate, and then you move it out,
24 that certainly would change that, and so I'm wondering if maybe
25 that might be a starting point down the road or something, is to
26 look at how any type of additional harvest might affect those
27 escapement rates, but my main question is how often is that
28 looked at, or is that data provided?

29
30 **GENERAL SPRAGGINS:** I am not sure of that answer. Can anybody
31 help him?

32
33 **MR. STRELCHECK:** I can tell you, Greg, that we're not actively
34 looking at that data, and that's been something the states have
35 been actively monitoring and evaluating on an individual state
36 basis, and, as Ryan indicated, it's highly variable from state
37 to state.

38
39 **GENERAL SPRAGGINS:** My question is, for Florida and Texas, that
40 are doing this already, is there some way of managing in your
41 state waters, that you're managing out to nine miles with it?
42 Go ahead, Martha.

43
44 **MS. GUYAS:** I mean, off the Gulf coast of Florida, I mean, state
45 waters just go out to nine miles for everything, and so it's
46 basically those regulations that I told you before. We've got a
47 40 percent escapement rate, and we use the proportion of fish

1 that survive I think to age-four, relative to the fish that
2 would survive if there was no fishery, as our definition of
3 escapement. I mean, that's really it.

4
5 **GENERAL SPRAGGINS:** Robin, I don't know if you're on, but I
6 guess the question I'm asking is if there's some data there that
7 could be utilized to be able to set some form of an ACL, because
8 they're utilizing it out to nine miles, and that's just a
9 question.

10
11 **MS. GUYAS:** Well, when we're assessing the stock off of Florida,
12 we're assessing out to nine miles, and we're not assessing
13 what's going on in federal waters, and so, I mean, there may be
14 some information that helps there, and, I mean, I'm not the
15 expert, but I think there would still be some data gaps.

16
17 **GENERAL SPRAGGINS:** Mr. Rindone.

18
19 **MR. RINDONE:** Thank you, Mr. Chair. To expand on Martha's
20 point, I think the thing to remember is that the composition of
21 the stock in those offshore areas is, at this point, largely
22 unknown, and so, to presume there to be able to use the data off
23 of Florida and/or Texas, or some combination of those to serve
24 as a surrogate to estimate what could be going on off of
25 Mississippi, Alabama, and Louisiana, it would require some very
26 strong assumptions that --

27
28 Given that area in the northern Gulf was the primary area for
29 the red drum fishery back when it was active in the mid to late
30 1980s, it would stand to reason, looking at that and looking at
31 the recreational landings that come from the northern Gulf, that
32 those assumptions are likely to be violated, in terms of how
33 much biomass we're talking about.

34
35 Louisiana, historically, by itself, lands about two-thirds of
36 the red drum by itself, and so it's a substantial amount of that
37 come from that northern Gulf area.

38
39 **GENERAL SPRAGGINS:** Okay. Ed.

40
41 **MR. ED SWINDELL:** Well, one of the problems in Louisiana is that
42 you have such a coastline, and you have a redfish system that
43 allows for you to catch five redfish, but, still, when people go
44 out beyond three miles, they can't keep them. It's a real
45 problem, and so what Patrick was trying to say, and so am I, and
46 you, is that we need to push it out some, so that we can at
47 least let the people that are fishing for the resource enjoy

1 fishing for it, even though you can't commercially keep it, and
2 you can't keep it when you're in federal waters, even if you're
3 recreational fishing.

4
5 I mean, this is a bad thing to do with the council trying to
6 manage a resource and letting it be utilized, to the extent
7 possible, by the public at-large, and so I think we really need
8 to look at it, and whether you're able to get it commercial, I
9 doubt it, but at least -- Especially not in the State of
10 Louisiana they won't let you harvest it commercially, but we
11 still need to have a good look at the resource and say what the
12 heck is going on here, and can people keep it that are going
13 offshore, and so that's my opinion.

14

15 **GENERAL SPRAGGINS:** Yes, sir. Mr. Banks.

16

17 **MR. BANKS:** Well, I mean, we don't know what we would do in this
18 situation, and so let me clarify that, but I am certainly in
19 favor of state management, in a lot of cases, and this being one
20 of them, but I don't know that we would necessarily change
21 anything about the way our fishery is prosecuted, even if we had
22 it, but it does seem like that, unless we can get to an ACL,
23 this discussion is moot.

24

25 Without the full stock assessment, which is a half-million and
26 above, and I'm surprised it's that cheap, to be quite honest, I
27 don't know where we go.

28

29 My only other option would be to ask our SSC to review any
30 information that's out there, in lieu of this Gulf-wide stock
31 assessment, that would use to try to set an ACL, and I think
32 Andy suggested that, and there may be other data out there that
33 we could use to set an ACL, but, without setting an ACL, it
34 doesn't seem like we can do anything, and, without a federal
35 stock assessment, we can't set an ACL, unless there is some
36 other pieces of data that exist, that I certainly don't know
37 whether it's good enough to use to set an ACL, but I think
38 that's what the SSC could tell us.

39

40 I don't know if that's too big of a lift for the SSC, with
41 everything else they have going on, but it seems like that's our
42 only option here, is to ask them to see if there's data
43 available for us to use to try to set an ACL.

44

45 **GENERAL SPRAGGINS:** That's possible, plus you've got the
46 conservation equivalency that you could look at.

47

1 **MR. BANKS:** But you can't unless there is an ACL, because, I
2 mean, we could have the management, but there's no ACL. The ACL
3 is set at zero, and so, yes, we might have the management, but
4 we couldn't allow any harvest.

5
6 **GENERAL SPRAGGINS:** Go ahead, sir, Mr. Chairman.

7
8 **DR. TOM FRAZER:** I think there's two issues, really, for the
9 agenda. The request was to move the limit, state limit, out to
10 nine miles, right, and so that's slightly different than what
11 we're talking about now.

12
13 What we're talking about now is whether or not we can collect
14 the data that are necessary to establish any catch advice in
15 federal waters, right, which that would allow you to establish a
16 fishery, perhaps, but I agree that it's not a -- It's going to
17 be an expensive proposition, and it's not just simply a \$500,000
18 deal, and I believe Carrie gave a presentation earlier about the
19 level of investment, and it's on the order a million dollars to
20 get it squared away, and then it becomes a bit of an economic
21 argument.

22
23 If you want to simply move the limit out to nine miles, and
24 you're making the argument that Mississippi, Alabama, and
25 Louisiana should be equal in that regard, and that's not within
26 the purview of the council, in my view, and maybe Ms. Levy can
27 chime in here a bit, but the reason that there were nine miles
28 on those two states and three miles on the other is because of a
29 legislative act in the 1950s or 1960s.

30
31 In order to move that out, I think that requires a conversation,
32 perhaps, with your elected officials to do that, and so I just
33 want to make sure we understand the rules and where our lane is
34 in this process.

35
36 **GENERAL SPRAGGINS:** I agree with that, sir, and I think the
37 conversation is being had. Now, how far the conversation is
38 being had is a different story, and it's like anything else.
39 Obviously, the three states would love to have nine miles for
40 everything, and they would love to match up to Florida and
41 Texas, but that's a big hurdle, and that's a big hurdle to look
42 at, and we'll have to see whether that is something that happens
43 or not, and, once again, I promised people that I would bring
44 this up to the committee and we could talk about it, and I
45 definitely wanted to do it. Sir, you had a question?

46
47 **DR. JOHN FROESCHKE:** No, I'm good. Thank you.

1
2 **GENERAL SPRAGGINS:** Mr. Dyskow.

3
4 **MR. DYSKOW:** Thank you, General Spraggins. I am very
5 understanding of what the three states of Mississippi and
6 Alabama and Louisiana are trying to do, and it makes perfect
7 sense, and I have no opposition, as a committee member, to your
8 pursuit of the possibility of a nine-mile limit, like Texas and
9 Florida, and it all makes perfect sense to me.

10
11 Where I would offer up some caution is that, from the
12 recreational industry perspective, the redfish, the inshore
13 redfish fishery, is probably the most economically-important and
14 socially-important fishery we have throughout the Gulf. Redfish
15 are a major part of our activity in Florida, and it's certainly
16 true in your three states, and I know it's true in Texas as
17 well.

18
19 The cautionary point that I have, and we're still on target,
20 time-wise, is we don't want to screw this up. If we do, it has
21 big economic and social impact, and so I would suggest that
22 maybe we take this in stages and move slowly with it.

23
24 Focus on this nine-mile limit, if that's the biggest obstacle,
25 and it sounds perfectly reasonable and logical for you to do
26 that, but, as far as starting to aggressively harvest mature,
27 toxic redfish that are important brood stock for this fishery,
28 to no purpose, bothers me somewhat, and so I would offer some
29 caution in that area, for all the reasons I just discussed, but,
30 that said, I am supportive of what you're trying to do, but I
31 would just offer that you might want to do it in stages,
32 starting with the most logical place, which is this nine-mile
33 limit. Thank you very much.

34
35 **GENERAL SPRAGGINS:** Thank you, sir. All right. Any other
36 discussion? I guess the biggest thing is I need to ask Carrie
37 is, rather than lose the thing on the docket at all, is there a
38 way that we can just postpone any further actions on it until at
39 least the October meeting, or later?

40
41 **MR. RINDONE:** When we bring this back is entirely up to you
42 guys, and, at this point, I think that we've established that
43 we're kind of at an impasse, with the zero-ACL situation, and so
44 you guys have options of things that you can do, like recommend
45 that we table this action until such a time as we have more data
46 available to pursue an assessment, like a Gulf-wide assessment,
47 of red drum, and that might be something that you consider.

1
2 I guess I've kind of laid my cards out right now, as far as what
3 I have to show you, but I don't have another option, but, like
4 has been mentioned, Dr. Barbieri in Florida has been conducting
5 offshore, and Dr. Powers in Alabama has been conducting
6 research, and, again, as Dr. Porch mentioned, there is a big
7 component of this -- The data off of Louisiana are necessary for
8 helping to fill this gap, and there's a lot that is involved
9 with trying to develop this comprehensive, Gulf-wide examination
10 to be able to compare where we are now with where we were in
11 2000, when the last assessment was done by Dr. Porch. Not to
12 age you, Clay. Sorry.

13
14 **GENERAL SPRAGGINS:** Okay. Maybe -- Patrick, I think you've got
15 your hand up too, and maybe it can be something that we talk to
16 the SSC, and so I will turn it to you.

17
18 **MR. BANKS:** Well, that's where I was going with this. Our
19 agency has a lot of age data from redfish in the offshore
20 schools that we have collected over the years, and so I think,
21 if maybe the SSC or somebody was to help look at all these
22 pieces of information that do exist, there may be something
23 there that can help guide us to set an ACL, and I don't know.
24 Maybe it's not enough. Who knows, but I don't know who is going
25 to tell us that if we don't have our SSC, our scientists, look
26 at it to tell us whether we have something, in lieu of a federal
27 stock assessment. Is that possible? I am not seeing any
28 agreement from the staff that the SSC can do this for us, but
29 what are you all's thoughts?

30
31 **MR. RINDONE:** We've had conversations about this information
32 before, and one of the issues is comparability and the
33 information all being commensurate to be able to get that Gulf-
34 wide examination. The studies that have been proposed in the
35 past, and I am trying to remember, but in sixty-plus schools,
36 and a certain number of adults harvested per school, perform an
37 age and length composition, and that is a Gulf-wide examination
38 done in a similar way off of all five Gulf states and in varied
39 areas in the EEZ.

40
41 What we're talking about here, or at least what I am gathering,
42 is that Louisiana has data, and Florida has data, through Sue,
43 and Alabama has some data through Sean, and we still would need
44 commensurate information off of Mississippi, perhaps, and off of
45 Texas, and we're talking about doing a stock assessment, and
46 this would absolutely fall under the research track category.

47

1 Our dance card is not empty in the SEDAR category right now, and
2 you guys can -- It's your prerogative to shuffle things however
3 you like, but just to take anything -- To put anything in
4 requires taking something out, and we certainly try to avoid
5 much dead space in our SEDAR calendar, and that's just food for
6 thought. I don't have a direct answer for you about how to step
7 forward from here.

8

9 **GENERAL SPRAGGINS:** Yes, sir.

10

11 **MR. SWINDELL:** As I've been on this council in the last six
12 years now, we keep putting it off, and putting it off, and
13 putting it off, for other projects which we're spending money on
14 to get done, and so at what point are we going to bite the
15 bullet and say look, people, we've got to do this redfish stock
16 assessment, some way or another, and there's no sense to keep
17 pushing it down the road. To me, I think we're doing a
18 disservice to the Magnuson Act if we don't do something to look
19 at this resource. Thank you. Good luck in the future.

20

21 **GENERAL SPRAGGINS:** Yes, sir.

22

23 **DR. PORCH:** I just wanted to remind everyone that we did go
24 through a recent data-limited stock assessment exercise, and
25 they found that there still wasn't enough information, given the
26 complex dynamics of red drum, to really come up with a number.
27 I think the only way we could move forward, along the lines of
28 what's being suggested, is if each state could produce their
29 independent stock assessments with not just escapement rates,
30 but estimates of the number of fish that are out there, and then
31 you might be able to work out some kind of at least reasonable
32 approximation for what an ACL could be in the federal waters,
33 but we would need to look at all the state assessments
34 simultaneously within a similar timeframe.

35

36 Short of that, then we could move forward with a Gulf-wide
37 assessment, if we collected the key information. In that
38 respect, like I said, my half-million dollars is a very rough
39 minimum estimate for the minimum amount of information that you
40 would need to collect to do some sort of stock assessment.

41

42 As Dr. Frazer had pointed out, Dr. Simmons had given us a
43 presentation a while ago with a more complete estimate, I think
44 over three years, and for all areas, but also collecting more
45 than just the minimum age composition information, and that was
46 a lot more money. Like I said, my number was just off-the-cuff
47 and a very quick guess at getting the minimum amount of

1 information that we might be able to proceed with a federal
2 assessment, and that was for one year, but it's probably even
3 higher than that, and then, to get all the information that we
4 would really like, to do a crackerjack federal stock assessment,
5 it's probably closer to millions.

6
7 **GENERAL SPRAGGINS:** Okay. Do we have other hands up? Yes, sir.

8
9 **MR. STRELCHECK:** Thanks, General Spraggins. I wanted to comment
10 on your statement about not letting this fall off the plate and
11 possibly bringing this back in October or some later date, as
12 well as Ed's statement just about we've been kicking the can
13 down the road on this, and I guess a few things here.

14
15 I am not hearing a huge compelling need for this. I realize the
16 concerns here. Having a federal stock assessment to determine
17 ACL certainly could be beneficial, and we could figure out all
18 the funding and needs to accomplish that, but, at the end of the
19 day, I would look at this fishery as kind of a success story
20 from a state management standpoint, or co-management between
21 state and federal management.

22
23 The offshore brood stock could be easily exploited, and I
24 realize that maybe there is an ACL that's greater than zero, but
25 people are pretty pleased and happy with the inshore fishery and
26 the escapement that we're allowing, and so I'm really kind of
27 struggling with the need here, in terms of kind of turning over
28 the applecart and changing things for what sounds like more of
29 kind of a bycatch or a limited harvest that could occur off of
30 Alabama, Mississippi, and Louisiana, beyond what's already
31 occurring in inshore waters.

32
33 With all that said, I think, if want to bring this back to the
34 council and not let it fall off the plate, we probably need to
35 give staff direction, in terms of steps and information we would
36 want them to take, and we've talked about the assessment, and
37 possible what it would take to pursue an assessment, and so
38 there's certainly information already that exists there.

39
40 I think, if we wanted to pursue if there are other alternative
41 options for setting the ACL, that that might be a good way to
42 go, in terms of talking to the SSC and exploring information
43 from the Science Center to move this forward.

44
45 Then, beyond that, I think kind of the details, the working out
46 of kind of delegation or conservation equivalency, what would
47 that look like, and does that administrative burden exceed kind

1 of the benefits that we might reap from that, and so those are
2 at least some of the thoughts I had, if we wanted to bring this
3 back at another meeting sometime down the road.

4
5 **GENERAL SPRAGGINS:** Okay. Any other comments? Go ahead, J.D.
6

7 **MR. J.D. DUGAS:** Thank you. Without repeating everything I've
8 heard, it seems to me that we need to table this.
9

10 **GENERAL SPRAGGINS:** I agree, and maybe we ask the staff -- If we
11 could get a motion to ask the staff to table this until at least
12 maybe the December meeting, or the January meeting, because I
13 don't see any sense -- I don't think something is going to come
14 that quick, to where the next meeting we would have it, and
15 then, with the situation that, if Congress is looking at doing
16 something, something might change by that, and it will eliminate
17 the whole thing, and so if I could get someone that would make a
18 motion to that, I would appreciate it.
19

20 **MR. BANKS:** I would make that motion, but I would argue that no
21 motion is needed for this. There is no action required on the
22 agenda, and so I think our discussion is indication enough to
23 the staff. Thank you.
24

25 **GENERAL SPRAGGINS:** That's perfectly fine with me. If we don't
26 have to make a motion, that's better than anything, and may I
27 say that this went over and Leann did not say a word.
28

29 **MS. LEANN BOSARGE:** It was hard.
30

31 **GENERAL SPRAGGINS:** All right. Mr. Chairman, unless anybody
32 else has anything, I am going to turn it back over to you, sir.
33 Sorry I took a little bit too much time.
34

35 **DR. FRAZER:** That's all right. I think we had a good
36 discussion, and we ended a little bit early. We're going to
37 call it an early day, since we had a long one yesterday, and it
38 was probably because Leann didn't say anything, and she's tired.
39 All right. I will see you all in the morning.
40

41 (Whereupon, the meeting adjourned on June 22, 2021.)
42
43

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