

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

2
3 REEF FISH MANAGEMENT COMMITTEE

4
5 The Driskill

Austin, Texas

6
7 August 15, 2023

8
9 **VOTING MEMBERS**

- 10 Tom Frazer.....Florida
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- 12 Kesley Banks.....Texas
- 13 Susan Boggs.....Alabama
- 14 Billy Broussard.....Louisiana
- 15 Rick Burris (designee for Joe Spraggins).....Mississippi
- 16 Dale Diaz.....Mississippi
- 17 Jonathan Dugas.....Louisiana
- 18 Dakus Geeslin (designee for Robin Riechers).....Texas
- 19 Bob Gill.....Florida
- 20 Michael McDermott.....Mississippi
- 21 Anthony Overton.....Alabama
- 22 Chris Schieble (designee for Patrick Banks).....Louisiana
- 23 Andy Strelcheck.....NMFS
- 24 C.J. Sweetman.....Florida
- 25 Ed Walker.....Texas
- 26 Troy Williamson.....Texas

27
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- 29 Dave Donaldson.....GSMFC
- 30 Lisa Motoi.....USCG

31
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- 38 Mary Levy.....NOAA General Counsel
- 39 Natasha Mendez-Ferrer.....Fishery Biologist
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- 41 Kathy Pereira.....Meeting Planner - Travel Coordinator
- 42 Ryan Rindone.....Lead Fishery Biologist/SEDAR Liaison
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7 Jessica Stephen.....NMFS
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PAGE 29: Motion to separate spatial area closures into a separate document. [The motion carried on page 29.](#)

PAGE 65: Motion in Action 2 to make Alternative 4 the preferred. [The motion carried on page 67.](#)

PAGE 76: Motion in Action 1 to move Alternative 5 to Considered but Rejected. [The motion was withdrawn on page 78.](#)

PAGE 80: Motion in Action 1 to suggest the SAFMC move Alternative 5 to Considered but Rejected. [The motion carried on page 81.](#)

PAGE 104: Motion to direct council staff to work with NMFS to develop an outline, estimated schedule and deliverables for pursuing the recreational initiative for discussion at the October 2023 council meeting. The proposal should consider a budget for hiring a consultant to facilitate the initiative, proposed activities, a strategy for involving stakeholders, the expected number of meetings, and participants to accomplish identified goals. [The motion carried on page 108.](#)

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1 The Reef Fish Management Committee of the Gulf of Mexico Fishery
2 Management Council convened at The Driskell in Austin, Texas on
3 Tuesday morning, August 15, 2023, and was called to order by
4 Chairman Tom Frazer.

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

10 **CHAIRMAN TOM FRAZER:** Good morning, everybody. We're going to
11 convene the Reef Fish Management Committee, and I would remind
12 everybody that it's a committee-of-the-whole, and so the first
13 order of business is the Adoption of the Agenda, and that will
14 be Tab B, Number 1 in your briefing materials. Is there any
15 additions or modifications to the agenda? Seeing none, can I
16 get a motion to approve the agenda?

17
18 **MR. BOB GILL:** So moved, Mr. Chairman.

19
20 **CHAIRMAN FRAZER:** Do we have a second? It's seconded by Dr.
21 Sweetman, and so the agenda is adopted. The second item on the
22 agenda is Approval of the June 2023 Minutes, and that would be
23 Tab B, Number 2 in your briefing materials. Are there any edits
24 or modifications to those minutes? Okay. Seeing none, is there
25 any opposition to approving the minutes as written? Okay.
26 Seeing no opposition, we'll consider the June 2023 minutes
27 approved.

28
29 All right. The next item on the agenda is the Action Guide and
30 Next Steps, and that will be Tab B, Number 3, and we will -- As
31 we do traditionally, we'll work through those action items one
32 at a time, and I will let Mr. Rindone go ahead and work through
33 the first action item.

34
35 **DISCUSSION: GAG AND BLACK GROUPER MANAGEMENT ALTERNATIVES**
36

37 **MR. RYAN RINDONE:** Thank you, Mr. Chair, and so we're going to
38 lead off with discussion of gag and black grouper management
39 alternatives, and so, as you guys recall, Amendment 56 was
40 developed in response to the alternative run of SEDAR 72, using
41 the State of Florida's State Reef Fish Survey landings data for
42 the private recreational vessels, and this assessment was
43 completed in 2022 and used a terminal year of 2019, and not
44 2020, as listed, and that one is on me, and it determined that
45 gag is overfished and undergoing overfishing, as of 2019.

46
47 The council transmitted Amendment 56 for implementation in June
48 of 2023, and it also directed staff to work on this follow-on

1 document to explore other measures like recreational bag and
2 vessel limit and spatial restrictions, and so black grouper was
3 included in this follow-on document, due to the historic
4 potential for misidentification between black grouper and gag,
5 and so we're going to present some options to you guys,
6 including the recreational bag and vessel limit, based on some
7 preliminary data that we looked at before for 2017 to 2019, and
8 modifications to spatial management, as well as consideration of
9 commercial spawning season closures.

10
11 The last one, the spawning season closures, comes from what
12 we've heard from public comment and from council discussions,
13 and so the committee should consider the information presented
14 and make recommendations to staff about the types of management
15 options it wants to explore, so that the SSC can consider these
16 goals when reviewing and discussing the current data and other
17 information available for gag at its September SSC meeting.

18
19 Following working on these analyses and recommendations, staff
20 can present some revised options to the committee at a
21 subsequent council meeting, and so we have a presentation, which
22 is Tab B-4(a), that we can start working through.

23
24 We kind of talked a little bit already about where we are with
25 gag in Amendment 56, and, just as a reminder, and so Amendment
26 56 revised the status determination criteria for gag and set the
27 proxy for fishing mortality at maximum sustainable yield at 40
28 percent of the spawning potential ratio, and so this is an
29 increase from where we were with gag, which was the maximum
30 yield per recruit, which is, you know, like we discussed before,
31 it's kind of like fishing at a wide-open throttle.

32
33 Obviously, with gag being overfished, that was not the best
34 move, and so the SSC recommended something much more
35 conservative here, and then we've changed how the OY, optimum
36 yield, is defined, and so the OY is equal to the ACL when the
37 stock is overfished and at 90 percent of the maximum sustainable
38 yield when it's not overfished.

39
40 Amendment 56 set an eighteen-year rebuilding plan for gag and
41 revised the sector allocation to 65 percent recreational and 35
42 percent commercial, and this was informed using the historical
43 time series as adjusted by the State of Florida's State Reef
44 Fish Survey, and it set the recreational ACT at 80 percent of
45 the recreational ACL and the commercial ACT at 95 percent of the
46 commercial ACL and set the commercial quota equal to the
47 commercial ACT, and a reminder that gag is under the individual
48 fishing quota program. Amendment 56 also set the recreational

1 fishing season to begin on September 1 and close when the
2 recreational ACT is projected to be met.

3
4 We transmitted 56 to NMFS at the end of June, and so we can
5 expect rulemaking to take about six months or so from there, and
6 you guys expressed interest in some additional measures for gag
7 and also directed us to include black grouper on that, and that
8 motion is listed there, and, again, black grouper was included
9 due to misidentification concerns with gag.

10
11 For black grouper, the question is does the council want to move
12 forward with including black grouper management measures in this
13 document at this time, and the reason why I ask this is because
14 we're also working on Amendment 58 to modify the shallow-water
15 grouper complex ACLs, and black grouper is in the shallow-water
16 grouper complex, and there really isn't anything that we would
17 do in this document for black grouper that we couldn't do in
18 that document, thereby keeping all the discussions of black
19 grouper in one place, and that's less of a burden for amendment
20 development and stuff for staff, and so just it streamlines
21 those things. You have a question, Mr. Chair, from Susan.

22
23 **CHAIRMAN FRAZER:** Sorry, Ms. Boggs.

24
25 **MS. SUSAN BOGGS:** So black grouper is not a fishery that's big,
26 or gag grouper either, in our area, but I have talked to a lot
27 of the fishermen in Destin and south to Tampa, and they have no
28 interest in doing this, and I don't really -- I read your
29 document, and I feel like this about like I did with the jacks
30 complex. You know, if you don't know what a species is, then
31 release the fish, but, when we start combine these fish, and
32 we've got shortened seasons anyway, and now you're taking away
33 access to fisheries, and I guess, in the interest of time, my
34 opinion would be, at this moment, it would not be moved forward,
35 but I don't know if everybody else would like to go through the
36 rest of the document, but I try to save time any way I can.

37
38 **CHAIRMAN FRAZER:** Thank you, Ms. Boggs. Captain Walker.

39
40 **MR. ED WALKER:** I would agree with Ms. Boggs on that. As a
41 fisherman who lives in the gag center of abundance, and
42 participates in gag in every way you can, commercial, charter,
43 recreational, spearfishing, I can tell you that, in thirty-five
44 years as a gag grouper fisherman, where I live, I've caught two
45 black groupers, and they do not look enough like a gag to go
46 through all this over an alleged misidentification. That's not
47 a thing. There are some species maybe you could argue, but
48 that's not one of them.

1
2 **CHAIRMAN FRAZER:** Thanks, Captain Walker. Dr. Sweetman.

3
4 **DR. C.J. SWEETMAN:** Thanks, Mr. Chair. So, obviously, I was the
5 person that advocated for black grouper being involved in this,
6 because of identification issues, and I happen to be located in
7 the state where identification issues can happen, down in the
8 Keys, and I will say that, while I understand a lot of folks
9 maybe might not be in favor of moving forward with this, at the
10 very least, I would like to just see the analysis, just to see
11 what that could potentially give us.

12
13 I think the gag grouper stock, any measures that we can take
14 there to help improve that, would be beneficial. Again, at the
15 same time, if the analysis doesn't show that it's not going to
16 give us too much savings, okay, and so be it, but I don't see
17 the harm in seeing the analysis altogether, and I will say, to
18 that point, I mean, black grouper and gag grouper have the same
19 minimum size limit, even though they have different size-at-
20 maturity, and so misidentification issues is already kind of
21 factored into the regulations that are somewhat on the books
22 already, and so I will just throw that out there.

23
24 **CHAIRMAN FRAZER:** Thank you, C.J. Mr. Rindone.

25
26 **MR. RINDONE:** So the analyses that we've done so far are
27 considerate of --

28
29 **MS. BERNADINE ROY:** Andy has his hand up.

30
31 **CHAIRMAN FRAZER:** We'll get to Andy next.

32
33 **MR. RINDONE:** So the analyses that we have included in here so
34 far are done, obviously, exclusively for gag, and part of that
35 is because these things, like reducing the recreational bag
36 limit, and there's not a recreational closed season for black
37 grouper, and so, if you reduce the recreational bag limit, then
38 there would be no effect.

39
40 Reducing the -- Or establishing a recreational vessel limit for
41 black grouper, well there's no vessel limit now, and the season
42 is open year-round, and so reducing, or creating, a recreational
43 vessel limit, would also have no effect, and so that leaves
44 spatial considerations, and, at this point in time, we don't
45 have the data to be able to say what the stock condition of
46 black grouper is and whether it necessitates any spatial
47 management or not, and it's something that we have a stock
48 assessment scheduled to start a couple of years from now that

1 can start to look at that, but, right now, we don't have any
2 data specific to black grouper, as far as how it might benefit
3 from any changes to spatial considerations.

4
5 As far as a commercial spawning season closure is concerned,
6 whether it's for a specific area or beyond a specific depth, or
7 a certain number of months, we haven't done any of that yet
8 either, and I will get to a recommendation about how to deal
9 with the spatial side in a bit, but I guess my question, to Dr.
10 Sweetman, would be what analysis is it that you would want to
11 see for black grouper that we would do that you would expect to
12 see some kind of effect for?

13
14 **CHAIRMAN FRAZER:** C.J.

15
16 **DR. SWEETMAN:** I mean, I guess I really -- In looking at some of
17 the background data that was provided for this presentation, I
18 guess it really would be focused on Monroe County, more or less,
19 because that is essentially where gag and black grouper overlap
20 predominantly in the Gulf. Obviously, that could be changing
21 with different climate, but, at the very least, looking at the
22 regional component of it, potentially, Ryan.

23
24 **MR. RINDONE:** So I guess where we're going to have a stumbling
25 block for that is that, obviously, we split Monroe County with
26 the South Atlantic Council at the jurisdictional boundary, and
27 so maybe the first thing to do is to figure out what the
28 proportion of black grouper coming from say -- I don't know, and
29 maybe from trip ticket data from Monroe County, and it's
30 actually on our side of the jurisdictional boundary versus the
31 South Atlantic's, and just see like how much are we actually
32 talking about here, but, beyond that, I don't have much of a
33 next step beyond that.

34
35 I am getting a thumbs-up, and so we'll explore the commercial
36 trip ticket data and try and figure out what the proportion of
37 landings are between the Gulf and the South Atlantic in Monroe
38 County and then see how much of an issue this actually is for
39 the Gulf.

40
41 **CHAIRMAN FRAZER:** C.J., go ahead.

42
43 **DR. SWEETMAN:** Sorry, Andy. Just to that point real quick, and
44 so trip ticket is one thing, but also potentially looking at
45 some of the recreational data as well too in there.

46
47 **MR. RINDONE:** So I don't know that there will be any -- That
48 that will be very fruitful, because the way that the

1 recreational data collection work is in a five-zone setup, is my
2 understand, for SRFS, and it's the northwest, west-central,
3 Keys, southeast, and northeast, and so the Keys zone isn't going
4 to be broken out by council jurisdictional boundary, and it will
5 all be collected as a single area, and so we won't have the
6 resolution to be able to stratify that.

7
8 Then there's the inherent variability year-to-year in the
9 recreational data that's going to make that also difficult, and
10 so I don't think we'll be able to break the recreational data
11 out.

12
13 **CHAIRMAN FRAZER:** Mr. Strelcheck.

14
15 **MR. ANDY STRELCHECK:** Thank you, Mr. Chair. One, I agree with
16 both Ed's and C.J.'s comments, right, and Susan's, for that
17 matter, right, and there's geographic differences here with
18 regard to presence and availability of black grouper. The
19 farther you move north, the less abundant they are, and the less
20 frequently they would be caught, right, and so this is really an
21 issue in southwest Florida.

22
23 I also agree that, maybe for us, they're not necessarily that
24 difficult to differentiate, but gag is often interchangeably
25 referred to as black grouper as well, right, and so there are
26 issues now setting up where we have some pretty substantial
27 differences in management regulations, and so I think, at
28 minimum, like C.J. is suggesting, it's worth exploring this, to
29 understand better those geographic differences as you move up
30 the coast, the implications of this from a management
31 standpoint, in terms of benefits and restrictions, and so I am
32 open to at least continuing to evaluate this, and then, if the
33 data and information doesn't support, obviously, further
34 consideration, we could always move it to Considered but
35 Rejected later.

36
37 **CHAIRMAN FRAZER:** Thank you, Andy, and so, again, there's a
38 fairly healthy discussion about this issue, and I think we'll
39 have a little sidebar, at the break, and decide what might be
40 possible with regard to the black grouper analysis, and we'll
41 come back, probably in Full Council, and discuss this a little
42 bit more, but we'll go through the presentation. Mr. Rindone.

43
44 **MR. RINDONE:** All right. So we have an operational assessment
45 for gag that's going to start in the fall of 2025 and be
46 completed by mid to late 2026, and an interim analysis could be
47 requested while this operational assessment is in progress.

48

1 The Science Center has told the SSC that a likely candidate for
2 the gag interim analysis would be a truncated GFISHER video
3 index, which is a combination approach for the multiple video
4 surveys that are conducted in the eastern Gulf of Mexico, and
5 the Science Center did advise the SSC about being sensitive to
6 species that are in rebuilding plans when considering things
7 like changes to catch advice and stuff, especially the beginning
8 of the rebuilding period.

9

10 For the September 2023 SSC meeting, we're going to do a little
11 research review for gag grouper, and we're going to talk about
12 movement and habitat use, reproduction, susceptibility to
13 environmental factors like red tide and discard mortality, and
14 this is going to be provided to the SSC from state and academic
15 partners, and we're very grateful for their participation.

16

17 Ahead of that, to just help the SSC frame what it's going to be
18 thinking and talking about, some discussion points for you guys,
19 and, you know, what are the council's goals and objectives for
20 gag, besides the obvious of rebuild the stock, and what are the
21 council's goals and objectives for black grouper? This is a
22 question that I would like a response to.

23

24 **CHAIRMAN FRAZER:** Would you like that response now or at the end
25 of your presentation?

26

27 **MR. RINDONE:** As soon as anyone is willing to chirp up and say
28 something, I'm willing to write it down, and so it can be free-
29 flow as we're going through this.

30

31 **CHAIRMAN FRAZER:** Okay. I'm going to open up the floor.

32

33 **MR. RINDONE:** And I will consistently remind you of it, and so
34 you being all of you.

35

36 **CHAIRMAN FRAZER:** Dr. Sweetman.

37

38 **DR. SWEETMAN:** I mean, I would say, from my perspective, they're
39 inherently tied together, and it's all about gag grouper, quite
40 frankly. I mean, it's to constrain further harvest to the
41 reduced quota that we have, to make sure that we're operating
42 within those bounds and giving gag grouper the biggest chance
43 for recovery, and then black grouper -- Obviously, I can speak
44 to gag grouper, quite frankly, to help support that fishery,
45 because of identification issues.

46

47 **CHAIRMAN FRAZER:** Mr. Donaldson. Excuse me. Captain Walker.

48

1 **MR. WALKER:** Is there -- I haven't noticed it in the material,
2 but is there a recognized issue with the black grouper stock?

3
4 **MR. RINDONE:** So the landings have decreased over the last ten
5 or twelve years or so, quite considerably on the recreational
6 side and the commercial side, but the peculiar thing about it is
7 that the degree to which the landings have decreased has not
8 resulted in us hearing anything from the fishermen, and so why
9 is that Well, when kingfish started to go down quite
10 considerably, we were hearing it frequently. Spanish went down,
11 and we heard it frequently. Cobia went down, and we heard it
12 frequently.

13
14 Even when gag were becoming less abundant, we were hearing from
15 the fishermen that something is wrong with gag, and people were
16 telling us about having trouble finding keeper AJs at times, and
17 we do get communication from the fishermen about stuff, on the
18 regular, obviously, and we have not heard a single thing about
19 black grouper, and so -- The people that would be telling us,
20 from that region of southwest Florida, tell us about an awful
21 lot of other stuff, and they have not shared anything about
22 black grouper.

23
24 You know, one of our canaries in the coalmine is just not going
25 off on that, and so I don't know what the stock condition is for
26 black grouper, and all we really have right now to look at are
27 the landings, and so there's really not much to go on.

28
29 **MR. WALKER:** All right, and so it's not -- To our knowledge,
30 it's not running alongside gag in a similar fashion, where they
31 should be lumped together, and I understand that it's more of a
32 protective measure for gag that we're talking about by
33 protecting the blacks, but, you know, if it's okay, I don't know
34 that it's the right thing to do to tie it to gag, but, that
35 being said, the guys that I know that do fish for blacks in
36 southwest Florida -- It's still a fairly unusual catch.

37
38 Most of the guys that I know don't go catch a cooler full of
39 blacks very often, whereas, when the gag fishing is good, and
40 you were allowed to catch a cooler full of gags, you could do
41 it, but blacks are more spread out and stuff, and so you might
42 not hear that, but I haven't heard a lot of talk, like you said,
43 about gags disappearing either, or blacks disappearing either,
44 and so that's why I'm still a little reluctant to kind of lump
45 them together in one management goal here.

46
47 **CHAIRMAN FRAZER:** Okay. Thank you, Captain Walker, and so I
48 know, Ryan, we already have, again, a couple of objectives for

1 gag, and I believe they're actually on the next slide, with
2 regard to reducing discard mortality and trying to increase
3 accessibility to the fishing season, perhaps limit some impacts
4 on the spawning population, and so are you looking for something
5 in addition to those goals or objectives here?
6

7 **MR. RINDONE:** No, and I think that, you know, obviously, we're
8 looking for ways to reduce fishing mortality, to constrain the
9 harvest to the ACL, and give gag the best chance for recovery,
10 and those are very clear and easy objectives, and so, when we're
11 thinking about what we remember from the stock assessment, you
12 know, and there's a low proportion of males in the population,
13 and, if that is in fact a limiting factor for the stock's
14 ability to rebuild, and there are certain things we could
15 discuss, that might help with that.
16

17 If, you know, we're looking to alleviate pressure during the
18 spawning season, there are things in here that might help with
19 that, and you'll also see that there are some things in here
20 that will have no effect, insofar as we can tell, on doing
21 anything for gag specifically, and some of them might actually
22 increase discard mortality, and so we'll discuss those as we
23 move through, but this is our first swing at this, and, you
24 know, we don't expect the whole cake to be baked today,
25 obviously, but --
26

27 **CHAIRMAN FRAZER:** Mr. Strelcheck.
28

29 **MR. STRELCHECK:** Thank you, Mr. Chair. I agree with, obviously,
30 your comments, Tom, with regard to some of the goals and
31 objectives, and I just wanted to add -- You know, when I made
32 the motion several meetings ago, my focus in making that motion
33 was to bolster -- You know, have management measures that could
34 bolster recovery of the stock.
35

36 We're dealing with very steep reductions, obviously, in quotas.
37 Right now, what we've done is essentially use the same
38 traditional tools like we always do of lowering quotas and
39 shortening seasons, and so what can we do that's going to help
40 with rebuilding this stock, in the face of that, and so, to me,
41 objectives focused on more fishing utilization of the resource,
42 avoiding or reducing discards, and then, in particular, during
43 the spawning season, since gag is different than a lot of
44 species that we manage, in that they both form pre-spawning
45 aggregations as well as aggregate to spawn, reducing the
46 vulnerability to gag that could then help with more successful
47 spawning and, ultimately, bolstering the recovery of the stock.
48

1 **CHAIRMAN FRAZER:** Ed, did you have your hand up? Go ahead.

2
3 **MR. WALKER:** Looking at the goals that we have here, and having
4 some experience in gag research, the number-one, to me, would be
5 reducing fishing mortality on male gag. We did a project out in
6 the sanctuary, 130 miles off of St. Pete, and it was kind of my
7 suggestion, and they wanted to find some males to study, and
8 they were having a very hard time coming up with any, at least
9 on their targeted trips, and so, half joking, I said, you know,
10 if you get me a pass to go fish in the sanctuary, I will get you
11 all of the male gags you want, and they got me a pass to go in
12 there, and, you know, they went with me.

13
14 I was somewhat alarmed at how few male gags I was able to come
15 up with in an area that's been closed for twenty years, and, you
16 know, the numbers are in the document here, but I think they're
17 5 percent or less of the population.

18
19 We caught females out there in the sanctuary, and we catch, I
20 don't know, forty or fifty to one, in an area that's been closed
21 for a long time, and so I was -- I am a little bit alarmed, and
22 knowing the biology of a male gag -- You know, that fish is
23 twenty-five or thirty years old, and it's hard to just come up
24 with a thirty-year-old fish, you know, and you have to grow
25 those over a period of time. I would put reducing mortality on
26 the male gags at the top of the list, myself.

27
28 **CHAIRMAN FRAZER:** Okay. I am looking around, and there are no
29 other recommendations.

30
31 **MR. RINDONE:** Understood. We kind of talked about this a little
32 bit already, and I'm kind of glad that we waited, because I was
33 interested to see, you know, what you guys came up with, just in
34 freeform, and so some other things that, as an IPT, that we were
35 considering are things like increasing the recreational fishing
36 season duration, and you guys talked about reducing fishing
37 pressure, specifically in the spawning season, and reducing
38 fishing mortality on males. Of course, you know, discards has
39 been a front-and-center topic for the council for some time.

40
41 So, what can we do? Recreational bag limit reduction is one of
42 the things that you guys wanted to look at, along with
43 establishing a recreational vessel limit, and also looking at
44 new modifications to our spatial closures, and perhaps a
45 commercial spawning season closure, and we added this one just
46 based on discussion and public comments that we've been
47 receiving.

1 First up is the recreational bag limit, which is currently two
2 fish per person per day within the four-grouper aggregate.
3 Black grouper is four per person per day within the four-grouper
4 aggregate, and halving the bag limit, as in going from two fish
5 to one fish per person per day, is not estimated to double the
6 fishing season duration, because most fishermen don't catch the
7 bag limit. This is something that we really want to try to make
8 clear, and this tends to be true for most of the species that we
9 manage, and so it's something to remember.

10
11 The preliminary bag limit analysis that we did was actually done
12 prior to Amendment 56, and we can update it with the data used
13 for SEDAR 72, but I think the important thing to remember here
14 is that the trend is going to be very similar, and so these data
15 that use the MRIP-CHTS data for the private and for-hire
16 components for 2017 to 2019, and the Southeast Region Headboat
17 Survey for headboats, and then TPWD data for 2015 to 2017, and
18 it's a little less than 3,500 trips. I think only nine or ten
19 of those are actually from Texas, and so the rest of it is
20 really from everywhere else, and mostly -- Like more than 95
21 percent is from Florida.

22
23 You know, the tweet-length answer to all of this is that
24 reducing gag bag limits from two fish to one fish per person
25 would functionally have no impact, because 99 percent of all
26 trips sampled did not harvest more than one gag per angler per
27 trip, and there you go.

28
29 If you were to reduce it from two to one, almost everything is
30 captured in the one fish per person, and so reducing the bag
31 limit is not going to have any effect on, well, anything, and
32 so, if you guys agree with that, that's something that we can
33 cleave off of here, if you don't want to explore it any further.

34
35 **CHAIRMAN FRAZER:** Captain Walker.

36
37 **MR. WALKER:** Could I make a motion?

38
39 **CHAIRMAN FRAZER:** You may.

40
41 **MR. WALKER:** Remove the halving of the bag limit option on gags,
42 as it yields virtually no good results.

43
44 **CHAIRMAN FRAZER:** All right. We'll get that motion up on the
45 board. While we're doing that, is there a second to Captain
46 Walker's motion? It's seconded by Mr. Gill.

47
48 **MR. RINDONE:** Is to remove consideration of the recreational bag

1 limit? We're not at a point where we have like formal actions
2 for anything yet, and we're just throwing spaghetti at the wall
3 and seeing what sticks right now.

4
5 **CHAIRMAN FRAZER:** So, Ed, I'm assuming your goal here is to
6 reduce the workload and unnecessary analysis in the document.

7
8 **MR. WALKER:** Exactly, and I think, going further in the
9 document, it goes left and right off of this potential proposal,
10 and so maybe it will save a little bit of time.

11
12 **CHAIRMAN FRAZER:** Okay. Is there any further discussion of this
13 motion? **Is there any opposition to the motion? Seeing none,**
14 **the motion carries.** Mr. Rindone.

15
16 **MR. RINDONE:** We can skip past this slide, if that's how you
17 guys want to approach things, and so we'll go to the
18 recreational vessel limit, or, I guess, actually, let's go back
19 for a second, because, if we're talking about black grouper as
20 part of this too, that's another consideration, is that, again,
21 like we talked about originally, when we talked about the sort
22 of data we wanted to consider for black grouper, there isn't any
23 indication that -- We don't have anything to say whether there's
24 anything going on with black grouper right now or not, and
25 reducing the recreational bag limit for black grouper is not
26 projected to extend the recreational fishing season or anything
27 like that, because it's currently not closing, and so is this
28 something you guys would still want to consider for black
29 grouper in any way, even though we don't have those data in
30 front of us yet, or how would you like to approach that for
31 black grouper?

32
33 **CHAIRMAN FRAZER:** Mr. Gill.

34
35 **MR. GILL:** Take it out.

36
37 **CHAIRMAN FRAZER:** All right, and so we have a motion to remove,
38 **for consideration, reducing the black grouper bag limit.** That's
39 seconded by Captain Walker. Let's put it up on the board, to
40 make sure. Okay. Bob, do you want to provide a little
41 background?

42
43 **MR. GILL:** Thank you, Mr. Chairman. I think Ryan expressed it
44 well that the potential gains from considering that change are
45 either unknown or negligible, and there is no sense in spending
46 time addressing it.

47
48 **CHAIRMAN FRAZER:** Okay. Any further discussion? **Any opposition**

1 to the motion? Seeing none, the motion carries. Mr. Rindone.

2
3 **MR. RINDONE:** All right. Now we can go to the next slide. We
4 kind of already went through all of this, and so next slide.
5 Recreational vessel limit is something else you guys asked us to
6 consider, and this would allow for an alternative to reducing
7 the individual bag limit, and it would require anglers to
8 understand the difference between the individual bag limit and
9 the vessel limit, and it would be defined as per day, which
10 would continue to allow for the current multiday trip limit for
11 appropriately-equipped for-hire vessels, which is something that
12 you guys contended with about two years ago now.

13
14 Something to think about, through this discussion, is whether or
15 not you would want to have a headboat exemption, and we'll get
16 to that in just a second.

17
18 Using the same preliminary analysis, which, again, we can update
19 using SRFS, but the trends and whatnot would still be the same,
20 and about 50 percent of vessels, through MRIP, reported
21 harvesting more than one gag, and about 60 percent of headboats
22 reported harvesting more than one gag, and about 10 percent of
23 vessels in Texas reported harvesting more than one, but, again,
24 Texas trips are only about ten trips, but most trips, more than
25 80 percent, harvest four gag or fewer, except for headboats, and
26 exempting headboats may reduce negative social and economic
27 effects for the headboat fleet, but it would also reduce
28 positive biological effects.

29
30 One of the issues, obviously, with the headboats is, if you
31 have, you know, twenty-five to sixty lines in the water, and
32 you're only allowed say four gag per vessel, it could be quite
33 easy, and quick, to be over that limit, which could result in
34 negative effects for things like discards.

35
36 Some things that you guys could think about here, if you wanted
37 to explore a vessel limit for gag and black grouper, would be,
38 you know, do you want a two-fish vessel limit, a three-fish,
39 four-fish, and the IPT doesn't recommend going below two,
40 because two is the current recreational bag limit, and so, if at
41 least one person is on the vessel, then they could keep the
42 recreational bag limit, but it would, obviously, be whichever is
43 fewer, is how we've traditionally looked at these vessel limits,
44 and so, if it's two fish per person, or three fish per vessel,
45 it would be -- You know, you can keep the individual bag limit,
46 but you can't exceed the vessel limit, and so, if Tom and I go
47 fishing, we would only be able to keep three, if it was three
48 fish.

1
2 The pros would be that it wouldn't matter if the landed fish
3 were gag or black grouper, and you would treat these together,
4 and it would be easier for enforcement and anglers that might be
5 struggling with identification issues. The cons here would be
6 that it could result in more rapid harvest of gag to have these
7 combined together like that, which are more abundant than black
8 grouper in the Gulf, or so we think, and gag and black grouper
9 have different spatial distributions, and so gag are primarily
10 in west-central and up into the northern -- Or into the Big Bend
11 area, and, of course, the Panhandle, and black grouper are
12 primarily a southwest Florida species. It may result in a
13 marked reduction in allowable retention for vessels with
14 multiple anglers, like larger private vessels and for-hire
15 vessels, and so thoughts?

16
17 **CHAIRMAN FRAZER:** Captain Walker.

18
19 **MR. WALKER:** This is maybe not exactly the topic that we're on,
20 but I'm not sure -- So we currently have gag reduced 80 percent,
21 right, as it stands now, and, I mean, is that deemed not enough?
22 We've got four pages of potential new restrictions that we can
23 add, or we're considering here, and, I mean, is that necessary,
24 or required, or are we just making potential more and more
25 restrictions on something we've already restricted? Can you
26 comment?

27
28 **CHAIRMAN FRAZER:** Well, I think, Ed -- I mean, clearly there's
29 been a significant quota reduction, right, and I think part of
30 the issue, and we can go back to the goals and objectives, is to
31 reduce discard mortality, and there's some effect, by imposing a
32 vessel limit on that, and, again, that's to be determined, and
33 we can talk more about it at this point. C.J.

34
35 **DR. SWEETMAN:** Potentially inclusion of a vessel limit could
36 extend the season, with what we have right now, and so it
37 depends on how you look at it, but yes.

38
39 **CHAIRMAN FRAZER:** Mr. Rindone and Ms. Boggs.

40
41 **MR. RINDONE:** So, as far as extending the recreational fishing
42 season is concerned, essentially, unless you do a recreational
43 vessel limit of four fish or fewer, and, really, it would have
44 to be fewer than four fish, and so like two fish or three fish,
45 the extension to the recreational fishing season duration is not
46 expected to be substantial.

47
48 However, the smaller that you're going to make this, just based

1 on our experience and looking at the data, it's going to
2 increase the probability of discards, and so, depending on where
3 people are fishing, and when they're fishing -- You know, if
4 they're fishing in deeper waters, they're going to have a higher
5 risk of barotrauma. If they're fishing during warmer months,
6 warmer surface waters, there's a correlation there with
7 increased discard mortality discarding of reef fish of multiple
8 species into warmer surface waters, and so, if there's another
9 measure that's added on top of that, which is resulting in an
10 increase in the number of fish that are being discarded, that
11 could have a counter effect to what you guys are trying to
12 achieve with things like reduced discard mortality, especially
13 on males, and such.

14
15 Those are things to think about here. Unless you really ratchet
16 this back, you're not going to see any appreciable increase in
17 the fishing season duration, is the short side of it, and, the
18 more you ratchet it back, the more you should expect discards to
19 increase.

20
21 **CHAIRMAN FRAZER:** Ms. Boggs.

22
23 **MS. BOGGS:** I think Dr. Froeschke has something to that point.

24
25 **CHAIRMAN FRAZER:** Go ahead, John.

26
27 **MS. BOGGS:** Well, you've been trying. Captain Walker and Mr.
28 Rindone touched on a lot of what I wanted to say. In talking to
29 the boats in south Florida, the Destin, Tampa, St. Pete area,
30 one boat told me that he's discarded 4,000 pounds of gag grouper
31 this year, during red snapper season, and one of the
32 conversations, as Ed brought up, is discard mortality.

33
34 If you close these, you've got discard mortality, and I argue
35 that about having summer closures. Now, if you come to a vessel
36 limit, you're going to have discard mortality, and so, to me,
37 the lesser of the evils is to allow them to retain the one fish
38 per person bag limit, or two fish per person, one or two, and so
39 I think we reduce the bag limit to one per person, but allow
40 them to continue to catch their capacity of their vessel, one
41 per person, because, otherwise, you're going to -- I know that
42 comment didn't sound right.

43
44 If you have an angler bag limit, and you do away -- If you don't
45 have a vessel limit, because you're going to have more discards
46 if you have a vessel limit, especially on those larger boats,
47 and, even for a headboat, if you give them twenty fish per
48 vessel, and you've got an eighty-passenger vessel, you're going

1 to have sixty discards that potentially will be released dead,
2 and so, to me, the vessel limit doesn't solve this problem, and
3 I think it creates more of a problem with discard mortality.

4
5 **CHAIRMAN FRAZER:** Thank you, Susan. Mr. Strelcheck.

6
7 **MR. STRELCHECK:** One other thing that I wanted to mention, and I
8 should have stated it when we were talking about the goals and
9 objectives, but, if you recall the last several meetings, when
10 we were talking about Amendment 56, one of the main concerns
11 that was being shared at that time was the potential for an
12 overage of the quota and the accountability measures kicking in,
13 right, and so I appreciate Ed's question, right, of are we
14 putting in regulations for the sake of putting in regulations,
15 but, in this instance, yes, there's some consequences
16 potentially to discards.

17
18 The potential benefit, depending on, obviously, how restrictive
19 the vessel limit is, is you should be reducing the likelihood of
20 your catch limit being exceeded and triggering those
21 accountability measures. Right now, the only constraint that
22 we're really putting in on the fishery, besides the current bag
23 limit, is a shorter fishing season, and so reducing catch rates,
24 obviously, allows for us to maintain a longer fishing season
25 over time.

26
27 **CHAIRMAN FRAZER:** Thank you, Andy. Dr. Sweetman.

28
29 **DR. SWEETMAN:** Thank you, Mr. Chair, and so, obviously, we're
30 being a little bit speculative here, and we don't really know
31 how discards are going to change with the new fishing season
32 that we have. You know, people tend to be -- From what I've
33 been hearing, people are catching these fish a lot shallower,
34 and, you know, discards might increase with a vessel limit, but
35 not necessarily discard mortality, and so I would just lend a
36 little bit of caution here in saying no to all of this stuff
37 here, because of some of the points that Andy said.

38
39 I mean, Ed, you had previously talked about your concern, before
40 you were on the council, about just so many -- I mean, what, a
41 couple hundred fish a day, basically, until you ultimately meet
42 that ACL. Yes, the 700 fish a day, and so, I mean, this is kind
43 of a mechanism to potentially help out with some of that stuff
44 here.

45
46 All I'm saying here is this is just an analysis, and I don't
47 think there's harm in looking at this kind of stuff. Ryan, I
48 appreciate everything that you were saying about how you would

1 really have to get it from four to three, or even to two, in
2 order to see some change in the season, and I would like to see
3 that data before we make a decision one way or the other, and
4 that's all I'm really saying.

5
6 **CHAIRMAN FRAZER:** We've got a couple of hands up, but, to your
7 point, C.J., and just to remind people, we're just fleshing out
8 potential items to be included in the document, right, and so
9 there will certainly be a lot more analysis, moving forward, but
10 I see J.D. and then Dakus. Go ahead, Dakus.

11
12 **MR. DAKUS GEESLIN:** Thank you, Mr. Chair. As we walked through
13 this vessel limit issue with cobia, I'm having a hard time just
14 kind of wrapping around to C.J.'s point of what that vessel
15 limit would be, or what appropriate vessel limit -- How that
16 would look.

17
18 Ryan, I'm wondering, in part of that analysis, if we could look
19 at some of the vessel trip-based bag and harvest information and
20 what that has looked like over time. We've got, you know, these
21 percentages, but I don't know if that more than one is fifty gag
22 or if it's two gag.

23
24 **MR. RINDONE:** So we can update all of that analysis, and we can
25 combine what the effect would be to the recreational fishing
26 season duration under say a two, three, and four-fish-per-vessel
27 limit, and we can present that to you guys next time. Part of
28 the reason why I didn't have a plot in here showing what those
29 effects were was that I just thought it was easier to explain in
30 words, and so, primarily, the vessels that are going to be
31 harvesting the most gag per vessel are going to be headboats,
32 but they also have more anglers per vessel.

33
34 Thinking back to the recreational bag limit analysis, most
35 anglers -- Most trips harvest less than one gag per angler, and
36 99 percent of trips don't harvest more than one gag per angler,
37 and so, at that point, it's essentially, you know, how many
38 anglers are on the boat, and that's normally about how many gags
39 you could expect to be retained.

40
41 Now, obviously, there will be outliers to that, and there are
42 exceptions to that, rather, but, generally speaking, that's
43 about the trend, but we can dust all that off and do a more in-
44 depth vessel limit analysis for Mr. Geeslin's and Dr. Sweetman's
45 requests.

46
47 **CHAIRMAN FRAZER:** A quick question from C.J.

1 **DR. SWEETMAN:** Ryan, just a real quick question, and so your bag
2 limit analysis -- What year did that go to, because I've been
3 hearing from people limiting out left and right on gag right
4 now.

5
6 **MR. RINDONE:** It went to 2019, and that was the data that we had
7 at the time, and so --

8
9 **CHAIRMAN FRAZER:** Captain Walker.

10
11 **MR. WALKER:** I suspect that that might be a real broad coverage,
12 maybe extending outside of where people normally catch gag,
13 because I would say that number is low where I live. Where gag
14 is the primary species, I think it would be a little bit higher
15 than that.

16
17 We've caught our limit, on our charter boat, every trip, with
18 the exception of one, for the last three years, the vessel limit
19 being -- Our limit, on my charter boat, is either eight or ten
20 fish, and we've caught that every trip for three years, and so,
21 I mean, granted, I'm an expert, if you will, but I think the
22 regular recreational Joe, where I live, catches -- Probably
23 catches four or five a day, on average, but, if you figure in
24 however it was surveyed, you might be taking in some areas where
25 there is less gag, and I don't know how that --

26
27 **CHAIRMAN FRAZER:** Mr. Rindone.

28
29 **MR. RINDONE:** Thanks, Mr. Chair. Ed, you're right, and it's
30 everywhere, and it's not just the epicenter of where gag occur,
31 and it's all private recreational, and for-hire trips are
32 included in that, and it's the MRIP-CHTS dataset that was used
33 to look at this, and so it does cover a wide swath of territory
34 for those three years, and multiple levels of expertise, if you
35 will, that are inherently included in that.

36
37 **CHAIRMAN FRAZER:** Dr. Froeschke.

38
39 **DR. JOHN FROESCHKE:** Just a question, and so, when we do this
40 analysis, and so, theoretically, if you applied some vessel
41 limit, and you reduced the catch rate say 50 percent, just for
42 the sake of conversation, then you have two options. You could
43 either roll those reduced catch rates into an extended season or
44 you could bank that reduced catch rate and promote an increased
45 probability of achieving the rebuilding plan on time or shorter.
46 We've kind of been back and forth on which of those goals is the
47 goal for the document, and so I'm just trying to figure that
48 out, so, when we do the analysis, we bring the right thing back.

1
2 **CHAIRMAN FRAZER:** Good points and good question. All right, and
3 so, Ryan, based on this discussion, I think, as you move forward
4 with the document, certainly we need to flesh out the vessel
5 limit, and, I mean, there's a lot of different broad views on
6 this, right, but enough information to help you, I think, moving
7 forward. All right. We'll move on when you're ready.

8
9 **MR. RINDONE:** Spatial closures, the current year-round spatial
10 closures that are pertinent to gag are Madison-Swanson and
11 Steamboat Lumps, which are both off of Florida, and there is a
12 partial year spatial closure at The Edges and at the twenty-
13 fathom break. Gag occur from Alabama east, into southwest
14 Florida, and black grouper occur from west-central Florida down
15 through southwest Florida and the Keys, and so there's some
16 spatial overlap between the two species in southwest Florida.

17
18 All of these closed areas though are all offshore, and
19 recreational enforcement is difficult, and I say recreational
20 enforcement because the commercial vessels that would harvest
21 either gag or black grouper all have VMS, because of the IFQ
22 program.

23
24 As far as spatial closures are concerned, you guys could
25 consider extending -- As an option, you could extend the
26 partial-year closures to year-round, or some other amount of
27 time. Being closed for part of the year functionally only
28 delays potential fishing mortality, and, you know, we don't
29 expect fishing to stop entirely, and fishermen can just fish
30 that area when it isn't closed. An example of this would be The
31 Edges, which was partially closed for January 1 through April 30
32 in Amendment 30B, and it's a 390-square-nautical-mile gag
33 spawning region that's northwest of Steamboat Lumps.

34
35 The data for determining whether or not to close The Edges are
36 dusty, and so they date back to 30B, and so, you know, some of
37 those data are more than twelve years old, and, at this point,
38 we would need to do quite a bit of analysis of the fishery-
39 independent surveys to try and figure out differences in things
40 like length compositions inside and outside the reserves and
41 see, you know, what is it that we're actually trying to protect
42 in there, with the short side of that being like, if the fish
43 are traditionally larger in The Edges than they are outside of
44 it, then it might indicate more sexually-mature spawning
45 individuals that could be present in there, and so there might
46 be more of an emphasis to try to protect it. If there was no
47 difference, then there might be less evidence to do that.

1 Another option that we've heard from the fishermen is to do
2 something with the twenty-fathom break, or perhaps at a deeper
3 depth line, and so I have a map here that shows you -- Up in the
4 upper-left-most little red box, is the Madison-Swanson. The
5 long rectangular box in the middle is The Edges, and then the
6 smaller, square-shaped box in the lower-right is Steamboat
7 Lumps, just so you guys have a general idea of where these
8 places are.

9
10 If you establish a new spatial area to close and protect -- Or a
11 new spatial area closure to protect spawning gag, some of the
12 pros would be that it may reduce fishing mortality on that
13 spawning stock biomass in that space, and it may reduce fishing
14 mortality on males and improve reproduction in that space, again
15 depending on doing some analysis to figure out what lives there,
16 and these may have tangential benefits to the other species that
17 are in the same place as gag, other species that are living
18 there also.

19
20 Cons would be that evaluating closed area efficacy is very time
21 and data intensive, and there is difficulty with recreational
22 enforcement directly corelated to the spatial area size and how
23 far it is from shore and population centers. There is only so
24 many vessels operated by either NMFS or the State of Florida
25 that have the ability to get out to those areas and actually
26 enforce it, and C.J. can speak to how many vessels are off the
27 State of Florida. There you go. One. I think NMFS has two,
28 and so there would be there vessels to cover that entire area,
29 and it's a long way off.

30
31 There is a possibility for considerable economic burden, as it
32 relates to things like transit limitations and harvest
33 restrictions, that we have not yet explored for this, and it
34 would not directly constrain fishing mortality in the stock. If
35 fishing mortality is too high, a spatial closure will not
36 prevent overfishing, and so we don't expect, just because we
37 close one area, that fishing mortality overall will just drop
38 off. Fishermen we expect to fish somewhere else, as we've
39 observed in fishing behavior for as long as the council has been
40 around. Closing the spatial area may also present achieving OY
41 for other species that occur in potential closed areas.

42
43 It would be a staff recommendation that, because of the amount
44 of data that we need to go through to consider even the two
45 things that I mentioned, The Edges and perhaps a time-based
46 closure for beyond twenty fathoms, whether it was say February
47 and March or February 15 to March 15 or January through April,
48 whatever you guys would want to look at, there's a lot of data

1 that we would have to go through, and, by including changes to
2 spatial management, that would make whatever this is a plan
3 amendment, and it would mean that it would certainly take longer
4 to work through than it would if it was a framework action.

5
6 Breaking out consideration of spatial closures into a separate
7 effort would allow staff more time to be able to go through all
8 of the data and present all of that to you guys, if spatial
9 closures is something that you do want to consider.

10
11 **CHAIRMAN FRAZER:** Okay, and so just, again, to back up a little
12 bit, Ryan, so, right now, there are several things on the table
13 for consideration, right, and so there's the possibility still
14 of including black grouper, although we'll probably come to a
15 resolution on that in Full Council, but then there's the issue
16 of traditional types of management measures, vessel limits in
17 particular, but this idea, what you're suggesting here possibly,
18 is that, regardless of what happens prior to the consideration
19 of spatial closures, the spatial closures be considered in an
20 entirely separate document.

21
22 **MR. RINDONE:** Yes, sir.

23
24 **CHAIRMAN FRAZER:** Okay. I just wanted to make sure everybody is
25 on the same page. Mr. Gill.

26
27 **MR. GILL:** Thank you, Mr. Chairman, and so I agree with staff's
28 recommendation, and I note that, when we created The Edges, back
29 in 2010 or 2011, it was specifically for gag, for gag spawning,
30 and increasing the propensity of males. FWRI held a gag
31 workshop, and I think it was earlier this year, and one of the
32 messages from that workshop was that, unfortunately, the studies
33 that have been done in The Edges have shown virtually no impact
34 at all, and it hasn't changed things from back when we did it,
35 which was discouraging news, to be sure, but what it points out
36 is that there's more to spatial closures than just simply
37 closing and hoping for the best.

38
39 From that standpoint, it says, to me, that the efficacy of
40 spatial closures, relative to gag, is probably not the most
41 effective technique that we can use, and others are needed, and,
42 as Ryan pointed out, staff time to get this document through, to
43 do measures that may be effective, would be better served, and
44 so I support eliminating closures at this time for gag.

45
46 **CHAIRMAN FRAZER:** Okay. Captain Walker.

47
48 **MR. WALKER:** So I'm going to disagree with my colleague from

1 Florida. I am not going to carry the flag for spatial closures,
2 but I don't think that it should be eliminated from
3 consideration. Having spent a fair amount of time fishing in
4 the marine sanctuary out there, I kind of came around a little
5 bit on my opinion. I was always the guy at that podium right
6 there saying absolutely not can you take more of the Gulf away
7 from fishing, and that's not the way to do it, and it's not
8 fair, but there were things in there that impressed me.

9

10 You get multiple species protection, right, and there was
11 schools of red snapper a hundred feet high in that sanctuary,
12 and we had to drive away from them over and over again, because
13 we couldn't fish for gag through all the red snapper, and
14 there's some amberjack in there.

15

16 There's not a lot of big structure in the Lumps, but I think you
17 should keep it open for discussion, going forward, because, you
18 know, I saw some benefit there, and it is unfair that a
19 commercial boat being tracked by a VMS is out, while we would
20 often find a recreational guy in there fishing, and it's too far
21 to even call them in, and we videoed them and stuff, and they
22 can't make a case on that, and so enforcement is difficult, or
23 maybe impossible, and so all things to consider, but I would
24 leave it in for discussion.

25

26 **CHAIRMAN FRAZER:** Just I want to go back to something that Mr.
27 Gill said, and I also had an opportunity to attend that gag
28 workshop this past year, and, you know, there's been a number of
29 things that have been discussed with regard to spawning
30 aggregations, you know, male and female sex ratio, and, you
31 know, there were a number of commercial fishermen, obviously,
32 that attended that workshop as well.

33

34 What was interesting to me is a couple of comments and
35 observations about the number of males that were caught outside
36 of recognized spawning aggregation sites, particularly in the
37 longline fishery, and several of those fishermen subsequently
38 actually collected some information and provided it, over the
39 last year, that we're not fishing specifically on those
40 aggregations that had a much higher proportion of males to
41 females in the catch, and, you know, presumably based on
42 morphology.

43

44 One of the problems we have, obviously, in dealing with the sex
45 ratio is that these are gutted at-sea, and so you can't sex
46 those fish, necessarily, but, when they're caught, they have
47 characteristic morphology, right, and coloration that makes you
48 presume that, if they're copperbellies, than they may be males,

1 but the more interesting thing about all of that, in the data
2 that were collected and processed, were, again, the higher
3 proportion of males to females, but also the age structure of
4 those catches.

5
6 You know, we often think of large males as being, you know,
7 decades old, potentially, and I think, Ed, you pointed out that
8 a large male might be twenty-five years old or so, but, in the
9 aggregate of catch that was provided for analysis, the oldest
10 fish was only ten years old, right, and so I bring that up
11 because we have a lot to learn still about gag biology and
12 ecology, right, and, again, sex change is not based on size or
13 age, to our knowledge, and it's generally a socially-mediated, I
14 guess, event, right, and so, with increased pressure and
15 reduction in population size, we may be seeing a change in the
16 age structure, where males are transitioning -- Or females are
17 transitioning to males earlier. My point here is that I do
18 think we need to leave this in the document, but we need to
19 consider fully the life history, right, of gag moving forward,
20 and so that's my recommendation. Ryan.

21
22 **MR. RINDONE:** So to keep it in with this or to do it separately?

23
24 **CHAIRMAN FRAZER:** Let's come back to that in just a second. I
25 want to hear what Mr. Strelcheck has to say.

26
27 **MR. STRELCHECK:** Thanks, Mr. Chair. I'm in agreement with your
28 comments, in terms of continuing to explore spatial area
29 management, and I appreciate Ed's comments as well. I think,
30 you know, based on Ryan's recommendation, I'm certainly open to
31 splitting the document and pursuing this more lengthy and
32 controversial action separately from some of the other
33 management measures.

34
35 Spatial area management is something that is often heavily
36 criticized by anglers, and, obviously, we're taking away areas
37 that they can fish, and I appreciate that, and I'm very
38 sensitive to that. With that said, we have some pretty unique
39 life history dynamics with gag, and I've heard some criticism
40 of, well, you know, the spatial areas aren't working currently,
41 and, you know, we're dealing with recovery of gag, and that's a
42 fair comment, but, if you look at the data, it's certainly clear
43 that there is a much higher percentage of male gag within the
44 areas that are closed year-round than elsewhere, right, and so
45 those are at least afforded some additional protection relative
46 to other areas of spawning.

47
48 I think the big question here, where we need the science and

1 maybe our SSC, is what does this mean for gag management and
2 recovery, because we potentially have sperm limitation, not
3 enough males in the population, and I think we're down to 1 or 2
4 percent, relative to 15 percent just three decades ago, in terms
5 of proportion males, but, you know, is that truly the driving
6 factor that is causing gag to be in poor condition, or there are
7 other factors, that recruitment is limited, for example, or
8 there's not enough older gag that are reaching the offshore
9 environment that are able to transition to males, like you were
10 talking about, Tom, and so I have a lot of questions about this,
11 but I think, at this point, given the early stages of where
12 we're at with the management action, I think it would be
13 beneficial to continue to explore this as an option.

14
15 **CHAIRMAN FRAZER:** Okay. Thank you, Andy, and so I guess the
16 question really here is, you know, do we pursue this in a
17 separate document, and I'm thinking that's what Mr. Gill was
18 suggesting. I don't know if we have to do that, to make that
19 decision now, Ryan, and, as I recall, there will be some
20 discussion in the SSC meeting about gag, coming up in September.

21
22 **MR. RINDONE:** There will, and that's not to say that the
23 discussion about anything related to gag movement or spatial
24 distribution or anything of that nature couldn't be in some way
25 applicable to both documents if this was split out, and it's not
26 like that's all hinged on this all staying together, but, I
27 mean, frankly, there's a lot more work that is going to have to
28 be done from the spatial side of this than there is for anything
29 else that's currently being considered, and it's not even a
30 close second, and so, in order to be able to properly evaluate
31 all of the data for spatial considerations, it's simply going to
32 take more time, and so it's really up to you guys.

33
34 Like if you want to keep everything together, you'll just need
35 to understand that it will take time for us to be able to work
36 through all of these data and present them and have the SSC
37 review things, et cetera. If you want to move more quickly on
38 the other things that are contained within the presentation, I
39 think that that's definitely possible, while these data are
40 being worked on separately, to present the spatial closure side
41 of things to you as a separate document.

42
43 Again, like anything spatially-related like this, that's a plan
44 amendment. Everything else that we're going to talk about in
45 this presentation can be done through a framework, and so it's
46 really whatever your preference is, but the spatial side of this
47 is not a light lift.

48

1 **CHAIRMAN FRAZER:** Okay. I appreciate those comments, and so we
2 can -- If there is an appetite for it, we can make a motion at
3 this point to separate those out. Mr. Gill.

4
5 **MR. GILL:** Mr. Chairman, I will make that motion that we
6 separate out spatial closures through a separate document.

7
8 **MR. WALKER:** Second.

9
10 **CHAIRMAN FRAZER:** Okay. Let's get a motion up on the board.
11 Bob, can you go ahead, for Bernie, and repeat the motion?

12
13 **MR. GILL:** To separate spatial closures and do a separate
14 document.

15
16 **CHAIRMAN FRAZER:** Okay. Bernie, if you could say "to separate
17 spatial area closures into a separate document", if that's okay
18 with Mr. Gill. We have a motion on the board, and it was
19 seconded by Captain Walker. Is there any further discussion of
20 the motion? **Seeing none, is there any opposition to the motion?**
21 **Seeing none, the motion carries.** Mr. Rindone.

22
23 **MR. RINDONE:** Okay, and so other measures to consider, like a
24 commercial closure during the spawning season, and so gag and
25 black grouper are both managed under the grouper-tilefish IFQ
26 program for commercial fishing, and the initial purpose included
27 allowing commercial fishermen to fish when it was best for them
28 to do so, and the previous system of trip limits, seasons, and
29 size limits was ineffective for fishermen, and there were
30 increased regulatory discards.

31
32 Gag spawning peaks in February and March, and black grouper
33 spawning peaks from January to March, and commercial catch share
34 programs with closed seasons do exist. There is a lot of them
35 up in the North Pacific, like with halibut, where there's a
36 commission that sets the ACLs, and it usually opens in mid-March
37 and closes in mid-November, and this is primarily to facilitate
38 safety-at-sea, catch monitoring and processing, and to reduce
39 bycatch.

40
41 For North Pacific crab, the season is set by the State of Alaska
42 and opens on October 15 and closes between April and May, and
43 this is to be considerate of molting and mating of the crabs,
44 catch processing, and to have better market price. Then Alaskan
45 rockfish has seasonal openings based on the harvest gear that's
46 used for that species. That's just some examples, so that you
47 guys know that these things do in fact exist.

1 This is something that you guys might want to zoom-in on, but
2 this is a really cool project that's hosted by the University of
3 South Florida, and it is called the SHELF Egg Project, and it's
4 been going on for about twenty-some-odd years, and they have
5 about ten years of continued funding to go. Dr. Chris
6 Stallings, who has collaborated frequently with us on SEDAR
7 projects and with our SSC, is the lead on this project now, and
8 it used to be headed by Dr. Ernst Peebles.

9

10 What this big table is showing you guys is where peak spawning
11 occurs by month, which, if you're looking at the right-half of
12 this chart here, you will see January, February, March, all the
13 way to December, and where you see a black square is peak
14 spawning, and prominent spawning is in the adjacent gray boxes.

15

16 Everything is shown on -- Well, not everything, but everything
17 that the project is monitoring is shown on here, which includes
18 coastal migratory pelagics, like king and Spanish, and then red
19 drum is on here, and then a litany of reef fish species,
20 including black grouper, which is the top long rectangular box,
21 and gag, which is the second long rectangular box.

22

23 The spawning months, again, are shown across the top there, and
24 so, for black grouper, it peaks in January through March, with
25 prominent spawning in December and April, and, with gag, peak
26 spawning is in February through March, with prominent spawning
27 in January and April. You guys are definitely see this again,
28 mostly because I think this project is really cool, and this is
29 a good way to show you when things are spawning.

30

31 Spawning season possibilities here, and so you could establish a
32 commercial fishing season closure for gag and black grouper. It
33 could run say January through April, or February through March,
34 or something else that you like better than that. The pros
35 would be that it would alleviate direct fishing pressure during
36 spawning activity.

37

38 The cons are that it could increase regulatory discards during
39 the spawning closure, if there is still other fishing that's
40 occurring at that time, but we had some recent evidence this
41 year, in 2023, and maybe Captain Walker wants to speak to this,
42 that the commercial vertical line fleet redirected its effort
43 out of where they were known for primarily catching a lot of gag
44 and focused on other species that they could retain, and so the
45 degree to which it would cause an increase in regulatory
46 discards might be more gear specific, you know, thinking
47 specifically about the longliners.

48

1 It could impact markets, regarding the availability of gag and
2 black grouper, if there is a closure during that time,
3 especially with the current very low catch limits of gag.
4 Anything that's harvested in January would probably be consumed
5 in January, and so there might not be as much available in
6 February and March, if February and March were the closed
7 months, just as an example.

8
9 It would require some kind of a, you know, future action,
10 obviously, to change this, but there also would be a potential -
11 - Excuse me. There would be a positive effect of spawning
12 closures on the spawning stock biomass. Sorry. Excuse me. The
13 positive effect of spawning closures on spawning stock biomass
14 would be questionable for many species, and it's not been
15 demonstrated yet for gag, and so we haven't seen a remarkable
16 increase in the overall spawning stock biomass by having any
17 spawning season closures in the past.

18
19 Barring any immediate discussion about spawning season closures,
20 I put this little table together to kind of discuss some of
21 these goals versus the proposed actions, and so the goals are
22 things like decreasing discards, increase the recreational
23 fishing season duration, decrease fishing mortality during the
24 spawning season, and decreasing fishing mortality on males.

25
26 If I go back to the things that you guys had all mentioned, you
27 had also mentioned constraining future harvest to the ACL,
28 giving gag the best chance at recovery, and, again, you know,
29 trying to decrease discards is on there, and the males is on
30 there, and reducing vulnerability of gag during the spawning
31 season and to increase spawning success.

32
33 The only thing that we don't have on here is alleviating
34 misidentification issues, which, unless you have the same
35 regulations for gag and black grouper, none of these things does
36 by itself, but, for things like decreasing discards, decreasing
37 the recreational bag limit we would expect to increase discards,
38 as we would decreasing the recreational vessel limit, and
39 spatial area closures, if they're specific to a certain species,
40 or to a species grouping, but not to everything, spatial
41 closures would not be expected to decrease discards, if harvest
42 of other things is still allowed.

43
44 However, if harvest -- Like for the commercial spawning season
45 closure, if fishing isn't allowed during a certain time for that
46 species, and there is redirection of the fleet, like we have
47 heard that we've seen for 2023, then it's possible that there
48 could be a decrease in discards across the broader swath of all

1 the commercial fishing effort.
2
3 For increasing the recreational fishing season duration, we
4 showed that a decrease in the recreational bag limit won't do
5 anything. It's possible that establishing a recreational vessel
6 limit could increase the recreational fishing season duration,
7 but it would require a recreational vessel limit of probably at
8 least four, if not two or three, fish, but we'll look more into
9 that.
10
11 A spatial closure isn't going to do anything to affect the
12 recreational fishing season duration. If you close one area,
13 people will go to another area to fish, and it has no bearing on
14 the commercial spawning season closure.
15
16 Decreasing fishing mortality during the spawning season, the
17 changes to the recreational retention limits aren't expected to
18 contribute to achieving that goal in any way. If a spatial area
19 is closed, but other areas are open during the spawning season,
20 then we wouldn't expect fishing mortality overall to decrease,
21 and it will just be offset somewhere else, but, if you have a
22 commercial spawning season closure, we would expect that to
23 decrease fishing mortality during the spawning season. The
24 recreational sector is already closed during the spawning
25 season, and so this would create a similar measure for the
26 commercial side.
27
28 Then decreasing fishing mortality on males, and we talked about
29 the bag limit not being effectual there, and it's kind of
30 unknown whether the recreational vessel limit would result in
31 decreased fishing mortality on males. Some things that we might
32 think about, from like a social and economic standpoint, would
33 be that, you know, if John and I are allowed two fish per
34 person, but only three fish per vessel, are we really going to
35 go -- You know, where we are anyway in Tampa, are we really
36 going to go sixty miles to an area where we would have a higher
37 probability of catching males if gag is our target species and
38 we can only keep three of them, or are we going to maybe change
39 our fishing methods to do something different, or wait until
40 later in the season, when, you know, maybe there's a cold front
41 and we have a better chance of catching them closer to shore?
42
43 I don't know, and we'll need some social and economic analysis
44 to look at how we would expect something like a vessel limit to
45 affect how anglers fish.
46
47 With spatial closure, if the length compositions of the fish
48 that are occurring within the area we're considering for a

1 spatial closure are markedly greater than those outside of that
2 area, then the probability that some of those fish might be
3 large enough, old enough, and socially-queued-up enough to be
4 male, and perhaps there's an increased probability of that, and
5 we don't know if there's a lot of data to look at on the spatial
6 side of things, but the commercial landings have a larger length
7 composition than those of the recreational landings, and the
8 probability of the commercial fleet catching males, just based
9 on where they fish, especially fleets like the longline fleet,
10 and the depth that that fleet fishes at, and the probability of
11 them coming across males is greater, and so it's possible that a
12 spawning season closure could temporarily decrease fishing
13 mortality on those males, but, again, if it's -- You know,
14 depending on the circumstances, it would just be temporary. Mr.
15 Chair.

16
17 **CHAIRMAN FRAZER:** All right. Thanks, Ryan, for covering all of
18 that. Captain Walker.

19
20 **MR. WALKER:** I would like to hear, when talking about a
21 commercial spawning season closure, and I look forward to public
22 testimony, to see what the commercial guys have to say about
23 that, and I think I'm going to withhold my suggestion until we
24 hear from the guys that will be impacted from it most, and I
25 could kind of go either way on it where I'm at, and I have some
26 points to it, but I will save those for Full Council.

27
28 **CHAIRMAN FRAZER:** Okay. I am pretty confident that we'll have
29 some public comment regarding that topic. Mr. Strelcheck.

30
31 **MR. STRELCHECK:** Thanks, Mr. Chair. Ryan, you mentioned three
32 IFQ fisheries that have closed seasons, and can you talk about
33 those fisheries? Are they multispecies fisheries like we have
34 in the Southeast, and it looked like one or two of them may not
35 be, and so they would operate very differently, but I think
36 that's one of the concerns I have with a spawning season closure
37 just simply for black and gag, is that are we doing any good for
38 gag or black if we close them during spawning, but then
39 commercial fishers are out there targeting other species and
40 ultimately discarding gag and black grouper, when they could
41 have been retained under the IFQ program.

42
43 **CHAIRMAN FRAZER:** Mr. Rindone.

44
45 **MR. RINDONE:** Thank you, Mr. Chair. Andy, the halibut and
46 rockfish fisheries are both also open to recreational fishing,
47 and I don't think that there is much, if any -- I don't think
48 there's any recreational crab fishing, just because of the

1 nature of how that fishing has to operate, but halibut and
2 rockfish both do have recreational management and limits.

3

4 **MR. STRELCHECK:** A follow-up, Mr. Chair?

5

6 **CHAIRMAN FRAZER:** Go ahead, Andy.

7

8 **MR. STRELCHECK:** So, Ryan, I wasn't so much asking about
9 recreational versus commercial components, versus -- I don't
10 know enough about the halibut fishery and what other species are
11 caught with halibut, or is halibut a very directed fishery, and
12 the same for rockfish.

13

14 **CHAIRMAN FRAZER:** Mr. Rindone.

15

16 **MR. RINDONE:** So it depends on which species, and, thankfully,
17 you guys sent me to Alaska, along with some of our SSC members,
18 for the national SSC meeting last year, and we took some time to
19 actually go fish for these things, and so fishing for halibut
20 tends to be more of a traditional bottom fishing drop it and
21 wait kind of a situation, and it depends, obviously, on the area
22 that you're in, but it is a bottom fishing practice, and, for
23 rockfish, it depends on the species.

24

25 So like, when we were fishing, as an example, for black
26 rockfish, which is a little bit more pelagic, and it occurs more
27 so up in the column, above pinnacles and other underwater
28 relief, or high-relief structure, and you're going to catch
29 primarily those species of rockfish more so up in the column.
30 If you get through those, you can get to some of the other
31 species of rockfish, like yelloweye and the blue-grays and the
32 vermilion and things like that, lingcod, et cetera.

33

34 All of these things are also caught -- They're caught
35 commercially and recreationally, and I don't know the proportion
36 of landings for these species groupers, or individual species,
37 that are attributable to recreational versus commercial, but
38 they are multidisciplinary, multi-fleet species, but, generally
39 speaking, it's a bottom fishing practice that's going on, and
40 so, you know, a weighted line and bait on the bottom sort of
41 situation, and so does that answer your question?

42

43 **MR. STRELCHECK:** Thank you. Yes.

44

45 **CHAIRMAN FRAZER:** Okay. Any other discussion on the topic of
46 gag and black grouper? All right, and so, just to recap, we're
47 going to circle back on this. We have some decisions to make
48 with regard to whether or not we want to include black grouper

1 in at least the first phase of the document that we're working
2 on, and that document is looking like it's going to largely
3 resemble a framework.

4
5 The second potential document is going to consider spatial
6 closures, and we have a lot more information to gather before
7 that ultimately comes into play, and then we'll expect to learn
8 a little bit more from the commercial industry, with regard to
9 spawning season closures, during public testimony.

10
11 All right, and so we are scheduled, at 9:45, to take a break.
12 We're fifteen minutes ahead of schedule, and we'll go ahead and
13 take a break now, and we will come back at 9:45. Before we do
14 that, I saw David Yoskowitz, who is the Executive Director of
15 Texas Parks and Wildlife, in the audience, but I think he
16 stepped out for the moment, but, since Texas is hosting this
17 meeting, we will make sure that we identify him again later
18 today, so that people have an opportunity to meet him. All
19 right. See you guys in fifteen minutes.

20
21 (Whereupon, a brief recess was taken.)

22
23 **CHAIRMAN FRAZER:** All right, and so next up on the agenda is the
24 discussion of the shallow-water grouper complex. Mr. Rindone is
25 going to lead us through that. The presentation is Tab B,
26 Number 5 in the briefing materials, and so, Mr. Rindone, if you
27 want to start with the action guide.

28
29 **DISCUSSION: SHALLOW-WATER GROUPER COMPLEX MANAGEMENT**

30
31 **MR. RINDONE:** Yes, sir. Between March and May of 2023, the SSC
32 made separate overfishing limit and acceptable biological catch
33 recommendations for scamp and yellowmouth grouper and black
34 grouper and yellowfin grouper, respectively. These four species
35 are presented together in the council's shallow-water grouper
36 complex under a single annual catch limit, with a commercial ACL
37 and an annual catch target specified, to allow for the
38 functioning shallow-water grouper component of the grouper-
39 tilefish IFQ program.

40
41 Because the OFLs and ABCs were specified explicitly for these
42 aforementioned pairs of groupers, these species can no longer be
43 managed the way that they have under a single complex with one
44 quota, because of the possibility of overfishing occurring on
45 either pair.

46
47 The council staff are going to present you guys some options
48 here to consider regarding specifying status determination

1 criteria, shallow-water grouper complex structure, catch limits,
2 accountability measures, and IFQ share allocation, and you guys
3 should consider this information and make recommendations about
4 the types of management options you would like to explore, so
5 that we can start collecting the data and do some analysis.
6 Following work on this, we'll present you guys more options at a
7 subsequent meeting, and so we can pull that presentation up. At
8 one point, this presentation was sixty slides, and now it's
9 twenty-eight, and so you're welcome.

10
11 Some background. Amendment 1 to the Reef Fish FMP created the
12 shallow-water grouper complex, which originally had ten species
13 in it, and Amendment 3 transferred speckled hind from the
14 shallow-water grouper complex to the deepwater grouper complex,
15 and there's a reason that matters later.

16
17 Amendment 14 prohibited the harvest of Nassau grouper, and so
18 that pretty much pulled that out of the complex, and the Generic
19 ACL/AM Amendment removed rock hind and red hind from the FMP and
20 established separate ACLs for gag and red grouper, and it set
21 ACLs for all of the other species that didn't, prior to that,
22 have an ACL.

23
24 Currently, there are four species that are included in the
25 shallow-water grouper complex, and that's black grouper,
26 yellowfin grouper, scamp, and yellowmouth grouper, and all four
27 are contained within the other shallow-water grouper share
28 category in the grouper-tilefish IFQ program that was
29 established in Amendment 29.

30
31 At the March SSC meeting, scamp and yellowmouth grouper were
32 discussed, and the SSC accepted updated projections from SEDAR
33 68 and recommended an OFL be set at the yield at F 40 percent
34 SPR and the ABC as the yield at 75 percent of F 40 percent SPR,
35 and this is just in keeping with what the SSC has been doing
36 recently with the groupers, and these numbers are in FES, and
37 you can see those annual yields there, and the 2026-plus, that
38 plus symbol there, just means 2026 and subsequent years, and so
39 the SSC usually only provides yields in not more than five
40 years, because, beyond five years in the projections, things get
41 squirrely with the assumptions that you're making, and they're
42 just less certain, and so usually the SSC sticks with three, but
43 not more than five-year projections.

44
45 In May of this year, the SSC talked about black and yellowfin
46 grouper and noted a lack of fishery-independent data available
47 for either and very high uncertainty in the recreational
48 landings data for both. Most of the landings for black grouper

1 are coming from Florida, and there was some discussion about the
2 possibility of renewed commercial fishing pressure on black
3 grouper, due to the reduced catch limits for gag.

4
5 We haven't observed those data yet, but we have had discussions,
6 at the IPT level, with the folks from SERO's limited access
7 privilege program branch, and we're going to take a look at
8 those at some point.

9
10 The SSC ultimately recommended using Tier 3a of the ABC Control
11 Rule, which is a more data-poor approach, for setting the OFL at
12 the mean of the landings from 2010 to 2021, plus two standard
13 deviations, and it used Option a for the ABC, which is the mean
14 plus one-and-a-half standard deviations, again using the
15 landings history for black and yellowfin grouper combined for
16 2010 through 2021, and, again, that's in MRIP-FES numbers there.

17
18 In June 2023, you guys gave us this motion to modify the
19 amendment that we currently had going for scamp and yellowmouth
20 grouper and to include black grouper and yellowfin grouper catch
21 recommendations from the SSC and that consideration should also
22 be given to implications for the IFQ program involving the
23 shallow-water grouper complex, and so starting to move through
24 what we would have to do to do all of this.

25
26 Under -- The first thing we would have to talk about is how to
27 modify the complex, and so leaving it as it is would maintain
28 the current composition with scamp and yellowmouth grouper and
29 black grouper and yellowfin grouper all together, and another
30 alternative is to modify the composition of the complex to form
31 two sub-complexes within it. Sub-Complex A would be comprised
32 of scamp and yellowmouth grouper, and Sub-Complex B would be
33 comprised of black grouper and yellowfin grouper.

34
35 It's important to note that this would require dissolving the
36 current other shallow-water grouper share category in the IFQ
37 program and creating two new share categories. Mr. Chair,
38 before we go any further, Bernie, is Jessica Stephen on? Can we
39 just make sure that she is unmuted? She is on? Okay. Can we
40 just make sure that she's unmuted and can interrupt me as she
41 sees appropriate? I'm sure she will at some point. All right.

42
43 If the shallow-water grouper complex is split into sub-
44 complexes, like under our proposed Alternative 2 here, the
45 current shares would be applied to the new share categories, and
46 just a note that the original share percentages are based on
47 historical landings from 1999 through 2004, and so the reason
48 why we proposed splitting things into these sub-complexes under

1 the umbrella of the main complex is based on the way that the
2 catch limits have been recommended to us by the SSC, and so any
3 dispersion of shares under these new share categories would be
4 based off of -- You know, beginning with those updated catch
5 limits, and so it just creates good parity there for the program
6 to function. Any thoughts or comments so far? This is
7 definitely a multistep amendment.

8

9 **CHAIRMAN FRAZER:** Ms. Boggs.

10

11 **MS. BOGGS:** Well, I'm glad you asked if Dr. Stephen was on the
12 phone, because I would be curious to know what this does on
13 their side, if this is manageable or -- I mean, I know we'll
14 hear a lot of comment tomorrow from the commercial fishermen of
15 how they feel about it, but I'm just curious, and how does the
16 agency feel about this?

17

18 **CHAIRMAN FRAZER:** Dr. Stephen, are you on the line?

19

20 **DR. JESSICA STEPHEN:** I am. Are you able to hear me?

21

22 **CHAIRMAN FRAZER:** Yes, we can.

23

24 **DR. STEPHEN:** Okay. Great. I think Ryan has some more
25 information about how this will be handled as we go through the
26 presentation, and so it might be worthwhile to let him finish
27 and then come back to discussions in regard to the IFQ program.

28

29 **CHAIRMAN FRAZER:** Okay. We will move forward with that
30 recommendation. Mr. Rindone.

31

32 **MR. RINDONE:** Thank you, Jessica. All right. Next up will be
33 modifying the IFQ program share allocation for the shallow-water
34 grouper complex, and, currently, Alternative 1 would be to
35 maintain the distribution of shares as established for the
36 complex in Amendment 29 for black grouper, yellowfin grouper,
37 scamp, and yellowmouth grouper.

38

39 Alternative 2 would disband the other shallow-water grouper
40 share category and create those two new share categories that we
41 mentioned, one for black grouper and yellowfin grouper and then
42 another one for scamp and yellowmouth grouper.

43

44 The next step, after we've dealt with how we're going to deal
45 with the share categories, would be to do some of the more
46 biological things here, which is -- One of them is establishing
47 the status determination criteria for the shallow-water grouper
48 complex, and so, if it's split into sub-complexes, what we're

1 talking about here is maintaining the status determination
2 criteria for maximum sustainable yield, maximum fishing
3 mortality threshold, minimum stock size threshold, and optimum
4 yield for the complex, as defined in Amendment 48 to the Reef
5 Fish FMP for the new sub-complexes, A and B, and so that would
6 mean the proxy for maximum sustainable yield is the yield at the
7 fishing mortality of 30 percent SPR, and you guys can work
8 through the rest of that there.

9

10 Another option here is to modify the MSY proxy for Sub-Complex
11 A, which would be scamp and yellowmouth grouper, concurrent with
12 the SSC's recommendation to use the yield at 40 percent SPR. We
13 would maintain the MSY proxy for shallow-water grouper Sub-
14 Complex B, which is black grouper and yellowfin grouper, as 30
15 percent SPR, and the reason for this is, you know, like we
16 discussed with the previous proposed framework action, and we
17 don't have any data on black grouper to do anything differently
18 at this point, and so we would maintain the current status
19 determination criteria though for the maximum fishing mortality
20 threshold, minimum stock size threshold, and optimum yield, as
21 defined in Amendment 48 for both sub-complexes. Any thoughts
22 about status determination criteria?

23

24 **CHAIRMAN FRAZER:** Can we go back one slide? I mean, you
25 mentioned it in the slide we were just on, but, in this
26 alternative, because you're -- I guess if you split them, right,
27 because scamp is in one of the sub-groups, and it already has an
28 MSY proxy of F 40 percent SPR, does that need to be made
29 explicit in here, or did I miss something?

30

31 **MR. RINDONE:** So, if you go to the next slide, this is where
32 specifying scamp under Sub-Complex A at 40 percent SPR would
33 happen. If you were to -- If we go to Alternative 1, and, I
34 guess, usually -- So, usually, for something like this, we have
35 something in here that says, you know, this isn't viable, and I
36 forgot to put that in here, and so the SSC's recommendation is
37 based on 40 percent SPR, for a litany of reasons, mostly to do
38 with the fact that scamp is a hermaphroditic species, and, for
39 those species, the literature tells us that proxies for things
40 like the yield at MSY should be considerate of the unknowns,
41 basically, with reproduction and sexual transition, and so 40
42 percent SPR is one of the lower bounds of that that the SSC has
43 discussed, and so the catch limits for scamp and yellowmouth are
44 set at 40 percent SPR.

45

46 It's still the council prerogative though to define what the MSY
47 proxy is, and so, if the council wanted to stick with 30 percent
48 SPR, then the SSC would need to go back and have those

1 projections rerun, and then the council would just need to
2 provide some justification, of course, for the decision, like
3 they would have to do with anything else.

4
5 **CHAIRMAN FRAZER:** Yes, and I was just asking for some clarity on
6 this slide. Ms. Levy.

7
8 **MS. MARA LEVY:** Thank you. I don't remember if we had a lot of
9 IPT discussions about the structure of how this would shake out,
10 and, if we did, I apologize, but it seems to me that, you know,
11 the first decision is splitting the complex, and then you could
12 potentially tier the other decisions off of that, and so I don't
13 know that this has to be the alternative one. I don't know that
14 we've had a comprehensive discussion about how things should be
15 structured and filtered out in the document, and so I'm a little
16 bit -- Because this is kind of confusing to me, given the order
17 in which things are going, and so I guess I would just encourage
18 that we have some more discussion about how the document is
19 structured, given the various decision points, internally or it
20 comes back to you or something.

21
22 **CHAIRMAN FRAZER:** All right. Thank you, Mara. Mr. Rindone.

23
24 **MR. RINDONE:** Thank you, Mr. Chair. We tried to structure it in
25 the flow of the decisions that we thought were like the most
26 appropriate order of operations, but we certainly can talk more
27 about that, and so there were about eight other versions of
28 this, with different orders of things, that people hated a lot
29 more, and so this was the one that seemed to make the most
30 sense.

31
32 All right, and so, for sector allocations, there is a de facto
33 allocation for the shallow-water grouper complex that was
34 established under Reef Fish Amendment 39 that gave the
35 commercial sector approximately 80.1 percent of that complex ACL
36 and the recreational sector about 19.9 percent, and this only
37 applied to the scamp, yellowfin, and yellowmouth grouper
38 combined landings, and it's based on 2001 to 2004 landings.

39
40 Black grouper was done separately and then added to, under the
41 Generic ACL/AM for black grouper, and that resulted in a
42 commercial sector cut of the stock ACL of about 73 percent, and
43 the recreational sector got about 27 percent. These de facto
44 allocations exist so that the IFQ program can function, and, if
45 we think about our other species that don't have formal sector
46 allocations, then it's just, you know, the landings are the
47 landings.

1 In order to have the IFQ program function, there needs to be
2 pounds that are transferred into those shareholder accounts at
3 the beginning of every year, so that those fishermen know what
4 they have to be able to catch in any given year, and so, without
5 having some sort of de facto allocation, that couldn't happen,
6 and so that's why this was done the way that it was in Amendment
7 29.

8
9 The no action alternative would maintain the current de facto
10 allocation, so that the commercial sector is still taking about
11 80 percent, based on the 2001 to 2004 time period, and
12 Alternative 2 would modify that allocation such that the
13 commercial sector is allocated some other percentage, based on
14 some time series for scamp and yellowmouth grouper, and a sector
15 allocation for black grouper and yellowfin grouper would be
16 established separately, and we'll talk about that next.

17
18 Some of the decision points here are, you know, what time series
19 would you guys want to use, and would you want to exclude 2020,
20 because of any possibility of COVID bias, or would you want to
21 exclude 2010, due to any bias from the Deepwater Horizon oil
22 spill and Gulf closures therein, or would you want to constrain
23 things to the IFQ years, or use some broader time series, or,
24 you know, how do you feel about all of that>

25
26 **CHAIRMAN FRAZER:** Captain Walker.

27
28 **MR. WALKER:** It's super complicated, and the only comment I have
29 is that I know that a lot of the shallow-water grouper quota
30 goes unused, and I don't know the number, and maybe you do, but
31 so I think it would be hard to come up with a split, based on
32 landings, when a lot of the quota was never caught. I think
33 more than half of it is not caught, and so people that have the
34 quota don't have -- You know, it would be hard to differentiate,
35 I think, based on the fact that a lot of the IFQ is not caught,
36 if I'm not mistaken, and that's where I'm at.

37
38 **MR. RINDONE:** Bernie, can we go to the next slide? This shows
39 you the landings for black grouper and yellowfin grouper, and,
40 if we go down, just so we're talking about this, because I have
41 these plots in different places for different reasons, and, if
42 you go down to Slide 18, is the landings for scamp and
43 yellowmouth grouper, and so you can kind of see where those have
44 been, and these are both in FES, and so black grouper --
45 Yellowfin grouper landings in the Gulf are almost
46 inconsequential. They are maybe a thousand pounds a year, and
47 they're pretty low, on average, or they're in the thousands of
48 pounds, and not more than that.

1
2 Yellowmouth grouper landings are also pretty low, especially in
3 comparison to scamp, and so you can see the scamp and
4 yellowmouth grouper landings here, for the last roughly ten
5 years, from 2012 to 2021, and the light blue is commercial, and
6 the dark blue, or the purple or whatever that is, is the
7 recreational, and the red is the total, and so recreational
8 landings of scamp and yellowmouth, and, you know, primarily
9 scamp, have gone up in recent years, which is something that,
10 you know, we expected to see and that we've heard from
11 historical fishermen, saying that they've seen more and larger
12 vessels doing things like deep-dropping, fishing in deeper
13 waters, and, you know, bottom-sounding equipment has gotten more
14 technologically advanced with time, and so it's gotten -- It's
15 become more of a possibility for more people to have access to
16 the technology, to get into deeper water and find these fish.

17
18 If we go back to the black grouper and yellowfin grouper
19 landings, and that's on Slide 15, you know, we see more
20 variability there in what we've observed in the landings in FES
21 for black grouper, but, again, you know, the old canary in the
22 coalmine statement that I made before, and we haven't heard
23 anything from the fishermen, recreational or commercial, about
24 there being an issue with black grouper, and we don't have an
25 assessment to tell us anything different either, but the
26 landings here, for black grouper, are also -- They're primarily
27 coming from the recreational sector, like they are for scamp and
28 yellowmouth.

29
30 **CHAIRMAN FRAZER:** Ms. Boggs.

31
32 **MS. BOGGS:** I don't think I'm getting ahead of myself this time,
33 because I kind of scrolled through the presentation, and I like
34 the graphs, but, if you go back up to the couple or three slides
35 where you're asking what do we want to look at, if we do look at
36 reallocation, or allocations, and I'm guessing -- Normally, we
37 have, and this is what I like to see, a chart that shows the
38 landings, and, Ryan, do you understand what I'm saying?

39
40 It says commercial, recreational, total, which that helps me
41 kind of put it in perspective, and, I mean, I like the charts,
42 but seeing the numbers is more helpful to me, which I'm sure, as
43 we go down this path, that's where we'll get to, but, again, I
44 don't like to see this council take kneejerk reactions that, oh,
45 this is happening if there's -- I'm not saying that we don't
46 need to do something, but I don't think it's pressing, because,
47 as you say, Ryan, we're not hearing from the commercial sector
48 the charter/for-hire, or anyone else on this issue, and so I

1 just want to be careful what we do here, that we don't create a
2 problem.

3

4 **CHAIRMAN FRAZER:** Okay. Thank you, Ms. Boggs.

5

6 **MR. RINDONE:** We can absolutely provide that. At this point,
7 we're just trying to get some idea of the things that you guys
8 want to consider, time series you might be interested in and
9 that sort of thing, and so that's why we don't have any like
10 Action 1 and Action 2 sorts of things listed in this, and this
11 is still quite developmental.

12

13 **CHAIRMAN FRAZER:** Susan.

14

15 **MS. BOGGS:** So part of me almost thinks this is a cyclical
16 fishery, because you have the decline from 2012 down to it looks
17 like 2013, and then it climbs back up, and then it comes back
18 down, and it kind of plateaus, and now we're going back up, and
19 we're plateauing again, and so I don't know what's going on with
20 the fishery, but certainly that big decline in the fishery, in I
21 want to say 2017 to I guess 2019, and then it comes back up, and
22 then it plateaus, and, I mean, I would be interested to know
23 what we think maybe happened there.

24

25 **CHAIRMAN FRAZER:** Any thoughts, Ryan?

26

27 **MR. RINDONE:** Well, I mean, normally, we would say something
28 like -- Especially with groupers, we would say something like
29 what about red tide, and so, for reference, 2014 was a red tide
30 year, and 2018 was a red tide year, and so was 2021, but the
31 drop-off here from 2016 to 2017 and into 2018 in the landings,
32 you know, it occurs ahead of that 2018 red tide, and, you know,
33 black grouper -- The length at which 50 percent of individuals
34 are thought to be sexually mature is 33.7 inches, which is
35 considerably bigger than it is for gag, and scamp is like
36 fifteen inches, I think, for scamp, and so there's remarkably
37 different life histories, especially as it relates to size at
38 maturity, for black grouper and scamp.

39

40 I don't know specifically, off the top of my head, what it is
41 for yellowfin and yellowmouth grouper, but I do know that
42 yellowmouth grouper and scamp are not so dissimilar.

43

44 For what sort of effect we might expect from a red tide, I mean,
45 it just -- I don't know that we could call this a red tide
46 effect or not, because, typically, what we've seen, for species
47 like red grouper and gag, is that red tide has a more
48 deleterious effect on the younger fish, those that are under six

1 years old, and, according to what we've heard from a lot of the
2 fishermen, the bulk of the spawning individuals, like for black
3 grouper, are occurring in like 200 feet of water and deeper, and
4 the other side of what we kind of see is that, in deeper waters
5 like that, issues like hypoxia from the decay of the red tide
6 blooms sucking oxygen out of the water, as it dies and sinks, is
7 less of an issue when the water is that deep, and it's more of a
8 negative effect in shallower and nearshore waters, and so, all
9 of that background provided, I don't know.

10

11 **CHAIRMAN FRAZER:** All right.

12

13 **MR. RINDONE:** So I guess, Mr. Chair, we can hold off on talking
14 about time series, and, like Ms. Boggs said, if you want to see
15 the tables, with the actual numbers and the landings, first, we
16 can certainly produce that, and that's not a hard lift, and I
17 guess, in the meantime, you guys could think about, you know, do
18 you want to exclude 2020, because of a potential COVID effect,
19 or do you want to exclude 2010, because of the Deepwater Horizon
20 oil spill, or do you want to constrain things just to the IFQ
21 years?

22

23 You know, Captain Walker had said that, traditionally, the
24 shallow-water grouper quota isn't caught, and so even
25 constraining it to the IFQ years -- That there wouldn't be a
26 limiting factor because of the IFQ program there, presumably, if
27 the quota isn't being caught, and so the fishery would be
28 operating freely, so to speak, or more so, and so those can just
29 be things that the committee thinks about in the meantime, and
30 we don't have to do anything yet with this if you don't like.

31

32 **CHAIRMAN FRAZER:** Yes, and, again, I'm just -- I'm thinking
33 about where we need to go, right, and how fast we need to go,
34 and I'm taking to heart, I guess, Mara's comments as well,
35 right, and there hasn't been a fair amount of discussion, or
36 maybe the discussion isn't mature, you know, among the IPT yet,
37 and so I just want to circle back, too. We've got a number of -
38 - I know Andy is on the line, and so, Andy, if you want to jump
39 in, go ahead. I've got some other things to say, but I will let
40 you go first.

41

42 **MR. STRELCHECK:** Go ahead, Tom, and then I will speak after you.

43

44 **CHAIRMAN FRAZER:** All right, and so, I mean, so we have a recent
45 assessment, and I'm just going to remind folks here of that, you
46 know, for scamp, and there was a lot of work that went into that
47 assessment. We don't yet have an assessment, to my
48 understanding, right, for black grouper, but it's in progress.

1
2 The consequences of having completed assessments and catch
3 advice, obviously, means that we can do more, perhaps, with
4 providing catch advice and setting catch limits, but it affects
5 the shallow-water grouper complex, right, and how we manage it,
6 and so Dr. Stephen is on the line, and clearly that's not just a
7 simple thing to do, and so we have to consider, I think, fully
8 what's involved in that, right, moving forward. After Andy
9 chimes in here, we might go back and talk to Dr. Stephen a
10 little bit about her thoughts on this, but, Andy, go ahead.

11
12 **MR. STRELCHECK:** Thanks, Tom, and your comments were similar to
13 some of the comments that I was going to make. You know, we
14 have, obviously, an IFQ program that's been in place for quite
15 some time, and so deciding to split other shallow-water grouper
16 into multiple share categories has lots of ramifications, and
17 I'm not saying they're right or wrong, right, and it's just that
18 we're going to have to be thoughtful and careful, in terms of
19 making that decision and what that would look like with regard
20 to future management of the IFQ program.

21
22 I agree with you that I think it's going to take some probably
23 specific recommendations, at least pros and cons, from the IFQ
24 program staff, in order to really eliminate kind of the
25 benefits, as well as challenges, with doing that. You know,
26 ideally, I guess, from my simplistic standpoint, I would want to
27 try to figure out a way to keep shallow-water grouper together,
28 if we could, but that may or may not be possible, and so we need
29 to look at that carefully.

30
31 The other comment I will make really relates to these potential
32 allocation decisions before us, and, as Evan spoke yesterday
33 during lunch, right, we have now this added complexity of FES,
34 and Ed just mentioned, a little bit earlier in the conversation,
35 with regard to I will say underutilization of, you know,
36 harvesting the quotas, right, and so I think one of the things
37 that we, if we're going to look at allocations amongst the
38 sectors, that we should really be looking at is not just kind of
39 a time series of landings, but overall utilization and what are
40 the implications of changing the allocations on, you know, the
41 ability to harvest those quotas going forward.

42
43 Then, you know, a question for Ryan that I had really came down
44 to timing of that, because, if we are going to use landings
45 data, or some information, and the pilot study results for FES
46 come back in 2025, you know, are we -- I assume we're expecting
47 to take final action on this well before then, and so what
48 considerations do we need to give, obviously, to data being

1 available for the end of this process or not.

2
3 **MS. LEVY:** I guess I don't necessarily agree with the statement
4 that the complex cannot be kept together, at least from a legal
5 perspective, and I disagree with the statements that are
6 sprinkled throughout here that, because the SSC has given you
7 separate OFLs, that you can't keep the complex together, because
8 that's exactly what you did in the General ACL Amendment. You
9 got separate catch level advice for the different stocks, and
10 you added them together, and you made a complex.

11
12 Now, whether that was a great choice by management, or whether
13 there are complications related to overfishing of one versus the
14 other, yes, all those things would need to be worked out, but
15 the general premise here that's it's impossible to keep the
16 complex together -- I don't agree with that, from a legal
17 perspective, I guess.

18
19 **CHAIRMAN FRAZER:** Dr. Froeschke.

20
21 **DR. FROESCHKE:** So, if we were to do that, how would we grapple
22 with the situation -- For example, if you were to add -- I will
23 just use scamp and black grouper, the complexes, and, if you
24 were to add those together, based on the recommendations we have
25 from the SSC, most of the shallow-water -- What we would still
26 call the shallow-water grouper complex, most of the ACL would be
27 as a consequence of black grouper, that portion of it, because
28 the ACL is higher, relative to scamp, but, if you look at the
29 way the fishery operates, most of the landings are from scamp,
30 and so it would see that, if you just piled it all together,
31 that the black grouper portion of the shallow-water grouper
32 complex ACL would be subsidizing and, particularly, allowing
33 overharvest of the scamp. How could we work that out?

34
35 **CHAIRMAN FRAZER:** Ms. Levy.

36
37 **MS. LEVY:** Well, and those are the things that I think would
38 benefit from further discussion, but, if you start with the
39 premise that you can't do it, because you got these separate
40 recommendations -- I mean, how have we grappled with it before,
41 right, and we got the separate catch level recommendations, and
42 we added them together, and we developed this complex.

43
44 I mean, maybe there's a way -- So we still know what the
45 landings are for species, right, because we've had these
46 landings series, and so maybe there's a way to come up with a
47 creative solution that allows you to keep the complex together
48 for the purposes of the IFQ program, if that's the management

1 desire, but we somehow track it differently. I guess I don't
2 know the answers, but I'm just saying, if we start with the
3 premise that we can't do it, then we don't explore what other
4 solutions there might be.

5
6 **CHAIRMAN FRAZER:** I like that I heard from a lawyer that, if we
7 start from the premise that you can't do it, that's maybe not
8 the right way to go. Refreshing, Mara. With that said, go
9 ahead, Ryan.

10
11 **MR. RINDONE:** So, just to put it into perspective here, if
12 you're on Slide 18, that's looking at the total scamp and
13 yellowmouth grouper landings, and we'll just use the terminal
14 year here of 2021 and say that there was about 450,000 pounds,
15 and that's commercial and recreational combined, and that's that
16 terminal spot on the far-right for the red line.

17
18 The proposed ACL for scamp and yellowmouth grouper combined is
19 about 203,000 pounds, and so there is -- Based on the last ten
20 years or so of landings history, if you're using that as your
21 litmus, there's no way you don't have a marked reduction in what
22 the commercial sector is able to catch, and, you know, you're
23 definitely going to have to -- You're definitely going to end up
24 with a closed season on the recreational side as well.

25
26 If you combine the -- The OFL for scamp is -- It's about 270,000
27 pounds, and so, if you combined black grouper, the black grouper
28 ACL and the scamp ACL, and you keep the shallow-water grouper
29 complex together, based on the landings history, you will
30 overfish scamp, and so that's why we've done these things the
31 way that we have, is because not doing so seems to clearly put
32 scamp at risk of overfishing.

33
34 When we have catch limits specific to scamp, we have separate
35 recommended status determination criteria for scamp, and so
36 treating scamp and yellowmouth grouper as if they are in fact
37 the same as black grouper and yellowfin grouper does not appear
38 biologically appropriate, and so that's why things are presented
39 the way that they are.

40
41 **CHAIRMAN FRAZER:** All right. It's clearly a complicated issue.
42 I'm not sure we have an immediate path forward, right, and I
43 guess what I'm going to suggest, based on the comments that I
44 heard -- I guess I don't know where we're going next in this
45 presentation, but --

46
47 **MR. RINDONE:** Deeper in the weeds.

1 **CHAIRMAN FRAZER:** Then it gets really complicated.

2
3 **MR. RINDONE:** Yes, and this amendment brought to you by weed
4 eater. Let's get back to where we were, in a way, which is
5 Slide 14. Based on discussion, I think, at this point, we'll
6 wait until we've got the tables of landings and everything to
7 show to you guys, and you guys have had some time to marinate on
8 what we've talked about so far, with what to do about things
9 like sector allocations, and we'll also show, as part of that,
10 and I think Mr. Strelcheck mentioned about utilization, like for
11 the shallow-water grouper quota, you know, as a proportion of
12 the quota that's been landed say for the last -- Well, we could
13 do it for the whole IFQ program, the time series, and that's
14 fine.

15
16 Then you guys just kind of be thinking about, you know, do you
17 want to include 2010 and 2020, for those aforementioned reasons,
18 and it seems as if, you know, if we did constrain things to the
19 IFQ program, we're not constraining the commercial harvest,
20 because, if the harvest hasn't been meeting the commercial
21 quota, then the commercial sector hasn't really been
22 constrained, and so we can move on from here.

23
24 Slide 15, that we already looked at, that shows you the black
25 grouper and yellowfin grouper landings, and I would just note
26 here the recreational landings are the purple, and the light
27 blue is commercial, and the red is the total, and so black
28 grouper and yellowfin grouper is primarily recreational. Again,
29 this is in FES though, and bearing in mind what Dr. Howell had
30 presented to you guys earlier.

31
32 If we go to Slide 16, this talks about the scamp and yellowmouth
33 grouper catch limits, and so the current catch limits are shown
34 in Alternative 1 here, which would set the ABC for the complex
35 as a whole at 710,000 pounds gutted weight, and the commercial
36 ACL would be 547,000 pounds of that, and the ACT would be
37 526,000 pounds. The recreational ACL and ACT are undefined, and
38 this is not viable, because it actually uses not CHTS, but MRFSS
39 data, and, because the SSC has established separate OFLs and
40 ABCs for scamp and yellowmouth grouper, and for black and
41 yellowfin grouper, and so Alternative 1 is no longer considered
42 to be consistent with BSIA.

43
44 Alternative 2 would establish catch limits for scamp and
45 yellowmouth based on the SSC's recommendations from SEDAR 68 for
46 the time period 2024 to 2026 and subsequent years, and the catch
47 limits would be expressed and monitored in MRIP-FES data units
48 in millions of pounds gutted weight, and so you can see those

1 OFLs and ABCs there, in those second and third-from-the-left
2 columns.

3
4 The reason why the ABC doesn't appear to change is because the
5 ABC, again, is set at 75 percent of the yield, and the OFL is
6 set at the yield precisely.

7
8 There is actually, between those two, between the OFL and the
9 ABC, there are different assumptions that are made about what
10 the recruitment could be for scamp, because that was a sticking
11 point that the SSC had to try to work through, and recruitment
12 is, like we've seen for some of the grouper species, it's down
13 in recent years, and so it was a matter of, you know, does the
14 SSC think that that decline in recruitment is going to continue,
15 or do they think it's going to bounce back, or are they
16 cyclical, like Ms. Boggs mentioned, and so, due to a lack of
17 information there, the SSC decided to be a little bit more
18 conservative there, in the absence of knowing.

19
20 Again, these are the scamp and yellowmouth landings, which have
21 been between about 400,000 and 500,000 pounds in FES, and they
22 were about 50/50 for 2017, and then, after 2017, the
23 recreational sector started landing more scamp, and the
24 commercial sector landings kind of leveled off.

25
26 Black grouper sector allocations, and so the black grouper is
27 assessed jointly and split with the South Atlantic Council. The
28 South Atlantic gets 47 percent of the ABC, of the stock ABC, and
29 the Gulf gets 53 percent. This was established by using the Bow
30 Tie approach of 50 percent of the catch history from the
31 historical period and then 50 percent from the recent period.

32
33 The black grouper sector allocation was established under the
34 Generic ACL/AM Amendment and used the council's allocated ABC
35 and divided the ACL between the commercial and recreational
36 sectors based on average landings from 2004 to 2008, and that's
37 where we get that 27 percent for the rec sector and about 73
38 percent for the commercial sector.

39
40 Black grouper commercial landings are down, but may increase
41 with recent increases to dockside ex-vessel prices. Black
42 grouper and gag prices tend to be pretty commensurate, and gag
43 ex-vessel prices at the dock right now are about eight-bucks a
44 pound, and so it's definitely gone up, especially with the
45 decrease in gag catch limits.

46
47 Changing the data unit from MRFSS to FES is expected to affect
48 the sector allocation, if we're using the previous time series,

1 and, in practice, no sector allocation for black grouper is
2 established at present, and it's the de facto version, and it's
3 combined with the other shallow-water grouper. Yellowfin
4 grouper will be lumped in together with black grouper, and, like
5 I mentioned earlier, landings of yellowfin grouper are
6 comparatively low. They are in the thousands of pounds or less.

7
8 Alternative 1 would be to maintain the current sector allocation
9 as it is, with the recreational sector getting about 27 percent
10 and the commercial sector about 73 percent, which is something
11 that you guys can do, and you would just -- If the catch limits
12 are updated for black grouper, then you would be monitoring in
13 FES there.

14
15 The other option would be to modify the sector allocations, and
16 you guys would need to determine the historical time series for
17 doing so, and you could also consider alternative allocation
18 approaches that maybe aren't so directly based on landings
19 history.

20
21 If we go down to the next slide, it's just the catch limits, and
22 black and yellowfin grouper are currently contained within the
23 shallow-water grouper complex, and the catch limits are set in
24 MRFSS, and, like we discussed, we can't do that. Alternative 2
25 would establish the catch limits for black grouper and yellowfin
26 grouper within the shallow-water grouper complex. Based on the
27 SSC's recommendations for 2024 and subsequent years, catch
28 limits would be expressed and monitored in MRIP-FES, and so you
29 can see what that would shake out to there.

30
31 Contrary to years past, these projections aren't based on the
32 sector allocations, and those are determined after the fact.
33 Dr. Walter can talk about that change, from the Science Center's
34 perspective, if he likes. Seeing no hands --

35
36 **CHAIRMAN FRAZER:** John, did you want to comment on that? It's
37 okay if you don't.

38
39 **DR. WALTER:** I will probably have no comment on that right now.

40
41 **CHAIRMAN FRAZER:** Yes, and it's incomplete, right? Go ahead.

42
43 **MR. RINDONE:** So Slide 24 is possible modifications to
44 accountability measures. The current accountability measures
45 for both sub-complexes, if established as sub-complexes within
46 the shallow-water grouper complex, are that, for the commercial
47 sector, the IFQ program serves as the accountability measure,
48 and, for the recreational sector, if the sum of the commercial

1 and recreational landings exceeds the shallow-water grouper
2 complex ACL, then, during the following fishing year, if the sum
3 of the commercial and recreational landings reaches, or is
4 projected to reach, the shallow-water grouper complex ACL, then
5 NMFS would close the recreational sector for the remainder of
6 that fishing year.

7
8 It's important to note though that landings show substantial
9 interannual variability in shallow-water grouper landings,
10 especially for black grouper, and landings trends are concurrent
11 with other rare-event species that are monitored by FES, and so
12 there can be some considerable uncertainty about those landings
13 between waves and years.

14
15 Alternative 2 would modify the current accountability measures
16 for scamp and yellowmouth grouper and black and yellowfin
17 grouper, respectively. For the commercial sector, the IFQ
18 program would continue to serve as the accountability measure.
19 For the recreational sector, if a recreational ACL is
20 established, and it's exceeded more than once during the three
21 most recent fishing years, then, in the following fishing year,
22 NMFS would monitor the recreational landings and close harvest
23 when that recreational ACL is projected to be met.

24
25 This is a different approach for how to do accountability
26 measures than we've done in the past, but it provides additional
27 flexibility, given the variability of the landings of shallow-
28 water grouper species, and so taking into account that, to some
29 degree, these are rare-event for MRIP, and there can be a lot of
30 interannual variability, and so, you know, if we're dealing with
31 kind of a suspect spike in landings -- You know, if it only
32 happens once within a three-year period, maybe it was just an
33 outlier. If it happens more than once in a three-year period,
34 maybe there's something going on there, and, in the following
35 year, the catch limits would be constrained actively by NMFS to
36 the ACL, based on season projections. Does that make sense to
37 everybody? Great.

38
39 Modifying IFQ program flexibility considerations, currently, the
40 grouper-tilefish IFQ program has some considerations built
41 within it, like scamp being able to be landed under a
42 shareholder's deepwater grouper allocation if that shareholder
43 does not have any remaining shallow-water grouper allocation.
44 Also, warsaw and speckled hind may be landed under the shallow-
45 water grouper allocation if all the deepwater grouper allocation
46 in a shareholder's account is depleted.

47
48 This alternative is not viable, because the SSC has established

1 those separate catch limits for the two pairs of species, and,
2 without modification, allowing for scamp to be landed under the
3 deepwater grouper allocation could result in overfishing of
4 scamp, and so this isn't consistent any more with BSIA.

5
6 Alternative 2 could be to eliminate the flexibility
7 considerations for the share categories within the grouper-
8 tilefish IFQ program, and Alternative 3 could be to modify those
9 flexibility considerations such that scamp and yellowmouth
10 grouper -- Just some notes here that scamp and yellowmouth
11 grouper landings are expected to use up all of that ACL without
12 any flexibility considerations, and, depending on how the
13 commercial fishery adapts to the decrease in gag catch limits,
14 black grouper landings could increase again, spurred on, you
15 know, not only by the low gag quota, but also by the improvement
16 in the dockside price of black grouper, and that's the end.

17
18 **CHAIRMAN FRAZER:** All right. Thank you, Ryan. We have a number
19 of questions, and I'm going to start with C.J. Well, actually,
20 I'm going to start with Mara. Then I will go to C.J. and then
21 to Susan.

22
23 **MS. LEVY:** Thanks. It took me a minute to catch up, but, back
24 on Slide 25, with the different approach to the recreational
25 accountability measure, so I just think we need to give some
26 thought to this, if it's something that the council wants to
27 pursue, because you may recall that the guidelines have --

28
29 The National Standard 1 Guidelines have a performance standard
30 that essentially says that if you exceed the ACL more than once
31 in a four-year period that you're supposed to reevaluate your
32 whole system of ACLs and AMs, and this is kind of -- This is
33 saying we can exceed it twice, and then we're then going to
34 monitor, and so now you've already exceeded the performance
35 standard that requires you to reevaluate the whole system. I
36 just think we need to think more about how this would be in line
37 with that performance standard that's already -- That is in the
38 guidelines, that is articulated in the guidelines.

39
40 **CHAIRMAN FRAZER:** Thank you, Mara, for that. C.J.

41
42 **DR. SWEETMAN:** Thanks for the in-depth presentation, Ryan. I
43 have a question here. It's kind of relative to what Mara was
44 stating earlier, and is it possible to keep the commercial
45 complex together, but be able to separate out the recreational
46 side of things into kind of what you structured here?

47
48 **CHAIRMAN FRAZER:** Ryan.

1
2 **MR. RINDONE:** We don't think so.

3
4 **DR. FROESCHKE:** I don't think so. I mean, to me, to do that,
5 you would still need to devise some sort of internal allocation
6 or something, some way to split the recreational, what you're
7 assuming each sector would be caught, which I think that seems
8 more difficult. Then I still think you would have a problem
9 with most of the shares would come from the black grouper, and
10 most of the landings would actually be scamp, and so, you know,
11 if the recreational side, whatever they had fully caught there,
12 is going to be potentially the overfishing, based on the stock
13 assessments.

14
15 **CHAIRMAN FRAZER:** Thanks, John. Ms. Boggs.

16
17 **MS. BOGGS:** The last slide that you presented, with Alternative
18 3 to modify the flexibility considerations in the grouper-
19 tilefish IFQ -- My slides aren't numbered, and I'm sorry, but
20 the IFQ program for SWG and the new complex, scamp and
21 yellowmouth grouper landings are expected to use up all of that
22 ACL without flexibility considerations, and so you're saying it
23 would use up all the ACL to include the black grouper and the
24 yellowedge grouper as well?

25
26 **MR. RINDONE:** No, and so the proposed ACL for scamp is 203,000
27 pounds. For scamp and yellowmouth, it's 203,000 pounds. The
28 recent landings are 450,000 pounds, and so directed landings for
29 scamp and yellowmouth are going to be much more than is
30 necessary to take care of scamp's ACL, and so, if you were to
31 add in a flexibility consideration to allow black grouper to be
32 part of that also, or to allow any of the deepwater grouper to
33 be landed under either of the shallow-water grouper sub-
34 complexes, or however that might shake out, it almost certainly
35 is going to result in exceeding the overfishing limit for scamp.

36
37 **CHAIRMAN FRAZER:** Susan.

38
39 **MS. BOGGS:** Okay, and so -- I apologize, but this is being
40 looked at as a whole, because I was going to say that the
41 commercial fishery is not catching that many, but, because it's
42 the complex, and we're splitting that complex, the rec side
43 would basically -- Okay. Thank you.

44
45 **MR. RINDONE:** Yes, and it doesn't really matter, for scamp, what
46 the sector allocation is, when it comes down to it because the
47 sum of the landings is so much more than what the ACL is, as far
48 as the SSC's recommendation.

1
2 **CHAIRMAN FRAZER:** Captain Walker.
3
4 **MR. WALKER:** So just figure this in wherever you -- I asked John
5 for the stats here, and just 0.70 percent of the commercial
6 quota, in the shallow-water, was uncaught the last five years.
7 That's what I'm getting anyway, unless I've got it backwards,
8 and is that right, John? It's the other way around?
9
10 **CHAIRMAN FRAZER:** No, that's correct.
11
12 **MR. WALKER:** Thank you.
13
14 **CHAIRMAN FRAZER:** Ms. Boggs.
15
16 **MS. BOGGS:** Okay, and so I hear what Captain Walker says, but
17 I'm looking at the landings on the agency's website, and so, for
18 shallow-water grouper complex in 2022, the total for rec and
19 commercial was 38.9 percent that was caught of the total ACL.
20 Then I looked at 2023, the current landings, and we're at 15
21 percent, and so how could we have overfished if these landings
22 are saying -- Help me, John.
23
24 **DR. FROESCHKE:** Okay, and we didn't overfish. There has not
25 been any overfishing. The difference is two things. One is, if
26 you were to implement the combined new catch advice we have into
27 shallow-water grouper, that's a major reduction, both in numbers
28 and in the change in currency, and so there's that point.
29
30 For the commercial side, if you recall, most of the catch in the
31 original was you have the whole, and then most of that, about 80
32 percent, went to the commercial, and that was subsequently
33 converted into IFQ shares. If you look at the more recent data,
34 most of the landings are from the recreational sector, and so,
35 if you did some sort of allocation by that, you would see how
36 that goes.
37
38 **CHAIRMAN FRAZER:** Peter.
39
40 **MR. HOOD:** I don't know if this is helpful, but, to try to put
41 some numbers on it, the current ABC for shallow-water grouper is
42 710,000 pounds. If you take the SSC-recommended ABCs, and for
43 scamp and yellowmouth grouper and then back and yellowfin
44 grouper, and you add those up, it's about 511,000 pounds, and so
45 there's about a 200,000-pound difference there, and then, if you
46 look at just the ABCs recommended for the scamp side and the
47 black grouper side, about 40 percent of that 511,000 would be on
48 the scamp side, and about 60 percent on the black grouper side,

1 and so I don't know if that helps or not.

2
3 **CHAIRMAN FRAZER:** Mr. Strelcheck. Hold on, Andy, just a second.
4 I think John wants to clarify.

5
6 **DR. FROESCHKE:** Just on Peter's numbers, remember those are in
7 different currencies, with different accumulation rates too, and
8 so that 700,000 pounds in CHTS would be a lot more in FES.

9
10 **CHAIRMAN FRAZER:** Correct. Go ahead, Andy.

11
12 **MR. STRELCHECK:** I am trying to figure out a path forward here,
13 right, and there's a lot of complexity to this. We have -- You
14 know, some of us are more familiar with the IFQ program than
15 others, and it was suggested earlier that the team, Jessica and
16 others, kind of bring back, or, you know, look into the options,
17 to whether we should split, or can split, the shallow-water
18 grouper complex, or shouldn't.

19
20 It seems like what we need to do, as a next step, is really
21 bring back some very specific recommendations, especially in
22 light of kind of Mara's comments that we may not have to split
23 the shallow-water grouper complex, and provide those as examples
24 to the council, as to what this could look like, and then that
25 paves the way, obviously, for the potential options that the
26 council could consider going forward, and we would have
27 information then to go on at our next meeting, and so that's my
28 suggestion. I don't think we're going to solve this today, and
29 I think Ryan has done a great job of kind of explaining what's
30 before us, but we still need to figure out some additional
31 details before we can proceed.

32
33 **CHAIRMAN FRAZER:** I agree, Andy. I think that we've got a lot
34 of work to do here still, and I think that it is an incredibly
35 complex issue. We were scheduled to have a list of options at
36 the October meeting, and I guess we'll see what type of progress
37 is being made in the background, before we get to the next
38 meeting, or putting the agenda together, but, unless there's a
39 different opinion amongst the council members here, I would
40 suggest that we do a little bit more homework, right, before we
41 bring it back. All right. Go ahead, Ms. Boggs.

42
43 **MS. BOGGS:** Well, this kind of comes back to the discussion that
44 I think we had on amberjack at the last meeting, and I
45 appreciate all the background information, and I attempted to do
46 my homework, but there was a glitch with the computer, and so I
47 wasn't able to, but my comment to the background is Amendment 14
48 prohibited the harvest of Nassau, and if we could just have a

1 little blurb of what the thought process was behind there,
2 because my mind is sitting here asking myself why did the
3 council put these species together.

4
5 I mean, there's a reason why this happened, but we don't know
6 why it happened, and that comes back to my conversation. If we
7 have some background, and I know we have all that background
8 material, but I just wasn't able to research it, and I
9 apologize.

10
11 **CHAIRMAN FRAZER:** Peter.

12
13 **MR. HOOD:** Yes, and so, you know, early on, in some of the early
14 amendments, we basically had a deepwater grouper quota and we
15 had a shallow-water grouper quota. Then, if I recall, there was
16 Secretarial Amendment 1, where we had, I think, overfishing of
17 red grouper, and so we still had a shallow-water grouper quota,
18 but we had a red grouper quota, and, if we exceeded the red
19 grouper quota -- I don't remember what the implications were.

20
21 Amendment 30B is where we basically split out red grouper and
22 gag and created ACLs there, and then, because we had this
23 shallow-water grouper quota, there were sort of these fish
24 remaining, and that's where the other shallow-water grouper
25 quota then was derived, and so that's, I don't know, but a brief
26 overview of how things sort of played out. Thanks.

27
28 **CHAIRMAN FRAZER:** Okay, and so I, again, am just going to
29 reiterate some things that I said, and I agree with Mr.
30 Strelcheck's comments, right, and there's some work to do here,
31 and certainly, based on the conversations that I've heard, you
32 know, we need a little more definitive information, with regard
33 to what our possibilities are with regard to the shallow-water
34 grouper complex.

35
36 We need to know what we can do and what we can't do, right, and,
37 obviously, there's a lot of flow-on based on that, you know, and
38 a lot of it has to do with allocation decisions, and that, in
39 turn, will be affected by what's going on with FES right now.
40 We're also -- You know, I anticipate that we're going to have an
41 updated black grouper assessment here in the next year or two,
42 and I'm not sure.

43
44 **MR. RINDONE:** (Mr. Rindone's comment is not audible on the
45 recording.)

46
47 **CHAIRMAN FRAZER:** A couple of years, and so there's a lot in
48 play here, right, and so I think it's better if we can get our

1 ducks in a row and have probably a more definitive gameplan,
2 moving forward, with some of the background information that Ms.
3 Boggs requested, and so we'll let it sit, and we'll see where we
4 are with regard to the October meeting, but, for right now, I
5 think we're just going to go ahead and move on to the next
6 agenda item, and that would be -- So that is Agenda Item Number
7 VI, and that is the Draft Framework Action: Modifications to
8 Recreational and Commercial Greater Amberjack Management
9 Measures. Dr. Hollensead is going to lead us through that, and
10 so we'll give her just a few minutes to get settled.

11
12 **DRAFT FRAMEWORK ACTION: MODIFICATIONS TO RECREATIONAL AND**
13 **COMMERCIAL GREATER AMBERJACK MANAGEMENT MEASURES**
14

15 **DR. LISA HOLLENSEAD:** Okay. Thank you, Mr. Chair. I am going
16 to give a presentation for this document. If you recall, it's a
17 two-action document, and staff had let the council know that we
18 would be able to get together Chapters 1 and 3, due to sort of
19 staff workload, and we weren't able to bring Chapter 4, but
20 certainly that's something we can work for the next revisions,
21 and so just to let everybody know that we've got Chapters 1 and
22 3 ready to go with the document, and we can certainly work
23 through that if anybody has any questions on that, but, for now,
24 let's go through the presentation to provide an overview of
25 what's in the document, and that's Tab B, Number 6(b).

26
27 Just to give an overview of the presentation, I'm going to give
28 a little bit of background, just to catch everybody up, just to
29 touch on it very briefly, and review the purpose and need, and
30 that statement has changed a little bit, and, you know,
31 considering what may happen at this meeting this week, we may
32 tweak that at the IPT level, and so it's something that's still
33 in the revision phase.

34
35 We're going to review the document actions. Action 1 addresses
36 the modification to the recreational fixed closed season. At
37 the last meeting, a preferred was selected, and that was
38 Alternative 2, as well as a number of alternatives removed to
39 Considered but Rejected, and those things were sort of tiered
40 down a little bit, and an alternative was selected. As well as
41 then go through Action 2 to modify the commercial trip limits,
42 and, again, I will get into some discussion of what happened at
43 the last meeting there. Basically, there was a desire by the
44 council to move that trip limit to number of fish, as opposed to
45 a trip weight limit, and so I will review those alternatives as
46 well as that action, and then I will go through some discussion
47 and feedback.

48

1 For the background, we had a discussion about Amendment 54, and
2 so that went final in October of 2022, and, basically, this
3 created a markedly reduced catch limit for both sectors and
4 reduced the total stock ACL by approximately 79 percent relative
5 to the previous ACL.

6
7 It also revised the sector allocations, using the MRIP-FES-
8 adjusted average landings, and so 20 percent commercial and 80
9 percent recreational. An emergency rule went in for the
10 recreational season, and so for the 2022-2023 season, and it was
11 open from September and October, and it was not open in May of
12 2023, but effective through July 28, 2023 was the emergency
13 rule, which allowed for the opening of the recreational season
14 on August 1 of this year, and that is projected to close on
15 August 25, based on some analysis that NMFS did of the season
16 duration, as then was when the ACT would be met, and so a pretty
17 short season for the recreational there.

18
19 The framework, again, is to modify the management measures, and
20 it's my understanding that 2024 would be the earliest for this
21 implementation, and certainly, if there's any modification of
22 that, I would be curious to hear about that, and so, Action 1,
23 again, goes through the recreational fixed closure, and Action 2
24 will be for the commercial trip limit.

25
26 The purpose and need statements, this is currently what's in the
27 document. The purpose statement here is meant to incorporate
28 some discussion that the council had at the last meeting about
29 the desire to eliminate the harvest during the spawning period,
30 and that's currently sort of reflected in Action 1, the
31 selection of that preferred alternative, and not allowing an
32 opening in May, but there is that Alternative 3, which would
33 allow potentially an opening in May, and so, depending on the
34 desire of the council, that purpose statement may be modified as
35 needed, or desired, by the council.

36
37 That's the purpose and need currently, as it stands, and, again,
38 this document will go through IPT review again, and so the IPT
39 would have a chance to review this again and bring any revisions
40 to the council. Are there any questions on the purpose and
41 need? Okay. Not seeing any, we'll go to the next slide.

42
43 Here are the current alternatives in Action 1 for the
44 recreational fixed closed season. Again, the council has
45 selected that Preferred Alternative 2, which would open the
46 season for the month of September and October. The table there
47 in the middle sort of illustrates a calendar visual of when the
48 season would be open and when it would be closed.

1
2 The season projections, in terms of season duration, are pretty
3 dependent on the starting time. Based on historical landings,
4 August has been historically a time of higher landings, that
5 August 1 opening, and not so much September and October, sort of
6 relative to August, in terms of those landings, and so you can
7 see that graph there illustrating that.

8
9 The Preferred Alternative 2, the ACT is projected to be met on
10 August 26, and so an estimated days open for that season would
11 be about fifty-six days, and, in Amendment 54, there in the
12 corner, we have a recreational ACL and ACT that was implemented
13 in 54.

14
15 **CHAIRMAN FRAZER:** Excuse me, Dr. Hollensead. Bob Gill.

16
17 **MR. GILL:** Thank you, Mr. Chairman, and I wasn't at the June
18 meeting, and so I didn't participate in this part of this
19 discussion, but, in terms of the projected date for meeting the
20 ACT, similar to the gag discussions we had, does that take into
21 account effort shifts that are going to happen, or is it just
22 the straight linear previous seasons, and, if it is, I think,
23 based on what we normally see when we a reduce a season this
24 much, that that projected date is not realistic, and so I think
25 I would like to get some clarification, and, if effort shift is
26 not considered, why is it not considered?

27
28 **CHAIRMAN FRAZER:** Dr. Hollensead.

29
30 **DR. HOLLENSEAD:** So effort shifting, to my knowledge, was not
31 considered. How that could be incorporated, I'm not sure, and
32 that would be a question for the data analysts on the IPT, and
33 we could certainly ask that of them and perhaps get back at Full
34 Council.

35
36 **CHAIRMAN FRAZER:** Dr. Froeschke.

37
38 **DR. FROESCHKE:** I am not sure, in this case, there's a real
39 quantitative way to do it. I mean, I agree with you that that's
40 a problem, and so one way -- I mean -- Well, you could just be
41 more conservative and essentially put a scalar on the season,
42 based on the management uncertainty, which is really -- That's
43 all you could do. I mean, if you did it quantitatively, you
44 could say, okay, there is 30 percent effort shifting, which then
45 you would inflate the catch rates by 30 percent, and you would
46 get a 30 percent shorter season, or you could just shorten the
47 season by 30 percent if you wanted to.

48

1 **CHAIRMAN FRAZER:** To that point, Mr. Gill.
2
3 **MR. GILL:** Thank you, Mr. Chairman, and I agree that,
4 quantitatively, we don't have data that suggests that, but, on
5 the other side of that coin is to ignore it suggests that, A,
6 we're misleading the public, and, B, we're having greater
7 likelihood of overshooting the ACL, and so the lesser of those
8 two evils, to me, is we use our best judgment and input that
9 into the projected ACT date, as best we can.
10
11 **CHAIRMAN FRAZER:** To that point, John, and then we've got Andy
12 on the line.
13
14 **DR. FROESCHKE:** Yes, that's certainly within the purview to do
15 that, if you want a different alternative or modify it, you
16 certainly can.
17
18 **CHAIRMAN FRAZER:** Okay. We're going to go to Andy, and, Bob,
19 we're going to come back to you here in a minute. Andy.
20
21 **MR. STRELCHECK:** I mean, certainly, to Bob's point, we could
22 consider some alternative season length to account for effort
23 shifting, and I guess I would comment that the season has been
24 August to October for a number of years, and we have not seen, I
25 would say, the substantial overages in the catch limits
26 occurring during those shorter seasons, and so what we're
27 talking about here is constraining it further, and so, yes,
28 there is the potential for effort compression, but the season
29 has already been relatively short for some time, and we're just
30 further reducing it.
31
32 **CHAIRMAN FRAZER:** Thanks, Andy, for pointing that out. Ms.
33 Boggs.
34
35 **MS. BOGGS:** Well, and Andy touched kind of on what I was going
36 to say. I don't see that there will be much effort shift. As a
37 matter of a fact, I think you may see less effort, because
38 September and October is -- In Alabama, it's football season,
39 and it's hunting season, and it's back to school. I mean, to
40 me, I think -- I mean, if you did anything -- I mean, I just
41 don't see that there's going to be much effort shift. I mean,
42 if the committee wants to look at it, that's fine. I just don't
43 see that that's going to happen.
44
45 **CHAIRMAN FRAZER:** Thank you, Susan. Captain Walker.
46
47 **MR. WALKER:** Outside of football and deer season, it's also gag
48 season.

1
2 **CHAIRMAN FRAZER:** Okay. I have a quick question, if you're
3 willing to entertain a question, and I know you're sitting
4 around a computer right now, Evan, and I don't want to blindside
5 you, but I have a quick question. In the proposed study in
6 2024, where you're going to collect information on a monthly
7 basis, and, again, I don't mean to put you on the spot, but one
8 of the issues that we've had is, because we don't have the
9 temporal resolution of the data, right, to project seasons and
10 kind of, you know, see where we are, with an increase in this
11 resolution, do you think we might apply that data, or have
12 access to that data, to make in-season management decisions?
13
14 **DR. EVAN HOWELL:** For a clarification, you mean the FY24
15 extended testing data?
16
17 **CHAIRMAN FRAZER:** I do.
18
19 **DR. HOWELL:** I think that is definitely something we can take
20 back and consider, I think, that for us to get to the monthly
21 resolution. The issue that I might see, off the top of my head,
22 is that if the APAIS is not commensurate with the FES, then
23 you're not going to have that combination of data, and so that's
24 the only thing I'm thinking about right now, but I can verify
25 it, and we can definitely take that back.
26
27 **CHAIRMAN FRAZER:** That would be great, if you could do a little
28 bit of homework and get back to us on that.
29
30 **DR. HOWELL:** Okay.
31
32 **CHAIRMAN FRAZER:** Thanks, Evan. I appreciate it. All right.
33 Are there any other questions, or discussion, related to Action
34 1 at this time? I am not seeing any, and so, Dr. Hollensead, if
35 you want to move on.
36
37 **DR. HOLLENSHAD:** Thank you, Mr. Chair. Getting into Action 2,
38 this deals with the commercial trip limit. A little bit of
39 background, the fishing year begins on January 1, with a fixed
40 closure from March through May. What was implemented in 2020
41 was a trip limit of 1,500 pounds gutted weight to 1,000 pounds
42 gutted weight, and then, after that, a step-down to 250 pounds
43 when 75 percent of the commercial ACL is harvested, and so that
44 step-down has not been triggered since the implementation.
45 However, that was before the implementation of Amendment 54.
46
47 Based on recommendations from the Reef Fish AP and the Law
48 Enforcement Technical Committee, there has been some discussion

1 of setting trip limits as a number of fish, rather than pounds,
2 and it's easier for folks to count while they're out on the
3 water, both fishermen and enforcement. It's more
4 straightforward there.

5
6 Amendment 54 here put in those commercial ACL and ACT that I've
7 got displayed there on the slide, and it's a very small number,
8 and so it was a substantial reduction, and I will talk a little
9 bit about that in the context of, you know, our season duration
10 projections in the next couple of slides, and so just keep that
11 in mind.

12
13 Here is the alternatives. The no action alternative would
14 retain that trip limit with a step-down at 75 percent of the
15 ACT. Alternative 2 would get into our trip limits, but as
16 number of fish. Eight fish, seven fish, and five fish are the
17 various alternatives. The poundage that is next to that number
18 is for reference, and the ACT would still be monitored in
19 pounds, but this is to give sort of an idea relative of average
20 weight of what that fish might -- What that number of fish would
21 equate to, in terms of pounds.

22
23 Last time we met, there was sort of a general thought of, okay,
24 you know, this is what the average weight of pounds is,
25 commercially harvested, and the analysts went back and actually
26 dug into those numbers a little bit more, since the council was
27 getting kind of serious about, well, we're looking at number of
28 fish, and so they dialed that number in a little bit, and so
29 that analysis is in Appendix B, to go through that in a little
30 bit more, if you're interested in looking at how that is, and so
31 that's how these numbers were developed, the average weight of
32 32.1 pounds gutted weight for an individually-commercially-
33 harvested greater amberjack, and so that's what that equates to.

34
35 Just touching on a little bit, since this is new since the last
36 time we met, the calculation of the average weight was attained
37 from the Trip Interview Program from 2019 to 2021, with a sample
38 size of about 970, and, again, coming to that average weight.

39
40 There's always a question, when we talk about greater amberjack,
41 of is there any difference between the states, and we went ahead
42 and ran that analysis, and we didn't see any difference across
43 states, and so I didn't put that in the presentation, but it is
44 available in Appendix B, if you would like to review that.

45
46 The analysts also performed sort of an upper-bound estimate,
47 using the 75th percentile calculations, and so it increases the
48 average weight for an individually commercially-caught fish by

1 about four pounds or so, but it was an idea to also get an upper
2 bound.

3
4 This is what you get for the season length projections for the
5 commercial season, assuming that average weight of 33.4 pounds
6 whole weight, and also that upper bound of that 75th percentile,
7 and so just, in general, you're going to get a little bit
8 shorter of a season if you assume that the average weight is
9 higher, and that kind of makes sense, right, and you reach your
10 ACT a little bit faster, because the average fish is a little
11 larger, and so that's the breakdown.

12
13 The top table shows that average, and the bottom table shows
14 that 75th upper bound, and so you get the different projected
15 closure dates, the days open, the predicted change in annual
16 landings, and the proportion of trips landing that trip limit or
17 less, and so you can see the number of trips that would be
18 affected by which alternative would be selected.

19
20 Those are the various alternatives, and I think one of the
21 things that is important for the committee to sort of wrap their
22 brain around is that, again, this was a substantial decrease in
23 the ACT, and we're not talking about a lot here, and this is
24 around 94,000 pounds whole weight. If you assume an individual
25 average for a fish of 33.4 pounds and divide that out, you're
26 looking at, you know, 2,800 fish for the entire year for the
27 entire Gulf, and it's just not a lot of fish.

28
29 Again, there's a lot of assumptions in doing this, and this is
30 actually some back-of-the-napkin calculations, and so, if you
31 look at the maximum fish harvested in the Gulf per day, and
32 assuming that that's the estimate, you're down in the eleven
33 fish, seventeen fish, nineteen fish. Instead of focusing just
34 on those numbers, the point of this slide was to just get the
35 ballpark of numbers that we're talking about.

36
37 We have heard, anecdotally, that actually an average of thirty-
38 three pounds is actually a little low. Some of the commercial
39 fishermen have let us know that they catch fish that are bigger
40 than that, and so this actually, you know, may be a bit of
41 underestimating the size of the fish that's harvested.

42
43 I know there were some questions, at the last meeting,
44 potentially about high-grading. In looking at this, and at
45 least staff, you know, had talked about this a little bit, and
46 it almost seems like the season would be so sort that high-
47 grading may be there, or maybe not, but it would be such a short
48 season that actually out-of-season discards is probably where,

1 you know, some discussion might need to be had, or at least
2 thought about, a little bit in terms of that, and I would
3 imagine the season would just be very, very short, and perhaps
4 only open, you know, the January/February timeframe, for those
5 sorts of things, potentially.

6
7 Staff wanted to bring a little bit more information, again,
8 because there were so many questions about discards at the last
9 meeting, and so here is a breakdown, by year, of various
10 commercial gear types and the percent of trips that use that
11 gear type, and this is sort of aggregated hook-and-line, number
12 of trips bottom longline, divers, and then a total there.

13
14 SEDAR 70 assumed a 20 percent discard mortality across the
15 commercial fleet, and, again, this is just some information to
16 give you a little bit of context when thinking about these
17 various alternatives.

18
19 Just to wrap it up a little bit, you know, one of the requests
20 we would have of the committee is some feedback on Action 2, and
21 it's likely to be a short commercial season, with the
22 possibility of out-of-season discards occurring throughout most
23 of the year.

24
25 Potentially, if there is a selection of a preferred, and I know,
26 in looking through that table, the various tables,
27 unfortunately, there's just not a lot of contrast, in terms of
28 the alternatives that are presented here. There is some
29 uncertainty about some of the analyses done, and so it's hard to
30 differentiate what the differences in the alternatives would be,
31 because, like I said, there's not a lot of contrast between
32 them, and so it's probably within the envelope of error
33 associated with the uncertainty of those analyses, and so it's
34 difficult. You know, an alternative doesn't seem to really
35 percolate to the top, in this case, and so just something to
36 think about.

37
38 Then certainly next steps, and we'll report anything,
39 recommendations or anything, that the committee has back to the
40 IPT. We can bring a revised draft back in October, with Chapter
41 4 completed, and certainly discussion of the committee's
42 thoughts on a document timeline, when you might like to see this
43 document go final, and that would be good to take back to the
44 IPT, so that we can begin scheduling the writing of the document
45 and development. If there's any alternatives, again, even for
46 Action 1, we can certainly take those back, and the committee
47 can have us take those as well, and so that's all I have.

48

1 **CHAIRMAN FRAZER:** Okay. I will get to you in just a second,
2 Bob, but I just -- I mean, the way that I understand the action
3 schedule, right, so it is slated for final action in October.
4 It seems to me that we've had this discussion, certainly with
5 regard to Action 1 and the recreational fishing season, and
6 we're pretty good where we are there, and, obviously, we could
7 always open it up to discussion, but the real item for today is
8 Action 2, which has to do with the commercial trip limits, and
9 see if we can come to a landing there. Bob.

10
11 **MR. GILL:** Thank you, Mr. Chairman, and I don't have a good feel
12 whatsoever what the industry really feels about which option,
13 which alternative, is preferred by the industry, but the
14 document does say that the industry prefers a longer season.
15 **Given that, and given the fact that I don't have any better**
16 **information, I think we need to provoke industry response, to**
17 **give us some clarity on that regard, and, to do that, I would**
18 **like to move that, in Action 2, Alternative 4 is the preferred.**

19
20 **CHAIRMAN FRAZER:** Okay. We will get that up on the board, and
21 so a motion by Bob Gill to make Alternative 4 in Action 2 the
22 preferred. It's seconded by Dr. Sweetman. Bob, go ahead with
23 your discussion.

24
25 **MR. GILL:** Thank you, Mr. Chairman. It's not that I am
26 recommending this, but I would like to get a response from
27 industry, to provide some input to the council as to what their
28 reaction to this is, and I am fully prepared to support another
29 alternative, once we get that, and so, in a sense, this is
30 provocative, and intentionally so, and hopefully it will produce
31 a response that will help us make the final decision.

32
33 **CHAIRMAN FRAZER:** I just want to be clear that it's not a -- Are
34 you making this motion or are you not?

35
36 **MR. GILL:** No, I'm making the motion.

37
38 **CHAIRMAN FRAZER:** Okay. I understand. Okay. Thank you.
39 Susan.

40
41 **MS. BOGGS:** So I'm going to speak -- I am not going to support
42 the motion. Number one, I was going to suggest that we wait and
43 hear public comment tomorrow, but, in looking back at my notes
44 from June, and I know you weren't here, Bob, everyone that
45 commented said a limit of seven fish, which would be Alternative
46 3, but, again, I am not ready to support this, or another
47 alternative, until we hear public comment tomorrow, and I was
48 going to ask about the timeline, but you've kind of answered

1 that, Tom, but I would prefer to wait until Full Council to
2 maybe make -- To pick a preferred for this action. Thank you.

3
4 **CHAIRMAN FRAZER:** Chris.

5
6 **MR. CHRIS SCHIEBLE:** I tend to agree with what Susan just said.
7 I don't know if we have the time in order to assess the
8 difference of opinion of the commercial sector on this, and
9 we're kind of under a crunch here to get this accomplished by
10 October, correct, and so Action 1 seems to be pressing the
11 timeline more than Action 2, and I don't know if we'll get
12 enough feedback from the commercial industry on Action 2 to
13 determine whether this is the best preferred or not, and so,
14 right now, I'm going to say that I don't support this either.

15
16 **CHAIRMAN FRAZER:** Great. Thank you, Chris. Andy.

17
18 **MR. STRELCHECK:** Thanks, Mr. Chair. I like Bob's approach here.
19 I think, you know, it's good to have a preferred alternative for
20 public comment to react to. The AP has recommended, I think, a
21 trip limit that provides a longer season, but, as Susan and
22 others have mentioned, there was public testimony for a higher
23 trip limit. I'm relatively indifferent with regard to what
24 would be the preferred, and I think there is certainly benefits
25 to the longer season, having more of a bycatch limit, but also
26 benefits to having a higher trip limit and making the trips more
27 economically viable, and so, at this point, I will support Bob's
28 motion, simply to get more public comment and reaction to it.

29
30 **CHAIRMAN FRAZER:** Thank you, Andy. Captain Walker.

31
32 **MR. WALKER:** I am pretty sure this switching from pounds to head
33 was my motion at the AP meeting, and I can tell you that number
34 came from just an average of what we thought would get us around
35 250 pounds, and the commercial guys on the AP, most of them,
36 were kind of okay with that, and I really don't think five, six,
37 or seven is a deal-breaker for anybody, and, you know, I would
38 say that I do a little bit of commercial amberjack fishing
39 myself, and it's a \$2.50-a-pound fish, and so you're talking
40 about the difference of maybe a hundred bucks on a commercial
41 trip.

42
43 You know, I would certainly welcome input, but that's where the
44 number of seven came from, and there wasn't any hard science in
45 it or anything, and it was just something we threw out there in
46 trying to get to 250 or so.

47
48 **CHAIRMAN FRAZER:** Okay. Thanks, Ed. All right. Is there any

1 further discussion? I just want to remind folks that,
2 regardless of the way that the vote goes on this particular
3 motion, we can always modify our preferreds after we hear public
4 testimony. **It seems like there's a number of people either in**
5 **favor or in opposition, and so, just by a show of hands, all**
6 **those in favor.** Andy and Dale, you're online. Yes or no?
7

8 **MR. STRELCHECK:** I am in favor.
9

10 **CHAIRMAN FRAZER:** Dale?
11

12 **MR. DIAZ:** No.
13

14 **CHAIRMAN FRAZER:** No. Okay. **We've got nine yes. All those**
15 **against, including Dale's one. Okay. The motion carries nine**
16 **in favor and six against. It looks like we're nine to seven.**
17 Sorry about that. All right. **In any case, the motion carries.**
18 We will certainly have some discussion about it following public
19 testimony in Full Council. All right. Dr. Hollensead, is that
20 all we have to do here? All right. J.D.
21

22 **MR. J.D. DUGAS:** Thank you, Mr. Chair. I have a question,
23 before we move away from amberjack. Last August, there was a
24 motion made to explore state management for amberjack, and I
25 haven't heard anything about it, where it is, and I think it's
26 way at the bottom of the list, and my question is what's the
27 plan to move forward?
28

29 **CHAIRMAN FRAZER:** That's a good question, J.D. We did not put
30 it on the agenda, for sure, and so let me get with staff and
31 review kind of the motions document and see where it sits and
32 where it might sit in the action schedule moving forward, and I
33 will get back to the group after lunch on that one.
34

35 All right, and so I am debating. We're a half-hour before our
36 scheduled lunch, and I'm just going to kind of get a feel for
37 folks at the table. We could probably eat now, right, or break
38 for lunch now, and come back at 1:00, as opposed to 1:30, or we
39 could try to squeeze something in now, but I'm afraid, with
40 thirty minutes, we may not complete our task, particularly if
41 the next discussion item has to do with yellowtail snapper, and
42 so my preference is we probably break for lunch now and come
43 back at 1:00. Is there any opposition to that? All right.
44 That is the plan, and we will see everybody back at 1:00.
45

46 (Whereupon, the meeting recessed for lunch on August 15, 2023.)
47
48

- - -

1
2 August 15, 2023

3
4 TUESDAY AFTERNOON SESSION

5
6 - - -
7

8 The Reef Fish Management Committee of the Gulf of Mexico Fishery
9 Management Council reconvened at The Driskell in Austin, Texas
10 on Tuesday afternoon, August 15, 2023, and was called to order
11 by Chairman Tom Frazer.

12
13 **CHAIRMAN FRAZER:** All right, guys. We're going to get started.
14 We're going to pick up with the Reef Fish Committee, and we're
15 going to move into yellowtail snapper, but, before we do that, I
16 just wanted to let people know that Sam Rauch and Maureen Trnka
17 are here from the national office, I guess, in D.C., and so Sam
18 is going to be around, and Maureen is going to be around, for
19 the next day-and-a-half or so, and she's got meetings, and Sam
20 has meetings, here, in and out of this meeting, but he's
21 available, and, if we get some time, maybe tomorrow, we'll have
22 him say a few words, if he's willing.

23
24 Sam, we're not going to put you on the spot right now, and we'll
25 go ahead and continue with the agenda, and so the first thing up
26 is yellowtail snapper, and so we will go ahead with Ryan.
27 Excuse me. Carly, go ahead.

28
29 **DRAFT: SNAPPER GROUPER AMENDMENT 44/REEF FISH AMENDMENT 55:**
30 **CATCH LEVEL ADJUSTMENTS AND ALLOCATIONS FOR SOUTHEASTERN U.S.**
31 **YELLOWTAIL SNAPPER**
32

33 **MS. CARLY SOMERSET:** Thank you, Mr. Chair. All right, and so I
34 will just -- Since we have the action guide up, and I don't have
35 a presentation this time, but I will go through the snapper
36 grouper amendment, and so this is a joint amendment with the
37 South Atlantic concerning catch level adjustments and
38 allocations for yellowtail snapper.

39
40 I will review the proposed management alternatives for the
41 amendment. There have been a few changes since the last time
42 you saw it, and so I'll just update you on that, and so it
43 evaluates the actions that look at the jurisdictional allocation
44 as well as the catch limits. They will be seeing it at their
45 meeting in September, and so we're just going to review the
46 actions and alternatives, and so please ask questions and
47 provide feedback, and we'll plan to move forward with this based
48 on what you have here to discuss and what the South Atlantic

1 sees. If you could go to the summary section, and I believe
2 it's the first --

3
4 Perfect. Okay. Thank you, and so just some background first,
5 before we get into the actions and alternatives. Just to
6 refresh everyone's memory on where we're at, and then for the
7 new members, and so yellowtail snapper in the Southeast is
8 considered a single stock, and so, like I said, it's managed
9 jointly with the South Atlantic, and so we have one document,
10 but it's two FMPs, which is why you see the 44 and 55, but we
11 both are using the same document.

12
13 The last assessment was SEDAR 64, and that used data through
14 2017, and so, after that, there was a SEDAR 64 interim analysis
15 that was done to update the data through 2020, and so that was
16 used to adjust the projections of the spawning stock biomass,
17 the recruitment, retained yields, and update the landings and
18 discards to inform the OFL and the ABC. Then the interim
19 analysis indicated that the stock is not overfished and is not
20 undergoing overfishing.

21
22 Since the SEDAR 64 interim analysis provided updated information
23 to the OFL, ABC, and the catch limits, this amendment that we'll
24 go through has actions to examine the OFL and ABC and
25 jurisdictional allocations and then update the ACLs for the Gulf
26 and South Atlantic, and then, in the South Atlantic, they have
27 sector allocations as well, and so just another thing to note
28 that the status quo currently -- Before SEDAR 64, this is using
29 the MRFSS data units, and so we would be shifting from MRFSS to
30 MRIP-FES.

31
32 If we scroll down to the purpose and need and what actions are
33 being proposed, and so just a few more things to note before I
34 will probably pause for discussion, and so, at the previous
35 meeting, you all saw the presentation that I went through that
36 outlined this document, and then the actions and alternatives
37 that -- I mostly focused on the ones that impact us in the Gulf,
38 but, to bring up some of the specific topics that were discussed
39 at the last meeting, there were some data issues, and I would
40 like to just mention those briefly and clear up some.

41
42 Specifically, the one that was brought up at the last meeting
43 was a -- It was a commercial data issue in 2008 that was a
44 result of a coding error in the Dry Tortugas area, and so we
45 went down that rabbit hole, all the authors on this document and
46 the IPT, and to make sure that it had been resolved, and that
47 has been put to bed, essentially, and so we can move forward
48 with the datasets, and we've made sure that what we're using are

1 appropriate, and so I just wanted to have that on the record,
2 and then we also will be looking at, you know, the
3 jurisdictional allocations, and so I just wanted to make sure,
4 again, that everyone knows that it would be a shift.

5
6 Status quo is currently MRFSS, and so it would be, for Action 1,
7 the jurisdictional allocation, no action, would maintain MRFSS,
8 but the others would update it to what SEDAR 64 and the SSC
9 recommended in the OFL, ABC, and the catch limits in MRIP-FES,
10 and so I will go ahead and -- I will just read the purpose and
11 need, and then I will probably pause, to see if there's any
12 questions or discussion before I go into the first action.

13
14 The purpose of this FMP amendment is to revise the southeastern
15 U.S. yellowtail snapper overfishing limit, acceptable biological
16 catch, and the jurisdictional allocations in the South Atlantic
17 and Gulf Councils, the South Atlantic annual optimum yield, and
18 revise the South Atlantic and Gulf annual catch limits and the
19 South Atlantic sector allocations. This is based on the results
20 of the 2020 SEDAR 64 stock assessment and the subsequent interim
21 analysis.

22
23 The need for this FMP amendment is to update existing catch
24 limits and allocations for southeastern U.S. yellowtail snapper
25 to be consistent with the best scientific information available
26 and achieve optimum yield, while minimizing, to the extent
27 practicable, adverse social and economic effects, and so this
28 will bring us to -- Bernie, if you could scroll to Action 1.
29 Perfect, and I will pause here, to see if there's any questions
30 so far, or discussion, or if there's any questions, but I just
31 wanted to make sure that I addressed the data issues, and if
32 there's anything else that needs to be brought up.

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

35
36 **DR. SWEETMAN:** Thanks, Carly and Mr. Chair. All right, and so
37 I've been having some -- I am very confused now, actually, based
38 on the IPT saying that those data issues have been fully
39 resolved, and from the perspective that it was only six months
40 in 2008, and that was not my understanding, and that it was a
41 multiple-year thing. I am struggling with how to navigate this,
42 but I kind of feel that some of this should -- So the South
43 Atlantic Council is the administrative lead here on this
44 amendment, and I hate putting a delay on this, considering some
45 of the discussions that we've been having, but part of me wants
46 to put a pause, just so the South Atlantic Council can review
47 this information, and before we get too far ahead of ourselves
48 and the South Atlantic Council doesn't necessarily agree with

1 kind of the thought process that we're moving towards here, and
2 so I'm happy to have a discussion about that, and I'm happy to
3 offer a motion along those lines. I probably will, but I'm
4 happy to have any discussion.

5

6 **CHAIRMAN FRAZER:** Carly.

7

8 **MS. SOMERSET:** Thank you, Mr. Chair. I just wanted to say that
9 I think -- I believe -- I saw Alicia Gray on earlier, and Allie
10 on the South Atlantic is listening, and we did go deep down the
11 rabbit hole of the 2008 issue, and I don't know if they would,
12 you know, like to mention any other things that we looked at, as
13 far as the data, but we did confer with SERO, and the commercial
14 datasets and the recreational, that what we're using is
15 consistent, and it's what was used -- We checked the stock
16 assessment, and so, as far as we know, the data issues have been
17 resolved, but I understand your concerns, C.J. There's a lot of
18 moving parts to this one, and it was paused and then brought
19 back up again, and so I don't know if they would like to -- If
20 either of them would like to comment, but I just wanted to state
21 that they are listening.

22

23 **CHAIRMAN FRAZER:** Okay. We will certainly give the folks from
24 the South Atlantic an opportunity to chime-in here, but I see
25 that Andy Strelcheck has his hand up right now, and so let's
26 first go to Andy.

27

28 **MR. STRELCHECK:** I just wanted to say that I appreciate C.J.'s
29 comments, but I would encourage us to continue, you know,
30 working through the document and not delaying action. I think,
31 given the amount of time it takes to navigate a joint amendment
32 between the two councils, it would be good for us to, obviously,
33 have discussion now. The South Atlantic Council meets in a
34 little less than a month, and so any concerns or issues raised
35 today will be shared by me and Allie and others, obviously, at
36 the South Atlantic Council.

37

38 **CHAIRMAN FRAZER:** Thanks, Andy. Dr. Sweetman.

39

40 **DR. SWEETMAN:** I see that Allie has her hand up, and, actually,
41 you can go to her first.

42

43 **CHAIRMAN FRAZER:** Okay. Allie, can you hear us okay?

44

45 **MS. ALLIE IBERLE:** Yes, and can you guys hear me?

46

47 **CHAIRMAN FRAZER:** We sure can, and so --

48

1 **MS. IBERLE:** Perfect. C.J., I wanted to clarify, and so the
2 2008 issue -- So the years used in that formula that got us to
3 the 75/25 percent allocation -- The only -- You're correct in
4 that that issue spanned a longer time. However, the only year
5 used in that formula that contained the issue was 2008, and the
6 error occurred late enough in 2008 that it didn't affect that
7 allocation percentage in the Comp ACL Amendment.

8
9 The other thing that we checked was the data that we were using
10 to calculate everything else in this amendment, and we made
11 sure, and confirmed with FWC, that those data didn't include the
12 issue, and so we kind of checked it on both sides. Does that
13 make sense?

14
15 **CHAIRMAN FRAZER:** C.J.

16
17 **DR. SWEETMAN:** Yes and no, because I'm hearing different things
18 from other South Atlantic Council members, Allie.

19
20 **CHAIRMAN FRAZER:** I am going to just make a suggestion, and I'm
21 going to follow-up on Andy's comments. Carly, if we can go
22 ahead and continue to work through this document, and so one of
23 the reasons that we pushed this document back last time was to
24 further investigate the data concerns, right, the coding issues
25 that occurred in 2008 and their potential effects on the various
26 alternatives and various actions, and so I think if we can go
27 ahead and continue to work through this. I know that there is
28 some duplicity, with regard to some of the alternatives,
29 particularly as they relate to the allocations.

30
31 You know, we've heard, obviously, some concerns about what we
32 might do moving forward with regard to some of the FES
33 situation, and I think, as C.J. correctly pointed out, the South
34 Atlantic is the lead council for this one, and they have not had
35 the opportunity yet to meet, I think, with Evan to discuss some
36 of the changes that are going on with FES, and so I think we
37 should continue to work through this document. We can identify
38 any issues that we might have, or make suggestions for
39 improvements, and then we can continue to move forward in that
40 regard. Ms. Levy.

41
42 **MS. LEVY:** Thank you, and I'm sorry if I missed it, but I don't
43 know if it's helpful to just note that, on the schedule, it
44 looks to me like you're looking at a draft and then -- The South
45 Atlantic really is ahead, because, at their next meeting,
46 they're looking at a public hearing draft. In October, you're
47 looking at a public hearing draft, and so, in a sense, they're
48 ahead, and it just happens that you're looking at another draft

1 right now, before it gets to the public hearing draft stage, and
2 is that correct?

3

4 **CHAIRMAN FRAZER:** Carly.

5

6 **MS. SOMERSET:** Thank you, Mr. Chair, and thanks, Mara, for
7 bringing that up, and so the proposed timeline is very similar
8 to what you said, in the sense that they -- Because they're the
9 lead, they would likely -- We're seeing it with some additions,
10 and Chapter 3 has been included now, and so, even though we've
11 both been working on it, we are seeing that prior to the South
12 Atlantic. They are right behind us at their next meeting in
13 September, but, because of the data issues, I think we had a
14 proposed timeline of having a draft for public hearings, but
15 that's been pushed back a little, because of the data issue.

16

17 We had more difficulty drafting Chapter 4, and so we were hoping
18 to have Chapters 3 and 4 together, but we have Chapter 3 that
19 we're looking at now, and the South Atlantic will have Chapters
20 3 and 4, and so it pushed it back, but then I guess they will
21 have a more complete draft to look at, and so that may lead to
22 them making decisions that we might not have a chance to at this
23 meeting, depending on how comfortable you all are with my
24 discussion of these actions and alternatives, and so does that
25 answer your question, Mara?

26

27 **MS. LEVY:** Right, but then it's coming back in October, right?

28

29 **MS. SOMERSET:** Yes.

30

31 **MS. LEVY:** That's my point, is that we have two meetings, and
32 they have one, and we're bookending them, and so we get another
33 opportunity after they meet.

34

35 **MS. SOMERSET:** Yes. Thank you.

36

37 **CHAIRMAN FRAZER:** I mean, again, to be more specific, right,
38 there will be a public hearing draft generated, right, after the
39 South Atlantic's meeting.

40

41 **MS. SOMERSET:** Yes.

42

43 **CHAIRMAN FRAZER:** That we will have an opportunity to review in
44 October. Okay. We are all on the same page, I think, except
45 for Captain Walker. Go ahead, Ed.

46

47 **MR. WALKER:** Right. I just -- I can't sit here and not put out
48 the fact that we're getting ready to change regional allocations

1 based on FES, when Alternative 1 says no action based on MRFSS,
2 and I understand the council is interested in moving forward,
3 and I get that, but maybe just for the record to the South
4 Atlantic, who is the lead, that we expressed some concern about
5 making such drastic changes, due to the question of information
6 on FES.

7
8 **CHAIRMAN FRAZER:** All right. So noted. Carly, do you want to
9 go ahead then and continue?

10
11 **MS. SOMERSET:** Thank you, Mr. Chair. All right. It looks like
12 we have Action 1 up there, and, actually, thanks, Mara, for
13 bringing that up, and I did mean to note that we -- Since the
14 last meeting, we have added Chapter 3, and we are currently
15 working on Chapter 4 with the South Atlantic, and so we don't
16 have all the effects, the indirect and direct effects, analysis
17 yet, but that is -- That's in the works. We should have it for
18 the South Atlantic meeting. Then there have been some changes
19 to the alternatives in Action 1, and so I will go through those
20 right now.

21
22 Action 1 is to modify the yellowtail stock overfishing limit and
23 stock ABC, and then it also looks at the jurisdictional
24 allocation of that stock ABC between the South Atlantic and the
25 Gulf Councils.

26
27 Alternative 1 is the no action, and that bases the OFL, our
28 current OFL and ABC, based on the previous SEDAR stock
29 assessment, and that was 27A, and that was in 2012, and so
30 that's why it's still in MRFSS and that we would shift that to
31 FES, and so the first alternative, no action, has the current
32 jurisdictional allocation at 75 percent to the South Atlantic
33 and 25 percent of the stock ABC to the Gulf, and, again, that's
34 in MRFSS.

35
36 This is based on the jurisdictional allocation of -- Sorry. The
37 jurisdictional allocation is based on 50 percent of the average
38 landings from 1993 to 2008 plus 50 percent of the average
39 landings from 2006 to 2008, and so apologies to Allie for
40 putting her on the spot, and she did a much better job than I
41 could have of explaining the data error, and that's what she was
42 pointing to, is that method.

43
44 The 2008 is a portion of that, but where we found the potential
45 issue was -- It became a non-issue when you look at how the
46 method to get the current allocation was done, and we did go
47 back and check, and it did not change the original
48 jurisdictional allocation of 75/25, and so thanks to Allie and

1 Kelly O'Donnell for working with me on making sure that all of
2 that was okay, and so that is Alternative 1, the no action.

3
4 Then Alternative 2 is essentially the same as the no action,
5 Alternative 1, in that you would maintain the jurisdictional
6 allocations of 75/25, but you're transposing those on the
7 updated ABC, and so you would -- If you all like, if the South
8 Atlantic Council likes, the 75/25 apportionment between the two
9 councils, you would maintain that, but change the OFL and ABC to
10 reflect MRIP-FES data units, rather than keeping it in MRFSS,
11 which is no longer consistent with BSIA.

12
13 Alternative 3, and one other slight modification here, and, the
14 last time you saw it, it showed 81/19, and so, when I presented
15 this to you at the last meeting, and then the South Atlantic
16 Council saw it immediately after, we came across a calculation
17 error, and so this alternative has been updated to 80/20, and so
18 it's very similar, and, because it changed, Alicia ran analyses,
19 projection analyses, and, for the Gulf, there are no projected
20 closures, and so this is another slight change from what you saw
21 previously. The South Atlantic Council did see it with the
22 updated projections and the 80/20 instead of 81/19.

23
24 Alternatives 4 and 5 have the same results for jurisdictional
25 allocation, in that they both end up with 84 percent to the
26 South Atlantic and 16 percent to the Gulf. However, the methods
27 used to reach each of those is different, and so, if you are all
28 amendable to -- If you're thinking of going in the direction of
29 one of these alternatives, you could choose one of the methods,
30 and the South Atlantic would have to do this as well when they
31 see it, but just know that the results are the same.

32
33 However, in Alternative 4, you're applying the MRIP-FES to the
34 2012 through 2021 fishing year, and so it's just using a method
35 that's using more updated landing years, and then the average
36 landings from that period yield that jurisdictional allocation
37 of 84 percent to the South Atlantic and 16 to the Gulf.

38
39 Alternative 5, again, it results in 84 percent to the South
40 Atlantic and 16 percent to the Gulf, but you are basing that on
41 50 percent of the average landings from 1993 to 2008 plus 50
42 percent of the average landings from 2006 to 2008, using MRIP-
43 FES, and so, however you work it, you end up with the same
44 result, and it was just a matter of having both of these in here
45 for NEPA and some other -- We figured it would be easier to
46 separate into two alternatives than to refer to having the same
47 alternative with two different methods, and so these are all the
48 alternatives in Action 1, and I will pause here to see if

1 there's any questions.
2
3 **CHAIRMAN FRAZER:** All right. Does anybody have any questions
4 with regard to Action 1, Alternatives, actually, 2 through 5? 1
5 is not viable.
6
7 **MS. SOMERSET:** Right.
8
9 **CHAIRMAN FRAZER:** C.J.
10
11 **DR. SWEETMAN:** So just a point here. We obviously have
12 Alternative 4 and 5 effectively the same, and I'm wondering if
13 maybe it's appropriate here to -- I'm not sure if choosing
14 preferreds is the appropriate thing to do, obviously,
15 considering I would prefer for the South Atlantic Council to see
16 this first, but maybe we could potentially streamline some of
17 this, from an analysis perspective. The 84/16, they're the same
18 for both Alternative 4 and 5, and it's just the way that you get
19 to it, basically, and so, looking around the room, I'm seeing if
20 there's any interest in potentially removing one of these as an
21 option, and is that what you're potentially looking for here,
22 Carly?
23
24 **MS. SOMERSET:** Yes, and, if you have a preference. I mean,
25 you're right, C.J., and the South Atlantic will see this, and
26 will have to discuss it as well, right, and would have to agree
27 that one of them is removed, but you could choose, because they
28 end up in the same result, to have one Considered but Rejected,
29 and then see how the South Atlantic feels about doing the same
30 thing.
31
32 **CHAIRMAN FRAZER:** I mean, so, C.J., given that Alternative 4
33 appears to be more data-rich, we might prefer to stay with that
34 one, or at least make the suggestion that we remove Alternative
35 5 for the South Atlantic to consider.
36
37 **DR. SWEETMAN:** Yes, and that's exactly where I was going at, Mr.
38 Chair. Do you need a motion there? Yes? Okay. **So Alternative**
39 **5.** Thank you.
40
41 **CHAIRMAN FRAZER:** All right. **We have a motion on the board, in**
42 **Action 1, to move Alternative 5 to Considered but Rejected.**
43 That was seconded by Bob Gill. Is there any further discussion?
44 C.J.
45
46 **DR. SWEETMAN:** Just to put it on the record, I mean, as Tom was
47 saying, Alternative 4 has much more data-rich data streams
48 there, and so that would be the primary reason for keeping

1 Alternative 4 in there, but removal of Alternative 5.

2

3 **CHAIRMAN FRAZER:** Okay. Any further discussion?

4

5 **MR. STRELCHECK:** Tom, I have my hand up.

6

7 **CHAIRMAN FRAZER:** Go ahead, Andy.

8

9 **MR. STRELCHECK:** Given that this is going to go to the South
10 Atlantic Council, I don't know, obviously, what they are going
11 to prefer, and I agree with the rationale of using a more recent
12 time series, in terms of keeping Alternative 4. Alternative 5
13 though is essentially the formulaic version of what the South
14 Atlantic has used historically, and so they might have an
15 interest in maintaining that one. **Rather than being definitive,**
16 **in terms of moving Alternative 5 to Considered but Rejected,**
17 **should we maybe soften the motion, or I'm suggesting softening**
18 **the motion, to the South Atlantic to consider moving Alternative**
19 **5 to Considered but Rejected and not making that decision now,**
20 **so we're not in a back-and-forth between the two councils?**

21

22 **CHAIRMAN FRAZER:** Andy, I think that's a good suggestion, and,
23 if C.J. is willing to accept that as a friendly amendment to the
24 motion, we can modify it accordingly and move on.

25

26 **DR. SWEETMAN:** I agree with Andy, and I'm in favor of that
27 friendly amendment.

28

29 **CHAIRMAN FRAZER:** Before you okay the second, let's see what
30 Mara has to say.

31

32 **MS. LEVY:** So you can do that, but what's going to end up
33 happening is that you're going to -- So you're asking them to
34 remove it, and you both have to agree, right, and so, if you say
35 you're moving this to Considered but Rejected, and the South
36 Atlantic Council makes the same motion in September, it won't be
37 there in the October version, presumably. If you don't do that,
38 and you just ask them to remove it, and they motion to remove
39 it, then you have to come back in October and then remove it,
40 and so, I mean, eventually, you have to agree, but you saying
41 you want to remove it is just more efficient than asking them to
42 say it so then you can say it later.

43

44 **CHAIRMAN FRAZER:** I certainly appreciate those comments and
45 understand where you're coming from, and I think Mr. Strelcheck
46 is trying to play really nice here, and I think that C.J. was as
47 well, but, if the agency is urging us to be a little more
48 direct, then we can do that.

1
2 **MS. LEVY:** I am not urging you. I am just sort of -- I just
3 want you to realize that the process just means that it's going
4 to be there in October, even if they agree to remove it, and
5 then you have to actually remove it, and that's fine, as long as
6 that's what you're --
7
8 **CHAIRMAN FRAZER:** Mr. Gill.
9
10 **MR. GILL:** I don't accept the friendly amendment. I think we
11 accomplish what we're trying to do as effectively as we can in
12 the original motion, and so I don't support the modification.
13
14 **CHAIRMAN FRAZER:** Okay. So, given that Mr. Gill does not accept
15 that modification, is there a second, or is there a substitute
16 motion? Mr. Gill.
17
18 **MR. GILL:** Thank you, Mr. Chairman, and so we just go back to
19 the original motion, under a normal situation, and consider
20 that.
21
22 **CHAIRMAN FRAZER:** Okay.
23
24 **MR. GILL:** However that applies.
25
26 **CHAIRMAN FRAZER:** But we don't have a second for this.
27
28 **MR. GILL:** We haven't made the change yet. The way we normally
29 do business, a friendly amendment is accepted by the maker and
30 the seconder, and we don't have that, which means we go back to
31 the original motion, and that's what is on the table.
32
33 **CHAIRMAN FRAZER:** Fair deal. C.J. is going to decide whether or
34 not he wants to keep the motion on the board or withdraw it.
35
36 **DR. SWEETMAN:** I am going to withdraw the motion. Thank you.
37
38 **CHAIRMAN FRAZER:** Again, I'm trying to help out here, Bob, and
39 so now -- Captain Walker.
40
41 **MR. WALKER:** How about if we just leave it and let people pick
42 what they want. If you have another alternative to consider,
43 it's not hurting anything, right, and you don't have to take it.
44 Just leave it on the list. Am I missing something?
45
46 **CHAIRMAN FRAZER:** So we have -- In my opinion, Ed, we've got two
47 alternatives on the board that get us to the same place, but
48 we're trying to streamline and simplify the document and give

1 the South Atlantic some guidance here, so we can be efficient in
2 the process.

3
4 **MR. WALKER:** So this is streamlining? They get to the same
5 place, the end result, and it's your call, but I'm starting to
6 wonder how long we need to go round-and-round to get to the same
7 place here.

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

10
11 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so I
12 guess I will ask, and could the council just request that these
13 alternatives be consolidated, including the two rationales, in
14 one alternative that results in the same percentage?

15
16 **MS. LEVY:** So I wouldn't suggest that. I mean, we shouldn't be
17 picking the allocation based on the outcome, right, and you're
18 picking it -- You're picking how you want to determine what the
19 allocation is, and the percentages fall out from that, and so is
20 it more appropriate to use the last more recent ten years to
21 determine it, or is it more appropriate to use the original
22 formula, which I think is what that is, that stops in 2008?
23 What's the answer to that question?

24
25 They happen to fall out the same, but what is the basis for the
26 allocation, and that's what you should be considering. You can
27 leave them both here, and, I mean, they come out the same, but,
28 in terms of the rationale for what you're picking -- I will also
29 note that, even if you don't do anything here, the South
30 Atlantic could come back in September and want to vote to remove
31 it, and then you come back in October and vote to remove it,
32 and, I mean, it seems like sort of semantics at this point, in
33 terms of the language you use to indicate which one you would
34 prefer be removed.

35
36 **CHAIRMAN FRAZER:** Understood. Mr. Strelcheck.

37
38 **MR. STRELCHECK:** Sorry to create such confusion based on my
39 comments earlier. You know, I was just trying to head off,
40 potentially, some disagreement between the councils with regard
41 to rationale, and I fully understood that, if we ask the South
42 Atlantic Council to weigh-in on removing Alternative 5, it would
43 have to come back to the Gulf Council in October for a final
44 decision, you know, and voting on that.

45
46 Given that the South Atlantic Council is the lead on this
47 amendment, I feel like we need to give them deference with
48 regard to some of these decisions, and we're out ahead of them,

1 simply because we've been able to have a couple of meetings in
2 between when they have met, and so I would go back to, I guess,
3 the -- We could either take this one of two ways, right, and we
4 can just capture this discussion, and what I believe is the
5 general recommendation of the council, and Allie and myself and
6 others can share that with the council and get them to vote this
7 up in September, or we can go back to making a specific motion
8 with regard to recommending this to the South Atlantic.

9
10 **CHAIRMAN FRAZER:** Mr. Rindone and then Dr. Sweetman.

11
12 **MR. RINDONE:** Thank you, Mr. Chair. To Mara's point about --
13 You know, what you're talking about here is the method for
14 determining the allocation and not the resultant percentage, and
15 so, you know, do you like the method that's being used that will
16 ultimately end up in that percentage, and so, if we're talking
17 about Alternative 5, and we're thinking about this from the
18 perspective of the Gulf of Mexico, something that we've seen,
19 especially in the last ten years, is more and more landings of
20 yellowtail snapper occurring further north than they have
21 historically, you know, especially off of areas like just south
22 of Tampa Bay and Sarasota and Longboat Key and places like that,
23 heading towards like Charlotte County.

24
25 The number of interactions that we're seeing in the landings of
26 yellowtail has gone up over the last ten years, and so there's
27 been a change in the distribution of catches in the Gulf in the
28 recent time period, which is not captured by the current
29 application of the South Atlantic's Bow Tie approach in
30 Alternative 5, and so, if you were looking for a reason to
31 consider getting rid of Alternative 5, that might be one.

32
33 **CHAIRMAN FRAZER:** Fair deal, Ryan, and so, again, I think what
34 we're trying to do here is to provide some information to the
35 South Atlantic Council that best conveys the Gulf Council's
36 perspective in a way that is going to be acceptable to them.
37 C.J.

38
39 **DR. SWEETMAN:** To that point, let me try another motion here
40 with some different language, potentially. This is not going to
41 be that complicated. **In Action 1, to suggest to the South
42 Atlantic Fishery Management Council to move Alternative 5 to
43 Considered but Rejected.**

44
45 **CHAIRMAN FRAZER:** All right. Is there a second to that motion?

46
47 **MR. STRELCHECK:** I will second it.

1 **CHAIRMAN FRAZER:** It's seconded by Mr. Strelcheck. Again, I
2 think Ryan made a first crack at providing some rationale, and
3 if C.J. wants to add any more rationale to that. Otherwise, we
4 can vote it up or down.

5
6 **DR. SWEETMAN:** I thought Ryan hit the nail on the head, in
7 addition to some of the other factors that I discussed
8 previously, as it relates to the data streams in Alternative 4
9 and why the Gulf Council would be potentially considering this,
10 but, given what Andy recognized there, maybe this might be
11 something that the South Atlantic Council would like to do, and
12 that's why it's just the word "suggest" is in there.

13
14 **CHAIRMAN FRAZER:** Okay. **All those in favor of the motion, raise**
15 **your hand.** Mr. Diaz?

16
17 **MR. DIAZ:** Yes.

18
19 **CHAIRMAN FRAZER:** Okay. **All those against.** All right. **The**
20 **motion carries thirteen to one.** All right, Carly. You can
21 continue on, please. Ms. Levy.

22
23 **MS. LEVY:** Thank you. I guess I just want to -- So, I mean,
24 just to think about this, and you can certainly operate the way
25 you want to, which is not a legal thing, but the South Atlantic
26 being the administrative lead on the document means that it's
27 structured the way that they would structure amendments and
28 things like that, but, for actions that affect either the Gulf,
29 because there is an action in here that's the Gulf, right, or
30 actions that affect both councils, there is no lead, per se,
31 right, and you both --

32
33 I could see if this was a South-Atlantic-only action, that you
34 might have a lot of deference to what the South Atlantic wants
35 to do with their portion of the catch limit, but, when you're
36 talking about an allocation between the Gulf and the South
37 Atlantic, or an action that sets, you know, Gulf ABCs and Gulf
38 ACTs, there's not that same potential deference, and I just want
39 to make sure that administrative lead means sort of the
40 background lead in getting the document together and following
41 the format and everything, and it doesn't mean that there
42 necessarily has to be a deference on things that actually affect
43 both councils' jurisdiction.

44
45 **CHAIRMAN FRAZER:** Okay. I am good with all of that, and I
46 expect that the South Atlantic Council will see this, right, and
47 they will probably make a decision in their meeting with regard
48 to these two alternatives and remove one of them from the

1 document, and, to your point, Mara, it will come back, and we'll
2 see that change. Okay, Carly.

3
4 **MS. SOMERSET:** Thank you, Mr. Chair. That motion was made on
5 Action 1, and I guess, if there -- I can move on to Action 2, or
6 this may be the opportunity to make sure that the range of
7 alternatives in Action 1 is appropriate, if the council is good
8 with what we have here, before it moves to the South Atlantic,
9 if it is a reasonable range of alternatives. If not, I can move
10 on to Action 2.

11
12 **CHAIRMAN FRAZER:** Yes, and so, I mean, we have three different
13 allocation scenarios at present. I mean, that's typical of what
14 we might provide, and so, unless there is any will from the
15 council to suggest an additional allocation alternative, we will
16 move on. Okay, Carly. I am not seeing any.

17
18 **MS. SOMERSET:** Thank you, Mr. Chair. Sounds good. Bernie, if
19 you could move to Table 2.1.1.1. I just wanted to point out
20 here that -- Now that we've dispensed with that discussion on
21 Action 1, that, throughout the document, this will remain the
22 same, when the South Atlantic sees it.

23
24 Because the South Atlantic is the lead, and this is how they set
25 up their documents, and so you see that there's two, Alternative
26 4 and Alternative 5, and everything is color-coded, but that
27 they're both 16/84, and this applies to the updated analyses
28 that Alicia did as well, and so I just wanted to point that out,
29 you know, if you're intending to look through it, that
30 everything was shifted to have Alternative 4 and Alternative 5
31 separate, even though they remain the same allocation
32 percentages, but this table gives you what the OFL and ABCs
33 would be, based on each alternative.

34
35 We can move on to Action 2, and, Bernie, if you scroll down, I
36 think it's just below this table. Perfect. All right, and so,
37 in Action 2, there are two sub-actions, because these pertain to
38 the South Atlantic and then the Gulf, and so I'm just going to -
39 - I will go through quickly through Sub-Action 2a, just because
40 it refers to the South Atlantic, but it would -- Action 2
41 revised the total annual catch limit and annual optimum yield
42 for yellowtail snapper in the South Atlantic, and it revises the
43 total annual catch limit for yellowtail snapper in the Gulf, and
44 so, just to clarify, the South Atlantic has an annual optimum
45 yield, and that's not the same as the optimum yield, and so
46 that's clarified here in this action.

47
48 Sub-Action 2a revises the South Atlantic total annual catch

1 limit and their annual optimum yield for yellowtail snapper to
2 reflect the new overfishing limit, acceptable biological catch,
3 and then jurisdictional allocation, and so everything from here
4 on in the document is dependent upon whatever is chosen as the
5 preferred in Action 1, the jurisdictional allocation.

6
7 Keeping that in mind, Alternative 1 is the no action, and so the
8 South Atlantic total ACL and their annual optimum yield would be
9 equal to the current South Atlantic ABC, and that is a little
10 over three-million pounds whole weight, and that would be based
11 on the results of SEDAR 27A, and, again, this is not a viable
12 alternative, because it's not consistent with BSIA, because it's
13 in MRFSS and not MRIP-FES.

14
15 Alternative 2, the total ACL and annual optimum yield would be
16 equal to the updated South Atlantic ABC level resulting from
17 whatever would be chosen for the jurisdictional allocation in
18 Action 1, and this would update everything to the SEDAR 64
19 interim analysis, and we'll put that in MRIP-FES. Then
20 Alternative 3, the total ACL and annual optimum yield would be
21 equal to 90 percent of the updated South Atlantic ABC.

22
23 Again, this would be based on the SEDAR 64 interim analysis, and
24 so it would update it to MRIP-FES, and Alternative 4, proceeding
25 in the same manner, would set the total ACL and annual optimum
26 yield to 95 percent of the South Atlantic ABC, and so I just
27 wanted to point those out. Those all pertain to the South
28 Atlantic, and so we can move -- I apologize.

29
30 Alternative 5, the total ACL and annual optimum yield would be
31 equal to the lowest updated South Atlantic acceptable biological
32 catch value, and then Alternative 6 is the total annual catch
33 limit and annual optimum yield would be equal to the constant
34 catch of the fishing mortality rate at a 30 percent SPR
35 equilibrium, and so all of those are to pertain to the South
36 Atlantic and how they would modify their apportionment of the
37 ACL and their annual optimum yield, and so I will move on from
38 that to ours, which would be Sub-Action 2b. This is their table
39 for essentially showing everything that I just discussed, if you
40 choose to look at it. Then, if you keep going to Sub-Action 2b,
41 we'll focus on ours.

42
43 All right, and so this revises the Gulf acceptable biological
44 catch and buffer to set a total ACL. Again, all of these are
45 dependent on the jurisdictional allocation that will be chosen
46 in Action 1, and so all of these -- Well, Alternative 2 and 3
47 would be updated, and then Alternative 1, that you can see here,
48 is the no action, and that would retain the current 11 percent

1 buffer between our ABC and our ACL.

2
3 This is based on the calculation of our ACL/ACT Control Role,
4 using MRFSS landings from 2008 to 2011, and so, again, this is
5 not consistent with BSIA, because it hasn't been updated to
6 MRIP-FES.

7
8 If we scroll down to Alternative 2, this would modify the buffer
9 between the Gulf's ABC and ACL, based on whatever is chosen in
10 Action 1, and so whatever the updated ABC would be, and this
11 would give an 8 percent buffer, and this is based on MRIP-FES
12 landings data from the 2017-2018 through 2020-2021 fishing
13 years.

14
15 Alternative 3 is, so instead of -- Alternative 1 retains the 11
16 percent, and Alternative 2 would shift it to an 8 percent
17 buffer, and Alternative 3 would eliminate the buffer altogether
18 between the ABC and the ACL in the Gulf, and, again, this would
19 be based on updated ABC using MRIP-FES, and so these are all the
20 alternatives within Sub-Action 2b, and I cause pause if there
21 are any questions or discussion.

22
23 **CHAIRMAN FRAZER:** Mr. Gill.

24
25 **MR. GILL:** Thank you, Mr. Chairman, and so I would note that, in
26 this particular case, as opposed to where we were before from
27 SEDAR 27A, for whatever reason, the SSCs, a year ago, did not
28 change the OFL and ABC, which have effectively no buffer between
29 them, and so what they are effectively saying, for whatever
30 reason, is there is no scientific uncertainty, which says that,
31 the closer we are to the ABC in the aggregate between the two
32 regions, we're right on top of the OFL, and, depending on what
33 gets chosen on both the South Atlantic side and the Gulf side --
34 For example, if we take Alternative 3, and the South Atlantic
35 does something equivalent, effectively we're saying the ACL is
36 equal to the OFL, and that's uncomfortably close.

37
38 I think we need to -- Well, I would actually prefer to delete
39 Alternative 3, but I think we need to add an alternative here
40 that ensures that we're not collectively banging up against the
41 OFL. Now, granted, in this particular stock, at this particular
42 time, that's not an issue in terms of landings, et cetera, and I
43 grant you that, but we've had stranger things happen, and it may
44 be in the future, if we set the stage this way, and so we need
45 to keep in mind that we've got a different situation here than
46 we had the last time we dealt with yellowtail, because of the
47 OFL and ABC proximity.

48

1 What's worse is the SSCs agreed that the uncertainty decreases
2 over time, and so, instead of 1 percent in the next year, it
3 goes down to less than half a percent in future years, which
4 belies logic, but that's what they have given us, and so we need
5 to be sensitive to the fact that, collectively, we have adequate
6 buffer from the ABC, which is effectively the same as an
7 adequate buffer from the OFL. Thank you, Mr. Chairman.

8
9 **CHAIRMAN FRAZER:** Mr. Gill, are you inclined to provide a motion
10 to make an Alternative 4 that would allow for that buffer?

11
12 **MR. GILL:** Well, my original approach, which I have not offered,
13 was to offer a stock ACL buffer from the ABC and setting that at
14 10 percent, to at least provide some buffer from the ABC that
15 the SSC did not provide, and so we pick up in the management
16 uncertainty portion, if you will, that the scientific
17 uncertainty declined to do. That's one way to get around it,
18 and, given the previous discussion on Action 1, I'm not inclined
19 to offer that. I think, at this point -- I haven't got a motion
20 ready for 2b to accomplish the same thing, but I think we need
21 to consider that.

22
23 **CHAIRMAN FRAZER:** Okay, and so we can certainly think about it a
24 little bit and revisit it in Full Council. Okay. All right.
25 Is there -- Let's make sure there is no further discussion on
26 this Alternative 2, and particularly Sub-Action 2b. Peter.

27
28 **MR. HOOD:** Carly, I don't remember what the accountability
29 measures are for yellowtail snapper. Is there any sort of
30 overage adjustment if landings go over the ACL? I will look it
31 up, but I just wondered if you knew off the top of your head.

32
33 **MS. SOMERSET:** There isn't.

34
35 **CHAIRMAN FRAZER:** Andy, is your hand up?

36
37 **MR. STRELCHECK:** Yes. Thanks, Tom. Based on Bob's comments,
38 and I think those are good ideas, and we can certainly work on
39 this between now and Full Council, but maybe one recommendation
40 could be to just simply provide staff direction to explore
41 setting a buffer between the OFL and stock ACL.

42
43 I did have a question for Carly, and so I noted, in Alternative
44 2, that the target control rule is using 2017-2018 through 2020-
45 2021 data, and is there a reason why more recent data is not
46 used, and could we consider shifting that forward at least one
47 year?

1 **CHAIRMAN FRAZER:** Hold on, Andy. There is a little sidebar going
2 here.
3
4 **MS. SOMERSET:** Thank you for that, Andy, and so the reason for
5 that was the SEDAR 64 originally was through 2017, right, and so
6 that was updated through 2020, using the SEDAR 64 interim
7 analysis, and so I believe that was the most recent time series
8 of available landings.
9
10 **MR. STRELCHECK:** Okay, and so you're using essentially the
11 terminal years from the assessment as the timeframe for setting
12 the control rule.
13
14 **MS. SOMERSET:** Yes.
15
16 **MR. STRELCHECK:** All right. Thank you.
17
18 **CHAIRMAN FRAZER:** Andy, I just wanted to circle back on the
19 comments that you made about directing staff to essentially come
20 up with an alternative that incorporated that buffer between the
21 ABC and the ACL and so is that something that you want to
22 consider at Full Council, I mean, given Bob's comments earlier
23 with regard to potentially providing another alternative?
24
25 **MR. STRELCHECK:** So I would be fine with providing direction to
26 staff to explore that as an option and bring that back at a
27 future council meeting, the October council meeting, but I would
28 look to Bob, since he originally made the suggestion.
29
30 **CHAIRMAN FRAZER:** Okay. Carrie, do you want a motion for that,
31 to direct staff to do that?
32
33 **EXECUTIVE DIRECTOR SIMMONS:** Yes, please
34
35 **CHAIRMAN FRAZER:** Okay, Andy, and so do you want us to construct
36 that motion on your behalf, or are you ready to do it?
37
38 **MR. STRELCHECK:** I am not ready to do it, and so let's come back
39 at Full Council. That's my recommendation.
40
41 **CHAIRMAN FRAZER:** Okay. We will do that. We also -- While the
42 document is -- Can we go back to the document, to Table 2, and
43 it's Action Item 1, right, and so 2.1.1.1, and if you can
44 condense it so we can see the whole thing. That's it.
45
46 I guess, just so everybody sees this, right, and so the OFLs
47 should be the same, regardless of the alternative, and we think
48 that that's a typo, but we just want to make sure that we can

1 clean that up, and so the OFL should be the same, regardless of
2 the alternative, or Alternatives 2 through 5. All right, and so
3 that change -- We'll make that as well. All right. Carly.

4
5 **MS. SOMERSET:** Thank you, Mr. Chair. We'll get that corrected,
6 and apologies for that. Bernie, if you could -- Let's see. We
7 will continue, and so we just finished Sub-Action 2b, and if you
8 could go to Table 2.2.2.1.2, and that's a mouthful. We have a
9 lot of tables.

10
11 Just to show you, these are the predicted closure dates for the
12 Gulf for each proposed ABC buffer to set the ACL, and so I just
13 wanted to show this one, and this is good, actually, that we
14 just looked at the one that shows the changes, depending on the
15 alternatives, for the jurisdictional allocation, and then this
16 adds onto that one that you just saw, by incorporating what that
17 would look like, based on each of the alternatives that we just
18 went over, as far as adding a buffer, and so either the current
19 11 percent, then 8 percent, or the ACL equal to the updated ABC,
20 and so I just wanted to show you this, so you're aware of what
21 it would look like as far as the percentages in the allocation
22 and then the amounts for each.

23
24 We can move to Action 3, and, Bernie, if you scroll down, I
25 think it's fairly close, and so this is the last one, and I will
26 be brief, because this, again, pertains to the South Atlantic,
27 and so this would be revising their sector allocations and their
28 sector annual catch limits, and so they have two alternatives.

29
30 The Alternative 1 is the no action, and so that would retain the
31 current commercial and recreational sector allocations as 52.56
32 percent and 47.44 percent, respectively, of the revised total
33 annual catch limit. Then Alternative 2 allocates 40.73 percent
34 of the revised total ACL to the commercial sector and 59.27
35 percent of the revised total ACL to the recreational sector, and
36 so there are two alternatives, and one of them would shift it.

37
38 I believe, Bernie, if you scroll down to Table 2.3.1.1, and so
39 thanks to Alicia for doing all these tables, and it essentially
40 just shows you what we would have for the ACLs, based on
41 everything that we've looked at thus far, the jurisdictional
42 allocation, all the alternative for that, and then it goes
43 through the other actions and their alternatives, and so, even
44 though this pertains to the South Atlantic, I just wanted to
45 point out that these are embedded in the document, but we also
46 have all of these in the appendices, the analyses that Alicia
47 did, and, as far as on our side, there is no predicted closures
48 using the mean landings in those projections. That was the last

1 action, and so I can stop here, if there's anything else for
2 discussion.

3

4 **CHAIRMAN FRAZER:** Mr. Gill.

5

6 **MR. GILL:** Thank you, Mr. Chairman, and so just a note for the
7 whole document that there are multiple places where we're
8 talking about allocation changes, and I would suggest that we
9 keep in mind that, given the FES situation, that, if we change
10 allocations, and by the time this document actually goes to
11 implementation, it's likely, at least at this point, that we'll
12 have to consider re-changing those allocations a year or two
13 later, and that may be what we want to do, but, nevertheless, we
14 realize that we're building in another workload item on the same
15 issue that we just addressed, and if not perhaps doing it,
16 pending FES, and on the allocation only I'm stressing here,
17 might be the smarter move, and so we need to think about what
18 makes the best sense in that regard. Thank you, Mr. Chairman.

19

20 **CHAIRMAN FRAZER:** Thanks, Bob. All right. Are there any
21 further comments on this topic? I am not seeing any. Thank
22 you, Ms. Somerset. We appreciate it. We're going to move on to
23 our next agenda item, and that would be Agenda Item Number VIII,
24 which is a Status Update on the Anticipated Endangered Species
25 Act Proposed Rules and Section 7 Related Updates and Ms. Lee.
26 Again, for those of you online, it's Tab B, Number 8 in your
27 briefing materials.

28

29 **STATUS UPDATE ON THE ANTICIPATED ENDANGERED SPECIES ACT PROPOSED**
30 **RULES AND SECTION 7 RELATED UPDATES**

31

32 **MS. JENNIFER LEE:** Good afternoon, everyone. I want to note
33 that the briefing book and agenda title is a bit of a
34 placeholder, and so we wanted to make sure there was time on the
35 agenda to present to you one or more of the ESA rules that we
36 anticipated publishing in time for this meeting.

37

38 The week before, we, obviously, published the Rice's whale
39 critical habitat proposal that my colleague, Mr. Baysinger,
40 presented yesterday, but, the week before that, we published a
41 green sea turtle critical habitat proposed rule, and then, just
42 last week, NOAA Fisheries published a Caribbean coral critical
43 habitat final rule, and so, now that we have these published,
44 I'm able to present to you not a full summary, but a quick
45 synopsis of each, rather than just a status update.

46

47 Again, I'm going to first just review the green sea turtle
48 proposed rule, which now has an open comment period, and then

1 the coral critical habitat final rule, both of which should be
2 of interest to the full council, and then I will end with just a
3 brief ESA Section 7 update specific to the reef fish fishery.

4
5 This should look familiar, and you already learned in Grant's
6 presentation what critical habitat is, and generally what it
7 means, but, to drill it home, here it is again, because I know
8 that some people do find it confusing, and so, again, it's the
9 specific areas within a geographic area occupied by a species at
10 the time of listing that contains physical or biological
11 features essential to the conservation of the species and that
12 may require special management considerations.

13
14 We are required to designate critical habitat based on the best
15 available scientific data, and we must consider economic,
16 national security, and other relevant impacts of specifying a
17 particular area as critical habitat, and so that's a little
18 different than a species listing, which we don't do that. Under
19 the ESA, critical habitat designations are to be finalized at
20 the same time that we issue the final listing rule for a
21 species, unless the critical habitat designation is not prudent
22 or not yet determinable, in which case, if it's not
23 determinable, we may extend the deadline for one additional
24 year.

25
26 Just critical habitat is used to support recovery of listed
27 species, and, to be clear, it's not creating a closed area, as
28 you heard about, or a marine protected area, but rather, once
29 critical habitat is designated, all federal agencies consult
30 with NOAA Fisheries to ensure actions they fund, authorize, or
31 undertake are not likely to destroy or adversely modify critical
32 habitat.

33
34 Just a little background, specifically on the green sea turtle
35 distinct population segment that we are proposing critical
36 habitat for, and it was back on April 6 of 2016 that we
37 published a final rule to list eleven green turtle distinct
38 population segments as threatened or endangered, and so this
39 replaced the original listing for the species.

40
41 My slide notes do include the previously designated critical
42 habitat remains in effect for the North Atlantic DPS, and that's
43 a little misleading, and so let me just clarify that we also
44 concluded that the critical habitat was not determinable at the
45 time we did the DPS rule, but may be prudent, and we did solicit
46 relevant information for those DPSs occurring within the
47 jurisdiction, but, in the interim, we maintained the existing
48 critical habitat designation, and so outside of your area, but

1 around like Puerto Rico, and that is in effect until we finalize
2 any new critical habitat for the North Atlantic DPS.

3
4 Regardless, in multiple years past, in 2020, we were sued for
5 missing the statutory deadline, and we entered into a settlement
6 agreement to publish it by June 30 of this year, and close. On
7 July 19, we did come out, both Fish and Wildlife Service and
8 NOAA Fisheries, with our rule.

9
10 The U.S. Fish and Wildlife Service proposal is specific to their
11 jurisdiction and the nesting beach habitat, and that covers the
12 first two life history stages, the egg laying and hatchling
13 dispersal, but here you can see the life history. Once they
14 enter the nearshore waters, they are entering NOAA Fisheries'
15 jurisdiction, and then they go to what we call surface pelagic
16 habitat in the North Atlantic, or also sargassum habitat, and
17 they spend about a decade as surface pelagic foraging and
18 resting juveniles.

19
20 After that, they move to benthic habitat, and they stay there
21 until they are sub-adult, and, as adults, they go in breeding
22 migrations from their foraging grounds and back to the waters
23 offshore and nesting beaches that they were born. Both males
24 and females make the migration. Females have an inter-nesting
25 two-week periods in which they nest and move off the nesting
26 beaches, rest, re-ovulate, and do it again, five to seven times
27 in a nesting season.

28
29 I am sharing that life history background because we used that
30 to essentially come up with the features essential to the
31 conservation of green sea turtle distinct population segments.
32 This is just a table of how we came up with three basic
33 categories of those essential features, from the life history
34 cycle that I just outlined, reproductive, migratory, and
35 foraging and resting features.

36
37 For the reproductive, we grouped it based on location, and so
38 the nearshore habitat that the adults use for mating and inter-
39 nesting, and the hatchlings do also use that area. The
40 migratory corridor is only for adults moving between the
41 foraging and resting areas and the reproductive areas, and then
42 there's two -- Sorry. There is two foraging and resting phases,
43 and we have, again, that surface pelagic oceanic, which is used
44 by post-hatchlings and juveniles, and then the nearshore benthic
45 that is used by the older juveniles, the sub-adults, and adults.

46
47 Here are the four essential features, and I won't read them,
48 since you do have the full presentation, but I will highlight

1 just that, with the exception of the sargassum essential
2 feature, they all the same depth ranges, from a mean high water
3 to twenty nautical meters, and so, while not all certainly the
4 same areas, they do have that. Sorry. While not all of these
5 areas in your federal water jurisdiction, there are areas that
6 do overlap with federal waters, and so that's why it is
7 relevant, and then you might be wondering, and the reason why we
8 have migratory essential features for our North Atlantic DPS,
9 but not say the East Pacific -- Sorry. And the East Pacific,
10 but not the others, and that is really because those others just
11 use oceanic waters, and there wasn't data supporting a clear
12 migratory corridor like there is in our region. I think that's
13 all I will share there, and I will just move on.

14
15 Here is an overview, and this is just a -- It's hard to see, of
16 course, but, really, I'm just showing you an overview, and these
17 are all the areas, and, again, this rule is not just for the
18 North Atlantic DPS in our region, but it's for all of the
19 different DPSs.

20
21 The green lines are the mean high waters to twenty nautical
22 meters, and then the purple is the sargassum, and it extends to
23 the outer EEZ. To identify these areas, we did convene a
24 critical habitat review team to gather the best available
25 scientific information. If you're wondering who was on that
26 team, it consisted of NOAA Fisheries' regional sea turtle
27 recovery coordinators and sea turtle researchers from our
28 Science Centers, and so they evaluated the best available data,
29 and it's described in detail in the biological report that's
30 available online, if you're curious.

31
32 Getting a little closer here, and the geographical area occupied
33 by the North Atlantic DPS includes waters outside the U.S.
34 jurisdiction, but, again, with critical habitat, we only
35 designate areas that are within the U.S., and so the range
36 includes waters 200 nautical miles offshore of the U.S. east and
37 Gulf of Mexico coasts, and then I do have Puerto Rico there,
38 just because it is part of the North Atlantic DPS.

39
40 At the time of the -- One thing to point out is there was a lot
41 of overlap in essential features. At the time of designation of
42 loggerhead critical habitat, we didn't have data to support sea
43 turtles using the northeast Gulf of Mexico sargassum habitat,
44 but now we have a lot of data showing high sea turtle use in
45 that area, and so that's included in this proposal, and that is
46 different from our loggerheads, that you might be more familiar
47 with.

48

1 Then there's a lot of overlap with essential features, and that
2 is just because, you know, while they're migrating between
3 areas, they're still foraging, and so, a lot of times, areas
4 represent different life stage needs.

5
6 Just to -- I guess this is really just wetting your appetite,
7 and, if you want more information, there is a virtual public
8 hearing coming up on August 29, in the evening, and registration
9 is required, and I put that link there so that you can use that,
10 or, really, if you just even Google "green sea turtle proposed
11 critical habitat NOAA Fisheries", you will get a bunch of
12 information that will come up, including this.

13
14 You can submit comments, and public comments are due by October
15 17, and then the schedule is we will review and incorporate
16 those public comments and submit a final rule to the Federal
17 Register by July 19, 2024, but, essentially, it's one year from
18 proposed to final, and then I did put another link to the site
19 that we have, with a bunch of critical habitat green sea turtle
20 information.

21
22 I know this is small, and I am not going to read it to you, but
23 I did want to have this referenced in the slide deck here, and
24 so, if you do consider providing comment, these are the specific
25 areas in particular that we're looking for comment on. You
26 know, it's distribution and habitat use, information about
27 activities, and, again, I won't read it all, but these are some
28 of the areas that we're looking for comment.

29
30 Then I'm hoping this looks familiar to you, minus no mention of
31 Rice's whales on the slide, but, again, we're driving home what
32 does this mean, in terms of when we designate critical habitat,
33 and, in particular, what does it mean for fisheries, and so,
34 again, it doesn't really directly affect citizens engaged in
35 recreational activities, or limit their access, and they're not
36 a marine protected resource area.

37
38 It doesn't create any, you know, new regulations on fisheries or
39 restrictions, but, again, it creates a new federal, or an
40 additional federal, nexus, and so, when we're doing our
41 consultations on the species, we now have another analysis that
42 we're looking at critical habitat and what the impacts are, and
43 we do that by looking at the overlap, and then, particularly,
44 what, if any, of those essential features would be affected and
45 how, and, again, that's for all federal agencies and not just
46 ours.

47
48 One thing that I did want to point out is that, you know, you're

1 probably familiar with the Section 7 consultation process, and
2 we'll talk about that and biological opinions tomorrow some, but
3 there is also Section 7(a)(4), which is called conferencing, and
4 what that does is it is a process of informal discussions
5 between a federal agency and NOAA Fisheries Service, or Fish and
6 Wildlife Service, in which you're looking at the impacts of an
7 action on the proposed species or proposed critical habitat and
8 trying to recommend ways to minimize or avoid the adverse
9 effects.

10
11 Essentially, it's a kickstart to your consultation, in which you
12 can, you know, try to make some headway on what you think the
13 impacts are and what you might do if you need to do something,
14 and it's a process that's required if you -- If an action is
15 likely to jeopardize the continued existence of a proposed
16 species or result in destruction or adverse modification of
17 proposed critical habitat, and, obviously, if you're trying to
18 protect something, and there's something coming down the pipe
19 that's going to have a major impact, you don't want to just sit
20 down and let it go, but it's also a good tool to request
21 conferences on any proposed actions that just may affect
22 proposed species or proposed critical habitat.

23
24 This is something we're working to sometimes, you know, when
25 species are listed, and, you know, in the last five or six
26 years, we've had a lot, right, and we've had a lot of workload,
27 and we want to get a jump on that and try to make sure we're
28 thinking about things faster.

29
30 That said, now I am going to move on to our final critical
31 habitat rule for five Caribbean corals that just came out last
32 week, and it's for boulder star, lobed star, mountainous star,
33 pillar coral, and rough cactus coral.

34
35 As you can see from this timeline that I have here, this was a
36 long process, and it was a lot of work and a long time coming to
37 this final rule, and we actually -- We listed the five Caribbean
38 corals back in 2014, and then proposed critical habitat in 2020,
39 and we had a public comment period which closed in early 2021,
40 and then -- My slide got a little goofed up there, but I think
41 it was 2022. Anyway, CBD filed a lawsuit for failure to
42 finalize that proposal. We continued to plug away, and, as you
43 know, we just published our final rule, and it has an effective
44 date one month from when we published that, and so a month from
45 now it goes into effect.

46
47 Now, moving on to the physical or biological features that were
48 essential to the conservation, and it's sometimes referred to as

1 PBFs, or just essential features, and I just went over how green
2 sea turtle DPSs have four essential features, and here we just
3 have one essential feature, but it is quite long, as you can see
4 from the slide, but there is one essential feature, which are
5 sites to support all life functions of corals.

6
7 I am trying to avoid reading to you, but I guess, to make sure
8 everyone is aware, and so, again, it's sites that support the
9 normal functions of all life stages of the corals, and so
10 including reproduction, recruitment, and maturation. It's a
11 little similar, if you're familiar, to Acropora critical habitat
12 and its essential features, and it's not identical, but it is
13 similar.

14
15 The sites are natural, consolidated hard substrate or dead coral
16 skeleton, which is free of algae and sediment at the appropriate
17 scale at the point of larval sediment or fragment reattachment,
18 and the associated water column. There are several attributes
19 to these sites to determine the quality, and you can see it's
20 substrate with the presence of crevice holes that provide
21 cryptic habitat, and an example is reefscape with no more than a
22 thin veneer, and I'm sorry to read to you, but I just want to
23 make sure that I don't say -- That I don't go so fast that you
24 don't know what we're talking about.

25
26 It's marine water with levels of temperature, and then marine
27 waters with levels of anthropogenically-introduced, from human,
28 chemical contaminants that do not preclude or inhibit any
29 demographic function, and so I only kind of skimmed there, but
30 you get the idea.

31
32 Since this is a final rule, I should point out, for those of you
33 who are familiar with the proposed rule, that there is minor
34 wording edits to "essential feature" from the proposed and
35 final, but it was really just to clarify that it's the sites
36 that have the characteristics.

37
38 There is a total of twenty-eight, most overlapping, areas for
39 the species range in Florida, Puerto Rico, the U.S. Virgin
40 Islands, and the Flower Garden Banks that were identified to
41 contain the essential feature. There is one area that was
42 excluded, but it's not in your region, and this next one shows
43 the extent of the current final designation. What is depicted
44 in blue is the maximum extent overlaying of each of the five
45 species individual units on top of each other, and you can't
46 really map each individual one and have it make sense, but you
47 can see the maximum extent of the proposed critical habitat is
48 in that hatched pink, to show any changes that were made to the

1 boundaries.

2
3 You can also see that the elkhorn and staghorn Acropora critical
4 habitat designation is in yellow, for perspective, and it's
5 generally bounded by zero and thirty-meter depth contours, and,
6 again, it's mainly overlapping. In Florida, the main boundary
7 changes from proposed to final were to -- It was the change in
8 the deep boundary from ninety meters for forty meters for three
9 of the corals and then adding area to the Gulf side, or the back
10 side, of the Florida Keys in which the three Orbicella species
11 do occur, and so we just had some new data come out that showed
12 that the corals were not extending as deep as we thought.

13
14 Then here you can see the Flower Garden Banks, that's you're all
15 familiar with, and changes from the proposed rule to the final
16 were very minor, and it's just changing the shallow boundary and
17 then adding Bright, McGrail, and Geyer Banks.

18
19 That concludes the critical habitat portion for the corals, and
20 now, since, of course, you are the reef fish fishery, I did want
21 to provide you with Section 7 updates, because it's been a while
22 since we shared information on the status of your consultation
23 on the reef fish fishery, and so I think it's important that you
24 know that we do actually have a consultation ongoing right now.
25 We have reinitiated Section 7 consultation on the authorization
26 of your Gulf of Mexico reef fish fishery, as managed under the
27 FMP, as amended, and then the implementing regulations.

28
29 It's been triggered by new listings, and I guess that shouldn't
30 be a surprise, since the last biological opinion was completed
31 in 2011, and there are some listed species that weren't in that
32 bi-op that may be affected. We are going to do this -- This is
33 a comprehensive new biological opinion though, and so it will
34 cover all species, even though, for example, you haven't
35 exceeded any take of totals, or sawfish, and, you know, it will
36 be looking at all the species, and so you will have a new bi-op
37 at the end.

38
39 Then I mentioned conferencing, and so I wanted to let you know
40 that we are -- Sustainable Fisheries is working with Protected
41 Resources, the office that I am, or division, and we are
42 informally conferencing on the Reef Fish FMP, or fishery, and
43 other fisheries that may affect proposed critical habitat for
44 both Rice's whales, that you heard about yesterday, and then the
45 green sea turtle North Atlantic DPS, and the critical habitat,
46 the coral critical habitat, will be part of that new
47 consultation as well, but, really, when it comes to the proposed
48 critical habitat, at this time, SF and PR have been talking and

1 looking at the fishery, as well as others, and we do not
2 anticipate any formal consultations coming out of the proposal
3 at this time, on the critical habitat that is, and I think
4 that's it.

5
6 **CHAIRMAN FRAZER:** All right. Thank you, Jennifer. Are there
7 any questions? C.J., you're up.

8
9 **DR. SWEETMAN:** Thank you for the presentation, Ms. Lee. I
10 appreciate it, and so, down in south Florida, this is the year
11 of sargassum, and so I just had some questions as it relates to
12 how designation of critical habitat could -- Obviously, there is
13 regulations restricting the harvest in the South Atlantic, and
14 not so in state waters, and not so in Gulf federal waters, and
15 how would designation of critical habitat in sargassum impact
16 the ability to harvest sargassum?

17
18 **MS. LEE:** It would definitely require consultation, and we
19 haven't actually -- One thing I wanted to point out, that I
20 don't think that I mentioned, is, if you look at the critical
21 habitat, the sargassum essential feature, it did say that it had
22 a minimum depth of ten meters, and so, just to be clear, you
23 know, it's not talking about -- You know, I know there's lots of
24 issues with sargassum building up on beaches and being inshore,
25 and that's not part of this designation, and so it's another
26 part of the designation that focuses on concentrated sargassum.

27
28 If you look in the particulars of the essential feature, there
29 is a little more meat surrounding it, which is why, for example,
30 similar to with loggerhead critical habitat, that same sargassum
31 layer where I was saying we've had informal consultations only
32 on that layer, because, even though, you know, maybe fishing is
33 going through and removing that area, it's not having an impact
34 that is, you know, adversely affecting, and so it's not direct
35 answer to the actual harvest, but I think, if you look around
36 the particulars of it, it would really -- It's probably depends.

37
38 **CHAIRMAN FRAZER:** Okay, and so any other questions with regard
39 to green sea turtle critical habitat, Section 7 conferencing, or
40 critical habitat for corals? Dr. Simmons.

41
42 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Jenny,
43 thanks for the presentation, and so, for Slide -- I think it's
44 Slide 18, the changes to the Acropora information and the
45 revised critical habitat for coral, specifically for the
46 Acroporids, does that include some additional surveys that were
47 done for those closed areas that we did jointly with the South
48 Atlantic regarding the lobster traps, do you know, and is that

1 updated information, or will that --

2
3 **MS. LEE:** I'm glad you asked, because I see now that that slide
4 is a little confusing in trying to give you background
5 information, and so we didn't actually change the Acropora
6 critical habitat, and it's only the five new corals. What we
7 were trying to show is the sort of comparing the area that was
8 already designated for Acropora relative to the new -- To the
9 additional critical habitat, and so, essentially, the reason why
10 that slide has Acropora on there is it's trying to show you
11 that, if you look at what we're proposing as critical habitat
12 for the additional species, really you can see that -- You know,
13 the blue area extending in the Gulf area that I mentioned, that
14 part that wasn't originally in there, but, in most cases, it's
15 overlapping with where you already have Acropora critical
16 habitat.

17
18 **CHAIRMAN FRAZER:** Go ahead.

19
20 **EXECUTIVE DIRECTOR SIMMONS:** Okay, and thank you for that, and
21 so does that information -- Was that part of the CREMP program?
22 Did that information come from the CREMP program, or was it from
23 public identification and then there was some type of survey
24 that confirmed that, and how was that information derived?

25
26 **MS. LEE:** I know it's best available science, but, the actual
27 specific data point, I do not know, but I would be happy to
28 follow-up on that, but it seems like Mara knows.

29
30 **CHAIRMAN FRAZER:** Go ahead.

31
32 **MS. LEVY:** I wouldn't go that far, and you're asking about the
33 blue part that extends to the back side of the Keys? Is that
34 what you were talking about? So, during the proposed rule
35 public comment phase, the agency got public comments, and that
36 particularly got a comment from the sanctuary, indicating that
37 some of those five corals, and I can't remember which ones, do
38 exist on that back side of the Keys, and there is habitat in
39 that area that meets the definition of critical habitat, and so
40 that area was modified in response to public comment
41 specifically from the sanctuary.

42
43 **EXECUTIVE DIRECTOR SIMMONS:** Thank you.

44
45 **CHAIRMAN FRAZER:** All right. Are there any further questions?
46 All right. I am not seeing any. Thank you very much for the
47 time. We appreciate it. All right, and so we are going to move
48 to Agenda Item IX, which is Status and Timeline Update for the

1 Revised IFQ Goals and Objectives, and so we're going to have an
2 informational presentation. Assane, are you going to lead that?

3
4 **STATUS AND TIMELINE UPDATE FOR REVISED IFQ GOALS AND OBJECTIVES**
5

6 **DR. ASSANE DIAGNE:** Thank you, Mr. Chair. There is no
7 presentation, and this is just a brief update. Essentially,
8 following your motion selecting and prioritizing those IFQ goals
9 and objectives, we did set up our planning teams and started
10 working, and the planning team -- We already held our first
11 meeting and started discussing ideas, and we are going to have a
12 second meeting shortly, I guess when we return from this council
13 meeting.
14

15 For our first meeting, essentially, we explained and discussed
16 the goals and objectives with the other members of the IPT who
17 didn't have the opportunity to listen to the council meeting,
18 and we put an emphasis on Goal Number 1, which, as you recall,
19 is improved opportunities for participants to enter the program,
20 with, of course, the specific objectives and the need.
21

22 We started discussing the available sources of data and
23 determined, of course, that the terminal year of any analysis
24 that we will provide is going to be 2022, and the good news is
25 that the annual IFQ reports for red snapper, as well as grouper
26 and tilefish, for 2022 -- Those are available to us now, and
27 that is a great source of preliminary data for us.
28

29 Looking, I guess, forwards, towards the October meeting, what we
30 plan to bring is essentially an exhaustive look, evaluation and
31 discussion, of available data, which we call, in the IPT,
32 setting the stage, if you would, and the available data would
33 allow us to essentially begin to formulate broad ideas upon
34 which we are going to draw to design management alternatives
35 that hopefully will help us meet the objectives that are listed
36 under each one of the goals that you selected, and so that is
37 our plan for October, to set the stage, to show you, quote,
38 unquote, what we have, in terms of data and preliminary
39 analysis, and offer very broad ideas, and we will draw upon
40 those ideas to formulate management measures, and so I am going
41 to stop here for now. Thank you.
42

43 **CHAIRMAN FRAZER:** Okay. Thank you, Dr. Diagne, for that update,
44 and so I guess we can anticipate, you know, a more detailed
45 discussion in October, and so any questions for Dr. Diagne?
46 Peter.
47

48 **MR. HOOD:** Not so much of a question, but, given that there is,

1 you know, new members on the council, and the fact that it's
2 probably been a while since we've done any sort of refresher on
3 the IFQ program, Dr. Stephen has indicated that, you know, she
4 would be happy, at some point, to provide like an IFQ 101 or
5 something like that, and so, if you guys -- You know, depending
6 on if you're amenable or not, but the offer is there, if you so
7 wish. Thanks.

8
9 **CHAIRMAN FRAZER:** Thanks for bringing that up, and thank you to
10 Dr. Stephen for, you know, agreeing, or suggesting, that she
11 might be able to provide that background information,
12 particularly for new council members, and so we'll certainly
13 talk with folks that might want to kind of be exposed to all
14 that history and where we're at, and we'll go from there.
15 Peter.

16
17 **MR. HOOD:** I know that, you know, your time during the meetings
18 is always precious, and so I know that Andy had brought up, you
19 know, possibly some sort of like lunch-and-learn type of thing,
20 some sort of webinar or something, if that's an alternative, but
21 I think we're -- On our end, we're willing to -- Whatever type
22 of options you're interested in doing to get that information,
23 we would be happy to work with you.

24
25 **CHAIRMAN FRAZER:** Again, I appreciate that, and so we'll
26 certainly talk with Kesley and Anthony and Ed and see if we want
27 to do that. I've got you, and I will never overlook Andy.
28 Andy, you're on the horn.

29
30 **MR. STRELCHECK:** Thanks, Tom. Related to this, a separate
31 effort by NMFS, I just wanted to update the council. If you
32 recall, several meetings ago, I mentioned that we were going to
33 be doing some IFQ focus group meetings, and these were intended
34 to better understand the market for shares and allocation and
35 gain some understanding and knowledge in terms of how IFQ
36 participants access shares and allocation, and so we have begun
37 those focus groups.

38
39 People are being randomly selected for those groups based on,
40 you know, shares held, and we're trying to get a cross-section
41 of high, medium, low, and non-shareholders, as well as those
42 that just simply buy allocation, so that we can invite them to
43 these focus group meetings and get input.

44
45 The goal of this effort is to collect a lot of information from
46 participants and ultimately provide some recommendations, either
47 that the council can pursue or that we can do within the IFQ
48 program to make share and allocation information more

1 transparent, and so I just wanted to give the council a heads-up
2 that that's ongoing, and that's work being done by Jessica
3 Stephen and her group, through a contractor.

4
5 **CHAIRMAN FRAZER:** Thanks, Andy, for that update as well. Mr.
6 Geeslin.

7
8 **MR. GEESLIN:** Thank you, Mr. Chair. You know, we worked really
9 hard, the last couple of meetings, to come up with some
10 reasonable goals and objectives and discussions, and I guess I
11 am just absolutely underwhelmed at the lack of progress that's
12 been made at this meeting, and I understand that falls on the
13 council, beyond just NMFS staff coming back and council staff
14 coming back, and I think it goes beyond Dr. Assane bringing back
15 data, and, if we want to make some fundamental changes to this
16 program, this is more than data.

17
18 I appreciate that notion of getting back to us, but this sure
19 seems like a kicking the can down the road, to me, and I'm just
20 a little bit disappointed and underwhelmed at where we are
21 within this IFQ discussion.

22
23 **CHAIRMAN FRAZER:** Dr. Simmons and then Dr. Diagne, or it can be
24 in reverse order, and I will let you guys --

25
26 **DR. DIAGNE:** If she prefers to go first, that is fine by me.

27
28 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so thank
29 you, Mr. Geeslin, and I appreciate the comments, and I think
30 we've received some emails as well from council members
31 expressing the desire to have this on the agenda, but you will
32 recall, in the minutes of the June meeting, staff was pretty
33 clear that we didn't think that we could turn this around until
34 October and get our ducks in a row.

35
36 We're down a staff member, and we're trying to hire a
37 replacement there, an anthropologist, and get a social scientist
38 onboard, and she was leading a lot of that effort, before she
39 left, and so I don't want to use that as our only excuse, but I
40 apologize, and I thought we made it pretty clear, in June, that
41 we really didn't have time to get this together and to have a
42 good discussion, in coordination with the Regional Office staff,
43 on this until October.

44
45 **DR. DIAGNE:** I think Dr. Simmons covered it, and just to be sure
46 that we did say that we are bringing essentially our first,
47 quote, unquote, draft discussion in October, and there was
48 nothing normally on the agenda here, until an update was

1 requested, and so this is essentially just apprising you of the
2 progress to-date, but we will keep the deadline as set, in
3 October, and you will have more to discuss.

4
5 **CHAIRMAN FRAZER:** Ms. Boggs.

6
7 **MS. BOGGS:** I appreciate Ms. Geeslin's comments as well, and I
8 just hope that we attribute enough time to it when we have the
9 discussion, and maybe not as much as we did last time, but it
10 seems like that's going to be a -- That is going to be a heavy
11 conversation that we have, and to say that you've got thirty
12 minutes to squeeze it in -- I would rather run ahead of schedule
13 than trying to rush through those conversations as they come
14 along through our agendas moving forward.

15
16 **CHAIRMAN FRAZER:** Again, I think that's a good comment, and
17 recall -- You know, to Dakus's point earlier, I think the
18 original discussion, or the most recent discussion, was quite
19 fruitful, and we did allocate a significant amount of time, and
20 I think, as we lay out the agenda, we'll be thinking about,
21 again, to your point, Susan, laying out enough time to have a
22 meaningful conversation and not just kick the can down the road.
23 Okay. Any other discussion with regard to the IFQ update? All
24 right. I am not seeing any.

25
26 We have one more agenda item, and it's Agenda Item X, and that
27 is the informational update and discussion on the recreational
28 initiative, and I think Mr. Strelcheck is going to lead that
29 discussion.

30
31 **STATUS UPDATE ON RECREATIONAL INITIATIVE**

32
33 **MR. STRELCHECK:** Thanks, Tom. If Bernie, or staff, could bring
34 up the slide deck, and it just shows the motion that was made
35 several meetings ago.

36
37 **CHAIRMAN FRAZER:** Andy, what are you asking for specifically,
38 the slide deck that was --

39
40 **MR. STRELCHECK:** I thought it was included in the briefing book,
41 and we should have just a couple of slides with the motion on
42 it. Is it not there?

43
44 **CHAIRMAN FRAZER:** We don't see anything in the briefing
45 materials.

46
47 **MR. STRELCHECK:** All right. Well, I will just wing it then.
48 Several meetings ago, I passed a motion, and I think it was

1 passed thirteen to three, to begin a recreational fisheries
2 initiative. Kind of like what Dakus was commenting on, right,
3 I'm anxious to begin working on this.

4
5 I have spent some time, over the last month or two, talking with
6 for-hire captains and private recreational industry
7 representatives and others to discuss the initiative, and, to
8 me, what's key is, obviously, getting the initiative off on the
9 right foot. We need to, obviously, work on building trust, and
10 so what, you know, the intent of the initiative is it's to
11 really focus on how we can improve recreational fisheries
12 management and develop future management approaches and the
13 guidance to address a number of challenges in the recreational
14 fishery.

15
16 For those that were at the meeting, if you recall, there were
17 seven components of the initiative, and those ranged from
18 reviewing goals and objectives for recreational fisheries
19 management to determining improvements and changes in
20 accountability measures to innovative new management strategies,
21 and there was a number of other items as part of the initiative.

22
23 We've given some thought to kind of the next steps, and Carrie
24 and the council staff have worked on a motion, and we would like
25 to propose a motion for consideration by the council, in terms
26 of moving the initiative forward, and so I will stop there, and
27 certainly if Carrie has anything else that she wants to offer.

28
29 **CHAIRMAN FRAZER:** Real quick, Andy, and so, I mean, we were able
30 to find the presentation, and it's four slides. Is there value
31 -- I realize that you're online, but you probably are looking at
32 a computer, and do you want to review these four slides before
33 we bring up the motion?

34
35 **MR. STRELCHECK:** Sure, and I think it would be beneficial,
36 especially for our newest council members, just to briefly touch
37 upon the slides, and so I kind of quickly walked through them,
38 and so you can see the broad goal of the initiative, which is
39 focusing on evaluating the efficacy of current management and
40 developing future management approaches that will guide us in
41 terms of meeting our mandates to prevent overfishing, addressing
42 and reducing discards, as well as some of the other challenges
43 that have kind of plagued us with regard to recreational data,
44 and looking at innovative new approaches to management, beyond
45 the traditional measures.

46
47 The focus really is broad, in terms of the, you know, overall
48 goal, and then, if you go to the next slide, in terms of

1 accomplishing the initiative, as I mentioned, I felt that it was
2 really important that we have a multistep process, and this is
3 something that's going to be a major undertaking and take a lot
4 of work, but the focus would be the first three components are
5 kind of setting the stage, looking at the goals and objectives
6 for recreational fisheries management, how federal fishery
7 management is performing, and has it has changed over time, and
8 just some of the data and information that can help support our
9 decisions regarding the initiative.

10
11 Then, as I mentioned earlier, you know, one of the frustrations
12 that I hear a lot about is the implementation of accountability
13 measures, and so looking at the performance and efficacy of
14 those recreational accountability measures and then recommending
15 improvements to those.

16
17 Then getting more complicated, kind of as we move into the
18 initiative, and these are things that are going to take some
19 time, and the Mid-Atlantic Fishery Management Council has
20 approved a harvest control rule, and so the idea here is to
21 learn from some of the things that they have worked on, as well
22 as some pending litigation that affects that control rule, to
23 evaluate and consider harvest control rules for Gulf species, as
24 well as looking at variability and uncertainty in recreational
25 catch estimates and potentially changing some of the ways in
26 which we utilize data to make management decisions.

27
28 Then the last component is to explore innovative new management
29 strategies, and so we've had some discussions, as I said, with
30 industry members about the initiative, and there's some ideas
31 with regard to how we can engage stakeholders, to possibly have
32 kind of an overview steering committee group, and so, as I
33 mentioned, Carrie and team have taken a stab at a draft motion
34 that we would like to share with the council for consideration.

35
36 **CHAIRMAN FRAZER:** Okay, and so thank you, Andy. We will pull
37 that motion up. Dr. Simmons.

38
39 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so, just
40 to kind of explain a little bit more about where the motion was
41 coming from, it's I think most folks remember, during our budget
42 discussion on Monday, we had some carryover funding remaining
43 from our COVID time, 2020 and 2021 and a little bit in 2022, and
44 so 2024 is the end of our five-year grant cycle.

45
46 Our plan would be, in October and January, to start bringing to
47 the council some different ideas and some, you know, maximum
48 funds, or a range of funds, that we anticipate spending on

1 different efforts for you to review, and one of those efforts
2 that we've talked about internally, and in meetings with the
3 Regional Office, is consideration of putting some of those funds
4 towards hiring some help to get going on this recreational
5 initiative.

6
7 Clearly we're maxed out right now, and I think we're going to
8 need a consultant to help us with this and really execute it
9 correctly, and we might even need a facilitator, after we see
10 what this looks like, and so that's the impetus of this draft
11 motion for the committee to consider, and so thanks.

12
13 **CHAIRMAN FRAZER:** Okay. Thank you, Dr. Simmons. We can go
14 ahead and pull the motion up, Bernie. All right. I will go
15 ahead, since Andy is online, and read the motion.

16
17 **The motion is to direct council staff to work with National
18 Marine Fisheries Service to develop an outline, estimated
19 schedule, and deliverables for pursuing the recreational
20 initiative for discussion at the October 2023 council meeting.
21 The proposal should consider a budget for hiring a consultant to
22 facilitate the initiative, proposed activities, a strategy for
23 involving stakeholders, the expected number of meetings, and
24 participants to accomplish the identified goals.**

25
26 Andy, the motion is on the board, and it's been read into the
27 record. Is there a second for this motion? It's seconded by
28 Mr. Gill. Is there any further discussion of the motion, or,
29 Andy, do you want to elaborate any further?

30
31 **MR. STRELCHECK:** Thanks, Tom. Just to emphasize that we really
32 appreciate the communication with the for-hire captains and
33 recreational industry leadership. You know, there's still work
34 to be done on this, but, you know, in terms of getting a
35 facilitator, given this controversial topic, and I really like
36 that idea, and I also like, obviously, having a strategy, in
37 terms of how we're going to engage stakeholders throughout the
38 process, and so I think this is really going to be helpful in
39 setting our priorities for the council going forward and
40 procedurally how we can move this initiative forward over the
41 next couple of years.

42
43 **CHAIRMAN FRAZER:** All right. Thank you, Andy. Mr. Gill.

44
45 **MR. GILL:** Thank you, Mr. Chairman, and so my question, I guess
46 for Andy and Dr. Simmons, is, given the tight timeline, is this
47 achievable by the October meeting?

48

1 **EXECUTIVE DIRECTOR SIMMONS:** I mean, what we would bring is like
2 a shell, a framework, of where we see this going and an
3 estimated cost to the council. I mean, it wouldn't be set in
4 stone, and it would be something for you to consider, and it
5 could fluctuate.

6
7 **CHAIRMAN FRAZER:** Andy, would you like to add anything to that?

8
9 **MR. STRELCHECK:** Yes, and, I mean, I would just add that,
10 recognizing that we may not have everything figured out, but we
11 did, when we crafted the motion, agree to put in the October
12 deadline, and I view this as one of the highest priorities of
13 the Regional Office to move forward, and so I will put my effort
14 behind it, as well as my team's effort behind it.

15
16 **CHAIRMAN FRAZER:** Ms. Boggs.

17
18 **MS. BOGGS:** So I had the same question that Bob had, because,
19 considering the conversation we just had with the IFQ program,
20 and these are two big, heavy lifts, and, I mean, I'm not shying
21 away from it and saying, no, we can't do it, and I also
22 understand the council and staffing, and so, however we go about
23 this with the IFQ and this initiative, I think we need to
24 somehow balance our time, every other council meeting or I don't
25 know, because it's going to be a lot.

26
27 It's going to be a lot for all of us, and I'm excited, scared,
28 nervous, all at the same time, about approaching this, but I
29 think it's time that we've done it, but, again, I do want to
30 give some consideration to staff, because it's, ultimately,
31 going to fall on you all's shoulders, and I just want to make
32 sure that you're given ample time to bring this to us in a
33 manner that's going to be efficient and where we can make a good
34 decision to move it forward and not just, well, here it is, and
35 we have to keep kicking it back, because it's not something that
36 is viable, but, if the staff thinks -- I have no doubt that
37 staff is, but I just don't want to overload your plate, being
38 that you're a staff member down, but it also looks like you're
39 looking to get some help, and this would give you that avenue.

40
41 **CHAIRMAN FRAZER:** Okay. I certainly appreciate those comments,
42 right, and you're right. I mean, there's a lot on the plate
43 right now, and we're about ready to wrap this up, but I'm going
44 to wrap it back into a comment that J.D. made before we broke
45 for lunch.

46
47 So we had another proposal, or topic, on the table having to do
48 with sector separation in greater amberjack, and it's on the

1 action schedule, but it didn't have a date, and part of the
2 reason it didn't have a date is because we had a number of
3 statutorily-mandated items that we had to complete, and, you
4 know, these two items, both the IFQ-related one and the one
5 related to the recreational fisheries initiative, are going to
6 be a tremendous amount of time and effort, right, to get to a
7 desirable endpoint.

8
9 We are going to have to prioritize, J.D., right, and it's not
10 that it wasn't important. I mean, that motion was made in
11 August of 2022, and so a year ago, but there are just other
12 things that are taking priority right now, and I think, as a
13 council, we might have to, at some point, again revisit all of
14 the things that are on the action schedule and make sure that we
15 agree what those priorities are, because clearly we have two
16 right now, two big ones, and there are certainly others that
17 have to be added to that, and so I just want to set some
18 expectations here, or at least temper some of those
19 expectations, but everybody needs to know, and be in agreement,
20 with what our priorities are, moving forward. Ms. Boggs.

21
22 **MS. BOGGS:** Well, and, to that point, these two items, with the
23 IFQ and this initiative, could help us resolve some of those and
24 ultimately come to a resolution or a different way of addressing
25 some of these issues, and so, in a sense, I guess maybe it might
26 go hand-in-hand, but we may find solutions, when we dive into
27 all of this, better than or to complement what it is that we're
28 looking to do as far as J.D.'s suggestion and other ideas that
29 we've heard around the table, and so I don't think we dismiss
30 anything, but you're right that prioritization is -- We're just
31 going to have to look at that and make some difficult decisions,
32 I think.

33
34 **CHAIRMAN FRAZER:** Yes, I agree. All right. Mr. Anson.

35
36 **MR. ANSON:** I don't necessarily have a problem with the motion,
37 and I just wonder -- You know, just to make it clear to the
38 public and everything about the expectations of this process
39 here, and just make sure that, you know, this would be a
40 guidance document, basically, with the intent of trying to
41 provide information, a strategy, that would go towards the goal
42 that Andy provided in the presentation that he just went through
43 and in this motion.

44
45 The reason I bring this up is just the last part of the last
46 sentence there, "to accomplish identified goals", and so I see
47 this stakeholder group of folks that have ideas and such that
48 would get together and address the things that have been

1 identified as far as the initiative section of the presentation
2 and then provide that to the council for further fleshing out
3 and discussion and, you know, all those types of things that
4 would normally go through the process of getting approval, as
5 far as an amendment or some sort of recommendation to the
6 agency, and so that's all, and I just wanted to make sure it was
7 clear that this would just be kind of one step towards getting
8 towards the goal, and that we would involve these, you know,
9 extra folks, stakeholder and such. Thank you.

10
11 **CHAIRMAN FRAZER:** You're exactly right. I mean, it's a critical
12 and essential first step, right, but it's just a step, and we'll
13 bring it back to the council in October. J.D.

14
15 **MR. DUGAS:** Thank you, Mr. Chair. In my time on the council, I
16 recall having a couple of meetings that were five-day meetings,
17 and I don't know if that's something we should revisit, if it
18 would help, to have the meeting go through Friday, but my
19 question is who leads the charge when it comes to setting the
20 agenda? Is there something that us, as council members, can
21 help with, and staff behind the scenes, and so who is driving
22 that? Maybe we can be of some sort of help.

23
24 **CHAIRMAN FRAZER:** Again, I think, and I will certainly let Dr.
25 Simmons talk about how she kind of prioritizes the workload with
26 her staff, but, you know, oftentimes, you know, we have, again,
27 mandated dates and charges that we have to adhere to, and so the
28 schedule is often set for us, right, given the limited staff and
29 capacity that we have, but I am not -- Like many of us around
30 the table, right, and, if I had time, or if we all had the time,
31 or maybe we should make the time, to step back and say here's
32 the list, right, and the South Atlantic Council actually does
33 something quite like that.

34
35 That's something that we can think about, moving forward,
36 whether or not we want to incorporate that prioritization
37 process into our regular activities, and it might be really
38 beneficial, and so we'll talk about that and maybe bring it back
39 to you. Are there any other questions? Peter.

40
41 **MR. HOOD:** I hope the violins don't start playing in the
42 background, but I just wanted to mention that, you know, we have
43 staffing challenges, too. Our LAPPs branch, and our
44 socioeconomics branch, they all work with all councils, and so
45 we kind of have to, you know, pare out their time, and then
46 we're working on fixing the problem, but, within the Gulf
47 branch, we're going to have some staffing issues here shortly,
48 and hopefully, you know, we've got some fixes in there, so we

1 don't, you know, drop a bead at all, but I just wanted to
2 mention that, you know, on our side, we try to do everything we
3 can, but sometimes, you know, we're also limited, and so thank
4 you.

5
6 **CHAIRMAN FRAZER:** All right. Unless there are any other
7 comments or questions, we are going to take a break. Sorry.
8 You're right, Bob. I need a break. There is a motion on the
9 table. **Is there any opposition to the motion? I am not seeing**
10 **any opposition, and so the motion carries.** All right, and so
11 now we will move on, unless there is any other business related
12 to reef fish that needs to come before the committee. All
13 right. Not seeing any other hands for new business, we will
14 take a break. It is about 3:15. We will take -- Let's take a
15 twenty-minute break.

16
17 (Whereupon, the meeting adjourned on August 15, 2023.)

18
19

- - -