

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

2  
3 REEF FISH MANAGEMENT COMMITTEE

4  
5 Hilton Baton Rouge Baton Rouge, Louisiana

6  
7 January 30-31, 2023

8  
9 **VOTING MEMBERS**

10 Tom Frazer.....Florida  
11 Kevin Anson (designee for Scott Bannon).....Alabama  
12 Susan Boggs.....Alabama  
13 Billy Broussard.....Louisiana  
14 Rick Burris (designee for Joe Spraggins).....Mississippi  
15 Dale Diaz.....Mississippi  
16 Jonathan Dugas.....Louisiana  
17 Phil Dyskow.....Florida  
18 Dakus Geeslin (designee for Robin Riechers).....Texas  
19 Bob Gill.....Florida  
20 Michael McDermott.....Mississippi  
21 Chris Schieble (designee for Patrick Banks).....Louisiana  
22 Bob Shipp.....Alabama  
23 Andy Strelcheck.....NMFS  
24 Greg Stunz.....Texas  
25 C.J. Sweetman.....Florida  
26 Troy Williamson.....Texas

27  
28 **NON-VOTING MEMBERS**

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

31  
32 **STAFF**

33 Assane Diagne.....Economist  
34 Zeenatul Basher.....Coral and Habitat Biologist  
35 John Froeschke.....Deputy Director  
36 Beth Hager.....Administrative Officer  
37 Lisa Hollensead.....Fishery Biologist  
38 Ava Lasseter.....Anthropologist  
39 Mary Levy.....NOAA General Counsel  
40 Natasha Mendez-Ferrer.....Fishery Biologist  
41 Emily Muehlstein.....Public Information Officer  
42 Ryan Rindone.....Lead Fishery Biologist/SEDAR Liaison  
43 Bernadine Roy.....Office Manager  
44 Charlotte Schiaffo.....Administrative & Human Resources Assistant  
45 Carrie Simmons.....Executive Director  
46 Carly Somerset.....Fisheries Outreach Specialist

1  
2 **OTHER PARTICIPANTS**  
3 Joy Hazell.....UF/IFAS  
4 Kerry Marhefka.....SAFMC  
5 Jim Nance.....GMFMC SSC  
6 Clay Porch.....SEFSC  
7 Andrew Ropicki.....  
8 Maria Starr.....NOAA  
9 Jessica Stephen.....NMFS  
10 Ed Walker.....GMFMC RF AP

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TABLE OF MOTIONS

1  
2  
3 PAGE 7: Motion to recommend the council approve Framework  
4 Action: Modification of Gray Triggerfish Commercial Trip Limits  
5 and that it be forwarded to the Secretary of Commerce for review  
6 and implementation and deem the codified text as necessary and  
7 appropriate, giving staff editorial license to make the  
8 necessary changes in the document. The Council Chair is given  
9 the authority to deem any changes to the codified text as  
10 necessary and appropriate. The motion carried on page 9.  
11

12 PAGE 15: Motion to direct staff to start a document to modify  
13 Gulf gray snapper catch limits. The motion carried on page 15.  
14

15 PAGE 80: Motion in Action 1 to move Options 2c and 3c in  
16 Alternatives 2 and 3 to Considered but Rejected. The motion  
17 carried on page 81.  
18

19 PAGE 106: Motion to direct staff to develop the following  
20 options for exploration in a framework action or amendment:  
21 lowering the gag and black grouper recreational bag limit;  
22 establishing a gag and black grouper recreational vessel limit;  
23 spatial areas to protect spawning gag. The motion carried on  
24 page 109.  
25

26 PAGE 121: Motion in Action 1 to add an Option b to Alternatives  
27 2, 3, and 4. Option b is modify the recreational fishing season  
28 for the Gulf jacks complex (i.e. lesser amberjack, almaco jack,  
29 banded rudderfish) such that this season is open June through  
30 February. The motion carried on page 123.  
31

32 PAGE 126: Motion in Action 2 to add an Alternative 4 to  
33 establish a commercial trip limit of seven fish. The motion  
34 carried on page 127.  
35

36 PAGE 133: Motion to request SEFSC provide a presentation to the  
37 council regarding multiyear ACL averages to monitor ACLs. The  
38 motion carried on page 133.  
39

40 PAGE 142: Motion to request that staff begin development of a  
41 framework action to update the recreational red snapper data  
42 calibration ratios for Florida, Alabama, and Mississippi, using  
43 the calibration ratios recommended by the SSC during their  
44 January 2023 meeting. The motion carried on page 143.  
45

46 - - -  
47

1 The Reef Fish Management Committee of the Gulf of Mexico Fishery  
2 Management Council convened at the Hilton Baton Rouge in Baton  
3 Rouge, Louisiana on Monday afternoon, January 30, 2023, and was  
4 called to order by Chairman Tom Frazer.

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

10 **CHAIRMAN TOM FRAZER:** All right, and so I will call to order the  
11 Reef Fish Committee. The first order of business on the agenda  
12 is the Adoption of the Agenda, which is Tab B, Number 1 in your  
13 briefing materials. Is there any modification or changes to the  
14 agenda, as written? Not seeing any, is there any opposition to  
15 approving the agenda as written? All right. Not seeing any,  
16 we'll consider the agenda adopted as written.

17  
18 The second item on the agenda is the Approval of the October  
19 2022 Minutes. Again, the same question, and are there any  
20 modifications or edits to those minutes? Not seeing any, can I  
21 get a motion to approve those minutes? Motion by Dr. Sweetman.  
22 Is there a second? Second by J.D. Dugas. Any opposition to the  
23 approving the minutes? All right. Seeing none, we'll consider  
24 the October 2022 minutes of the Reef Fish Committee approved.  
25 The third item on the agenda is the Action Guide and Next Steps,  
26 and we are going to work with Ms. Somerset, I believe. Carly.

27  
28 **FINAL ACTION: DRAFT FRAMEWORK ACTION FOR GRAY TRIGGERFISH**  
29 **COMMERCIAL TRIP LIMIT**  
30

31 **MS. CARLY SOMERSET:** The first action, in the Action Guide, is  
32 to go over the draft framework action, and this is up for final  
33 action. It's Modification of Gray Triggerfish Commercial Trip  
34 Limits, and so I will go through the document, but, first, I  
35 think we should go through public comment, and I will hand it  
36 over to Emily.

37  
38 **MS. EMILY MUEHLSTEIN:** Okay. Thank you very much, and so we did  
39 produce a public hearing video, like we normally do for a  
40 framework action, and we had forty-eight views of that video,  
41 and we received four comments through our online comment form.

42  
43 We did hear support for Preferred Alternative 3, which would  
44 increase the commercial trip limit to twenty-five gray  
45 triggerfish per vessel, and the rationale that was included was  
46 that increasing the trip limit to at least twenty-five fish  
47 would optimize the use of the fishery without causing damage to  
48 the stock and that triggerfish stocks are healthy and it is

1 possible to catch a limit on each trip.

2  
3 We also heard support for increasing the trip limit above  
4 twenty-five fish, and the rationale provided was that there are  
5 so many gray triggerfish in 190 feet of water and deeper that  
6 they are eating the juvenile groupers and snappers. We also  
7 heard that increasing the bag limit dissuades culling, because  
8 you can retain all the fish you catch, rather than just the  
9 large ones.

10  
11 Finally, we heard support for decreasing the commercial trip  
12 limit, with the rationale that legal gray triggerfish are hard  
13 to come by and that the commercial sector isn't catching their  
14 quota because the stock isn't robust.

15  
16 Finally, we heard some other comments, and mainly that red  
17 grouper, gag grouper, and red snapper populations are thriving  
18 in south Florida, and so those aren't related to the document,  
19 but they came in through those comments, and that's it.

20  
21 **CHAIRMAN FRAZER:** All right. Thank you, Ms. Muehlstein. I  
22 guess we will go ahead. All right, and so we'll go ahead, Ms.  
23 Somerset, with the document itself.

24  
25 **MS. SOMERSET:** Thank you, Mr. Chair, and so I will move through  
26 the document quickly, and I will let Bernie bring it up. This  
27 is a pretty straightforward framework action, and I will go  
28 through this as quickly as I can, and so, Bernie, if you could  
29 go to Table 1.1.1, please.

30  
31 Just some background on this document, and this was started --  
32 Commercial fishermen have provided comment requesting an  
33 increase in the commercial trip limit, in order to better  
34 harvest the commercial ACT, and so I'm just showing Table 1.1.1  
35 to show you that, within the last three years really, but, here,  
36 you can see 2020 and 2021. The percent of ACT landed is 86  
37 percent, and then, in 2021, it was 48.7. I just looked at the  
38 preliminary landings for the percent of the ACT landed in 2022,  
39 from the ACL monitoring page, and that was at 51.5, and so this  
40 framework action was to increase the commercial trip limits to  
41 better get to the ACT.

42  
43 I will go through and read the purpose and need again, just for  
44 the record, if we can go to the purpose and need, Bernie. Thank  
45 you. All right, and so the purpose of this action is to  
46 increase the gray triggerfish commercial trip limit, to allow  
47 commercial fishermen the opportunity to land the commercial ACT,  
48 and then the need is to help reduce discards, achieve optimum

1 yield of Gulf gray triggerfish, consistent with Magnuson-  
2 Stevens.

3  
4 Then, to review what has happened recently, the trip limit  
5 analysis was done on five alternatives, and so you have the no  
6 action alternative, and the current trip limit is sixteen fish.  
7 Four alternatives were to increase the commercial trip limit,  
8 and the trip limit analysis is in Appendix C, and thank you to  
9 Dominique Lazarre at the Southeast Regional Office for doing the  
10 analysis, and she was a big help in answering questions and just  
11 making sure that the analysis had all the information needed. I  
12 believe she's online too, if there are any questions when I'm  
13 done with this, for the document.

14  
15 At the last meeting, in October, Alternative 5 was removed, and  
16 that was the forty-fish trip limit, and that, based on the  
17 analysis, could have led to a potential shortened season, and so  
18 that was removed by you all as an alternative, and then the  
19 preferred alternative that was picked was Alternative 3, and  
20 that's increasing the commercial trip limit to twenty-five  
21 triggerfish per vessel, and, at the last Reef Fish AP meeting,  
22 they also recommended and agreed with the preferred alternative  
23 of twenty-five fish. I will leave it there, and I believe  
24 that's all the information, unless anyone has any questions on  
25 the document or the analysis.

26  
27 **CHAIRMAN FRAZER:** All right. Does anybody have any questions  
28 for Ms. Somerset, as it relates to the document? Okay. I  
29 didn't think so, and this is something we've been discussing for  
30 quite a bit of time now, and there seems to be general agreement  
31 that it's a good path to move forward. It is a final action, or  
32 slated for final action, and so we'll need a motion, probably,  
33 to move this forward. Dr. Sweetman.

34  
35 **DR. C.J. SWEETMAN:** Thanks, Dr. Frazer. I have a motion, if,  
36 Bernie, you could bring that up, please. **The motion is, and I**  
37 **will read it into the record, to recommend the council approve**  
38 **Framework Action: Modification of Gray Triggerfish Commercial**  
39 **Trip Limits and that it be forwarded to the Secretary of**  
40 **Commerce for review and implementation and deem the codified**  
41 **text as necessary and appropriate, giving staff editorial**  
42 **license to make necessary changes in the document. The Council**  
43 **Chair is given the authority to deem any changes to the codified**  
44 **text as necessary and appropriate.**

45  
46 **MR. BOB GILL:** Second, Mr. Chairman.

47  
48 **CHAIRMAN FRAZER:** All right. It's seconded by Mr. Gill. Is

1 there any further discussion of the motion? One of the things  
2 that we're going to pilot here is our electronic voting, and so,  
3 before we vote on this, I'm going to assume -- Let's clear any  
4 subsequent discussion out, before we vote, but is there any  
5 discussion on the motion? All right. I am not seeing any, and  
6 so we're going to get some tutoring. Beth, do you want to help  
7 us through this electronic voting?

8  
9 **MS. BETH HAGER:** Yes, and so Bernie is just sliding the motion  
10 up on the board. Right now, what we're going to do is swap, so  
11 that we can show both the voting grid of the people in the room  
12 and the motion on the screen at the same time. Everyone should  
13 have in front of them their clicker, which, theoretically, the  
14 number on the back of it should correspond to your name, when we  
15 get to the voting grid. If anybody's does not, please draw it  
16 to our attention, so that we're aware of it, and we're going to  
17 give this a try.

18  
19 Now Bob is online, and we are working on getting him full  
20 access. He was having a little difficulty connecting. There we  
21 go. I think he's in, and so that's exciting, and so we will  
22 have full voting here.

23  
24 **CHAIRMAN FRAZER:** Okay, but, before we actually vote, I just  
25 want to remind people that there is codified text that's  
26 associated with this framework action, and this document, and,  
27 just by way of reference, that's Tab B, Number 4(b) in your  
28 briefing materials. It's minor, and people can take a look at  
29 it if they want, and we'll certainly bring it back up in Full  
30 Council, and so Beth is saying, if you click the wrong thing,  
31 you can change your mind. Right now, we're -- Just to be clear,  
32 we can choose yes or no or abstain. All right. Let the games  
33 begin.

34  
35 The following motion was voted on via electronic voting.

36  
37 **Motion:** to recommend the council approve Framework Action:  
38 **Modification of Gray Triggerfish Commercial Trip Limits and that**  
39 **it be forwarded to the Secretary of Commerce for review and**  
40 **implementation and deem the codified text as necessary and**  
41 **appropriate, giving staff editorial license to make necessary**  
42 **changes in the document. The Council Chair is given the**  
43 **authority to deem any changes to the codified text as necessary**  
44 **and appropriate.**

45



Tab B No 4 Framework Action for Gray Triggerfish Commercial Trip Limit			
First Name	Last Name		
Kevin	Anson	Yes	
Susan	Boggs	Yes	
Billy	Broussard	Yes	
Dale	Diaz	Yes	
JD	Dugas	Yes	
Phil	Dyskow	Yes	
Tom	Frazer	Yes	
Dakus	Geeslin	Yes	
Bob	Gill	Yes	
Michael	McDermott	Yes	
Chris	Schieble	Yes	
Rick	Burris	Yes	
Andy	Strelcheck	Yes	
Greg	Stunz	Yes	
CJ	Sweetman	Yes	
Troy	Williamson	Yes	
Bob	Shipp	Yes	
Yes (17)	No (0)	Abstain (0)	

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**CHAIRMAN FRAZER:** All right, and so the motion passes seventeen to zero. Good job, C.J. All right, and so we have demonstrated proof that we can actually carry out an electronic voting task, and we will have some discussion about whether or not we're going to adopt this, and other things, moving forward, but it was just a pilot in this particular item, and so we've got some time left, and we're going to try to, again, as Dale says, take advantage of that time and try to move as many items through as we can, and so, if it's of no objection, I think, Dr. Nance, we'll move to Item Number IX on the Reef Fish agenda, and that would be the SSC Summary Report and Presentation, as it relates to two items, the SEDAR 75 Gray Snapper Stock Assessment Report and then, if we get through that, then we'll move to the 2023 Red Grouper Interim Analysis. Thank you, Dr. Nance.

**JANUARY 2023 GULF SSC SUMMARY REPORT  
SEDAR 75 GRAY SNAPPER STOCK ASSESSMENT REPORT**

**DR. JIM NANCE:** You're welcome, and I'll have probably Ryan go through the scope of work first.

**CHAIRMAN FRAZER:** Perfect. Mr. Rindone.

**MR. RYAN RINDONE:** I guess we can take it in pieces, Dr. Nance, and just start with SEDAR 75, and so Dr. Nance is going to talk

1 to you guys about the most recent gray snapper stock assessment.  
2 It was an operational assessment that updated the recreational  
3 landings information using MRIP-FES and made several other  
4 improvements to the previous model, and the SSC found SEDAR 75  
5 to be consistent with the best scientific information available  
6 and determined that gray snapper is healthy, and so that's good  
7 news, as of 2020, and Dr. Nance will also review the SSC's  
8 recommendations for the overfishing limit and acceptable  
9 biological catch, and you guys should review this information  
10 and make recommendations as appropriate. Dr. Nance.

11  
12 **DR. NANCE:** Thank you. I guess bring up Slide 31. Perfect, and  
13 so this is a presentation of the SEDAR 75 gray snapper stock  
14 assessment report, and the Southeast Fisheries Science Center,  
15 and it was Dr. Forrestal, came to our meeting and presented the  
16 SEDAR 75 operational assessment for the Gulf of Mexico gray  
17 snapper.

18  
19 SEDAR 75, as was mentioned, resolved several concerns from the  
20 previous model, which was presented at SEDAR 51, which was in  
21 2018, and it incorporated updated recreational landings data to  
22 MRIP-FES. The Southeast Fisheries Science Center reviewed the  
23 model's construction and development, indices of relative  
24 abundance, the base model estimations and results, diagnostics,  
25 and yield projections, based on the council's currently defined  
26 status determination criteria. SEDAR 75 uses data through 2020.

27  
28 The data used included catch and effort from the directed  
29 fleets, which are listed there, and with all of Monroe County in  
30 Florida included in the Gulf. The estimates of natural  
31 mortality, maximum age, and sex ratio were unchanged from what  
32 was used in SEDAR 51. The ratio of fecundity to length was  
33 updated with additional samples, with the functional maturity  
34 estimated at 2.5 years.

35  
36 The recreational landings comprised the bulk of the total  
37 landings and follow an increasing trend through the time series.  
38 Commercial discards are thought to be very low, and the fits  
39 improved compared to SEDAR 51. Recreational discards are  
40 underestimated by the model in many years for all modes, with  
41 recreational discards increasing with time.

42  
43 Some discussion about the potential for the same undersized fish  
44 to be discarded multiple times was presented in the analysis,  
45 and this issue is particularly applicable to gray snapper,  
46 because of the fishing on bridges, jetties, and pier fishing.

47  
48 The Southeast Fisheries Science Center showed the model fits to

1 the indices of relative abundance, which shows that fits follow  
2 the trends well for most surveys, except for the Florida  
3 Wildlife Research Institute age-zero and age-one surveys.  
4 Recruitment is estimated to be increasing over time, with a  
5 decrease in the last two years. The steepness in the model was  
6 fixed at 0.99, indicating a poor stock-recruitment relationship.  
7 The initial and present stock size is thought to be larger than  
8 estimated in SEDAR 51.

9

10 The Southeast Fisheries Science Center summarized the projection  
11 settings, which set relative fishing mortality at the average of  
12 2018 through 2020 and selectivity and retention at the values  
13 estimated for 2020. Recruitment follows the model-derived  
14 Beverton-Holt stock-recruitment relationship and uses 2021  
15 landings, as reported by the Southeast Regional Office, and the  
16 mean of 2019 through 2021 for 2022 and 2023.

17

18 At our meeting, the SSC discussed using F 26 percent SPR for  
19 gray snapper and the parallels drawn at the time, during our  
20 discussions of Amendment 51, with the productivity of gray  
21 snapper compared to red snapper.

22

23 At the SSC's January 2019 meeting, the Southeast Fisheries  
24 Science Center presented projections for gray snapper using  
25 three different values for FMSY proxies. They did F 26 percent  
26 SPR, F 30 percent SPR, and F 40 percent, along with changing the  
27 MSST value from one minus M times BMSY to 0.5 times BMSY, and so  
28 those were changed and presented at the January 2019 meeting.

29

30 In January 2023, our last meeting, the SSC found the presented  
31 SEDAR 75 analyses to be statistically sound and appropriate and  
32 reiterated that 26 percent SPR is scientifically acceptable as a  
33 proxy for MSY, but acknowledged, at our meeting, that it would  
34 be on the low end of the acceptable proxies.

35

36 You can see our OFL and ABC projections for both 26 percent SPR  
37 and 30 percent SPR are shown in the table, and we looked at  
38 those, and the ABC projections and yield were calculated at 75  
39 percent of FMSY for each of the MSY proxies, and the data are in  
40 millions of pounds whole weight.

41

42 The SSC, during our deliberation, noted that the stock currently  
43 has more biomass in the water than is needed to sustain present  
44 harvest levels at either of these MSY proxies, either the 26  
45 percent or the 30 percent. The SSC noted, during our  
46 discussions, that F 26 percent SPR is likely at the lower end of  
47 the acceptable spectrum of plausible MSY proxies for gray  
48 snapper. The SSC did not consider gray snapper less productive

1 than red snapper, with respect to selecting the MSY proxy, but  
2 did acknowledge the F 26 percent SPR was among the lowest  
3 observed in the Gulf. The SSC acknowledged a planned discussion  
4 about setting FMSY proxies at our March 2023 meeting.

5  
6 After discussion, a motion was made, and the motion reads the  
7 SSC moves to accept the SEDAR 75 Gulf of Mexico gray snapper  
8 operational assessment as consistent with the best scientific  
9 information available. Under the current FMSY proxy of F 26  
10 percent SPR, the model-derived estimates indicate the stock is  
11 not overfished and is not undergoing overfishing. That motion  
12 carried without opposition and three individuals being absent.

13  
14 The next motion was made and discussed, and the motion is, based  
15 on the projection settings accepted by the SSC for the SEDAR 75  
16 operational assessment, the SSC recommends the following catch  
17 levels for Gulf of Mexico gray snapper: OFL be set as the yield  
18 (million pounds whole weight) at F 26 percent SPR and ABC as the  
19 yield at 75 percent of F 26 percent SPR for the period 2024  
20 through 2028, and that motion carried without opposition, with  
21 three being absent.

22  
23 We also had this discussion, that, while we had those motions to  
24 accept those values, the OFL and ABCs for those years, the SSC  
25 also supports a constant catch scenario, which is the mean of  
26 the five-year period, which results in an OFL of 7.547 million  
27 pounds whole weight and an ABC of 6.226 million pounds whole  
28 weight. That motion carried without opposition and three being  
29 absent. That, Mr. Chair, is the end of that presentation.

30  
31 **CHAIRMAN FRAZER:** All right, and so, real quick, are there any  
32 questions for Dr. Nance about the SSC's work on gray snapper?  
33 Ms. Boggs.

34  
35 **MS. SUSAN BOGGS:** So help me understand. I understand what the  
36 motions were, but the last point, before you go into your  
37 motions, is that the SSC acknowledged a planned discussion about  
38 setting FMSY proxies for March 2023, and so are you recommending  
39 that we -- That this be done, based on the current proxy of 26  
40 percent SPR, but then you may look at it increasing it to 30  
41 percent SPR, and are we -- How does this flow, if you're here  
42 and then you're going to discuss it in March?

43  
44 **DR. NANCE:** The motion is F 26 percent SPR. What I was  
45 indicating there, and it probably was confusing, is that we will  
46 have -- We're starting to come into that sometimes we set it at  
47 26 percent SPR, and sometimes 30 percent, those types of things,  
48 and so, as an SSC, we are going to have a general discussion, at

1 our March meeting, about setting those values, but it's not  
2 changing what we've made the motions on here.

3  
4 **CHAIRMAN FRAZER:** I guess, Susan, kind of to your point too,  
5 right, and so, I mean, we have some catch advice here that  
6 should result in the development of a framework action, moving  
7 forward, and we've got a couple of things that are in the works,  
8 and we still have yellowtail snapper to deal with, and scamp,  
9 and so I think, at some point, we'll have to have a discussion  
10 about how we want to prioritize those items, you know, and what  
11 direction we want to give the staff, but I don't think we have  
12 to do that right now. Okay. Are there any more questions with  
13 regard to gray snapper. All right. Go ahead, Mr. Anson.

14  
15 **MR. ANSON:** It kind of is to gray snapper, and it kind of is  
16 going back to Sustainable Fisheries and the conversation that we  
17 had about scientific uncertainty and how there is this new  
18 potential process for estimating that, and so I'm wondering, Dr.  
19 Porch, relative to the comment in Dr. Nance's report, citing  
20 that there appears to have been an underestimate in the size of  
21 the population, and, therefore, anything that the previous  
22 assessments would have projected would not have been accurate,  
23 and so, if we were under this newer analysis, or newer approach,  
24 relative to scientific uncertainty, I would assume that the  
25 Science Center would go back and update, if things were found  
26 out to be, in the future, that the approved model projections  
27 weren't correct and there was a discrepancy in the amount of the  
28 population, so that that number could then be updated  
29 appropriately as well, or --

30  
31 **CHAIRMAN FRAZER:** Go ahead, Clay.

32  
33 **DR. CLAY PORCH:** You are referring to that estimate of variance,  
34 and so, at some point, when we revisit all that -- I mean, we're  
35 in the middle of calculating it now, and so, arguably, the  
36 difference between this assessment and the last assessment would  
37 be incorporated in that analysis, and I would have to check with  
38 my staff, but, in principle, it can be, and so that would figure  
39 in the calculation of our uncertainty about assessments.

40  
41 In this case, yes, there was a fairly big difference between the  
42 two assessments, one because we made some improvements, with a  
43 new analyst involved, and, two, because, if you look at actual  
44 trends in the indices of abundance, they have continued to go  
45 up, and so the assessment is more optimistic now, but, yes, in  
46 principle, that kind of difference between two successive  
47 assessments would be incorporated into the calculation of that  
48 variance.

1  
2 **CHAIRMAN FRAZER:** Okay. Are there any more questions, as they  
3 relate to gray snapper? C.J.

4  
5 **DR. SWEETMAN:** Thank you, Mr. Chair, and not a question, but  
6 just a comment. I appreciate the SSC considering the constant  
7 catch scenario in this process too here, and I think that's an  
8 important thing that we need to consider, as we're working  
9 through this. You know, it kind of prevents this declining  
10 catch stream scenario, while also keeping us under the quota,  
11 and so I appreciate that, Dr. Nance.

12  
13 **DR. NANCE:** Thank you.

14  
15 **CHAIRMAN FRAZER:** Mr. Gill.

16  
17 **MR. GILL:** Thank you, Mr. Chairman, and I just wanted to note  
18 that this is a bright spot in our management of species. Given  
19 the litany of bad news we've had over the past few months, or a  
20 year or whatever, it's delightful to see that there's a stock in  
21 good shape and doing well and we're talking about increasing the  
22 catch limits. Thank you.

23  
24 **CHAIRMAN FRAZER:** Thank you, Bob, for being the shiner of a  
25 bright light. All right. Are there any further questions or  
26 comments on gray snapper? I am not seeing any. Dr. Nance,  
27 thank you for that, and I guess we can move on to the red  
28 grouper interim analysis. Dr. Simmons.

29  
30 **EXECUTIVE DIRECTOR CARRIE SIMMONS:** Thank you, Mr. Chair, and  
31 so, before we go on to that, would the committee like to  
32 consider directing staff to start a document, hopefully a  
33 framework action, to modify the gray snapper catch levels?

34  
35 **CHAIRMAN FRAZER:** I think we certainly need to do that. My  
36 question was -- Well, regardless, we have to do it, whether we  
37 prioritize it ahead of something else, but that's something that  
38 I was hoping to talk to you and your staff about, and so we've  
39 got yellowtail snapper that's out there, right, and we know that  
40 we've got to work on that, and I think, from my recollection,  
41 we've also got scamp, which is probably going to take a  
42 considerable amount of work.

43  
44 This one should be relatively easy, and I think we might be able  
45 to make some progress, and we have yet to talk about red snapper  
46 calibrations, and that's another framework that we're going to  
47 discuss tomorrow, and so definitely we need to direct staff to  
48 start that work, but maybe a discussion about how we prioritize

1 that workload can wait until either tomorrow or at Full Council,  
2 and so if somebody would like to make a motion. Go ahead,  
3 Carrie.

4  
5 **EXECUTIVE DIRECTOR SIMMONS:** Well, just some feedback. I mean,  
6 that's a great point, but just to keep in mind that the  
7 yellowtail snapper document -- The South Atlantic Council has  
8 the administrative lead on that, and so I don't think we're  
9 going to see that until June, our June council meeting, at the  
10 earliest, which we really need to see it in June, I think, if we  
11 can, and I haven't talked to Mr. Carmichael about that, and  
12 then, regarding scamp, that's going to go back before the SSC in  
13 March for the projections, and then the further MSY proxy  
14 discussion.

15  
16 **CHAIRMAN FRAZER:** Another bright light shining on the amount of  
17 free time that we might have to start a new document. I would  
18 be more than willing to entertain a motion for staff to start a  
19 document. Mr. Gill.

20  
21 **MR. GILL:** Thank you, Mr. Chairman, and so, in accord with that  
22 direction, I move that staff start a document to revise catch  
23 limits for Gulf of Mexico gray snapper.

24  
25 **CHAIRMAN FRAZER:** Okay. We have a motion, and we'll put it on  
26 the board, and it's seconded by Dr. Sweetman. Let's get it up,  
27 so people know what we be discussing. Give us just a second,  
28 Bob.

29  
30 All right, and so we have a motion on the board. That motion is  
31 to direct staff to begin a document to modify gray snapper catch  
32 limits. Is there any further discussion on the motion? We got  
33 a second from C.J. With no further discussion, we're going to  
34 return to -- There's a third bright spot of the day. We're  
35 going to try to vote with these clickers. All right, and so we  
36 have opened the vote. We are now closing the vote. If you want  
37 to change your mind, you have to do it right now.

38

ONLINE PARTICIPANT	YES
MR. ANSON	YES
MS. BOGGS	YES
MR. BROUSSARD	YES
MR. DIAZ	ABSTAIN
MR. DUGAS	YES
MR. DYSKOW	YES
DR. FRAZER	YES
MR. GEESLIN	YES
MR. GILL	YES

<b>MR. MCDERMOTT</b>	<b>YES</b>
<b>MR. SCHIEBLE</b>	<b>YES</b>
<b>MR. BURRIS</b>	<b>YES</b>
<b>MR. STRELCHECK</b>	<b>YES</b>
<b>DR. STUNZ</b>	<b>YES</b>
<b>DR. SWEETMAN</b>	<b>YES</b>
<b>MR. WILLIAMSON</b>	<b>YES</b>

1  
2 **CHAIRMAN FRAZER:** All right. We have closed the vote, and so  
3 the motion fails, sixteen in favor with one abstention. It  
4 passes. Excuse me. Sorry about that. Dr. Nance.

5  
6 **DR. BOB SHIPP:** My name wasn't on there.

7  
8 **CHAIRMAN FRAZER:** How did we get sixteen then in the total? All  
9 right. We're going to move forward, and we will work on some of  
10 those electronic voting issues in the background. Dr. Nance, if  
11 you want to tell us a little bit about the SSC's discussion of  
12 the red grouper interim analysis, that would be great.

13  
14 **2023 RED GROUPER INTERIM ANALYSIS**

15  
16 **DR. NANCE:** Thank you. I guess, if you're color blind, you're  
17 going to have problems with that voting. Anyway, this is our  
18 second part, and, Ryan, do we have the scope of work?

19  
20 **MR. RINDONE:** We do. All right. Part two, and Dr. Nance will  
21 also review discussions from the SSC's discussions on the 2023  
22 interim analysis for red grouper, which is part of a standing  
23 request for these from the Science Center to be reviewed by the  
24 SSC annually, and the last one was in 2022, and this was used as  
25 a sort of health check, because the one in 2021 was used to  
26 revise the catch limits, and so the SSC evaluated the NMFS  
27 bottom longline index, which is the representative index of  
28 relative abundance that's used in the interim analysis for red  
29 grouper, and it tends to select more so for larger and older red  
30 grouper than those that might otherwise be selected by say the  
31 commercial vertical line fleet or the private angling and for-  
32 hire fleets from the recreational sector, and those fleets can  
33 select for larger, older fish, but also select for a good  
34 portion of the younger, smaller portion of the population.

35  
36 The NMFS bottom longline index was relatively flat over the last  
37 ten years, and, given the age of the last stock assessment,  
38 noting that SEDAR 61 had a terminal year of 2017 and that any  
39 change in the catch limits wouldn't be likely to take effect  
40 until 2024, which happens to coincide with the start of the next  
41 operational assessment for red grouper, the SSC didn't think



1 that it had the data to support increasing the OFL and ABC based  
2 only on the NMFS bottom longline index.

3  
4 The SSC did acknowledge the increased recreational landings of  
5 red grouper in the last two years, but, without having more data  
6 to evaluate, like those generated in a stock assessment, to  
7 determine the reason for and effects of that spike in landings,  
8 the SSC did not recommend catch limit modifications at this  
9 time, and so you guys should review the information that Dr.  
10 Nance is going to share and make recommendations, as  
11 appropriate. Your show, Dr. Nance.

12  
13 **DR. NANCE:** Thank you. I appreciate that summary. We can go  
14 ahead and bring up Slide 41, please. Thank you. At our meeting  
15 in January, the Southeast Fisheries Science Center, Dr. Katie  
16 Siegfried, came to present the interim analysis for red grouper,  
17 and, basically, it's the same as we've seen in the past. It's  
18 using landings and data, and also the National Marine Fisheries  
19 Service's bottom longline index of relative of relative  
20 abundance through 2022.

21  
22 These data, as you're each aware of, have been prepared to help  
23 inform the SSC about the condition of the Gulf red grouper  
24 stock, for which catch limits were previously reduced, following  
25 the SEDAR 61 stock assessment, in response to projections about  
26 substantial episodic mortality from the 2018 red tide in the  
27 eastern Gulf of Mexico.

28  
29 Catch limits were subsequently increased, following the 2021  
30 interim analysis, which indicated the index used to track  
31 population trends had improved. The Southeast Fisheries Science  
32 Center provided these interim analyses for red grouper annually  
33 for the SSC's evaluation. In 2022, the interim analysis was  
34 provided as a health check.

35  
36 In 2021, the red grouper interim analysis adjusted catch advice  
37 using an index-based harvest control rule and a three-year  
38 moving average from the National Marine Fisheries Service's  
39 bottom longline survey. The 2023 interim analysis also adjusts  
40 the catch advice, using the index-based HCR and a three-year  
41 average and five-year moving average of the National Marine  
42 Fisheries Service's bottom longline survey.

43  
44 The reference year of 2018 is the first year following the  
45 terminal year in the SEDAR 61 stock assessment, which was 2017,  
46 and corresponds to a reference catch of 5.57 million pounds  
47 gutted weight.

1 The updated index includes 2020, which saw reduced spatial  
2 coverage in sampling, due to the COVID-19 pandemic. Higher  
3 abundance was observed in 2021, with a decrease following in  
4 2022. It's noted that during -- We looked at the last ten  
5 years, and the trend is pretty flat across the timeframe. No  
6 increase or decrease was noted.

7  
8 The SSC discussed the amount of time that had elapsed since the  
9 terminal year of the assessment, acknowledging that interim  
10 analyses do not really update factors like changes in growth,  
11 reproduction, recruitment, et cetera. The SSC acknowledged that  
12 uncertainty about the catch advice should be expected to  
13 increase with time from the SEDAR 61 terminal year, which,  
14 again, is 2017. The SSC doesn't generally support catch  
15 recommendations beyond five years from the beginning of the  
16 initial projection period.

17  
18 It was noted that the results from the next planned red grouper  
19 operational assessment are not anticipated to be reviewed by the  
20 SSC until 2025, with management advice expected thereafter.  
21 Further, if a change in catch limits were recommended by the SSC  
22 at this meeting, that management change would not be expected to  
23 take effect until 2024, at best, at about the same time the next  
24 red grouper operational assessment begins. We had a long  
25 discussion on that.

26  
27 Generally, with at flat National Marine Fisheries Service bottom  
28 longline index, and no information presented on younger, smaller  
29 fish, often selected by the recreational sector, which data was  
30 shown that we've seen a spike in landings in 2021 and 2022, the  
31 SSC felt that it lacked the information to modify management  
32 recommendations at this meeting.

33  
34 A motion was made, at the SSC, and the SSC recommends not  
35 modifying the current catch limits for Gulf red grouper based on  
36 the 2023 interim analysis, and that motion carried without  
37 opposition, and that, Mr. Chair, is the presentation.

38  
39 **CHAIRMAN FRAZER:** Thank you, Dr. Nance, as always, for going  
40 through that, and so is there any questions from any of the  
41 council members with regard to the SSC's discussion on the red  
42 grouper interim analysis? Ms. Boggs.

43  
44 **MS. BOGGS:** I have two questions, if you don't mind, and it says  
45 the SSC doesn't generally support catch recommendations beyond  
46 five years from the beginning of the initial projections period,  
47 and is that 2017, or what are we looking at for that five-year  
48 start date, and then I have one other quick question.

1  
2 **DR. NANCE:** 2017.

3  
4 **MS. BOGGS:** Okay, and so I did have that right. Then --

5  
6 **CHAIRMAN FRAZER:** Hold on real quick. Mr. Rindone.

7  
8 **MR. RINDONE:** The projections period actually begins after the  
9 interim years, and so, in the case of SEDAR 61, 2018 and 2019  
10 were interim years, or 2018, 2019, and 2020 I think ended up  
11 being the interim years, and the actual updated catch went into  
12 effect in 2021, and so, essentially, what we would have done is,  
13 for the interim years where we had finalized and, depending on  
14 when in the year, preliminary landings, those could have been  
15 input into the projections as those actual values, and let's  
16 just use an example.

17  
18 If we were finishing the assessment today, and it was using data  
19 through 2020, like we just did for gray snapper, and we had the  
20 data for 2021, and so that was able to be put into the  
21 projections as it is, but, for 2022, and we're a month into  
22 2023, and we don't have those data yet, and so we used the  
23 average of 2019, 2020, and 2021 for 2022 and 2023, knowing that  
24 we're not going to change management for gray snapper before the  
25 end of 2023, and so 2024 is the first year of the projection  
26 period, because we've now made assumptions about what we think  
27 has happened between the terminal year in the assessment and  
28 when management is actually going to start.

29  
30 During that interim period, we also hold constant things like  
31 selectivity, the size and age of fish that are being selected by  
32 the different fleets, and retention, the size and age of fish  
33 that are actually being kept, for that interim period, and also  
34 into the projections period, and that usually uses whatever the  
35 value is for those parameters from the terminal year of the  
36 assessment. In this example for gray snapper, it would be 2020,  
37 but that projection period starts in 2024, and so the SSC made a  
38 recommendation through 2028, but not beyond 2028, because of  
39 what Dr. Nance said, that they don't tend to support projections  
40 much beyond that point, because the uncertainty about the  
41 precision of those projected yields grows considerably once you  
42 get outside of that.

43  
44 When we set those though, if we don't make any changes after  
45 2028, the way it's codified in the regulations is 2028 and  
46 subsequent years, and so, whatever it is for 2028, it stays that  
47 way until you guys change it.

1 **CHAIRMAN FRAZER:** Ms. Boggs.  
2  
3 **MS. BOGGS:** So did you switch from gray snapper back to --  
4  
5 **MR. RINDONE:** I used gray snapper just as example to explain it.  
6  
7 **MS. BOGGS:** Okay, and so now you've got me totally confused.  
8  
9 **MR. RINDONE:** I just used gray snapper as an example of what we  
10 do in the interim years for when the projection period actually  
11 starts, and so, for red grouper, from SEDAR 61, the interim  
12 years -- I would have to go back and look this up, but the  
13 interim years would have been for a couple of years between when  
14 the assessment terminal year was in 2017 and then when the first  
15 year of projections was, which was either 2020 or 2021, and I  
16 don't recall off the top of my head, but the first year of the  
17 projection period would have been then, and then the SSC would  
18 have recommended catches for a three to five-year period beyond  
19 that point, but not further than that.  
20  
21 Then, when we did the interim analysis in 2021, the SSC  
22 recommended a revised catch limit, but just for one year,  
23 because it would have gone into effect, and then they would have  
24 seen another interim analysis now this year, but they're not  
25 recommending a change, based on what they've seen, this time.  
26  
27 **CHAIRMAN FRAZER:** Ms. Boggs.  
28  
29 **MS. BOGGS:** I would like to rephrase my question, if I may.  
30  
31 **CHAIRMAN FRAZER:** You may.  
32  
33 **MS. BOGGS:** So when can we see the next catch recommendation  
34 come out of the SSC for red grouper? Is that a better way to  
35 phrase the question?  
36  
37 **DR. NANCE:** Well, as we do these interim analyses each year,  
38 we're getting further and further away from the assessment  
39 itself, and so, because of that, as I indicated, this interim  
40 analysis is based on one index, the National Marine Fisheries  
41 bottom longline, and so we're using that to follow what the  
42 stock is doing, and it doesn't update recruitment, and it  
43 doesn't update the size analysis or anything like that, and so,  
44 as we get away from the assessment itself, we are becoming less  
45 sure about what the stock is doing, with just one index.  
46  
47 **CHAIRMAN FRAZER:** Susan, let me just make sure, and I think what  
48 you're asking -- So the next operational assessment of red

1 grouper is in 2024, and so, based on that assessment, then we'll  
2 be able to provide new and updated catch advice, and does that  
3 help?

4  
5 **MS. BOGGS:** That's very helpful, and then I have another  
6 question, but I think Dr. Porch has something to say.

7  
8 **CHAIRMAN FRAZER:** Dr. Porch.

9  
10 **DR. PORCH:** I just wanted to make sure that we're not getting  
11 lost in a couple of points here. The reason why the catch limit  
12 wasn't updated is because basically the index of abundance  
13 didn't change very much, and so the interim approach works such  
14 that, if the index goes up by X percent, then, essentially, the  
15 catch limit could go up by X percent, or, if the index goes down  
16 by Y percent, the catch limit would go down by that same  
17 percent, more or less.

18  
19 In this case, the index was flat, and so there's no reason to  
20 change the catch limit from what it was before, but you could  
21 change it every year, regardless of how far it is from the  
22 assessment, because you're relying on what is really your most  
23 reliable dataset for red grouper in this NMFS bottom longline  
24 survey, but the gold standard would be to conduct another  
25 assessment and update everything, but you can do an interim  
26 analysis ten years after an assessment, and that's better than  
27 just keeping the catch constant, because at least you're looking  
28 at some real data, in close to real time. Thanks.

29  
30 **CHAIRMAN FRAZER:** Thank you, Dr. Porch. It looks like we have a  
31 question from Mr. Anson.

32  
33 **MR. ANSON:** That is what I wanted, I guess, further  
34 clarification on, is my interpretation, through the first read  
35 of the report, was that it was the SSC's recommendation not to  
36 go beyond five years, but that was more related to the  
37 projections and not looking since the last assessment was  
38 created, and so Dr. Porch answered that question. Thank you.

39  
40 **CHAIRMAN FRAZER:** Okay. Are there any -- Ms. Boggs.

41  
42 **MS. BOGGS:** Just to clarify, so, in the last statement, where  
43 you mentioned that there's no information presented on the  
44 younger, smaller fish that are often selected by recreational  
45 sector, that won't be incorporated until the next operational  
46 assessment in 2024, I mean, or is that -- That's the next time  
47 we'll see that factored in?

48

1 **DR. NANCE:** That would be factored in in the assessment,  
2 because, right now, we're just using the NMFS bottom longline.

3  
4 **CHAIRMAN FRAZER:** Mr. Strelcheck.

5  
6 **MR. ANDY STRELCHECK:** I would like to make a recommendation that  
7 we bring up Tab B, Number 9(b), I think it is, the interim  
8 analysis, and I think it would just be helpful to show the  
9 graphic here as well.

10  
11 **CHAIRMAN FRAZER:** Okay. Let's see if we can get that up on the  
12 board.

13  
14 **MR. STRELCHECK:** If you go to page 12. I think we are getting  
15 confused a little bit, in terms of the time series, but the  
16 bottom line is the interim analysis obviously is looking at a  
17 trend in abundance, the bottom longline survey. If that bottom  
18 longline survey is representative of the red grouper population  
19 as a whole, right, and, if it goes up, then we potentially can  
20 increase catches. If it goes down, we would decrease catches.

21  
22 In this instance, whether you're looking at a three or five-year  
23 time series, there wasn't a lot of evidence before the SSC to  
24 say we should be increasing the catch, or decreasing the catch,  
25 and so that's where their advice came from, in terms of  
26 maintaining it status quo for the time being, and so I just  
27 wanted to note that, and, obviously, you can see it's been very  
28 flat since 2013 and 2014.

29  
30 **CHAIRMAN FRAZER:** Thank you, Andy, for pointing that out to  
31 folks. Is there any other questions for Dr. Nance with regard  
32 to the SSC's discussion on the red grouper interim analysis?  
33 Okay. I am not seeing any. Dr. Nance, thank you again.

34  
35 **DR. NANCE:** Thank you.

36  
37 **CHAIRMAN FRAZER:** All right. Mr. Chair, we've got about ten  
38 minutes left, and I'm not sure I can accomplish much in that  
39 time, but I'm sure I'm likely to mess something up, if you give  
40 me ten minutes.

41  
42 **MR. DALE DIAZ:** I have a lot more faith in you than that, Tom,  
43 but I think I've kept this council past our working time a lot  
44 more often than we've knocked-off early, and, in fact, I think  
45 this will only be the second time, and so I propose that we call  
46 it a day at this point, and we start back up in the morning with  
47 Reef Fish, at 8:00 a.m.

1 **CHAIRMAN FRAZER:** Thank you, Mr. Chair.

2  
3 **MR. DIAZ:** Thank you. I'll see everybody at 8:00 a.m.

4  
5 (Whereupon, the meeting recessed on January 30, 2023.)

6  
7 - - -

8  
9 January 31, 2023

10  
11 TUESDAY MORNING SESSION

12  
13 - - -

14  
15 The Reef Fish Management Committee of the Gulf of Mexico Fishery  
16 Management Council reconvened at the Hilton Baton Rouge in Baton  
17 Rouge, Louisiana on Tuesday morning, January 31, 2023, and was  
18 called to order by Chairman Tom Frazer.

19  
20 **CHAIRMAN FRAZER:** We will jump right into the IFQ Focus Group  
21 discussion, and we're going to let Dr. Lasseter work through the  
22 action guide.

23  
24 **IFQ FOCUS GROUP**

25  
26 **DR. AVA LASSETER:** Thank you very much, Mr. Chairman. Good  
27 morning, everyone. This morning, we have a series of  
28 presentations, and then we'll turn it over to the committee for  
29 discussion, and so we held the second facilitated meeting of the  
30 focus group on November 30 and December 1, and so, first up, we  
31 have one of the facilitators with us who will provide a brief  
32 summary of the meeting.

33  
34 One of the themes that come up during the meeting that the focus  
35 group members were interested in was adaptive catch shares, and  
36 so one of the focus group members, who was our knowledgeable  
37 non-participant, Dr. Andrew Ropicki, is here today, and he will  
38 make a presentation on this adaptive catch shares management  
39 approach.

40  
41 Then we have SERO staff that are going to present the proposed  
42 IFQ-related issues list of potential changes to you, and then  
43 we'll open it up for discussion and hope that -- We're looking  
44 for recommendations on what part of this list you are interested  
45 in pursuing and discussion as to when you would like to address  
46 this, whether a special Reef Fish Committee meeting is warranted  
47 or whether we will continue to work on this through the Reef  
48 Fish Committee, and I will turn it over now to Ms. Joy Hazell

1 from the Natural Resources Leadership Institute at the  
2 University of Florida, and she's going to summarize the second  
3 IFQ Focus Group meeting. Thank you.

4  
5 **PRESENTATION: NOVEMBER 2022 FOCUS GROUP MEETING**  
6

7 **MS. JOY HAZELL:** Good morning, everybody. Before we get  
8 started, I would like just a show of hands of who was able to be  
9 online and listen to the IFQ Focus Group meeting or was present.  
10 Okay, and so a few of you, but not all of you, and I just wanted  
11 to get a sense of how much information you had. Obviously,  
12 there's a report in your packet, which is going to go into  
13 significantly more detail than I'm going to go into right now,  
14 and I'm just going to give you a brief overview of what happened  
15 during the meeting.

16  
17 Just as a reminder, the meeting took place at the council  
18 headquarters in Tampa, Florida, on November 30 and December 1.  
19 We had eight members, and the public participant was not  
20 present, and we were informed, during the meeting, that the  
21 public participant has actually sold his shares, and so these  
22 are the participants who were here.

23  
24 You gave us all a meeting charge, and this is a little bit hard  
25 to read. What we focused on, as facilitators, was the meeting  
26 charge that was in bold, because we had somewhat addressed the  
27 first two meeting goals in the previous meeting, and so that was  
28 how we focused this meeting down the two days, and so, just to  
29 remind us, in case people can't read it, because it is small,  
30 the council is considering changes to assist new entrants, i.e.,  
31 replacement fishermen, to the IFQ program.

32  
33 What would such program changes look like, and what would be the  
34 implications of those changes, and we looked at implications as  
35 potential benefits and drawbacks, which you then asked us to  
36 evaluate the benefits and drawbacks to get active fishermen who  
37 own no shares an increase in annual allocation, not shares, and  
38 allocation held by the agency in non-active accounts.

39  
40 The way we did this, we actually spent the first morning kind of  
41 reminding ourselves what we had done in the previous meeting,  
42 and then we tasked the meeting participants, the focus group  
43 members, with envisioning a scenario five years in the future,  
44 and scenario planning is a very common tool used for strategic  
45 planning.

46  
47 It allows for creativity, and it decreases ownership in the  
48 outcome, because you're thinking in the future, and it has been



1 used in military planning for years, and it was used in post-  
2 apartheid South Africa, and it was used it was used during the  
3 oil crisis in the 1970s, which some of us probably don't  
4 remember, but some of us do remember the oil crisis in the  
5 1970s, where you had to wait in gas lines for many years, or  
6 many hours, and Shell Oil Company had done scenario planning,  
7 and they were the only company who actually did well during that  
8 crisis, and so just to give you a little sense of why we use  
9 this tool, and the scenario we started with was a scenario where  
10 it was easier for replacement and/or active fishermen to obtain  
11 shares or allocation, and we split them into two groups to  
12 discuss this.

13  
14 The reason we break them into groups is you get more  
15 participation with less people, and it's that simple, and so  
16 Group 1 envisioned a scenario where quota was increased by  
17 70,000 pounds, and there was an adaptive management cycle, and  
18 fishermen controlled shares and allocation. Group 2 discussed  
19 that public participants were required to divest their shares or  
20 acquire a permit in order to keep their shares, and so there was  
21 two different conversations.

22  
23 We then came back as a group and reported-out each scenario,  
24 each group's scenario, and we looked for commonalities, and the  
25 commonalities were this concept of having a permit requirement  
26 to own shares and with that permit requirement having a minimal  
27 landing requirement, and we actually discussed those two things  
28 in-depth over the next two days.

29  
30 Some challenges were a question of whether this would change the  
31 program in a meaningful way and this outstanding question, which  
32 was still outstanding at the end of the two days, of what is the  
33 minimal landing requirement. We then had them do another  
34 scenario, and this is common, to do various scenarios, and I  
35 want to remind us all that the reason we do various scenarios is  
36 because every decision that is made, or every decision that is  
37 not made, leads to future outcomes, and so we wanted to explore  
38 different possible outcomes, based on different decisions, and  
39 so this was where the IFQ system is not changed, and so rules  
40 and structures. It's 2029, but rules and structures are the  
41 same as they were in 2022, and what does that look like?

42  
43 Interestingly, the two groups came up with completely different  
44 scenarios, which is not uncommon, and was actually kind of  
45 exciting, from a facilitator standpoint, and so, in the first  
46 group, they envision that there would be no independent owner-  
47 operators and that corporations own the vast majority of the  
48 fisheries, and they even discussed the potential for foreign

1 investors to own the vast majority of the fisheries.  
2  
3 Group 2, which was my group, went a little bit off-script,  
4 because they had a sort of outstanding question about the  
5 stability of the markets, because they have concerns of what the  
6 instability of the market does to the share market and leasing,  
7 and so we charged them with assuming that it is stable, and  
8 their outcome was that banks would actually secure loans,  
9 because there was a stable market, and that that would be  
10 cheaper than leasing.  
11  
12 Then there was a long discussion on how you define this next  
13 generation of fishermen and this inclusion of landings  
14 requirement and what that might look like.  
15  
16 We then brought the groups back together, and we did discuss  
17 this concept of a landing requirement, and so then we, per the  
18 charge of the council, we talked about -- This is the  
19 discussion. The discussion was around this idea of a permit  
20 requirement with a percentage required to land, and the number  
21 we decided on for discussion only, and this was not a number  
22 that was accepted across-the-board as the appropriate number,  
23 but it was for discussion, was they were required to land 10  
24 percent of their allocation.  
25  
26 We had a discussion of the benefits and drawbacks of that, and  
27 they created a runway to divest and to address inheritance  
28 issues. They felt that it was unlikely that the leasing market  
29 would lock up, and they felt it was a step in the right  
30 direction and that it would cause share owners to have skin in  
31 the game. Some folks said they said it was the best -- They  
32 were concerned about stability, and it was the best stability  
33 that could bring about change, and it would limit pure  
34 speculators. It opens up more shares, and it's a step in the  
35 right direction.  
36  
37 We also discussed some drawbacks, and there was a question on  
38 timing, how quickly it would get shares to share opportunities  
39 to allocation-dependent fishermen, and there was concern that  
40 there would be less allocation available for lease. It doesn't  
41 address discards and that, by requiring permits, it could  
42 increase the cost of permits, and it could also disrupt leasing,  
43 and this questions of is 10 percent too low, and so this number  
44 was a big point of discussion amongst the group. Is 10 percent  
45 too low, or is 25 percent too high, et cetera?  
46  
47 Then we went on to discuss this other charge from the council of  
48 what would happen if increases in annual allocation were not

1 distributed to existing shareholders, and, instead, were  
2 distributed evenly among active fishermen, okay, and so that  
3 would include shareholders that were active fishermen, but it  
4 would also include lease-dependent fishermen, and, again,  
5 drawbacks and benefits, and the drawbacks are the shareholders  
6 will get a lower increase than they would in the current system,  
7 and there was this outstanding question of whether it would be  
8 used for discards or direct catch.

9  
10 The benefits were that it could be used for research to curb  
11 discards, and it could be allowed for this new entrants to get  
12 some shares. It could increase access to fish, reduce the race  
13 for fish, and create a financial benefit for active fishermen.

14  
15 There were many questions that are outstanding that need to be  
16 addressed. How are new entrants defined, and there were  
17 questions of is it one to three years, is it folks who are  
18 already leasing, is it captains, and what about crew members, et  
19 cetera, and so this idea of lease-dependent fishermen, rather  
20 than new entrants, and what do we do to address latent permits,  
21 and I believe somebody actually came up with a number of what  
22 the latent permits look like there, and how does this deal with  
23 the next-generation crew working their way up?

24  
25 We then sort of went back to this question about permit  
26 requirements and had some final thoughts from the group. Again,  
27 this idea that there would be no speculators, and there was -- I  
28 don't want to say there was consensus, but I think there was  
29 universal interest in this idea of permit requirements, and let  
30 me put it that way, that owner-operators would be in control,  
31 they would make more money, and there was still this outstanding  
32 question about adaptive catch shares, and Andrew will be coming  
33 up and speaking on this in a second, because we did not get to  
34 that discussion, and some folks were really disappointed that we  
35 weren't able to get to that discussion.

36  
37 I think this is the next slide, but I also want to make a note  
38 that you all asked us to look at drawbacks and benefits, and, of  
39 course, in these, the drawback to one person could be a benefit  
40 to another, and so they weren't absolute, and so that was a lot  
41 of the discussion, that one person felt it was a good thing, and  
42 it was not a good thing to another member of this group.

43  
44 Some themes that came up was this question about defining new  
45 entrants, whether it was lease-dependent or new entrants, and  
46 this recognition that people participate in different ways, and  
47 there is plenty of outstanding questions, and this is what I  
48 mentioned that I think is really important, that a benefit to

1 one could be a drawback to another. There was general support  
2 for a permit requirement, but the 10 percent value did not have  
3 full consensus, and this buyback of shares and permits were  
4 frequently mentioned. I believe that was my last slide.

5  
6 **CHAIRMAN FRAZER:** All right. Thank you, Joy. I appreciate that  
7 presentation, and so I guess we'll open it up for a few  
8 questions before we move on to Dr. Ropicki. Is there any  
9 questions for Ms. Hazell? Mr. Gill.

10  
11 **MR. GILL:** Thank you, Mr. Chairman, and thank you, Joy, and  
12 thank you, Wendy-Lin. I think you all put a lot of work into  
13 that and were instrumental in carrying it through, and so I have  
14 two questions for you. Since you've done 23,000 facilitations,  
15 or thereabouts, how would you rate this one, in terms of  
16 difficulty, or getting to an endpoint, and, you know, was it  
17 average, or was it worse, or was it better?

18  
19 **MS. HAZELL:** I would say it was a little worse than average, and  
20 I can give you my why, if that's --

21  
22 **MR. GILL:** Yes.

23  
24 **MS. HAZELL:** I can put it in with a bunch that were in the same  
25 category, and so I don't want to indicate that I haven't dealt  
26 with this, but, number one, this is a long-standing issue,  
27 right, and this is multiple years in the making, where people  
28 have already had discussions, and they've had lots of these  
29 conversations already, and so it's hard to get a jump on that,  
30 and an example I would give you was I did something to build a  
31 habitat management plan for Lakeland, Florida, that was twenty  
32 years in the making. The conflict was twenty years in the  
33 making, and it took two years.

34  
35 It took probably several meetings just to get to the point where  
36 people trusted each other, and that's through nobody's fault,  
37 but that length of time of a conflict will increase the  
38 difficulty of these processes, and so I think that's probably  
39 the biggest reason.

40  
41 **MR. GILL:** Thank you for that observation, and so the other  
42 question is your expertise is in facilitation, and I understand,  
43 you know, you're not an expert in IFQs, but, from the  
44 perspective of holding those two meetings with Wendy-Lin, would  
45 you offer any suggestions as to what the council might have done  
46 better to help set them up to get to a more definitive endpoint,  
47 and, if you would, be frank.

1 **MS. HAZELL:** Okay. Thank you for not asking what I would  
2 recommend the council do, which was actually my biggest fear,  
3 and so, if anybody asks that, my answer is I'm a facilitator,  
4 and I don't have an answer to that, and I'm impartial.

5  
6 It's a really interesting question. I think more time, giving  
7 folks more time to discuss, recognizing that people -- You know,  
8 people have jobs and lives that they have to get to, would be  
9 the first one, and I'm trying to give it really good thought,  
10 and yet answer quickly, which is a challenge, right, and, you  
11 know, one of the ways would have been -- You did it to a certain  
12 extent in the end, but to offer specific changes that they could  
13 then deliberate, as opposed to having them come up with the  
14 changes specifically, and I think, when you got to questions  
15 where they were able to deliberate benefits and drawbacks,  
16 that's when the discussion became really rich.

17  
18 I think, when it's wide open, it becomes a little more  
19 challenging, and we did discuss that a little bit, in talking to  
20 NMFS and seeing what challenges they might want to explore, and  
21 I think that might have helped it.

22  
23 I think, also, potentially having larger groups of people.  
24 There's a limit to the number of people that you can have in  
25 there, where it starts getting a little bit unwieldy, and I've  
26 done meetings with 120 people, and I would not recommend it,  
27 but, you know, maybe twenty or thirty people, representing  
28 different groups, might have -- I don't want to -- It was  
29 brought up, and it's written in the report, and so I want to  
30 sort of acknowledge that people come to these meetings with  
31 their positions pretty well entrenched, and the goal is to get  
32 people to the point where they are free, and they become  
33 entrenched for a variety of very good reasons, and so the point  
34 is to get people to the point where they're free to negotiate  
35 all the different potential possibilities, and so more people  
36 might have created cover for that entrenchment.

37  
38 **CHAIRMAN FRAZER:** Ms. Boggs.

39  
40 **MS. BOGGS:** Thank you, and thank you, Joy, for the presentation,  
41 and I will be the first one to say that I was not a proponent of  
42 this second meeting, but I am pleased to see the outcome, and I  
43 think it seemed to be a little organized, maybe, than the first  
44 meeting, and, based on your comments that you just made, the  
45 better direction, and I do agree with you. This has been a long  
46 time coming, and you're right that it has festered, so to speak,  
47 but I was glad to see this report, and I'm glad to see the  
48 outcome, and I think it was much more productive than the first

1 meeting, and that's why I wasn't so supportive of going into the  
2 second meeting, and so thank you for this.

3  
4 **MS. HAZELL:** I will say that's not uncommon. The first meeting  
5 is really all about trust building also, and so it's hard to be  
6 productive at that point. By the second meeting, people have a  
7 sense of each other, and it does get more productive as time  
8 goes on.

9  
10 **CHAIRMAN FRAZER:** Okay. Are there any other questions for Joy?  
11 All right. Joy, I'm not seeing any right now, and so thank you  
12 very much for that presentation.

13  
14 **MS. HAZELL:** Thank you.

15  
16 **CHAIRMAN FRAZER:** All right, and so next on our list is Dr.  
17 Andrew Ropicki. He's going to talk to us a little bit about  
18 adaptive catch shares. Welcome, Andrew.

19  
20 **PRESENTATION: ADAPTIVE CATCH SHARES**

21  
22 **DR. ANDREW ROPICKI:** Thank you. As Joy mentioned, we -- You  
23 know, this was a pretty big task for such a short period of  
24 time, and this was a topic that came up, adaptive catch shares,  
25 but it didn't really get to get addressed, and, in the public  
26 comments, there was a lot of interest from the fishermen, and so  
27 I was asked to come and talk on it a little bit, speak on it.

28  
29 This is just going to be a very brief overview, because it's a  
30 complicated topic, where I could talk all day, and I'm sure no  
31 one wants to listen to that, and so I will briefly describe and  
32 go through a couple of very simplified examples and then kind of  
33 talk about, you know, potentially how it might change the market  
34 for share and allocation, and that will pretty much be it.

35  
36 It's a tricky topic to cover, before I get into it too far, just  
37 because I ran this by some other economists, and kind of changed  
38 my presentation a few times, because it was kind of like I would  
39 make a more finite point on something, and they would go, well,  
40 that's at the end, after you, you know, maybe hit a steady  
41 state, where there adaptation process has led to fishermen  
42 owning their share, or owning their harvest privilege, or that's  
43 too fine a point, and that's when they're in this transition  
44 phase.

45  
46 The background of what is adaptive catch shares, and, well, it's  
47 a system designed to address the frequently-raised issues with  
48 catch shares programs, kind of what we were tasked with here,

1 just barriers to new entrants, and also the idea that, you know,  
2 a lot of catch shares -- You create this perpetuity, a perpetual  
3 asset, and it's based on a one-time free distribution of shares,  
4 based on catch history during a single review period, and that  
5 has led to, as the National Academy report pointed out, issues  
6 with intergenerational wealth trends, and, you know, it kind of  
7 sticks with that first group, and you have second and third  
8 generations that might be allocation-dependent, that lease their  
9 rights.

10  
11 Then, thirdly, it's designed to deal with this idea of absentee  
12 ownership. You know, your external investors, those folks who  
13 don't actually fish, who just saw it as an investment, and, in  
14 addition to that group, you have, you know, fishermen, as they  
15 retire, who, instead of truly leaving the fishery, they still  
16 own their share, and they sell it as allocation, and so it's  
17 designed to address all three of those, and the way it works is,  
18 you know, you had your one-time initial distribution, and, well,  
19 you just kind of do that every so often.

20  
21 You have these cycles where you reallocate shares to the  
22 participants that are actually actively harvesting fish, and,  
23 you know, at its most basic, at the end of each cycle, a  
24 predetermined portion of shares are reclaimed from each account  
25 and redistributed among accounts based on their proportion of  
26 landings, and so it's kind of like the first go-round of  
27 distribution of shares, only you do it cyclically, and the idea  
28 is that more of the ownership stays with those actually  
29 harvesting.

30  
31 System design considerations, there are some pretty big ones  
32 here. You know, you need to think about the cycle and how long  
33 of a period are you going to look at in determining the period  
34 of time that is up for consideration for a change, and what I've  
35 done here, in those first three bars, if you think about a ten-  
36 year time horizon, you know, the first one would be a one-year  
37 cycle, and so, every year, some proportion of the catch would be  
38 redistributed based on what was caught in the previous year.  
39 The second one would be every two years, and the third one would  
40 be a longer cycle, every five years.

41  
42 Additionally, you can think about a constant versus changing  
43 cycle length, and, you know, you could start with a very long  
44 cycle, and then kind of work your way down to a shorter cycle,  
45 or the opposite is a potential way to go. You could start with  
46 a short cycle, if you want to see how it's going to go first,  
47 before you really dive in, and then you kind of spread it out  
48 through time.

1  
2 The other big decision that needs to be made is the reclamation  
3 proportion, how much of those shares are going to be collected  
4 for redistribution at the end of each cycle, and you can go --  
5 You know, zero percent would be just catch shares as we know it,  
6 and 100 percent would be, you know, fully turning over the  
7 ownership every cycle.

8  
9 Similar to the cycle lengths, with the reclamation proportion,  
10 you can think about constant versus changing cycles, and so you  
11 could do a big first cycle and then kind of, through time, go  
12 smaller and smaller, where the idea here might be that, you  
13 know, as you get the share into the hands of the people actually  
14 harvesting, you get to a point where the redistribution cycles  
15 can be -- The reclamation proportion can be smaller, because  
16 it's just catch balancing, is what they're doing, is trying to  
17 match their portfolio of shares and what they're actually  
18 landing.

19  
20 The opposite end of that is you could start small, if you want  
21 to test it out, and then go bigger and bigger, through time.  
22 Other considerations are harvest rules for multiyear cycles, and  
23 so, if you're going to do a five or ten-year cycle, you've got  
24 options of you could do all years, or you could do the best  
25 three of five, in terms of their landings, determining what  
26 portion they're going to get, and the idea here would be, by  
27 looking at the best years, you leave the potential for a  
28 fisherman who say has health issues in one year, or maybe their  
29 vessel broke down, and they're not penalized, when you use the  
30 best years, as opposed to all years.

31  
32 You can also look at percentage of landings versus number of  
33 pounds landed, and the examples that I have today are the basic  
34 number of pounds landed, but you could also look at it -- You  
35 know, you have those years where a smaller percentage of the  
36 total commercial quota is caught, and you could look at it in  
37 terms of percentage of landings each year, and then, lastly, you  
38 have to figure out how to deal with changes in commercial quota,  
39 and so, you know, we kind of go up and down through time, based  
40 on how the stock is doing, and those need to be accounted for in  
41 determining what your system is going to look like. You know,  
42 are you going to redistribute those to the original owner or to  
43 the person receiving the adaptive catch shares, and so that's  
44 another design consideration.

45  
46 These design considerations will determine how quota markets,  
47 both the share and allocation market, will change, and they will  
48 change. I mean, it's a pretty drastic change to how the fishery



1 is managed, when you think about implementing an adaptive catch  
2 share system.

3  
4 The first example I have, and I'm just going to go through a  
5 couple of these, just to show you how it would work, and this is  
6 a short cycle, one year, with a low reclamation proportion, and  
7 so a one-year cycle, and, each year, 2 percent of the share is  
8 reclaimed, and, for the simplicity of going through this, I just  
9 have five fishermen in this fishery, and, instead of doing it on  
10 percentage of share, we did it in share pounds, because that's  
11 kind of the nomenclature in the fishery, you know, and you  
12 usually trade pounds, and so, for simplicity, but it's a pretty  
13 simple example.

14  
15 You will see that one of my fishermen owns 50,000 of the 100,000  
16 total, and, well, that's a 50 percent share, if you want to  
17 think about it that way.

18  
19 For this example, what we're doing is we're starting with  
20 beginning share ownership is where they are when we're moving to  
21 adaptive catch shares, and, as you can see, we have five  
22 fishermen, four of whom own share and one who is an allocation-  
23 dependent fisherman and has no ownership.

24  
25 What we do is we look at their year-one landings, and, in year-  
26 one, we have them harvesting the entire amount, and we have our  
27 reclamation, and I'm just going through this fast, because I'm  
28 going to go through each individual fisherman's year-one on its  
29 own in the next few slides, but we have how much is reclaimed  
30 and then how much is redistributed based on what they caught,  
31 and so Fisherman 1 started with 50,000 pounds, and 2 percent of  
32 that goes up for redistribution, 1,000 of his pounds, and he  
33 catches 30,000 pounds, and so he's caught 30 percent of the  
34 total quota, and so that pot up for reclamation is 2,000 pounds  
35 is going to be distributed, and he's going to get 30 percent of  
36 that, and so he's going to get 600 pounds, and so you take --  
37 Well, let me just go to the next slide that's basically  
38 describing it.

39  
40 He started with 50,000 pounds of share, and 1,000 pounds of his  
41 share was reclaimed, and that's 2 percent of his 50,000 pounds.  
42 This fisherman had 30 percent of total landings, and so he was  
43 redistributed 600 pounds, in this example, and so that 30  
44 percent of the total redistributed is where we get the 600 from,  
45 and so his net -- He starts year-two with 49,600 pounds, and  
46 1,000 is redistributed, and he recollects 600, based on what he  
47 actually landed.

48

1 Fisherman 2, we can think of this as someone who maybe doesn't  
2 trade allocation, at least in this first example, and they're  
3 someone who they have the quota they want to fish, the exact  
4 number, in terms of pounds, and they go out and fish it, and  
5 that's where they are.

6  
7 They start with 20,000 pounds of share, and 400 pounds of share  
8 is put up for redistribution, and that's 13 percent of 20,000,  
9 but, for this fisherman, because they make up 20 percent of  
10 total landings, they get 400 pounds right back, and so they end  
11 up, net, they're the same they were before, you know, and this  
12 is just a fisherman that's going to stay the same, because  
13 they're catching their fish. Fisherman 3 -- Question.

14  
15 **CHAIRMAN FRAZER:** Ms. Boggs.

16  
17 **MS. BOGGS:** Thank you, Mr. Chair, for recognizing me, but I  
18 didn't want to get ahead, because -- Can you go back to --

19  
20 **DR. ROPICKI:** Yes.

21  
22 **MS. BOGGS:** The Fisherman 1 year-one outcome, and so explain to  
23 me the 30 percent, and how did we get to the 600, because my  
24 math is not adding up, because I don't understand where the  
25 2,000 pounds came from.

26  
27 **DR. ROPICKI:** Okay. Perfect. If we go back, and sorry about  
28 that. I maybe was going a little too fast. If you look at the  
29 beginning share ownership, you know, you've got Fisherman 1 has  
30 50,000 pounds, and Fishermen 2 has 20,000, 3 has 20,000, and 4  
31 has 10,000, and so that first column.

32  
33 We've got 100,000 pounds total of share, and we have a 2 percent  
34 reclamation, and so 2,000 pounds, 2 percent of 100,000, is where  
35 our 2 percent comes from, and then, because he caught 30,000 of  
36 the 100,000 that was caught, he is entitled to 600 of those  
37 pounds, that 30 percent.

38  
39 While we're back here, I will just point out that, if you look  
40 at year-two landings, it's important to note that how it's  
41 redistributed is based on what is landed and not on the size of  
42 the commercial quota, and so their percentages there -- Like,  
43 for instance, Fisher 2, or however you want to describe him, a  
44 pure fisherman who doesn't trade allocation, well, in this year,  
45 he caught -- In year-two, he caught all 20,000 pounds of his  
46 share, his allocation, for that year, but the fishery as a whole  
47 only caught 95,000 pounds, and so what happens here is he still  
48 gets 400 pounds reclaimed, and that's based on the share

1 ownership, the percentage reclamation, but he actually comes out  
2 a little bit ahead in the distribution, because his 20,000  
3 pounds is a little more than 20 percent, because they didn't  
4 catch the whole thing, the full quota, that year. That's  
5 Fisherman 2.

6  
7 Fisherman 3 is our public participant, or it could be a retired  
8 fisherman, and it's someone who is no longer actively fishing,  
9 and they started with 20,000 pounds of share, the same as  
10 Fisherman 2, and that's 20 percent of the total quota, and so  
11 they're going to be 400 pounds, if you want to think of that,  
12 back into the pot to be redistributed, but, with Fisherman 3,  
13 there's no landings, and so they don't get anything back at this  
14 time. Fisherman 3 has no landings, and, as such, was not  
15 redistributed any of his share, and so his 20,000 for year-two  
16 becomes 19,600, in this scenario.

17  
18 Fisherman 4 started with 10,000 pounds of share, 10 percent of  
19 the total quota, and so he's going to put up 2 percent of that,  
20 200 pounds, and, now, Fisherman 4 is -- You know, he's not  
21 completely allocation-dependent, but he does rely on allocation.  
22 You know, if he caught -- He owns 10 percent of the share, but  
23 he caught 21.64 percent of the total landings, and I apologize  
24 that the numbers got away from me in this example, and I wish it  
25 was 22, or just flat, but he has 21.64 percent of the total  
26 landings, and so he's going to be redistributed 433 shares, and  
27 so that is 21.64 percent of the 2,000 pounds being  
28 redistributed.

29  
30 He's going to start year-two -- Because he's actively involved  
31 in the fishery, he's going to come ahead on this, and so he's  
32 going to put 200 in and get 433 out and be a little ahead to  
33 start year-two.

34  
35 Fisherman 5 was our completely allocation-dependent fisherman,  
36 and he had zero pounds of share, none of the quota, and so this  
37 fisherman doesn't have anything to put in the pot in year-one.  
38 There's nothing there, but he landed almost twenty-eight-and-a-  
39 half percent of the total landings, and so he was redistributed  
40 567 pounds, and so that's 28.36 percent of the 2,000 pounds up  
41 for redistribution, and, in year-two, he now has ownership, and  
42 so he will put some into the pot for redistribution in year-two,  
43 and it's a small amount, and he's still very much allocation-  
44 dependent, but now he has an ownership state.

45  
46 He might have share which he -- You know, even at these low  
47 reclamation rates in this example, you could have a fisherman  
48 who this is the capital they need to go out and get a loan and

1 buy more quota. Maybe this is how they build into the fishery,  
2 because, at the very end, I am going to show you, at low  
3 reclamation rates, a fisherman, ten years in, who starts  
4 completely allocation dependent, is still going to be pretty  
5 allocation dependent, and I know it's good to see the numbers,  
6 and you will see them in a minute.

7  
8 Example 2, we go with a longer cycle with a higher reclamation  
9 proportion, and this is a five-year cycle with 25 percent of  
10 share reclaimed. We have five fishers. Well, this is kind of  
11 the same thing, and it's a five-fisher example, and I'm still  
12 doing it in share pounds, for ease of interpretation.

13  
14 They started out with the same beginning -- Well, I'll tell you  
15 what I'm going to do, and I'm going to go to the next slide,  
16 because this is really busy, but the total pounds landed -- Just  
17 trust me that the numbers on the next slide work out.

18  
19 What we have is Fisherman 1 has 50,000 pounds. The proportion  
20 of his ownership that's going to go up for reclamation is 50,000  
21 times 25 percent, and so 12,500 of his pounds are up for  
22 reclamation. Fisherman 2 and 3 and 4, you can see what they're  
23 doing there, and the same 25 percent goes up, and we started  
24 with 100,000 pounds of share, and so 25 percent, 25,000, goes  
25 into the pot to be redistributed, based on catch history.

26  
27 You can see their five-year landings, and what matters here is  
28 the proportion of landings they accounted for, and so, in this  
29 example, we're using all years, and this isn't the best three of  
30 five, and I just kept it simple, but you can see their  
31 proportional landings.

32  
33 You take that proportion and multiply it by the 25,000, and you  
34 figure out how much they're going to get redistributed, and so  
35 Fisherman 1 has their initial 50,000, and they're half the total  
36 commercial quota, and so they put in half of the share pounds up  
37 for redistribution, the 12,500, and, because they are not  
38 actively harvesting all of that, they get a percentage back, and  
39 they actually get the biggest percentage back, because they are  
40 the biggest fishermen, but it's not enough to match their  
41 landings, because, generally, they lease out some of their catch  
42 each year, or some of their share, as allocation.

43  
44 You can see Fisherman 2 is a pure fisherman, but he, once again,  
45 benefits from the idea that they didn't catch the total  
46 commercial quota in every year, and he somehow did, and so he  
47 comes out slightly ahead in this scenario. If they had caught  
48 the entire quota, and he just caught his 20,000 pounds every

1 year, he would be in the same place he started.

2  
3 Then Fisherman 3 is our public participant, or investor, and no  
4 landings, and so he puts -- You know, a quarter of his shares go  
5 up for redistribution, and all of them go out, because there's  
6 no landings there, and so he ends the cycle with 15,000 pounds  
7 to start the new cycle.

8  
9 Our allocation-dependent fishers, with, you know, 5 being  
10 completely allocation-dependent, you can kind of see their  
11 outcome there, and they both have the same amount of landings,  
12 but Fisherman 5 actually, you know, increases his ownership  
13 more, because, at the beginning, he had nothing to put into the  
14 pot, and he had no ownership, but he will start the next cycle  
15 with 25 percent of that 5,670 pounds that he now owns  
16 potentially up for redistribution.

17  
18 Those were two very basic examples, and there's lots of ways  
19 that you can change this as you go, and this is a slide that,  
20 when I showed it to other economists, they got a little antsy,  
21 and so I backed it up a little, but we can think about just some  
22 basic things about potential impacts on quota markets, both the  
23 share and allocation market, if you're going to go ahead and do  
24 an adaptive catch shares program, and so the first point is  
25 selling allocation becomes less attractive at a given allocation  
26 price, and so let's just think about that.

27  
28 If, prior to adaptive catch shares, the market allocation price,  
29 the market lease price, is \$3.00 a pound, and then you go to  
30 adaptive catch shares, where some of it is going to be  
31 redistributed, well, that's attractive, to me, than someone  
32 potentially leasing out quota, because, at \$3.00 a pound, yes, I  
33 still get the same amount of allocation income, but, at the end  
34 of the year, a little bit of my capital is going to go away in  
35 my investment, and I'm going to lose whatever is reclaimed. If  
36 we're thinking about a single -- I guess I should say at the end  
37 of the cycle it's going to be reclaimed, and it doesn't have to  
38 be a year.

39  
40 Buying allocation and harvesting, and the "and harvesting" is  
41 the important part here, becomes more attractive at a given  
42 allocation price, and so think about the flip side of that. If  
43 I was buying before at \$3.00 a pound, buying allocation at \$3.00  
44 a pound before we did adaptive catch shares, well, I was just  
45 getting the harvest privileges for this year. Now I'm getting  
46 those harvest privileges at \$3.00 a pound and I've got -- You  
47 know, at the end of the cycle, I'm going to get a little bit of  
48 a share too, or I'm going to get some shares, depending on the

1 reclamation rate, and so both of these working together, at  
2 least during, you know, a transition phase, before we get to  
3 steady state, as the fishery is kind of recalibrating, would  
4 have impacts. You know, both of those working together might  
5 lead to a higher allocation price.

6  
7 If selling allocation becomes less attractive, and buying  
8 becomes more attractive, well, we might expect the supply to  
9 drop a little, and the demand to go up a little, and that's a  
10 recipe for a higher price, at least in the short-term. It's not  
11 guaranteed, but it's a potential.

12  
13 The third bullet point here is share ownership by non-fishers  
14 becomes less attractive, and the allocation market may become  
15 thinner, because, if you think about this, if you are a public  
16 participant, whether you're a retired fisherman or an investor,  
17 you know, when this program comes around, if you do adaptive  
18 shares, you've got decisions to make, because your return on  
19 investment is going to go down if you just keep leasing out like  
20 you've been doing, because you're going to lose capital every  
21 cycle.

22  
23 You can either buy a boat and get a reef fish permit and go  
24 harvest, if that becomes more palatable to you than selling it  
25 as allocation, or you can sell your shares, and you can leave  
26 the market, but, when you do that, if you think about it, the  
27 person who is buying has that same disincentive to want to  
28 continue selling allocation, and it's not like another person  
29 who is going to come out and buy those people out is going to be  
30 looking to lease it out. They're going to be looking to  
31 harvest, more than likely.

32  
33 You know, these non-fishers, you know, among active fishermen,  
34 they are not -- You know, they're not happy about them, but they  
35 do serve a purpose, currently. You know, if you don't actively  
36 have the ability to -- If you own share, and you don't actively  
37 have the ability to harvest, the only way this makes sense to  
38 you is to sell allocation, and so you're providing liquidity to  
39 that market, and so there is the chance that the market would  
40 become thinner, the allocation market.

41  
42 Then the last point is it's not -- It's one possible outcome,  
43 but it's worth pointing out, because, you know, there might be  
44 allocation-dependent fishermen watching this and saying this  
45 sounds great, and the only problem is your reclamation  
46 percentages are too low, and they should be higher, but there is  
47 the potential that, if the reclamation percentage is high,  
48 making that investment very -- Decreasing how public

1 participants see that investment, and it's just not worth it for  
2 them, and they might all run to the exits.

3  
4 If it's going to be taken away quickly, they might go to sell,  
5 and, when they go to sell, who is going to buy? Well, it's  
6 going to be fishermen who buy, and, if there are deep-pocketed  
7 fishermen with the ability to, you know, catch the fish that  
8 they're going to buy, you could see quite a bit of consolidation  
9 and share ownership, and you would likely see harvest  
10 consolidation in that instance, too.

11  
12 Now, I just point this out, and, like I said, it's not  
13 definitive, and there's a lot of moving parts and everything,  
14 and, what's going to happen, I don't have a crystal ball, but I  
15 think it's important to point out the idea that this is a  
16 potential outcome.

17  
18 If you think about this, we can think about these external  
19 public participants, these investors, these retired fishermen,  
20 and, if you think about the allocation price increasing, and not  
21 necessarily that there's a cap on it, but we can think about  
22 what would make them whole, in terms of how the allocation price  
23 could change, and so it should be -- It's not the right title,  
24 but we'll call it the Public Participant Return Example.

25  
26 The first bullet point, I'm going to go through an example,  
27 because that's a mouthful, but I based this off of an annual  
28 cycle, because it's much easier. When you get to five years,  
29 this becomes a trickier proposition to figure out, but an  
30 investor should be indifferent between an annual cycle, or  
31 someone leasing out quota should be indifferent between an  
32 annual cycle adaptive catch shares system and a traditional  
33 catch shares system, if there's an allocation price increase by  
34 an amount equal to the reclamation rate multiplied by the market  
35 share price, and that probably doesn't help, and so let's go  
36 into our example.

37  
38 Pre-adaptive catch shares, we'll assume we've got this market  
39 where we have a market share price of \$25 a pound, and the  
40 allocation price is \$2.00 a pound, and we have an investor, or a  
41 public participant, who owns 100 pounds, and we're going to say  
42 that quota price doesn't change, and the allocation price  
43 doesn't change, within the pre-adaptive catch share setting, and  
44 so the return on their investment is just that first term in  
45 brackets there, the share value at the end of the year minus the  
46 share value at the beginning of the year, and so that's how  
47 their capital investment changes. If you're thinking about a  
48 stock, that's how the price of the stock changed, or maybe they

1 had a stock split, but just the value of your holdings changes,  
2 plus their allocation income, and that's where their revenue  
3 comes from, and that's their dividend, so to speak.

4  
5 In this example, no change in share value, as I said, but they  
6 get their allocation income, and remember they have 100 pounds  
7 of share, and they're leasing -- They're selling it as  
8 allocation at \$2 a pound, and so they're going to make \$200.  
9 The return is based on their initial investment, which was the  
10 value of their investment at the beginning of the year, and they  
11 had 100 pounds, \$25 a pound, and it's \$2,500, and so, in this  
12 scenario, they have an 8 percent return.

13  
14 With adaptive catch shares, if we think we go to adaptive catch  
15 shares, and let's say the market share price stays at \$25 a  
16 pound, and the market allocation price rises to two-and-a-  
17 quarter, and we have a reclamation rate of 1 percent, and so a  
18 very slow reclamation.

19  
20 In this scenario, that investor, or that public participant, is  
21 kind of in the same place they were before. If you think about  
22 it, you know, they're going to lose 100 pounds, and they're  
23 going to lose a pound, and so they're going to lose \$25 worth of  
24 capital, at the end of the year, and so that first term, in  
25 brackets, they lose \$25, but their allocation income goes up  
26 \$25, and now, instead of getting \$200 for their 100 shares, they  
27 get \$225, and it's the same 8 percent return, and so we can  
28 think about kind of, you know, what changes in allocation prices  
29 could mean to investors and what they're going to do, and so  
30 this is just kind of an example of that.

31  
32 Kind of the idea here is, you know, if you want to think about  
33 it a little further, their \$225 in allocation income -- They  
34 could take \$25 of it and buy the share back that they lose and  
35 be in the same place they were under the non-adaptive strategy.  
36 They would still own 100 pounds, and they would still have made  
37 \$200 net in allocation income and have 100 pounds to lease out  
38 the next year.

39  
40 These are just a couple of quick slides, and I think it's  
41 informative to see how it changes through time at different  
42 reclamation rates, and so this is an example for an investor, or  
43 a public participant, starting with 10,000 pounds of share who  
44 is going to keep selling it as allocation, and so leasing it  
45 out, and an allocation-dependent fisher that lands 10,000 pounds  
46 of fish per year, and they start out with nothing, and so  
47 they're completely lease dependent, and you can see how their  
48 ownership changes.



1  
2 At 1 percent, after ten or so years, it's not huge. It's less  
3 than 10 percent, and you can see two and three, and I just -- I  
4 felt like the numbers are kind of good to see, but you've got  
5 those, and so you can look at them.

6  
7 The same thing here, the ownership change rate, a five-year  
8 cycle, and we have higher reclamation rates here, but, with the  
9 longer cycle, what you see is that investor gets the change to  
10 earn that allocation income for a longer period of time, and the  
11 allocation-dependent fisher, while they will end up getting  
12 more, they have to wait longer until they get it.

13  
14 **CHAIRMAN FRAZER:** Hold on, Andrew. Ms. Boggs.

15  
16 **MS. BOGGS:** I am sorry to keep interrupting, Tom, but I think  
17 it's a good thing to ask the questions as we go with this, and  
18 so, on Slide 17, or it doesn't matter which one, but, when  
19 you're talking about the ownership change rate, and so, with the  
20 reclamation, and then, on the far-right, for the allocation-  
21 dependent fisher, that's what they will earn, and then those  
22 will become their --

23  
24 **DR. ROPICKI:** That's what they're -- If you're thinking about  
25 the two sides of the coin, we have our investor, who is selling  
26 his allocation to this allocation-dependent fisher, and those  
27 two are the only ones who trade with each other, and it doesn't  
28 have to be that way, but it's easier. If we think about it that  
29 way, this is kind of how their pounds owned changes through  
30 time, given, you know, a five-year cycle on this one, and a one-  
31 year cycle on the other one, and the reclamation rates at the  
32 top.

33  
34 Just a couple of very basic remarks, and it's important to point  
35 out that adaptive catch shares would lead to changes in the  
36 share and allocation markets. There's no getting around it.  
37 You're changing the nature of what people are buying and  
38 selling.

39  
40 It's a potential avenue for allocation-dependent fishers to  
41 acquire share and kind of address some of those issues that have  
42 been brought up with catch share systems, as I mentioned  
43 earlier, and you can think of it a couple of ways. You know,  
44 there is what the allocation-dependent fishers earn, in terms of  
45 the redistributions, but there's also that access, and it could  
46 potentially give them access to capital, because now they have  
47 collateral for a loan. They have shares that they could use to  
48 buy more shares.

1  
2 As I said, you know, there is an outcome where it could lead to  
3 quota and harvest consolidation, and it's worth pointing that  
4 out, and, lastly, program design details would significantly  
5 impact the outcomes for participants, and so there's -- You  
6 know, those were two very basic examples, and there's a million  
7 different ways that you could slide this thing up.

8  
9 I just wanted to, really quickly, touch on one thing, and it's  
10 more for the people in the back, and so this is kind of a one-  
11 off, but we are doing IFQ pricing surveys and reports, and a lot  
12 of you probably already know about them, and you get them from  
13 me, but the idea here is, and I think Dr. Stephen will talk  
14 about it a little bit in the next presentation, is kind of this  
15 lack of access to data on prices, what's happening with share  
16 and allocation and ex-vessel prices.

17  
18 This is an industry-driven way of getting more information out  
19 there, and so what I'm doing is I'm doing these surveys, asking  
20 people about their trading activity, or what they've heard for  
21 market prices in the last quarter, and then compiling it and  
22 putting it into a report for everyone to see, and so we're kind  
23 of crowdsourcing information on prices, is the idea, and these  
24 surveys are emailed to IFQ participants who sign-up, quarterly,  
25 and then, the following month, I release a report, that's  
26 available on the Florida Sea Grant website, showing the pricing  
27 data we gathered.

28  
29 I've got a link there, if anyone wants to look at the first  
30 couple of reports we did in 2022, or sign-up going forward, and,  
31 once again, this is for the folks in the back of the room, and  
32 just, lastly, it's going well. The people who are signed up,  
33 I'm getting good response rates, but I just need more fishermen  
34 and dealers and shareholders. If we can get the numbers up -- I  
35 tried to make it as unintrusive as possible. It's short, and,  
36 if you decide you get fed-up with it, the very question is do  
37 you want to participate. There's an I agree to participate, and  
38 there's a, no, I'm not going to do it this time, and then  
39 there's a third of stop bothering me, and I don't want to  
40 receive this ever again, and so it's completely anonymous.

41  
42 Your data won't be shared, and it will just go into this report  
43 where we can get a little more information out there on what's  
44 happening in these markets, and so that's it, and I will take  
45 any questions or comments.

46  
47 **CHAIRMAN FRAZER:** All right. Thank you, Dr. Ropicki. We're  
48 going to start out, and we've got a couple of folks. Susan

1 Boggs and then Kevin Anson.  
2  
3 **MS. BOGGS:** Thank you, Dr. Ropicki. I really appreciate this,  
4 and so the question is can you provide me with another fishery  
5 that uses this type of management?  
6  
7 **DR. ROPICKI:** At this time, no. There are none that I'm aware  
8 of.  
9  
10 **CHAIRMAN FRAZER:** Mr. Anson.  
11  
12 **MR. ANSON:** Thank you. Thank you, Dr. Ropicki, for the  
13 presentation. I'm just curious, on that slide there, on the  
14 participation, has that changed over time, as far as those that  
15 are voluntarily providing the information in the recent years,  
16 in the last couple two or three years?  
17  
18 **DR. ROPICKI:** I just started this last year, and so I've only  
19 got two surveys, and I had a pretty good response rate. I've  
20 made it -- I don't just want to blast-out an email, and so I  
21 collect email addresses and sent them a personalized link to  
22 respond to, and I just need more people to sign-up. Fishermen  
23 are generally pretty about responding to surveys, even though  
24 they hate them, relative to the general public, I guess.  
25  
26 **CHAIRMAN FRAZER:** Dr. Stunz.  
27  
28 **DR. GREG STUNZ:** Thank you, Mr. Chairman. Andrew, thanks for  
29 doing this, and you really made it relatively easy to  
30 understand. It's still very complex and a difficult situation,  
31 and I appreciate you offering a solution to a big problem that  
32 we have, and I have a couple of things, but, first, to follow-up  
33 on Susan, and so, I guess, in this sense, this is kind of  
34 blazing new ground, in the sense that other fisheries aren't  
35 using that, but what was the origin, or is this something that  
36 you conceptualized, or how did this come to be?  
37  
38 **DR. ROPICKI:** It was considered for the -- There are people in  
39 the room who can correct me if I go astray here, but I think it  
40 was considered for the charter/for-hire in the Gulf. If that's  
41 wrong, please --  
42  
43 **DR. LASSETER:** Yes, and the Amendments 41 and 42 -- I think  
44 Amendment 41 explores adaptive catch shares, yes, and I believe  
45 there is other programs that do --  
46  
47 **DR. STUNZ:** I thought I understood that there wasn't. Your  
48 question earlier was --

1  
2 **DR. ROPICKI:** Ava, are you aware of other programs that use  
3 adaptive --  
4  
5 **DR. LASSETER:** There is -- I'm looking at Assane now, and I have  
6 read about somewhere that talks about cycles of use.  
7  
8 **DR. ASSANE DIAGNE:** Yes, and people are thinking about it, but,  
9 as Andrew said, there are no practical applications, and it  
10 hasn't been implemented, as far as I know.  
11  
12 **DR. STUNZ:** My real question here for you, Andrew, it is seems  
13 like what you're proposing here is to, you know, limit the  
14 negative impact on anyone in particular, but plenty of  
15 opportunity for it to sort of find the best course, so to speak,  
16 and so I appreciate that, but you sort of had a word of caution  
17 about what could happen, potentially, in one of the scenarios,  
18 if you someone that could rapidly buy this up, which I don't  
19 know if that's necessarily a problem if they're actively fishing  
20 them, and that's what we're trying to --  
21  
22 **DR. ROPICKI:** No, and that would -- You know, that would be --  
23 It would reduce overcapacity in the fishery, which is a stated  
24 goal. I kind of had that in there, thinking about fishermen,  
25 and, while it's not a -- Like I said, in no way is that a  
26 guaranteed outcome, and I think it's worth mentioning, because,  
27 if you're allocation-dependent now, this could be something that  
28 makes it harder to get allocation, and we won't get the  
29 ownership you're looking for, and so I wanted to make that  
30 point.  
31  
32 **DR. STUNZ:** Tom, just to -- All of that was leading to my main  
33 question, because I wanted to make sure that I understood that  
34 correctly, and so, if that's sort of some of the concerns, is  
35 there value to having some cap, in terms of your ownership, or,  
36 for example, when you initially start this -- So you have some  
37 cap, and you initially start it, and if a lot of the issue, of  
38 course, is speculation, some of the issues that folks are  
39 talking about around the table, where you start the program  
40 where you have to fish a certain percentage, just out of the  
41 gate, because that seems, to me, that that would streamline the  
42 speculation, but then I don't know if that curbs -- You know,  
43 you don't want to curb the market or something, but I was just  
44 wondering what were your thoughts on that.  
45  
46 **DR. ROPICKI:** Well, that idea of -- I mean, you don't have to do  
47 these two together that way, and you could -- One of the things  
48 that came out of the IFQ Focus Group was a requirement of a reef

1 fish permit and then landing at least some percentage of your  
2 catch, and I think we had 10 percent, but some in the room felt  
3 that was too low and such. I mean, I see those as kind of two  
4 different ways to attack the same problem, and does that answer  
5 it?  
6

7 **DR. STUNZ:** I am just wondering if that had any -- I mean, that  
8 may be an idea that could potentially fix some of what we might  
9 perceive as maybe unintended consequences.

10  
11 **DR. ROPICKI:** That is a potential solution as well, and I was  
12 asked to present this, and so --  
13

14 **DR. STUNZ:** No, I'm fine, and I'm just asking -- I'm just  
15 throwing things out there, because we don't want to get into a  
16 situation where it sounds great here, and then we implement it,  
17 and we're like, time out, and we didn't plan for that, but,  
18 anyway, and so I'm just wondering -- Doing something like that  
19 might curb the free-market nature of what we're trying to --  
20

21 **DR. ROPICKI:** It could potentially. I mean, that's -- Yes,  
22 that's a potential way of doing it, is having a landings  
23 requirement, or a permit requirement, or something like that, in  
24 addition.  
25

26 **CHAIRMAN FRAZER:** I see that Jessica Stephen has her hand up,  
27 but, Jessica, before you go, I just want to follow-up, real  
28 quick, on Greg's question, and so I will give you a  
29 hypothetical, right, and so let's say you had a shareholder who  
30 had 50,000 pounds, and we'll use your first scenario, and that  
31 shareholder leased, you know, 30,000 pounds, and what happens  
32 if, when you look at the landings, and perhaps an individual's  
33 landings exceed a share cap, right, and so some of those shares  
34 then, or pounds, in your examples, are returned to the pool, and  
35 where do they go?  
36

37 **DR. ROPICKI:** So that would be something that would have to be -  
38 - As I mentioned, we did two very simple examples here, and so  
39 you would likely -- I mean, obviously, they can't go above the  
40 share cap, and so you would have to redistribute that somewhere  
41 else, but yes.  
42

43 **CHAIRMAN FRAZER:** Okay. Dr. Stephen.  
44

45 **DR. JESSICA STEPHEN:** I do want to point out that HMS's bluefin  
46 tuna individual bycatch quota program has started a version of  
47 this adaptive catch shares in Amendment 13, and that started on  
48 January 1 of this year, and so a little bit different, and they

1 don't have shares, in the traditional sense that we do, and they  
2 have allocation associated with a permit, but they have started  
3 this type of adaptive program.

4  
5 **CHAIRMAN FRAZER:** All right. Thank you, Dr. Stephen. J.D.

6  
7 **MR. J.D. DUGAS:** Thank you, Mr. Chair. I think some of my  
8 question was answered, and I'm still a little bit confused, but  
9 have you all had any discussion about an exact cap? I have some  
10 of the same concerns that Dr. Stunz has, that you have to limit  
11 -- There needs to be a limit somewhere, and I'm just wondering  
12 if you all have had that discussion, because it's not anywhere  
13 on the --

14  
15 **DR. ROPICKI:** So a cap regarding --

16  
17 **MR. DUGAS:** So Fisherman 1 or 2 eventually is going to continue  
18 growing, as they're landing, and so, at some point --

19  
20 **DR. ROPICKI:** You would have to account for that, yes, because  
21 you do have -- Obviously, we already have a share cap in all  
22 these fisheries, and so, once you hit the cap, you would have to  
23 deal with that. There are other, you know, little nuances that  
24 you would have to work out, because I'm sure, you know, the  
25 system -- If you keep decreasing someone, even on a short cycle,  
26 a few percent each time, they never hit zero, and, I mean,  
27 that's the way percentages work, and so, at some point, you  
28 would have to, you know, cut them off, because it becomes too  
29 small to trade and things, and so there are lots of things you  
30 would have to think about, and in terms of how it works related  
31 to the share cap as well.

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

34  
35 **MR. ANDY STRELCHECK:** Thanks, Andrew, for the great  
36 presentation. You know, going through my mind is, obviously,  
37 the complexity of the program, and, obviously, there's been a  
38 lot of questions and comments related to that, and one area that  
39 I guess I'm thinking of is the reef fish fishery, pre-IFQ, and  
40 now in the IFQ, has been fairly vertically integrated, you know,  
41 with dealers and vessels, some that are owned by the dealer,  
42 some that just work with that dealer, and so, you know, can you  
43 speak to that and the complexity, or challenge, from an economic  
44 standpoint, because, essentially, dealers, to me, would stand to  
45 lose if they don't have the vessels themselves.

46  
47 **DR. ROPICKI:** In this scenario, yes, that would be, obviously,  
48 one of the drawbacks, because, if they don't have vessels tied

1 to their shareholder account, with an adaptive catch share  
2 system, they wouldn't have landings to counteract the  
3 redistributions.

4

5 **CHAIRMAN FRAZER:** Dr. Sweetman, did you have a question?

6

7 **DR. SWEETMAN:** Andy asked my exact question right there.  
8 Thanks.

9

10 **CHAIRMAN FRAZER:** All right, and so I've got another one for  
11 you, Dr. Ropicki, and, again, I appreciate this as an exercise,  
12 right, and so I'm just trying to work through a couple of  
13 scenarios, but let's say, for example, that there was a fishery  
14 where the participants were affected by a hurricane, right, and  
15 I know you probably don't have the answer, but how would you  
16 consider ways to deal with disasters, or in years where there  
17 were no income, or landings, through no fault of their own?

18

19 **DR. ROPICKI:** In those situations, you know, we go back to a  
20 longer cycle length, five or ten years, and, if you do best  
21 three of five, or best seven of ten, hopefully you can account  
22 for that, and you could also have scenarios where the council,  
23 or the management, can build-in protections for that.

24

25 It could be, if a -- Not a federal fishery disaster, but, if a  
26 federal disaster has occurred, the fishermen in that area  
27 somehow have a built-in protection, or something, for that year,  
28 or some way to account for it. This was the most basic of  
29 basic, and so, yes, there's lots of things that would have to be  
30 considered prior to, you know, going in this direction.

31

32 **CHAIRMAN FRAZER:** Great. Thank you. Ms. Boggs.

33

34 **MS. BOGGS:** I don't know who this question would be for, and  
35 maybe staff, because, moving forward, as we have these  
36 discussions about the IFQ fishery, and as we develop ideas,  
37 because I hadn't thought about the dealers, and so thank you,  
38 Andy, for bringing that up, because it's so complex, and I still  
39 have to figure out the shareholders -- You know, all the  
40 different aspects of it, but my question is, as we come up with  
41 scenarios, and I'm not saying every single one, but, if we were  
42 to develop a document, and we have five scenarios, could we ask  
43 someone like Dr. Ropicki to come back and do an analysis such as  
44 this? I don't know, Ava, and is that something that you would  
45 enlist, or is that something that staff can do? I don't know,  
46 but this, to me, was very informative.

47

48 To Greg's point about unintended consequences, you know, we

1 already didn't think about the dealers in this situation, and  
2 that would have been an unintended consequence, and so, if there  
3 was a way we could -- If not Dr. Ropicki, but whomever could  
4 play out these scenarios for us, so it's very clear what it is  
5 we're trying to make a decision on and how it would affect the  
6 different players in the scenarios.

7  
8 **DR. LASSETER:** I guess I would perhaps ask everybody to take  
9 kind of a step back from this and see this presentation as very  
10 abstract high-order. This is not a proposal to you, and we're  
11 not asking you to come and say, hey, yes, let's do this. The  
12 focus group members were curious about these kinds of ideas, and  
13 this has come up before, and so Dr. Ropicki offered to, you  
14 know, come and present this. I think, in the next presentation,  
15 we're going to talk, also more broadly, about types of changes  
16 and whatnot.

17  
18 If we get to goals and objectives, and if you start to be  
19 interested in addressing some kind of a redistribution, or a  
20 modification to the program, this is one potential path that  
21 could be taken. If you then go down this path, there's a whole  
22 bunch of other questions that would have to be asked, which  
23 would have to be answered, with some already coming up, and Dr.  
24 Ropicki is very interested in this program, and he is now  
25 instituting, or implementing, this survey to monitor prices, and  
26 so I think he's very engaged in the process, and he was one of  
27 our members, and I am going to assume that he would be more than  
28 willing to come and keep working with the council as well.

29  
30 For those of you who maybe don't remember, also, Andrew was on  
31 our Socioeconomic Panel, before we called it the SSC, right, and  
32 I think it was still the SEP label, and so I think we have him  
33 as a fantastic resource for the council. Thank you.

34  
35 **CHAIRMAN FRAZER:** Susan.

36  
37 **MS. BOGGS:** Well, so my point is we get a document, and we see  
38 Action 1, Alternative -- Or Alternative 1, Action -- We don't  
39 really know what that means. I mean, we see the graphs, and,  
40 you know, this is what the catch is, and this is what it should  
41 do, but this kind of played out the full scenario of what it is  
42 we're looking at, and I think, with the IFQ fishery, it's more  
43 complex than if we're just talking about a species of fish.

44  
45 This kind of played out the scenario, and so, when we get to --  
46 If it's this, the adaptive management, or whatever road we go  
47 down, to see a clear -- I understand we can't play out every  
48 scenario, and we can't what-if it to death, but, to me, this



1 kind of brought it to light of, okay, if we do this, this is how  
2 it's going to affect the different people. I guess it's the  
3 decision tool that we use with some of the species, and I just  
4 think this is going to be such a long, arduous process, and we  
5 want to get it as right as we possibly can, and I don't want to  
6 say it's going to be perfect, but to see these types of  
7 scenarios and just to see an alternative, just to give us more  
8 something to look at real-time, so to speak.

9

10 **CHAIRMAN FRAZER:** Again, I would just say, you know, wherever we  
11 go, right, if we get to a point where we're going to consider  
12 something that we might use to make a decision, that we should  
13 take every opportunity to kind of play out those scenarios,  
14 right, to answer the what-ifs, and so, yes, I would agree that  
15 that's important, and, ultimately, we'll get there, but I'm not  
16 sure we're there yet. Mr. Strelcheck.

17

18 **MR. STRELCHECK:** Just to build upon the comments, this is a  
19 solution, and it's not necessarily the solution, right, and  
20 everyone recognizes that, and I think, you know, going back to  
21 some comments that I made yesterday about allocation, but it  
22 relates to this, what are the objectives, and what's the problem  
23 that we're trying to solve here, and I think we still don't have  
24 that clear vision, in terms of what the problem is and what  
25 those specific objectives could be.

26

27 I wholeheartedly agree that if the solution, or if this is a  
28 component of the solution, we would have to really come back  
29 with a lot more detail and analysis and of weight the pros and  
30 cons and scenarios that could be considered under this  
31 particular option.

32

33 I'm hoping that, with Jessica's presentation coming up, we can  
34 hone-in on kind of a path forward, and this is one component of  
35 some of the ideas that my staff, working with the council, have  
36 come together, but this might not be the preferred solution,  
37 versus some of the options that were considered, and so just  
38 kind of weigh that as you consider the next presentation.

39

40 **CHAIRMAN FRAZER:** All right. Are there any additional  
41 questions? Mr. Chair.

42

43 **MR. DALE DIAZ:** I don't have a question, but I just wanted to  
44 thank you, Dr. Ropicki, for taking your time to serve on the IFQ  
45 Focus Group. We appreciate you helping us with your time and  
46 your expertise, and so we very much appreciate it.

47

48 **DR. ROPICKI:** Thank you. It was a lot of fun.

1  
2 **CHAIRMAN FRAZER:** Andrew, it looks like Jessica Stephen has her  
3 hand up again. Jessica.

4  
5 **DR. STEPHEN:** Sorry. My hand should have been down.

6  
7 **CHAIRMAN FRAZER:** All right. Thank you, Dr. Ropicki. Mr.  
8 Chair.

9  
10 **MR. DIAZ:** This is not a question, but I was just informed that  
11 the hotel is not going to shut the water off today, and so we  
12 still can take -- When you think we're at a good point where we  
13 can take a break at some point, just let me know, and we will  
14 take a break.

15  
16 **CHAIRMAN FRAZER:** I think we should take one right now, and,  
17 that way, we won't be in the middle of a presentation.

18  
19 **MR. DIAZ:** Okay. Let's take a fifteen-minute break, and we'll  
20 start back up at 9:30.

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

23  
24 **CHAIRMAN FRAZER:** We will jump right into a presentation by Dr.  
25 Stephen. Okay, Jessica. It looks like we've got the  
26 presentation up, and the floor is yours.

27  
28 **PRESENTATION: PROPOSED IFQ-RELATED ISSUES**

29  
30 **DR. STEPHEN:** All right. Thank you very much. What I wanted to  
31 do is discuss with you some potential changes for the IFQ  
32 program, and we've worked together with council staff and agency  
33 staff to kind of round-up some of these ideas.

34  
35 Before we get started, I kind of want to review what the  
36 program's goals and objectives were. For both programs, we had  
37 a goal to reduce overcapacity as well as goals that aligned with  
38 mitigating the race to fish, or the derby fishing conditions,  
39 and those that we wanted to mitigate was in order to increase  
40 the market stability, eliminate quota closures, increase the  
41 flexibility for the fishermen, for the fishing operations,  
42 improve the safety-at-sea, have cost-effective and enforceable  
43 management of the IFQ species, and the last one is to balance  
44 both the social, the economic, and the biological benefits  
45 within the program as we make changes.

46  
47 Just a review of what we've gone over with the IFQ program, and  
48 I believe it was mentioned earlier, and this is kind of a long-

1 standing program, and it's been in place for sixteen years for  
2 red snapper and thirteen years for grouper-tilefish. During  
3 that time, we've had three different program reviews, and both  
4 red snapper and grouper-tilefish had individual five-year  
5 reviews, and then we created joint reviews, moving forward with  
6 the programs together, because there's such a high degree of  
7 overlap with the participants within each program.

8  
9 Fairly recently, we also had the National Academy of Sciences  
10 review of limited-access privilege programs in mixed-use  
11 fisheries, and this was broader than just our Gulf programs, but  
12 they did spend a lot of time on some of the examples and work  
13 that we've seen in our Gulf programs.

14  
15 We also have annual reports that the agency releases each year  
16 for red snapper and grouper-tilefish, and, finally, there have  
17 been a lot of recommendations from advisory panels, SSCs,  
18 council meetings, and the IFQ Focus Group.

19  
20 What I want to go over here is some of the reviews from the  
21 joint review. The criteria you see are the criteria listed in  
22 the national catch share policy that we evaluated as we go  
23 through the reviews, and this is in order to compare programs  
24 across different regions that have the same type of criteria.  
25 I'm not going to spend a lot of times on these, but, if you see  
26 a positive plus sign, in green, that meant we were doing very  
27 well, and so, for data collection and share and allocation caps,  
28 the review showed that we were doing fairly well, although there  
29 are some areas that could use additional improvement.

30  
31 If you see a minus sign, in red, that's an area where we still  
32 are struggling to accomplish the goal, and, in this case, on  
33 this one, it was participation, and we've had limited success in  
34 reducing overcapacity, and we've actually seen increases in the  
35 number of vessels harvesting red snapper, as well as increased  
36 participation within the program and the different roles within  
37 the program.

38  
39 Two other criteria was the catch and sustainability, which we  
40 were positive in with the review, and we have had year-round  
41 fishing, and we haven't exceeded the ACLs, and we have a number  
42 of flexibility measures that were used with great success, as  
43 well as reducing the discards. Safety-at-sea was another large  
44 improvement from the program, and this is largely driven by that  
45 flexibility of the fishermen to choose when to go out and not be  
46 confined to a short season, where they need to go out during  
47 hazardous conditions.

48

1 Finally, the last two criteria was gathering information on  
2 prices within the program, and that's for the shares,  
3 allocations, and ex-vessel price, and what we've seen is there  
4 definitely has been increased profitability within the  
5 fisheries. We've seen ex-vessel prices start to stabilize, and,  
6 while red snapper ex-vessel prices increased, there wasn't  
7 really a similar trend in grouper-tilefish, and so that probably  
8 has less to do with the catch share program and more to do with  
9 the species itself.

10  
11 Then the final category was new entrants, which we scored sort  
12 of neutral on. Promoting new entrants seems to be a little bit  
13 inconsistent with our goal of reducing overcapacity, and I think  
14 we often think of new entrants as people are coming new into the  
15 program, but, oftentimes, they are crew that have been in the  
16 program, or hired captains, and so potentially we should be  
17 substituting the language here as "replacement fishermen" that  
18 are replacing fishermen that are exiting, with people who are  
19 involved within the industry, either as crew or hired captains.

20  
21 When we went through all the work, what we ended up doing is  
22 trying to condense down the variety of ideas over the last  
23 decade or so, to figure out what the main themes were, and we  
24 came up with seven main themes, and I'm going to go through each  
25 one individually and kind of give you a background on it and  
26 some ideas for discussion.

27  
28 The first theme is we were looking at the programs' goals and  
29 objectives, which I just listed earlier, and the programs have  
30 been very successful at meeting most of their goals, and we  
31 wanted to think about how we wanted to change these goals and  
32 objectives, and, remember, we created these thirteen to sixteen  
33 years ago, and it's probably time that we start to update them.

34  
35 I want to remind you that NMFS' policy says that our goals  
36 should be clear, measurable, and achievable, and so, when  
37 thinking about goals and objectives, I would like the council to  
38 think about are there ways that we can redefine, or refine, any  
39 existing goals that can make them more clear, measurable, and  
40 achievable, and are there new goals, or new objectives, that we  
41 would like to add in, or do we want to modify some of our  
42 existing goals.

43  
44 I mentioned that we've actually been successful at obtaining it,  
45 and maybe we want to modify it, to say instead of obtaining,  
46 that we want to sustain the goal that we have achieved. Another  
47 thought is making sure that -- The last goal in the mitigating  
48 derby fishing conditions was to balance social and economic

1 concerns, and so, when we're making our goals and objectives, we  
2 need to think about how do we balance ideas like overcapacity  
3 with other social or economic goals of the program, such as  
4 expanding access to new people coming into the program or, as I  
5 said before, replacement fishermen.

6  
7 One of the main themes that kept coming up, over and over again,  
8 was the idea of reducing IFQ discards, and you probably saw this  
9 in the focus group's discussion as well. In general, the IFQ  
10 program has been fairly successful at reducing discards that  
11 were due to trip limits or seasonal closures, which were the  
12 primary discards prior to the IFQ program. What remains, after  
13 we had started the IFQ program, is that we have discards that  
14 can still occur, due to size limits, and we start to get  
15 discards of a new category. They were discarding them due to  
16 the lack of allocation.

17  
18 Keep in mind that these programs are part of the entire reef  
19 fish fishery, and that means that you can have discards that are  
20 occurring across the entire fishery, and you might want to focus  
21 on one or two species or the program as a whole. In general,  
22 the IFQ program has been very successful at reducing discards  
23 within the fishery.

24  
25 Some of that was the built-in functionality that we built into  
26 the program, and so, for example, we built in the gag and red  
27 grouper multiuse that allows those categories to be used to  
28 harvest either gag or red grouper. We also have some  
29 flexibility measures for some shallow-water and deepwater  
30 grouper species that allows them to be landed in the other  
31 category, and we have a 10 percent overage measure that's  
32 allowed for people who hold shares within the system.

33  
34 When thinking about our discards, I would ask you to think about  
35 are there any species-specific concerns, and we realize that  
36 gag, with the reduction in quota coming up, might have a higher  
37 degree of discards, and we've also heard particularly about red  
38 snapper discards within the longline fleet.

39  
40 When you're thinking about it, we need to think about what is  
41 driving the discards. In the review, we saw that the main  
42 driver of discards was primarily size limits, and then secondary  
43 drivers were lack of allocation, and sort of a tertiary, or  
44 third, driver, and this was primarily in the blueline tilefish,  
45 was the ex-vessel value, and so, just as a reminder, when we  
46 have share categories that have multiple species within it,  
47 there may be discarding occurring, because one of those species  
48 is more valuable than the other, but they share the same

1 allocation category.  
2  
3 Are there other tools that we could use to address discards?  
4 Are there ways that we can think outside of the box and add new  
5 functions, or features, to the program? Some of these that were  
6 brainstormed was the idea that, instead of using a gag and red  
7 grouper multiuse, would it be worthwhile to consider exploring  
8 the idea of a red grouper and red snapper multiuse, as we're  
9 hearing more and more about those two species being caught  
10 together, and it might be time to revisit the idea of quota  
11 banks, and I believe that's still in Amendment 36C, and so we  
12 might want to look more in-depth at how quota banks could  
13 address discards.  
14  
15 We could switch to ideas such as a full retention within the  
16 fishery, whether that's one species, one category, or across  
17 both programs, and another concept, used in some other  
18 fisheries, is requiring a minimum allocation in order to go  
19 fishing. HMS is one of the fisheries that uses that, and it's  
20 sort of a choke allocation, so that, when you're going out, you  
21 have enough allocation to account for the discards that you're  
22 catching.  
23  
24 One of the other themes that really came up was the idea of  
25 market transparency and the effectiveness, and this was  
26 definitely brought up a little bit more pointedly within the  
27 focus groups, and so I want to mention that finding shares, or  
28 allocation, for a lot of the fishermen, is typically who you  
29 know, and so something like word-of-mouth or some websites, and  
30 there are not many out there that advertise it, or just who is  
31 in your local region, who is geographically close to you.  
32  
33 I think an unintended consequence of this is, if you don't have  
34 widespread connections, that you tend to think that you only can  
35 exchange shares, or allocation, with the people geographically  
36 close to you. One of the concerns within this too is  
37 understanding the allocation price, and we hear often that the  
38 red snapper allocation price is cost-prohibitive, and people  
39 don't have current information to help them make the decision  
40 about the value of that.  
41  
42 In the program, we only have limited tools right now to help  
43 look into the price information and the market transparency.  
44 The annual reports give you price information, and they show a  
45 bunch of information about how transactions occur, but they are,  
46 of course, annual, and so they're released only once per year,  
47 and it's typically four or five months into the next year before  
48 we release them.

1  
2 In order to account for that, the catch share program has  
3 started doing a newsletter "Catch Up on Catch Shares", and, in  
4 those, every other issue will show the price information, and so  
5 it at least gives you some more relevant price information  
6 throughout the year. Some past studies looked at network  
7 analysis, and it showed that, within the program, we have fairly  
8 large differences in transfer behavior between allocation and  
9 shares among the different shareholders.

10  
11 Some people are very broad geographically, and they exchange  
12 with a lot of different people, and others were very narrow in  
13 scope, only exchanging allocation or shares with a small number  
14 of accounts or within a small geographical space, and this might  
15 be an opportunity for us to relook at the behavior since this  
16 study was done and see what changes have occurred or how to  
17 promote understanding of where the market could be for people  
18 who are just geographically located and only using that as their  
19 source.

20  
21 What kind of tools are there out that we could use to address  
22 kind of the market effectiveness? Within in the IFQ program,  
23 for every share or allocation transfer, we ask that the  
24 fisherman gives us the transfer reason, why are you transferring  
25 that, and, typically, our transfer reasons, right now, are for  
26 sale, between related accounts, bartered, given as a gift, part  
27 of a package deal, for the loan program, or no comment.

28  
29 Unfortunately, no comment gets probably our largest percentage  
30 of answers, and so there is the potential that we should remove  
31 that, so we can gain more insight on what's going on within the  
32 program.

33  
34 Another idea would be to create some type of marketplace within  
35 the IFQ system where people can advertise that they wish to buy  
36 or sell shares or allocation. This would have to work within  
37 the boundaries of the agency, but it gives a place that everyone  
38 could know to come look for, and you would still have to do your  
39 transfers, your buying and selling, between the individuals, but  
40 at least you could see what would be advertised or know someone  
41 who is wanting to buy or sell.

42  
43 Another idea would be to look into creating an index for IFQ  
44 price information for recent allocation or shares, and so we're  
45 exploring that idea a little bit. We need to be careful about  
46 the confidentiality of information and making sure we're not  
47 sharing information that's considered confidential and thinking  
48 about what's an effective amount of time to show, and,

1 obviously, it takes a long time for a year's worth of data to  
2 show your prices, and can we roll it to three months, six  
3 months, five months, and show a rolling index, and would that be  
4 beneficial?  
5

6 Another idea about the market transparency and effectiveness is  
7 we would begin to think about a quota bank, and this would be a  
8 way to offer allocation to participants coming into the program,  
9 and you will start to see some of these themes, and the tools,  
10 will overlap with other themes.  
11

12 Back to the quota bank idea, and there is always the potential  
13 to seed it with the quota that NOAA is holding right now from  
14 Amendment 36A. I do want to caution you that the amount of  
15 quota held is very low, and it's only resulting in a small  
16 amount of pounds, and so, if we wanted to create a quota bank,  
17 we would have to figure out additional ways to add shares to  
18 that, so that we can operate it and use that allocation.  
19

20 Share distribution was really a large theme in the discussions,  
21 and this, in general, is a theme about a lot of catch share  
22 programs. Within this, we saw that we covered ideas from all  
23 the way through from inheritance to how shares were first  
24 distributed to the shares that NMFS held to thinking about how  
25 do we rethink distribution of shares, and is there a regional  
26 concept that could be useful.  
27

28 I think, as people have mentioned, the IFQ program, it does get  
29 a little bit complicated, in particular when we think about  
30 public participants and related accounts. These are  
31 complications to thinking about access issues and share  
32 distribution.  
33

34 As a reminder, traditionally, catch share programs give out  
35 shares once, and, thereafter, it's sort of a market condition  
36 within it. One thing we noticed, in our programs, is there were  
37 certain effects that occurred after we opened up each program  
38 for public participation, and that occurred five years after  
39 each program was run, and so, after public participation, how  
40 deceased shareholders were dealt with -- It has opened up quite  
41 a bit more room for them to hold onto those shares. Prior to  
42 it, if the shareholder was deceased, while we dealt with the  
43 legal aspects of it, those shares had to be removed out of that  
44 account and only could be removed to an account that also held a  
45 permit, and so, frequently, they were probably sold to other  
46 people within the industry.  
47

48 After public participation, the heir to those shares could



1 actually create their own account, and would not require a  
2 permit, and just hold the shares within that. The other aspect  
3 we saw, after public participation, was really an increase in  
4 the number of what we call related accounts, and that's where  
5 someone is involved in more than one account, and that might be  
6 by businesses that they're involved with or held an account by  
7 themselves, versus jointly with another person, and we saw that  
8 related accounts increased by 30 percent after public  
9 participation, and, when we dig into those public participant  
10 accounts, and those are the accounts without permits, we see  
11 that a high degree of them are related to other accounts, and,  
12 of those related, a high degree of those actually have shares.

13  
14 Again, I want to remind you that NMFS is still holding the  
15 amount of shares from 36A, and it's less than 0.5 percent of  
16 each share category, and, depending on what share category  
17 you're talking about, it's from 291 pounds to roughly 5,500  
18 pounds, by category, and so it's not enough to really start  
19 something with, but it could be the seed to thinking about  
20 different ways to use what we're holding.

21  
22 What are the tools that we can think about to address the share  
23 distribution? There is the adaptive catch share management  
24 concept that Andrew recently just talked about, and there's also  
25 an example of that in the catch shares newsletter, Issue 3, if  
26 you want to look at it in another way, and it was originally  
27 discussed within Amendments 41 and 42, and, particularly, at  
28 that time, it was brought up because we didn't have catch  
29 histories, and, as I mentioned earlier, this is being adopted by  
30 the HMS IBQ program, and they're looking at how to do it. We  
31 can get more information on their Amendment 13, if you would  
32 like to hear more about it.

33  
34 The other thing to think about is how do we rethink shares of  
35 deceased shareholders, and this is also a concept that's being  
36 talked about nationally within the catch share programs, as the  
37 different regions are kind of getting to the point within their  
38 programs where this might become more of an issue.

39  
40 Thinking about a quota bank, again, is another example of how to  
41 think about share distribution, and then there's ways we can  
42 think about our share categories and go out of the box.  
43 Currently, we have one share category that covers the entire  
44 region and across gears, and we might want to explore ideas such  
45 as regional shares, east coast and west coast, or gear-driven  
46 shares, like longlines versus handheld gears, like vertical  
47 lines or spearfishing.

48

1 Another concept came up as access, control, and concentration  
2 themes were grouped together, and I want to remind you that  
3 Magnuson requires that no one entity can acquire an excessive  
4 share or privilege within the program. Typically, this is  
5 controlled by the agency, through caps either on shares,  
6 allocations, or landings, and access for fishermen needs to be  
7 at a reasonable cost, and it seems to be the main driver here  
8 with the access and control, and it does tend to center more on  
9 one species than another, primarily being red snapper.

10  
11 When we look at this, both programs contain the share caps, but  
12 only the grouper-tilefish IFQ program has an allocation cap.  
13 When we looked into the review at how successful these were, we  
14 found that the caps do not really constrain landings, because  
15 the caps are on shares or allocation, and that the caps were not  
16 -- Market power is not really detected through the use of the  
17 share caps.

18  
19 Ways we can think about access and control, one thing we do need  
20 to think about, and this might have been brought up earlier, is  
21 the idea of vertical integration, and so, just to remind you  
22 what vertical integration is, when you have one company that  
23 might be involved in more than one state of production, we would  
24 want to understand that and use that when looking at the  
25 program, and so, for an example, there might be a fishing  
26 business that is both a harvester as well as someone who is  
27 involved in buying the seafood or processing the seafood, and so  
28 they're vertically integrated across those different aspects  
29 within the fishery.

30  
31 Methods to kind of address access and control, and some of these  
32 are in 36B, I believe, are requiring a permit to hold shares and  
33 allocation, or maybe just require a permit to hold shares. A  
34 requirement of landings to hold shares, this was talked about in  
35 the focus group, and adaptive catch shares, again, comes up  
36 within this.

37  
38 Thinking about alternative methods to distribute quota  
39 increases, which you've also heard within the focus group, and  
40 then, for the control part, think about adding an allocation cap  
41 for red snapper or perhaps, in both red snapper and grouper-  
42 tilefish, replace an allocation cap in grouper-tilefish and add  
43 to red snapper a vessel landing cap, and that would probably be  
44 more able to constrain -- Thinking about some of the questions  
45 asked earlier about the adaptive catch share, a vessel landing  
46 cap with a share cap might help prevent some of the scenarios  
47 that were being talked about within there, where someone would  
48 exceed a share cap.

1  
2 This slide is a little bit more information for the council, and  
3 for the participants, within the program, and we heard an awful  
4 lot, at the focus group, about the loan program, and so I wanted  
5 to give you a little bit of history of the Fisheries Finance  
6 Program and, in particular, how it relates to our programs.

7  
8 In general, NOAA runs the Fisheries Finance Program, and this is  
9 set under statute authority. All of the loan programs that  
10 operate under it have a twenty-five-year maximum loan term, and  
11 the borrower must be a U.S. citizen, or, if it's a business, I  
12 believe it's 75 percent must be U.S. citizens, and the borrower  
13 needs to meet normal credit requirements. Under this statute,  
14 the Fisheries Finance Program can only loan 80 percent of the  
15 cost of what is being purchased.

16  
17 The reason these loan programs are important is that, while a  
18 traditional lending institution can provide a loan to the  
19 fishermen, oftentimes, they don't understand the fishing  
20 industry, in particular catch share programs, well enough to  
21 fully recognize where the risks, or the benefits, could be  
22 within that.

23  
24 In 2018, the loan authority was expanded to include catch share  
25 programs, and this would be what we call the program's  
26 harvesting privileges loans, and all loans still must be secured  
27 under U.S.C. filings, and there needs to be control of the  
28 shares by the FFP program.

29  
30 We struggled with getting this program into the Gulf, because of  
31 the way that our shares are constructed within the program, but,  
32 in 2020, we were successful, working with Fisheries Finance, to  
33 allow loan programs to start occurring within the Gulf. We  
34 modified the catch share system to allow for the control of  
35 shares and the tracking of the collateral, and so the harvest  
36 privileges, or shares, are typically the primary collateral for  
37 the loan, but the loan may also require additional security  
38 pledges.

39  
40 What we do is the shares are held by the loan program, so they  
41 can have control over it, but they are counted against the  
42 borrower's share cap, and so someone can't exceed the share cap  
43 by the sake of getting a loan, and then any party who has any  
44 significant ownership may also be required to guarantee the  
45 loan.

46  
47 Currently, we have two loans already approved in operation, and  
48 we have other loans in discussion with the Fisheries Finance

1 Program. I would like to point out that we released, this week,  
2 a Fishery Bulletin that explains the loan program in a lot more  
3 depth, and I believe that Maria Starr, from the loan program, is  
4 at the council meeting, if you wish to ask additional questions  
5 to her.

6  
7 The final theme is a bit of a catchall, and we were looking at  
8 how to do innovative explorations of different topics that we've  
9 heard over time and trying to figure out what avenues are open  
10 to us either to gain more information, or more understanding,  
11 about the IFQ program or explore different types of concepts.

12  
13 Typically, on the table for exploration are exempted fishing  
14 permits, or research set-asides, and I know the council is  
15 exploring research set-asides in general, and so this would be a  
16 good opportunity as well to think about how catch share programs  
17 play into it.

18  
19 One of the downsides is, typically, for either an EFP, or a  
20 research set-aside, you need to have quota available to  
21 implement those, and so, in order to do either of those, we  
22 would need to be thinking about how we would supply the quota to  
23 those programs, and, again, there needs to be probably more  
24 information on the administration and oversight of any EFP or  
25 RSA, and that likely might change, depending on what kind of  
26 program is proposed to be looked at, and so I would ask the  
27 council to think about how you might want to use research set-  
28 asides, or EFPs, in order to explore the IFQ program.

29  
30 Some ideas that popped up, during discussion about this theme,  
31 is are there species-specific ideas for research set-aside, and,  
32 in particular, we hear a lot about red snapper, or with the gag  
33 quota decreasing, or looking at red grouper, and is there one  
34 species specifically that we would like to learn more about?  
35 Are there ideas that we want to explore a little bit more in  
36 relation to the quota and concepts relating to that? Exploring  
37 how fishing behavior might change, as changes in happen in  
38 quota, and looking at how sector allocation overall affects  
39 quota, or even looking at how quota is utilized within the  
40 fishery.

41  
42 There are ideas that probably could explore more information  
43 about what's driving the prices in IFQ, and why does red snapper  
44 seem to work differently than the grouper-tilefish, looking and  
45 comparing both IFQ and non-IFQ factors, because keep in mind  
46 this is still part of the reef fish fishery as a whole, and that  
47 includes both IFQ and non-IFQ.

48

1 Then another concept that came out, really from the focus group,  
2 is looking at what I would call the IFQ generations and how that  
3 changes perceptions and how each different change in a goal or  
4 objective might affect these different generations differently.  
5 In generations, just thinking off the table, we were thinking  
6 about there are the original stakeholders, from the start of the  
7 program, sixteen or thirteen years ago, and then there is the  
8 stakeholders who joined while we were still under the first five  
9 years of the program and under stricter requirements for joining  
10 and participating, and then those that joined after public  
11 participation.

12  
13 I've gone through a lot, and the questions we want to go back to  
14 the council with is, looking at all these themes, are there  
15 additional themes, or priorities, that we've overlooked that you  
16 would like to add? Would you recommend including, or excluding,  
17 any of the themes that we've already discussed, or are there any  
18 administrative changes that would aid us in investigating these  
19 or other themes, and then, finally, in looking through these, is  
20 there something that should be prioritized for future council  
21 action, or maybe just needs more information before you can make  
22 that prioritization?

23  
24 If you go one more slide, in order to answer these questions,  
25 what I've done is taken all the slides before, and the different  
26 themes, and I have summarized them here. I want to point out  
27 that the loan program takes congressional action to change, and  
28 so that's not something the council can do, which is why I've  
29 grayed it out, and, when looking over some of these different  
30 ideas, you will see that certain ideas, such as a quota bank,  
31 cover multiple themes, and then ones that are in the teal are  
32 really more administrative changes, or things that we can  
33 explore through grants or solicit the stakeholders in the IFQ  
34 program to get more information from. I will stop there for any  
35 questions or discussion.

36  
37 **MR. STRELCHECK:** Thank you for the presentation. If you recall,  
38 at the last meeting, I had asked for this list of priorities to  
39 be generated, and I will readily admit that, once we started  
40 digging into this, it wasn't a simple one-to-N priority-ranking  
41 scheme. Obviously, this, I think, shows you the complexity of  
42 the program, but, also, what staff has done is really, to me,  
43 put together some logical themes, or areas, that we could  
44 target, or focus, our attention on.

45  
46 For those that have been around the table for a while, we all  
47 recognize the struggles we've had, I think, with defining the  
48 problem and making fixes to the program. 36B and C, I don't

1 know how long, Ava, we've been working on them, but I would  
2 probably guess that you would say way too long, and so the  
3 reality here is that, you know, my hope, my intent, is there's  
4 some things that really resonated with you in this presentation,  
5 and there's things that resonated with the IFQ Focus Group  
6 comments, and that we could really turn our attention to one, or  
7 a subset, of these themes and really put some energy and time  
8 into improving the program and helping best meet the objectives  
9 of the program, and so I look forward to the conversation.

10  
11 **CHAIRMAN FRAZER:** Thank you, Andy. Mr. Gill.

12  
13 **MR. GILL:** Thank you, Mr. Chairman, and I echo many of Andy's  
14 comments, and, Jessica, I think it was an outstanding  
15 presentation, and it was well laid out, and it provides a good  
16 overview of the issues, and, obviously, one conclusion is, hey  
17 this is complex, and I would argue that part of our problem is  
18 we're trying to attack it all at once, and I will get more into  
19 that in a minute, but, looking at some conclusions here, I see  
20 some difficulties that we've had in dealing with -- We've  
21 created our own problems, in a way, and, for example, program  
22 goals and objectives, the agency requires that they be clear,  
23 measurable, and achievable.

24  
25 I would argue that these may be clear, but they're not  
26 measurable, and they're certainly not smart in the acronym  
27 sense, and they're not time-bound, for example, and so we've set  
28 ourselves up for failure, in a way, but, despite that, the  
29 program, based on the reviews, has been largely successful,  
30 based on the original goals and objectives, and so that's good,  
31 and so, unless we're willing to change that substantially, what  
32 it says is we're not looking for major changes here, but we're  
33 looking for tweaks.

34  
35 The caveat there is that we're not looking to change goals and  
36 objectives substantially, and, right now, there's only one  
37 prospective goal, and that's overcapacity, and I would argue  
38 that we haven't -- Including the fact that, when we set up the  
39 grouper-tilefish, I don't recall that we ever discussed that in  
40 any great detail, and we certainly didn't create it as a smart  
41 goal, and I would argue that we didn't even address the  
42 definition and that we're talking about it in generalities, but,  
43 in reality, you're talking about one sense, and I'm talking  
44 about another, and that's one of the primary goals of the  
45 program, and we don't even really know what it meant.

46  
47 I see there is significant issues in how we're addressing this.  
48 You know, we've made numerous attempts to get at it, but, again,

1 I think the complexity -- You know, we're caught up in our own  
2 underwear in trying to address everything at once, and,  
3 surprisingly, we can't figure it out.

4  
5 I think we need to go back to basics. I think we need to  
6 consider what we want to do, and, to that end, I would argue  
7 that every bullet below goals and objectives that we set aside  
8 in a parking lot. Important? Yes, but we need to get our  
9 fundamentals straight first, or we're just chasing our tail, and  
10 so where we need to focus, in my mind, is goals and objectives.  
11 What do we want to achieve, and I would argue that they need to  
12 be smart goals and objectives, and they need to be measurable,  
13 and they need to be time-bound and specific, and reducing  
14 overcapacity is none of those, but, whatever other goals we want  
15 to put in there, they need to be smart, and we need to define  
16 what it is we're trying to do with a program that has been  
17 successful thus far, as originally created.

18  
19 If we want to change it, now is the time to do that, but we've  
20 got to define how, and we haven't done that, and so my  
21 suggestion, Mr. Chairman, on a path forward, is that we agree to  
22 address goals and objectives only, define what we want for this  
23 program going forward, and we take some time out of every Reef  
24 Fish Committee meeting in the future, say an hour, or whatever  
25 seems to be appropriate, and address just that, and I would  
26 argue that, in doing that, we're not going to accomplish it in  
27 one meeting or two, and it's going to take a while just to beat  
28 that to death, but, if we can't identify where we're going, then  
29 all of those other things, which are important, we can't  
30 address.

31  
32 We can sit and argue about what's good, and what's not good, but  
33 we won't get to the end, just the way we haven't for the last  
34 whatever it is, ten years, and so my suggestion is we focus, and  
35 we go back to the fundamentals, and I would argue that we -- For  
36 example, if reducing overcapacity remains as a goal, we define  
37 what the heck that is and what we mean when we say it. I would  
38 argue that we don't know right now.

39  
40 I think the agency's version is one thing, and there was a  
41 definition there, and I think have issues with that definition,  
42 and I know it's a textbook version, but is that what we want? I  
43 can tell you what we don't want, and that is to eliminate that  
44 difference, based on that definition, and that's not what we  
45 want, and so what are we talking about?

46  
47 I don't think we know, and so I think we need to set aside some  
48 time, every meeting, and take a small -- One of my things is

1 trying to define that elephant, and we need to take a very small  
2 bite and attack that little small bite and see if we can get  
3 over that, because, if we continue to attack the elephant, we'll  
4 never get there, and we're spending an awful lot of time getting  
5 nowhere, and so that's my recommendation for a path forward, Mr.  
6 Chairman. Thank you.

7  
8 **CHAIRMAN FRAZER:** All right. Thank you, Bob, for those  
9 thoughtful comments, and let's see what the rest of the folks  
10 have to say. Ms. Boggs.

11  
12 **MS. BOGGS:** Thank you, Mr. Chair, and I would agree with Bob,  
13 but I disagree with -- I think a lot of the goals are measurable  
14 that were set out initially, but I do agree with Bob, and,  
15 Jessica, thank you for the presentation, and I do like the  
16 summary. It's very well laid out, and I think it's laid out in  
17 the order that it needs to be attacked, piece by piece, but, if  
18 we don't know what our goals and objectives are, then how do we  
19 know what our path forward is, and so I would agree with Bob.  
20 Let's start there, and I think it is smart.

21  
22 I think we're going to have to allocate some time, at each  
23 meeting, to have these discussions, because it's not going to be  
24 something, I don't think, that is resolved quickly, but I think  
25 that, if we take it and spend the time, we'll get there. Thank  
26 you.

27  
28 **CHAIRMAN FRAZER:** All right. Any other comments? Mr. Anson.

29  
30 **MR. ANSON:** I will also support Mr. Gill's suggestion as a path  
31 forward, that we, you know, put it on the agenda, and kind of  
32 keep it on the agenda, and I think part of the issue that we  
33 have, when we try to discuss IFQs, is that we'll have a meeting  
34 with some discussion, and it will be on the agenda, and then  
35 we'll go a meeting or two without it being on the agenda, and  
36 it's kind of revisiting -- Or it takes a while to come back and  
37 familiarize yourself with some of the issues.

38  
39 I do appreciate the presentation. It's very thorough, I think,  
40 and I appreciate Dr. Stephen and staff to put this together. I  
41 do have a question about one of the slides, on Slide 12, where  
42 it talks about methods to address access and concentration, and  
43 it suggests replacing allocation caps with vessel landing caps,  
44 and I'm just wondering, Dr. Stephen, and, in my mind, I don't  
45 know, necessarily, if that would reduce the amount of capacity  
46 in the fishery, if you had a vessel cap, and it just seems like  
47 someone would want to acquire another vessel, if they still had  
48 access to shares, or could get shares, and could you maybe



1 explain that a little bit?

2  
3 **DR. STEPHEN:** Sure. I will take a stab at explaining it more.  
4 Vessel caps are also often used in other catch share programs,  
5 and one thing is it is actually clear and measurable for us to  
6 calculate those, and they would be an annual vessel cap, and so  
7 the total amount of landings a vessel could have.

8  
9 What I want to back-up to is the current allocation cap is a  
10 point-in-time allocation cap, and, when we looked at some  
11 preliminary analysis, there are definitely some people who are  
12 probably harvesting more than the share cap, because the share  
13 cap does not constrain harvest if you're able to purchase more  
14 allocation, and so, by doing a vessel cap on it, we would  
15 probably be better able to look at, and control, how many people  
16 are landing it.

17  
18 Now, of course, that could mean that someone could go in and buy  
19 another permit and put another vessel into the fishery, but it  
20 could also mean that the vessels that might be harvesting a  
21 little bit more, that we might be constraining their catch more,  
22 the way the share caps intended, in order to do things, and I  
23 would say, before going down that track, to allow the agency to  
24 do a little bit more in-depth, and give you some more  
25 information, if that's an avenue that you want to explore, but  
26 we could pull up, over the years, the landings by vessels.

27  
28 **MR. ANSON:** Thank you.

29  
30 **CHAIRMAN FRAZER:** Mr. Strelcheck.

31  
32 **MR. STRELCHECK:** I appreciate the discussion and the  
33 suggestions, and, not surprisingly, obviously, a lot of people  
34 are honing-in on we need to define our objectives, and maybe  
35 improve, or redefine, them.

36  
37 With regard to Mr. Gill's suggestion, I think the main concern I  
38 have is that we tend to kind of let this kind of linger and  
39 piecemeal it, and a little bit of time here, and a little bit of  
40 time there, and it drags on for an extended period of time,  
41 right, and we don't have the time and attention, I think,  
42 dedicated to the issue to really focus-in, and, ultimately, I  
43 think, if we want to make changes, and we want to make  
44 improvements to the program, we need to spend the time doing so,  
45 and so my preference, my recommendation, would be, before we  
46 jump into the tactical approach of, well, what are we going to  
47 modify, or change, and what themes do we want to address, let's  
48 set aside time, either during a meeting coming up, or a special

1 meeting, virtual meeting, whatever the case might be, and have  
2 that block of time just focused on the objectives, right, and  
3 not do one hour here and one hour there and one hour three or  
4 four meetings down the road, because, to me, I think we can --

5  
6 It's going to be difficult, but we can hammer-out these  
7 objectives, and improve them, and then that really sets the  
8 stage clearly then as to kind of where the linkages are to these  
9 themes and where we see the major changes to the objectives  
10 happening and what we're going to ultimately need to address  
11 with this program to improve it going forward, and so that's my  
12 suggestion.

13  
14 **CHAIRMAN FRAZER:** Ms. Boggs.

15  
16 **MS. BOGGS:** Thank you for those comments, Andy, because I  
17 believe, at the last meeting, I gave Carrie a full head of gray  
18 hair, because I suggested a special meeting to address this, and  
19 I want to commend Chairman Diaz for setting aside the amount of  
20 time at this meeting to have these hard conversations that are  
21 going to have to be had, but, I mean, I believe I mentioned it  
22 at the last meeting, and we are going to have to dedicate some  
23 time to this.

24  
25 I know we have some other issues that are pressing, but these  
26 are people's livelihoods, and it affects, you know, the  
27 fisheries as a whole, as it trickles down to the other sectors,  
28 and so thank you.

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

31  
32 **MR. DIAZ:** Thank you, Tom. I am going to ramble for a minute,  
33 and so you look around, one day, at this table, and you realize  
34 you're one of the old-timers, and so that's kind of where I'm  
35 at, and I am not saying this disparaging, Mr. Gill, but you've  
36 got a lot of history here too, and so you're one of the old-  
37 timers, and you understand how this thing came about and how  
38 long we've been working on this.

39  
40 To Andy's point, I mean, Roy Williams was on this council before  
41 Tom, and Roy made a motion for us to pull the low-hanging fruit  
42 out and develop 36A, and we did, and there was a couple of  
43 actions that we could do that moved through quickly, and 36B and  
44 C have lingered since at least Tom's time on the council, and so  
45 I'm going to guess around eight years, maybe, or something like  
46 that, but part of the problem is what you just said, Andy, is we  
47 get it, and we look at it at a meeting, and we've got an hour or  
48 two, and part of the issue is one of the things that Mr. Gill

1 said, is that the program has met a lot of its objectives and  
2 goals, and so we get bogged down.

3  
4 I think you all are right that we need to set our goals and  
5 objectives out, and I don't think that an hour every meeting  
6 will get us there, and I think we'll just be, three years down  
7 the road, at the same place we've been for the last eight years,  
8 if we do that, and so we need to dedicate substantial time, and  
9 I'm not sure what that means.

10  
11 It might be more time at a couple of meetings, and it might be a  
12 special meeting, and I don't know, but it needs to be  
13 substantial time to make some progress, but we do have to hammer  
14 those out first.

15  
16 I would be remiss if I didn't say that something bothered me two  
17 meetings ago, and we had people -- I have had people tell me  
18 this many times, that they fear retaliation, and we've got a  
19 government program that people are worried that they can't use  
20 their rights as an American to say their piece about what they  
21 think to improve a government program and they fear retaliation.

22  
23 I don't know how you put that in the goals and objectives, but  
24 that bothered me more than anything, and it bothers me more than  
25 anything, and I don't want a program where people can't try to  
26 give ideas that they think would help them. Everybody that  
27 comes to talk about this is talking about from their point of  
28 view, and so some people are sitting in a situation where they  
29 have a lot of shares, and, from their point of view, they look  
30 at it that way, and some people are medium shareholders, and  
31 some are low, and some have none, and everybody tries to think  
32 about how to improve it from their point of view, and we need to  
33 be able to get comments from people from all sectors without  
34 them worrying about retaliation, and so we do need to get a  
35 handle on that.

36  
37 Anyway, that's all I'm going to say at this point, but I did  
38 want to ask Dr. Stephen -- She had mentioned red snapper and red  
39 grouper multiuse, and I was trying to think through that when  
40 she said it, and I really didn't get a full understanding of it,  
41 and I was going to see if she could talk a little bit about what  
42 they were thinking when they said red grouper and red snapper  
43 multiuse and how they thought that might work. Thank you.

44  
45 **DR. STEPHEN:** Sure, I can respond to that, and this is actually  
46 a comment that I had heard from some of the industry in  
47 exploring different concepts, and so, currently, what we have is  
48 a red grouper-gag multiuse, where a percentage is taken from

1 each of those share categories and put into what we call  
2 multiuse, and then it can be used to land, harvest, either gag  
3 or red grouper.

4  
5 One of the ideas that came up is that there seems to be a lot of  
6 cooccurrence of red snapper with red grouper, particularly I  
7 think more in the longline fleet, and so the idea would be,  
8 instead of having a red grouper-gag multiuse, to switch it to a  
9 red snapper-red grouper multiuse.

10  
11 As we've mentioned, nothing is overly simplistic in IFQ, and we  
12 would have to relook at how we have the quotas set for each one  
13 of those, to accommodate that, and we would probably want to  
14 create a formula, similar to what we have, so that using that  
15 multiuse to harvest either species doesn't exceed the ACL for  
16 either species, but that's a concept that we can explore more.  
17 It was one that I had heard from the industry, and I thought it  
18 was a little out-of-the-box, and I wanted to present it to the  
19 council, just to think about things in different ways.

20  
21 **CHAIRMAN FRAZER:** Thank you, Dr. Stephen. Mr. Anson and then  
22 Mr. Gill.

23  
24 **MR. ANSON:** Sorry that I didn't ask this earlier, but, Dr.  
25 Stephen, another question that I have from your presentation, on  
26 Slide 13, is the loan programs, and there's the bullet in there,  
27 on the right-hand side, there at the bottom, and it says all  
28 parties with significant ownership may be required to guarantee  
29 loan repayment, and so does that mean they have to have  
30 collateral, or secure another loan, to cover the cost, or can  
31 you describe that?

32  
33 **DR. STEPHEN:** You're getting a little bit outside my expertise,  
34 but I will take a stab at it, and, if Maria is there, she might  
35 be able to explain more. When you have more than one party  
36 jointly coming together to do the loan, if the shares aren't  
37 enough collateral, and they need additional collateral, then  
38 they might make sure that everyone is guaranteed to make that  
39 loan repayment, and sorry that I can't give you too much more,  
40 because it is an area that I don't completely understand. I  
41 don't know, Andy, if Maria is there, and maybe she could speak  
42 to it.

43  
44 **CHAIRMAN FRAZER:** Maria, if you want to come up to the podium,  
45 that would be great.

46  
47 **MS. MARIA STARR:** Thank you. To expand, thank you, Jessica, for  
48 giving that a go, and so I will do my best to answer your

1 question. What this means is let's say this individual has more  
2 than one company, and one company, the applicant for the loan  
3 program -- We may request that the other company, as entities,  
4 also guarantee the loan, and does that make sense?  
5

6 **MR. ANSON:** It does. Thank you.  
7

8 **MS. STARR:** Okay. Any other questions? If anybody has any  
9 other questions for the loan program, I will be here all day,  
10 and we have a presentation afterwards as well, and so please  
11 feel free to just ask any other questions. Thank you.  
12

13 **CHAIRMAN FRAZER:** Thank you, Ms. Starr. All right. I think Bob  
14 Gill had his hand up next.  
15

16 **MR. GILL:** Thank you, Mr. Chairman, and so, Andy, in response to  
17 your suggestion, that's one way to skin the cat. My concern is  
18 that we will have difficulty, as we almost always do, in  
19 maintaining focus and keeping to the agenda, and so, to have a  
20 chance of accomplishing, in one fell swoop, the goals of that  
21 meeting, it would have to be a very focused agenda, in my  
22 opinion, and a very chair, whoever that is, driving that  
23 meeting, because we have that tendency to get into all these  
24 other issues and get off-track.  
25

26 My thought of the one-hour, and I agree that's cut down to size,  
27 but small bites, and we have a chance of not getting as off-  
28 track, and I would also argue that timing is not a question in  
29 this issue, because we've been dealing with this for ten years,  
30 and clearly it's not achievable in a short time, but the  
31 question is if, will we achieve it, and so I think we can do  
32 that, but it's going to take some discipline around the table,  
33 and it's going to take some discipline from the chair, and it  
34 will take some discipline on a tightly-structured agenda, in  
35 order to get to a point in one meeting. Thank you.  
36

37 **CHAIRMAN FRAZER:** To that point, Mr. Strelcheck?  
38

39 **MR. STRELCHECK:** Yes, and so all valid points, Bob, and I agree  
40 that any discussion of this, whether it's an hour or four hours  
41 or a whole day, would need to be very focused, and ideas are  
42 running through my mind, in terms of having facilitated  
43 discussion, you know, thinking about how staff could set us up  
44 for success, with regard to outlining the objectives and the  
45 problem statements that, you know, we're hearing about, the kind  
46 of pros and cons, benefits and drawbacks, and, I mean, I think  
47 there's lots of different ways that we could skin a cat, or take  
48 a bite of the elephant, so to speak.

1  
2 With that said, I mean, the concern I have is, I guess, twofold,  
3 right, and so I will put myself in the old-timer category at  
4 this table as well, and I might look a little younger than many  
5 of you, but I have some grayer hairs, and I was one of the early  
6 people to develop the program as well.

7  
8 Sitting in my new chair, as the Regional Administrator, this is  
9 the most concern, or problems, or issues, that I've been hearing  
10 about the program in pretty much its entire history, and we're  
11 not alone. It's not unique to the Gulf of Mexico, and we're  
12 hearing some similar growing pains with regard to other IFQ  
13 programs throughout the country, and we have the NAS study, and  
14 so, to me, I think it's important that we move on this and take  
15 these issues seriously and really hone-in on how we could set  
16 the direction for this program.

17  
18 I do recommend that we're thoughtful, in terms of the approach,  
19 so that we don't go sideways, and we don't get off-track, in  
20 terms of the conversation, and maybe we can think through,  
21 between now and Full Council, some ideas, in terms of how to  
22 best approach this to make it successful.

23  
24 One of my thoughts is that the council meeting itself is  
25 probably not the best forum to have a lengthy discussion, right,  
26 and so your point, I think, is well taken, in terms of smaller  
27 bites that could happen at a council meeting, but, if we're  
28 going to do big chunks, I think it really would want to be  
29 tailored to an IFQ-focused meeting.

30  
31 **CHAIRMAN FRAZER:** Thank you, Mr. Strelcheck. Ms. Boggs.

32  
33 **MS. BOGGS:** Another issue that this council faces too, and when  
34 we're trying to make these decisions, and the fact that it's  
35 been eight or nine years looking at these, is, in two months,  
36 we'll have, potentially, three new members to the council, and  
37 that's a downfall, in a sense, when you have a big subject like  
38 this that you've been talking about, and you have new members  
39 come in, and it's a challenge, I think.

40  
41 I'm not saying it's impossible, but I think it's a challenge,  
42 and I understand why we have the term limits and things like  
43 that, but I do feel like it's a challenge, because, if you're  
44 not familiar with the program, then you have to get up-to-speed,  
45 and, I mean, I'm not suggesting that this be done in the next  
46 two -- Or by June, because that's not going to happen, but  
47 another suggestion that I have is, if we do take and have an  
48 extra meeting, if you will, to tackle this, is maybe we have a

1 facilitator, so that we don't have to -- Tom, or whoever is the  
2 Reef Fish chair, or whoever or new chair is at that point, they  
3 can be more inclusive in the conversation, instead of trying to  
4 run that meeting. That's just food for thought.

5  
6 **CHAIRMAN FRAZER:** Mr. Dyskow.

7  
8 **MR. PHIL DYSKOW:** Thank you, Dr. Frazer. Going back to page 2,  
9 we discussed the current program goals and objectives, and we  
10 only have two, and one is to reduce overcapacity, and other is  
11 to mitigate derby-fishing conditions, and I think we hear very  
12 little discussion about our Objective Number 2. Mitigating  
13 derby fishing conditions has basically happened, and we have  
14 reduced overcapacity, by implementing a catch share program, but  
15 the real issue is within that area, and how have we -- The way  
16 we've chosen to reduce overcapacity has caused challenges to  
17 some people.

18  
19 A small number of people have a large amount of the available  
20 shares, and, obviously, there are some people that think that's  
21 a good idea, and there is some people that don't, and so, if  
22 we're going to modify the goals and objectives, I don't know  
23 that those two objectives are bad, but I think the methodology  
24 that we pursue to accomplish those objectives, particularly  
25 Objective Number 1 of reducing overcapacity, is what is causing  
26 the challenge.

27  
28 Every time we try to tweak that program, to address some of  
29 these areas of concern, we've gotten nowhere, but, ultimately,  
30 that's probably what needs to happen. You know, if we don't  
31 want to start over, and reinvent something new, then we need to  
32 tweak that program to eliminate some of the concerns, or most of  
33 the concerns, that we hear about all the time, and, you know,  
34 I'm sure that, Andy, at your office, you hear it every day.  
35 There's somebody on the outside looking in that's not happy, and  
36 perhaps that's what we ought to address, at some level.

37  
38 **CHAIRMAN FRAZER:** Thank you, Mr. Dyskow. Dr. Lasseter.

39  
40 **DR. LASSETER:** Thank you. I wanted to speak to the two goals  
41 and objectives, and so, over the last few years, and Peter and I  
42 have been really working on trying to address the discussion on  
43 the goals with you guys, and you did pass a motion, and I would  
44 have to look at which meeting it was, pertaining to the  
45 improving safety-at-sea, reducing the derby fishing conditions,  
46 and this council did approve that that goal has been met and no  
47 longer needs to be an outstanding goal in the program, and so we  
48 do still have it listed there, because that was one of the

1 original goals, but this council has made a determination that  
2 that goal had been met, and I believe it's in 36B, in the text,  
3 that would then be formalized, if we had finished that  
4 amendment, but I did want to call everybody's attention to that.

5  
6 **CHAIRMAN FRAZER:** All right. Thank you, Dr. Lasseter, and so I  
7 think I'm trying to capture all of the comments, and I think  
8 there's a lot of commonalities here, and I think, moving  
9 forward, that getting back to basics, some fundamentals and  
10 focus, is probably the way to go.

11  
12 I would suggest that we take bite-sized chunks at this, and the  
13 issue of overcapacity is probably a good place to start, because  
14 we don't have a definition of what that is. I think there are  
15 textbook definitions, you know, but, really, in my view,  
16 overcapacity -- In order to determine that, it requires you,  
17 again, to understand what you're trying to optimize, and we had  
18 that discussion a little bit yesterday.

19  
20 I think it might be quite valuable to take a stab at this, step  
21 back and just deal with one particular issue, and we can deal  
22 with the overcapacity issue, and we can think about, again, how  
23 to define that, and we can provide examples, and we'll have to  
24 think about how we want to structure that meeting, but we can  
25 allocate enough time, and I think that will get us moving in the  
26 right direction, because, if we can't address the overcapacity  
27 issue, in my mind, right, we will never be able to deal with  
28 some of these other issues related to, you know, new entrants,  
29 for example, and that's another term.

30  
31 You know, I think we would have to get there, and I'm not sure  
32 what we're trying to do here with optimizing participation in  
33 the fishery, and do we want a bunch of new entrants, for  
34 example, or do we want a more balanced demographic in the  
35 fishery, but, in order to get there, you have to deal with your  
36 objectives, and so I would suggest, you know, to the chair,  
37 perhaps, that, moving forward -- I think people tend to agree  
38 that we're going to have to allocate some specific time to a  
39 topic, and I think this is an appropriate one, based on the  
40 conversation that I've heard, and I will let the chair,  
41 obviously, determine how much time we might want to allocate at  
42 a subsequent meeting. Dr. Simmons.

43  
44 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so I  
45 think staff needs super clear direction on this, and we need a  
46 motion before we leave here, please, and so folks be thinking  
47 about that.



1 **CHAIRMAN FRAZER:** Again, it might be a little premature to, you  
2 know, just construct a motion at this point, but we can  
3 certainly do it in Full Council, when we're going through the  
4 committee report, and so, like Dr. Simmons, I would suggest that  
5 people think about that, and, maybe, if you have some ideas,  
6 come find me, in case in there are multiple ideas floating  
7 around, and we can streamline that process and make it a little  
8 more efficient. All right.

9  
10 One of the objectives, right, that we had, as Lasseter pointed  
11 out in the action guide, is to identify some priorities, and I  
12 think we probably have done that, and trying to figure out -- I  
13 think this motion will help us determine how much time, and what  
14 approach we want to use, moving forward, with regard to setting  
15 aside some time, and so, unless there are any other comments,  
16 you know, related to this particular topic, I think, Mr. Chair,  
17 we'll move on to the next one. If you want to take a five-  
18 minute break, that's fine too, or ten minutes. It's up to you.

19  
20 **MR. DIAZ:** I do. I think this is a good time to take a break.  
21 Let's take a break, and we'll come back at 10:50.

22  
23 (Whereupon, a brief recess was taken.)

24  
25 **CHAIRMAN FRAZER:** We'll go ahead and get started with a  
26 discussion on Draft Amendment 56, and I will go ahead and turn  
27 it over to Mr. Rindone to walk us through the action guide.

28  
29 **DRAFT AMENDMENT 56: MODIFICATIONS TO THE GAG GROUPER CATCH**  
30 **LIMITS, SECTOR ALLOCATIONS, AND FISHING SEASONS**

31  
32 **MR. RINDONE:** All right. We're going to start with an update  
33 from SERO about the requested interim rule for gag grouper,  
34 which is intended to reduce fishing mortality ahead of the  
35 development and implementation of this amendment, which will be  
36 the rebuilding plan for gag. In July, the SSC reviewed the  
37 alternative run for SEDAR 72 that supplanted the MRIP-FES  
38 calibrated recreational catch and effort for the private vessels  
39 with the same data from the State of Florida's State Reef Fish  
40 Survey.

41  
42 The SRFS run also found gag to be overfished and undergoing  
43 overfishing and was determined, by the SSC, to be consistent  
44 with BSIA, using a proxy for MSY of 40 percent of the spawning  
45 potential ratio, and I will talk a little bit more about that  
46 justification for that. The SSC thought that this higher MSY  
47 proxy would allow the stock to rebuild to a more robust size and  
48 that it would help it better weather things like episodic

1 mortality from red tide events.

2  
3 In October of 2022, you guys requested for us to explore several  
4 other measures for the development of Amendment 56, and I will  
5 talk about some of those in the presentation that I'm going to  
6 give you, and we'll also present the options for modifications  
7 to the catch limits and sector allocations, based on the  
8 rebuilding periods that are offered, and for modifying the  
9 recreational fishing season using the SRFs catch and effort data  
10 for private vessels in the MRIP-FES data for the recreational  
11 landings, and so you guys should ask lots of questions, and make  
12 recommendations, if appropriate, and, right now, our intention  
13 is to clean this up a little bit and bring it back to you guys  
14 as a public hearing draft in April.

15  
16 This one was a little bit late coming into you for the briefing  
17 book, because we were waiting on the season duration  
18 projections, but we were able to include those, and so that  
19 fills out the preliminary information for you guys for  
20 considering the recreational fishing season duration options in  
21 Action 2.

22  
23 Then we should probably discuss, after we get through all of  
24 this, some candidate public hearing locations, which I think Dr.  
25 Sweetman is ready to offer some suggestions about, when we get  
26 to that.

27  
28 **CHAIRMAN FRAZER:** We'll go to Tab B, Number 6(a).

29  
30 **MR. RINDONE:** Okay. As we mentioned, SEDAR 72 found gag to be  
31 overfished and undergoing overfishing, and the spawning stock  
32 biomass is very, very much largely female right now, and only  
33 about 2 percent of it is comprised of males, which could be  
34 resulting in some sperm limitation and limitation on the stock's  
35 reproductive capacity, and the recreational and commercial  
36 sectors have not been landing their ACLs in recent years. I  
37 think this is as good of a point as any for SERO to chime-in  
38 about the interim rule, and, Andy, I don't know if you want to  
39 do that or pawn that to Peter.

40  
41 **MR. STRELCHECK:** I will take a stab, and Peter can fill in, and  
42 so we have provisions, with the IFQ program, to withhold quota  
43 when there's pending rulemaking, and so, at the start of the  
44 fishing year, January 1, we did reduce the commercial gag quota  
45 commensurate with the interim rule.

46  
47 The interim rule, at this point, is in the proposed rule stage,  
48 and we have yet to publish the proposed rule, but it's pending

1 within the next week or so, and the goal is to have that rule  
2 implemented before May 1, or May 31, I think is the -- May 1.  
3 That will be in effect, and it will implement the commercial  
4 quota change and the recreational ACL change as well as the  
5 recreational fishing season for 2023.

6  
7 **MR. RINDONE:** Is it also going to be implemented alongside that  
8 red snapper ACL increase? Is that still part of that, or is it  
9 going to be done separately?

10  
11 **CHAIRMAN FRAZER:** Peter.

12  
13 **MR. HOOD:** I guess I'm not -- The red snapper ACL increase is  
14 moving along, and then the interim rule -- That cleared up at  
15 our headquarters, and so I think it will be publishing, if not  
16 this week, next week, and it will have a fifteen-day comment  
17 period, and then our goal is then get the final rule published,  
18 and the May 1 date -- We basically have to have the final rule  
19 published by May 1, or May 2, in order for the rule to be  
20 effective by June 1, which is when the gag season starts.

21  
22 **MR. RINDONE:** Got it. Any questions on that, before I go on?  
23 No hands. All right. So we started working on this amendment,  
24 which creates the rebuilding plan for gag, and Dr. Lasseter was  
25 kind enough to put together a couple of background slides for  
26 you guys, showing the magnitude of the landings against the  
27 management measures for both the commercial and recreational  
28 fleets from 1993 to 2019, and so, here, we have the commercial  
29 landings.

30  
31 I will give you guys just a second to digest all this, but the  
32 short story of this being that commercial landings have been  
33 down, compared to the commercial ACL, for the last several  
34 years. There was a little bit of a spike there in 2016, and  
35 this, obviously, doesn't include 2020 and 2021 and 2022, and  
36 landings in 2021 and 2022 were a little bit higher than what you  
37 see here, but I'm trying to present commensurate data for both,  
38 based on the information that was used in the assessment.

39  
40 The recreational landings are shown here, and there's a drop-off  
41 in the recreational landings in the early to mid-2000s, and,  
42 looking at number of days there on the Y-axis, you can see the  
43 number of fishing days went up, and the recreational landings  
44 did not go up with it, and they remained relatively flat, and,  
45 during this same time period, the recruitment for gag -- The  
46 landings for the commercial sector showed a similar pattern,  
47 but, also, during this same time period, the recruitment for gag  
48 was also pretty flat and below the long-term average. We had

1 notable red tide events, just for everyone's edification, in  
2 2005, 2014, 2018, and 2021.

3  
4 Just as a bit of a primer, before we dive into Action 1, which  
5 is a pretty dynamic action, and there's a lot of different  
6 things that are at play, but the data that are used in  
7 Alternatives 2 and 3 use Florida's State Reef Fish Survey for  
8 the private vessel catch and effort. For the shore mode and the  
9 for-hire modes, those are still using FES, and the headboat uses  
10 the Southeast Region Headboat Survey, and so SRFS shows historic  
11 effort estimates that are a little bit greater than those shown  
12 in MRIP's old Coastal Household Survey, and much lower than that  
13 shown in the Fishing Effort Survey, and we can't really compare  
14 Alternative 1 to Alternatives 2 and 3, due to the use of the  
15 combination of the different data currencies in the alternative  
16 run from SEDAR 72, and so that's why those aren't shown here in  
17 the presentation.

18  
19 As far as the reference points are concerned, Fmax was used in  
20 the previous assessments, and it's kind of akin to fishing at a  
21 wide-open throttle, and this wasn't recommended as sustainable  
22 for the stock by the SSC. When the SSC reviewed the first run  
23 of SEDAR 72 that used MRIP-FES for all of the recreational  
24 landings, they recommended a proxy of 30 percent, a 30 percent  
25 spawning percent spawning potential ratio, trying to be  
26 considerate of gag's vulnerability to red tide episodic  
27 mortality and the stock's reproductive ability.

28  
29 Now, FES had shown substantially higher recreational landings  
30 over the historical time series, which suggested that the stock  
31 must have had to have been large enough to support those  
32 landings, even to be where it is today, which is part of the  
33 reason why the SSC had landed on that 30 percent SPR proxy.

34  
35 When the SSC reviewed the alternative SEDAR 72 run using SRFS  
36 for the private vessels, the SSC increased that MSY proxy  
37 recommendation to 40 percent SPR, due to some more recent  
38 information about the magnitude of the red tide mortality, and  
39 this model was able to incorporate age-specific estimates of  
40 episodic mortality from red tide by year, which is a pretty  
41 great ecosystem-style modeling improvement to the stock  
42 assessment process, but SRFS, again, doesn't have the magnitude  
43 of effort. It doesn't demonstrate the magnitude of effort that  
44 was coming out of FES, and so the overall landings that are  
45 estimated are greater than those in CHTS, but less than those  
46 from FES, and still there is some scaling to what the historical  
47 stock size would have had to have been in order to sustain those  
48 landings.

1  
2 The SSC thought that the 40 percent SPR proxy would be  
3 appropriate to build the stock to a more resilient biomass level  
4 to sustain the stock against both fishing mortality and future  
5 red tide events, and it's pretty accepted, at this point, that  
6 it's not if there will be another red tide, but it's when and  
7 how bad it will be, how long it will last, and the spatial  
8 coverage that it will have.

9  
10 The 2021 red tide severity, for the sake of the projections, was  
11 estimated to be, qualitatively, medium, compared to what was  
12 estimated to be observed in 2005.

13  
14 Action 1, we'll start with no action, which is to retain the  
15 current catch limits and sector allocations for gag. That's  
16 shown in the table down there, and the current catch limits were  
17 set and monitored using MRIP-CHTS currency and using an MSY  
18 proxy of Fmax.

19  
20 The sector allocation is 61 percent recreational and 39 percent  
21 commercial, done in 30B, and it's important to note that, as  
22 SERO has noted, that, by May 2, the interim rule is expected to  
23 be implemented, which is going to -- Sorry. It's expected to be  
24 approved, which is going to change what our Alternative 1 is for  
25 this document, and so what you see here, and what you will see  
26 in April, will ultimately be modified in June, to reflect what  
27 the actual regulations are, but we're going to provide both of  
28 them to you guys, just so you know what we have now and you know  
29 what's coming, for where our status quo is.

30  
31 A note here, and, obviously, since the SSC doesn't support Fmax  
32 as being sustainable, and not consistent with BSIA, and because  
33 of the data currencies, Alternative 1 is not a viable  
34 alternative.

35  
36 This is the information from the interim rule, which shows the  
37 revised catch limits based on the stock ACL, as advertised in  
38 the interim rule, under the 30 percent SPR proxy from using  
39 MRIP-FES, and maintain the same sector allocation, as you guys  
40 have specified that you didn't want to change sector allocations  
41 as a function of doing the interim rule. Again, this will be  
42 the new Alternative 1, for Action 1, once the rule is  
43 implemented.

44  
45 Alternative 2 would revise the gag catch limits using 40 percent  
46 SPR as the MSY proxy, with the ABC set equal to the total of the  
47 ACLs, and the sector allocation would remain the same. Catch  
48 limits would be set using, and monitored in, SRFS units for the

1 private angling landings, and FES for the other recreational  
2 landings, and so that's for the shore mode and for the for-hire  
3 sector.

4  
5 This would establish a rebuilding timeline for gag, and the  
6 catch limits would be rounded -- They will be rounded down to  
7 the nearest thousand pounds, and we've had a conversation with  
8 NOAA GC about how we do our rounding, and so the numbers that  
9 you guys see will be very, very slightly different in the next  
10 iteration, and different in like the thousand-pound range, and  
11 so not anything major.

12  
13 There are four options for rebuilding. There is the minimum  
14 time that it would take to rebuild assuming no fishing mortality  
15 at all, and that's eleven years, the time to rebuild at the  
16 yield at 75 percent of the fishing mortality at the MSY proxy of  
17 40 percent SPR, and that's eighteen years, and then the minimum  
18 time to rebuild plus one generation time, or the amount of time  
19 that it takes for a spawner to sexually mature and reproduce and  
20 for that individual to become sexually mature, and so that's  
21 about eight years, and so that total time becomes nineteen  
22 years. Then two-times the minimum time to rebuild, or twenty-  
23 two years, and these are all from the Magnuson Act.

24  
25 It's important to note that all of the options, 2a through 2d,  
26 rebuild to the same target biomass level that results from using  
27 that 40 percent MSY proxy, and so they all get to the same  
28 place, but they just get there at different speeds, and,  
29 essentially, the longer you take to rebuild the stock, the more  
30 yield you get in the early years, but, again, the longer you're  
31 in that rebuilding plan and the accountability measures that  
32 come with that.

33  
34 The next few slides will show you the yields based on the  
35 options. Option 2a, and, in the next Alternative 3a, are going  
36 to be zeroed-out for the ABCs and everything that follows,  
37 because they would assume no fishing mortality, and then 2b is  
38 shown there, and so, as you go from Option 2b to 2c, the catch  
39 limits increase a little bit by year.

40  
41 Alternative 2 is similar to Alternative 3, except that it  
42 revises the sector allocation based on applying the SRFS-  
43 calibrated landings to the historical time period that was used  
44 to set the allocation to begin with, which was 1986 to 2005, and  
45 this results in a sector allocation that is 65 percent  
46 recreational and 35 percent commercial, and, again, the same  
47 options from the Act for establishing the time to rebuild.

1 Just like in Alternative 2, as you go from Option 3b to 3d, the  
2 catch limits increase a little bit, but the rebuilding time  
3 period is also longer, and so how long you would have to be  
4 aware of things like the accountability measures that come into  
5 effect when you have a stock that's in a building plan would  
6 continue, things like the paybacks, for example. Mara's hand is  
7 up.

8

9 **CHAIRMAN FRAZER:** Ms. Levy.

10

11 **MS. MARA LEVY:** Thanks, and so I just -- Thanks, Ryan, for that,  
12 and I just want to make a couple of things clear, and so these  
13 alternative rebuilding times, other than the Tmin, don't come  
14 from the Magnuson Act, and so they're in the National Standard 1  
15 Guidelines, and so I just want to make that clear, because it's  
16 very different. The legal requirement is to rebuild in the  
17 shortest time possible, taking into account the biology of the  
18 stock, the fishing community, and some international things, if  
19 they apply, and the guidelines that NMFS then puts forward talk  
20 about you determine that T target, or the shortest time  
21 possible.

22

23 You have to have a Tmin, which we have, and then these are three  
24 alternative ways of picking a Tmax, right, and these are the  
25 maximum allowable times under the guidelines. Your task is then  
26 to pick the shortest time possible, taking into account the  
27 biology of the stock and the needs of the fishing community, and  
28 so I just want to make that clear, that there are potential --  
29 If you decided to do something in between Tmin and these  
30 options, that's perfectly reasonable, and maybe something we  
31 should at least talk about, and I'm not saying that you  
32 necessarily need to add a particular action, but I guess I just  
33 wanted to make clear the legal statutory requirements versus the  
34 guidelines, which are not statutory requirements.

35

36 **CHAIRMAN FRAZER:** All right. Thank you, Ms. Levy. Carry on,  
37 Ryan.

38

39 **MR. RINDONE:** Thanks, Mara, and the other consideration here is  
40 that we're saying that the recreational and the commercial ACLs  
41 are equal to the ABCs, but we're not doing anything, at the  
42 moment, for changing the ACTs, and so the commercial ACT is set  
43 at 14 percent below the ACL, and then the recreational ACT is  
44 set using the ACL/ACT Control Rule at the time, and I think it's  
45 10 percent below, or it's 10.25 percent, or something like that.  
46 Peter, I'm kind of looking at you.

47

48 I think that's what was in the interim rule, and it was just --

1 It was continued forward in the interim rule, and so we  
2 continued it forward here, for consistency, and so, if there was  
3 any desire to revisit any of that, you guys would need to tell  
4 us, but, at this point, we were just putting forward what was  
5 used in the interim rule for expediting this along, given the  
6 window of time to move forward with this. Seeing no hand-  
7 waving, any thoughts about the options that are presented here?

8

9 **CHAIRMAN FRAZER:** Mr. Gill and then Dr. Sweetman.

10

11 **MR. GILL:** Thank you, Mr. Chairman, and so, in both Alternative  
12 2 and Alternative 3, Options c and d are right alongside each  
13 other, and they're virtually a minimal difference, and there may  
14 be as much as 50,000 pounds or something, and is there some  
15 reason that suggests it's reasonable to leave both in the  
16 document? I don't see it, and I am prepared to make a motion to  
17 move 2 and 3c to Considered but Rejected, but I wanted to see if  
18 there's some other reason that I'm not thinking about.

19

20 **CHAIRMAN FRAZER:** Mr. Rindone.

21

22 **MR. RINDONE:** So, I guess, thinking about this functionally,  
23 when we're thinking about generation time, it's predicated on  
24 there being successful spawning and things like that, and what  
25 we would expect the stock to be doing under healthy  
26 circumstances, and, if there's a limitation, in terms of the  
27 number of males that are out there, and there's a lot of skipped  
28 spawning that's happening, because these newly-sexually-mature  
29 females are not interacting with males and having an opportunity  
30 to spawn, then the amount of time it takes for a fish to grow to  
31 become sexually mature and reproduce and then for that fish to  
32 become sexually mature may be variable, based on what we  
33 perceive to be the probability of successful reproduction, given  
34 the current stock condition.

35

36 The calculation of generation time is correct insofar as it  
37 relates to what we know about the life history of the fish, but,  
38 given the current condition of the stock, it might be a little  
39 less certain, and so I think Option 3c might be one that you  
40 guys might consider -- Or Option c for both, perhaps, for both  
41 alternatives, might be one that you guys would consider.

42

43 **CHAIRMAN FRAZER:** Mr. Gill, did you want to make that motion  
44 now, or is C.J. going to speak to this point before you do that?  
45 Okay. Go ahead, Bob.

46

47 **MR. GILL:** Thank you, Mr. Chairman. I will make that motion.  
48 Thank you for that info, Ryan. **I move that Options 2c and 3c be**



1 moved to Considered but Rejected.

2  
3 **CHAIRMAN FRAZER:** Okay. We've got a motion, and we'll put it up  
4 on the board. It was seconded by Dr. Sweetman. As soon as we  
5 get it up there, I will open the floor for discussion.

6  
7 **MR. RINDONE:** We could say in Alternatives 2 and 3, to move  
8 Option c to Considered but Rejected, or to move Option 2c and 3c  
9 in Alternatives 2 and 3, and however you want to say it, but  
10 it's Options 2c and 3c in Alternatives 2 and 3. I mean, that's  
11 fine. I get what's going on, and so --

12  
13 **CHAIRMAN FRAZER:** Okay, and so the motion is on the board, and  
14 it's made by Mr. Gill and seconded by Dr. Sweetman. Bob, did  
15 you want to elaborate on this at all?

16  
17 **MR. GILL:** Several things, sir. One is that, as Ryan mentioned,  
18 in the c variety, we're talking about greater uncertainty. The  
19 difference between b and c is, in terms of rebuild time, is a  
20 year, and the difference, in terms of allowed landings, is  
21 minimal, and I think it would simplify the document, as well as  
22 make the distinction, in terms of what the ultimate decision is,  
23 a little clearer.

24  
25 **CHAIRMAN FRAZER:** Thank you, Bob. Is there any further  
26 discussion on the motion? I am not seeing. **Is there any**  
27 **opposition to this motion? Not seeing any, the motion carries.**  
28 Thank you, Bob.

29  
30 **MR. RINDONE:** All right.

31  
32 **CHAIRMAN FRAZER:** Mr. Strelcheck.

33  
34 **MR. STRELCHECK:** Before we go on, I wanted to kind of circle  
35 back on Mara's comments, and I do appreciate the streamlining,  
36 in terms of removing an alternative, given the closeness, and we  
37 have a situation where we're using essentially two proxies for  
38 Tmax, right, eighteen years and twenty-two years. Status quo,  
39 or the Tmin, is really undesirable, and we don't want to close  
40 the fishery. From a socioeconomic standpoint, obviously, that's  
41 substantial dire consequences.

42  
43 We ultimately want to maintain some sort of data stream, but  
44 Ocean Conservancy has pointed to the fact that we do not have a  
45 T target, right, and I don't know what that T target is, other  
46 than it's probably somewhere between Tmin and the eighteen-year  
47 Tmax that we've selected.

1 I would like at least some discussion as to whether or not it's  
2 reasonable, obviously, to consider another option for rebuilding  
3 that is currently not in the document right now, because I think  
4 we need to build a record on that.

5

6 **CHAIRMAN FRAZER:** Mr. Gill.

7

8 **MR. GILL:** So what are you thinking? It seems, to me, that  
9 we've pretty well spanned the reasonable gap, and so what other  
10 options are you suggesting that we ought to be considering?

11

12 **MR. STRELCHECK:** I'm not necessarily suggesting new options,  
13 right, but I think it's just important that we have, right now,  
14 eleven, eighteen, and twenty-two years, and, to me, it would be  
15 kind of arbitrary to just choose something else, right, unless  
16 there is reason to believe, obviously, that, you know, T target  
17 is going to be better for rebuilding the fishery, and,  
18 obviously, the shorter the timeframe for rebuilding, the higher  
19 the likelihood for success in reaching that target, right, and  
20 the greater conservation value, right, but you also then trade  
21 that off with greater socioeconomic consequences, right, and so  
22 we're ultimately trying to decide now, without necessarily that  
23 information before us right now, and I just wanted to make sure  
24 we had a sufficient conversation around the T target, and it was  
25 a comment that was made.

26

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

28

29 **MR. RINDONE:** An important note here is that we are  
30 exceptionally tight on time here, and, if we have any new T  
31 target that is recommended, it would require it to go back to  
32 the SSC, and we would have to get new projections from the  
33 Science Center, and the SSC would have to review those  
34 projections and approve them as also being consistent with BSIA,  
35 and then we could add them into the document at that point. I  
36 don't know how much time we have to accomplish that.

37

38 **CHAIRMAN FRAZER:** Dr. Sweetman and Ms. Boggs.

39

40 **DR. SWEETMAN:** Just a question, and what is our timeline to  
41 complete this?

42

43 **MR. RINDONE:** It absolutely must be dealt with by June, and so,  
44 when you figure it takes -- You know, the interim rule can be in  
45 effect for 366 days from the date of implementation, and so we  
46 really need to get it done by June, so that there's time for  
47 NMFS to go through its approval process, which lasts about six  
48 months, and so, if it goes final in June, if everything goes as

1 well as we could hope for, we will probably get it transmitted  
2 in July, or early August, at the latest, and then, from that  
3 point, that's when that six-month clock starts for the NMFS  
4 mandatory review process, and so just trying to get it on the  
5 books and have some idea of when it could be implemented, so  
6 that they can do any withholding that they need to do from the  
7 IFQ program, so that there is enough time to tell recreational  
8 fleets what they should be expecting, and so June is the time to  
9 do it.

10

11 **CHAIRMAN FRAZER:** Ms. Boggs.

12

13 **MS. BOGGS:** I am about to show my complete ignorance, but I have  
14 done -- We have talked about this for so long, and I went back  
15 and I looked at my notes, and Andy was talking about Tmax, and,  
16 in my notes that I had, talking to people way smarter than I am,  
17 does that gain us anything between the Tmin? My notes said it  
18 would just be one year, and it would be ten years, as opposed to  
19 the eleven years, and so kind of back to Bob's argument, and I'm  
20 completely out of my wheelhouse here, Ryan, and so help me out.

21

22 I mean, is that something that we should look at, because, if  
23 it's a shorter time period, and you're already looking at a  
24 closure in Option 2a and 3a, is that -- I mean, I don't know  
25 what the difference might possibly be there. Thank you.

26

27 **MR. RINDONE:** Based on the estimates that we're riding on from  
28 the SRFS run of the stock assessment, and assuming a 40 percent  
29 SPR proxy for F of MSY, the shortest amount of time that the  
30 stock could rebuild is eleven years, and so there's not a  
31 shorter option than that, unless we make new assumptions about  
32 what we think the stock would actually do during that time,  
33 which we don't have that information to use right now, and so  
34 eleven years is -- Ma'am.

35

36 **MS. BOGGS:** I am thinking out loud, and so Tmax will maybe  
37 extend it ten years, and I am reading my notes wrong, and that's  
38 why I wanted to bring it up, because I wasn't clear, and I'm  
39 trying to get a clear understanding what it is that we're  
40 talking about.

41

42 **MR. RINDONE:** So they all rebuild to the same place, and Tmin is  
43 the shortest amount of time that it can rebuild to that  
44 position. The other options, now two options, 75 percent of F  
45 at MSY and then Tmin times two, also rebuild to the same place,  
46 and, like Mara said, you can call them Tmax, the maximum time  
47 allowable, and they also rebuild to the same place as Tmin, but  
48 they just get there over a longer period of time.

1  
2 What Mara and Andy are talking about is we could pick something  
3 in between, and, from a functional standpoint, in trying to get  
4 the information that we would need to pick something in between,  
5 that's why I said what I said about having to get new  
6 projections from the Science Center and having to have it  
7 reviewed by the SSC and deemed BSIA and then bringing that back  
8 to you guys.

9  
10 Then we would need new season duration projections also to match  
11 up to whatever that other option was, and you guys can consider  
12 something in between, but it's not required that you do, but, if  
13 you're not going to, then you should say why you're not going  
14 to, and so, like Andy was saying, you have to have some  
15 justification for why you're not going to do it, and you can't  
16 just not do it.

17  
18 **CHAIRMAN FRAZER:** Andy.

19  
20 **MR. STRELCHECK:** Thanks, Mr. Chair, and so I guess I wanted to  
21 just add at least my thoughts and rationale, in terms of the  
22 existing range, and so, first, timing can't be, in my view, a  
23 consideration of why not to do something, right, and, yes, we're  
24 under a statutory mandate, but, if it's a reasonable  
25 alternative, right, we should be including it and adding it.

26  
27 With that said,  $T_{min}$  is essentially the shortest time to rebuild  
28 this fishery at zero fishing mortality, and, when I say zero,  
29 it's directed and discards, right, and, to me, that's  
30 impractical, and it's unlikely to happen ever, right, and so, as  
31 you move away then, from eleven years to a longer time period,  
32 your likelihood of success, in terms of at least reducing  
33 fishing mortality and achieving a reasonable reduction in both  
34 the directed fishing mortality and the discards, is increased,  
35 right, but with an allowance of more fishing activity, and so  
36 we're balancing kind of socioeconomics with the reasonableness  
37 of actually rebuilding the stock.

38  
39 Although eighteen years is kind of between, you know, the eleven  
40 and twenty-two, and it's based on  $T_{max}$ , to me, it is kind of  
41 bridging the gap, in terms of a pseudo target, and that's  
42 probably the wrong way to describe it, but it is kind of in  
43 between the maximum timeframe that we truly could consider and  
44 the target time for rebuilding, and I would encourage -- We're  
45 not at the point of selecting preferreds, but we could select  
46 this, or we should select this, to kind of increase that  
47 probability of rebuilding success and not go to the maximum  
48 amount of time as allowed under the National Standards. We're

1 not there yet to discuss that, but I would certainly encourage  
2 that, moving forward.

3

4 **CHAIRMAN FRAZER:** Mr. Anson.

5

6 **MR. ANSON:** I am trying to -- You know, I certainly have heard  
7 Mara suggest to the council that there is, you know, a varied  
8 suite of alternatives that are in documents that we discuss, and  
9 ultimately send to the agency, but I guess, you know, in  
10 relation to this, and I know we just kind of removed some  
11 options, but the statement that we ought to consider a target, I  
12 guess, for this particular document, considering the timing and  
13 kind of the crunch that we may be under, or may not be under,  
14 but, you know, I was thinking that we were under a fairly tight  
15 timeline myself as well.

16

17 I guess I'm just -- You know, if this should be, I guess, a  
18 standard practice, or something that we should always consider  
19 for future documents of a similar nature, and I'm just a little  
20 surprised that, you know, the request to include something, you  
21 know, a target, I guess, T target, again specific to this  
22 document, relative to the timing that we need to take action on  
23 it.

24

25 **CHAIRMAN FRAZER:** Ms. Levy.

26

27 **MS. LEVY:** Thanks. Just to clarify, I wasn't requesting that  
28 you add a T target. I was just making clear that the current  
29 options in there come from what the guidelines explain are the  
30 Tmax, but I think that Andy kind of tried to point out that, in  
31 this particular case, your Tmin is eleven years, and your  
32 shortest Tmax is eighteen years, right, and so you've got seven  
33 years of wiggle room, in terms of which you could pick a target,  
34 and, perhaps, in this case, that's not enough wiggle room to try  
35 to pick something, right, because the benefits of going two  
36 years less, or three years less, are probably not going to be  
37 significant with regard to the stock, and may or may not be  
38 significant with regard to the socioeconomics, right, and so, in  
39 this particular case, maybe that makes sense.

40

41 If you had a Tmax that was forty-five years, and your Tmin was  
42 twelve years, I think you would have a little more trouble  
43 saying there's nothing in between there that could be shorter,  
44 and so all I was saying is we need to articulate that, because  
45 these particular options are the Tmax from the guidelines.

46

47 **CHAIRMAN FRAZER:** So anywhere between eleven and eighteen years,  
48 right, Kevin, and, I mean, we're talking about fractional gains,

1 if any, in the catch in either of the sectors, right, and so  
2 there's no obvious win in between those. Kevin.

3  
4 **MR. ANSON:** Yes, and that's what I was leaning toward as well,  
5 is that there's maybe a couple hundred thousand pounds,  
6 potentially, you know, just on a back-of-the-napkin calculation,  
7 for some of the options we're dealing with, and so I would agree  
8 that it, you know, probably shouldn't be included. Again, with  
9 the timing of the document as well, but others can comment if  
10 they would like. Thank you.

11  
12 **CHAIRMAN FRAZER:** Is there any additional comments on this  
13 particular alternative? Mr. Rindone.

14  
15 **MR. RINDONE:** Just for some additional context on this, I mean,  
16 part of the SSC's recommendation for the 40 percent SPR was to  
17 build the stock to this more robust level, which all of these,  
18 including any intermediary T target would do -- They would all  
19 not get the stock rebuilt until it reaches that specific point,  
20 and it's like 12.7 thousand metric tons, or something like that,  
21 and I think it's a little over 12,000 metric tons of spawning  
22 stock biomass.

23  
24 They're all going to get you there, but they're just going to  
25 get you there at a little bit different pace, and so what  
26 happens in that time period? You have fishing pressure, which  
27 the council would be keeping track of and would be able to keep  
28 a pulse on, and then you have the potential, obviously, for red  
29 tide, which the council could be responsive to if it knew that  
30 one was happening, and it could take some sort of proactive  
31 measures, if it deemed it appropriate and prudent to do so.

32  
33 In the interim, you would also have the flexibility to use  
34 things in your toolbox like framework actions to address things  
35 as it would be appropriate to do so, but, just thinking about it  
36 in terms of what it means for the biology of the stock, the  
37 stock is going to be rebuilt to the same position regardless.  
38 The things that the stock is going to endure in the interim,  
39 that are primarily going to affect it, are going to be  
40 anthropogenic influences, like fishing mortality, and ecological  
41 influences, like red tide, and so those are the things that you  
42 guys need to think about, in terms of the biological benefits or  
43 deleterious effects to the stock, with regard to any of the  
44 durations of time that these rebuilding periods would last.

45  
46 **CHAIRMAN FRAZER:** Okay. I guess, with regard to this  
47 alternative, we essentially have, you know, three options, based  
48 on the motion that Mr. Gill made, and I'm not seeing any further

1 comment, Ryan, if you want to go ahead and move forward.

2  
3 **MR. RINDONE:** Sure. Okay, and so this is Action 2, which talks  
4 about the modification of the Gulf gag recreational fishing  
5 season start date, and so Alternative 1 would retain the current  
6 recreational fishing season opening date of June 1, and NMFS  
7 would close harvest when the ACL is projected to be met, and  
8 that last sentence there is applicable to all of these  
9 alternatives.

10  
11 We did this because this is essentially NMFS' responsibility,  
12 regardless of any arbitrary closure date that the council might  
13 otherwise recommend. If NMFS projects that it needs to close  
14 the season sooner, it's its responsibility to prevent the ACL  
15 from being exceeded. It will have to close the season sooner,  
16 and so it just seemed cleaner to leave it as that.

17  
18 Alternative 2 would open the recreational fishing season on  
19 September 1, Alternative 3 on October 1, and Alternative 4 on  
20 November 1, and these were the same opening dates that were  
21 shown to you guys for options for the interim rule.

22  
23 On this graph here, we have the landings, in pounds gutted  
24 weight, on the Y-axis, and then by month on the X-axis, and the  
25 dark line is 2019, and the gray line is 2020, the yellow line is  
26 2021, and the projected landings for the mean of these years is  
27 shown in the dotted-blue line, and so you can see how the  
28 monthly landings varied, since these are previous years, by  
29 year. Ms. Boggs.

30  
31 **MS. BOGGS:** So I am really having trouble, and I have asked this  
32 question before, and I guess I've never caught it on gag, and I  
33 know I've asked about red snapper, but, if we have a seasonal  
34 closure from January 1 to May 31, why do we have these landings  
35 in March and April and May? I am guessing these are just rogue  
36 fishermen?

37  
38 **CHAIRMAN FRAZER:** I am going to, I guess, refer to the Regional  
39 Office.

40  
41 **MR. HOOD:** Maybe C.J. can help me with this, but I think there  
42 was a certain time period when Florida had like a season in some  
43 counties, and I think it was for gag, and that could have been  
44 in 2019, and I think, you know, because gag are often found  
45 inshore and stuff, some of those landings might -- Particularly  
46 for the later years, they might be because, you know, people  
47 just don't know what they're catching, and, you know, they catch  
48 a nice fight, and, you know, they're fishing off a dock, or, you

1 know, in a bay or something like that, and they catch a nice-  
2 sized fish, and they bring it home, not knowing what they're  
3 doing, but I think, for 2019, it's probably the fact that  
4 Florida was open in a couple of counties during that timeframe.

5  
6 **CHAIRMAN FRAZER:** C.J. and then Andy.

7  
8 **DR. SWEETMAN:** Peter is correct. We previously had the special  
9 season in this four-county box area, Taylor, Wakulla, and other  
10 counties, two other counties up in that area, and it was a  
11 specialized season over there, but, when the interim rule went  
12 into effect, FWC closed that season, and so that's why -- That  
13 just happened last year, and so that's why there are some  
14 landings.

15  
16 **CHAIRMAN FRAZER:** Mr. Strelcheck.

17  
18 **MR. STRELCHECK:** C.J. covered what I was going to say. Thanks.

19  
20 **CHAIRMAN FRAZER:** All right. Chairman Diaz.

21  
22 **MR. DIAZ:** I am not sure who this question is for, maybe Ryan or  
23 maybe C.J. or maybe Andy, but so September 1 would be a start  
24 date at a beginning of a wave, and October 1 would be in the  
25 middle of a wave, an MRIP wave, and then November 1 would be at  
26 a start of a wave too, and so I know we're using some SRFS  
27 information and some MRIP information, and is it problematic to  
28 start this season on October 1, as far as trying to do an in-  
29 season closure? Does that create a problem, and I would like if  
30 somebody could respond to that.

31  
32 **CHAIRMAN FRAZER:** Mr. Strelcheck.

33  
34 **MR. STRELCHECK:** I mean, classically, we have preferred to start  
35 seasons at the beginning of waves, to avoid splitting a wave,  
36 right, and the challenges associated with that. This is a  
37 combination of data that would have to be used for season  
38 projections, right, but the large driver is going to be the SRFS  
39 system, which generates estimates in one-month increments,  
40 right, and so I think it's probably more reasonable to actually  
41 be able to start, you know, now splitting a wave, just simply  
42 because we're going to be reliant more on SRFS, at this stage,  
43 for those projections.

44  
45 **CHAIRMAN FRAZER:** C.J. and then Ms. Boggs.

46  
47 **DR. SWEETMAN:** I appreciate the question, and so we also do  
48 supplement the State Reef Fish Survey with the APAIS dockside



1 intercept survey, and so it expands a little bit beyond just the  
2 months, but I will say that the State Reef Fish Survey is not  
3 meant for in-season monitoring for gag grouper and in-season  
4 management along those lines.

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

7  
8 **MS. BOGGS:** So I know, when we were discussing the interim rule  
9 and all the conversation, it was about the shallow-water grouper  
10 in the fall is really good, the shallow-water depths, and the  
11 release mortality is higher, and the fact that the State of  
12 Florida was going to go consistent, if we kind of went along  
13 those lines, and I'm going to have to eat crow now.

14  
15 In talking to some of the fishermen down in Destin and Tampa and  
16 St. Pete and further down, and you see that peak in June and  
17 July, and one of our conversations, or one of the largest topics  
18 around this table, is discards, and so now, if you close that  
19 fishery in June and July, where it peaks, and my understanding  
20 is these fish are around the red snapper, and are we not just  
21 going to increase our dead discards and create more of a  
22 problem?

23  
24 Then, if you look at this chart, I mean, it does escalate in  
25 October, and I don't know how we deal with this. The dead  
26 discards, to me, is the main thing that we need to start trying  
27 to deal with, and I have a suggestion, but this is not the right  
28 place for this, but you've got two peak seasons, and I don't  
29 know what we're going to do about the discards, because, in my  
30 mind, to me, if you're red snapper fishing in October, November,  
31 and December, and my understanding, and we don't grouper fish in  
32 our area, and so I'm trying to get educated, is that's more of a  
33 targeted fishery, whereas, in June and July, it may be more of  
34 an incidental as well as targeted fishery, but I'm just trying  
35 to get my head wrapped around what are we going to do with  
36 discards, and is this going to increase our problem, if we look  
37 at more of a fall season than keeping it in the June and July.

38  
39 **CHAIRMAN FRAZER:** It's a good question, and we've certainly  
40 talked about it quite a bit. I'm looking around the room, and I  
41 don't -- If Captain Walker is in the room, and, Ed, if you're  
42 willing to come up to the podium, maybe I can ask you a few  
43 questions, given that you're the chair of the Reef Fish AP. I  
44 guess, to Susan's point, the questions would be, you know, can  
45 you tell me a little bit about the co-distribution, I guess, of  
46 red snapper and gag and then break that down seasonally.

47  
48 **MR. ED WALKER:** I would be delighted, and I was actually --

1 Dylan Hubbard and I were just -- When you asked that question,  
2 we started saying, you know, do you see red snapper and gag  
3 overlap where you're fishing, which, where I fish, the answer is  
4 no, and, now, I could go deeper and find gag and red snapper in  
5 the same areas, but, in our fall season, which is my biggest  
6 season, as a charter boat captain, we never catch any red  
7 snapper, at all, because we're fishing in thirty, fifty, or  
8 maybe sixty feet of water, and there's no red snapper in there  
9 at all, and so, for us, it's a non-issue.

10  
11 I certainly understand other parts of the State of Florida,  
12 where, in red snapper season, you may well encounter a gag here  
13 or there, but, where we are, in west-central Florida, I don't  
14 think that the overlap is as big of an issue, and I have heard  
15 the argument, since you've given me this opportunity to speak,  
16 that perhaps we should have them both at the same time, the red  
17 snapper season and the gag season, to reduce discards, and  
18 there's two reasons that I would personally recommend against  
19 that.

20  
21 One is you don't really want the -- I lost my train of thought  
22 for a second. A charter guy would prefer to have two seasons,  
23 right, and, if you pile all the seasons into a short period of  
24 time, he has less opportunity for charter. If gag is open, he  
25 can go and fish for gag in gag season and red snapper in red  
26 snapper season, and that's my feel. I would rather have two  
27 seasons than one season. Was there another part of that  
28 question?

29  
30 **CHAIRMAN FRAZER:** I guess, to Susan's point, if the season is  
31 earlier, and the fish are deeper, and there is a greater chance  
32 of cooccurrence, how are you going to deal -- Or how should we  
33 consider dealing with the potential for a higher discard  
34 mortality?

35  
36 **MR. WALKER:** My personal opinion, I don't think you should open  
37 gag in the warmer months, in September specifically, and you're  
38 going to direct effort to deeper water, where you're more likely  
39 to encounter males, which is stated in the document as one of  
40 the objectives here, is to reduce pressure on those males, and  
41 discard mortality is exponentially higher where we are, because,  
42 in the fall season, in the cooler months, we're fishing in  
43 shallower water, cooler water, with very, very low discards, and  
44 the deeper -- You essentially are steering the effort depending  
45 on the month you pick.

46  
47 If it's warm, the effort in west Florida for gag moves deeper,  
48 and that's just a fact, and, in the fall, people don't have to

1 go as far, and there are lower discards, and, essentially,  
2 there's zero male interaction, and I say that from ten years of  
3 gag research projects that I've been involved in.

4  
5 I've brought most of my catch -- A good percentage of my catch  
6 has been analyzed by the biologists, and so they will open them  
7 up. We'll bring them in with the guts, and they will examine  
8 the insides and see, for sure, if it's a male or a female, and  
9 we've never caught a male, ever, that was documented by them,  
10 and even an occasional dark-belly one, that looked like he might  
11 have been potentially a male, it wasn't, and we've had a small  
12 amount of what they call transitional, but, where we fish in the  
13 fall, male interaction is not a problem, and red snapper  
14 interaction is not a problem.

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

17  
18 **MS. BOGGS:** Well, I mean, I think we've got a real problem on  
19 our hands, and we have the same issue with amberjack, and not  
20 everybody fishes the same, and not all the fish are in the same  
21 areas, and I had a fisherman tell me that he had to put thirty  
22 pounds of weight on a descending device and could not get a gag  
23 grouper to go down, and so these interactions -- It's different  
24 for Ed, and it's different for this gentleman in Tampa, and it's  
25 different for the northern Gulf, where I am, where we don't  
26 catch them.

27  
28 Here again, we're having this conversation about split seasons  
29 and adaptive management and Amendment 41 and Amendment 42, and  
30 we're not going to solve this problem, and I don't think  
31 anything we do with this document is going to solve our problem.

32  
33 **CHAIRMAN FRAZER:** Thank you, Ed. I agree with you, Susan, and  
34 I'm expecting that we're going to hear a fair amount of public  
35 comment on this issue, right, because things are differently,  
36 certainly, in the north Gulf, with regard to depth and  
37 cooccurrence of those two particular species. I think you're  
38 right on, right, and it's a complicated decision, and we're  
39 going to have to be -- C.J.

40  
41 **DR. SWEETMAN:** To that point, I understand what people are  
42 saying here, but, when thinking of the entirety of Florida,  
43 access to these fisheries are not the same in all of these  
44 areas, and so that is why the commission, FWC, has been  
45 supportive of the September season, to allow for that kind of  
46 equitable access throughout the entirety of the State of  
47 Florida.

48

1 **CHAIRMAN FRAZER:** All right. Thank you, C.J. Again, just to  
2 step back a little bit, right, and we're kind of working through  
3 these various actions to prepare a public hearing document, and  
4 so it's fairly time sensitive, and we do have some time to think  
5 about the rationale for ultimately choosing some preferreds,  
6 moving forward, and so Mr. Rindone.

7  
8 **MR. RINDONE:** Thank you, Mr. Chair, and he's in the room  
9 somewhere, and I think Nick Haddad is around somewhere, and Nick  
10 is the guy that's here to talk to you about the Return 'Em Right  
11 program, but something that we observed, when we were out using  
12 the descender devices, was that venting fish is critical to  
13 getting some of that air out of their swim bladders, in order to  
14 get them to go down, and so, if fishermen are having trouble  
15 getting a fish to go down on a descender device, or they're  
16 having to keep adding more and more weight, I guess the first  
17 thing that I would ask is did you vent the fish?

18  
19 If the fish has a giant balloon worth of air stuck inside its  
20 abdominal cavity, it's going to require more weight. If it's a  
21 considerably large fish, that could be a considerably large  
22 amount of air, and so venting the fish is just a critical first  
23 step in that process to descending that fish to get it down, and  
24 so, I guess, Nick, I see your hat back there now, and is that --  
25 As you're talking with folks, I guess that would just be  
26 something to, I guess, investigate and see if that's a practice  
27 that folks are understanding.

28  
29 Our season duration projections here use estimated monthly  
30 landings from 2019 to 2021, again using SRFS for the private  
31 vessels and FES for shore and for-hire and the Southeast Region  
32 Headboat Survey for the headboats. That's a nice fish, John.

33  
34 Monthly landings were divided by the number of days per month,  
35 to provide a daily catch rate and to estimate the projected  
36 expected closure dates, and so, within these season duration  
37 projections, weekdays and weekends are treated equally, which we  
38 don't anticipate to have a strong effect here, given the  
39 duration of time that these season duration projections cover,  
40 and I think it would be more of an issue if we were talking ten  
41 days to two weeks, but, since we're talking a couple of months  
42 for most of these, it will smooth out. Mr. Gill.

43  
44 **MR. GILL:** Thank you. Before we go to the next slide, if we  
45 could go back to the estimate, and so, under our normal modes,  
46 this is how we typically estimate usage rates going forward. In  
47 this case though, to me, it's different. We're talking a  
48 dramatically shorter season, a max of 50 percent of the previous

1 season, and we're talking about a dramatically smaller allowable  
2 catch, and utilizing the standard estimating technology as a  
3 proxy for what's going to happen during the fishing season, to  
4 me, ignores the likely derby season that we're going to see,  
5 that we're not going to capture.

6  
7 I know it's difficult, but I think we have to be proactive and  
8 add an adjustment to this approach that tries to accommodate, as  
9 best we can, some consideration of the likely derby and reduced  
10 catch effects on the catch rate, but not doing it, and we'll get  
11 to that when we get into the alternatives, sets us up for a real  
12 problem, because, if the catch rates are significantly off, on  
13 these very small amounts, and check me if I'm wrong, but I think  
14 gah has a payback, right, and we'll have a real problem.

15  
16 I suggest that the estimate technique -- This is a good start,  
17 but it needs to be adjusted for the likely impact that we're  
18 going to get in this fishery at this time. Without it, I think  
19 we're closing our eyes to an obvious correction factor, and,  
20 granted, it's probably going to be very subjective, and you can  
21 make some stabs at it, but we don't have the data for it, and I  
22 understand that, but, if we don't try to provide our best input  
23 to adjusting for it, we're at, or setting ourselves up, for a  
24 real problem.

25  
26 **CHAIRMAN FRAZER:** Before I go to Mr. Anson, Bob, I just want to  
27 make sure that I understand what you're suggesting, or asking,  
28 is that there's a projection here of the number of days, and  
29 there is some confidence surrounding that, and your suggestion  
30 is to aim towards the lower end of the confidence interval, to  
31 be conservative? I'm not exactly sure where you were heading  
32 with our potential action.

33  
34 **MR. GILL:** What I'm suggesting is that this is projecting a  
35 catch rate, a daily catch rate, that is grossly underestimating  
36 the likely catch rate, and, consequently, we could blow out  
37 whatever quota we have available to be caught.

38  
39 **CHAIRMAN FRAZER:** Okay. I understand that. Mr. Anson and then  
40 Ms. Boggs.

41  
42 **MR. ANSON:** Bob brings up a good point, and one other thing to  
43 consider, I guess, for this calculation, or exercise, to  
44 determine season length would be to make sure that the harvest  
45 that occurs, or portion of the harvest that occurs, from discard  
46 mortality is also included on the frontend, because we're going  
47 to have a shortened season, and so it will be spreading out or  
48 including more days now that the season had been open, and won't

1 be open, and so that will be something else I think that ought  
2 to be in the consideration, and I don't know if that's just  
3 added up, you know, each year and then divided by the total  
4 number of days, and I don't know how the method is, but I just  
5 want to make sure that there is -- That is being accounted for,  
6 or at least some expectation of additional out-of-season discard  
7 mortality, because we've got to deal with discard mortality in  
8 the recreational fishery for the monitoring of quota, but not  
9 the commercial. Thank you.

10  
11 **CHAIRMAN FRAZER:** Ms. Boggs.

12  
13 **MS. BOGGS:** To this document, the Alternatives 2c and 2d, 2c and  
14 3c, under this action, would we need to move that to Considered  
15 but Rejected, since what we did in Action 1 was remove those  
16 alternatives, because now you don't have -- Then I have another  
17 question.

18  
19 **CHAIRMAN FRAZER:** Ryan, to the first question?

20  
21 **MR. RINDONE:** So, here, we would just remove the line for 2c,  
22 and we would just delete that, because that's being moved to  
23 Considered but Rejected, and those season duration projections  
24 aren't necessary, and so this would be revised to just show what  
25 you see now as just being 2b and 2d.

26  
27 **MS. BOGGS:** Okay. I was just making sure that, one, we didn't  
28 need a motion, and, number two is, based on the chart three  
29 slides ahead, and you see that spike in October, and I thought I  
30 understood that's when Captain Walker starts fishing, we have no  
31 alternatives here that look at an October opening.

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

34  
35 **MR. RINDONE:** The second column from the right is the October  
36 opening, and so the Action 1 alternatives are shown in the left-  
37 most column, and the Action 2 alternatives, or the season  
38 opening dates, are shown across the top, and so June 1,  
39 September 1, October 1, and November 1.

40  
41 **MS. BOGGS:** So what you're showing is the closing date.

42  
43 **MR. RINDONE:** Yes. That's what is shown in bold there. Sorry.  
44 I didn't get to explain the chart yet, and Mr. Gill intercepted  
45 me with his question, and so -- But I think we've got through  
46 most of it now, and so the recreational ACT is shown here in  
47 pounds gutted weight, because that's how it comes out of the  
48 assessment, and so this slide is showing the 61 percent

1 recreational and 39 percent commercial, and so the status quo  
2 allocation percentages, and the next one shows the 65/35.

3  
4 There are one-day differences in the season duration projections  
5 between those sector allocation options, but you guys will see  
6 that, and, yes, and so that line there -- That row for  
7 Alternative 2c, the nineteen years, we would just delete that,  
8 because, if it's removed from Alternative 1, then it's not  
9 applicable anymore to Alternative 2.

10  
11 We can go ahead and show you guys the next slide, just so you  
12 can see that too, and you can see the differences there, and  
13 there's about a one-day difference between the alternatives, and  
14 this is based on -- I forgot to mention this, and these two  
15 tables, and these season duration projections, are based on the  
16 projected yield from 2024, and so the first year that we would  
17 expect this to be implemented in management, and so, with every  
18 successive year, as the stock continues to rebuild, there would  
19 be -- The recreational ACL would be expected to increase by some  
20 amount through 2028.

21  
22 The duration for which the recreational fishing season could be  
23 open, all things being equal, would be assumed to also be able  
24 to increase with time, as the ACL increases, and we've had a  
25 couple of requests at this point, the one from Mr. Gill to  
26 account for some of the uncertainty with respect to the  
27 potential instigation of derby fishing behavior from the season  
28 being so compressed, compared to what it's been, and then from  
29 Mr. Anson about it being prudent to also account for dead  
30 discards.

31  
32 **CHAIRMAN FRAZER:** We're going to take one quick question from  
33 Ms. Levy, and then I'm going to probably let us have a break.  
34 Ms. Levy.

35  
36 **MS. LEVY:** It's not really a question, but it's just a comment  
37 related to the discussion, and so just -- I mean, the dates are  
38 there, based on the projections, right, but those are  
39 projections based on current available data, and those dates are  
40 not what are in the alternative, right, and the alternative has  
41 the season start date, and it closes when NMFS, at the time,  
42 projects that the catch limit is going to be met, and so, kind  
43 of to get to all of those points, yes, there's a lot of  
44 uncertainty, because you're compressing the season, and so NMFS  
45 is going to have to take that into account when they're looking  
46 at when the closure notice should actually go out, and we're  
47 going to have that problem this year, right, because the interim  
48 measures are changing the season date, and it has an end date

1 that the council put in there, but NMFS is still going to need  
2 to look at what they think their best estimate of when that  
3 interim catch level is going to be harvested and close, if  
4 necessary, earlier.

5  
6 Then, just on that point, at least you will have data from this  
7 year, in terms of what the season change did, the start date  
8 did, that NMFS can use next year, if you decide to change the  
9 season through this amendment, and so just there's a lot of  
10 moving parts, but, ultimately, you're picking the start,  
11 acknowledging the uncertainty that that might create in the  
12 projections, but NMFS is actually going to have to do those  
13 projections and decide when to close.

14  
15 **CHAIRMAN FRAZER:** Andy, do you want to follow-up, real quick,  
16 and then we will probably take a break.

17  
18 **MR. STRELCHECK:** Thanks, Mr. Chair, and Mara covered a couple of  
19 my comments. Two other things, and so, one, I've been chatting  
20 with my staff, and we're trying to reconcile the numbers and  
21 make sure that the projections are correct and that the  
22 estimates in the presentation line up with our expectations,  
23 because the graphic on Slide 16 would seem to indicate that the  
24 June season would be shorter than the forty-nine days, and we're  
25 just not sure if that's the correct figure or not, and so I just  
26 wanted to acknowledge that we might have to come back, at Full  
27 Council, with some revised estimates, if we find something  
28 wrong.

29  
30 The question I have is really for C.J., and so, thinking of this  
31 from an implementation standpoint, the State of Florida is  
32 really the primary harvester of gag, and there certainly is  
33 harvest outside of Florida, but it's fairly minimal.

34  
35 Right now, we've set up the alternatives to where the NMFS  
36 Regional Administrator would close the fishery when we project  
37 the catch limit to be met, right, taking into account some of  
38 the factors that we've discussed. Has FWC kind of discussed  
39 this, and is, you know, there any concerns with that concept?  
40 I'm not sure really what other options we have, but it certainly  
41 kind of sets up where we're going to need to be in collaboration  
42 with FWC, and working with you closely, on those season  
43 projections, to ensure alignment between the federal and state  
44 seasons.

45  
46 **CHAIRMAN FRAZER:** C.J.

47  
48 **DR. SWEETMAN:** Thanks, Mr. Chair. Thanks for the question,



1 Andy, and so we currently have, in rule, the interim rule  
2 season, and so any modification to that season, even if it's a  
3 day or so here and there, based on NMFS' projections for when  
4 the end date would be, that would require us to ultimately go  
5 back to the commission and modify the rule that we have on the  
6 books there. Does that answer your question, Andy?

7  
8 **CHAIRMAN FRAZER:** All right. I think, Chairman Diaz, the next  
9 kind of -- We can certainly come back after lunch and revisit  
10 this a little bit, but we can also move into kind of some future  
11 options for this document as well, and so I suggest, if you're  
12 okay, that we take a break.

13  
14 **MR. DIAZ:** Before we do take a break, I want to recognize a  
15 former council member that's here, Mr. Myron Fischer, that's  
16 standing up. Myron was a great council member and greatly  
17 contributed to the council during his time here, and so it's  
18 good to see you out there, Myron, and so thank you for coming to  
19 spend some time with us. We appreciate it.

20  
21 The council staff has got lunch ordered for us here, and the  
22 hotel has provided it, and it's on the table behind us, and the  
23 lunch is for council members and council staff, and we're going  
24 to break for about thirty or so minutes here, and so if folks  
25 kind of make sure to be in the room in about thirty minutes from  
26 now, and we're making an effort to try to squeeze as much work  
27 and get every dollar's worth of tax dollars that we're spending.  
28 All right. Thirty minutes. Thank you.

29  
30 (Whereupon, the meeting recessed for lunch on January 31, 2023.)

31  
32 - - -

33  
34 January 31, 2023

35  
36 TUESDAY AFTERNOON SESSION

37  
38 - - -

39  
40 The Reef Fish Management Committee of the Gulf of Mexico Fishery  
41 Management Council reconvened at the Hilton Baton Rouge in Baton  
42 Rouge, Louisiana on Tuesday afternoon, January 31, 2023, and was  
43 called to order by Chairman Tom Frazer.

44  
45 **CHAIRMAN FRAZER:** We're going to let Ryan get squared away, and  
46 we're going to pick back up with the gag discussion, and so go  
47 ahead, Ryan.

1 **MR. RINDONE:** Okay, and so, like I had stated previously, when  
2 we're talking about the rounding issues and all that, we're  
3 going to be updating all of this a little bit, but it gives you  
4 a general idea of what you would be looking at for some of these  
5 season durations.

6  
7 You guys heard a little bit from Captain Walker about his  
8 perspective about the seasons, and then there's a consideration  
9 about discards, like Ms. Boggs and Mr. Anson were talking about,  
10 and so, if there are any of these season opening dates that you  
11 guys would like to exclude from consideration, we certainly  
12 could entertain that.

13  
14 I'm just thinking about producing the compounding amount of  
15 analysis that has to be done between the alternatives that are  
16 in Action 1 times the alternatives that are in Action 2, and so,  
17 if there's anything that you guys don't really think that you  
18 want to consider any further, you know, obviously, let us know  
19 about that.

20  
21 In October, you guys had passed a motion asking us to develop  
22 some options for exploration for Amendment 56, and this includes  
23 the summer recreational gag fishing season, lowering the  
24 recreational bag limit, establishing the recreational vessel  
25 limit, a commercial spawning season closure, spatial areas to  
26 protect spawning gag, and commercial bycatch trip limits.

27  
28 For the recreational fishing season, the IPT thought that this  
29 was included in Alternative 1 of Action 2, which is a perfectly  
30 viable choice that you guys could do, and you could elect to  
31 continue to open things on June 1, and then NMFS would close the  
32 fishing season when it projects the ACL would be met.

33  
34 In terms of a split season, initially, when we were looking at  
35 this alternative in this action under FES, with the interim  
36 rule, it was only going to be a couple of weeks, and so, under  
37 that, the IPT didn't recommend a split season, and the IPT would  
38 maintain that only so far as it relates to a season that is  
39 particularly short, and so, you know, if it's only a couple of  
40 weeks or so, and you're trying to split that apart into separate  
41 seasons -- I mean, it's going to be difficult enough to  
42 precisely keep track of, you know, a season that's only a couple  
43 of weeks long, never mind one that's about that long that's  
44 split in half.

45  
46 You would be looking at a, you know, season duration that is  
47 perhaps a little over a month long, for a June 1 opening, and  
48 so, again, splitting that -- We would have to look at that a

1 little bit more closely, but it could be that that particular --  
2 That splitting that short of amount of time could pose -- It  
3 could be problematic for season duration projections.

4  
5 Like Mr. Gill had talked about, with respect to a derby, the  
6 shorter the fishing season is, and there's been some literature  
7 that Mr. Anson had also worked on that talks about the  
8 relationship between derby fishing behavior and fishing season  
9 brevity, and so, with respect to revising the recreational bag  
10 limit and creating a recreational vessel limit, these are both  
11 things that the IPT thought would be ripe for a follow-up  
12 framework action, and so, following the development of Amendment  
13 56 -- There are things that don't absolutely have to be included  
14 in this amendment, and the main thing that has to, has to, be  
15 included in this amendment is really Action 1.

16  
17 For a commercial spawning season closure, the IPT had noted that  
18 closing gag doesn't stop all fishing activity, and it just stops  
19 directed fishing activity for gag and that some commercial  
20 discards would be expected during a spawning closure, that there  
21 would be some commercial discards from deeper water, and we  
22 would expect higher relative discard mortality from deeper  
23 water, compared to shallow water, despite cooler surface water  
24 temperatures.

25  
26 When we had talked to the fishermen in the past about this, the  
27 fishermen had made it pretty clear, especially the commercial  
28 guys, that they can redirect their efforts pretty quickly, if  
29 they find that they're getting on top of gag, and that where  
30 they would be fishing for say red grouper, and where they're  
31 going to be fishing gag, are going to be in different areas,  
32 different bottom composition.

33  
34 If they're fishing for things like red snapper, how they would  
35 fish for red snapper, they can tool to focus more so on  
36 increasing their CPUE of red snapper, while also avoiding gag,  
37 and so they didn't think that it was -- You know, that they  
38 would be in such a position that they couldn't avoid gag if  
39 there was a spawning season closure. That was what we had been  
40 told, but hopefully we get some more current information,  
41 current input, from them through public testimony.

42  
43 For spatial areas, further analysis with this would be needed in  
44 a follow-up document, and, right now, we have the Madison-  
45 Swanson and Steamboat-Lumps marine protected areas in the  
46 northeastern Gulf of Mexico, and both of those areas are closed  
47 to all fishing activity, bottom fishing and surface trolling,  
48 and so adding additional areas -- We would need to do quite a

1 bit of work to look at what areas, why, how, et cetera, and  
2 then, for the commercial bycatch trip limits, the same thing,  
3 and the gag are managed through the IFQ program, which doesn't  
4 currently have a trip limit, but that's not to say that it  
5 couldn't, if that's something that you guys wanted to explore,  
6 but it would be a new -- It would be a new facet of management  
7 in an IFQ program in the Gulf, and something that would just  
8 need some further analysis than we have time to do in this  
9 particular document, and so any question about any of that?

10  
11 **CHAIRMAN FRAZER:** Ms. Boggs and then Mr. Gill.

12  
13 **MS. BOGGS:** I don't necessarily have a question, but a comment,  
14 and something that I would like the council staff to look at,  
15 moving forward with maybe a framework action, and you alluded to  
16 it in your previous slide, about bag limits and vessel limits,  
17 and if I might just throw out something that I would like to  
18 have staff look at, and I'm glad that I'm over here, because  
19 Andy is going to throw something at me, but if we can look at  
20 something like a two-fish-per-six-people limit, and keep the  
21 fishery open year-round.

22  
23 My point to that is, and I come back to this, is we are  
24 constantly having a conversation, at this table, about discards,  
25 and I alluded to -- It's like a child. If you tell a child that  
26 they can't have the toy or whatever, they're going to go find a  
27 way to get it, and so, if you have the access available to these  
28 fishermen, they're most likely not going to want it as bad as if  
29 you tell them, no, they can't have it, and it's just something  
30 to look at.

31  
32 Again, I'm trying to be creative, outside of the box, access,  
33 all of these things that we have to look at as a council when we  
34 make these decisions, and I don't know if it's a viable option,  
35 but I think it's something we should maybe try to look at, and  
36 so, if you did two fish per six people, a six-pack boat could  
37 have one fish, and a multi-passenger, if they've got twelve or  
38 more, they could have two fish, and it might help alleviate some  
39 of these discards, as well as provide the access to the fishery.

40  
41 **CHAIRMAN FRAZER:** Ryan.

42  
43 **MR. RINDONE:** Thank you, Mr. Chair. So, at two fish per six  
44 people, a six-pack would be able to keep two fish.

45  
46 **CHAIRMAN FRAZER:** Mr. Gill.

47  
48 **MR. GILL:** Thank you, Mr. Chairman. Ryan, would you talk a

1 little bit about the rationale for choosing the alternatives as  
2 subject to agency closure, as opposed to picking closure on a  
3 date certain?

4  
5 **MR. RINDONE:** The agency is required to close fishing when it  
6 projects that the ACL is going to be met, and so, one way or  
7 another -- Even if you guys pick a September 1 opening, if the  
8 agency has data that suggests that the ACL is going to be caught  
9 before November 10, it's obligated to close fishing prior to  
10 November 10, using the interim rule as an example here.

11  
12 If it looks like fishing could be allowed to extend beyond  
13 November 10, then it would close it on November 10, because that  
14 was the closure date that was picked. For simplicity, in this  
15 document, we've just let it rest as when the agency projects  
16 that the ACL will be met, just for simplicity, and so, if you  
17 guys were to pick arbitrary closure dates, or I guess not  
18 arbitrary, and that's not appropriate, but predetermined closure  
19 dates, you know, it's going to open on September 1, and you say  
20 that we're going to close it October 31, the language in the  
21 regulations would still be October 31 or when NMFS projects that  
22 the ACL will be met, whichever occurs first.

23  
24 In the event that it could last longer, you get a little bit of  
25 savings in that year, that theoretically will accrue into the  
26 following year. If the agency, again, projects, based on  
27 whatever data it has, that it should close it sooner, then it  
28 will close it before October 31 anyway, and so it really only  
29 ends up as a benefit when the closure date that you predetermine  
30 is expected to be before when you think the data are going to  
31 suggest that the ACL would be met. Does that make sense?

32  
33 **CHAIRMAN FRAZER:** Bob.

34  
35 **MR. GILL:** Thank you, Mr. Chairman. Yes, and thank you, Ryan,  
36 and so I guess part of my -- I am not pushing for a date  
37 certain, but I'm just trying to understand it a little better,  
38 because the way I see it is the information available, and  
39 correct me if I'm wrong, Peter, but the information available to  
40 make that closure is going to be relatively insignificant when  
41 you're in the season, and so that says, to me, that you're going  
42 to make the determination ahead of time. Well, if you're going  
43 to make the determination ahead of time, why not just do it, and  
44 so is that incorrect?

45  
46 **CHAIRMAN FRAZER:** Dr. Froeschke.

47  
48 **DR. FROESCHKE:** I don't disagree with that logic, because it's

1 going to come up in amberjack, but one thing to think about, in  
2 this case, is the information -- We'll probably get some  
3 information from fishing in the interim rule that will help us  
4 do this, although it may be later, and so I'm trying to think  
5 that you don't want to hard-code it too short, and so, if you  
6 get another week or two, based on the newer information, that  
7 you're not stuck in that.

8  
9 **CHAIRMAN FRAZER:** Okay. Either Mara or Andy, and you both have  
10 your hands up.

11  
12 **MR. STRELCHECK:** Just to add to the rationale, a lot of this  
13 comes out in how we structure our accountability measures,  
14 right, and, under a rebuilding plan, to me, we want to be -- We  
15 want to ensure that we're hitting our targets, right, and that  
16 we're not exceeding those catch limits, and, if we do, then we  
17 have some accountability measures to adjust for them.

18  
19 Keep in mind that all of the catch limits that we're considering  
20 show a trajectory of increasing catch limits over the time  
21 series as well, and so, if you hard-code a season, you  
22 potentially aren't allowed to expand out from that season, yet  
23 those higher catch limits allow for expanded fishing  
24 opportunities as the fishery grows and increases in abundance,  
25 right, and so there's the pro of, obviously, constraining catch,  
26 but the con of ultimately not allowing that fishery to have more  
27 access, if you're successfully rebuilding the stock.

28  
29 **CHAIRMAN FRAZER:** Bob and then C.J.

30  
31 **MR. GILL:** Thank you, Mr. Chairman. To that point, yes, and I  
32 agree, but the flip side is, if you grossly miss the closure  
33 date, and they grossly overfish, payback says that, next year,  
34 if you think this year is hell, it's going to be worse, and we  
35 go into this drive ourselves into a hole, and, given the  
36 uncertainty on how these estimates are made, it seems, to me,  
37 that we really want to bend over backwards so that we don't go  
38 to the point where we drive the recreational into no season, and  
39 this has the potential for doing that, and I am concerned about  
40 that.

41  
42 It seems, to me, that we ought to be proactive and say, well,  
43 we've already expressed the council's desire not to have a  
44 closed fishery, for any fishery, and, if we're setting up the  
45 program to allow the possibility of that, we ought to do what we  
46 can to minimize that happening, and that's what I'm getting to.

47  
48 **CHAIRMAN FRAZER:** Andy, to that point, and then C.J.

1  
2 **MR. STRELCHECK:** You bring up a very valid point, Bob, and I  
3 know, in the Mid-Atlantic, they've been going through some  
4 recreational reform initiatives, and they've implemented some  
5 new ways of kind of managing the recreational sector to  
6 potentially help with some of the stability and the volatility  
7 from year to year.

8  
9 That's, in part, I think the regulatory efficiencies initiative  
10 that I spoke about yesterday, and things we want to be  
11 exploring, and I'm not sure we can figure that out in time for  
12 Amendment 56, but I agree with, obviously, your points that we  
13 want to set ourselves up for success with the management  
14 approach we take.

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

17  
18 **DR. SWEETMAN:** Thanks, Mr. Chair, and so I've got a couple of  
19 points to make here, two separate ones, kind of. First, about  
20 the seasons themselves, and so I get a little bit worrisome, a  
21 little fearful, with potentially changing some of these season  
22 dates a little bit more towards the fall, and let me just paint  
23 a scenario here of why I'm fearful.

24  
25 If the council ultimately decides to move forward with a later  
26 season date in the fall, that is where that harvest is primarily  
27 coming from state waters there, during that time of the year,  
28 and, if we end up in a scenario where the commission ultimately  
29 decides not to move forward with that season in the fall, then  
30 we're kind of -- Everyone is kind of out of luck there, because,  
31 when you're targeting the fish in the fall, that's state waters,  
32 and, if the commission doesn't move forward with that, then that  
33 access is not going to be there, and then the offshore component  
34 -- That's not where those fish are primarily targeted during  
35 that time of the year, and so I'm just kind of painting that  
36 picture.

37  
38 Then another thing about -- So, switching subjects a little bit  
39 here, as it relates to some of these follow-up framework  
40 actions, I just want to kind of point this out for the council,  
41 and the South Atlantic is currently trying to work on gag  
42 grouper as well, and they're trying to align all of their  
43 recreational regulations with black grouper as well, due to  
44 misidentification issues.

45  
46 I'm thinking that this could be something important to consider  
47 on the Gulf side too, and identification issues are still a  
48 concern there, and I think that was kind of noted in a previous

1 joint council committee on the south Florida management issues  
2 between the South Atlantic Council and the Gulf Council, and,  
3 ultimately, we weren't able -- FWC was not able to complete a  
4 stock assessment on black grouper, because of these  
5 identification issues in the past, and so I just kind of want to  
6 throw that out there for consideration.

7  
8 The council already does manage black grouper and gag grouper  
9 with the same minimum size limits, at twenty-four inches.  
10 However, the size at 50 percent maturity is around twenty-eight  
11 inches for black grouper, and so it's already kind of being  
12 cognizant that there are identification issues within this  
13 fishery, these two fisheries, and so I'm just kind of throwing  
14 that out there for future consideration, if we decide to move  
15 forward with some of these follow-up framework actions, as it  
16 relates to the bag limits and the vessel limits.

17  
18 **CHAIRMAN FRAZER:** Mr. Strelcheck.

19  
20 **MR. STRELCHECK:** Thanks for those comments, C.J., and this gets  
21 back as well to my comment about making sure we're coordinating  
22 with the FWC, and so we're rapidly heading towards final action  
23 in June, right, and, if there's potential for this to go off the  
24 tracks with what FWC believes is kind of the path to go on, we  
25 need to know that sooner rather than later and have the council  
26 advised with regard to changes, which might be problematic now,  
27 because we're now going to be seeing this again in April, after  
28 your commission meets, right, but, the more we can coordinate on  
29 this, the better.

30  
31 The other question I have is for Ryan, and then I guess I will  
32 make a few comments, and so I noted, on the previous slide, you  
33 were deliberate in saying framework action for a couple of the  
34 add-ons, but, in this, you say follow-up document, and is that  
35 intentional, or could those also be a framework action?

36  
37 **MR. RINDONE:** I don't know explicitly, because, if we're talking  
38 about a new spatial area closure, I guess I would look to Mara,  
39 and I think that falls within plan amendment territory, and  
40 then, if we're talking about a modification to the IFQ program  
41 like this, something that's not currently provided for within  
42 the program, I think that's also a plan amendment, but, again, I  
43 am not certain on that, and so that's why I had those listed as  
44 follow-up documents, and it's also -- You know, we have two  
45 amendments that are exploring changes to the IFQ programs as it  
46 is, and, depending on the pace of development there, if the  
47 commercial bycatch limit during the spawning season was  
48 something that could be appended within there, and it's all



1 subject-relevant anyway, because it's a modification to the  
2 program. There are a lot of moving parts involved, and that's  
3 why I left those kind of ambiguous.

4  
5 **CHAIRMAN FRAZER:** Andy.

6  
7 **MR. STRELCHECK:** All right, and so that's helpful, and we can  
8 figure out the mechanism, and so, based on the last council  
9 meeting, I had made the motion to explore these options within  
10 Amendment 56, and you're coming back and recommending that it be  
11 outside of Amendment 56, which I agree with, given our statutory  
12 deadlines, and do you need a motion to proceed with a framework  
13 action, or other document, for these remaining actions at this  
14 point, or is that sufficient, given staff direction already?

15  
16 **MR. RINDONE:** The motion here was to develop it for exploration  
17 in 56, and so we're recommending that that not be done, for the  
18 reasons that you stated, and I think a motion asking for a  
19 follow-up framework action would be good, and there is the  
20 potential for us to be able to include several things together  
21 in that, and so, if we were exploring say the gag recreational  
22 bag limit, and the recreational vessel limit, and maybe there's  
23 a couple of other things that we could ultimately throw into  
24 that, to try to get more done with, you know, the same framework  
25 action, if we have a couple other things that you guys have made  
26 motions about thus far, like gray snapper maybe, or, I don't  
27 know, but we could look at that, to try to gain some efficiency.

28  
29 **CHAIRMAN FRAZER:** Andy.

30  
31 **MR. STRELCHECK:** All right, and I'm prepared to make a motion,  
32 but I'm certainly open to discussion, and so I think everything  
33 still stands there, with the exception of the recreational gag  
34 fishing season, and certainly I think you make a good point  
35 about whether or not there would be utility in a gag commercial  
36 spawning season closure.

37  
38 Just for the council's awareness, I spent a lot of time talking  
39 with researchers who study gag spawning behavior between the  
40 last meeting and this meeting, and, you know, one of the  
41 concerns that I have with rebuilding this stock is the low  
42 percentage of males in the population, and the potential for  
43 sperm limitation, and we do know that there is males that occur  
44 inshore of kind of the forty to eighty-meter break offshore,  
45 but, primarily, there is spawning that's occurring in those  
46 areas, and we have established two spatial area closures,  
47 Madison-Swanson and Steamboat Lumps, and we have The Edges,  
48 which is a seasonal closed area, and that's a really important

1 area for spawning populations of gag, and I think there's a lot  
2 of new science and information emerging that's probably worth  
3 looking into and exploring, and it potentially could help us  
4 with this rebuilding plan.

5  
6 There's also some evidence of pre-spawning aggregations and  
7 information emerging, in terms of kind of nearshore or inshore,  
8 that's probably not ready for primetime from a scientific  
9 standpoint and publication standpoint, but, once again, there is  
10 kind of areas of vulnerability for gag grouper, and I think this  
11 species is unique, in that there potentially is ways that we can  
12 better protect the population and bolster the rebuilding plan,  
13 and so my recommendation is to consider all of the options that  
14 are on the slide there, with the exception of the gag fishing  
15 season, because that's in the current amendment, in a follow-on  
16 document.

17  
18 **CHAIRMAN FRAZER:** Andy, can you just repeat the last part of  
19 that? I was looking at something else. Sorry.

20  
21 **MR. STRELCHECK:** I will just make a motion, and so if you can  
22 copy that. **It would be to direct staff to develop the following**  
23 **options for exploration in a framework action, or other**  
24 **document, or, actually, a document or amendment, a framework**  
25 **action or amendment, and then delete the first bullet.**

26  
27 **CHAIRMAN FRAZER:** All right, and so we've got a motion on the  
28 board. **The motion is to direct staff to develop options for**  
29 **exploration in a framework action or amendment: lowering the gag**  
30 **bag limit, establishing a gag vessel limit, commercial spawning**  
31 **season closure, spatial areas to protect spawning gag, and**  
32 **commercial bycatch trip limits.** Is there a second to that  
33 motion? It's seconded by Ms. Boggs. Okay. Andy, I think you  
34 have an opportunity to discuss it further, but I thought you set  
35 it up well, but, if you wanted to add to it, go ahead.

36  
37 **MR. STRELCHECK:** Not really much more to add. I mean, I spoke  
38 about this at the last meeting, and the current amendment  
39 considers changes to the catch limit, allocation, and a  
40 recreational season. We have a stock that we need to rebuild in  
41 the next fifteen to twenty years, depending on the rebuilding  
42 plan that's selected.

43  
44 For the reason that I just spoke about, with regard to the life  
45 history, I think there's certainly reasonable options that we  
46 could be looking at that could help bolster the rebuilding plan,  
47 as well as potentially reduce bycatch or change access, with  
48 regard to allowing for retention of gag.

1  
2 **CHAIRMAN FRAZER:** Thanks, Andy. C.J.  
3

4 **DR. SWEETMAN:** A question for you, Andy. Would you be amenable,  
5 given the black grouper thing that I just mentioned, to  
6 incorporating that into this analysis, specifically at it  
7 relates to the bag and vessel limit?  
8

9 **MR. STRELCHECK:** Yes, if you have some suggested language.  
10

11 **DR. SWEETMAN:** Maybe it could just be lowering the gag and black  
12 grouper bag limit and establishing a gag and black grouper  
13 vessel limit.  
14

15 **CHAIRMAN FRAZER:** I am just looking at that for a second, C.J.  
16 I am not sure where the document will go, and I'm worried that  
17 the word "and", you know, obligates you to dealing with the  
18 black grouper, and so, I mean, you could say, maybe, "lowering  
19 the gag and possibly black grouper", you know what I'm saying,  
20 or something like that, because I'm not sure where it's going to  
21 end up, and it may be in the weeds a bit.  
22

23 **DR. SWEETMAN:** Yes, that's fine.  
24

25 **CHAIRMAN FRAZER:** Ryan.  
26

27 **MR. RINDONE:** Well, I think it's -- To develop the following  
28 options for exploration in a framework, and so, if you guys  
29 ultimately determined that it wasn't appropriate, or necessary,  
30 or whatever, for not including black grouper, then we would  
31 cleave that off of there, and I don't know that you have to say  
32 "possibly". I mean, you could, theoretically, add whatever  
33 species you want into this, and it's your prerogative, but  
34 starting here tells us that, you know, when we're looking at the  
35 recreational bag limit, we should have options that are  
36 considerate of gag and black grouper, and, if you guys cleave  
37 one of those off, then fine, and the same with the recreational  
38 vessel limit. If everybody is comfortable with that, I mean, I  
39 think we know where you're going with it.  
40

41 **CHAIRMAN FRAZER:** All right. I think we're all good. Ms.  
42 Boggs.  
43

44 **MS. BOGGS:** Well, that answered the question that I was going to  
45 ask about this, but I have another question when we're done with  
46 this.  
47

48 **CHAIRMAN FRAZER:** Okay. Mr. Gill.

1  
2 **MR. GILL:** Thank you, Mr. Chair, and so I guess I'm struck by  
3 we're loading up a fair amount of work, and I don't know what  
4 everybody is thinking about, in terms of what's the likelihood  
5 of these items actually getting to action, and so, in a sense, I  
6 view this as, at least in some part, as a wish-list, and, in  
7 that sense, I would like to think about where we might prune it,  
8 reduce the workload, and focus it on things that are likely to  
9 make a difference and likely to make it through the end date.

10  
11 With that in mind, I think the bag limits and the vessel limits  
12 might be the place where that could make a difference. I am  
13 having difficulty trying to assess a strong win for commercial  
14 bycatch trip limits, for example, and I'm not sure where I see  
15 the real value of that is, and, spatial areas, I can buy-off on  
16 looking at that, although the record on spatial areas to help  
17 gag hasn't worked, at least in terms of improving males, and so  
18 I'm not real comfortable with just throwing out a big wish-list  
19 and saying, hey, take a look at it, because all we're doing it  
20 loading it up, and I'm not sure that we're really focusing on  
21 trying to get to a better place with gag and black by this what  
22 I would call a wish-list.

23  
24 **CHAIRMAN FRAZER:** Thank you, Mr. Gill. Ms. Boggs.

25  
26 **MS. BOGGS:** To Mr. Gill's point, I kind of understand where C.J.  
27 is going with the gag and the black grouper, because of the  
28 identification issue, and that's been an issue in the past. At  
29 one time, I think you could just catch grouper, and it all  
30 counted, because nobody could tell the difference, but,  
31 possibly, and if Andy is amenable to this, you know, pare out  
32 the commercial spawning season closure and commercial bycatch  
33 trip limits, which is what we typically do with a document that  
34 has both commercial and recreational combined in it.

35  
36 The spatial areas, it seems like we've already done a lot, or  
37 some, of that, and maybe not to the extent that we could, but it  
38 would help -- Would it be better, and I'm just asking, and, of  
39 course, Andy, would have to be, being the maker of the motion,  
40 but, if we took out the commercial components of this, and  
41 either did it in a separate motion or addressed it at a later  
42 time.

43  
44 **CHAIRMAN FRAZER:** Andy.

45  
46 **MR. STRELCHECK:** I am amenable to paring this motion back, and I  
47 never really liked the commercial spawning season closure, and  
48 it was an idea that was brought forward from the commercial

1 industry, but, given it's an IFQ, I think that could be removed,  
2 and then the bycatch trip limit is something that, yes, we don't  
3 typically have for an IFQ program, but, given the low quotas, it  
4 was an option that I had suggested putting on the table, at  
5 least during the spawning season, to avoid direct targeting of  
6 gag, and fishermen burning through quota, but I'm amendable to  
7 removing that as well. **So go ahead and take out Bullets 3 and**  
8 **5.**

9  
10 **CHAIRMAN FRAZER:** The seconder of the motion, you're good with  
11 that? I just, again -- I am trying to figure out the spatial  
12 areas to protect spawning gag. The spawning gag, that would  
13 also affect the commercial sector, right, Andy, and I'm trying  
14 to see why that one is left in there, because the other two are  
15 specific to the commercial, but, aside from that, right, I mean,  
16 I think it will be interesting to see where the public comment  
17 goes this time, and in future meetings as well, right, and I  
18 think there may be some interest, or at least some discussion,  
19 amongst the commercial sector to looking at those spawning  
20 season potential actions, but, again, I think they can be  
21 followed-up in a separate document, but my question is do you  
22 want to keep Number 3 in this?

23  
24 **MR. STRELCHECK:** Based on the conversations I've had with  
25 researchers that study gag, and everything that they're learning  
26 about spawning, I would say absolutely, yes, and I think this is  
27 an important component to protecting the male gag population.

28  
29 **CHAIRMAN FRAZER:** Okay. Is there any further discussion of the  
30 motion? **Not seeing any, is there any opposition to this motion?**  
31 **The motion passes.** Mr. Chairman.

32  
33 **MR. DIAZ:** I don't know if this is a question, or maybe somebody  
34 could help educate me, but, whenever we talk about a stock  
35 that's recruitment-limited, to me, that says that's a great  
36 stock for a candidate for stock enhancement, and, I mean, do you  
37 all know of anybody that's doing stock enhancement currently  
38 with gag? If you don't, is there any way that we can influence,  
39 or maybe write a letter to try to help influence, some research  
40 dollars, or some grant dollars, to try to steer some money  
41 towards some stock enhancement projects for gag, and amberjack  
42 is probably a good candidate too, but gag is a better candidate,  
43 because there are so few males, and so I don't know if Clay, or  
44 Andy, wants to try to respond to that, or if they think we could  
45 do anything to try to impact any of those dollars.

46  
47 **CHAIRMAN FRAZER:** Dr. Porch.

48

1 **DR. PORCH:** I think there's a few RFPs out there that one could  
2 try to submit a proposal for restocking. I don't know how  
3 favorably it would be met for something like gag, and I don't  
4 think there's a lot of confidence out there that the  
5 aquacultured gag, when released into the wild, would have a high  
6 survival rate, and it would be an interesting study.

7  
8 We've had that conversation with red snapper, with the idea of  
9 having some artificial reefs that you set aside, and then you  
10 could restock them and allow fishermen essentially to fish year-  
11 round in these limited areas that you stock, but the key  
12 question would be would the young red snapper survive, because  
13 there are issues.

14  
15 For instance, if you feed them at the top of the tank, they get  
16 used to feeding at the surface, and then everything eats them,  
17 and so you have to figure out ways -- They do a lot of work like  
18 this with salmon, trying to train them to avoid predators before  
19 they release them as fingerlings, with some limited success, and  
20 so I think work like that would be of interest, if you could  
21 somehow train the juvenile gags to avoid predators when they're  
22 released, it would certainly have some potential for a stock  
23 like gag, which, you know, the number of fish isn't that large,  
24 but I could look at some RFPs that might be amenable to those  
25 kind of proposals and send them to the council staff, if you  
26 want to distribute it.

27  
28 **CHAIRMAN FRAZER:** Okay. I think we might be done with gag. Ms.  
29 Boggs.

30  
31 **MS. BOGGS:** Sorry. I wanted to ask Ryan, and I've got to find  
32 it, and it's in the document itself, and it's Table B1, and it  
33 says "recreational gag landings, pounds gutted weight, by two-  
34 month waves", but the question being we used to, and it's  
35 different for every species, but we would see a chart, or we  
36 could see a chart, where it showed the landings, and, since it's  
37 such a question, with this fishery, of where the fish are being  
38 landed, is it possible to see, you know, northwest Florida,  
39 south Florida, central Florida, by area, Texas, and, I mean,  
40 just do you recall -- I mean, we've seen these tables before.

41  
42 **MR. RINDONE:** So, when you think of how gag fishing operates in  
43 the West Florida Shelf, there's essentially three areas, or I  
44 guess I could describe four, and so you have like the Panhandle  
45 region, the Big Bend region, down to a little bit south of Cedar  
46 Key, and then you have west-central Florida, and taking that all  
47 the way down to let's call it Sarasota, and then, south of  
48 Sarasota, we'll call that southwest Florida.

1  
2 The majority of the fish are landed in that west-central zone.  
3 The majority of the biomass exists in that west-central zone and  
4 that Big Bend zone, and so the landings are going to be coming  
5 into that west-central Florida area, and so, you know, people  
6 fishing from, you know, New Port Richey and Clearwater and  
7 Dunedin and Tampa Bay and St. Pete, all the way south into  
8 Sarasota, and like that's where most of that effort is going to  
9 be coming from. We call the Big Bend area the forgotten coast,  
10 because it's just less densely populated, at least for now.

11  
12 As far as like regionally, where the landings are coming from, I  
13 hope that answers that, but, as far as breaking that out into  
14 those zones explicitly, C.J., call me on this, but I believe the  
15 way that FWC regionally partitions its landings is in five  
16 zones, and there's a northwest, a west-central, Florida Keys, a  
17 southeast, and a northeast. There's generally five core zones,  
18 and the Florida Keys is just Monroe County.

19  
20 The northwest goes to Levy County, like Escambia east to Levy  
21 County, and then west-central is Levy all the way down to the  
22 south side of Charlotte County, and so -- Well, Phil knows, and  
23 so the south end of Charlotte County, right before you get to  
24 Monroe County, and then -- So it's a big region within there,  
25 but the amount of gag, from an abundance standpoint, decreases  
26 as you head south and those waters get warmer, and, like we  
27 heard from Captain Walker before, you know, these fish tend to  
28 bite better in cooler water, and they don't seem to bite very  
29 well when the water is really warm, and, once you get into that  
30 like southwest Florida Keys water, it stays warmer throughout  
31 the year, and you just see fewer of them, and it's not that you  
32 don't catch them in the Keys, and you occasionally do, but a lot  
33 more of those landings are coming from much further north.

34  
35 **CHAIRMAN FRAZER:** Susan.

36  
37 **MS. BOGGS:** So, if I'm understanding what you just said, is this  
38 information available on the FWC website?

39  
40 **DR. SWEETMAN:** I can get that information. The five counties is  
41 correct, the specific -- Or the five zones is correct, and, the  
42 specific county delineations, I would have to look that up.

43  
44 **CHAIRMAN FRAZER:** Susan.

45  
46 **MS. BOGGS:** I don't need it broken down by that. I'm just  
47 trying to get an idea where they're catching them and when  
48 they're catching them, because we're having a lot of discussion

1 about this, and I thought that might be another visual way to  
2 look at where the fish are being caught and when they're being  
3 caught. Thank you.

4

5 **CHAIRMAN FRAZER:** Mr. Rindone.

6

7 **MR. RINDONE:** Well, it's where, when, and how, and so, in the  
8 summer months, you have coincidence with the red snapper season,  
9 and so there's a lot of hook-and-line effort offshore, but  
10 there's also a lot of spearfishing effort for gag much closer to  
11 shore, like under bridges and things like that, that are easy to  
12 access, and then there's obviously spearfishing offshore also,  
13 but, in those interim distances, you know, shallower than say  
14 twenty to thirty meters, where the water is pretty warm top to  
15 bottom, the bite is just generally not that great.

16

17 That's not to say that you won't catch any, but you're going to  
18 catch far less in those depths than you will later in the fall,  
19 when the water cools off and the bite picks up, and so the  
20 suspicion is that there's a strong relationship between  
21 decreasing temperature and increased feeding activity.

22

23 As you move, you know, beyond the summer months, June, July,  
24 August, and into September, in September, it's still pretty warm  
25 out. We don't really see cold fronts really start to move in  
26 until like the end of October, or the beginning of November, and  
27 that's when more of that fishing effort starts to happen closer  
28 to shore, because the bite starts to pick up, and the water is  
29 starting to cool down towards the bottom, and so the bite gets a  
30 little bit more excited then.

31

32 It's a lot of hook-and-line effort and spearfishing effort  
33 closer to shore during those fall months, and so it's not as  
34 much directed effort having to go much further offshore,  
35 because, basically, you have fishermen that would otherwise be  
36 driving right over the top of boat limits to go and try and  
37 catch -- Perhaps catch bigger fish in deeper water, and so that  
38 effort tends to concentrate closer to shore, like C.J. was  
39 talking about, in the fall.

40

41 It's a where, when, and how. This is one of the more dynamic  
42 things that we've dealt with, as far as reef fish is concerned,  
43 because the way that gag behave is a little different than how  
44 red grouper behave, and we've talked a lot about red grouper in  
45 the last couple of years, and gag have some similarities, but  
46 they have a lot of differences too in just their behavior during  
47 different times of the year and where they tend to aggregate and  
48 how they behave in different water temperatures and lots of



1 things.

2  
3 **CHAIRMAN FRAZER:** I just want to make sure that I'm capturing  
4 what Susan was trying to say, is there is clearly, in the  
5 document that we just looked at, or the presentation, and there  
6 are peaks in June, and there are peaks in the fall, and,  
7 essentially, what you were asking is do we have the spatial data  
8 that would allow us to determine if there is some geographic  
9 kind of focus on that peak, and so, C.J., is it possible, do you  
10 think, to look at that, at some point in time?

11  
12 **DR. SWEETMAN:** Yes, and I can check with some of our staff, to  
13 see if we can get some of that information for the council.

14  
15 **CHAIRMAN FRAZER:** All right. Thank you very much. Okay, and so  
16 is there any more discussion with regard to gag? All right. If  
17 not, I think we're going to move to amberjack. Mr. Chair, do  
18 you want us to move right into that? Okay, and so Dr. Froeschke  
19 will lead us through that.

20  
21 **DRAFT FRAMEWORK ACTION: MODIFY THE GREATER AMBERJACK AND JACKS**  
22 **COMPLEX MANAGEMENT MEASURES**

23  
24 **DR. FROESCHKE:** Okay. We'll pull up the action guide. Somewhat  
25 feeding of the discussion that we just had for gag, at this last  
26 meeting, we completed final action on Reef Fish 54, which  
27 revised the catch limit, sector allocation, and rebuilding plan  
28 for amberjack, and, similar to gag, there's a tight timeline  
29 associated with that document, and so there are some additional  
30 management changes that you all might consider for amberjack,  
31 and that's in this companion framework action that we're going  
32 to begin discussing today.

33  
34 At the last meeting, we discussed this some, and the two actions  
35 that are in the document right now are modifications of the  
36 recreational closed season and modifications of the commercial  
37 trip limit, and so those are the things that I will be looking  
38 for your feedback on today, on trying to refine the actions and  
39 alternatives, and we'll try to get this thing further fleshed-  
40 out in April, and with final action in June, would be ideal.  
41 There is some timing associated, in hopes that we could get this  
42 set up for the 2024 fishing season.

43  
44 We'll bring up the document, and so the first thing, just on the  
45 title page there, you'll notice that it's the amberjack and the  
46 jacks complex, and so one of the things that I'm going to be  
47 soliciting your feedback on is, in Action 1, the recreational --  
48 Modification of the recreational fixed closed season, and is

1 there any interest in developing compatible jacks regulations,  
2 and so we can go through some of that, as well as in the  
3 background, and so just keep that in mind.

4  
5 What I would like to do is just kind of get you up to speed on -  
6 - There's a few tables in the document, and I apologize that I  
7 didn't have time to put together a presentation for this  
8 document, and let's start with Table 1.1.2, just to make sure  
9 that everyone is at a common understanding here.

10  
11 This document references -- These are the catch limits that will  
12 be implemented in Reef Fish 54, and so there's a recreational  
13 ACL of 404,000 pounds, and it's a large reduction from what is  
14 previously in place, and then the commercial is 101,000 pounds,  
15 and both sectors have ACTs, and that's what the season will be  
16 targeted toward, and so that 335,000, and that's in MRIP-FES  
17 units, and then the commercial ACT is in the commercial units,  
18 and so now we'll be on the new 80/20 allocation, and so Table  
19 1.1.3.

20  
21 This is the current regulations for the actions that we're going  
22 to discuss today, and there's a recreational fishing year, which  
23 is different from the fishing season, and so this one, unlike  
24 most reef fish, it begins on August 1, and it extends through  
25 the end of July, and so, for example, for the 2023 fishing year,  
26 the recreational landings started counting towards that in  
27 August, when the recreational season opened in 2022.

28  
29 There was the emergency rule in place, which modified that  
30 season, which will expire prior to the implementation of this,  
31 in all likelihood, and so this would be thinking towards 2024,  
32 which would be the 2023-2024 recreational fishing season.

33  
34 For the minimum size limit, it's not subject to change in this,  
35 but it's thirty-four inches for the recreational and thirty-six  
36 inches for the commercial. The bag limit is one fish per person  
37 per day on the rec side and a 1,000-pound gutted weight trip  
38 limit on the commercial, with step-down to 250 pounds once 75  
39 percent of the ACT has been reached. Since that's been  
40 implemented, we have not used the step-down provision as part of  
41 that.

42  
43 Table 1.1.4, and just kind of scroll to the bottom, of the more  
44 recent years, and, just real quick, what I just wanted to note  
45 here is the second column there is the commercial landings, and  
46 the third column is the recreational, in FES currency, and so  
47 both of those are well above what we're going to be managing  
48 toward for the new catch limit, and so, hence, the reason why

1 these actions are being considered.

2  
3 If we go next to -- Just keep scrolling down. Okay, and so stop  
4 right there. A little bit of background on the jacks complex,  
5 and so the jacks complex was created in the General ACL/AM  
6 Amendment in 2011, I believe, and so there's three species,  
7 almaco jack, banded rudderfish, and lesser amberjack.

8  
9 The potential, or the rationale, for considering this, as  
10 juveniles -- These don't grow as large as greater amberjack, and  
11 so a legal greater amberjack is very unlikely to be confused  
12 with one of these. However, as juveniles, some of these may  
13 look close enough that they're misidentified and inadvertently  
14 landed, or greater amberjack are inadvertently landed as one of  
15 the other species, and there were some management actions put in  
16 place, the slot limits and things, to try to mitigate some of  
17 this.

18  
19 Emily and I, we've done a little bit of sleuthing, I guess,  
20 looking around and trying to ask questions and things, to try to  
21 see if this, you know, is a real problem, and we're working on  
22 that, and it seems like there is potential that this could be an  
23 issue. We have a figure that Dr. Marcus Drymon -- In some of  
24 their work, they put together a guide, trying to spread  
25 awareness of how to better identify these things, and we kind of  
26 talked to them, and there was a reason they put that together,  
27 and so that's something to think about, and not necessarily  
28 right here, but I did put those in there.

29  
30 We're not considering, at least at this time, any changes to the  
31 commercial component of how this is, and so scroll down to the  
32 next table here, and this is something to think about.

33  
34 As far as the management of this, it's a management of the  
35 complex, and so the ACL is just a summation of these three  
36 species, and the ACL, you will see in that second-to-right  
37 column, and then the total landings in that middle column there,  
38 and so what you will see is, in 2021, and in 2019, there have  
39 been overages on this complex of the ACL.

40  
41 I believe it's currently listed as overfishing, and that's sort  
42 of related, but not directly, and the issue here -- Again, this  
43 would be more of a measure to potentially reduce the harvest of  
44 greater amberjack, but, I mean, it is -- They do catch them. My  
45 understanding is it's not necessarily a targeted fishery, but  
46 they do interact with them, and it's likely, if we adopted --  
47 Right now, it's a year-round season, unless there's a closure,  
48 but it's likely, if we were to develop compatible regulations,

1 that the harvest of these would be constrained quite a bit, and  
2 so that's something to think about.

3  
4 Okay, and let's go down to I think to the infographic, if you  
5 scroll down, and so this is an infographic that's in there, and,  
6 again, this is from Mississippi Sea Grant, and it just gives  
7 some background information, and I won't go through it, but it  
8 kind of helps contextualize the potential for misidentification  
9 in here, and so it does seem to be something worth thinking  
10 through a little bit, but it's in there, and there's a QR code  
11 and some more information, if you're interested.

12  
13 Okay, and let's go through to Action 1, if there are no  
14 questions on some of this background information, and so I will  
15 start on Action 1. Again, this is the recreational fixed closed  
16 season for amberjack. Is there a question?

17  
18 **CHAIRMAN FRAZER:** J.D. has a question.

19  
20 **MR. DUGAS:** Thank you, Mr. Chair. John, a question. On page  
21 13, I noticed that the years 1982, 1987, and 1992 are  
22 substantially higher in the recreational numbers, and I'm just  
23 curious to why.

24  
25 **DR. FROESCHKE:** Are you talking about the table of landings?

26  
27 **MR. DUGAS:** Yes, sir.

28  
29 **DR. FROESCHKE:** I can't offer you an explanation, and I know  
30 that this comes up every assessment and things, and we've worked  
31 through the landings, and I would refer you to Dr. Porch or  
32 something about those specifically, and I think some of them are  
33 related to spikes in the for-hire and things, but I don't know  
34 exactly why.

35  
36 **CHAIRMAN FRAZER:** All right, John.

37  
38 **DR. FROESCHKE:** Okay. Let's go back to Action 1. I will start  
39 -- You will notice that there was an updated version that was  
40 sent. At the last council meeting, Ms. Boggs made a motion to  
41 include a November-December fixed closed season, and I forgot to  
42 include that in the draft document that I posted in the briefing  
43 book. For purposes of discussion, I have added it here, so that  
44 we can discuss it, and I have not done more than that, but I  
45 certainly will do that in the future, and so, again, I do  
46 apologize for that.

47  
48 This is kind of a late-breaking document, and so there will be

1 some additional analyses and things that are necessary to fill  
2 in some of the closures, but a couple of things that I want to  
3 get your feedback on is your thoughts on the seasons, and are  
4 there additional ones that you want, or are there any of these  
5 that you want to remove, and so that's one question.

6  
7 Another question is, if you refer to gag, we kind of went  
8 through this the way the seasons are structured, and where we  
9 had the season open on Day X, and then it will close when it's  
10 projected to be met, and the way that we've always done  
11 amberjack is more -- We've always had a kind of hard-coded end  
12 date, start and end dates.

13  
14 As these seasons are probably shorter than we've ever done, I  
15 think it would be worth discussing and getting some, perhaps,  
16 input from Ms. Levy on whether we would want to go sort of the  
17 other way and say we want the season open on Date X, and, you  
18 know, hopefully this interim rule will give us some better  
19 information on the catch rates and some of the seasons that  
20 we're considering here, and so I don't know how we want to do  
21 that, and I would be curious if there's any committee input, or  
22 from Ms. Levy, about that.

23  
24 **CHAIRMAN FRAZER:** All right, and so we just had a similar  
25 situation with gag, right, and so, at the end of the day, if you  
26 have a start date, NMFS is going to project when the quota is  
27 caught, right, and so they're going to close it regardless, and  
28 so, Andy or Mara, do you want to weigh-in on that again?

29  
30 **MS. LEVY:** I'm not really going to weigh-in, and I guess, to me,  
31 amberjack, or at least the way it's set up now, is a bit  
32 different, because you purposely did a split season, right, and,  
33 now, whether you can do that with the amount of catch there is  
34 to work with at this point, I don't know, and so, you know, it  
35 might not be feasible to keep it set up like this, but I think  
36 that's a discussion for you all.

37  
38 **CHAIRMAN FRAZER:** Good point. Thank you. C.J.

39  
40 **DR. SWEETMAN:** So an additional thought for consideration here  
41 is, yes, maybe with the exception of almaco, these are  
42 notoriously tricky species to differentiate between them, and so  
43 I understand the identification issues there.

44  
45 Having said that, specific to the seasons, we're kind of looking  
46 at a very short season for greater amberjack, and I really would  
47 hate to put additional closed access, reduced access, to these  
48 fisheries that aren't necessarily in as poor shape as greater

1 amberjack, but, having said that, I'm wondering if an additional  
2 consideration that we could throw on here, rather than  
3 completely sync-up the greater amberjack season with this other  
4 jack complex, and maybe it's just -- Maybe something lesser, and  
5 maybe it's during the spawning season for greater amberjack that  
6 those two fisheries are closed together, to mitigate any of  
7 those issues of incidental harvest of the spawning greater  
8 amberjack, and that's just something for consideration.

9

10 **CHAIRMAN FRAZER:** All right. Thank you, C.J.

11

12 **DR. FROESCHKE:** Okay, and so, essentially, what we have here is  
13 the Alternative 2 is open August 1 to August 31, and so I'll  
14 just give you the dates, and then there's a table that will help  
15 inform this a little bit. Alternative 3 is September and  
16 October, and then Alternative 4 is the November and December,  
17 which is not -- If you scroll down, Bernie, there's a table that  
18 kind of gives you some information on the projected harvest.

19

20 This table, and, again, Alternative 4 is not in there, and I  
21 will mention that one momentarily, but, as you can see,  
22 Alternative 1 is the no action, and it would project to go way  
23 over, and so that landings minus the ACL, or the ACT, and,  
24 again, we're going to manage toward the ACT, and so we're way  
25 over that.

26

27 Alternative 2 is this August 1 through August 31, and the  
28 projected landings would be 535,000 pounds, and so that's over,  
29 and so, when I was looking at the data that we have now, which,  
30 again, could be updated, perhaps, I think it would be about an  
31 August 19 closing date, and so I was trying to figure out on  
32 whether you would want to -- If we were going that route,  
33 whether you would want to state the alternatives that way, to  
34 kind of give a more realistic idea of what they would be, but  
35 then, if we got more information later, and it said, no, no, you  
36 could actually have two more weeks or something, and so I don't  
37 know how that would go.

38

39 Likewise, the September-October one is actually slightly under,  
40 and so the catch rate in August is much higher than September  
41 and October, and so you would actually -- You know, probably, if  
42 you were going to go that route, and try to actually make a  
43 projection and get the date, you probably could go a few more  
44 days.

45

46 The November-December one, the way these catch rates are done is  
47 we would look at what catch rates in the recent past have been  
48 during those months, or waves, and we haven't been open in

1 November or December for amberjack in at least ten years, and  
2 maybe a little longer, and so I took a quick look, and so we  
3 would have to come up with something different to try to figure  
4 that one out. That's not to say that we can't do that, but it  
5 probably would be less precise than the other ones. I will take  
6 any questions or feedback on that part.

7  
8 **CHAIRMAN FRAZER:** Mr. Anson.

9  
10 **MR. ANSON:** A question, Dr. Froeschke, on this table. It  
11 doesn't explicitly state it, and I assume it's just all the  
12 pounds that are listed here, ACL, ACT, projected landings and  
13 all that, and that is specific to greater amberjack, and that  
14 does not include the jacks complex?

15  
16 **DR. FROESCHKE:** Correct.

17  
18 **MR. ANSON:** Because, in the text, it talks about jacks complex  
19 and greater amberjack kind of together, and so maybe just a  
20 suggestion would be to add greater amberjack into the table, the  
21 table heading, is all.

22  
23 **DR. FROESCHKE:** Sure.

24  
25 **MR. ANSON:** Thank you, and one more thing relative to looking at  
26 kind of these trends in catch and such, is take that and add  
27 another table, or to expand the table you had for the jacks  
28 complex, to include maybe by wave and by state, if you have that  
29 available for the recreational, for the future iteration.

30  
31 **DR. FROESCHKE:** Okay.

32  
33 **CHAIRMAN FRAZER:** Any more suggestions or comments? I am not  
34 seeing any, John.

35  
36 **DR. FROESCHKE:** Okay, and so I take that as, for the seasons,  
37 you're satisfied with those alternatives, and there aren't any  
38 additional ones or any of those that you want to remove.

39  
40 **CHAIRMAN FRAZER:** C.J.

41  
42 **DR. SWEETMAN:** Is that I just said not something that would be  
43 factored into this?

44  
45 **DR. FROESCHKE:** I think it could be, but I was going to do the  
46 seasons and then talk about the option, and I am going to bug  
47 you about the jacks complex momentarily.

48

1 **CHAIRMAN FRAZER:** Susan. John, just to make sure, again, and so  
2 there's four alternatives, and so Alternatives 3 and 4, at this  
3 point, are the only two that would keep you under what the  
4 projected quota is, right?  
5

6 **DR. FROESCHKE:** Yes and no. I mean, if we were to go to  
7 Alternative 2, in practice, the way that would operationalize is  
8 that you would open on August 1, and then NMFS would do a  
9 projection, and, if they projected that it would close before  
10 August 31, then it would close sooner than that.  
11

12 **CHAIRMAN FRAZER:** I've got it, and so we're all good.  
13

14 **DR. FROESCHKE:** All of those are a little -- That's why it's a  
15 little bit funky trying to figure out the best way to do that.  
16

17 **CHAIRMAN FRAZER:** Understood.  
18

19 **DR. FROESCHKE:** Okay, and so for --  
20

21 **CHAIRMAN FRAZER:** Hold on, real quick. I think Mara wants to  
22 say something.  
23

24 **MS. LEVY:** Well, just to kind of explain why it's worded like  
25 that, because, in the regulations, what we have are fixed closed  
26 seasons, right, and so it's saying when it's closed, and it's  
27 not saying when it's open, and so what this is doing is changing  
28 those fixed closed seasons to give you those open months, unless  
29 there is a projection that it needs to close earlier.  
30

31 **CHAIRMAN FRAZER:** Yes, I get it. All right. Go ahead, John.  
32

33 **DR. FROESCHKE:** Okay, and so now the second part -- For each  
34 alternative option, 2, 3, and 4, there's an Option a, and it's  
35 the same one, and there may be a better way to do that, and I  
36 just could have made it into the second alternative, and I might  
37 do that, but, anyway, this is the Option a that would modify the  
38 recreational fishing season for the jacks complex, and either  
39 Option a is to be compatible -- If we wanted to do something to  
40 say do a March through May closure, or something like that, we  
41 could add an Option b, or, if the committee is not interested in  
42 those, we could just remove them, and so I would be interested  
43 in some feedback.  
44

45 **CHAIRMAN FRAZER:** C.J.  
46

47 **DR. SWEETMAN:** I think I would be in favor of something along  
48 those lines for adding an additional option, within that jacks



1 complex there, to consider that, and what did you say, March  
2 through May?  
3  
4 **DR. FROESCHKE:** That's what the commercial closed season is,  
5 but, I mean, the rec season would be -- Well, it's going to be  
6 closed along the way, and so, if there's some subset of that,  
7 and you could do January through June, or whatever.  
8  
9 **CHAIRMAN FRAZER:** You can do it, C.J.  
10  
11 **DR. SWEETMAN:** Okay, and so do you need a motion for this or  
12 just a recommendation?  
13  
14 **DR. FROESCHKE:** It would be helpful to me, I think, if you don't  
15 mind.  
16  
17 **DR. SWEETMAN:** Okay. I'm just trying to form this on the fly  
18 here, and certainly feel free to help out, John. **In Action 1,**  
19 **to add an Option b that would be --** There we go. **Modify the**  
20 **recreational fishing season for the jacks complex such that the**  
21 **season is only --** Okay. **Then we would modify such that the**  
22 **season is open --** Or no. It would be closed.  
23  
24 **DR. FROESCHKE:** Just say open, and, when you want it open, we'll  
25 fix it.  
26  
27 **DR. SWEETMAN:** Okay. **So open would be June through February for**  
28 **the jacks complex.** Are you following me, John? Okay.  
29  
30 **CHAIRMAN FRAZER:** All right, and so we have that motion on the  
31 board. Is there a second for that? One more time. Is there a  
32 second for that motion? I will second it for discussion. Go  
33 ahead, C.J.  
34  
35 **DR. SWEETMAN:** So the entire point here is so that we're not  
36 further restricting harvest from the jacks complex, which does  
37 not seem to have significant fishery issues there, and so it's a  
38 way for us to separate out the issues that are associated with  
39 greater amberjack, while also accounting for the identification  
40 issues that are associated with these other species, and it kind  
41 of somewhat syncs up the conservation issues that we're  
42 concerned with, as it relates to greater amberjack, but it  
43 allows for a little bit more of a threading of the needle, if  
44 you will, for flexibility for the other jacks complex, and  
45 that's my rationale for this here.  
46  
47 **CHAIRMAN FRAZER:** John.  
48

1 **DR. FROESCHKE:** One thing we can try to do, for the next version  
2 of this, is get catch rates for the jacks complex by wave, and  
3 so that's probably a little bit more information to contemplate  
4 this further.  
5

6 **CHAIRMAN FRAZER:** All right, and so you feel pretty confident  
7 that you can work through that? Okay. Ms. Boggs.  
8

9 **MS. BOGGS:** Please tell me we track these landings for the jacks  
10 complex. I'm on the website, and I see amberjack, but I don't  
11 see anything that references the lesser amberjack, almaco jack,  
12 and banded rudderfish, and, John, why did you have to complicate  
13 this even more? I see a lot of pushback from the fishermen, I  
14 think, on this, and I may be wrong, and I understand, because  
15 there is identification issues with the lesser amberjack, but,  
16 again, now we're creating a new season, and it just -- We can't  
17 keep up with what we've got, much less trying to add something  
18 to it, but my main question is where do I find the data on the  
19 jacks complex, because I'm not able to find it.  
20

21 **CHAIRMAN FRAZER:** Peter Hood.  
22

23 **MR. HOOD:** Susan, if you go to the stock ACL page, remember that  
24 we have a recreational and commercial quota for greater  
25 amberjack, and so, if you're on the stock ACL, it's -- You've  
26 got it? Okay.  
27

28 **CHAIRMAN FRAZER:** All right. Kevin Anson.  
29

30 **MR. ANSON:** I mean, I understand this, but just, maybe to Mara,  
31 we don't -- Administratively, we don't need to set up a fishing  
32 season for the jacks complex, because the fishing season, right  
33 now, is January through December, is it not, and so would we  
34 also have to address a fishing season identification in this  
35 document, if we're trying to -- As it's written right now, you  
36 can just simply state June to December and then January to  
37 February, and I understand that, but I just want to make sure  
38 that, if we need to change the fishing season status,  
39 administratively, to align more with what we are doing with  
40 greater amberjack, and I'm just asking the question of if we  
41 need to do it.  
42

43 **CHAIRMAN FRAZER:** Mara, and then it looks like John may want to  
44 weigh-in, and then I've got J.D.  
45

46 **MS. LEVY:** Well, so there's the fishing year, which is kind of  
47 how we track the catch limit, and then there's the open or  
48 closed seasons, or however you want to talk about it, and so I

1 don't read this as changing the fishing year for the jacks  
2 complex, but what it would do, in terms of the regulation, is  
3 establish a fixed closed season, right, to allow these months to  
4 be open.

5  
6 **CHAIRMAN FRAZER:** Okay. You're good, John? J.D.

7  
8 **MR. DUGAS:** Thank you, Mr. Chair. A question for John, and  
9 would it be less confusing to add another action for the jacks  
10 complex, instead of tagging on, or adding on, to what's there  
11 already?

12  
13 **DR. FROESCHKE:** Well, I think part -- I don't think we need an  
14 action, necessarily, and I think the way that I would  
15 restructure this is, instead of having the Options a and b  
16 repeat for each one of those, is to add an alternative that says  
17 this can be selected in combination of Alternatives 2, 3, and 4,  
18 or something, and do it that way, and we've done that in the  
19 past. I struggled with how to do this, whether it was an action  
20 or a sub-action or whatever, and this is what we landed on, but  
21 it's subject to improvement.

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

24  
25 **MS. BOGGS:** So what do we do in this instance when we're looking  
26 at the jacks complex that's in MRFSS, and you've got the  
27 amberjack that's in FES, and now we're going to have to have a  
28 stock assessment, and, I mean, I think -- Well, I mean, it's  
29 like now we're comparing apples and oranges, and I don't  
30 understand how this all works out in the end, because it's like  
31 now we're got two different datasets that we're putting in the  
32 same document, and am I completely wrong?

33  
34 **CHAIRMAN FRAZER:** John, to that point, and then Andy.

35  
36 **DR. FROESCHKE:** You're correct in that the jacks, I believe, is  
37 in the MRFSS currency, which is different, obviously, from  
38 amberjack, but it doesn't necessarily prevent us from doing  
39 this. I mean, the jacks complex is -- We're not up against a  
40 quota, per se, and that's not the issue, and it's just to reduce  
41 it. In a perfect world, we certainly could convert the jacks to  
42 the FES, either here or preferably some other action with all  
43 the other ones, but I don't think it necessarily prevents us  
44 from doing this, but it's one more wrinkle.

45  
46 **CHAIRMAN FRAZER:** Mr. Strelcheck.

47  
48 **MR. STRELCHECK:** I guess just to hopefully put it more simply,

1 and that three-month closure of the jacks complex is intended to  
2 prevent harvest of greater amberjack that might be misidentified  
3 and harvested as those jacks within the complex, right, and so  
4 we're trying to afford greater amberjack additional protection  
5 to help the rebuilding plan, but not making it so restrictive  
6 that the jacks complex is only open when greater amberjack is  
7 open.

8  
9 **CHAIRMAN FRAZER:** Okay. I'm going to try to move this along,  
10 and we can certainly take a vote on this, and we can, if  
11 necessary, revisit it in Full Council, but all those -- **Is there**  
12 **anybody opposed to the motion? Seeing no opposition, the motion**  
13 **carries.** John.

14  
15 **DR. FROESCHKE:** Let's go to Action 2, if you could bring that  
16 up. For Action 2, it addresses the commercial trip limit. This  
17 is something that we have worked on with a number of years, and  
18 we began with a 2,000-pound trip limit, several years ago, and  
19 then it went down to 1,500, and then to 1,000, with a 250-pound  
20 step-down, which we have not used that portion, although, with  
21 the reduction in the commercial ACT from Amendment 54, it's  
22 likely that we would use that.

23  
24 The alternatives that we have are reduce the commercial trip  
25 limits to 250 pounds all year long, and then the way the  
26 alternatives -- Since the commercial is in gutted weight, the  
27 alternatives are structured that way, and then the whole weight  
28 conversion, which the ACTs and things are in, are in the  
29 parentheses, and so it's a minor conversion, but just for your  
30 information.

31  
32 Then, Alternative 3, this came from a recommendation of the Reef  
33 Fish AP, at their October meeting, and they recommended, if we  
34 were going to consider a reduction in trip limit going to  
35 numbers of fish, rather than a weight, because, when you start  
36 getting down to small trips, you have the potential either to be  
37 over by a small amount, inadvertently, or high-grading or other  
38 things that we don't want could arise, and so their preference  
39 would be a number of fish. That way, you know, if you have five  
40 fish, you know you're good, that kind of a thing.

41  
42 They actually recommended a five-fish, with a two-fish step-  
43 down, and this is one of those that we need to do some analysis  
44 on there, and I didn't put it in there, and I don't think, based  
45 on what I've looked at so far, that that would be necessary. My  
46 plan would be to try to further flesh-out what would anticipate,  
47 if a closure would be necessary, and, if it is, we'll try to put  
48 that in and bring it back.

1  
2 The average weight on the commercial is just a little over  
3 thirty pounds, and so I put, in the parentheses, just for the  
4 purposes of comparison, and so that would be about a 150-pound  
5 trip limit, for five fish. Any feedback on that?  
6

7 **CHAIRMAN FRAZER:** Go ahead, Chris.  
8

9 **MR. CHRIS SCHIEBLE:** So I get the five-fish concept here,  
10 because, you know, just to be able to count fish makes it a  
11 whole lot easier to estimate what you have, instead of having to  
12 guess advance weights before you land, right, but what I don't  
13 follow is, if Alternative 2 is 250 pounds, and we're saying that  
14 five fish is roughly 150 pounds gutted weight, why wouldn't we  
15 have seven as option, to be 210, based on that math? Maybe  
16 seven fish, 210 pounds gutted weight, as a two-fish step-down,  
17 and is that --  
18

19 **CHAIRMAN FRAZER:** Mr. Rindone.  
20

21 **MR. RINDONE:** You guys could. Five fish is what the AP  
22 recommended, and they figured that their average weight was a  
23 little bit higher than what the data showed, at thirty pounds,  
24 and they thought it was a little bit closer to fifty pounds.  
25 They might look at it a little bit differently, knowing whatever  
26 the -- You know, that the average weight is a little bit lower,  
27 but five fish is what they had recommended, and they had likened  
28 it akin to trying to direct the commercial amberjack fishery to  
29 something more like what the commercial fleet has experienced  
30 with gray triggerfish, where it's more of a bycatch situation,  
31 and they're not directly targeting them, but, if they happen to  
32 catch them, then they don't have to discard them, and so it  
33 would reduce discard mortality, and it would allow them to bring  
34 something back, but it wouldn't be targeting them.  
35

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

38 **DR. FROESCHKE:** Yes, and what he said, and, again, I mean,  
39 that's why we're here, and so, if you want seven fish as an  
40 option, or something, put it on the board, and we're happy to do  
41 it.  
42

43 **CHAIRMAN FRAZER:** Chris.  
44

45 **MR. SCHIEBLE:** Well, I mean, I was just looking at the math  
46 here, but, if they're thinking that they're closer to, you know,  
47 fifty, or fifty-five, pounds a fish, then you're going to be  
48 over the Alternative 2 weight, right, and, if we went to seven -

1 - Is that the AP was -- Why they selected five?  
2  
3 **CHAIRMAN FRAZER:** Mr. Rindone and then Mr. Gill.  
4  
5 **MR. RINDONE:** Well, again, that's what they had surmised, but,  
6 you know, it's the fishermen that are in the room, right, and  
7 those fishermen represent a subset of all of the fishermen from  
8 all of the fleets, and not just the commercial fleet, and so the  
9 assumed fifty-pound average that was discussed during the AP  
10 meeting could have just been the experience of the fishermen  
11 that were in the room. Clearly, if the data show it's thirty  
12 pounds, fleet-wide, then it's probably closer to thirty pounds  
13 fleet-wide, and so it's fisheries-dependent data there, and, I  
14 mean, it's pretty decent on the commercial side. Like Dr.  
15 Froeschke said, if you guys want to look at another option,  
16 that's your prerogative, and you can do that.  
17  
18 **CHAIRMAN FRAZER:** All right, and so I think Ryan answered Mr.  
19 Gill's question, and so it's back to you, Chris.  
20  
21 **MR. SCHIEBLE:** Well, I make a motion then to put an Alternative  
22 4 in there to establish a commercial trip limit of seven fish,  
23 210 pounds.  
24  
25 **CHAIRMAN FRAZER:** Okay, and so we'll get that motion up on the  
26 board. While we're doing that, is there a second for that?  
27 It's seconded by Mr. Burris. Go ahead, Chris.  
28  
29 **MR. SCHIEBLE:** I guess my rationale for this is what John said  
30 earlier, that, you know, back in 2020, we dropped the commercial  
31 trip limit to what's written in Alternative 1 right there, and  
32 we have yet to have to utilize that step-down rule in the  
33 commercial sector, and so it seems like we're imposing some  
34 action here that's really not going to give us any benefit, if  
35 we haven't had to use the step-down rule in three years, and so  
36 I just don't follow that this is going to give us much of a  
37 savings.  
38  
39 **CHAIRMAN FRAZER:** Dr. Froeschke.  
40  
41 **DR. FROESCHKE:** The difference is though that we're stepping the  
42 quota down by 78 percent or so on the commercial side, and so,  
43 you know, we're -- So the commercial quota, right now, is like  
44 335,000 pounds, and, when 54 goes into place, it's going to be  
45 93,000 pounds, and so we're going to hit it.  
46  
47 **CHAIRMAN FRAZER:** Mr. Strelcheck.  
48

1 **MR. STRELCHECK:** To make sure I'm clear, the recommendation is  
2 seven fish, 210 pounds? Is that right?  
3

4 **CHAIRMAN FRAZER:** Good catch, Andy.  
5

6 **MR. STRELCHECK:** I guess my suggestion is, rather than add an  
7 Alternative 4, and, I mean, we're really kind of splitting  
8 hairs, and it's a small trip limit, and so we can just modify  
9 Alternative 2 to be an eight-fish trip limit, approximately 250  
10 pounds, 240 pounds.  
11

12 **CHAIRMAN FRAZER:** I am just -- I'm looking at the document here.  
13 Mr. Gill.  
14

15 **MR. GILL:** Thank you, Mr. Chairman, and so I don't see that  
16 rationale, Andy, because what you're basically saying is  
17 Alternative 2 in pounds and Alternative 3 in number of fish,  
18 and, well, I think some gradation to make that decision, as to  
19 what we think is best, given the status of AJs, is warranted,  
20 and, by your suggestion, you're eliminating that, and so I can't  
21 support that change.  
22

23 **CHAIRMAN FRAZER:** Okay. Again, we're in the early stages of  
24 this document, and, essentially, we've got two action items, and  
25 we've made some suggested changes, or modifications, to both of  
26 those action items, and I think we're going to hear some public  
27 testimony that has bearing on both of these, both from the  
28 recreational side of the world and the commercial side, and so  
29 we'll revisit it, certainly, in Full Council, but, in the  
30 interim, let's go ahead and -- **Is there anybody opposed to this**  
31 **motion? Okay. I am not seeing any, and the motion carries.**  
32 John.  
33

34 **DR. FROESCHKE:** Just one clean-up item on this, and so, at the  
35 last meeting, there was a request for a decision tool, and so  
36 that's a possibility. To-date, since we've only had one action  
37 each for each sector, it didn't seem necessary. If there's  
38 still interest in doing that, we'll try. If you feel like you  
39 have enough information to decide some of this, then we won't.  
40

41 **CHAIRMAN FRAZER:** My question, John, would be how much time and  
42 effort does it take to create a decision tool?  
43

44 **DR. FROESCHKE:** Not that much, but I'm just trying to figure out  
45 -- For example, in the commercial, there wouldn't be a lot, and,  
46 I mean, you would have a pound of fish and a slider, and this is  
47 your ACT, and how many do you want kind of thing, and I don't  
48 know that there would be a whole lot to populate it, and the

1 other one maybe, with the rec, but, if there's interest, I will  
2 work on it.

3

4 **CHAIRMAN FRAZER:** Okay. Peter and then Chris Schieble.

5

6 **MR. HOOD:** I just wanted to mention that we're going to be an  
7 analyst down for a little while, and so a decision tool does  
8 take time, and it does take some work, and so, if there's a way  
9 that we can avoid that, that would be better, you know, better  
10 than, you know, trying to really push people to do a decision  
11 tool that might not help too much. Thanks.

12

13 **CHAIRMAN FRAZER:** Chris.

14

15 **MR. SCHIEBLE:** I think a decision tool was me suggesting that at  
16 the last meeting, and it was including the Action 2 that was  
17 formerly in here, and we saw this as a presentation, before we  
18 had a document, which was the size limit change, from thirty-  
19 four to thirty-six for the recreational, and what I wanted, or  
20 intended, to try to see with that was what percent of harvest  
21 savings that would give us, in combination with other options in  
22 here, but, now that that's no longer in the document, I don't  
23 think a decision tool is necessary, because there won't be  
24 enough of a combination of savings, and so you can remove that,  
25 if you want.

26

27 **CHAIRMAN FRAZER:** Okay. I'm not hearing anybody clamoring for a  
28 decision tool, John, and we'll save you a little bit of time,  
29 and, Peter, your analysts a little bit of time as well. All  
30 right. Thanks, Chris. Any other input on AJs? Mr. Chair.

31

32 **MR. DIAZ:** I am going to take a little bit of your time, Dr.  
33 Frazer, and so we don't have much to work with here. It's  
34 335,000 pounds for the entire Gulf of Mexico, and Mr. Gill  
35 mentioned, earlier, his concerns about us going over and having  
36 paybacks and all those types of things, and I mentioned this at  
37 a previous meeting, and I promise you that I'm not trying to  
38 down MRIP, and, actually, I know MRIP is one of the best data  
39 collection systems out there, probably in the world, but I have  
40 mentioned, in a small state, there are problems, and, to my  
41 knowledge, we have not tried to deal with problems in the State  
42 of Mississippi.

43

44 On two separate occasions, one wave of MRIP, related to  
45 amberjack, one dockside sampler intercepting one fisherman  
46 bringing in one amberjack, throws crazy numbers, and Wave 2, and  
47 this is March and April, a time that's not peak fishing in  
48 Mississippi, and we don't have that many people, and it's very



1 windy there, and it's still cool, and so Wave 2, about 300,000  
2 fish for one wave in Mississippi for amberjack, and what made me  
3 think about this is J.D. asked about some of the high numbers in  
4 some of the years.

5  
6 We don't have a way to deal with something that is not possible  
7 and not plausible, and so, in the past, Mississippi gets these,  
8 and I have complained it when we talk about calibrations for red  
9 snapper, and we have to eat this, and we have to accept it, but,  
10 right now, if one amberjack hits the dock in the State of  
11 Mississippi, it's going to cause the whole Gulf of Mexico to  
12 have to do a payback, because we don't have enough fish to deal  
13 with it.

14  
15 Why can't there be a way -- In Mississippi, and I'm not  
16 complaining. The MRIP people have been working with us, and  
17 we've talked back and forth, and Mississippi has been working  
18 with consultants, and they're trying to increase their sample  
19 size, and they're doing everything they can do to make the  
20 survey better on their end, and I think they're doing everything  
21 they can do, and I know MRIP is trying to work with us, but why  
22 can't we deal with an outlier?

23  
24 Why can't we -- If we've got something that we know is not  
25 possible, and is not plausible, I'm not saying throw it out, and  
26 I don't want to do that, but, if we've got an outlier, can't we  
27 come up with a scientific method to smooth it, average it, in  
28 some kind of way? That's not the only time this has happened,  
29 and this has happened twice, and it also happened in 2020, and  
30 it threw almost 300,000 pounds, and so it's a very real  
31 possibility that this could happen.

32  
33 This council can't do it, and I think folks from MRIP is going  
34 to have to do it, but maybe we could put some pressure on it,  
35 and I don't want to hurt the program. I want the program to be  
36 stronger, and I think, if we find a way to deal with legitimate  
37 problems, it is stronger, but so, anyway, I just bring it up,  
38 because if one fish is caught in Mississippi, then a lot of  
39 people is going to be impacted. Anyway, that's enough for now,  
40 and hopefully you've got a good response, Dr. Porch. We need  
41 your help, and so thank you, Dr. Frazer.

42  
43 **CHAIRMAN FRAZER:** You're welcome, Mr. Chairman. Dr. Porch.

44  
45 **DR. PORCH:** I'm here to help. What you're describing, in many  
46 cases, it's an outlier, and it's just the fact that it's low  
47 sample sizes, right, a low number of intercepts, but it's not  
48 necessarily an outlier, and there are procedures that the MRIP

1 program can use to screen outliers when there is, for instance,  
2 a case where supposedly somebody brought, you know, a hundred  
3 fish to the dock, or something like that, and that doesn't seem  
4 plausible, but, when you're talking about, okay, one fish goes  
5 to the dock, and then it gets multiplied up, it's really a low  
6 sample size issue and not, technically speaking, an outlier.

7  
8 There is a way to deal with that, and that is to move from  
9 trying to monitor recreational ACLs every year and using a  
10 multiyear average, and that's allowed in the National Standard  
11 Guidelines, and so, for instance, using the three-year running  
12 average, and I think that's something the council should begin  
13 looking into for many species.

14  
15 **MR. DIAZ:** I would welcome us using those things, and, if our  
16 SSC could look at them, when these things hit, and try to pull  
17 those out, if that's possible for the SSC to do that, and that  
18 would be wonderful. If it has to be done at the MRIP level, at  
19 least if it could be considered, it would be a big step forward.  
20 Thank you.

21  
22 **CHAIRMAN FRAZER:** Mr. Rindone.

23  
24 **MR. RINDONE:** Thank you, Mr. Chair. When we're doing the stock  
25 assessments, there are different techniques that have been used  
26 in the past to smooth different years, based on justifications  
27 at the assessment workshop, or, in some cases, the data workshop  
28 has determined, and then those decisions at the data workshop  
29 are then validated in the assessment process.

30  
31 Typically, from MRIP, when those landings data are received, as  
32 long as there wasn't a reason in the way in which the surveys  
33 were conducted that would bias that result higher or lower, that  
34 the survey was conducted in a way that it's supposed to be  
35 conducted, then that point estimate is put forward as it is. We  
36 tend to see more of that strong variation though in earlier  
37 years than we do in the more recent years, when we're talking  
38 Gulf-wide.

39  
40 State-specific issues, specifically as you described for  
41 Mississippi, I think are different than the Gulf-wide issues,  
42 like when Mr. Dugas pointed out the three years in the amberjack  
43 landings, and so it may be that, next time that we look at  
44 amberjack, that particular attention is paid to the magnitude of  
45 those, and it might be determined that, because of the magnitude  
46 of difference in those landings for those years -- The panel  
47 might determine that it's appropriate to smooth that in some way  
48 or another, and sometimes it's just taking the average of the

1 surrounding years or some similar approach.

2  
3 **MR. DIAZ:** Just to that point, and I don't want to eat up too  
4 much of our time, but I have talked to the staff at Mississippi,  
5 and it's not exclusive to the State of Mississippi. There's  
6 been some numbers that are highly irregular from the State of  
7 Alabama and from Florida. I do think it's way more pronounced  
8 in Mississippi, and more noticeable, but I don't think it's  
9 exclusive to the State of Mississippi. Thank you.

10  
11 **CHAIRMAN FRAZER:** Mr. Dugas.

12  
13 **MR. DUGAS:** Thank you, Mr. Chair. In regard to Dale's comments,  
14 this is another example of going down the road of state  
15 management, or regional management, and I feel like I say this  
16 every meeting, and I know it's at the bottom of the list for  
17 amberjack, but it's something that maybe we should look at  
18 moving up the list, just because of Dale's comments.

19  
20 Another thing that I would like to point out is I think that we  
21 should be fishing the biomass and not robbing Peter to pay Paul  
22 across the Gulf, and I'm very confused with that whole scenario,  
23 and that's my comments. Thanks.

24  
25 **CHAIRMAN FRAZER:** Okay. I am just going to pop-in, real quick,  
26 and say this is not a new conversation. We've been having it  
27 for a long time, and, you know, we're going to have a similar  
28 discussion when we go into the red snapper calibrations, and it  
29 was a discussion point there, and we're going to have  
30 representatives from S&T, and Richard Cody will be here, but I  
31 think everybody recognizes the problems, right, and we can't  
32 just stop one sampling program and just start up a suite of  
33 others.

34  
35 It's going to take a little bit of time, and I think people are  
36 cognizant of the problem. You know, can we get there fast  
37 enough? Probably not, to please everybody, but there's a  
38 concerted effort to move forward, and so I think I will leave  
39 the discussion in amberjack there. Mr. Chairman, we're going to  
40 then transition, although it looks like Dr. Simmons wanted to  
41 say something. Go ahead, Carrie.

42  
43 **EXECUTIVE DIRECTOR SIMMONS:** Thanks, Mr. Chair, and so I think  
44 it was to Dr. Porch's response, and we used to use moving  
45 averages, when I first started working for the council, and I  
46 remember because the National Standard Guidelines, and the  
47 annual catch limits and catch targets, and we moved away from  
48 that. We moved away from those moving averages that we had set,

1 because of those guidelines, and because, of the way the  
2 accountability measures are set up for overfished stocks, such  
3 as amberjack, I'm not sure that's possible either.

4  
5 **CHAIRMAN FRAZER:** Dr. Porch.

6  
7 **DR. PORCH:** Maybe, at some point, we can come in with a  
8 presentation, but NS 1 does allow you to do that, and the  
9 council doesn't necessarily have to review it every single year,  
10 and you certainly don't have to look at what the catches were in  
11 any particular year, when there's that high level of  
12 uncertainty, and there's a white paper that the Office of  
13 Science and Technology developed, with a team of scientists,  
14 including representatives from the Science Center, and I think  
15 the South Atlantic Council SSC, and that would be of interest,  
16 but I think it's time to start exploring options like that,  
17 looking at multiyear ACLs, because this isn't going to be unique  
18 to amberjack, as you already mentioned.

19  
20 It's a number of other species, plus it's unlikely that the  
21 resources are going to be made available to be able to develop  
22 precise monitoring programs for all the species that you care  
23 about, and so you have to find a way to work around it.

24  
25 **CHAIRMAN FRAZER:** Okay. Thanks, Clay. Mr. Anson.

26  
27 **MR. ANSON:** So I don't know if we need a formal motion to  
28 request that, or if, Clay, you can just instruct staff to bring  
29 that to us as soon as possible, because I agree with you that  
30 these are issues that we have before us, relative to the data,  
31 relative to, you know, the stocks, and the status, that we have  
32 of certain species, and, if we have an opportunity to be  
33 flexible in how we're able to monitor those landings, relative  
34 to ACLs, and not have to get into a payback situation, I think  
35 we need to work on that as fast as we can.

36  
37 I mean, I certainly, you know, could offer a motion, to make  
38 sure that it's on paper, but, you know, if you say you will be  
39 able to bring something as soon as possible, then we can leave  
40 it at that too, and so I just wanted to make sure that -- I  
41 certainly agree with what Dr. Porch said, and I really think  
42 that the council needs to move in that direction as quickly as  
43 possible.

44  
45 **CHAIRMAN FRAZER:** Okay. Let's listen to Mr. Strelcheck, before  
46 we decide what action we're going to take here.

47  
48 **MR. STRELCHECK:** Certainly I would leave it up to Carrie and

1 team to decide whether they need a motion. Related to this, I  
2 mentioned a Mid-Atlantic recreational reform initiative, and I  
3 think this plays very much into that. They have developed a  
4 harvest control framework, and they have a technical document  
5 that I think they postponed until that framework was completed,  
6 but it talks very much about at least starting to address what  
7 do you do with outliers, or whatever you want to call them, and  
8 smoothing them, and addressing the quota monitoring, and so I  
9 think there's a lot of similarities with kind of the work that's  
10 ongoing that we could also bring back, in terms of information,  
11 and potentially even ask one of their staff to present to the  
12 council.

13  
14 **CHAIRMAN FRAZER:** Dr. Simmons.

15  
16 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so I  
17 think, Mr. Anson, a motion would be great. We would take that,  
18 and we can write a letter, to make sure we're all on the same  
19 page, to the Science Center. Thanks.

20  
21 **CHAIRMAN FRAZER:** All right. Kevin, are you feeling wordy?

22  
23 **MR. ANSON:** I am feeling. I don't know about wordy. **To request**  
24 **the Southeast Fisheries Science Center provide a presentation to**  
25 **the council regarding multiyear ACL averages to monitor annual**  
26 **catch limits.**

27  
28 **CHAIRMAN FRAZER:** Okay. Is there a second to that motion? It's  
29 seconded by Mr. Burris. All right. I think we've had a fair  
30 amount of discussion, and I think we know what we want to do  
31 with that. **Is there any opposition to this motion?** All right.  
32 **Not seeing any, the motion carries.** All right. Mr. Chairman.

33  
34 **MR. DIAZ:** I am unsure how long the next item is going to take,  
35 and so I feel like we ought to take a little break before we  
36 tackle that, and it's either going to go really fast or really  
37 long, and, if it goes long, I will feel bad. Let's take a  
38 fifteen-minute break, and we'll start back at five minutes to  
39 three.

40  
41 (Whereupon, a brief recess was taken.)

42  
43 **CHAIRMAN FRAZER:** We're going to move right into the Revised  
44 Recreational Red Snapper Calibration Ratios, and we're going to  
45 call up Dr. Nance to lead us through that.

46  
47 **REVISED RECREATIONAL RED SNAPPER CALIBRATION RATIOS**

48

1 **DR. NANCE:** We'll go ahead, Bernie, and bring up -- Ryan, did  
2 you want to do the other or do the presentation first?

3  
4 **CHAIRMAN FRAZER:** We'll go ahead and let Mr. Rindone go through  
5 the scope here.

6  
7 **DR. NANCE:** Okay. Thank you.

8  
9 **MR. RINDONE:** Okay, and so Dr. Nance is here to talk about the  
10 SSC's deliberations and recommendations from its review of the  
11 revised recreational red snapper calibration ratios that were  
12 presented to the SSC by representatives from Florida, Alabama,  
13 and Mississippi in January, and each state presented a proposal  
14 to revise calibrations for its respective estimates of private  
15 vessel and state for-hire landings of red snapper to MRIP's  
16 Coastal Household Telephone Survey, in the case of Mississippi  
17 and Alabama, or to CHTS and the Fishing Effort Survey, in the  
18 case of Florida.

19  
20 These proposals are updates to the description of the methods,  
21 years, and waves used and considered by the SSC in August of  
22 2020, and the states provided justification for their  
23 recommended selection of years and waves within years, and the  
24 SSC considered the following terms of reference for each state's  
25 proposal, and so you can read those there.

26  
27 Dr. Nance will review the SSC's evaluation of the presentations  
28 and materials provided by each state and any recommendations the  
29 SSC had to the council, and the SSC's recommendations, that Dr.  
30 Nance will present, include what to do for the actual  
31 calibration ratio and the SSC's addressing of each of the terms  
32 of reference for each state, and so you guys should consider all  
33 of this information presented and determine whether it's  
34 necessary to recommend new calibration ratios to the council for  
35 calibrating the state surveys.

36  
37 **CHAIRMAN FRAZER:** Thank you, Mr. Rindone. Dr. Nance, take it  
38 away.

39  
40 **DR. NANCE:** Thank you, Dr. Nance. It's good to be here to be  
41 able to present this, and, also, Dr. Cody is here also, and I  
42 appreciate him being here, and just I know that both of our  
43 names are on the agenda for the presentation, and this part is a  
44 presentation that I put together of SSC recommendations, and Dr.  
45 Cody wasn't involved in that, but, certainly, if he has any  
46 input, while I am giving this, I appreciate him doing that.  
47 Plus, during the question period, I will be up here, but Dr.  
48 Cody certainly is available for questions also, and I just

1 wanted to basically reiterate that.  
2  
3 Fishery biologists representing marine fishery agencies from  
4 Florida, Alabama, and Mississippi presented proposals for  
5 revised calibrations for each state's respective estimates of  
6 private vessel and state charter/for-hire landings of red  
7 snapper to MRIP's CHTS. At the council's request, the proposals  
8 updated the years and waves considered by the SSC at the August  
9 2020 meeting and provided justifications for these new  
10 selections.  
11  
12 We had these three terms of reference that I will go over, and  
13 the way I've set this presentation up is I will present these  
14 terms of reference, and I will present the Florida proposal and  
15 then the evaluation of the Florida proposal, the Alabama  
16 proposal and its evaluation, and the Mississippi proposal and  
17 its evaluation. When we received it, we did all the proposals  
18 first, and we had general discussions, and then we did each of  
19 the states, and so that's how I've set this up, and hopefully  
20 that's okay with the council, the way I've done this.  
21  
22 Our terms of reference for reviewing these proposals, the SSC  
23 was tasked with considering the following terms of reference for  
24 each state's proposal. Number one, is the proposed revised  
25 calibration ratio calculated in a method that is not dissimilar  
26 from that which was approved as consistent with the best  
27 scientific information available at the SSC's August 2020  
28 meeting?  
29  
30 The second term of reference is, is the justification for the  
31 years and waves recommended for calculating the proposed revised  
32 calibration ratio sufficient? If not, describe why and, if  
33 possible, offer alternatives.  
34  
35 Number three is any are there any additional clarifications  
36 necessary for considering a state's proposed revised calibration  
37 ratio as being consistent with the best scientific information  
38 available?  
39  
40 Just to also inform the council, an MRIP Gulf transition team  
41 subgroup has been formed to investigate differences between  
42 state surveys and MRIP-FES. The team has developed short and  
43 long-term research goals to improve understanding of  
44 recreational fishery data collection in the Gulf. In the  
45 interim, for red snapper, calibration to MRIP-CHTS will be  
46 required until the results of the SEDAR 74 stock assessment are  
47 available to be considered for use in management, and SEDAR 74,  
48 as you know, is the red snapper assessment.

1  
2 The Florida proposal, Florida uses the State Reef Fish Survey to  
3 measure catch and fishing effort to estimate landings and  
4 discards for several reef fish species. SRFS only covers the  
5 recreational private vessel, and there is no shore or for-hire  
6 mode for the thirteen reef fish species, including red snapper.  
7 Effort estimation is conducted via a monthly mail survey. SRFS  
8 catch data are estimated from dockside intercepts and complement  
9 the MRIP Access Point Angler Intercept Survey, or APAIS.  
10 Intercept sampling sites are randomly selected at the same time  
11 for both surveys. FWRI methods for calibration are unchanged  
12 since 2020.

13  
14 Tiffani Cross, who was at the meeting, detailed four options for  
15 the calibration ratio informed using varying time series. The  
16 first one they went over was May 2015 through December 2019,  
17 which was the original calibration period. They also presented  
18 information on the May 2015 through December 2017, which is the  
19 SRFS and the MRIP-CHTS overlap years, and that was recommended  
20 by the SSC at the August 2020 meeting. They also presented  
21 using 2018, 2019, and 2021, which are SRFS and MRIP-FES overlap  
22 years, and then the fourth one they proposed was all available  
23 overlapping estimates from May 2015 through December 2021,  
24 excluding 2020.

25  
26 The resulting ratios that were presented were not statistically  
27 dissimilar between SRFS and either MRIP-CHTS or MRIP-FES for any  
28 of the options presented.

29  
30 The evaluation of the Florida presentation, the SSC acknowledged  
31 Florida's exclusion of 2020, due to severe disruption of the  
32 catch portion of the survey during the COVID-19 pandemic. SSC  
33 members discussed the merits of moving away from the 2015 to  
34 2017 data, due to the inclusion of the CHTS telephone survey.  
35 Florida did not select a preferred method, relying instead on  
36 the judgement of the SSC to determine the most appropriate time  
37 series.

38  
39 After discussion of the proposal, and reviewing the inputs and  
40 so forth, the motion was the SSC recommends that the proposed  
41 Florida calibration from SRFS to MRIP-CHTS for the private  
42 angling component of red snapper use data from 2018, 2019, and  
43 2021 to determine the updated calibration ratio of 1.29 in  
44 numbers and fish and 1.34 in pounds whole weight. That motion  
45 carried with two abstentions and three absent.

46  
47 In addressing the terms of reference, the SSC found that the  
48 methodology used by Florida was not dissimilar from that



1 proposed as BSIA in August of 2020. The SSC recommended using  
2 2018, 2019, and 2021 for the updated Florida calibration, based  
3 on the presentation justifications, and, after discussing the  
4 changing relationship between MRIP-CHTS and MRIP-FES from 2015  
5 through 2021, the SSC sought no further clarification on  
6 Florida's proposal. Do we want to do each state, or do we want  
7 to just go through the whole thing and then have questions at  
8 the end?

9  
10 **CHAIRMAN FRAZER:** I think we can go ahead and go through each  
11 state and then circle back.

12  
13 **DR. NANCE:** Okay. I will do that. The next one was Alabama.  
14 Through the Alabama proposal, the primary objective of their  
15 survey, which is Snapper Check, is to provide monitoring of the  
16 private recreational sector for the Alabama red snapper fishing  
17 season.

18  
19 Mandatory reporting and dockside sampling participation are  
20 required to land red snapper as a private angler during the  
21 fishing season. The dockside survey intercepts also collect  
22 biological and trip information. Dead discards are not required  
23 to be reported. Residency status, being state and county, or  
24 country, of each -- State and county of each interviewed angler  
25 is collected during each wave, at all sites, and is used to  
26 justify the effort information calculated from the effort  
27 survey.

28  
29 Matching effort and catch data is conducted using the unique  
30 identifiers supplied on the landing reports and collected at the  
31 dockside surveys. This also allows the calculation of non-  
32 response to the effort survey. APAIS intercepts are conducted  
33 by the same staff as for Snapper Check intercepts, and, for  
34 effort, Snapper Check measures by the vessel, whereas MRIP  
35 measures by angler.

36  
37 Mr. Anson presented the differences in fishing effort observed  
38 between Alabama's two coastal counties, Baldwin on the east side  
39 and Mobile on the west side, and angler counts in APAIS during  
40 open red snapper seasons have been substantially higher since  
41 2014. More anglers are being interviewed by APAIS in Baldwin  
42 County, which hosts more tourism and non-coastal resident  
43 anglers. Mr. Anson went on to conclude that 2018 and 2019 MRIP-  
44 CHTS may be elevating effort estimates caused by sampling that  
45 was not representative of Alabama's anglers. He added that  
46 daily angler effort has been significantly reduced in 2021 and  
47 2022, compared to 2018. The Alabama fishing season duration  
48 increased 340 percent from 2018 through 2022 and 288 percent

1 from 2021 to 2022.

2  
3 Hearing that presentation, and in discussion, the SSC  
4 acknowledged that the methods used by Alabama were similar to  
5 those determined to be consistent with BSIA in August of 2020.  
6 The SSC thought the rationale for including 2020 was firm, given  
7 that Alabama's angler intercepts and effort surveys were  
8 functionally as intended during 2020, and so there wasn't any  
9 disruption because of COVID.

10  
11 The SSC noted that there was not a considerable change in the  
12 methodology and sampling between 2018 and 2021. Some SSC  
13 members, during our discussion, though that 2018 through 2021  
14 were similar enough, in most respects, to be considered  
15 together. After lengthy discussions, this motion was made.

16  
17 The SSC recommends that the proposed Alabama calibration from  
18 Snapper Check to MRIP-CHTS, and so Snapper Check divided by  
19 MRIP-CHTS, for the private angling and state charter/for-hire  
20 component of red snapper use data from 2018, 2019, 2020, and  
21 2021 to determine the updated calibration ratio of 0.548 in  
22 pounds whole weight. That motion carried with two abstentions  
23 and three absent.

24  
25 In addressing the terms of reference, the SSC found that the  
26 methodology used by Alabama was not dissimilar from that  
27 proposed at our August 2020 meeting. The SSC did not think that  
28 there was adequate justification for using only 2020 and 2021  
29 for Alabama's calibration ratio. The SSC recommended using 2018  
30 through 2021 for Alabama's updated calibration ratio, based on  
31 the aforementioned discussion, and the SSC sought no further  
32 clarification from Alabama's proposal.

33  
34 Mr. Trevor Moncrief presented an overview of Mississippi's Tails  
35 n' Scales survey, and this survey is mandatory. It uses a  
36 twenty-four-hour unique trip identifier. Anglers cannot make  
37 another red snapper trip under Tails n' Scales until they  
38 complete that reporting on the previous trip, and the strength  
39 of the Tails n' Scales enforcement, which observes about 95  
40 percent compliance. Tails n' Scales has operated consistently  
41 within the 2018 through 2021 timeframe, with limited  
42 modifications to the user experience interface for the required  
43 mobile application and changes to aid law enforcement.

44  
45 Trevor outlined Mississippi's proposed revised calibration,  
46 which limited the comparison between Tails n' Scales and MRIP-  
47 CHTS to Waves 3 and 4, which is May and June and July and  
48 August. There is concern about the validity of MRIP estimates

1 outside of the high-use waves, which are 3 and 4, from 2018  
2 through 2020. Waves in which the red snapper fishery does not  
3 primarily occur are subject to larger disparities in estimates,  
4 which is likely associated with a smaller number of completed  
5 MRIP surveys.

6  
7 When comparing estimated MRIP fishing effort and Mississippi's  
8 recreational license data, newly-derived effort estimates using  
9 MRIP-FES potentially represents a significant overestimation in  
10 angler effort. This is from the summary, and, if Richard has  
11 any questions on it, I am putting him in here, but, anyway, Dr.  
12 Richard Cody, from Science and Technology, was there at our  
13 meeting.

14  
15 For MRIP, Florida harvest efforts are derived using an effort  
16 survey, along with a separate dockside survey, whereas  
17 Mississippi and Alabama operate a single survey to provide catch  
18 and effort information. Dr. Cody added that a relationship  
19 between the variance of estimates, as opposed to the number of  
20 APAIS samples, may better correlate to the resultant landing  
21 estimates.

22  
23 During that discussion, an SSC member asked whether MRIP had  
24 researched some of the issues outlined for Mississippi, such as  
25 the fact of low sample sizes, for improving accuracy and  
26 precision of MRIP's estimates. Dr. Cody replied, at our  
27 meeting, that exploring these issues was one of the goals of the  
28 MRIP transition team and the SEDAR 74 research track assessment  
29 for red snapper.

30  
31 After that presentation, we started our evaluation, and the  
32 magnitude of catch for 2019 and 2021 were both very high.  
33 However, Mississippi accepted using 2019, to have a consistent  
34 three-year time series to inform its calibration. Some SSC  
35 members thought that excluding 2021, simply because of the  
36 magnitude of the estimates from Waves 3 and 4 in that year, may  
37 not be appropriate. Observing anomalies

38  
39 Mississippi demonstrated, quantitatively, that the estimate from  
40 2021 was not possible for the state's anglers to achieve and  
41 that excluding such data is normal practice in science.

42  
43 During our discussion, some SSC members thought it more  
44 appropriate to either include 2019 and 2021 or exclude both of  
45 them and not treat them differently. An SSC member noted that,  
46 if 2021 is not realistic, then excluding it is reasonable, based  
47 on best practices and the scientific literature. Another SSC  
48 member observed that the two years are lower, which are 2018 and

1 2020, and two were higher, 2019 and 2021, and so that trend,  
2 based on a sample size, you know in each mode, is not possible.

3  
4 After deliberation for quite a while, a motion was made. The  
5 SSC recommends that the proposed Mississippi calibration from  
6 Tails 'n Scales to MRIP-CHTS, which is Tails 'n Scales divided  
7 by MRIP-CHTS, for the private recreational sector of red snapper  
8 use data from 2018 through 2020 as the base years and restricts  
9 the harvest comparison to just Waves 3 and 4. The updated  
10 calibration ratio is 0.503 in pounds whole weight. That motion  
11 carried twelve to five with five abstentions.

12  
13 In addressing the terms of reference for Mississippi, the SSC  
14 found that the methodology used by Mississippi was not  
15 dissimilar from that presented in August 2020. The SSC agreed  
16 with excluding 2021, due to the implausibility of the estimate,  
17 and understood the justification by Mississippi for using only  
18 Waves 3 and 4. The SSC recommended using Waves 3 and 4 for the  
19 years 2018 through 2020 for Mississippi's update calibration  
20 ratio, based on the aforementioned discussions, and the SSC  
21 sought no further clarifications from Mississippi, and that, Mr.  
22 Chair, ends the presentation.

23  
24 **CHAIRMAN FRAZER:** Thank you, Dr. Nance. Are there any questions  
25 on the SSC's deliberations or recommendations?

26  
27 **DR. NANCE:** I will say this, that all three presentations were  
28 excellent. There was good presentations, and there was the  
29 ability that we had great discussions, all during the  
30 presentations, and so I appreciated each of those states being  
31 able to come and present those.

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

34  
35 **MR. ANSON:** Thank you, Mr. Chair, and thank you, Dr. Nance, for  
36 the presentation, and thank you to you, and the rest of the SSC  
37 members, for, you know, having a thorough discussion and review  
38 of the proposals that each of the states brought forward, and,  
39 certainly, from Alabama's perspective, we appreciate the  
40 opportunity to have gone through the exercise of doing this.

41  
42 You know, I certainly understand that the issue of calibration  
43 has been a prickly one, but it has come to at least a conclusion  
44 for this phase, and, you know, certainly, from our perspective,  
45 we are a little nervous, potentially, for the next iteration,  
46 when we have to deal with FES, and certainly, you know, if we  
47 need to start talking about that, and how we might want to set  
48 ourselves up for dealing with another round of calibration, we

1 might want to start doing that, but, again, I just wanted to  
2 express, you know, our appreciation for the process.

3  
4 Going back to when the council, you know, first passed the  
5 regional management amendment, you know, it provided the  
6 opportunity for the states to utilize that resource, a little  
7 bit more efficiently potentially, for each of their respective  
8 groups of anglers, and it has provided those benefits, albeit,  
9 with this calibration, there will be some impacts to season  
10 length for our folks going forward, but, you know, certainly,  
11 again, we appreciate the opportunity to have gone through the  
12 exercise, and I encourage the council, and the agency, once the  
13 council has passed this, if it does go forward, for the agency  
14 to process this as quickly as possible, and so thank you.

15  
16 **CHAIRMAN FRAZER:** All right. Thanks, Kevin, for those words and  
17 thoughts. Mr. Dyskow.

18  
19 **MR. DYSKOW:** Thank you, Dr. Frazer. I don't know if I should  
20 direct this question to you or to Andy or whom, but what is the  
21 next step?

22  
23 **CHAIRMAN FRAZER:** Sure, and so, again, in our discussion here, I  
24 would expect a motion, coming from one of the council members,  
25 to initiate a framework action to implement these calibration  
26 ratios, as Kevin said, you know, as quickly, from Alabama's  
27 perspective, as we possibly can, and that would be the next  
28 step. Mr. Burris.

29  
30 **MR. RICK BURRIS:** Thank you, Mr. Chair. I don't know if I could  
31 say it any better than Kevin did, but Mississippi certainly  
32 appreciates the opportunity to go through this exercise, and we  
33 appreciate working with Dr. Cody's group, and Andy, and,  
34 obviously, the SSC, for all the work that they put into it.

35  
36 The outcome is not as optimum as we would like, but it is a step  
37 in the right direction, and I think just our methodology being  
38 approved, and being able to -- I say methodology, but the  
39 addition of our data and the unconventional way that we went  
40 about it, to say the least, and we really appreciate the  
41 opportunity to discuss that and show our rationale behind what  
42 we brought to the table, and so thank you for that, and I look  
43 forward to working with this in the future.

44  
45 **CHAIRMAN FRAZER:** All right. Thanks, Rick. Go ahead, C.J.

46  
47 **DR. SWEETMAN:** I am going to third what Kevin and Rick said  
48 there. I really appreciate your leadership here, Dr. Nance, in

1 helping move this through the process here, and I really  
2 appreciate the transparent process and the back-and-forth that  
3 was going on between the states and the SSC. I think you guys  
4 did a great job. Thank you very much.  
5

6 **CHAIRMAN FRAZER:** All right. Is there any other discussion?  
7 Okay. I will go with Susan and then Kevin.  
8

9 **MS. BOGGS:** Well, Phil asked my question, and so I guess, if I  
10 need to help with the motion, to help with the discussion, is  
11 that --  
12

13 **CHAIRMAN FRAZER:** Well, we certainly are going to need a motion  
14 to accept the SSC's recommendations as it relates to calibration  
15 ratios and then to incorporate them into a framework action.  
16

17 **MS. BOGGS:** Well, I don't care, and I'm sorry, and we're having  
18 a sidebar, and Kevin was going to make a motion, which I don't  
19 care, and I just have another question, but I don't know if we  
20 need to make the motion to have the discussion. Bernie, would  
21 you please bring that motion up?  
22

23 **CHAIRMAN FRAZER:** Is that coming from Kevin or -- Which motion  
24 are we talking about?  
25

26 **MS. BOGGS:** Kevin's motion.  
27

28 **CHAIRMAN FRAZER:** Okay. Way to take charge, Kevin.  
29

30 **MR. ANSON:** The motion is to request staff to begin development  
31 of a framework action to update the recreational red snapper  
32 data calibration ratios for Florida, Alabama, and Mississippi  
33 using the calibration ratios recommended by the Scientific and  
34 Statistical Committee during their January 2023 meeting.  
35

36 **CHAIRMAN FRAZER:** Susan, would you like to second that?  
37

38 **MS. BOGGS:** I will second that motion.  
39

40 **CHAIRMAN FRAZER:** Excellent. All right. Is there any further  
41 discussion on this motion? Susan.  
42

43 **MS. BOGGS:** Well, I don't know if it pertains to this motion. I  
44 mean, I'm in favor of this, but I have a question, and, of  
45 course, I'm going to convolute this, and this is all CHTS, and  
46 so what happens -- I guess the next step after this is they use  
47 this calibrations, and we update the catch levels, and then, at  
48 some point, does it get converted to FES? I don't understand

1 this, because here we are again with CHTS versus FES.

2  
3 **CHAIRMAN FRAZER:** Mr. Rindone.

4  
5 **MR. RINDONE:** The conversion to FES isn't something that really  
6 comes into play until we get through the SEDAR 74 process. We  
7 have probably a couple more assessment webinars that are  
8 scheduled before the review workshop, and that's currently  
9 scheduled for July 31 to August 4, and that will be at the Gulf  
10 Council office in Tampa. If you're planning to come, let  
11 somebody know, so we can make accommodations for space and  
12 things.

13  
14 Then, after that, any feedback that is taken from the review  
15 workshop will be received by the Science Center, and they will  
16 make any modifications to the setup, to the model, after the  
17 review workshop, and the SSC will get a chance to look at it, as  
18 a body, after that, and then the operational assessment process  
19 will start.

20  
21 It's during the operational assessment that we actually get  
22 management advice, or data that we can use to inform management  
23 advice, and, depending on the kinds of things that come out of  
24 the review workshop, it will dictate how long that operational  
25 assessment might take. It could be -- I mean, at this point, I  
26 wouldn't expect there to be any management recommendations to  
27 come from the SSC to the council until late into 2024.

28  
29 **CHAIRMAN FRAZER:** Susan.

30  
31 **MS. BOGGS:** Mr. Chair, I apologize, and I forgot that red  
32 snapper is not in FES yet, and I need a flow chart. Thank you.

33  
34 **CHAIRMAN FRAZER:** Not to worry. All right. Is there any other  
35 discussion on this motion? I am not seeing any hands. **Is there**  
36 **any opposition to the motion? Seeing none, the motion carries.**

37  
38 All right. We will move into our final agenda for the Reef Fish  
39 Committee, and that's an Other Business item, and I believe that  
40 that has to do with a discussion of transfer of federal for-hire  
41 reef fish permits. Is Ms. Levy going to lead that discussion,  
42 Greg, or are you going to lead that?

43  
44 **OTHER BUSINESS**

45 **DISCUSSION OF TRANSFER OF FEDERAL FOR-HIRE REEF FISH PERMITS**

46  
47 **DR. STUNZ:** Well, I'm fine bringing it up, or if you want me to  
48 set the stage, Mara, or I don't know how you want to approach

1 that, Mr. Chairman.

2

3 **CHAIRMAN FRAZER:** Why don't you set the stage, Greg?

4

5 **DR. STUNZ:** Okay. I asked for this to be on Other Business, and  
6 Mara had been involved in some of the communications, as well as  
7 council staff, and there is an issue happening, out mainly with  
8 the Texas fleet, and I think that's why, you know, it hadn't  
9 elevated to other areas, that kind of thing, in terms of an  
10 issue.

11

12 It has to do with switching vessel permits back and forth to  
13 allow federal -- Vessels that have federal permits to fish in  
14 state waters, and it's also primarily because of the  
15 availability of snapper in this region of Texas, pretty high  
16 availability, where they target them, and so what happened was  
17 that probably -- What I'm suspecting is, with the SEFHIER  
18 program, and folks were paying more attention to when vessels  
19 were in and out and that sort of thing, and it started to  
20 probably literally appear on people's radars, and so enforcement  
21 was showing up at these individuals' businesses, and there was  
22 some questions of whether what they were doing was allowed, or  
23 was it not, depending on how you interpreted the CFR and a whole  
24 variety of things, and so they approached me, mainly because,  
25 when law enforcement showed up, they said they couldn't do it,  
26 and, of course, they had a business plan, and trips sold, and,  
27 you know, it was kind of a sudden thing.

28

29 Their issue was that, you know, they don't want to not be in  
30 compliance, but, at the same time, if they're not, they would  
31 have liked to have more advance notice, and I think we're going  
32 to hear some public testimony here tomorrow regarding this, and  
33 we'll have a little better idea of exactly what the situation  
34 is, but I just wanted to get that on the table, with the idea,  
35 hopefully, that we could at least discuss it and have it very  
36 transparent, and is this something we want, or we don't, and,  
37 that way, they can plan with their businesses and be legal. I  
38 mean, the last thing I think they want is to be in some sort of  
39 violation.

40

41 Then what happened is the interpretation, coming out of Mara's  
42 office and the council, at first, was, well, no, you can't do  
43 that, and it had to do with are you fishing for just snapper or  
44 other reef fish, all types of other complexities, and then, on  
45 top of that, it has to do with the date that you switch your  
46 permits, and is it a calendar year and so on, and so, at the end  
47 of the day, I guess it was determined that what they were doing  
48 was in fact not in violation or anything, and so they're



1 continuing to do it now, is my understanding, and so, anyway,  
2 Tom, that's where we are.

3  
4 I guess the broader picture is I wanted to get it on the table,  
5 and make sure that these folks doing that, you know, have some  
6 transparency here with this council and law enforcement and our  
7 legal interpretations, to make sure that they're not doing  
8 anything that they shouldn't be, and so that's a long-winded  
9 answer, and maybe Mara has more information on the real legal  
10 aspects of this.

11  
12 **CHAIRMAN FRAZER:** Okay. Mara.

13  
14 **MS. LEVY:** Well, I'm just going to start off by saying that the  
15 interpretation from my office has never changed. How folks have  
16 been looking at the regulations, and maybe what's been  
17 disseminated, may have changed, but, since sector separation was  
18 implemented in 2015, the regs have been -- The regs have been  
19 written this way, and it's always been our interpretation that  
20 this is how they apply.

21  
22 Essentially, there's a part of the regs, related to the for-hire  
23 quota and ACT, that say that these catch levels apply to vessels  
24 that have been issued a valid federal charter vessel headboat  
25 permit for Gulf reef fish at any time during the fishing year,  
26 and that was out in there specifically to prohibit sort of going  
27 from -- Fishing from both pots, right, and it's only an issue  
28 for red snapper, because, for red snapper, we have the  
29 recreational sector divided into federal for-hire and private  
30 angling.

31  
32 We did not want people to be a federal for-hire vessel during  
33 one part of the year and then not be a federal for-hire vessel  
34 for the other part of the year, and this all happened before  
35 state management as well, right, and so you have to remember,  
36 you know, that the management has changed over time, which is  
37 kind of what has maybe allowed this to be more of an issue in  
38 Texas, and I don't know.

39  
40 Essentially, if you have a for-hire, a federal for-hire, permit  
41 on your vessel, at any time during the fishing year, and so  
42 January 1 through the end of the year, you are considered to be  
43 allowed to only fish under the federal for-hire catch limit, and  
44 so, if that season is closed, even if you've taken your permit  
45 off the vessel, you have indicated that that's the type of  
46 vessel you're going to be for that year, and you cannot fish  
47 under the private angling component quota.

1 From my understanding, the reason that this has been an issue in  
2 Texas is because Texas an open season, right, for private  
3 anglers in state waters that starts on January 1, and so, if I  
4 have a vessel that I generally have a federal for-hire permit  
5 on, but I remove it from that vessel by the end of year-one, and  
6 so, on January 1 of the next year, it's not on my vessel, then  
7 I'm a private angler, until I put it on my vessel, right, and so  
8 I could be a private angler, fish up until the time that I  
9 transfer it onto my vessel, maybe in May or whatever, and the  
10 June federal season opens for Texas, and I fish under the  
11 federal season, because it's a one-way thing, but I can't then  
12 transfer it off and become a private angler again, because I've  
13 had it on my vessel during that fishing year.

14  
15 I understand that it's quite complex to explain, but I think  
16 that was the issue, that some of these folks didn't have the  
17 federal for-hire permit on their vessel as of January 1, and  
18 they were fishing under the private angling component quota, and  
19 then they put it on their vessel and they become for-hire  
20 federal vessels for the rest of the year.

21  
22 Whether that is -- The way the regs were written, it didn't --  
23 They only flowed one way, right, and it was linked to the  
24 federal for-hire permit, and so it doesn't flow back the other  
25 way with the private angler, and I don't know if that was  
26 intentional, but it's just that I think, at that time, it wasn't  
27 really considered an issue, right, and we didn't have the same  
28 state management type of thing, and I wasn't something that we  
29 were really thinking about.

30  
31 If the council thinks that this is a big problem, and it is  
32 having a big impact, you know, we can look at how to re-write  
33 the regs to maybe prohibit this type of one-way flow of the  
34 regulations, but I guess I would just ask about whether it  
35 really is a big problem, and are other states -- Is the issue  
36 happening in other states, and is it a big problem for Texas,  
37 and those kind of things.

38  
39 **CHAIRMAN FRAZER:** Thank you, Ms. Levy. Dr. Stunz.

40  
41 **DR. STUNZ:** Mara, that was exactly my question, is how big of an  
42 issue it is, and, in my understanding, it's just a very limited  
43 number of vessels, maybe like three to six or something, and I  
44 don't know. When we hear public testimony, maybe we can ask  
45 that question, to really see what the full impact is, and I  
46 certainly can't speak for the State of Texas, Dakus, and if it's  
47 a problem for you guys as an agency or not, but this, I think,  
48 is a very restricted issue, which was the whole idea is that

1 they had been doing this for quite some time, and I don't know  
2 how long, but, you know, I'm thinking like ten years or more,  
3 maybe, in my mind, something like that.

4  
5 Then, all of a sudden, they had that plan to be doing that this  
6 year, particularly for the winter Texans that show up, and then,  
7 all of a sudden, law enforcement is on their dock telling them  
8 that they can't, and that was where it kind of concerns me, and  
9 I think it was very similar, or analogous, at least, to the dude  
10 fishing that we've all been talking about, and kind of operating  
11 in that realm, but I just wanted to make sure that, you know, at  
12 least we either have discussion, and maybe we don't need to do  
13 anything at this point, and I don't know, but that they have  
14 some ability to plan to operate, or not, depending upon what we  
15 decide, and that was at least my goal at this point.

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

18  
19 **MS. BOGGS:** I have asked, at several meetings, why we have  
20 landings for red snapper in January and February and March, and  
21 I never really got an answer, I don't think, since San Antonio  
22 last August, and I still haven't really got a clear answer, and  
23 I was kind of told that it was probably headboats, and we really  
24 don't know who it is, but now I've got my answer, and it sounds  
25 like it's in Texas.

26  
27 I am empathize with these boats. However, I don't know how the  
28 people in the other states feel about it, but I know that a  
29 couple of fishermen that have come to me about this, because  
30 they see the landings too, and they've asked the same question,  
31 and they don't feel like it's the fair thing that these boats be  
32 able to fish when the other boats are excluded from the fishery.

33  
34 Now, it might be different if in -- I will just use our  
35 business, for example. If, on August 2, I can turn my permits  
36 in, move them to another boat, because the transfer period is so  
37 quick now, and I come into the Permits Office with the ability  
38 to do this, and I know, Mara, that you can't do this, but my  
39 point is, if we could take our permits off of our boat, on  
40 August 2 or 3, whenever the season ends, and start fishing  
41 Friday, Saturday, Sunday, and Monday in the Alabama state  
42 season, whoo-hoo, bonus for us, but we can't do that, and this  
43 is, again, another loophole that wasn't intended, and nobody  
44 foresaw, and I was always under the impression that, if you --  
45 It's kind of like in the Headboat Collaborative.

46  
47 When we did the collaborative, you had to declare, on January 1,  
48 are you in the collaborative or you're out, and you can't say

1 that I'm going to fish up to June 1 and then I'm going to be  
2 part of the collaborative. Well, to me, this is the same thing,  
3 and you need to declare, when the season opens on January 1, are  
4 you a federal boat or are you a state boat, and these are not  
5 private anglers going out to fish. They are running charters on  
6 these headboats, I'm sure. I'm sure it's not for their pleasure  
7 that they're doing this, and I mean, Greg, you said they've sold  
8 tickets.

9

10 I don't know how robust the fishery is in state waters in the  
11 State of Texas in January and February and March, but some of  
12 these headboats, I know these fishermen, and I don't -- I  
13 shouldn't say that, and I don't know the boats that are doing  
14 it, and I don't know, but I know some of the headboats in Texas  
15 carry ninety-plus people.

16

17 Well, I think about the recreational anglers, and how do they  
18 feel if these headboats are in these state waters catching all  
19 these fish, even though I know they can go out to 200 miles, and  
20 so I look at it both from the charter/for-hire fleet and the  
21 headboat fleet, that it's a disservice that some can and some  
22 can't.

23

24 It's yet another loophole, like the dude fishing, and I was very  
25 open that I'm not a big fan of that, but it's a loophole, and  
26 now I'm concerned too about the recreational fishermen in the  
27 State of Texas. You know, you're using their resource that they  
28 fought hard to get, and so I am sure that we'll hear a lot of  
29 comments about it tomorrow, but I'm going to have to say, if it  
30 were me, and we wait until Full Council, but I don't want to  
31 throw this at Full Council, but I will probably make a motion  
32 that we need to look at this and close this loop and restrict,  
33 and, too, if I might add, the headboats, we are held to a much  
34 higher restriction than anybody, I think, because we've been  
35 reporting for so much longer, and those go against the headboat  
36 landings, is what I have been told.

37

38 For those headboat fishermen, if we look at, you know, Amendment  
39 42 down the road, or something like that, guess what, these guys  
40 are going to have the leg up, because they have the better catch  
41 history, and so there's a lot of things that I think we need to  
42 look at here, and I do think it's something that we need to look  
43 at. The council may support it, or may not, and we'll see what  
44 the comment says tomorrow, but I would be in favor of trying to  
45 stop this type of activity, where the federal for-hire fishermen  
46 can fish outside of the federal season, if that's how they're  
47 going to operate their business on a normal basis Thank you.

48

1 **CHAIRMAN FRAZER:** Thank you, Ms. Boggs. Mr. Anson.

2  
3 **MR. ANSON:** Certainly Andy, or others, can comment, but my  
4 perspective as to how this came to be was to address that issue  
5 that Mara described is that there is a federally-permitted  
6 vessel, and then the state season is about to come open, after  
7 the federal season had been open, and so they transfer the  
8 permit off of their primary fishing vessel onto another vessel,  
9 in time so they can go fish the state season.

10  
11 In my notes, and I have some notes on some of program documents,  
12 related to Snapper Check, that at least was in place as of 2017,  
13 and so that was primarily to address the states in the eastern  
14 Gulf that were, up to that time, several years into non-  
15 compliant federal seasons and having their own state seasons,  
16 and so that's where that came from, and, you know, whether we  
17 looked at it or not, I can't remember, you know, trying to do  
18 both ways and look at it, but I think, at the time, the council  
19 voted with the understanding that it would really put a curb to  
20 trying to transfer those vessels by having the remainder of the  
21 year -- Or when you signed-up for that vessel, or it became  
22 federally-permitted, for the remainder of the year, it had a  
23 federal permit, or a federal fishing status designation, and,  
24 therefore, it had to comply with the federal fishing seasons.

25  
26 **CHAIRMAN FRAZER:** Mr. Strelcheck.

27  
28 **MR. STRELCHECK:** I don't have a lot to add, and I think the  
29 challenge here is kind of the past intent of the council, what  
30 we were trying to, you know, prevent, or limit, and this history  
31 has -- It goes back to Amendment 30B, if you remember that, and  
32 the state seasons expanding, and, ultimately, we put in a  
33 provision that would not allow fishing in state waters if the  
34 state regulations were less restrictive than the federal  
35 regulations, right, and so the challenge, the hook, here is the  
36 federal permit requirement, right, and we modified, updated,  
37 revised the regulations when sector separation came along.

38  
39 This does seem to be at least an activity that was not  
40 necessarily intended, and it's something that we were not  
41 wanting to occur, and it doesn't necessarily mean that that  
42 hasn't changed since this time, and I think that's a  
43 conversation we need to have, but I'm certainly hoping to  
44 further discussion, in terms of how to address this, and my  
45 concern is, while it may not be a big issue now, will it become  
46 a bigger issue as more people realize that there is a loophole  
47 in the regulations.

1 **CHAIRMAN FRAZER:** Okay. Dr. Simmons.

2  
3 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so I've  
4 had a couple of calls on this too, probably from Dr. Stunz  
5 asking them to call our office, and so, in the interim, you  
6 know, should the council want to make changes to this, I think  
7 we currently need to have some type of place on the SEFHIER  
8 website or somewhere that we can direct folks that may be doing  
9 this as to what requirements have to happen of the federal  
10 permit, so that law enforcement knows how to enforce this,  
11 because, right now, I've just been directing people to NOAA OLE,  
12 on some of these issues, because it seems like there is some  
13 confusion there on the current regulations.

14  
15 I don't know if it's possible to develop something on the  
16 website that says when you do this, or have frequently asked  
17 questions when this occurs, when the federal permit is  
18 transferred, and what are the requirements of that permit when  
19 that happens, what does the vessel owner, or permit owner, have  
20 to do, and I think that would be helpful. That may exist right  
21 now, but it's not readily accessible. Thanks.

22  
23 **CHAIRMAN FRAZER:** Ms. Levy.

24  
25 **MS. LEVY:** I guess we can talk about it, but I don't really  
26 understand that, because the only point is this only happens if  
27 you do not have a federal permit on your vessel as of January 1  
28 of a calendar year and the state allows fishing for red snapper  
29 in state waters. That is the only time that this is an issue,  
30 right, because, at that point, you're under the, quote, private  
31 angling state charter component catch limit. As soon as you put  
32 that permit on your vessel, all the rules that apply to  
33 federally-permitted vessels apply to you, and you can't fish as  
34 a private angler.

35  
36 **CHAIRMAN FRAZER:** I appreciate that, right, and it's  
37 exceptionally clear to you, right, and I'm not trying to be  
38 mean, right, but it's exceptionally clear to me when you explain  
39 it to me as well, but the fact of the matter is that we have an  
40 issue, right, and it's not completely clear, or at least not  
41 obviously clear to me, that everybody understands that, and so  
42 it's a communication issue, and I think what Dr. Simmons is  
43 suggesting that we take advantage, right, of whatever tools that  
44 we have, to make sure that we improve the clarity for the  
45 benefit of the for-hire sector as well as the law enforcement  
46 folks that might be involved.

47  
48 Where we go from here, you know, we may want to choose, as a

1 council, to modify the rule, but this is not an action type of  
2 an item today, and it's an informational item, and we'll decide  
3 where to go, but I do think there's a communication  
4 responsibility, on our part, and I will let Dr. Simmons and her  
5 staff think about that a little bit moving forward. Dr. Stunz.

6  
7 **DR. STUNZ:** Thank you, Tom, for letting this come up in Other  
8 Business, because this was supposed to be a real quick thing,  
9 and, you know, it just came up, and there wasn't time, and maybe  
10 we do, and maybe we don't, and I don't know, and I want to  
11 reiterate that these folks that I'm talking to are not looking  
12 to violate the law, and I don't think they are. You know,  
13 they're just trying to do what's right, and so the other just  
14 little layer of this too is that, you know, it's happening in  
15 state waters, and so, you know, where does the Texas law  
16 enforcement come into this, and, you know, I don't know.

17  
18 It's a much more complex issue, and I didn't intend for us to  
19 get into any heavy discussions now, but we need to decide, like  
20 you're saying, and do we need to elevate this or not, or  
21 whatever, to where we can have some more meaningful discussion  
22 and figure out where to go next.

23  
24 **CHAIRMAN FRAZER:** Thank you, Dr. Stunz. I think we can do that.  
25 Ms. Boggs.

26  
27 **MS. BOGGS:** Thank you for recognizing me, Mr. Chair. So, Mara,  
28 I understand what you're saying, is they are not conducting  
29 illegal activity. My big hiccup with this is the fact that the  
30 fish they are catching are going against the federal for-hire  
31 fleet. Yes, ma'am, they are, and that's an issue, I mean,  
32 because I've asked that question multiple times.

33  
34 If you look for charter/for-hire, there are landings in January,  
35 February, and March, and that's a big issue. If they were going  
36 against Texas, I don't care. Sorry, Rick, and I'm looking at  
37 Rick, but you understand what I'm saying. It's unfair, because  
38 no other landings for state guideboats or private recreational  
39 anglers go against the charter/for-hire fleet, and, in this  
40 instance, they are being deducted from the charter/for-hire  
41 fleet numbers.

42  
43 **CHAIRMAN FRAZER:** A valid point. I mean, it's worth pursuing,  
44 for sure, and I don't know exactly what's going on there yet.  
45 Dakus.

46  
47 **MR. GEESLIN:** Thank you, Mr. Chairman. Susan, I can't speak  
48 directly to the federal charter/for-hire landings during that

1 January, February, and March, but what I did do is I looked  
2 back, and I looked at our landings, state-water landings, which  
3 are either private recreational landings or state charter/for-  
4 hire landings during that January 1 to May 31 time period.

5  
6 On average, they're about 10 to 15 percent of our quota, and,  
7 last year, it looked like we landed about 35,000 pounds during  
8 that time period, and this issue recently has just emerged for  
9 us, and so I agree that this is probably more of an education  
10 and outreach and conveying a clear message to these anglers,  
11 whether they are federal charter/for-hire during certain parts  
12 of the season, and they've been trying to, you know, in their  
13 mind, go through a legal procedure and take the permit off their  
14 federal charter/for-hire boat and then fishing in the state  
15 waters, and that's something that I feel that we need to clarify  
16 for them, one way or the other, and we're certainly happy to  
17 help out with that education and outreach and involve our law  
18 enforcement and approach this in a little friendlier manner, to  
19 get them all onboard.

20  
21 **CHAIRMAN FRAZER:** Thank you, Dakus. All right, and so I think,  
22 you know, we'll have some discussion about this over the next  
23 couple of days, and think about a potential path forward, but,  
24 Greg, I thank you for bringing that up, and to where everybody  
25 can contribute to the discussion, and so is there any further  
26 business to come before the Reef Fish Committee? All right. I  
27 am not seeing any, Mr. Chair, and I'm going to turn it back to  
28 you.

29  
30 (Whereupon, the meeting adjourned on January 31, 2023.)

31  
32 - - -