

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

2
3 REEF FISH MANAGEMENT COMMITTEE

4
5 Hyatt Centric New Orleans, Louisiana

6
7
8 JANUARY 30, 2024

9
10 **VOTING MEMBERS**

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- 12 Kevin Anson (designee for Scott Bannon).....Alabama
- 13 Kesley Banks.....Texas
- 14 Susan Boggs.....Alabama
- 15 Billy Broussard.....Louisiana
- 16 Dale Diaz.....Mississippi
- 17 Jonathan Dugas.....Louisiana
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- 19 Bob Gill.....Florida
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- 21 Anthony Overton.....Alabama
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- 23 Joe Spraggins.....Mississippi
- 24 Andy Strelcheck.....NMFS
- 25 C.J. Sweetman.....Florida
- 26 Ed Walker.....Texas
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- 39 Mara Levy.....NOAA General Counsel
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- 41 Emily Muehlstein.....Public Information Officer
- 42 Ryan Rindone.....Lead Fishery Biologist/SEDAR Liaison
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- 46 Carly Somerset.....Fisheries Outreach Specialist

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8 Jessica Stephen.....NMFS
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33

1 The Reef Fish Management Committee of the Gulf of Mexico Fishery
2 Management Council convened at The Hyatt Centric in New Orleans,
3 Louisiana on Tuesday morning, January 30, 2024, and was called to
4 order by Chairman Tom Frazer.

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

10 **CHAIRMAN TOM FRAZER:** All right. Good morning, everybody. We'll
11 start the day fresh with the Reef Fish Management Committee. I
12 will remind folks that the Reef Fish Committee is a committee-of-
13 the-whole, and so the first order of business is the Adoption of
14 the Agenda, which is Tab B, Number 1. Are there any changes? Dr.
15 Simmons.

16
17 **EXECUTIVE DIRECTOR CARRIE SIMMONS:** Thank you, Mr. Chair. Could
18 we add an update of the Ad Hoc Red Snapper/Grouper-Tilefish AP
19 charge, for discussion under Other Business, please?
20

21 **CHAIRMAN FRAZER:** We will do that. Thank you. Mr. Schieble.
22

23 **MR. CHRIS SCHIEBLE:** Thank you, Mr. Chair. Can we add, under Other
24 Business, just a short discussion on the SEDAR schedule?
25

26 **CHAIRMAN FRAZER:** All right. The SEDAR scheduled. Noted, and
27 we'll do that. Mr. Strelcheck.
28

29 **MR. ANDY STRELCHECK:** Tom, you and I discussed moving up the review
30 of the red grouper and gag landings from the one o'clock session
31 to the ten o'clock session.
32

33 **CHAIRMAN FRAZER:** Right. Thanks, Andy, for reminding me, and so
34 that's Agenda Item Number VIII, and we will move it up right before
35 Agenda Item V, which is Draft Options for Gag Grouper Management
36 Measures. We will make that change as well. Any other changes to
37 the agenda? All right, and so can I get a motion to approve the
38 agenda, as modified?
39

40 **MR. BOB GILL:** So moved, Mr. Chairman.
41

42 **CHAIRMAN FRAZER:** It's moved by Mr. Gill, and it's seconded by Dr.
43 Sweetman. The next order of business is the Approval of the
44 October 2023 Minutes, and that would be Tab B, Number 2 in the
45 briefing materials. Are there any additions, or edits, to those
46 minutes? Not seeing any, can I get a motion to approve the minutes?
47

48 **MR. GILL:** So moved, Mr. Chairman.

1
2 **CHAIRMAN FRAZER:** It's moved by Mr. Gill, and it's seconded by Dr.
3 Sweetman. All right, and so we will move right on into Agenda
4 Item Number III, and that's the Action Guide and Next Steps, which
5 is Tab B, Number 3. I think we'll go ahead and tackle the action
6 guide as we address specific agenda items, and so let's go ahead
7 and move into Agenda Item Number IV, which is the Draft Options:
8 Modification of Midwater Snapper Complex Composition and Catch
9 Limits, and so we will tackle the action part of that first.
10 Carly, do you want to go ahead?

11
12 **DRAFT OPTIONS: MODIFICATION OF MIDWATER SNAPPER COMPLEX**
13 **COMPOSITION AND CATCH LIMITS**
14

15 **MS. CARLY SOMERSET:** Thank you, Mr. Chair. I will get started,
16 and so I'll just go over this section in the action guide quickly
17 before we dive into the document, and so I will just be going
18 through this. This is the first draft of this document, and it's
19 essentially to consider removal of wenchman from the midwater
20 snapper complex.

21
22 The midwater snapper complex closed early in 2021, due to landings
23 exceeding the ACL, and so there was recent increases, possibly
24 from wenchman landed incidentally in the commercial butterfish
25 fishery, but I will go through that in the document. Essentially,
26 it's looking at removing wenchman from the midwater snapper complex
27 and setting a new overfishing limit and acceptable biological catch
28 for the remaining species in the midwater snapper complex.

29
30 What would help to continue to move this document forward is to
31 consider the current options that I will present, and I will go
32 over some landings data, and we'll also have to look at the
33 criteria for whether species require federal management, and so
34 whether wenchman is retained in the Reef Fish FMP. Bernie, if you
35 could move to the document, please. Great. Thank you, and if you
36 could scroll down to the very beginning of the background, whenever
37 you're ready.

38
39 Perfect, and so I guess we'll go down memory lane a bit, since
40 it's been a while since we've talked about wenchman or the midwater
41 snapper species, and so I'm just going to give a brief overview of
42 the history, and so the midwater snapper complex consists of four
43 species, silk, queen, blackfin, and wenchman.

44
45 It's managed under the Reef Fish FMP, and that's pertinent, because
46 this document is considering removing wenchman from the FMP, and
47 so it would be removed from the midwater snapper complex as well
48 as the FMP, and then consideration of then modifying the remaining

1 -- Modifying the overfishing limit, ABC, and the ACL for those
2 remaining species of silk, queen, and blackfin.

3
4 We will move down to Figure 1.1.1, and I will probably go through
5 this background, and give more details, just because this is the
6 first time we're all seeing the document, and this is the first
7 draft, and then I will pause periodically for any questions.

8
9 Actually, this figure, and the one below it, are showing the same
10 thing, but I just want to point out here that it is showing landings
11 from 1986 to 2022, and this first figure is in MRFSS, which is
12 what the midwater snapper complex is -- That's the current data
13 units, and then the one below is in MRIP-FES, and so you will see,
14 throughout the document, that we have comparisons, as well as we
15 can, between MRFSS and FES, and those were done by Dominique Lazar,
16 and so a big thanks to Dominique, and her report is at the end of
17 this document, in the appendix, if there is, you know, any
18 additional questions about what we have in here.

19
20 One thing to note is that a lot of these figures, and tables, have
21 combined commercial and recreational landings, or aggregate years,
22 because of either a lack of data and/or confidentiality issues,
23 and usually that goes with the rule of three. For example, in the
24 commercial industry, if there is less than three dealers, less
25 than three vessels, then that data has to be combined in public
26 form, because it's confidential, and so that was a big issue when
27 we were writing this document, and so I just wanted to point that
28 out, that quite a bit of what you see will be combined data.

29
30 Here, I just want to point out that there is a large spike in silk
31 snapper in 2009, and I say that here because, if you compare FES
32 to the previous figure you just looked at, there are some
33 differences, including the spike, and so that goes into part of
34 the SSC discussion, that they -- The landings tend to be more
35 erratic prior to 2012, and so a lot of what was focused on in the
36 discussion of the SSC was 2012, and more recent landings, and part
37 of that was this anomalous spike in 2009 in silk snapper landings
38 that gave some concern to SSC members.

39
40 Just some more background, and we're going to go all the way back
41 to the Generic Comprehensive ACL/AM Amendment, and so that was
42 implemented in 2011, and that's the amendment that established
43 ACLs and AMs for all stocks that were managed under the Reef Fish
44 FMP that did not already have ACLs and accountability measures,
45 and so I go all the way back to that one, because that's the last
46 time really that wenchman, or any of the other midwater snapper
47 species, have been -- Not that they haven't been discussed, but
48 discussing removal specifically of the species that is currently

1 managed.

2
3 At that time, only thirteen species were managed that had
4 assessments, and so the other species -- They had to look at
5 approaches for developing these ACLs and AMs, and so this included
6 a paper by Farmer et al. in 2010 that had a lot of analyses trying
7 to group species into complexes, essentially, or groups that can
8 be managed as units, and I say that just to give background on why
9 wenchman, blackfin, queen, and silk are all included in the
10 midwater snapper complex.

11
12 Within the Magnuson and National Standards, there is some
13 guidelines for advisement of how species could be grouped into
14 complexes, and so, if it was a data-poor stock, to the point where
15 there is insufficient data to measure that stock status relative
16 to status determination criteria, or when fishermen couldn't
17 distinguish individual stocks among their catch, and so I'm not
18 saying that all of these apply, but just that those were some
19 criteria to look at.

20
21 That 2010 paper, those analyses were used to group these midwater
22 -- Partially used to group these midwater snapper species, and so
23 geographic distributions, life history, depth occurrences, but,
24 again, these are data-poor, more rare-event species, and so, in
25 the end, it came down to a preferred alternative that put those
26 four species in the midwater snapper complex, and then the OFL,
27 ABC, ACL, and ACT were set for all those species.

28
29 The OFL and ABC were based on landings from 2000 to 2008, and this
30 was under Tier 3a of the ABC Control Rule, and that was
31 specifically because no assessment was available, and so, again,
32 they're data-poor, but landings data did exist. You know, what
33 was available was used, and so the probability of exceeding the
34 OFL could be approximated from the variance around the mean of
35 those recent landings, and so the ACL was also set equal to the
36 ABC. Then the ACT was -- Sorry. The ACL was set to the ABC, and
37 then the ACT was set at 18 percent below, and that was deemed a
38 sufficient buffer.

39
40 Magnuson-Stevens also requires councils to consider certain
41 criteria, and I believe, in previous meetings, you all looked at,
42 as another example, tripletail and pompano, and there were two
43 presentations that gave these same criteria, and so it's not an
44 exhaustive list, but, essentially, it's ten criteria that are
45 needed, required, to go through for stocks that are either -- When
46 considered to include or exclude in an FMP.

47
48 This is specifically stocks that are predominantly caught in

1 federal waters, are overfished or experiencing overfishing, or
2 have the probability to be overfished or experiencing overfishing,
3 and, again, some stocks you may not know, unassessed species, and
4 so, for those stocks, these ten criteria are essential for
5 discussion in whether species should be -- Should remain in an FMP
6 or be excluded, and so that will be important for today's
7 discussion.

8
9 This paragraph right here, below the ten criteria, the National
10 Standards Guidelines -- I just wanted to point this out, that the
11 council should analyze these ten factors, along with any other
12 relevant factors, and, specifically, in the guidelines, it points
13 out that the first three factors should take precedence in
14 consideration, as they address maintaining the resource in the
15 marine environment, and analysis of a stock removal from the FMP
16 should also include how significant the amount and type of catches
17 that occurs in federal waters and how much of that contributes to
18 the stock status. As a council, you should also reflect on whether
19 the stock can be adequately managed by the states or a combination
20 of state and federal programs, which can then lead to consideration
21 of removal.

22
23 I just want to point out here that this is the current complex,
24 and the OFL, ABC, ACL, and ACT, and this is all in MRFSS data
25 units. I will stop for just a minute, to see if there's any
26 questions, before I continue on with what I've presented so far.

27
28 **CHAIRMAN FRAZER:** Ms. Boggs.

29
30 **MS. SUSAN BOGGS:** So, and I know we're not into the document yet,
31 and so the numbers are in MRFSS. Any decisions we make in this
32 document will be in MRFSS, or will we be converting to FES? Okay.
33 I'm just making sure I've got my bearings. Thank you.

34
35 **MS. SOMERSET:** No, that's a great question, and they would shift
36 to FES. Yes, ma'am.

37
38 **CHAIRMAN FRAZER:** All right. I don't see any more questions,
39 Carly. Go ahead.

40
41 **MS. SOMERSET:** All right. Thank you, Mr. Chair, and so some more
42 background information. Wenchman is the only species with -- In
43 the Gulf that has been assessed, and that was in 2016, through a
44 SEDAR process. However, because it was a data-poor species, it
45 did not result in useable management advice, and so updates to the
46 catch levels have been made using the data-poor method, and I'll
47 bring that up again when we discuss what occurred in the SSC
48 meetings, and so that would include landings history, and I point

1 that out because that was one of the criteria that was used in the
2 original ACL/AM amendment.

3
4 I believe the criteria, when they were looking at removing the
5 species, was whether landings fell below 15,000 pounds, which
6 wenchman did not meet, or whether it fell below 100,000 pounds,
7 which it did meet, but it did not meet the other criteria for
8 removal.

9
10 If we scroll down to Table 1.1.2, this is essentially just looking
11 at landings from 1986 to 2022, and, again, you can see here, if
12 you look at them, that they are fairly -- I should say they're
13 more stable from 2012 on, which is where the SSC focused their
14 discussion, and there's also just a comparison from MRFSS to FES,
15 thanks to Dominique, and so we will continue.

16
17 If you could scroll down, just briefly, again, the stock ACL is
18 166,000 pounds, and that's in MRFSS. All the species are open
19 year-round for both the recreational and commercial sectors. There
20 is a general accountability measure. If the landings exceed the
21 ACL, there's an in-season closure, which is what happened -- There
22 was an early closure in September of 2021, and there is not a
23 minimum size limit for either sector.

24
25 The majority -- It is a rare-event species, for all the species in
26 the complex, although, recreationally, I believe there is a deep-
27 drop fishery, although it's still -- You know, compared to other
28 species in the Reef Fish FMP, it's pretty rare, that, you know,
29 people don't go out and target specifically -- Many people don't
30 go out and target these four species, and so it's more -- Wenchman,
31 at least, is more often caught in the commercial fishery, and
32 that's specific to the Gulf butterfly and scad fishery. There is
33 a small one off the Florida Panhandle, over through Louisiana,
34 although I have looked some landings, recent landings, data, and
35 permits, and it's a very, very small fishery, and I will go into
36 more detail farther down in the document, and so let's keep moving
37 to Table 1.1.4.

38
39 This is just to reiterate that, if you look at fishing gear, we
40 use 2018 to 2022, that wenchman are -- The majority of the landings
41 are in nets, and this is just to point out that it's predominantly
42 caught commercially, and we think that's attributed to the
43 butterfly fishery, although they are still rare-event and
44 harvested incidentally, and so I will point out here that there
45 was a fisherman in the -- In late 2021 who provided testimony,
46 from Bayou La Batre, and that was right before -- Right during
47 that season closure, and so it was thought that the majority of -
48 - That the midwater snapper complex closed because a lot of

1 wenchman were caught in this butterfish fishery, and it closed the
2 entire complex down, which is what started this whole discussion.

3
4 It's been going from 2021, and we're bringing this document in
5 front of you all now, but that was the beginning of this overall
6 discussion of whether wenchman should be removed from at least the
7 midwater snapper complex, or the Reef Fish FMP entirely, and so
8 there was a trend in landings, an increase in landings, in 2020,
9 and in 2021, but we still don't know if this is, you know, a recent
10 anomaly, if they will go back down, or if this will continue with
11 that wenchman landings increase.

12
13 If we go down to 1.1.3, this is just showing -- Again, you can see
14 that 2020 and 2021, that it was wenchman predominantly that were
15 caught, although, if you look at prior years, silk snapper, which
16 is in yellow, were a higher percentage of the overall catch, and
17 then, in 2022, wenchman did go down, and then we'll move on from
18 1.1.4, and that's just another comparison of FES.

19
20 If we go to 1.1.5, again, this is just showing a comparison of
21 MRFSS and FES, but, if you look at wenchman, the percentage,
22 although I wanted to note here that it is likely -- So this is
23 combined data, recreational and commercial, but it's likely that
24 those higher landings in 2020 and 2021, attributed to wenchman, is
25 what caused this percentage to increase to 40 percent to wenchman,
26 and so those two years kind of pushed it over and made that the
27 predominant species in the complex.

28
29 Moving into -- If we scroll down a little, I will just go through,
30 briefly, what the SSC has discussed, and so, since 2021, and Mr.
31 Early is the fisherman that gave his testimony, wenchman are
32 essentially ubiquitous throughout the depth range that the
33 butterfish fishery -- They use deepwater trawls, and, when Mr.
34 Early spoke, he said that he cannot get away from there, and there
35 are so many, and he did whatever he possibly could to avoid them,
36 and he just simply could not, when he was fishing for butterfish
37 and scad, and so two other captains came to one of the SSC meetings
38 and provided similar testimony, and that led to looking at landings
39 data for the midwater snapper complex, as well as wenchman
40 specifically.

41
42 One of the issues is that, because of the -- That they're data-
43 poor, and it was difficult to look at landings specifically for
44 wenchman. The SSC is a public forum, and so most of those landings
45 were aggregate, or confidential, and so the SSC did review catches
46 and historical records of wenchman, as much as they possibly could,
47 but there was also consideration of life history, which is pretty
48 sparse, and there is some limited overlap in spatial distribution

1 and vulnerability to fishing gear, and so wenchman is often caught
2 commercially, and the other three species not so much, and they do
3 -- They are mid to deepwater, but they don't always inhabit the
4 same depth range, and so, taking all of that into account, the SSC
5 did make a motion to recommend removal of wenchman from the
6 complex.

7
8 Then they also considered setting separate catch advice for
9 wenchman, but they struggled to identify any substantial time
10 period with consistent landings, and so that goes back to what I
11 said before about looking at the more stable landings starting
12 around 2012.

13
14 If we scroll down a little, this is all in the document, and there
15 are also background documents, the SSC summaries for wenchman that
16 we'll discuss, but, essentially, there is a paucity of data, and
17 there was an SSC meeting where landings specific to the commercial
18 industry, butterflyfish, scad, and wenchman, were brought in front of
19 the SSC, but, because of the lack of landings provided to not have
20 it be confidential, they had to be averaged, and so in five-year
21 periods, and that was the shortest amount of time that could be
22 used, and this was used to look at catch limits for wenchman
23 specifically.

24
25 The SSC agreed that the available data were overall unreliable,
26 because the trawl landings were inconsistent, and there were large
27 standard deviations associated with the average pounds landed, and
28 so they reiterated that wenchman be removed from the midwater
29 snapper complex, as a motion, but also that they could not
30 recommend catch advice for wenchman as a single stock.

31
32 From that, that was looking at we can't provide catch limits for
33 wenchman, but, if it's removed, catch limits would need to be
34 reconsidered for the remaining species in the complex, and so 2012
35 through 2021 were deemed to be most consistent, and so that
36 excluded the nominal spike in 2009, and so the SSC recommended
37 using, again, Tier 3a for setting the OFL, and then Option a for
38 the ABC for the remaining species in the midwater snapper complex.

39
40 If we go down to 1.1.6, this would be the -- Based on the current
41 actions and alternatives we have, if wenchman were removed from
42 the Reef Fish FMP, the remaining three species would have this OFL
43 and ABC, or the recommendation was to have this OFL and ABC, in
44 MRIP-FES units.

45
46 If we scroll down to the purpose and need, I will read that and
47 then pause, before we get into the alternatives, the actions and
48 alternatives, and so the current purpose of this action is to

1 determine if wenchman is still in need of federal management, and,
2 if not, remove it from the Reef Fish FMP and subsequently modify
3 the catch limits for the remaining species in the midwater snapper
4 complex.

5
6 The need is to update the existing midwater snapper complex
7 composition and catch limits, based on the best scientific
8 information available, to achieve optimum yield, while preventing
9 overfishing, consistent with Magnuson-Stevens. I will pause for
10 a minute, before getting into the actions and alternatives.

11
12 **CHAIRMAN FRAZER:** Okay. We've got two questions, and I will start
13 with Ms. Levy.

14
15 **MS. MARA LEVY:** Thank you. I'm just going to make a suggestion,
16 to make it more consistent with the language of the Magnuson Act,
17 and say "is still in need of conservation and management" and take
18 out the "federal" and just say "conservation and management", which
19 is what we should be looking at. Thank you.

20
21 **CHAIRMAN FRAZER:** All right. Thank you, Ms. Levy. Mr. Gill.

22
23 **MR. GILL:** Thank you, Mr. Chairman. The way this purpose is
24 worded, it strikes me as it's a go or no-go on whether it stays in
25 the FMP in some form, or gets removed, but we're not considering
26 is removing it from the complex, but remain in the FMP, and I will
27 have to go down to the actions, but it seems, to me, that we need
28 to consider that as an option for this species.

29
30 **CHAIRMAN FRAZER:** Okay. Dr. Simmons.

31
32 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. I think we'll
33 probably spend some more time talking about that, but I think there
34 was a lot of deliberations, over a year-and-a-half with the SSC,
35 as to the impracticalities to that, unless we were to also include
36 the butterfish fishery in an FMP, and so I think we probably should
37 spend some more time, as we get through the actions and
38 alternatives, discussing Mr. Gill's point.

39
40 **CHAIRMAN FRAZER:** Thank you, Dr. Simmons. I agree. I mean, when
41 we get to Action Item 1, we'll kind of rehash some of that. All
42 right. I am not seeing any other questions, Carly.

43
44 **MS. SOMERSET:** Thank you, Mr. Chair. Bernie, if you could scroll
45 down to Chapter 2, we will go through Action 1, and so there's two
46 actions currently, and Action 1 is to -- Whether wenchman remain
47 in the Reef Fish FMP, and so Alternative 1 is no action, retain
48 wenchman in the Fishery Management Plan for Reef Fish Resources in

1 the Gulf of Mexico, and Alternative 2 is to remove wenchman from
2 the Reef Fish FMP, and so this would modify the composition of the
3 midwater snapper complex to only include queen, blackfin, and silk
4 snappers.

5
6 Within the discussion here is what I discussed earlier in the
7 background, and relevant are -- It's not an exhaustive list, but
8 at least the ten factors in the National Standard Guidelines as to
9 whether wenchman should remain in the complex, and also the Reef
10 Fish FMP, and, specifically, the first three are considered
11 priority, but all ten should be considered, and that is that the
12 stock is an important component of the marine environment, the
13 stock is caught by the fishery, whether an FMP can improve or
14 maintain the condition of the stock.

15
16 Part of what we discussed so far is, again, that it is an important
17 -- It has been caught in the commercial butterflyfish and scad
18 fishery, and, based on the testimony of the captains that they
19 cannot get away from it, that there are so many wenchman, that
20 it's impossible to operate the way that they wanted to, and so
21 that kind of leads to a discussion of, you know, discards, that
22 essentially they do -- The way the fishery operates is they want
23 it -- Based on my conversations with Mr. Early and the other
24 captains, that they take everything back to the dock immediately,
25 and so it remains as fresh as possible, and, therefore, wenchman
26 can be discarded, often most likely dead, because they have to
27 sort it at dock and not on the boat.

28
29 There's a small recreational deep-drop fishery, and, again, as far
30 as being an important component of the marine environment, you
31 know, there are -- Things to consider for discussion is that it is
32 a data-poor species, and it's rare-event, and so there are a lot
33 of things that we do not know about the life history of wenchman,
34 but also the other three species. These are all things to consider
35 in your discussion, and I can stop here, for this first action,
36 and then we can move forward. The second action will depend on
37 what is preferred for this first one.

38
39 **CHAIRMAN FRAZER:** Thank you, Carly, and so I think it is a good
40 idea to deal with Action Item 1 first. I think there's going to
41 be a couple of issues here, obviously, right, and, I mean, I think
42 we need to revisit the history of the discussion that took place
43 at the council in previous meetings, think a little bit about the
44 SSC deliberations as well, and, you know, we've been reminded, by
45 Mara, on several occasions, that, if you want to remove something
46 from the FMP, you need to establish a strong record for that, and
47 so hopefully we'll have a fairly rich discussion that will enable
48 us to move forward, and so, with that said, I guess I would go

1 ahead and start talking questions with regard to the first action
2 item. Mr. Gill.

3
4 **MR. GILL:** Thank you, Mr. Chairman. To set my further comments in
5 the proper context for this discussion, I would like to bring us
6 back to how we got here, and so, back when we were doing the
7 Generic ACL/AM Amendment, back the 2010 and 2011 timeframe, we
8 were grappling with how we handled these obscure species for which
9 there was no information, no data, and, late in the process, the
10 council decided to eliminate, or at least look at eliminating,
11 various species, which he had never talked about, never had an
12 assessment, et cetera, and part of that discussion we set a filter,
13 and I don't even remember the number, but perhaps Andy does, on a
14 minimum -- An amount of landings that they had to be under to be
15 considered for elimination, and my memory is it was 15,000 pounds,
16 or something, annually.

17
18 Wenchman didn't meet that criterion, and, therefore, it was
19 included, and so that's how we got to the complex, and clearly the
20 recent history suggests that landings are much higher than 15,000,
21 and they're significant, and so there seems to be a small market
22 for these fish, that is quite isolated, but can handle a
23 substantial quantity, and, as fishermen noted, there is an
24 increasing rate of occurrence.

25
26 If we removed it from the FMP, from a businessman's perspective,
27 Katie, bar the door, and there's nothing constraining, like there
28 is now, catching these things and developing that market, because
29 there is no regulation that constrains that, and, since they're
30 seeing them, from a fisherman's perspective, sure. If I catch
31 them, and I have a market, I will sell them, and so I think we
32 have the real potential, with this fish, to see a burgeoning
33 market, should we provide that opportunity.

34
35 We don't have that opportunity now, because of the constraint on
36 the ACL, and so I have concerns that, if we go with Alternative 2,
37 which is the direction which we're headed, I think, the unintended
38 consequences will be something we would rather not talk about, and
39 the numbers could be significant, and so I'm thinking that what we
40 really need to consider here, albeit the management considerations
41 are a bit daunting, is that we consider removing it from the
42 complex, but not the FMP.

43
44 I am willing to make a motion on that, but I think we need to
45 consider whether that's where we want to go, but I would like to
46 hear some discussion from the council first. Thank you, Mr.
47 Chairman.

1 **CHAIRMAN FRAZER:** All right. Thank you, Mr. Gill. Carly, to that
2 point, real quick?

3
4 **MS. SOMERSET:** Thank you, Mr. Chair. Yes, and to Mr. Gill's point,
5 there were two -- At least with landings, there were two criteria
6 in that original, and it was less than 15,000 pounds or less than
7 100,000, and wenchman fell below the 100,000, but was excluded
8 from the -- It was past the threshold for the 15,000, but less
9 than the 100,000, and so those were the two landings criteria,
10 just to clarify.

11
12 **CHAIRMAN FRAZER:** All right. Thank you, Carly. Mr. Strelcheck.

13
14 **MR. STRELCHECK:** To Mr. Gill's point first, and then, I guess, a
15 question to the states, and so you were talking about potentially
16 removing it from the complex, but not the FMP, and I would
17 discourage that, at this point, until we make a determination with
18 regard to is it still in need of conservation and management,
19 right, and so your points are well taken, and I have similar
20 sentiments and concerns, with regard to not managing it at all,
21 and it is tied, obviously, to the butterfish fishery, and so my
22 question then, to the states, is what management exists for the
23 butterfish fishery, and is there opportunity, potentially, to
24 include wenchman as part of that management, and so I don't know
25 the regulations around butterfish, but certainly it seems like, if
26 we're going to put this species in a complex, it's much more
27 appropriately associated with the butterfish fishery than it is,
28 obviously, the midwater snapper complex.

29
30 **CHAIRMAN FRAZER:** All right. Thank you, Andy. I'm looking around
31 the table, and I know some people are trying to scratch out some
32 data real quick, and I'm looking over at Chris and C.J. a little
33 bit, and I just -- The question I'm going to ask, very specifically
34 about this, is the catch for butterfish, and I've never seen that
35 in the document. Do you have that, Chris?

36
37 **MR. SCHIEBLE:** Don't call on me yet. I have to look it up.

38
39 **CHAIRMAN FRAZER:** All right. I will let you look it up, and I
40 will go ahead to Mr. Diaz.

41
42 **MR. DALE DIAZ:** I appreciate Mr. Gill's thoughts. However, right
43 now, I don't see how -- If we keep it in the document, the SSC has
44 said they don't have a way to give us catch advice, and so I think
45 one of the problems is we're trying to manage it, but we really
46 can't manage it, and so we get a data-poor assessment, and the
47 assessment was not a high enough quality to give us management
48 advice, and so I think we -- I think we stay stuck if we keep it

1 in the document and under federal management.

2

3 **CHAIRMAN FRAZER:** Clay, real quick, to that point?

4

5 **DR. CLAY PORCH:** So the logic for removing it from the complex, I
6 think, is pretty strong. The logic for removing it from the FMP
7 is kind of marginal, according to those criteria, except to the
8 point that I think it is hard to provide good, solid ACL advice on
9 that one, and we don't have an index of abundance that shows us
10 stock trends, and you saw how the landings are quite variable, and
11 so that is a little bit challenging.

12

13 I think one thing that should be considered in here is possibly
14 including it as an ecosystem component, because then you still
15 have it on your radar to improve data collection, but, at the same
16 time, you can implement some management measures, like are on the
17 books now, and you just wouldn't have the ACL requirement, and you
18 don't have to have all the stock status criteria.

19

20 **CHAIRMAN FRAZER:** The list is long, but, Clay, can you elaborate
21 a little bit on the ecosystem component? I mean, if you don't --
22 You just had mentioned leaving it in as an ecosystem component,
23 and what -- I mean, we don't have to develop catch advice, right,
24 then, and so what does that -- What's the practical side of that?
25 Mara.

26

27 **MS. LEVY:** Well, that was going to be my question, because, I mean,
28 I don't think you can just say it's an ecosystem component, so we
29 don't have to set ACLs, and what is the purpose of having it as an
30 ecosystem component species? What is it, in particular, that you
31 are trying to monitor, and how are you going to do it, right,
32 because, if you don't have those questions, then having it as an
33 ecosystem component species doesn't do anything, and then it just
34 looks like you're trying to get out of the catch limit requirement.

35

36 Also, while I have the mic, on the SSC, I mean, there seems to be
37 this idea that the SSC members themselves could not see particular
38 data, and I don't think that that was necessarily correct. I think
39 there is a way for the SSC to see data that may not be publicly
40 available, and so it may be challenging to explain, in great
41 detail, what a recommendation might be, but the SSC could still
42 make a recommendation, right, and so the idea that they can't do
43 it, and they can't see it, that, to me, is not a good justification.

44

45 I will note that, while you're talking about these things, when
46 you look at the other species in the complex, I think you're going
47 to, again, have to articulate very carefully why they should be
48 removed, when you also look at the other species and perhaps, you

1 know, something like -- I have to go back, but is it blackfin that
2 seemed to have very little landings, and, I mean, why would we not
3 discuss removing that from the FMP, and so I think you're kind of
4 going down a road here where you need to be very specific about
5 why we're focusing on wenchman, why it's appropriate to remove it,
6 if that's what you're doing, and I don't think it should be based
7 on this lack of data thing, because we manage a lot of species
8 where we do not have very good data.

9
10 **CHAIRMAN FRAZER:** All right. Thank you, Mara, for that input.
11 C.J.

12
13 **DR. C.J. SWEETMAN:** Thank you, Mr. Chair. Just to kind of respond
14 to some of Andy's questions, as I was rapidly exploring what our
15 regulations were for butterfish, it would -- We don't have
16 regulations, quite frankly, and it would classify as a default
17 species under FWC management, which means two fish or 100 pounds,
18 whichever is greater. However, this fishery is primarily
19 prosecuted with trawls, and so butterfish in particular, and,
20 obviously, we have regulations in place in Florida waters not
21 allowing that.

22
23 **CHAIRMAN FRAZER:** All right. Thank you, C.J. Chris.

24
25 **MR. SCHIEBLE:** A similar story in Louisiana, and we don't have
26 regulations, as far as I can tell. I'm looking at the commercial
27 regulations book right now, and I asked our finfish program
28 manager, and he's not aware of any either. I guess it would be
29 similar to bycatch in a trawl from the shrimp industry, such as
30 flounder, and there's no difference there, and so, I mean, that
31 was the cause of all of this in the first place, was bycatch of
32 butterfish from a trawl fishery, in fairly deep water, and so it's
33 offshore, likely past three miles, for the most part anyway, where
34 this is taking place, I suspect, and so probably not really in
35 state waters to begin with.

36
37 **CHAIRMAN FRAZER:** Dave, I'm going to pick on you for just a minute,
38 right, and so just for -- I mean, I recognize the states' position
39 here a little bit, but does the Gulf States Marine Fisheries
40 Commission have catch records, or abundance, for butterfish?

41
42 **MR. DAVE DONALDSON:** We do, but it comes from the states, and we
43 tried to provide it to the SSC, but it was all confidential,
44 because it was -- I mean, we could show general numbers, but we
45 couldn't get into the detail that they needed, and so that's part
46 of the problem, is there's so few people that are catching it, and
47 we fall into the confidentiality issue.

48

1 **CHAIRMAN FRAZER:** I guess the reason I'm asking the question is
2 I'm trying to get an estimate of the order of magnitude, right, of
3 the annual harvest of butterfish, because one of the discussions
4 that we had around this table, and also in the SSC, was whether
5 wenchman kind of serve as a choke species, right, and so this will
6 play into this whole idea, you know, of, as we move down the road
7 a little bit, whether we need to consider it in a fishery
8 management plan, right, and is there a cost, right, to managing
9 it, for example, and so, anyway, we'll come back to that. Go
10 ahead.

11
12 **MR. DONALDSON:** Yes, and I don't recall, off the top of my head,
13 what the total landings were, but I vaguely remember that it -- I
14 mean, it wasn't a huge amount of landings, I mean, in the magnitude
15 of -- Overall, it was fairly low, compared to other species, but
16 I can check and get that number.

17
18 **CHAIRMAN FRAZER:** That would be great. Andy, real quick?

19
20 **MR. STRELCHECK:** Yes, and so my team just handed me five-year
21 average landings, that I guess were shared with the SSC, and so,
22 to give an idea of order of magnitude, during 2017 to 2021, around
23 300,000 pounds of butterfish, 120,000 pounds of scad, and 60,000
24 pounds of wenchman were caught in Gulf of Mexico trawls.

25
26 **CHAIRMAN FRAZER:** All right. That's super helpful. Thanks, Andy.
27 Dave.

28
29 **MR. DONALDSON:** I believe the presentation that John Mareska made
30 at the SSC, based on the information that we compiled, is up on
31 the screen.

32
33 **CHAIRMAN FRAZER:** Okay. Thanks. John Froeschke.

34
35 **DR. JOHN FROESCHKE:** I just wanted to circle back a little bit on
36 the discussion of the SSC and my understanding that -- Their
37 resistance to provide an ABC and OFL recommendation was not just
38 simply a factor that the data were confidential. It's that, in
39 order to take a landings history and make a recommendation, you're
40 making an assumption that the landings history is correlated in
41 some way, positive or negative, with the abundance of the animal,
42 and, if you look at the landings history, it's so chaotic that
43 it's very difficult to say that that's a plausible dynamic of that
44 animal population, and so that's something that, even if you
45 resolve the numbers, and put them in a phone booth and make them
46 look at it, it's not going to make that process any better.

47
48 **CHAIRMAN FRAZER:** Okay. Thank you, John. Clay, to that point,

1 because I've got a long list.

2
3 **DR. PORCH:** Yes, and it was in response to Mara's comment, but Dr.
4 Froeschke is exactly right that we don't have a real strong basis
5 for understanding -- You know, you see fairly level catches, with
6 a few spikes, and is that because they're underexploited, because
7 they're overexploited, and so there's really not a strong basis
8 for setting ABC, or OFL, and, I mean, you can do it, using the
9 Tier 3, and go through the motions, but there's not a strong, at
10 least theoretical, basis for doing that.

11
12 The advantage of an ecosystem component is, rather than just
13 entirely taking it out of the FMP, you still have it there for
14 monitoring purposes, and it's still on your radar, and you can
15 implement some management measures, and it's not saying that you
16 can't do anything, but it does get you out of the loop of trying
17 to set an ACL, when you really don't know what you should set it
18 to.

19
20 **CHAIRMAN FRAZER:** All right. Thank you, Clay. Ed Walker.

21
22 **MR. ED WALKER:** So I would certainly support removing it from the
23 complex, if nothing else, because it seems like -- I'm guessing
24 that a wenchman snapper is worth more than a butterfish at the
25 market, and I think one is food, and one is bait, if I'm not
26 mistaken, but I'm not sure, but what I see is that, managed
27 together, if there's an increase in the wenchman, they could close
28 the recreational fishery for the other snappers, for everybody,
29 for commercial and recreational, and so I certainly support taking
30 them out of the complex, and I think -- I'm intrigued by Mr.
31 Strelcheck's idea of adding them to a butterfish group, since
32 that's who catches them all anyway, and that makes a little bit of
33 sense to me, and I don't know all the nuances of it, but it sounds
34 like an interesting idea to me.

35
36 **CHAIRMAN FRAZER:** All right. Thank you, Captain Walker. Carly.

37
38 **MS. SOMERSET:** Thank you, Mr. Chair. To Captain Walker's point,
39 obviously, my knowledge is limited of how the butterfish fishery
40 occurs, but I have had several conversations with Mr. Early, and
41 he is a commercial fisherman for over forty-one years, and he's
42 the one that gave public testimony in 2021, and he -- So I've asked
43 him, several times, to elaborate on the fishery.

44
45 Butterfish and the goggle-eyed scad are marketed to Asian markets,
46 and so it's a big component of that, and so there is -- It's small,
47 and I guess it could be bigger, and I'm -- All of this I'm saying
48 based on my conversation with Mr. Early, and that's that it could

1 be a good market. He reiterated though that, although there is a
2 market for wenchman, and there could be a good market here, he had
3 to discard so many because he could not get away from them, no
4 matter how hard he tried, what gear he used, where he fished, and
5 so he said that that fishery could potentially get smaller and
6 smaller, and disappear altogether, if something isn't done.

7
8 He no longer fishes down here in the Gulf, because he could not
9 make a good business out of it, and he just lost too much money,
10 and so he could sell the wenchman if he wanted to, but he couldn't
11 make it work within the butterfish fishery, and he was very
12 disappointed to say that, but I'm just reiterating what he said to
13 me, based on how he fished.

14
15 **MR. WALKER:** Did he mention the value of the fish at the market,
16 the snapper versus the butterfish? Are they similar, or are they
17 -- You know, to me, a snapper is worth a lot more than one of those
18 other species, but I don't know.

19
20 **MS. SOMERSET:** Right, and he did -- I took some notes, and I can
21 get back to you on that, and I just need to -- I want to make sure
22 that I have it correct.

23
24 **CHAIRMAN FRAZER:** All right. Thanks. Ms. Boggs.

25
26 **MS. BOGGS:** Thank you, Mr. Chair, and I had a lot of questions,
27 and a lot of them have been answered, but I still come back to
28 this Figure 1.1.3, and I hear what Captain Walker says, but
29 butterfish just had those two years, and I would think that silk
30 snapper would probably be the one that would blow the ACL more
31 than anything, because they're pretty consistent, except for those
32 two years with the butterfish, and so I think sometimes -- It seems
33 to me like -- Because you've got nine years of data here, and
34 you've only got those two anomalies, and are we being a little
35 premature in any decisions that we make, to see if it levels back
36 off, if you will, in the two years? It's kind of catch-twenty-
37 two, and are you doing something too soon, or are you waiting too
38 late to do something, and I'm on the fence, but I just thought
39 that I would bring those points out. Thank you.

40
41 **CHAIRMAN FRAZER:** All right. Thank you, Susan. We have Mara. I
42 have you on the list, but I might have got you earlier. Mr. Gill.

43
44 **MR. GILL:** Thank you, Mr. Chairman, and so, to Andy's comment that,
45 before we make that determination, we need to determine whether
46 wenchman is in need of conservation and management, and I may be
47 missing a point, but I read Action 1 as doing precisely that.
48 Whatever we decide answers that question, and we're talking about

1 Action 1.
2
3 To Dale's comment, I would argue that, back when we were doing the
4 Generic ACL/AM, we had the same problem, but Magnuson requires
5 that, for fish in the management plan, that we provide an ACL and
6 AM, and so, granted, the SSC -- This kind of says what Mara
7 previously said, but this says that we'll come up with one somehow,
8 and maybe not one that we're really fond of, or really well based,
9 but we'll come up with something, and so I don't see that as a
10 reason for stopping consideration.
11
12 **Given the discussion around the table, I would like to offer a**
13 **motion to add, in Action 1, an alternative that removes wenchman**
14 **from the midwater snapper complex, but it remains in the FMP.**
15
16 **CHAIRMAN FRAZER:** Okay. Let's get organized here real quick, Mr.
17 Gill. Bernie, will you pull those motions up? Okay. Thanks,
18 Bernie, and so, since we're doing this one on the fly, Bob, if you
19 want to go ahead and restate that motion.
20
21 **MR. GILL:** So to create an alternative to remove wenchman from the
22 **midwater snapper complex, but it remains in the Reef Fish FMP.**
23
24 **CHAIRMAN FRAZER:** All right. Thank you. Is there a second to
25 that motion? It's seconded by Mr. Broussard. All right. Is there
26 discussion? Andy.
27
28 **MR. STRELCHECK:** Bob, would you envision this alternative could
29 potentially have some sub-options, to remain in the FMP as a
30 managed species, but also as an ecosystem component species?
31
32 **MR. GILL:** Yes, and I think options for those kinds of
33 considerations are right, and what this alternative would do is it
34 would give us the chance to discuss, analyze, and consider those
35 options, getting to the need for conservation and management.
36
37 **CHAIRMAN FRAZER:** Okay, and so, again, I would just remind folks
38 that this is just a draft options document, and I don't think we're
39 scheduled to bring this back in April, and so, I mean, at this
40 point, we're just kind of making a suggestion to the staff to add
41 it in, so we can entertain it. Okay. Is there any further
42 discussion? Dr. Simmons.
43
44 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so just a
45 question. If we leave it as an ecosystem species in the FMP, could
46 you remind me -- That does require the council to establish an
47 annual catch limit or not?
48

1 **CHAIRMAN FRAZER:** Ms. Levy.

2
3 **MS. LEVY:** No, because what you're saying is that it's not -- It
4 does not require conservation and management, but you're keeping
5 it in for some ecosystem reason and to -- So you're going to have
6 to articulate why you're keeping it in for an ecosystem reason and
7 whether there are any measures that you want to associate with
8 that.

9
10 The guidance says management measures can be adopted in order to,
11 for example, collect data on the species, minimize bycatch or
12 bycatch mortality, protect the associated role of the ecosystem
13 species in the ecosystem, and/or address other ecosystem issues,
14 but, because you're saying it's not in need of conservation and
15 management, then you're not setting catch levels for it, per se,
16 unless you feel like that addresses one of these things, which
17 then negates the point, I guess.

18
19 **CHAIRMAN FRAZER:** So, real quick, I recall a discussion that we
20 had before about some of this, and so we get -- The council would
21 receive, or the agency would receive, information from the Gulf
22 States Marine Fisheries Commission, right, that would allow us to
23 kind of keep track of catch, right, just to monitor the population,
24 right, and so that's, I guess, a step that we would take, right,
25 just to keep an eye on it as an ecosystem component? Okay. I've
26 got that. Mr. Gill.

27
28 **MR. GILL:** Thank you, Mr. Chairman, and so my memory is a little
29 vague here, but, if we consider ecosystem species -- My memory
30 says, in the guidelines, there were criteria for which that had to
31 be met in order to be considered and it seems, to me, that,
32 subsequent to the original version of those guidelines, that was
33 modified. I don't remember how that went, but I think we need to
34 consider the guidelines criteria as part of that discussion.

35
36 **CHAIRMAN FRAZER:** Mara.

37
38 **MS. LEVY:** Right, and so those specific -- The prior guidelines
39 had like four things that you were supposed to be looking at, and
40 so the newer, revised guidelines aren't that specific. They talk
41 about what an ecosystem component species is, and then they
42 basically just do what I told you, and so an ecosystem component
43 species is defined, in the current guidelines, as a stock that the
44 council, or the Secretary, has determined does not require
45 conservation and management, but desires to list in an FMP in order
46 to achieve ecosystem management objectives. In my mind, you have
47 to articulate what those ecosystem management objectives are, to
48 support the designation, but there is no specific list.

1
2 **CHAIRMAN FRAZER:** Thank you. C.J. You're good? All right. Any
3 further discussion about this motion? Dr. Simmons.

4
5 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so I don't
6 think we know a whole lot about wenchman, and, when we get the
7 presentation at the SSC from the Gulf States, I'm not sure we have
8 clear evidence of linkages in the ecosystem to other species
9 either, and so I think that's also going to be a difficult task
10 for us, and so I would just put that out there.

11
12 **CHAIRMAN FRAZER:** Clearly there's a lot to consider here still,
13 right, and I was intrigued by one of the sentences in the document,
14 and I will just read it, right, and so it says the MSA further
15 states that councils should prepare fishery management plans only
16 for overfished fisheries and for fisheries where regulation would
17 serve some useful purpose and where the present or future benefits
18 of regulations would justify their costs, right, and so there's a
19 lot in that. It doesn't preclude us from moving forward here,
20 and, as we, you know, mature this conversation a little bit, I
21 think we'll have to reflect on that.

22
23 Is there any further discussion of the motion? **Is there any**
24 **opposition to the motion?** Okay. **The motion carries with one**
25 **opposed. The motion carries with one abstention.** All right. We
26 will move to the second action item in the document, and, Carly,
27 do you want to go ahead and tackle that?

28
29 **MS. SOMERSET:** Thank you, Mr. Chair. We will continue. All right.
30 Bernie, if you could move to Action 2. Thank you. All right, and
31 so Action 2 is dependent on Action 1. Based on this discussion,
32 this one might need to be modified, or it will change based on
33 what we do with the first one, and so it is to -- Currently, it's
34 to modify catch limits for the midwater snapper complex, meaning
35 it would modify the catch limits for the remaining species in the
36 midwater snapper complex, and so that would exclude wenchman.

37
38 Alternative 1 is no action, and the midwater snapper OFL, ABC, and
39 ACL would remain the same as implemented in 2012 by the Generic
40 ACL/AM Amendment. Again, these are in MRFSS, and so that would
41 maintain these catch limits for the current species complex, but
42 it would exclude wenchman.

43
44 Alternative 2 is also excluding wenchman, and this is modifying
45 the remaining species in the midwater snapper complex, but
46 Alternative 2 would update the catch levels based on the SSC's OFL
47 and ABC recommendation, and so, again, this is for queen, blackfin,
48 and silk snappers. The ABC would equal the ACL, and these are the

1 ones that I presented earlier in Chapter 1. They're in MRIP-FES
2 units.

3
4 If we scroll down, the OFL and the ABC -- These are the new limits
5 that were recommended by the SSC for the midwater snapper complex,
6 excluding wenchman, and so, again, this is dependent on Action 1,
7 based on our discussion, and, you know, we would probably need to
8 rethink this, and updating the document, if it is moved to an
9 ecosystem species, or an ecosystem component, although I suppose
10 that would still remove it from -- If we're talking about removing
11 it from the complex, then this would still be pertinent, because
12 you could remove wenchman and move forward with this action to set
13 new catch limits, and so we'll just be modifying Action 1, and I
14 can stop here for questions.

15
16 **CHAIRMAN FRAZER:** I think, Carly, you're right. I mean, so we can
17 keep Action 2 focused on the complex, right, depending on what we
18 decide to do ultimately with wenchman, and, I mean, we would
19 probably have a new Action Item 3. We've got a number of folks.
20 We've got C.J., Mr. Gill, and then Ms. Boggs.

21
22 **DR. SWEETMAN:** Thank you, Mr. Chair, and so I kind of want to have
23 a little discussion about potentially adding another alternative
24 here, and I would kind of like to gauge Clay's insight along these
25 lines, but these are rare-event species, and they can be prone to
26 some of those -- I want to call them anomalous spikes, but like
27 what we saw for silk snapper in 2009, and I'm wondering your
28 thoughts, Clay, about the efficacy of a multiyear ACL along those
29 lines for this midwater snapper complex that remains to account
30 for some of those uncertainties there.

31
32 **CHAIRMAN FRAZER:** Clay.

33
34 **DR. PORCH:** I would advocate some form of multiyear approach for
35 any species where you have highly-uncertain landings. Those ups
36 and downs can average out, and you just have to find a way that
37 you can meet the requirements in Magnuson through those annual
38 evaluations, but some sort of multiyear approach is important
39 anytime you have high uncertainty. It doesn't make sense to push
40 the system past what it was designed to be used for.

41
42 **CHAIRMAN FRAZER:** All right. Thank you. Mr. Gill.

43
44 **MR. GILL:** Thank you, Mr. Chairman. My question is, since we have
45 to do something relative to Alternative 3 in Action 1, are we
46 talking, or considering, another action, or just another
47 alternative in Action 2, and, either way, do we need a motion to
48 do that, or does that occur just in the normal process of

1 developing this amendment?
2
3 **CHAIRMAN FRAZER:** Dr. Froeschke.
4
5 **DR. FROESCHKE:** I think we will need another action, to set it
6 either -- I guess the things that I've heard are either, one, to
7 consider wenchman as an ecosystem component, or, two, come up with
8 some scheme to set an annual catch limit.
9
10 **CHAIRMAN FRAZER:** Okay. Ms. Boggs and then Andy.
11
12 **MS. BOGGS:** I didn't know we were scheming now, and, Carly, in
13 Alternative 1, Action 2, the last sentence says that the catch
14 limits are in millions of pounds, and is that correct?
15
16 **MS. SOMERSET:** In Alternative --
17
18 **MS. BOGGS:** Action 2, Alternative 1, the last sentence.
19
20 **MS. SOMERSET:** That's a typo, and I apologize.
21
22 **MS. BOGGS:** Okay. I'm just making sure.
23
24 **MS. SOMERSET:** Thanks for catching that. The table is correct.
25 Thank you. I will correct that.
26
27 **CHAIRMAN FRAZER:** Mr. Strelcheck.
28
29 **MR. STRELCHECK:** I mean, certainly it makes sense to add an action,
30 or another alternative, for wenchman, and I guess there's some
31 sequencing here that I'm thinking about though, in terms of do we
32 come back to this in April, with a more comprehensive analysis, to
33 determine is it in need of conservation and management first, and,
34 if we make that determination of yes, then we go to the SSC, at
35 their May meeting, and we get advice for the June meeting, and we
36 can, you know, continue about our business, versus adding an action
37 and alternative now and not having determined whether it's in need
38 of management or not, and having the SSC then go to the table and
39 create a catch limit for us.
40
41 **CHAIRMAN FRAZER:** Good point, and I guess I will look to Dr.
42 Simmons again, and one of the things that I'm always thinking about
43 is workload for the staff, right, and so, currently, this is a
44 draft document, and it's not scheduled to come back, you know, and
45 it's not an agenda item in April, and so it wouldn't come back
46 until June.
47
48 We could certainly have the discussion, perhaps, in June,

1 specifically focused on the question of whether it is a species in
2 need of conservation and management, and, you know, just kind of
3 slow-roll this out. I mean, that's the effect of doing it that
4 way, Andy, I think. Mara.
5

6 **MS. LEVY:** Well, so, I mean, they are kind of all linked, because,
7 even if you decide that it's not in need of conservation and
8 management, then you need to decide, based on your conversation,
9 whether you want to keep it in the FMP as an ecosystem component
10 species, right, and so the first question, is it need of
11 conservation and management, if yes, and then we do all the things
12 that we need to do, like set the catch limits. If no, do you want
13 to remove it completely, or is there a reason to keep it in as an
14 ecosystem component species, right, and so that's the threshold
15 question, is going to dictate the other things.
16

17 **CHAIRMAN FRAZER:** Yes, fair, and I totally understand all of that,
18 and I'm just trying to keep the discussion focused, probably in
19 June, right, because I don't want the staff -- My personal opinion
20 is I don't want the staff to spend an incredible amount of time,
21 you know, going down a path. Go ahead, Mara.
22

23 **MS. LEVY:** Just to that point, because, I mean, it's written like
24 a draft of a -- Kind of an options paper, right, and so I can see
25 how we need to restructure actions a little bit, even if we didn't
26 add this this keep it and take it out of the complex thing, and
27 like we would need to restructure it a little bit, but then, with
28 the new alternative, I think coming back with a restructured, at
29 least Action 1, and then decide if there needs to be an Action 3,
30 maybe, or something like that.
31

32 **CHAIRMAN FRAZER:** Dr. Simmons.
33

34 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so we
35 weren't planning to bring this back until June, and I guess what
36 is not clear to us, from the staff perspective, is what other
37 information is the council looking for to determine if the species
38 is in need of conservation and management, because we spent, I
39 think, three SSC meetings talking about this, and we wrote a letter
40 to the Gulf States, and we received that information and discussed
41 it, and you have recommendations from your SSC, and now we're going
42 to go back to our SSC and say, no, we still don't know if we can
43 make a decision about this? I just don't think we have any other
44 information, and we need to be clear what you're asking us to bring
45 back to better make this decision, because I don't know what you
46 don't have.
47

48 **CHAIRMAN FRAZER:** Mr. Strelcheck.

1
2 **MR. STRELCHECK:** Well, correct me if I'm wrong, but I don't think
3 the SSC has weighed-in on determining whether it's still in need
4 of management or not, and that's our responsibility. The SSC has
5 essentially said it shouldn't be in this complex, but we can't
6 determine an ACL, because of confidential data, and so at least
7 what I'm thinking we need as a council, and what we've done with
8 African pompano and other species, is go down that list of ten
9 criteria and carefully evaluate, to make a determination as to
10 whether or not it should be included in the FMP or not. I don't
11 feel like -- I mean, I feel like this conversation is helping with
12 that, but I don't feel like I have all the answers and pieces to
13 all those points, or metrics, to make that decision.

14
15 **CHAIRMAN FRAZER:** So, Andy, again, I appreciate all of the
16 discussion, and what I'm thinking about is, you know, there's --
17 How this all rolls out, particularly with -- I think there is
18 general agreement, probably, around the table, that wenchman, one
19 way or another, is going to be removed from the midwater snapper
20 complex, right, and so what I don't want to do, right, is
21 jeopardize access to that midwater snapper fishery by just, you
22 know, taking a really long time to work through all of this,
23 because what will happen, right, is if we -- In the interim, if we
24 have a large catch, for some reason, of wenchman, we could
25 potentially close that fishery, right, and so that's the road I'm
26 trying to walk right now with that, and so to that point, Andy?

27
28 **MR. STRELCHECK:** To that point, and why I was raising that there's
29 some sequencing here, right, and so, if the concern is, right, we
30 need to expedite this, and get more advice, then I would recommend
31 we include an alternative that would set a wenchman catch limit,
32 even if we don't ultimately decide that that's the path to go down,
33 and we then go back to the SSC to give us that advice, sooner
34 rather than later, so that we have everything we need to proceed
35 when we make that determination of whether it's still in need of
36 conservation and management. We can -- You know, but that means
37 there's additional work that's happening upfront, that we might
38 ultimately just miss and not consider later.

39
40 **CHAIRMAN FRAZER:** Yes, and so Ms. Boggs.

41
42 **MS. BOGGS:** So I'm looking at the ten criteria, and Number 3 is
43 the one that really stumps me, and I don't think we can even answer
44 that, based on the conversation at the table, which is whether an
45 FMP can improve or maintain the condition of the stock, because we
46 really don't know the condition of the stock, and so, again,
47 because we have those two anomaly years, 2020 and 2021, I just
48 wonder if we're being premature in what we're doing with this

1 stock, but, based on the criteria here, it would appear, to me,
2 that it would need to stay in an FMP, whether it stays in the
3 complex or not, and that's the only determination that I have been
4 able to come to, or conclusion, based on these criteria, but I
5 don't know if we just need to kind of go one-by-one in these
6 criteria, and have a discussion about it, and see if that helps us
7 resolve the issue, because I agree, based on the comments from
8 staff -- I don't know what more the SSC can provide us until we
9 make a decision of what to do with this complex.

10
11 **CHAIRMAN FRAZER:** Okay. Mr. Rindone.

12
13 **MR. RYAN RINDONE:** Thank you, Mr. Chair, and, to Ms. Boggs' point
14 about being able to discern what sort of impacts we're having on
15 the stock, this is one of those species for which the condition of
16 the data is such that there shouldn't be any realistic expectation
17 of having a stock assessment anytime in the near term. The data
18 are highly variable, and they're highly uncertain. They're
19 extremely sensitive to fishing effort on other species, because
20 this is not the target species for these fishermen, and they're
21 trying to catch something else, and so there's a lot of things
22 that would get thrown in there that would cause there to be
23 considerable doubt in the accuracy of those landings data.

24
25 Like Dr. Froeschke alluded to before, whether or not those data
26 are actually representative of what's going on with the animal in
27 the water, and so you should have no expectation of receiving a
28 stock assessment for wenchman anytime in the near future.

29
30 **CHAIRMAN FRAZER:** John.

31
32 **DR. FROESCHKE:** So the Criterion 3 was the one that I struggled
33 with, and the reason why is, the way I see the fishery operating
34 -- For example, you could either prosecute the butterfish and land
35 100,000 pounds of wenchman, or you could prosecute the butterfish
36 and land zero pounds of wenchman and discard 100,000 pounds of
37 dead wenchman, and like it doesn't seem like the ACL is going to
38 affect the total removals of this animal one way or the other,
39 because the discard mortality is 100 percent, the way they
40 prosecute the fishery, and we're not prohibiting the butterfish in
41 any way, that I can tell.

42
43 **CHAIRMAN FRAZER:** Okay. Thank you, John, for those comments. I
44 guess the question that I will pose to the committee, at this
45 point, based on what we've heard, is, pointing out a few of the
46 criteria, can we make a decision today whether the council thinks
47 wenchman are in need of conservation and management? C.J.

1 **DR. SWEETMAN:** Maybe I can try and discuss some of these ten points
2 that Susan was talking about, and kind of elaborate a little more
3 with Ryan, and so, just kind of touching on these, one of the
4 criteria is the stock is caught by the fishery, and we've all
5 talked about that it was caught by the butterfish fishery and not
6 necessarily the midwater snapper complex fishery.

7
8 There are some components of state regulation along those lines,
9 and so you mentioned Florida. Relative to -- Not specific to
10 wenchman, but we do have consistent regulations right now.
11 However, it's not -- Butterfish is not prosecuted off the State of
12 Florida too much, because of some of the issues that we have there.

13
14 Whether an FMP can improve or maintain the condition of the stock,
15 certainly, you know, we've got very limited information about this
16 species, their relative abundance, things along those lines. As
17 Ryan mentioned, and Carly, the previous stock assessment was not
18 approved for management. However, we do recognize that, in
19 situations like we had a couple of years ago, if there is an
20 overrun, basically, relative to the bycatch in the butterfish
21 fishery, that would potentially help out the wenchman stock.

22
23 At the same time, I wouldn't say it's directly targeted by some of
24 these, and it seems to be a bycatch fishery, and there is very
25 little, if next to none, recreational component to this, and so
26 it's very different from the other species within that midwater
27 snapper complex that are directly targeted.

28
29 We've highlighted one of the other issues that I kind of starred
30 here for myself, was the need to resolve competing interests and
31 conflicts among user groups and whether an FMP can further that
32 resolution, and we've all highlighted how this was a choke species
33 in 2022, and so, if you theoretically remove that from the FMP,
34 you are resolving some of those competing interests, and conflicts,
35 amongst user groups that are targeting the other components of the
36 midwater snapper complex, and so I'm just trying to walk through
37 some of these points here, talk them out here, and see if anyone
38 else has anything additional to add relative to your individual
39 states there, or thoughts in particular about these ten components,
40 and I feel like, based on what Andy said, this is kind of the first
41 step of what we need to talk about here, before we send it back to
42 the SSC or anything like that.

43
44 **CHAIRMAN FRAZER:** Okay, and so, again, I'm thinking about a couple
45 of things here, and so Mr. Gill made a motion that was related to
46 Action 1, right, that would essentially a third alternative. That
47 Alternative 2, as it exists, is essentially addressing this
48 question of whether it's in need of conservation and management.

1 By selecting Alternative 2, you're removing it from the FMP.

2
3 One possible suggestion here is to flesh that alternative out,
4 Alternative 3 in Action 1, and bring that back, right, to the
5 council in June, right, and that way we might be prepared, at that
6 time, to specifically answer that question, before we move on, but
7 I will just -- Maybe we can -- Let me ask Dr. Simmons how she feels
8 about that.

9
10 **EXECUTIVE DIRECTOR SIMMONS:** If that's what the committee directs
11 us to do, we can do it. I just -- I don't recall us asking the
12 SSC to go through these criteria in the past for the two species
13 we considered, and I think the council kind of addressed that, and
14 so, if that's what we are asking them to do, we would just need to
15 know that before we leave this meeting.

16
17 **CHAIRMAN FRAZER:** Well, I wasn't necessarily asking the SSC to do
18 anything, right, and I was just assuming that, you know, in the
19 process of providing the information relative to the additional
20 alternative in Action 1, we would be better prepared to walk
21 through the three alternatives, to make a decision moving forward,
22 before we more fully develop the document. I see Mr. Rindone, and
23 then Ms. Boggs, and then J.D.

24
25 **MR. RINDONE:** Thank you, Mr. Chair. This is specifically to
26 anyone's thoughts about the SSC working through this list, and
27 just to reiterate that this is a management-oriented action, and
28 it's based on the scientific recommendations, and the availability
29 of data, but this -- Working through this list is entirely
30 something that the council needs to do, and I would dare say it's
31 not appropriate for the SSC to work through this list, because
32 it's their job to advise you guys on the science aspects of things,
33 from a physical, biological, ecological, social, and economic
34 standpoint. You could send this back to them and ask them to
35 weigh-in, and I would not be entirely surprised if they decline.

36
37 **CHAIRMAN FRAZER:** Just to be clear, Ryan, I am not suggesting that
38 we send it back to the SSC, right, and I'm just trying to work
39 through this process of determining, either today or in June,
40 whether or not this is a -- If wenchman are a species that are in
41 need of conservation and management, and I'm just trying to find
42 the best path forward for that. Ms. Boggs.

43
44 **MS. BOGGS:** I think we already do, based on the information we
45 have here, but, if you take this species and put it into its own
46 FMP, and we've had all this conversation about the confidentiality,
47 and, I mean, because there is so few -- I mean, are we -- Is the
48 integrity of the confidentiality going to go away, because now

1 it's in its own FMP, and we're basically going to know who is
2 catching them and what's going on, or -- I don't know if that's an
3 issue, and it is something that we keep coming back around to.

4
5 **CHAIRMAN FRAZER:** J.D.

6
7 **MR. J.D. DUGAS:** Thank you, Mr. Chair. Maybe it's possible, for
8 public comment, that we'll get some information from some of the
9 fishermen that are interacting with these fish, to give us a better
10 idea of which path forward we need to take.

11
12 **CHAIRMAN FRAZER:** All right. Thanks, J.D. Mr. Gill.

13
14 **MR. GILL:** Thank you, Mr. Chairman. The question of whether or
15 not wenchman requires conservation and management is a function of
16 what we decide in Action 1, and so, effectively, we're choosing
17 preferreds, and I would argue that we're not ready to choose
18 preferreds yet. We don't -- We just had the addition of
19 Alternative 3, but if we choose, for example, Preferred Alternative
20 2, that says it's not in need of conservation and management.

21
22 If we pick Alternative 1, or Alternative 3, the answer is, yes, it
23 is, and so I think you laid out, Mr. Chairman, the pathway, and
24 Andy has addressed it as well, that we bring this back in June,
25 and that's when we get to make those considerations, because we'll
26 have some analysis on Alternative 3, some further discussions about
27 the ecosystem component, and we'll be better equipped to make that
28 decision. Thank you.

29
30 **CHAIRMAN FRAZER:** Thank you, Mr. Gill. Anthony.

31
32 **DR. ANTHONY OVERTON:** Thank you, Mr. Chair. I appreciate the talk
33 about the confidentiality, but, if we consider moving this fish to
34 an FMP, we kind of have a perfect storm here, because we only have
35 one sector fishing, we know who is catching them, how many, and
36 like all of the uncertainty that we normally have we don't have,
37 and this is like a perfect situation to devise the FMP that can be
38 fairly strong, and so I want us to think about that, regardless of
39 the confidentiality idea that we have to deal with, but this what
40 most fisheries managers would love to have, is this information
41 here, and so that's my point.

42
43 **CHAIRMAN FRAZER:** Thank you, Anthony. Mr. Strelcheck.

44
45 **MR. STRELCHECK:** Well, I will throw this out, and I have no idea
46 what is planned for the April agenda, but, if we wanted to set up
47 ourselves for the June meeting, could we bring just this issue of
48 discussing is it in need of conservation and management back at

1 April, make a decision at the April meeting that then helps us
2 inform our June council meeting, but that's up to, obviously,
3 council staff determining whether we would have the time to do
4 that.

5
6 **CHAIRMAN FRAZER:** Okay. Thank you, Andy, for that suggestion.
7 Mr. Walker.

8
9 **MR. WALKER:** If this is the criteria for an FMP, I would argue
10 that this particular species does not meet at least half of those
11 criteria.

12
13 **CHAIRMAN FRAZER:** Okay, and so I think we have pretty much
14 exhausted our time on this particular issue, and I think the
15 discussion was good. I think it was helpful, and it was
16 informative, and my preference, actually, is, at this point in the
17 committee, is I will have a discussion with staff about this, and
18 the Chair, and whether or not we want to spend a little bit of
19 time in April just discussing this, and preparing ourselves for a
20 June meeting, and that might be the most productive forward, and
21 so, unless there is any other discussion having to do with wenchman
22 snapper -- Go ahead, Carly.

23
24 **MS. SOMERSET:** Thank you, Mr. Chair. I just wanted to reiterate,
25 and add, that, if there is anything that you all are thinking that
26 you would like to see that's more specific, after, you know, going
27 through this document -- Dominique has pretty much gone through
28 everything, and I've asked the states for data, and, like Ryan and
29 Dr. Simmons have said, I think we have everything that we can
30 possibly provide, and so, if there's anything additional, please
31 let me know, so that I can prepare for however we move forward
32 with this, whether that's something in April or June.

33
34 **CHAIRMAN FRAZER:** Ms. Boggs.

35
36 **MS. BOGGS:** Don't hit me. I know we've got one minute left, but
37 I was looking at the October 2023 Reef Fish, and they made a motion
38 to request the council remove wenchman from the midwater snapper
39 complex, and is there a way we could ask Dylan Hubbard to give us
40 a little quick background as to how they came to that conclusion?
41 If not, I understand, and he can tell us tomorrow in public
42 comment, and I will ask him.

43
44 **CHAIRMAN FRAZER:** We will search a way out, or find a way to get
45 that information, but not right at this moment. Mr. Strelcheck.

46
47 **MR. STRELCHECK:** We can come back to this, and it was mentioned,
48 obviously, about kind of monitoring the midwater snapper catch

1 limit, and I think we do need to give some careful thought to this.
2 I am very concerned that that catch limit is based on landings
3 estimates with huge uncertainty, and the percent standard errors
4 for a lot of those midwater species are well over 50 percent, which
5 gives me limited confidence, obviously, in the estimate, and so I
6 want to look at the accountability measures, and we may need to
7 discuss in terms of how those accountability measures get triggered
8 in light of uncertain landings data.

9
10 **CHAIRMAN FRAZER:** All right. Again, Andy, thank you for all that.
11 Thanks to the whole committee, and I thought this was a pretty
12 fruitful discussion, and so we have a lot to consider, but, Mr.
13 Chairman, if it's okay with you, we'll go ahead and take our
14 scheduled break and come back and talk about gag grouper and red
15 grouper.

16
17 **MR. KEVIN ANSON:** Sounds good. We'll do that after a fifteen-
18 minute break, and so 10:16.

19
20 (Whereupon, a brief recess was taken.)

21
22 **CHAIRMAN FRAZER:** All right, and so, per the modification of the
23 agenda, we're going to go ahead and tackle the Review of the 2023
24 Gulf Red Grouper Recreational Landings and Quota Closure, and that
25 will be Tab B, Number 8 in your briefing materials, and that will
26 lead us into the discussion with the draft options paper having to
27 do with gag grouper management measures. Mr. Strelcheck.

28
29 **REVIEW OF THE 2023 GULF RED GROUPEr AND GAG RECREATIONAL**
30 **LANDINGS AND QUOTA CLOSURE**

31
32 **MR. STRELCHECK:** Thanks, Tom. If you can bring up my presentation.

33
34 **CHAIRMAN FRAZER:** Ryan, do you want to go ahead? Sorry, and we
35 probably should hit the action guide.

36
37 **MR. RINDONE:** Sure, and so Mr. Strelcheck is going to review the
38 2023 Gulf red grouper recreational landings, with special
39 attention paid to those landings from Wave 4, in July and August.
40 The MRIP landings estimate from this wave in 2023 was considerably
41 larger than the previous three waves of January-February, March-
42 April, and May-June combined. You guys should review this
43 information, ask questions, and provide feedback. Of note here
44 also though is that Mr. Strelcheck's office has also included gag
45 grouper as part of this presentation, and so that will be discussed
46 in a similar light.

47
48 **CHAIRMAN FRAZER:** All right. Thank you, Mr. Rindone. Andy, the

1 floor is yours.

2
3 **MR. STRELCHECK:** Thanks, Tom, and so, to set this up, certainly I
4 received a lot of phone calls, concerns, about the red grouper
5 Wave 4 landings estimate. They came in very high. When we put
6 this on the agenda, Wave 5 gag grouper data was not available, but
7 we had a similar situation arise for gag grouper, and so that's
8 why I want to discuss both with you today.

9
10 My goal is really to kind of walk through what we know, what we've
11 done, and what this means going forward, in terms of accountability
12 measures and projections and this year's season. I know there's
13 a lot of frustration surrounding this, and so certainly I want to
14 answer questions, and I also will be clear that I'm going to stay
15 in my lane. I'm not the statistician, and I'm not the one that
16 runs the statistics, and so I believe we do have staff from Science
17 and Technology that are also listening to the webinar, and so, if
18 we need to get into details, and specifics, with regard to actual
19 landings estimates, and some of the things that they've looked at,
20 certainly we can ask them to respond to those specific questions.

21
22 I think it would be helpful if people want to ask questions
23 throughout the presentation, rather than wait until the end, and
24 so I'm certainly open to that, if you're okay with that, Mr. Chair.

25
26 **CHAIRMAN FRAZER:** Yes, that would be fine. I will keep my eye out
27 for hands.

28
29 **MR. STRELCHECK:** All right. Great. I'm not going to go through
30 all the regulations for recreational red grouper, but what I did
31 want to emphasize is the 2023 season. That was January 1, and it
32 closed on July 20. We conduct projections in the spring, and those
33 projections were produced in the April-May timeframe, and then we
34 ultimately released a closure date at that time to the public,
35 letting them know when the fishery would close.

36
37 Those projections used an average of 2021 and 2022 landings data.
38 Any time we do projections, we're looking at multiple years of
39 data, and we're looking at the variability with regard to the
40 projected season length, and, obviously, our goal is to try to get
41 it as close, and accurate, as possible, in terms of when we think
42 the landings will hit the catch target, and, obviously, close
43 accordingly, and so we did that prior to the season, and,
44 ultimately, we projected a July 20 closure date.

45
46 **CHAIRMAN FRAZER:** I am going to take the opportunity to ask a real
47 quick question, and so, when you're doing the projections, and
48 you're considering multi years of data, right, and you're looking

1 at an average -- Generally is it an average, or are you taking
2 into consideration the fact that the effort tends to be increasing
3 annually?
4

5 **MR. STRELCHECK:** You're right, Tom, and so we do look at trends in
6 the fishery, and we'll also look at potential anomalies, or
7 outliers, to determine if it's appropriate to include those, both
8 a spike in landings or an estimate that might have come in really
9 low, as well as the percent standard error kind of surrounding all
10 those, and so there's a lot of factors that go into projections,
11 and it's just not here's the data from last year, and we plug it
12 into a model and run it and determine when we project the next
13 year's season. We have to, obviously, look at multiple factors.
14

15 **CHAIRMAN FRAZER:** Right. Thanks, Andy.
16

17 **MR. STRELCHECK:** This is just a graphic showing our predicted
18 landings, which are the green-dashed line, and the preliminary
19 2023 landings, with the catch target and catch limit as the
20 horizontal lines on the graphic. What you can see is that our
21 projection was essentially underestimating landings in the early
22 waves, and then Wave 3 came, May and June, and landings actually
23 were less in Wave 3 than we had predicted, and so we -- With the
24 green line, it's much closer to the catch target, and so we
25 expected, essentially at the end of June, that there would be that
26 twenty days of landings in July that would take us all the way to
27 the catch target and that we would close.
28

29 We were well under the catch target as of the end of June. We
30 kept the season open through July 19. When we received the Wave
31 4 estimate, you can see, right there, it's very high, and,
32 obviously, well above what we were expecting to be landed, and I
33 will go through that Wave 4 estimate in more detail in the next
34 slide.
35

36 Just breaking down Wave 4, first, I want to say these are
37 preliminary, right, and everything is preliminary in-season. The
38 landings get finalized in April of the following year, which is
39 why the timing of a lot of our projections comes out around that
40 time, or slightly later. Wave 4 indicated that 99 percent of the
41 landings were from MRIP, and, of those, private represented most
42 of those landings, with charter, obviously, representing 115,000
43 pounds.
44

45 A couple of things to note. The percent standard errors are above
46 30 percent. You know, MRIP guidance recommends, obviously, using
47 caution with percent standard errors between 30 and 50 percent.
48 Less than 30 percent is really desirable, and our goal, but there

1 is, obviously, uncertainty, and so, the higher that PSE, that
2 percent standard error, the less certainty we have around the
3 actual landings estimate. There was no shore mode landings, and
4 then a small amount of headboat landings that came in, and then,
5 obviously, no LA Creel, and we didn't have Texas landings
6 available.

7
8 **CHAIRMAN FRAZER:** Okay. We've got a question from Mr. Gill.

9
10 **MR. GILL:** Thank you, Mr. Chairman. Andy, you mentioned that the
11 landings would not be finalized until April, and our council
12 meeting in April is early April, and so is there a reasonable
13 chance that, at the next meeting, we will not have the final
14 numbers?

15
16 **MR. STRELCHECK:** I would have to ask Science and Technology, in
17 terms of timing of when those are typically released, but I think
18 you are correct that it might be mid-April before we get those
19 final landings, but I would want to confirm with S&T.

20
21 **CHAIRMAN FRAZER:** Go ahead, Andy.

22
23 **MR. STRELCHECK:** Before I kind of go through this, one of, in my
24 view, the mistakes that was made here is that we released this
25 estimate before kind of the review of it occurred, right, and so
26 we did not communicate out well on it, and we were reactive to
27 communications, rather than proactive, with regard to, you know,
28 what does this estimate mean, what are we looking into, and so
29 we've taken a different approach with gag, which I will talk about
30 later, but I do want to note that we have worked closely with the
31 Fish and Wildlife Commission in Florida.

32
33 We appreciate, obviously, them doing a deep dive with us into the
34 estimates, and there's been some comparisons made, obviously, with
35 their State Reef Fish Survey, but, in terms of the actual review
36 by NMFS, and what we've investigated, and this is fairly typical
37 for any sort of MRIP review, and we're looking for outliers,
38 anything that's non-representative interviews or that might have
39 -- You know, sample weightings that have undue influence,
40 obviously, on the catch estimates, and we're looking at sample
41 sizes, and the --

42
43 You know, the reasonableness of sample sizes, as well as, you know,
44 how that affects percent standard error, and then we're also
45 looking at differences in interview frequency, and that comes into
46 play, in particular for red grouper, because what you want to be
47 able to look at is the distribution of intercepts throughout the
48 entire wave, knowing that a portion of the wave was open to red

1 grouper, and a larger portion of the wave was closed to red
2 grouper, and so are those interviews disproportion to essentially
3 when the season was open, and, if so, how does that affect the
4 estimates.

5
6 We, obviously, know, with the percent standard error, that sample
7 sizes are not high, but there are a decent number of samples that
8 were collected, and there was no major outliers, in terms of non-
9 representative interviews, and, in terms of the differences in the
10 interview frequency throughout the season, there was nothing
11 obvious with regard, to you know, frequency of interviews occurring
12 more in the closed or open season versus the other period of time.

13
14 With that said, nothing was obvious, in terms of jumping out at us
15 in terms of those kind of investigations, and the other thing that
16 was interesting -- The other thing that was interesting is that
17 what -- There seems to be a pattern here, in terms of the majority
18 of landings, and intercepts, occurring earlier in the wave, and
19 this might be something for C.J. to weigh-in on, but this might be
20 based on, in part, the structure of the red snapper season, and
21 fishermen potentially catching red snapper and red grouper when
22 that red snapper season is open, and I don't know for certain if
23 that's the case or not, but we have seen this pattern where most
24 of the intercepts are occurring earlier in the wave, despite the
25 fact that the wave was open for the entire period last year.

26
27 Then you can see private boat intercepts. If you start breaking
28 those down, 1,300-plus, but then it drops to 240 intercepts for
29 federal-water trips, and then it breaks down to even less than
30 that for intercepted red grouper, which ultimately inform,
31 obviously, our catch rates from dockside intercept sampling that
32 expand to -- That get expanded based on effort estimates, and so
33 I will stop there for Ed.

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

36
37 **MR. WALKER:** Can we go back a slide, please? I just wanted to, I
38 guess, ask a question, and so the 1 percent headboat landings
39 listed here -- Those are the only ones here that were actually
40 counted, correct, and those are actual fish that were counted, and
41 not estimated, and is that right?

42
43 **MR. STRELCHECK:** So those are based on the headboat logbook
44 program, correct, and so that's, obviously, been in existence for
45 quite some time, and based on more of a census-style estimate than
46 a survey estimate.

47
48 **CHAIRMAN FRAZER:** Dr. Sweetman.

1
2 **DR. SWEETMAN:** Thanks. Just to respond to Andy, yes, red grouper
3 and red snapper can be caught together. In Florida, the season
4 opened in June, and I'm not seeing that massive spike in June that
5 might correlate with what you were trying to say there, Andy.
6
7 **CHAIRMAN FRAZER:** Mr. Anson.
8
9 **MR. ANSON:** I wonder if we can go back to the last slide, or move
10 up a slide, and so you said you did some analysis, Andy and I know
11 it's relatively soon, but did you look also at prior years, as to
12 the distribution of those trips, in Wave 4, for instance, the end
13 of the season? Then, also, did you look at, within this year's
14 data, the proportion of dead discards in the early part of the
15 season, versus those interviews that came in later in the season,
16 and what proportion of those dead discards were occurring in the
17 closed season? Thank you.
18
19 **MR. STRELCHECK:** So I'm going to phone a friend, if Richard Cody,
20 or John Foster, or someone from the Science and Technology is on,
21 because I did not do that, but they may have.
22
23 **CHAIRMAN FRAZER:** All right. This is your first lifeline. Is
24 Richard or --
25
26 **DR. RICHARD CODY:** Can you hear me?
27
28 **CHAIRMAN FRAZER:** Yes, we can.
29
30 **DR. CODY:** Okay. Well, to Kevin's question, I can't address the
31 dead discard component of it, but I can state that we looked at
32 2022 and 2021. I did notice a similar pattern in the distribution
33 of red grouper intercepts for Wave 4, and so what it looks like is
34 that there's a concentration of effort in the earlier part of the
35 wave, and that's reflected too in the trips distribution for 2023,
36 where most of the data came from the first twenty days, as you
37 would expect, since it closed on the 21st.
38
39 You know, that's what I can tell you so far. I mean, right now,
40 we're looking into, you know, what is the cause of this pattern
41 that we're seeing, at least for the last couple of years, and then
42 also the fact that it's -- It's a relatively new pattern, you know,
43 for the last -- For 2021 and 2022.
44
45 **CHAIRMAN FRAZER:** Thank you, Dr. Cody. Go ahead, Andy. You need
46 to move one more slide.
47
48 **EXECUTIVE DIRECTOR SIMMONS:** Did you want Dr. Larkin to say

1 anything? He had his hand up.

2

3 **CHAIRMAN FRAZER:** Go ahead, Dr. Larkin.

4

5 **DR. MIKE LARKIN:** Just a quick comment, and I did quickly look.
6 Just to kind of add on to what Richard was saying, I did look at
7 the landings after the closure, and there was only like two
8 intercepts, and they contributed to like less than 5 percent of
9 the total landings, and so it was really clear that the landings
10 occurred when the red grouper season was open in that wave, and I
11 just wanted to make that point.

12

13 **CHAIRMAN FRAZER:** Thanks, Mike. Andy.

14

15 **MR. STRELCHECK:** I think what I want to emphasize, as a manager,
16 right, is I'm not here to weigh-in on whether or not the MRIP
17 estimate is right or wrong, right, at this stage, and I am wanting
18 to convey, obviously, the facts, the data, what we've done and
19 looked at, and I certainly question it, like everyone else, and I
20 think that's fair and reasonable to question it, given, you know,
21 the variability that we're seeing from Wave 3 to Wave 4, and
22 between Wave 4 of last year and Wave 4 of this year, you have the
23 season was considerably shorter during Wave 4, but, with that said,
24 next steps.

25

26 We are continuing to review this and understand differences. I
27 think one of the next layers of investigation really has to come
28 down to looking at the effort, and so what we're seeing, and we've
29 done some comparisons, and FWC shared some data, in terms of the
30 dockside intercepts, and what they're showing with their dockside
31 intercepts, comparing it to MRIP, is that catch rates are very
32 comparable to one another, and so it really comes down to then the
33 expansion of those estimates, based on fishing effort.

34

35 I think that's an important next step that we'll have to dig into.
36 As I mentioned earlier, the landings will be finalized in the
37 spring. Thereafter, we begin our process of projecting the 2024
38 season. The accountability measure does not have a payback, but
39 we do manage to the ACT when we have overages, and so determining,
40 obviously, one, if there is an overage, and then what we manage
41 to, will be the first step.

42

43 Then, really, what I wanted to convey is, obviously, the
44 projections, right, and so I think there is -- I heard rumors,
45 and, you know, misinformation, about we're going to shut down red
46 grouper very early this year, and we have not made any, you know,
47 estimates, projections, but what I will say is that, even if you
48 use that Wave 4 estimate, and took it at face value, we would have

1 projected from January into July for the 2024 season, because we
2 were under the catch limit as of the end of June, right?

3
4 Now, that's not how our projections work, but my point is that the
5 spike occurred in Wave 4, and so we are going to have to look at
6 a multitude of factors that were discussed earlier and, ultimately,
7 make decisions about how we can constrain the catches to the catch
8 limit, and the catch target, but take into consideration,
9 obviously, the data, and the information, available.

10
11 I know people are frustrated, because maybe they thought we were
12 going to have the season reopen this year, or that the spike in
13 landings was our justification of why we closed it this year at
14 this time, but I think the reality, from the way I see this, is
15 that we would have projected approximately a similar season,
16 regardless of the spiked in landings.

17
18 Now, with that said, we do have the ongoing stock assessment, and
19 SRFS is being considered for that. Like we've done for gag, the
20 State Reef Fish Survey might ultimately be how we monitor this
21 fishery going forward, and so I will stop there. That is, you
22 know, all I have for red grouper, before I jump into gag.

23
24 **CHAIRMAN FRAZER:** Okay. J.D.

25
26 **MR. DUGAS:** Thank you, Mr. Chair. Andy, you mentioned there's no
27 payback, and can you elaborate on that? I'm a little confused,
28 why there's no payback for red grouper.

29
30 **MR. STRELCHECK:** The council establishes the accountability
31 measures, or recommends them to the agency, and we approve them,
32 and we have never adopted a payback for red grouper for
33 accountability measures, unless -- Is there one if it's overfished?
34 Okay. Sorry. I misspoke, and so, if the stock is overfished,
35 which it's not, but, if it is, then we would have a payback.

36
37 **CHAIRMAN FRAZER:** All right. C.J.

38
39 **DR. SWEETMAN:** Thanks, Mr. Chair. I appreciate the presentation,
40 Andy, and so, yes, frustration. I understand it, and I have
41 received so many phone calls about both red and gag grouper, and
42 about the concerns with the data being potentially used for -- Or
43 it how it will be used, and so I just want to kind of talk a little
44 bit about -- I realize that gag was done differently, you know, in
45 terms of coordination with some folks on the state side of things,
46 and that was better, and maybe not perfect, but I guess my
47 frustration is not necessarily directed at you, Andy.

48

1 There are -- I really am trying to advocate for more frequent, and
2 earlier, communication with S&T staff, with state scientists, and,
3 in particular, we're talking about Florida fisheries here, and so
4 coordination with FWRI scientists, but, for other fisheries, where
5 other states are involved, I would expect the same for those.

6
7 As these issues arise, when there is projections -- Where there is
8 data that is showing that -- That you scratch your head about at
9 the early level, before this data is posted, or even before it
10 starts to be evaluated a little bit more, coordination with some
11 of the -- In this particular instance, FWRI scientists, and we can
12 resolve some of these issues together, and we've done that, in the
13 past, before these become major issues for the general public.

14
15 I can only speak from FWC's perspective, but we've had significant
16 challenges in trying to get some of these answers, and coordination
17 with S&T staff along those lines, and I realize that it was done
18 differently for gag, but this one in particular was a significant
19 challenge, and so that's all I would advocate for, because I think
20 that some of these issues -- Like I said, they can be resolved
21 before they come before the council, and the public sees all this
22 information, and that's the only point that I want to add there.

23
24 **CHAIRMAN FRAZER:** Andy.

25
26 **MR. STRELCHECK:** In response to that, I think all of that is really
27 fair, C.J., and I will own a lot of that, right, because I think
28 we, at the Regional Office, are kind of the first layer to flag if
29 something, you know, is a potential outlier, or just doesn't look
30 quite right, high or low, and, you know, Science and Technology is
31 estimating catches for well over a hundred species, right, and
32 they're running it through their statistical models, and,
33 ultimately, producing estimates, and they can't be experts in all
34 of these fisheries, like we are, in terms of keeping an eye on
35 that.

36
37 With that said, and maybe this is where Richard, and S&T, would
38 want to comment further, and I know there's been some really good
39 discussions about maybe reinstituting the wave-by-wave state-level
40 reviews, if there's capacity there, and the Southeast Regional
41 Office providing S&T with the catch limits for key species, and
42 kind of asking them to kind of build those in as flags to their
43 system, and so, to me, there's a lot of positive that can come out
44 of this, in terms of lessons learned, and certainly we would want
45 Richard, and others, to speak more to that.

46
47 **CHAIRMAN FRAZER:** All right. Mr. Anson.

1 **MR. ANSON:** Perhaps Richard could also include just a summary of
2 the efforts the agency is going to undertake, or at least S&T, and
3 I know we had the presentation, at the last council meeting, about
4 the FES numbers, and that they, at least in four states, in a pilot
5 survey, had indicated that they were 30 to 40 percent
6 overestimating effort, and so they had kind of described a summary
7 of that, and working alongside with the commission, and the states,
8 you know, we were going to be having some meetings, and I'm just
9 wondering, between Richard, and maybe Dave, to provide a quick
10 summary as to where we are, you know, looking out for the next
11 year, at least, as to what the meetings will look like, what the
12 issues we'll be looking at, because this is a -- You know, it's
13 been an issue with red snapper, and it's now an issue with these
14 other two species, and so just to try to give some semblance, you
15 know, to the public that this is an important issue, and we're
16 trying to put as many resources into it in a timely manner as
17 possible.

18
19 **CHAIRMAN FRAZER:** Thanks, Kevin. It looks like Richard has his
20 hand up, and so we'll give him and opportunity to weigh-in here.
21 Dr. Cody.

22
23 **DR. CODY:** Thanks. Kevin, I can kind of mention a couple of
24 things. We are working with Gulf States, right now, to try and -
25 - As Andy mentioned, to try to resurrect the wave-level meetings
26 that went away, actually, before COVID, and so those will get us
27 so far, but I think, to C.J.'s point, getting at the data, and
28 getting a review process that's a little bit more responsive, and
29 earlier in the process, I think, can at least help us address some
30 of these issues before they become, you know, larger issues.

31
32 I think we've had discussions with some of the state
33 representatives about how we could include them more in the initial
34 review that we do with the Regional Offices and Science Centers,
35 and so providing preliminary estimates for review at that point,
36 and so that's something that we're looking into right now, to see
37 if we can come up with an effective, and efficient, way to do that.

38
39 I think, also, as Andy pointed out, there are some opportunities
40 here to include regulatory data, for instance, in the process to
41 add to the flags that we have. I mean, we largely focus on
42 statistical flags, if it's more than a certain deviation from an
43 expected value, that type of thing, and I think that, you know,
44 that's well and good, if all things stay the same from year to
45 year, but, as we know, that's not necessarily the case.

46
47 I think having that regulatory data built in I think will help
48 flag data earlier, and allow the regions also to pick up on what

1 we have flagged, and maybe inform -- Give us their thoughts on the
2 legitimacy of those estimates.

3
4 One other thing I wanted to mention is related to Bob Gill's point
5 earlier on, and we will have revised Wave 4 and Wave 5 estimates
6 available in February, and I wouldn't expect those to change too
7 much from the final estimates that are released for the year in
8 April, and so that might help with the council deliberations in
9 April.

10
11 **CHAIRMAN FRAZER:** Thank you. Thank you, Richard, for those
12 updates. Kevin, a follow-up?

13
14 **MR. ANSON:** I was just wondering if he could, again, summarize
15 what the agency's plans are relative to having meetings, those
16 joint meetings, with state agency folks to look at the FES and,
17 you know, some of these issues that keep reoccurring relative to
18 high estimates.

19
20 **CHAIRMAN FRAZER:** Richard, did you hear that?

21
22 **DR. CODY:** Yes, I did. Well, you know, I think that meeting that
23 we have set up with Gulf States -- I think that's not going to
24 occur until about May, just because of scheduling challenges, and
25 I think that's an initial step, but I also think there are some
26 movements on the research side as well. We started the pilot study
27 for the FES, or I should say the benchmark study for the FES, this
28 year, and so we expect to provide updates to the council, and to
29 the states, and others that are interested, you know, as they are
30 available.

31
32 I think, Kevin, if I'm -- I think there's a number of different
33 things that come into play here, and it's not just focusing on a
34 review that looks at different flags, but also perhaps evaluating
35 the surveys for different sources of non-sampling error, and, in
36 the transition plan for the Gulf surveys, that was named as a
37 priority, and I think that there are some very good opportunities
38 here to at least evaluate, and corroborate, information that comes
39 from all of the surveys, by way of the pilot studies that are
40 planned by Mississippi and Alabama this year.

41
42 Those will allow us, I think, additional comparisons between the
43 FES-based estimates and state surveys, and also the capture-
44 recapture methods that are in use in those states as well, and it
45 will allow us, I think, another opportunity to kind of reevaluate
46 the differences between the Florida surveys and ours.

47
48 I mean, they're both -- The effort components of the Florida and

1 the federal surveys are both mail surveys, but they're done very
2 differently. The scope of each of the surveys is very different.
3 MRIP is basically a general survey, coastwide general survey,
4 whereas, with the SRFS, it's a far more specialized survey, and
5 the intent of it is to get more precise estimates for a suite, a
6 small suite, of species, and so there are some very different
7 things that we're seeing there.

8
9 We have noticed that this is not a pattern that's just limited to
10 fisheries, and it occurs also in other fields as well, such as the
11 health field, where large-scale surveys tend to provide much larger
12 estimates, based on their design, and their scope, relative to
13 state surveys providing the similar information.

14
15 You know, there are things we are looking into. I wish I had, you
16 know, a schedule planned out for what, you know, the -- Let's say
17 the modified review process would look like, but I think that we're
18 in the initial stages now of gathering information from the state
19 partners as to what will work. It's quite a time-sink to do the
20 review and to -- You know, to flag the data for review, and so I
21 think, you know, we're looking at ways, internally, with the
22 Southeast Regional Office, the Science Center, and other regions
23 actually as well, to look at how we can get our ship in order, in
24 terms of, you know, conducting the review probably a little bit
25 more in a standardized fashion, and then, also, finding out ways
26 that we can include the states in the process, so that we -- You
27 know, we have the benefit of the agencies that are actually
28 collecting the data in the field. I don't have specific dates,
29 but I will say that I think that the May meeting will be a kickoff
30 for state involving, going forward.

31
32 **CHAIRMAN FRAZER:** Okay. Thanks, Richard. We've got a number of
33 folks here, and I'm going to get through them, so we can get into
34 gag, and so we've got Captain Walker, Bob Gill, and then C.J.

35
36 **MR. WALKER:** Thank you, Mr. Chair. I think it's great that MRIP
37 is interested in working more with the states, trying to get the
38 data better, but, to be honest, that's not really enough here.
39 The best I can tell, MRIP just seems broken. Both estimates here
40 are a million pounds different from the state estimates, and that's
41 not a minor thing. There is obvious outliers that have been left,
42 and to be more than a million pounds off -- You know, first, we
43 were handed the FES thing, and there was a problem with the
44 wording, and maybe it's 30 or 40 percent error.

45
46 Now we're talking about seven-X error, which will close people's
47 access to the fishery, based on things that state data, which Mr.
48 Cody just said is more precise than MRIP, and that's not fair to

1 the fishermen, in my opinion, and so making little adjustments
2 here or there, working with the state, you know, that's all great,
3 but MRIP is going out of touch with reality, the best I can tell
4 right now, and, you know, I don't say that lightly, and I
5 understand who I'm talking to, but, sooner or later, we have to
6 draw the line here and push back a little bit.

7
8 It's even a little bit disturbing, to me, to hear them admit that
9 larger surveys produce larger estimates. I mean, if anything makes
10 a better case for state data usage, that's that term right there,
11 and I will leave it at that for now.

12
13 **CHAIRMAN FRAZER:** Bob, let me get C.J. in here, and he wanted to
14 talk to that point.

15
16 **DR. SWEETMAN:** Thanks, Mr. Chair, and thanks, Bob. So, to kind of
17 what Ed was talking about there, and kind of just thought to
18 Richard, as you're trying to coordinate with some of the state
19 agencies here, is I don't think this is an FES pilot study issue,
20 quite frankly, and I think this is a much larger issue at play,
21 and so one thing that I, I think our scientists and myself, would
22 like to better understand, that I think is driving this -- You
23 know, we see, on the slide here, and this is, you know, consistent
24 with the State Reef Fish Survey and MRIP, that it's not the catch
25 per unit effort where the differences are, and our surveys actually
26 align fairly well along those lines, and it's driven by effort,
27 and so there seems to be -- From my perspective, the larger issue
28 here is the extrapolation procedures that are used in order to
29 expand some of these landings there, based on the limited catch
30 data that we actually get from that.

31
32 Richard, that's just my thoughts there for what I would hope we
33 could really look at in more detail, because I think that's more
34 systematic, and, to Ed's point about what some of the larger issues
35 are at play here, and I don't think this is just the rearranging
36 of questions within the survey issue, and I think this is a
37 broader, more systematic thing, and so I would just like some more
38 understanding along those lines. Thanks.

39
40 **CHAIRMAN FRAZER:** Thank you, C.J. Mr. Gill.

41
42 **MR. GILL:** Thank you, Mr. Chairman, and my question is for Andy.
43 Given what Dr. Cody has told us, could you provide your projected
44 timing for making the 2024 projections? If, for example, you wait
45 until the final estimate in April, or probably not any sooner than
46 May, but, if you use it earlier than that, because of the revised
47 version, earlier in the year, and potentially it's earlier, but I
48 think the audience, and the stakeholders, would be interested in

1 when you think those will be available, so that they can plan
2 accordingly.

3
4 **MR. STRELCHECK:** We certainly have plenty of fisheries that have
5 to close early in the year, and we can't wait for, you know, the
6 final landings estimates to come in, and I'm not saying that's the
7 case for red grouper, but I think we could take kind of a
8 preliminary final approach to those projections and be able to
9 bring back a little more information to the council by the April
10 meeting, knowing that there's likely some refinement that could be
11 done between April and whenever we publish the final projection
12 estimate.

13
14 **CHAIRMAN FRAZER:** Richard, to that point?

15
16 **DR. CODY:** Well, I wasn't going to comment on Andy's answer. As
17 I mentioned, we will have revised estimates for Wave 4 and Wave 5
18 for red grouper and gag by February, and I would expect those to
19 be close to being what they would be at the end of the year, but
20 I just wanted to address Captain Walker's point, and also C.J.'s
21 as well, and there's a lot of focus on the FES, and the FES has
22 documentation that's available online, complete documentation,
23 and, you know, I will be the first to admit that it's not a perfect
24 survey. It focuses on getting coverage for the entire population,
25 and, with that, there are some efficiency losses, when it comes to
26 getting intercepts with anglers, and, you know, the point, also,
27 that I made, that these state surveys are more precise, they're
28 designed to be more precise.

29
30 They're not designed to be general surveys, insofar as the federal
31 survey is concerned, and so I would ask people's -- Just their
32 patience, as far as us trying to come up with some meaningful
33 explanations for things. Surveys are different. They have
34 different sources of error that affect them, and they have
35 differences in the scope of the estimates, and nobody in S&T would
36 deny that the estimates that we produce are much higher than the
37 state surveys.

38
39 That said, it doesn't mean that there aren't improvements that
40 could be made to both to come up with better estimates, and I think
41 the pilot study is important for that, because what it does is it
42 -- We have identified a source of non-sampling error that does
43 affect our survey, and it will result, most likely, in a reduction
44 in the estimates.

45
46 It doesn't get them down to where the state survey estimates are,
47 but, you know, there were still those very, very, very different
48 components of each survey that contribute to the way they perform

1 in the field, and, you know, we have worked very closely with the
2 states, to certify their surveys, to provide statistical support,
3 so that they get the best that they can out of their survey
4 methodology, and so, you know, this notion that we're sort of
5 isolated, and not part of the solution, I think is maybe ill-
6 informed, to the extent that we do have ongoing conversations with
7 the states, on a regular basis. We are trying to work with them,
8 with their methodologies, in terms of certification and also
9 improvements to their survey designs over time.

10
11 I think there has been some really wonderful opportunities in the
12 Gulf, by having the different surveys side-by-side, and it has
13 presented some challenges, but it does allow us to make these
14 comparisons between the different surveys, what works and what
15 doesn't work, and we wouldn't have that if we didn't have the
16 different surveys in place, and so I just would like to make that
17 point.

18
19 You know, we're not isolated, or trying to be, you know,
20 disconnected from what's going on in the Gulf. We know there are
21 improvements that can be made to the review process, and to our
22 data and our surveys, and we're continuously working on those.

23
24 **CHAIRMAN FRAZER:** Richard, I'm going to take a couple of quick
25 questions, because I know we have to finish with this presentation
26 before our 11:30 break, and so Andy, to that point, and then Susan.

27
28 **MR. STRELCHECK:** I was just going to make a suggestion that maybe
29 we get through the rest of the presentation and have a general
30 dialogue, and concerns, about MRIP, because I feel like we've
31 gotten off track with the intent of the discussion here, but that's
32 my suggestion.

33
34 **CHAIRMAN FRAZER:** Again, that's why I was going to like kind of
35 cut it off after these questions, and summarize, but we can
36 certainly do that towards the end. Ms. Boggs, real quick.

37
38 **MS. BOGGS:** I would say that I would save my comments until
39 Sustainable Fisheries, but Dr. Cody said something that kind of
40 maybe stuck a nerve. I agree with everything that C.J. said, but
41 these are people's livelihoods, and it's very important that we
42 get this right, and to say -- I understand that resources are
43 limited, and everybody is stretched, and I get all of that, but
44 somehow we need to figure out a correction factor, and I hate to
45 use that, because that seems to be what we do a lot, but this is
46 affecting people's livelihoods, and I will be the first to admit
47 that red grouper, gag grouper, is not an essential fishery to the
48 northern Gulf.

1
2 However, it concerns me what is happening in these other fisheries.
3 I mean, we're getting ready to do something with lane snapper, and
4 we saw a presentation on vermilion snapper, and it's very
5 concerning as a whole, and I appreciate you letting me make those
6 comments. Thank you.
7

8 **CHAIRMAN FRAZER:** All right. Thank you, Ms. Boggs, and so, Andy,
9 we'll go ahead and pick up the presentation with gag, I think, and
10 then we'll come back to this more general conversation.
11

12 **MR. STRELCHECK:** So a similar format to what I walked through with
13 red grouper. What I will emphasize here is that, if you recall,
14 you submitted a request for an interim rule, and that interim rule
15 was originally scheduled to have a September 1 through early
16 November season, and we looked at some of the preliminary data and
17 information we had available, and we ultimately decided to shorten
18 the season to October 18.
19

20 This is the similar slide to what we showed, except we're not
21 projecting it from wave-to-wave, and we're showing, obviously,
22 what the estimate was for 2023 predicted, versus the preliminary
23 2023 MRIP landings estimate, and the catch target is 362,000
24 pounds, and the catch limit is 403,000 pounds, and so, based on
25 the preliminary MRIP estimate, we're well above, obviously, that
26 catch limit.
27

28 With that said, we've taken a very different approach than we have
29 for red grouper, in that, one, we went immediately to S&T, and we
30 worked with the state to start coordinating on this, and we pulled
31 in FWC managers and scientists to begin the evaluation. Two,
32 although it's posted on the MRIP data query tool, so you can
33 actually, you know, pull this data estimate from their tool, our
34 annual catch limit monitoring page for the Southeast Region, which
35 is essentially where we track the catch limit, does not currently
36 post an estimate, and so I view this as it's in review, and we
37 haven't, you know, made a final determination as to what ultimately
38 is this estimate going to be and how does this go forward. I just
39 wanted to note that.
40

41 Similar to red grouper, predominantly private landings, PSEs, are
42 in that 30 to 50 percent range, and so proceed with caution. The
43 shore estimate is highly uncertain, and we did verify that there
44 was one legal gag caught off of a bridge in Tampa Bay, right, which
45 generated that estimate, but that is, obviously, a huge amount of
46 uncertainty, and so I, obviously, want to emphasize that. Headboat
47 landings represent 1 percent, and then there's no Texas landings
48 reported.

1
2 A couple of things that I will note, right, and so most of the
3 landings are driven by private. When you look at kind of year
4 over year charter landings, and year over year headboat landings,
5 there is a proportional increase in those, a three to fourfold
6 increase, right, and so is that real? Is it based on uncertainty?
7 I would argue, at least with headboat -- It's a census, and so
8 there is a real increase that likely is occurring, where they're
9 reporting and catching more gag, but the deviation for private is
10 much greater.

11
12 With private, the estimate -- Typically, the ratio between MRIP-
13 FES and the State Reef Fish Survey is around three-times
14 difference, right. In this year, the difference was seven-times
15 greater, right, a significant difference, and there's also a small
16 number of intercepts, but that, obviously, gets reflected in the
17 percent standard error and generates our uncertainty, and so the
18 real key here is on the next slide, in terms of kind of where we're
19 at, in terms of investigating this.

20
21 We need to complete our review of the landings estimates, but,
22 right now, there is actually three highly influential dockside
23 intercepts that we're investigating. Two are from trips that
24 occurred in federal waters, one that occurred in state waters,
25 and, when I say "highly influential", what that means is that we
26 weight our sampling based on high-use and low-use sites, and these
27 influential intercepts essentially produce, you know, large
28 increases in the landings estimates, and are weighted very high,
29 in terms of our weighting scheme within the intercept survey, and
30 so, right now, those are under investigation.

31
32 It could result in changes, based on the high weightings that those
33 received, and we don't, obviously, have that information, until
34 next month, and then we'll continue to proceed with finalizing
35 landings in the spring and determining, obviously, the season,
36 based on this information.

37
38 Two things to note. One is Amendment 56 was approved, and we're
39 still doing final rulemaking, but we are switching to the State
40 Reef Fish Survey in 2024, and then, with the accountability
41 measure, there is a payback, unlike red grouper, because the stock
42 is overfished, but I'm going to note that there is a caveat of
43 unless best scientific information available determines lesser,
44 greater, or no overage adjustment is necessary.

45
46 Although I can't get into the details at this point, one of the
47 things that the Fisheries Service is working with the Science
48 Center on is integrating the overage estimate that would occur, or

1 did occur, for 2023, based on State Reef Fish Survey landings,
2 into the projection methodology that set the catch limit and
3 evaluating what the catch limit would be in 2024, factoring in
4 that overage, and determining if there is still going to be a catch
5 limit that we could manage to.

6
7 If that's the case, and it would have to go through best scientific
8 information review, and determined to be more appropriate than
9 just simply deducting the overage based on what we've seen in the
10 landings estimate, then we would have to make that determination
11 and would set the commercial catch limit consistent with the fact
12 that they did not have an overage, and the recreational catch limit
13 would be whatever that differential was.

14
15 More to come on that, but I want to emphasize that the Fisheries
16 Service is taking this very seriously, that it's not just simply
17 we've looked at this estimate, and cleared it, and there's an
18 overage, and there's going to be no season, or a full payback, and
19 that we do believe that it's important, especially with the
20 transition from FES to SRFS, that we carefully review this and
21 ultimately reach a decision with regard to how to appropriately
22 account for that overage going forward.

23
24 The last thing I will note, and this is where it gets sticky,
25 because we don't know what the catch limit would have been for red
26 grouper under the interim rule if we had established it in the
27 State Reef Fish Survey, but we know it would have been less than
28 what we've set our catch limit this year, by some amount, and we
29 would have had an overage whether we were monitoring in SRFS or
30 MRIP, right, and so we still have the issue that we had an overage,
31 and it isn't just driven by the MRIP estimate, and so I did want
32 to make that final point, and so, with that, I think that's my
33 last slide, unless there's anything --

34
35 **CHAIRMAN FRAZER:** We're going to take a quick comment on that last
36 slide by Ryan.

37
38 **MR. RINDONE:** Thank you, Mr. Chair. Andy, I was wondering if you
39 could clarify for which fleets these influential intercepts were
40 applied. Were they for-hire, or were they private?

41
42 **MR. STRELCHECK:** I believe they're all private, but, Richard,
43 please correct me if I'm wrong.

44
45 **DR. CODY:** That's correct.

46
47 **CHAIRMAN FRAZER:** Thanks, Richard. All right, and so we're going
48 to get to some general questions, and I think, Kesley, you wanted

1 to follow-up?

2
3 **DR. KESLEY BANKS:** Thank you, Mr. Chair. I just wanted to follow-
4 up on Susan's comments. First, I want to thank NOAA, and Richard,
5 for being here to answer these questions, but I do want to say
6 that I think the time for patience is past. MRIP has been
7 redesigned how many times now? As scientists, we know when a
8 model, or a method, is not the proper method to be following, and,
9 just because it's tradition, it doesn't mean we should continue.

10
11 Effectively, MRIP has made this council stall at every turning
12 point, and I know I'm new, but, the three meetings I've sat in,
13 we've been unable to make decisions on things that are affecting
14 people's livelihoods, and so I would caution maybe suggesting that
15 the council have patience with this, and I agree with Captain
16 Walker that maybe we should be looking at some of these state
17 surveys. They seem to be, to quote Richard, more precise, and
18 maybe that's what we need for in-season management. Thank you.

19
20 **CHAIRMAN FRAZER:** Thank you, Kesley. Kevin.

21
22 **MR. ANSON:** Just going back to the last gag slide here, I guess
23 I'm just trying to reconcile the two -- The second and the third
24 bullet points, Andy, and investigating the two highly-influential
25 APAIS assignments and then any changes that would be available,
26 and so you mentioned that they were influential, in that they had
27 a high weight, statistical weight, for each of the individuals,
28 but, outside of that, they didn't have like a bunch of fish that
29 could have been misidentified, or there was no recording error, or
30 anything like that, and it was just that they were interviews with
31 gag fish onboard that happened to be at low-pressure sites, and
32 that's pretty much all that you've found so far? I just don't see
33 -- I don't see how any changes that could occur, if it's just that
34 particular point.

35
36 **MR. STRELCHECK:** Well, and Richard needs to weigh-in here. I think
37 there might be an estimate as well where you have the kind of high
38 grouped catch, where you have gag reported, but it's across
39 multiple anglers in a trip, right, and so teasing that apart, and
40 understanding that intercept as well, is important.

41
42 **DR. CODY:** To Kevin's point, which is a good one, related to the
43 -- That is something we are looking into. The point I would say
44 about influential intercepts is the weight is significantly higher
45 than the weights for the other landing information, and so we are
46 comparing, you know, factors such as which site they were landed
47 at, versus other things as well, certain details.

48

1 **CHAIRMAN FRAZER:** Okay. We're going to try to get the list under
2 control here, but Susan Boggs and then Dakus.

3
4 **MS. BOGGS:** Thank you, Mr. Chair. One of the things that seemed
5 to be consistent in what Andy just reported is the census survey
6 that the headboats provide, and so I will take this moment to say
7 this is the very reason the charter-for-hire fleet needs a census
8 data collection program, and so that is why this council needs to
9 move effectively, swiftly, quickly to get that on the water, to
10 help eliminate some of these issues.

11
12 That's a small user group that can be carved out, which I think
13 ultimately assists what we have going on in the private
14 recreational sector, and that's the only way we're going to get
15 some balance in this, and I really wanted to get that on the
16 record. Thank you.

17
18 **CHAIRMAN FRAZER:** All right. Thank you, Ms. Boggs. Mr. Geeslin.

19
20 **MR. GEESLIN:** Thank you, Mr. Chair. I wanted to bring up a couple
21 of points. In Slide 8, we identified that some of the estimates
22 appear to be driven by effort and not dockside intercepts, and
23 this won't come as any surprise to anyone coming from me, but we
24 place a lot of stock in those dockside intercepts. The problem
25 becomes, and we saw this later on the last slide, is we see those
26 expanded -- Those expanded landings as a result of those dockside
27 intercepts.

28
29 The key to that, and we saw this three years ago in our red snapper
30 fishery, where we had a low-use dock, and we had a middle-of-the-
31 week intercept, and we had eight fish, eight fish, and, of course,
32 these were big fish, and these were averaging twelve to fifteen
33 pounds, but that blew up to 15,000 to 20,000 pounds. The key to
34 that, the key to that, is we found that somebody has got to be on
35 top of that, and looking at these landings estimates as they come
36 in, and flagging these, and talking through what is a reasonable
37 approach, and this is where I sympathize with C.J. over here, my
38 state brethren, is we've got to be coordinating, and collaborating,
39 when we see these things, and working through these issues.

40
41 Not to the point now that we shut down the fishery, because what
42 we've got here is an absolute mess. We're 1.2 million fish over,
43 and we're shutting down the fishery, and, to Ms. Boggs' point,
44 you're impacting folks' livelihoods out here prosecuting the
45 fishery, and they don't know which -- They don't know which
46 thermometer they should be working with, MRIP, state surveys, and,
47 of course, I'm going to advocate for state surveys, and it seems
48 like we need to get there, and get there in a hurry.

1
2 **CHAIRMAN FRAZER:** Thank you, Dakus. Mr. Rindone.

3
4 **MR. RINDONE:** Thank you, Mr. Chair. Dr. Cody, are you still on?

5
6 **DR. CODY:** Yes, I'm on, Ryan.

7
8 **MR. RINDONE:** So I had a question about the shore estimate that
9 had come through, and I just thought it was peculiar about why an
10 estimate would have even been produced with only one intercept,
11 and that just doesn't seem like enough information to justify doing
12 anything other than acknowledging that there was one intercept,
13 and if you could speak to S&T's practice, as far as minimum sample
14 size and things like that.

15
16 **DR. CODY:** Well, that estimate, I think, one estimate, one
17 intercept, I don't think that's being supported by S&T at this
18 point. You know, the thing is the design itself is based on public
19 access sites, and, generally, that's the way most of the surveys
20 work, is they work through the public access component, and so
21 we're missing a component of the fishery right there, or any
22 fishery, private access.

23
24 Those sites that are selected are -- We use a standard process for
25 weighted estimation, and so they're basically selected, and
26 weighted, according to their representation in the list frame, and
27 that's a standard practice for any statistical survey, and so you
28 end up with an initial set of weights, sample weights, for that.

29
30 There are other factors that play into the final estimate, in terms
31 of what the final weight would look like for the sample, and, you
32 know, that's described in our documentation on the -- That's
33 available on the website.

34
35 As far as just trying to achieve a certain sample size, we don't
36 really have the luxury of that for many -- For several species,
37 particularly, you know, rare-event or infrequently-encountered
38 species. What we do have is some control over the number of
39 assignments that we do and a way to estimate basically the
40 productivity at those sites and the numbers of intercepts we can
41 expect at those sites, and so that is the survey methodology, and
42 how it's applied in our case, and, obviously, I'm simplifying it
43 down quite a bit here.

44
45 I would say, in terms of if there's a cell, or a domain, estimation
46 domain, with a single intercept, then that can still be used to
47 generate an estimate, but we would not support it.

1 **CHAIRMAN FRAZER:** Okay. A quick follow-up?

2
3 **DR. CODY:** Ryan, if I could just add another thing too that occurred
4 to me for what Kevin brought up earlier, and the review process -
5 - We are coordinating with RecFIN, and we're hoping that we can
6 build in part of our estimate review into the RecFIN schedule,
7 and, obviously, you know, I can't make decisions for RecFIN, but
8 that is something that we are seriously pursuing.

9
10 **CHAIRMAN FRAZER:** A quick follow-up, Ryan?

11
12 **MR. RINDONE:** Thank you, Dr. Cody. It just seems that, if there's
13 only -- If it's an estimate that S&T isn't supporting, then why is
14 it being published, because that's something that we, as fisheries
15 managers, are encouraged to look at, when we go to S&T's website
16 to evaluate, you know, where we might be with certain species, you
17 know, like the catch, or the ACL, monitoring page, the
18 countmyfish.noaa.gov, and these are resources that are public
19 information, and that are put out there, and it just seems that if
20 -- If it's an estimate that S&T isn't supporting, it might be
21 better not to publish it.

22
23 **DR. CODY:** Well, there are two concerns there, and one is
24 transparency, and the other is, you know, subscribing to a type of
25 -- Or a standard, and, you know, we initially were pursuing
26 basically censoring estimates that would be that -- That had a PSE
27 above 50 percent, and those would not be included, and we received
28 enough feedback, from the general public, that there is a concern
29 that that's being less transparent in the production of the
30 estimates.

31
32 What we've tried to do is, you know, provide some more detailed
33 caution on flagging of estimates that are highly imprecise, and,
34 you know, we get our -- On our website, we go to great lengths to
35 publish the confidence intervals, 95 percent confidence intervals,
36 and we actually flag whether an estimate is supported or not, and
37 then we issue caution for estimates that are above certain
38 precision thresholds, such as 30 percent.

39
40 What we are probably going back to is publishing all of the
41 estimates, with their precision levels on there, with just more
42 focused, and more detailed, flagging, just because there is a
43 concern, from the public, that, you know, it's a black box and
44 that, you know, we're not being 100 percent honest, or transparent,
45 about the data. Obviously, you know, we won't -- It's my plan
46 anyway, at least, that we wouldn't support estimates with PSEs
47 above 50 percent.

1 **MR. RINDONE:** (Mr. Rindone's comment is not audible on the
2 recording.)

3
4 **CHAIRMAN FRAZER:** Okay. Thanks, and I will follow-up right at the
5 end with this, but so I've got two other people, unless, Mike, you
6 have -- Mike Larkin is on the line, and is it quick and to that
7 point?

8
9 **DR. LARKIN:** Yes, and just to answer Ryan's question, and just to
10 full disclosure, and it looks like, in that wave for gag, there
11 were actually twenty-three total shore-based intercepts. Now, one
12 of them resulted in a harvest. Anyway, I'm just trying to have
13 full disclosure, and there actually were a total of twenty-three
14 gag intercepts in that wave, for the shore-based mode.

15
16 **CHAIRMAN FRAZER:** All right. We're going to go to Ed Walker and
17 Clay Porch, and you guys get about a minute-and-a-half each.

18
19 **MR. WALKER:** So I have a long list of grievances here, but, in the
20 order of time, I save most of them for tomorrow, but I would like
21 to point out that, under these estimates, during the month of
22 October, which was open for nineteen days, at least four of which
23 were unfishable, and kind of a couple more, but conservative, and
24 the MRIP estimate is around 750,000 pounds of gag, which, as you
25 know, is a small region of the Gulf, and that's not a Gulf-wide
26 thing. Just for comparison, that's more than the entire commercial
27 fleet of the Gulf catches in a year for the last five years.

28
29 **CHAIRMAN FRAZER:** Okay. Thank you, Ed. Clay.

30
31 **DR. PORCH:** Thank you, Chair. A couple of points. One, all this
32 suite of issues we've been talking about is exactly why we want to
33 re-envision the federal-state partnership, fueled by the IRA funds
34 that we've talked about, and so that would all be part of the
35 process, and I think we need to work together to combine resources
36 and come up with a better way of doing things, and so that's one
37 point.

38
39 Yes, some state surveys are more precise for some species than
40 others, and some species they don't even get, and some of them
41 don't get discards, and so this is a much larger problem than that,
42 and so we need to re-envision the entire system. Yes, MRIP --
43 There are reasons to believe the estimates may be high, and, with
44 SRFS, there's reasons to believe they may be low, and some of the
45 other surveys the same thing, and so it's not quite fair to say
46 something is a million pounds off, because we don't actually have
47 the true standard, where we know exactly what the catch is, and
48 remember that, if the ACL is set in MRIP -- If MRIP is high, then

1 the ACL is high, and so we have to be careful about that when we
2 start making comparisons.

3
4 If we have an ACL set with an MRIP scale, and then we start looking
5 at, you know, looking at, oh, well, SRFS is much lower, and let's
6 measure against that, and this keeps coming up, but the bottom
7 line is, when I've talked to the state directors, and when I've
8 talked with congressionals, there's not enough money in the system
9 to get these kind of precise statistics for everything that you
10 manage, and so, again, I come back to you've pushed the system too
11 hard, and you're asking too much of the kinds of data that can be
12 produced, and we need to start looking at different ways to manage.

13
14 Certainly not in-season monitoring, and even the way we're doing
15 annual catch limits needs to be revisited. You just aren't going
16 to get the kind of precision you need out of these statistics.
17 Thank you.

18
19 **CHAIRMAN FRAZER:** All right. I'm just going to say a couple of
20 quick things, because we're going to follow-up with a discussion
21 on gag right after this, and, again, the reason I limited folks to
22 a minute here is because we're getting close to the time, right,
23 but I also didn't want to rehash what's been said around the table
24 for several years, right, and so I think the bottom line is this.

25
26 I mean, I think there's a reason that MRIP was designed the way
27 that it was designed, and we all recognize its warts, and probably
28 -- Not probably, but it's not appropriate for in-season monitoring
29 at this time.

30
31 It's 2024, and the world is a different place, right, than it was,
32 and, to Clay's point, we do need to figure out -- Reimagine how
33 we're going to collect data that will allow us to be responsive,
34 right, in the management environment that we're in today, whether
35 that's, you know, looking at changes in, you know, ACLs, or, you
36 know, average time, and I don't know exactly what that looks like,
37 but what you are hearing, from everybody, and you will hear again
38 in public comment, is that we're in a really bad situation right
39 now, right, and whether or not we want to acknowledge it or not,
40 we may not have enough resources to do it the way that we want to
41 do it, but it's our number-one job, as a council, right, and the
42 agency, I would argue, is to provide the information that allows
43 us to sustainably manage the fisheries moving forward.

44
45 We have to figure a way to prioritize what's most important, and
46 clearly we haven't got there yet, and so we're going to talk a lot
47 more about that, but I just wanted to -- I don't want to keep
48 rehashing the conversation about what's good about MRIP and what's

1 bad about MRIP. I think we know that, and we need to chart a path
2 forward, and so, with that said, Mr. Chair, I think it's lunchtime.

3
4 **MR. ANSON:** Thank you, Dr. Frazer. Yes, we are now at our
5 lunchbreak, and we will use the entire time that's listed on the
6 agenda, and so we will reconvene at 1:00 p.m.

7
8 (Whereupon, the meeting recessed for lunch on January 30, 2024.)
9

10 - - -

11
12 January 30, 2024

13
14 TUESDAY AFTERNOON SESSION

15
16 - - -
17

18 The Reef Fish Management Committee of the Gulf of Mexico Fishery
19 Management Council reconvened at The Hyatt Centric in New Orleans,
20 Louisiana on Tuesday afternoon, January 30, 2024, and was called
21 to order by Chairman Tom Frazer.

22
23 **CHAIRMAN FRAZER:** Before we move into the discussion of the gag
24 grouper management measures, I just wanted to follow-up on the
25 presentation that Mr. Strelcheck gave with regard to Gulf red
26 grouper and gag grouper. Emily Muehlstein let me know that there
27 was a tremendous amount of public comments that she received in
28 regard to this topic area, and so I want Emily to be able to talk,
29 real quick, and let the council members, and folks in the audience,
30 know where they can access that information, and so have you got
31 a second, Emily?
32

33 **MS. EMILY MUEHLSTEIN:** Thank you, Mr. Chair. In the last four or
34 five days, we've received about 225 comments, and they're still
35 coming in, on the issue that we just discussed, and that's pretty
36 unprecedented, and so we are compiling them all. They're all kind
37 of in different places in our comment forms, and in our emails and
38 things, and so we're compiling those all right now, and, by the
39 time we get there, I will have a link to all of those comments on
40 the meetings materials page, underneath the public testimony
41 section of the agenda, and so that will be available hopefully by
42 the end of today, and we'll keep adding them in as we get them
43 over the next couple of days, but that's where they're going to
44 live, is right under the public comment portion of our agenda
45 meeting materials.
46

47 **CHAIRMAN FRAZER:** All right. Thanks, Emily. I appreciate that.
48 Then the last kind of business, or housekeeping item here, is that,

1 as we move through the rest of Reef Fish, if there is a motion on
2 the board, and we're actually going to vote on it, the clickers
3 are in place, right, and so we will make use of those, moving
4 forward, and so thanks for the reminder of that, guys. All right.
5 Let's go ahead and move into the draft options for gag grouper
6 management measures, and, Mr. Rindone, can you talk us through the
7 action schedule, or the action guide? Excuse me.

8
9 **DRAFT OPTIONS: GAG GROUPER MANAGEMENT MEASURES**

10
11 **MR. RINDONE:** Thank you, Mr. Chair. I'm going to go through this
12 presentation that you guys have seen a couple of times. It's been
13 updated, per your request to include the 2023 fishing effort data
14 for gag in the analysis for how a daily bag limit reduction would
15 affect the fishing season duration, and so you guys should consider
16 this information and make any recommendations to the council, as
17 appropriate, including whether and, if so, how to move forward
18 with development of this management modification, and so, Bernie,
19 if you could bring that presentation up.

20
21 Quickly, as we know, gag is overfished and experiencing
22 overfishing, as of 2019, and we went through Amendment 56 to
23 establish the rebuilding plan. Amendment 56 was transmitted to
24 late June and then retransmitted on September 11, just to clarify
25 something at the request of the Southeast Regional Office, and, as
26 Mr. Strelcheck said, final rulemaking is in progress on that
27 amendment. You guys had directed us to start this framework action
28 to look at several other measures for gag, including lowering the
29 recreational bag limit, and, once upon a time, black grouper was
30 also included in this, but you guys have since cleaved that off.

31
32 Your stated goals about gag are listed here, based on what you
33 guys discussed at the August 2023 council meeting, which were the
34 reduced fishing mortality on the males, constrain future harvest
35 to the ACL, increase the probability of rebuilding, avoid
36 increasing discards, and to reduce the vulnerability of gag during
37 spawning to increase spawning success.

38
39 The last remaining management option being considered, out of the
40 suite that we had started with, is looking at a reduction in the
41 recreational bag limit, which is currently two fish per person per
42 day within the four-grouper recreational aggregate bag limit, and,
43 as we've noted before, halving the bag limit, such as going from
44 two fish to one fish per person per day, is not estimated to double
45 the fishing season duration, and this is because most fishermen
46 don't catch the bag limit every time they go fishing.

47
48 The analysis has been updated, at your request, to include the

1 effort data from 2023, along with 2020 through 2022, and we are
2 using the data that are shown there. The shore more is excluded,
3 because it's almost 100 percent -- Almost 100 percent of that is
4 less than or equal to one fish per person, and these data include
5 SRFS for private vessels.

6
7 You can see those data here, and, again, the bulk of what is being
8 caught for the for-hire fleet, about 90 percent-ish, is less than
9 one fish per person, with the remainder more or less falling into
10 the one fish per person. For SRFS, which is the -- Not the black,
11 but like the darker gray, about -- Let's call it 55 percent of
12 trips landed less than one fish per person, and a little more than
13 20 percent land one fish per person, and a little bit less than 20
14 percent land two fish per person, per the SRFS for private vessels.

15
16 Then, for headboat, and, again, considerate of the fact that
17 headboats can have multiple passengers, all of headboat falls into
18 the less than one fish per person category.

19
20 When we're talking about what this means for a reduction in the
21 bag limit, as far as the predicted change in landings, we would
22 expect about a 21 percent reduction in landings over the same time
23 period, for the private vessels, for going from two fish to one
24 fish per person per day, and, again, that's because, based on the
25 SRFS data, there are estimated to be some folks that are about --
26 You know, less than 20 percent of trips that are coming in with -
27 - Or about 20 percent of trips that are coming in with two fish
28 per person, and so those would all be right back to one, but, for
29 the for-hire side of things, there is almost no change.

30
31 Just notes here that, you know, this is including the 2023 data
32 that we just got finished discussing at length at lunch, and it
33 assumes that effort will be similar to that that was estimated in
34 September and October, with effort in 2023 having been estimated
35 to be substantially higher.

36
37 Here are the percent change in fishing season duration if you go
38 from two fish to one fish per person per day, and so it ends up
39 being an increase in fishing season duration of about 10 percent,
40 and, of note for this also though is that, you know, we would
41 expect there to be some increase in regulatory discards from going
42 from two fish to one fish, especially for private vessels, given
43 that about a fifth of that fleet is landing the current two fish
44 per person bag limit, and so we would expect additional discarding
45 to happen with a bag limit reduction, and that's pretty typical
46 for that management change. I think that's the last slide on gag.

47
48 **CHAIRMAN FRAZER:** Thank you, Ryan. We'll start off with Captain

1 Walker and then C.J.

2
3 **MR. WALKER:** I think this gag kind of speaks for itself.
4 Potentially a three-day addition to the season, by cutting your
5 bag limit in half, is not really that appealing. A 10 percent
6 gain in fishing days for a 50 percent cut, I'm not in favor of
7 that, myself.

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

10
11 **DR. SWEETMAN:** Thank you, Mr. Chair. My perspective on this might
12 be just a touch different. In light of, and it's hard to make
13 decisions on this, in light of the uncertainty that we have with
14 what the gag season might look like next year, and kind of the
15 things that are being looked at with the potential overage, or
16 with the overage, that we have for this fishery, but, in light of
17 that, I tend to agree with you, Ed.

18
19 However, my different perspective is that I don't think we're in
20 a situation right now where -- I'm trying to -- I want to preserve
21 the season that we have, quite frankly, rather than -- I understand
22 that we would, ideally, like to add onto the season, but, in light
23 of this overage, I'm weary of what options we have at our table to
24 further constrain harvest here, because this is a challenge, and
25 the reason why I'm struggling with what I'm trying to say here is
26 because I don't know how the next season might look like,
27 obviously, because there are some additional analyses that need to
28 be done.

29
30 Overall, I mean, conceptually, preserving the season that we have
31 I think is beneficial. Yet, at the same time, I completely
32 understand your perspective, Ed.

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

35
36 **MR. GILL:** Thank you, Mr. Chairman. So, coming out of the last
37 meeting, I brought into the one fish bag limit has no impact, but,
38 if you consider what that's based on, which is the last three
39 years, one of which was very short, but the previous two were
40 longer, and then you look at what we're faced with for the next
41 couple of years, given this whole rise in the ACL, and what
42 overages may impact, what C.J. was talking about, I think there's
43 a question that was not included in here that the behavior may
44 change.

45
46 If you have a long season, in my mind, you're less inclined to
47 double up, but, if you have a very short season, then, man, I can
48 only get out here a few times within a season, and I think I need

1 to bring in another one, if can find it, which I think is a
2 different dynamic than what this is based on, and so I'm struggling
3 with this, because I don't want to impose any more on a negative
4 situation, but, on the other hand, I'm not sure the data that we're
5 looking at here reflects the data going forward. Thank you.

6
7 **CHAIRMAN FRAZER:** Okay. Thank you, Mr. Gill. Mr. Strelcheck.

8
9 **MR. STRELCHECK:** I mean, great comments so far. I had similar
10 thoughts, as I was reviewing the materials for this meeting, and,
11 you know, Ed's reaction was I kind of think my initial reaction,
12 that this doesn't really get us a whole lot, and especially from
13 the kind of socioeconomic benefits of adding days to the season,
14 but then, like C.J. stated, as well as Bob, I'm concerned, going
15 forward, in terms of what we can do to continue to maintain the
16 season, constrain harvest to that catch limit.

17
18 We've talked about, obviously, the challenges with 2023, but we're
19 switching to SRFS in 2024, and we're still going to have very low
20 catch limits, and very short seasons, and so what can we do to try
21 to make those as long, and successful, as possible, constraining
22 harvest, and I feel like this is one of the last remaining tools
23 we have under kind of the common, traditional management tools
24 that we use.

25
26 **CHAIRMAN FRAZER:** Okay. Thank you, Andy. Mr. Rindone.

27
28 **MR. RINDONE:** So staff are looking for direction right now about
29 what to do with this, and so, if we continue development of it,
30 which we can, then the presumption would be that the current action
31 and alternatives that are in there -- There is only two
32 alternatives, would be what we would proceed with for this
33 framework action, and then, if this is not something that you guys
34 want to do, then, obviously, please let us know, and we would be
35 looking for some kind of a motion to that effect, one way or
36 another, like continue development or don't.

37
38 **CHAIRMAN FRAZER:** Okay, and so is there a -- Before we get there,
39 Ms. Boggs. I don't see you at the end.

40
41 **MS. BOGGS:** I apologize, Ryan, but I'm still making sure that I'm
42 looking at this right, and so Amendment 56 is in FES, correct?

43
44 **MR. RINDONE:** No. It's in SRFS.

45
46 **MS. BOGGS:** That's what I meant, actually, is SRFS. Okay. Got
47 that, and if it's three days, or four days, which doesn't seem
48 like a lot, and, I mean, avoid increasing discards, but would that

1 have any impact on reducing discards?
2

3 **MR. RINDONE:** This measure would be expected to increase the
4 regulatory discards, because about 20 percent of the private
5 recreational vessel fleet catches the current recreational bag
6 limit of two fish per person, and so, by reducing it to one fish
7 per person, we would expect that proportion of fishing effort to
8 result in an increase in regulatory discards, because they would
9 only be able to keep half of what we are estimating they currently
10 do.

11
12 **CHAIRMAN FRAZER:** Okay, and that's what I wanted to confirm, and
13 that would be why I would say no action, because, to me, one of
14 our biggest issues, in any species, is discards. If there's any
15 way that we can reduce the discards, to me, that's a win, and, if
16 it were a week, two weeks, something like that, I might look at it
17 differently, but still, the discards, to me, is one of our major
18 issues that we're dealing with with every species that we manage.

19
20 **CHAIRMAN FRAZER:** Thank you, Ms. Boggs. Captain Walker.

21
22 **MR. WALKER:** I will make a motion that we continue with Alternative
23 1, Action 1, Alternative 1, no action, and the reason being it's
24 what I consider to be really negligible gains. Alternative 1,
25 Action 1, and it's really an insignificant gain, for a recreational
26 or charter guy, to cut the bag limit in half. If it was a larger
27 percentage, say, you know, 25 percent or more, then it would be
28 something to consider, but, in my opinion, this very small amount
29 of gain is not worth the tradeoff.

30
31 **CHAIRMAN FRAZER:** All right, and so we've got a motion on the
32 board, in Action 1, to make Alternative 1 the preferred, which is
33 essentially -- It means we would not proceed with this document,
34 and so I just wanted to make sure that everybody understood that.
35 Is there a second for the motion?

36
37 **MS. BOGGS:** Second.

38
39 **CHAIRMAN FRAZER:** It's seconded by Ms. Boggs. Mr. Gill.

40
41 **MR. GILL:** Thank you, Mr. Chairman. Ryan, could you remind us of
42 the projected timeline of this document?

43
44 **MR. RINDONE:** We are currently in the options stage, and so
45 evaluating what options are going to be included. The next stage,
46 if the document were to proceed, would be to develop Chapters 3
47 and 4 for it and bring it back to you guys for final action
48 consideration, and so we've been showing you guys this presentation

1 because it just more succinctly goes through all of the
2 information, rather than paging through a whole bunch of stuff in
3 the document, but that's essentially what we would be looking at.

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

6
7 **MR. GILL:** Thank you, Mr. Chairman. Well, having heard that, if
8 it's the will of the council to accept Action 1, the better
9 approach would be to move the amendment to Considered but Rejected
10 and avoid the workload, which is effectively nothing.

11
12 **CHAIRMAN FRAZER:** Mr. Rindone.

13
14 **MR. RINDONE:** Yes, and, I mean, essentially, we would be -- Because
15 there is only one action in here, yes, that would definitely be
16 the more efficient way to go, is just to discontinue work on this.

17
18 **CHAIRMAN FRAZER:** C.J.

19
20 **DR. SWEETMAN:** Thanks, Mr. Chair. Certainly I envision that we'll
21 hear a lot of public comment on gag at this meeting, and, in light
22 of the presentation that Andy gave, I would just be curious to
23 hear what the public feels about this. Having said that, I'm going
24 to abstain here, for this particular motion, simply because of the
25 issues that I was trying to highlight earlier, just the
26 uncertainty, and I don't know what the season might look like, or
27 what the impact of this might be for that season, and so I'm going
28 to abstain from this vote. Thanks.

29
30 **CHAIRMAN FRAZER:** I just want to make sure that I'm capturing Mr.
31 Gill's comments, and so are you suggesting, in a friendly way, to
32 revise the language in that motion, or just -- Go ahead.

33
34 **MR. GILL:** Thank you, Mr. Chairman. Yes, I think that's the
35 fundamental question, right. If we're going to move forward, then
36 this is not the right action, but, if we're not going to move
37 forward, there's no sense in staff going through developing
38 Chapters 3 and 4 for no reason, and so I think what really is being
39 asked here is do we want to move forward with this document or
40 not, and that's probably not the right motion to address that.

41
42 **MR. WALKER:** So we need input from everybody on -- I am open to
43 suggestion there.

44
45 **CHAIRMAN FRAZER:** John, real quick.

46
47 **DR. FROESCHKE:** My interpretation, from staff, is that we would
48 just stop work on the document, and so, if that's not what you had

1 in mind, then please clarify, but I think it is.

2
3 **CHAIRMAN FRAZER:** Mr. Gill.

4
5 **MR. GILL:** Thank you, Mr. Chairman. I would like to make a
6 **substitute motion that we stop work on the gag grouper amendment.**

7
8 **CHAIRMAN FRAZER:** All right, and so we're going to put a substitute
9 motion on the board. **The substitute motion is to discontinue work**
10 **on Draft Options: Gag Grouper Management Measures.** It was made by
11 Mr. Gill, and it was seconded by Captain Walker. Is there any
12 further discussion on the substitute motion? Okay. I am not
13 seeing any, and so we will pull out our clickers, and we will take
14 a vote on the substitute motion.

15

B.5.1S To discontinue work on Draft Options: Gag Grouper Management Measures...				
First Name	Last Name			
Kevin	Anson			Abstain
Susan	Boggs		No	
Billy	Broussard	Yes		
Dale	Diaz	Yes		
JD	Dugas	Yes		
Anthony	Overton	Yes		
Tom	Frazer			Abstain
Dakus	Geeslin	Yes		
Bob	Gill	Yes		
Michael	McDermott	Yes		
Chris	Schieble	Yes		
Joe	Spraggins	Yes		
Andy	Strelcheck		No	
Kesley	Banks	Yes		
CJ	Sweetman			Abstain
Troy	Williamson	Yes		
Ed	Walker	Yes		
Result - Passed	Subtotals	Yes (12)	No (2)	Abstain (3)

16
17

18 **CHAIRMAN FRAZER:** Okay, and so the substitute motion passes with
19 **twelve yes, two no, and three abstentions.** Okay.

20

21 Then we will move on to the next item in the agenda, and that would

1 be Agenda Item Number VI, Final Action: Draft Abbreviated Framework
2 -- Mr. Strelcheck.

3
4 **MR. STRELCHECK:** Sorry to hold you up, Tom, but, before we move on
5 from gag, now that we've discontinued work on the draft options
6 paper, I wanted to ask staff about the timing of the spatial area
7 management document that's been kind of waiting behind this, and
8 when is the timeframe for bringing that forward for council
9 consideration?

10
11 **CHAIRMAN FRAZER:** Ryan.

12
13 **MR. RINDONE:** John says final action in April, and so he's brimming
14 with optimism. I think we need to evaluate everything else that's
15 on the plate right now and figure out how we can start -- You know,
16 how and when we can start to work on that. At this point, I think
17 there's a lot of frontend research that we're going to need to do
18 to be prepared to bring options to the council to be able to
19 consider that.

20
21 It's going to involve conversations with the Science Center, and
22 with probably some of our SSC members that are still practicing
23 research out there, and try and get a bead on where to look, and
24 what to look for, and how to set all that data up to properly
25 evaluate which areas might be worth considering for something, and
26 so not April.

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

29
30 **MR. STRELCHECK:** I appreciate that, and, obviously, we're working
31 on the final rule for Amendment 56. We have a very depleted stock
32 that we're going to try to rebuild over the next eighteen to twenty
33 years, and I just would encourage this council to move forward,
34 sooner rather than later, with looking at other options that can
35 help bolster our success for that rebuilding plan, that being one
36 of them.

37
38 **CHAIRMAN FRAZER:** All right. Thank you, Andy, for those comments.
39 Is there any other comments related to gag? Okay. I am not seeing
40 any, and we will go ahead and move to Agenda Item VI, which is the
41 final action item on the Draft Abbreviated Framework Action:
42 Modifications to Catch Limits for Gulf of Mexico Lane Snapper. I
43 think this will be Dr. Freeman. Ryan.

44
45 **FINAL ACTION: DRAFT ABBREVIATED FRAMEWORK ACTION: MODIFICATIONS**
46 **TO CATCH LIMITS FOR GULF OF MEXICO LANE SNAPPER**

47
48 **MR. RINDONE:** I will be running it for Dr. Freeman. So you guys

1 are going to review public comments with Ms. Muehlstein, and I'm
2 going to summarize the draft abbreviated framework action, and the
3 Southeast Regional Office will briefly review the modifications to
4 the codified text. Once you guys have selected a preferred option,
5 you should consider -- You should consider forwarding the document
6 to Full Council for final action, recommend that the council deem
7 the codified text as necessary and appropriate, and give staff
8 editorial license to make any changes, kind of the standard
9 language. Emily, do you want to run first?

10
11 **SUMMARY OF PUBLIC COMMENTS**

12
13 **MS. MUEHLSTEIN:** I would be delighted to. Since this is an
14 abbreviated framework action, we took the opportunity to try
15 something a little different this time. Rather than create and
16 publish a standard public hearing video like you've seen before,
17 where we do the presentation on the amendment, we simply decided
18 to try using a short form video, and we published that video, and
19 it was a sixty-second video, to YouTube, and we also published it
20 as a reel on our social media outlets. That video received 2,810
21 views. However, it did not result in any public comment on the
22 lane snapper issue. I'm happy to take questions.

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

25
26 **MR. GILL:** Thank you, Mr. Chairman, and so the obvious answer is
27 great experiment, and it failed.

28
29 **MS. MUEHLSTEIN:** I don't know. You know, the issue is that we're
30 adding 60,000 pounds of lane snapper, and so it might be that
31 nobody came to comment because nobody came -- Nobody had an issue,
32 right, and so correlation and causation, and I'm not sure, but I
33 would like to guess it's the latter.

34
35 **CHAIRMAN FRAZER:** We've got the glass half full and then glass
36 half empty. You guys should have a talk. All right, and so any
37 other comments on the public comment part of this? I'm not seeing
38 any. Ryan, if you want to go ahead and move --

39
40 **DR. OVERTON:** I would suggest trying again, because you said 2,000
41 views was more views that we have in-person comment, and you
42 reached a lot of folks, and this was the first time, and you may
43 have to do it five or six or seven more times, but your web was
44 much larger than the face-to-face public comment, and so I would
45 suggest running it multiple times.

46
47 **CHAIRMAN FRAZER:** All right. Another glass-half-full guy. All
48 right, and so, Ryan, if you want to take us through the document.

1
2
3
4 **DOCUMENT**

5 **MR. RINDONE:** Sure. I had an engineering roommate in college that
6 would tell you that it's just too much glass. Bernie, if you could
7 bring the document up. Okay, and so, as was mentioned, we're
8 looking at about a 60,000-pound increase in the catch limit here
9 for lane snapper.

10 Lane snapper is run through a catch limit analysis by the Science
11 Center, using a method called iTarget, which looks at the headboat
12 catch per unit effort index against the recent landings, and then
13 the catch limit is set scaled based to that. Bernie, can you
14 scroll on down? Let's do the purpose and need first, please,
15 Bernie.

16
17 The purpose is to modify the overfishing limit, acceptable
18 biological catch, and annual catch limit for Gulf lane snapper
19 based on the 2023 SEDAR 49 interim analysis, and the need is to
20 update existing lane snapper catch limits based on the best
21 scientific information available and to achieve optimum yield,
22 while preventing overfishing, consistent with the requirements of
23 the Magnuson Act.

24
25 We have two options here, to do nothing, which is viable, and it's
26 something that you guys can do, and the data units are the same
27 between these, which would keep the OFL at about 1.053 million
28 pounds, and then the ABC at 1.028, and the ACL is set equal to the
29 ABC. Again, lane snapper is thought to be in an otherwise healthy
30 condition.

31
32 Option 2 would increase the OFL and ABC. The OFL would increase
33 to 1.116 million pounds and change, and the ABC to 1.088 and
34 change, and, again, the ACL would be set equal to the ABC, and so,
35 Mr. Chair, here, we would be looking for a preferred option from
36 the committee.

37
38 **CHAIRMAN FRAZER:** All right. Thank you, Mr. Rindone, and so is
39 there anybody willing to make a motion with regard to the
40 preferred? Mr. Gill.

41
42 **MR. GILL:** Thank you, Mr. Chairman. **I move that Option 2 be our**
43 **preferred.**

44
45 **MS. BOGGS:** Second.

46
47 **CHAIRMAN FRAZER:** All right. It's seconded, the motion by Mr.
48 Gill, and we'll get it on the board, and it was seconded by Ms.

1 Boggs. As soon as we get it up there, we'll have some discussion.
 2 All right, and so the motion on the board is to make Option 2 the
 3 preferred. C.J.

4
 5 **DR. SWEETMAN:** I mean, just general points of discussion here,
 6 and, obviously, we've got a very marginal increase to the overall
 7 quota. The SSC has looked at this, clearly, and feels that there
 8 is -- This additional 60,000 pounds is unlikely to prevent any
 9 future overages, and so, if the stock can handle it, sure. Thanks.

10
 11 **CHAIRMAN FRAZER:** All right. I am not seeing any other hands, and
 12 so we will go ahead and vote on this option. Clickers out. All
 13 right.
 14

B.6.1 To make Option 2 the preferred				
First Name	Last Name			
Kevin	Anson	Yes		
Susan	Boggs	Yes		
Billy	Broussard	Yes		
Dale	Diaz	Yes		
JD	Dugas	Yes		
Anthony	Overton	Yes		
Tom	Frazer			Abstain
Dakus	Geeslin	Yes		
Bob	Gill	Yes		
Michael	McDermott	Yes		
Chris	Schieble	Yes		
Joe	Spraggins	Yes		
Andy	Strelcheck	Yes		
Kesley	Banks	Yes		
CJ	Sweetman	Yes		
Troy	Williamson	Yes		
Ed	Walker	Yes		
Result - Passed	Subtotals	Yes (16)	No (0)	Abstain (1)

15
 16
 17 **CHAIRMAN FRAZER:** The motion carries sixteen yes, zero no, and one
 18 **abstention.** I think the next path here is to go ahead and get a
 19 motion to move this final, right, and do we have a council member
 20 willing to make that motion. Ms. Boggs.

21
 22 **MS. BOGGS:** Well, I was going to follow in Bob's path and just say
 23 the standard motion, please, Bernie.

1
2 **CHAIRMAN FRAZER:** Thank you to the staff for being well prepared,
3 as always, and so we've got a motion on the board. Is there a
4 second for that motion?
5
6 **MR. GILL:** Seconded.
7
8 **CHAIRMAN FRAZER:** It's seconded by C.J, actually. He beat you to
9 the punch, Bob. All right. Is there any further discussion of
10 the motion? I am not seeing, and it's a final action. We will
11 get the clickers out again.
12

B.6.2 To Recommend the Council approve the draft abbreviated framework.....				
First Name	Last Name			
Kevin	Anson	Yes		
Susan	Boggs	Yes		
Billy	Broussard	Yes		
Dale	Diaz	Yes		
JD	Dugas	Yes		
Anthony	Overton	Yes		
Tom	Frazer	Yes		
Dakus	Geeslin	Yes		
Bob	Gill	Yes		
Michael	McDermott	Yes		
Chris	Schieble	Yes		
Joe	Spraggins	Yes		
Andy	Strelcheck	Yes		
Kesley	Banks	Yes		
CJ	Sweetman	Yes		
Troy	Williamson	Yes		
Ed	Walker	Yes		
Result - Passed	Subtotals	Yes (17)	No (0)	Abstain (0)

13
14
15 **CHAIRMAN FRAZER:** The motion carries without opposition, seventeen
16 yes and zero no.
17
18 All right, and so the next part of this agenda item is the review
19 of the codified text, and that would be Tab B, Number 6(c), and,
20 Mara, would you handle that?
21

22 **REVIEW OF CODIFIED TEXT**

1
2 **MS. LEVY:** Well, we went a little out of order, because you already
3 did the motion, but I didn't stop you, because we're changing one
4 number in the codified text, right, and so you didn't have a
5 preferred option at the time, but it was written as though you
6 were going to choose Option 2, and so it's there, and it has the
7 number that's in the document.

8
9 **CHAIRMAN FRAZER:** There you go. I had all the confidence in the
10 world, and so I'm also a glass-half-full kind of guy. All right.
11 Is there -- We just simply, as Mara said, change one number in the
12 codified text. Any further discussion on that? All right. I am
13 not seeing any, and so we will move on to our next agenda item.

14
15 Agenda Item VII would be Permit Requirements for Participation in
16 Individual Fishing Quota Programs, and we will ask Dr. Diagne to
17 come guide us through -- Or take us through the action guide, and
18 he will also provide a presentation.

19
20 **PERMIT REQUIREMENTS FOR PARTICIPATION IN INDIVIDUAL FISHING**
21 **QUOTA PROGRAMS**

22
23 **DR. ASSANE DIAGNE:** Thank you, Mr. Chair. Ms. Gray is going to
24 provide the presentation, but, before that, I will go through the
25 action guide, if you want.

26
27 **CHAIRMAN FRAZER:** Okay, and so we appreciate that.

28
29 **DR. DIAGNE:** Thank you very much. For this item, which is going
30 to discuss Gulf of Mexico IFQ programs, and, in particular,
31 requirements for participation in the IFQ programs. Ms. Gray will
32 give a presentation, and she will discuss the goals and objectives
33 of the two IFQ programs, the red snapper as well as the grouper
34 and tilefish programs, and she will talk about some options
35 regarding regulatory action that is essentially in development.

36
37 The presentation will include an introductory discussion for
38 changes to requirements for participating in the IFQ programs, and
39 this amendment will be Amendment 59. A draft purpose and need
40 will be discussed, as well as potential actions to be considered
41 for inclusion in this Amendment 59.

42
43 Other actions would include requirements to open and maintain
44 shareholder accounts to have and maintain shares, as well as annual
45 allocation. In addition, options to ascertain active
46 participation of IFQ participants will be discussed. To finish,
47 divestment measures, that would be applicable to IFQ participants
48 that would not be compliant with the requirements discussed, would

1 also be included in this amendment.

2
3 The committee should review the information presented, suggest
4 revisions or additions, as needed, and also suggest next steps,
5 and so we'll turn it over to Ms. Gray.

6
7 **CHAIRMAN FRAZER:** All right. Thank you. Ms. Gray.

8
9 **MS. ALISHA GRAY:** Thank you. Again, I'm Alisha Gray, and I work
10 with the IFQ program, and I'm going to be walking us through this
11 presentation in place of Dr. Jessica Stephen, and she's in Hawaii,
12 attending another meeting, and so I'm going to remind us that, at
13 the October meeting, two motions were passed.

14
15 The first was to consider requirements for obtaining an IFQ account
16 and holding, and obtaining, shares and allocation, and we're going
17 to handle that through Amendment 59. The second motion that was
18 passed was to evaluate options for equitably distributing shares
19 currently held by NMFS through 36A and recovering and
20 redistributing shares associated with inactive accounts, which
21 will be handled in Amendment 60.

22
23 This presentation is going to focus on that first motion, and we're
24 going to focus on Amendment 50, and, while we're going through the
25 actions that we're going to present today, again, there's going to
26 be four actions that we'll go through, and we want to remind
27 ourselves of the goals and objectives that we recently updated,
28 and I'm listing those here.

29
30 Amendment 59 will be most relevant to Goal 1, which is to improve
31 opportunities for participants to enter the program, as well as
32 Goal 3, which was to maintain flexible fishing options and economic
33 stability.

34
35 Here we're presenting the draft purpose and need, as they currently
36 stand, and so the purpose is to update the goals and objectives of
37 the Gulf IFQ programs, based on program reviews, and to revise the
38 programs' participation requirements, and the need is to update
39 the goals to reflect the changes in the program over time and to
40 promote participation by and improve opportunities for entities
41 engaged in the harvest of IFQ species.

42
43 Before we dive into the first action, I want to remind ourselves
44 that, in the first five years of the programs, there was a
45 requirement to hold a reef fish permit to open an IFQ shareholder
46 account. Of course, by holding a permit, you were able to harvest,
47 and you could also increase your shareholding, and so you could
48 obtain more shares.

1
2 There was no further requirement to maintain that account.
3 However, if you were to transfer, or otherwise lose the permit,
4 you wouldn't be able to increase your shareholdings, and so you
5 could maintain the account and those shares, but otherwise there
6 was no maintenance required with a permit.

7
8 Our current regulations, and, if you remember, after those first
9 five years, public participation was opened, and the only
10 requirement since then, and currently, is that you are required to
11 affirm that you're a U.S. citizen or a permanent resident alien to
12 open an account, and, additionally, if you wish to maintain that
13 account, you would simply need to reaffirm that U.S. citizenship
14 and update your contact information every two years. There are no
15 restrictions for obtaining and maintaining shares and allocation.

16
17 Action 1, again, is to look at options for opening and maintaining
18 an IFQ shareholder account and any restrictions, or requirements,
19 that we might want to associate with that, and so, as we go through
20 all the actions, I want to say, really quickly, that, whenever I
21 say "permit" from here on out, I'm going to be referring to the
22 commercial reef fish vessel permit, and so, of course, Alternative
23 1, no action, would be to maintain current regulations. There is
24 no requirement of a permit, but simply that you affirm U.S.
25 citizenship. I do want to note that, under the Magnuson-Stevens
26 Act, U.S. citizenship is the minimum requirement, and that is a
27 standard.

28
29 Alternative 2, if we wish to impose more restrictions, that option
30 would be to require a permit to obtain an account, and so this
31 would be similar to the first five years of the program, where, if
32 you wish to open a new account, you would have to have a permit to
33 do so, and, thereafter, there would be no further requirement to
34 maintain that account. Alternative 3 would be a requirement of a
35 permit to open -- Sorry. To obtain and maintain an account, and
36 so this would be the most restrictive.

37
38 After I go through each of these four actions, I'm going to then
39 present you some considerations for those, and I want to start
40 here with all of the actions that we're about to go into are going
41 to be very influential and impactful on each other, and so I think
42 it will benefit us if we go through all four actions and then
43 consider them together, because any combination of alternatives
44 that we wish to pursue will impact our remaining decisions that we
45 would have and how that interplay between them might play out.

46
47 At the end of all of this, I will be providing a summary slide
48 where we can look at all of those different alternatives that we

1 may wish to pursue, and then, of course, with this IFQ shareholder
2 account, that would be the first step that would make you eligible
3 for the future actions with shares and allocation, and,
4 specifically, with the account, Alternative 3, which is the most
5 restrictive, accounts without shares or allocation, and so, if we
6 were to require a permit, we would then have to develop a
7 divestment procedure.

8
9 Currently, NMFS has an administrative procedure already in place,
10 where, every eighteen months, we will go through and look at
11 accounts that have no activity, and so, if they've never been
12 logged into for the last eighteen months, and they also have no
13 holdings, such as shares or allocation, we will administratively
14 close them.

15
16 We could do that, of course, with accounts moving forward, but, if
17 we are having more restrictions, where there would likely be more
18 accounts and allocation, we would have to consider options for a
19 divestment procedure, and we will be going through that later in
20 the presentation.

21
22 Also, after each action, I'm going to provide you some data, and
23 so I'm going to -- It's going to look like this for each of them,
24 where I'm going to show you 2018 to 2022, where you can see a range
25 of how these numbers are changing in time. I do want to note that
26 2018 to 2019 -- That is when 36A was implemented, and we closed
27 seventy-four accounts, and many of those shares that were within
28 those accounts were retained by NMFS, and we still hold them.
29 Again, Amendment 60 is where we will address how to equitably
30 distribute those.

31
32 At the top, you can see that I am providing you a number of --
33 It's a number of accounts with allocation, and then below that is
34 the number of accounts with shares, the number of accounts with
35 permits, and the number of accounts with landings.

36
37 I do want to say that these are overlapping numbers, and so, for
38 instance, accounts with allocation may or may not have shares, a
39 permit, or landings, and so there is a lot of overlap, but, at the
40 bottom, so it's a little bit more digestible, I provided
41 percentages, and those are the percent of accounts, with each of
42 those parameters, against accounts with allocation, and so we chose
43 to use accounts with allocation so that there was some engagement.

44
45 Here, you can see, for percent of accounts that have allocation,
46 and also have shares, that ranges from 74 to 77. The percent of
47 accounts with permits and allocation ranges from 60 percent to 68
48 percent, and then the percent of accounts with landings ranges

1 from 44 to 48 percent, and so, when we're thinking about the
2 alternatives for Action 1, we can see the percent of accounts with
3 permits, as of 2022, was 60 percent, and so those would be the
4 percentage of accounts that are immediately compliant with that
5 regulation, if we were to go that route.

6
7 I do want to mention that we've had a lot of discussion about,
8 since public participation, we have a lot of related accounts, and
9 we assume that there will be consolidation of those accounts, if
10 we were to pursue that avenue, and so, while we might see a
11 reduction in the number of accounts, as you see here, we do not
12 expect a similar reduction in participation and effort. We would
13 have to keep monitoring this as the amendment moves and as we make
14 choices.

15
16 Now we're going to move into Action 2, and so active participation
17 was mentioned in regard to the ability to hold shares or
18 allocation, and so we're going to look at ways to evaluate, and to
19 define, what active participation within the IFQ programs might
20 look like. I do want to mention that, if we were to monitor
21 activity, we would have to do so at an account level. We wouldn't
22 be able to do that at the entity level, and so account-by-account
23 would have to demonstrate active participation to meet this
24 requirement.

25
26 The IPT considered potential measures, that I will show you
27 shortly, but we also were considering time periods under which to
28 consider that participation, and the reason to consider a time
29 period would be if there's any unforeseen health issues, or vessel
30 repairs, or even a natural disaster. If that timeframe is too
31 tight, it might remove individuals from the fishery prematurely
32 and not account for those issues.

33
34 Briefly, we're going to remind ourselves of the fishing trip
35 process, and so, before heading out on a trip, the fisher must
36 declare that they're going on a fishing trip, and they will report
37 the sector, gear, and fishery. If they are successful, and they
38 have fish onboard, they will have to submit a prelanding
39 notification three to twenty-four hours before landing, and
40 remember that we require this notification for any reef fish
41 species. You have non-IFQ landing notifications as well as IFQ
42 landing notifications.

43
44 When they go to land, they will have to land at an approved site,
45 and all commercially and federally-reef-fish permitted vessels
46 must have a VMS system that will be pinging twenty-four-seven, and
47 so this will be another potential area for monitoring activity,
48 unless, of course, that vessel is under an approved power-down

1 exemption.

2
3 The IPT pulled together some potential avenues that we thought
4 would be good ways to monitor activity in the program. I
5 acknowledge that there is a lot going on on this slide, and so
6 we're going to tackle this column-by-column. Starting on the left
7 is landings, and so, of course, this would be the most streamlined
8 way to monitor activity. Would we want to consider minimum pounds
9 landed? Would that be one pound, or would that be a minimum amount
10 of pounds that would suggest a reliance on the fishery for their
11 business?

12
13 In addition, we could consider sub-options of IFQ species only.
14 Of course, this data is real-time, and very accessible in the IFQ
15 system, and so that would be very easy to monitor, but we could
16 also consider any reef fish species, and so do we want to consider
17 activity with the permit in general or IFQ-specific? If we go the
18 route of reef fish landings, then we would have to ingest that
19 data from the logbook program. We do not currently have real-time
20 access to these data, but that's something that we could work on,
21 if we wanted to pursue that.

22
23 Then, of course, a time period for determination would be
24 recommended, and we suggested potentially greater than a year, to
25 allow for any unforeseen circumstances, like vessel repairs or
26 health issues, and we also recommend potentially considering a
27 rolling time period, and so, for instance, if we want to monitor
28 activity in 2024, perhaps we consider 2021 to 2023. Moving to the
29 next column, VMS activity would be another avenue.

30
31 **CHAIRMAN FRAZER:** Ms. Gray, can we just get a quick question in
32 from Mr. Gill?

33
34 **MS. GRAY:** Sure.

35
36 **MR. GILL:** Thank you, Mr. Chairman. Alicia, on the time period
37 for determination, and I agree with the consideration of some time
38 period, but should there not also be consideration of a time limit
39 at the upper end, so that -- Even though you've covered the bottom
40 end, you need to consider the upper end, so somebody -- That's a
41 loophole potential, and we need to think about that for inclusion.

42
43 **MS. GRAY:** Thank you. Of course, that would be something that we
44 assume we would develop in the document, and I will get to that,
45 but if you think -- While we want to not make it so restrictive,
46 we should definitely limit loopholes within that system. Thank
47 you.

48

1 Okay. Moving back to VMS activity, VMS pings every hour, and so
2 this could be another potential source of monitoring activity in
3 the program, and this could mean monitoring a minimum number of
4 pings, or perhaps even developing a demarcation line that anything
5 pinging past that point would be indicative of an offshore fishing
6 trip.

7
8 The considerations with VMS activity is that we do not have direct
9 access to this data either, but we would be able to consider new
10 development for that. That would require a development time to
11 ingest that data and be able to monitor it. Also, with VMS
12 activity, as mentioned before, some vessels are under a power-down
13 exemption form, and that could be that they're not expecting to
14 fish for a minimum of seventy-two hours, and so any vessel that is
15 in one of those statuses would not be captured using this
16 monitoring.

17
18 Then the last column would be declarations, or pre-landings, which
19 are -- Of course, this is needed with every trip, and so, again,
20 declarations are declared before a trip is made, and pre-landing
21 is as they're about to land, and so we could consider a minimum
22 number of declarations and/or landing notifications over a time
23 period.

24
25 Some considerations for both of these is that a declaration is not
26 always indicative that a fishing trip took place, and so sometimes
27 a declaration will be submitted where weather doesn't permit the
28 trip to occur, or mechanical issues prevents the trip from
29 continuing, or perhaps they just also weren't successful in landing
30 any fish, and then, on the flip side, there are the pre-landing
31 notifications, and so these are not always a one-to-one match with
32 trips, and so sometimes participants will submit multiple landing
33 notifications for the same trip, for instance if they're working
34 with multiple dealers or if they're landing at multiple sites, and
35 so both of those have their caveats, but they can definitely be
36 monitored.

37
38 Another consideration I want to say is that declarations, like VMS
39 activity, is not immediately accessible. Again, we would need to
40 have new development to ingest that data.

41
42 Now to look at some data, and, here, I'm providing a count of reef
43 fish permits, at the top line, and you will see that these numbers
44 are decreasing in time. Remember that this is a limited-access
45 permit, and program, and so, if no action is taken on a permit, it
46 will be terminated and removed from the fishery.

47
48 Below that, we're providing the number of vessels with reef fish

1 landings and IFQ landings, and then, below that, the number of
2 permits that are latent, and so these are permits that currently
3 do not have any landings, and then, below, I provide the
4 percentages, again, and this is against the total number of
5 permits, and so, if we wish to pursue an activity measure with
6 landings, you can see 52 percent of permits, as of 2022, currently
7 would meet that requirement. That would be all reef fish species,
8 if we want to go that avenue.

9

10 If we want to restrict that, narrow that, scope to just IFQ
11 landings, then, as of 2022, 49 percent of permits are currently
12 meeting that requirement, and so, depending on which way you want
13 to go with that, I do want to also mention that the third line is
14 showing that there's a high degree of overlap of vessels that are
15 landing both reef fish landings, and so, for the percent of vessels
16 landing reef fish landings, they also are landing IFQ landings,
17 and so that's what you can see there.

18

19 **CHAIRMAN FRAZER:** Susan, if it's okay, and I realize that this is
20 a fairly lengthy presentation, and so, maybe after this action
21 item, we can circle back and try to discuss that action item, and
22 I think we will wait until 1 and 2 though, but I've got you, Susan,
23 and I just -- I realize I probably should have done that early on,
24 and so, after we get through Action 2, we'll stop and pause and
25 kind of evaluate then. All right. Thank you, Ms. Gray.

26

27 **MS. GRAY:** Okay. Then, finally, estimated weight and percent of
28 permits -- That has been increasing in time, and so, similar to
29 the IFQ accounts, we expected the percentages that we're showing
30 here as a most extreme case of the amount of accounts, or permits
31 in this case, that will be in compliance with the potential
32 requirements, and that could be, again, related accounts, but,
33 also, here, with estimated weight and permits, if any of those
34 permits come back into the fishery, and are active again, that
35 would change the shakeout of the data, and obviously we would
36 monitor that as we move along.

37

38 I think we just have this, and then we'll be done with Action 2,
39 and so some considerations for active participation would be, of
40 course, we think any methodology that we wish to pursue should be
41 clear to fishermen, and it, obviously, would also be helpful,
42 administratively, to monitor, but, especially to keep things
43 streamlined and clear, the IPT also recommends that active
44 participation be related to the harvest and/or fishing behavior of
45 IFQ species specifically.

46

47 Then, similar to the question asked before, we think that we should
48 balance limiting the number of potential loopholes and not making

1 the requirement for active participation so restrictive that a
2 damaged vessel, or a health concern, could remove you from the
3 program, and, of course, as we go through this, we assume that
4 we'll have a lot of discussion, and hopefully other suggestions,
5 about routes we could take, and I will stop there.

6
7 **CHAIRMAN FRAZER:** All right, and so, again, I apologize, and I
8 think this is a fairly lengthy document, and maybe we ought to
9 stop after the next action item as well, to provide a little input,
10 so it doesn't just go away, right, and so I think, again, to remind
11 folks, Action 1 is essentially a permit requirement, right, and
12 there are three -- We're considering three alternatives at this
13 point, and then Action 2 is, again, active participant
14 considerations, and there were three areas that you were looking
15 at there, having to do with landings, VMS activity, and the
16 declarations, right, and so, at this point, I'm going to open it
17 up to the floor to provide any input into the discussions that
18 have been going on with regard to those particular action items,
19 and so, Susan, I didn't mean to cut you off earlier, and I knew we
20 were going to get here.

21
22 **MS. BOGGS:** Thank you, Mr. Chair, and I wasn't sure how we were
23 pursuing this, and so I appreciate that. Back to Slide 11, and I
24 just want to make sure -- Well, first, I do have a question, and,
25 of course, this is 2022 data, and we're in 2024, and do we have
26 any idea how many reef fish permits were active in 2023?

27
28 **MS. GRAY:** We, unfortunately, do not currently have that ready for
29 this meeting, the presentation, but we would be working on that
30 for hopefully the next time that we convene for this.

31
32 **MS. BOGGS:** Okay, and then, to be clear, of the 829 reef fish
33 permits that are out there, only 52 percent of those have landings,
34 which would lead me to believe that there's 48 non-active permits,
35 or 48 percent, excuse me, and am I misunderstanding this?

36
37 **MS. GRAY:** Thank you for repeating that for me.

38
39 **CHAIRMAN FRAZER:** Mr. Strelcheck.

40
41 **MR. STRELCHECK:** A couple of comments, and, one, I really
42 appreciate the IPT kind of thinking outside the box, in terms of
43 other ideas beyond landings that could be used for participation.
44 I just wanted to make a comment, as we move forward, that I think
45 it's worth exploring those, but my goal would be something that is
46 transparent to fishers, like Alicia talked about, as well as trying
47 to minimize the administrative burden, in terms of doing that,
48 especially if we're going to be looking at that on a regular basis.

1
2 The other comment is, I think, related to Slide 10, and so we're
3 talking about minimum pounds landed based on those that hold
4 shares, and I think of this more as a proportional, you know,
5 thing, because you don't want to penalize, obviously, the smallest
6 shareholders, that might not have a lot of landings, right, and so
7 I think we also need to think about that, in terms of what percent
8 of their allocation that comes from shares is being landed on an
9 annual basis, regardless of the amount of shareholdings.

10
11 **CHAIRMAN FRAZER:** Thanks, Andy, for that input. Captain Walker.

12
13 **MR. WALKER:** Well, I was hoping for more discussion on this,
14 because these are pretty important decisions, but, in the spirit
15 of doing something, and moving forward with this thing we've been
16 kicking around since long before I was here, I would make a motion
17 to make Alternative 3 our preferred.

18
19 **CHAIRMAN FRAZER:** I think, Ed, just slow down a little bit here.

20
21 **MS. WALKER:** Well, just to put it out there to get some feedback
22 on considering Alternative 3, because we have to start somewhere,
23 I think, here.

24
25 **CHAIRMAN FRAZER:** I just want to make sure -- Again, I don't think
26 we need the motion on the board yet, but what you're asking is in
27 Action 1 or in Action 2?

28
29 **MR. WALKER:** I'm sorry. Action 1, reef fish permit, to obtain and
30 maintain an account.

31
32 **CHAIRMAN FRAZER:** Okay. Yes, I've got you, and so, if we go back
33 to Action 1 and the three things that are on the table right now,
34 essentially, there are, again, three alternatives. There is the
35 no permit, right, there's a permit to acquire, and then to require
36 a permit to acquire and maintain, and so I guess what I -- I mean,
37 with regard to the discussion that you want to stimulate here,
38 what do you find, you know, compelling about that that alternative,
39 I guess?

40
41 **MR. WALKER:** Well, because it's obtain and maintain, and I think
42 we need to take the whole bite here, or that would be my view,
43 but, like I said, I'm open to discussion, but I don't think
44 Alternative 2, just to obtain an account, really gets at the issue
45 that we're trying to deal with here.

46
47 **CHAIRMAN FRAZER:** Again, I think, ultimately, we're going to get
48 there. I guess what I would be asking, Ed, is whether or not the

1 IPT, and the groups that have been discussing this, based on the
2 council input, have they considered all the viable alternatives,
3 or did we miss something here? Mr. Strelcheck.

4
5 **MR. STRELCHECK:** Just a comment. I think we're very early on in
6 the scoping phase, and I would think of this as how we approached
7 SEFHIER yesterday, right, which is we went through the options,
8 and we kind of selected what would move forward, without going
9 towards preferreds, right, and so do we have the range of
10 alternatives correct? Do we want to include these actions in the
11 amendment, and then allow us the time to do the analysis, and the
12 work, to then inform a preferred alternative.

13
14 **CHAIRMAN FRAZER:** Mr. Gill.

15
16 **MR. GILL:** Thank you, Mr. Chairman, and so one of the options that
17 might be considered here is an additional alternative which says
18 that you don't have a permit, necessarily, when you're setting up
19 your account, but you have to have one within some timeframe,
20 which, in essence, says you don't have to have it to obtain, but
21 you do have to have it to maintain, right, and so that says, for
22 example, new entrants, and he just moved to the fishery, and he
23 doesn't have it, but he better have it within whatever timeframe
24 is chosen, in order to keep that account, or it will be closed,
25 and so I think that's an alternative that we ought to consider
26 adding to this document.

27
28 **CHAIRMAN FRAZER:** Captain Walker.

29
30 **MR. WALKER:** I thought about that as well, and my first reaction
31 to it was, you know, if you're going to start a reef fishing
32 commercial business, you know, maybe you should buy the permit
33 first and not the shares.

34
35 **CHAIRMAN FRAZER:** All right. Any other comments with regard to
36 input on developing Action 1? So, Bob and Ed, I guess -- I want
37 to make sure that I'm helping the people that are developing the
38 document, right, and so is -- Should we consider that option that,
39 Bob, you brought up, or, based on Ed's comments, should we not
40 consider it? Bob.

41
42 **MR. GILL:** Well, we're laying out, in this document, what we ought
43 to consider going forward, and it's not whether we like it or don't
44 like it, and I'm not going to say, at the end of the day, such an
45 alternative will be something that I'm going to be pushing, but,
46 if you want to get your arms around and have good scoping on the
47 options, then that's one, and so I think we should add that
48 alternative, and, if you would like, I will make a motion and see

1 whether the rest of the council agrees with me or not, but, you
2 know, I think we need to be broadly open to what we're looking at
3 here, and, if we want to reject it, after some analysis and
4 consideration, then fine, but, if we don't have it in the document,
5 it doesn't get considered.

6
7 **CHAIRMAN FRAZER:** Okay. We'll come back to the motion, and I'm
8 going to put you on hold for just a second. Mr. Strelcheck.

9
10 **MR. STRELCHECK:** I believe Jessica Stephen has her hand raised, if
11 we wanted to go to her to speak.

12
13 **CHAIRMAN FRAZER:** Jessica, I'm sorry that I didn't see your hand
14 on the board, but, if you're out there --

15
16 **DR. JESSICA STEPHEN:** Yes, I am. Thank you. I just wanted to
17 caution you that, as we go through all these different actions
18 that Alicia will be presenting, we do show how they work in
19 combination to each other, and how they work in combination to
20 them is going to be very important, I think, in how you pick
21 preferred alternatives, and so I would just caution you, at each
22 action, if you have ideas that we have missed, please put them in,
23 but we might want to hold off on making preferreds until you see
24 how they play with each other.

25
26 **CHAIRMAN FRAZER:** Thank you, Jessica. Again, I totally agree, and
27 I don't think we're in the position of entertaining preferreds at
28 all, and I guess my main question, based on the discussion we've
29 had at this point, is whether or not we will -- If there is a
30 benefit to considering that fourth alternative that Mr. Gill
31 brought up. Captain Walker.

32
33 **MR. WALKER:** I mean, if it's just for discussion and input, I don't
34 see any reason we shouldn't just put it on there, on the list,
35 but, being cognizant of that, looking forward, it could throw a
36 huge monkey-wrench into everything else from here down, but, you
37 know, without a lot of input -- You know, there's nothing wrong
38 with listening to it and thinking maybe there's something we didn't
39 realize, and so I'm open to throwing it on there.

40
41 **CHAIRMAN FRAZER:** Okay, and so, Dr. Diagne, do we need a motion to
42 make that happen, or is that direction clear?

43
44 **DR. DIAGNE:** I think a motion would be preferred, so we can take
45 it back to the IPT.

46
47 **CHAIRMAN FRAZER:** Okay. Thank you. Mr. Gill.

48

1 **MR. GILL:** Thank you, Mr. Chairman. I move that, in Action 1, we
2 add Alternative 4 reading: reef fish permit to maintain an account.
3
4 **CHAIRMAN FRAZER:** All right, and so we have a motion on the board
5 that, in Action 1, to add an Alternative 4 to require a permit to
6 maintain the account. I know Mr. Williamson has his hand up, but
7 I want to -- Troy, before I get a second to that, is this a
8 discussion item? Okay. Is there a second to this motion here?
9 It's seconded by Dr. Sweetman. Okay. Go ahead, Mr. Williamson.
10
11 **MR. TROY WILLIAMSON:** Just a matter of curiosity, and the permits
12 are limited to this 829 number, and is that correct?
13
14 **MS. GRAY:** That would be correct, yes.
15
16 **MR. WILLIAMSON:** There are no more permits available?
17
18 **CHAIRMAN FRAZER:** Not at this time.
19
20 **MR. WILLIAMSON:** Not any to be established?
21
22 **CHAIRMAN FRAZER:** Not at this time.
23
24 **MR. WILLIAMSON:** What is the sale price, if someone wanted to come
25 into this business, for a permit? What is an average number?
26
27 **CHAIRMAN FRAZER:** I think I'm going to let somebody from the agency
28 address that.
29
30 **MR. WILLIAMSON:** Do we have that information?
31
32 **CHAIRMAN FRAZER:** Andy.
33
34 **MR. STRELCHECK:** I don't know the going rate right now. Thirty
35 grand.
36
37 **CHAIRMAN FRAZER:** Okay. Real quick, let me just get to Troy's
38 question, right, and so there's a number of hands up. I see Susan,
39 and I see Ed, and people will weigh-in, and I think your question
40 is, and I just want to clarify, what was the initial rate of the
41 permit, right, and what is it now, and so it has obviously
42 fluctuated over time, right, and so are you asking what is the
43 current rate of a permit?
44
45 **MR. WILLIAMSON:** Well, what is it today? I mean, what would one
46 cost?
47
48 **CHAIRMAN FRAZER:** About thirty grand.

1
2 **MR. WILLIAMSON:** How much?
3
4 **CHAIRMAN FRAZER:** \$30,000.
5
6 **MR. WILLIAMSON:** Okay, and do we know who owns these latent
7 permits? Do we have a record of that?
8
9 **CHAIRMAN FRAZER:** Ms. Gray.
10
11 **MS. GRAY:** I believe so, that the Permits Office would have that
12 information, but we don't know the circumstances, necessarily, and
13 so whether they will enter back into the fishery or not is yet to
14 be seen.
15
16 **MR. WILLIAMSON:** Okay.
17
18 **CHAIRMAN FRAZER:** Okay. I just want to make sure that we constrain
19 the discussion so that it's pertinent to the motion on the board,
20 and so I'm not quite sure, and I'm not saying it wasn't, Troy, but
21 I just didn't know. Is there any further discussion on this
22 motion? Ms. Boggs.
23
24 **MS. BOGGS:** So I hate to do this, but, at the last council meeting,
25 I did request that anything we do with regard to the commercial
26 fishery IFQ that we do a roll call vote, so that it is very clear
27 that those online, et cetera, know how this body is voting.
28
29 **CHAIRMAN FRAZER:** I just want to make sure, and so the clickers
30 show it in the record, and so, Mr. Chairman, are they the same or
31 no? Do we want a roll call vote?
32
33 **MR. ANSON:** It's the same, and, again, we'll use the clickers for
34 the remainder of Reef Fish, at least, and, at Full Council, we'll
35 also do the clickers, and that will be reflected in the documents
36 individually, what the status of the vote was.
37
38 **CHAIRMAN FRAZER:** Thank you, Mr. Chair. All right, and so any
39 further discussion on the motion? All right, and so we'll take a
40 vote on the motion. I'm sorry. Mr. Strelcheck.
41
42 **MR. STRELCHECK:** Well, just, I guess, for clarity, Bob, so you can
43 obtain shares without the permit, but your thought here is that,
44 in order to maintain those shares, that they would have to secure
45 a reef fish permit in a certain period of time, correct?
46
47 **MR. GILL:** That's correct.
48

1 **MR. STRELCHECK:** But, in obtaining the shares, they won't be able
2 to use them without the reef fish permit, regardless, right?
3
4 **MR. GILL:** Correct.
5
6 **CHAIRMAN FRAZER:** Dr. Diagne.
7
8 **DR. DIAGNE:** Ms. Gray.
9
10 **CHAIRMAN FRAZER:** Ms. Gray. Sorry.
11
12 **MS. GRAY:** We will actually go over options for shares separately
13 as well, and so that will have implications there as well.
14
15 **CHAIRMAN FRAZER:** All right. Any further discussion on the motion?
16 Dr. Stephen.
17
18 **DR. STEPHEN:** I think Alicia just handled it, but I want to be
19 clear that Action 1 is about getting an account within the system,
20 and Actions 3 and 4, that Alicia has not gotten to, is about shares
21 and allocation and the rights to hold those.
22
23 **CHAIRMAN FRAZER:** Okay. Thanks for that clarification. Any
24 further discussion on this motion? I am not seeing any, and so we
25 will go ahead and take to the clickers.
26

B.7.2 In Action 1, to add Alternative 4: Require a reef fish permit to maintain an account

First Name	Last Name			
Kevin	Anson			Abstain
Susan	Boggs	Yes		
Billy	Broussard	Yes		
Dale	Diaz	Yes		
JD	Dugas	Yes		
Anthony	Overton	Yes		
Tom	Frazer			Abstain
Dakus	Geeslin	Yes		
Bob	Gill	Yes		
Michael	McDermott		No	
Chris	Schieble	Yes		
Joe	Spraggins	Yes		
Andy	Strelcheck		No	
Kesley	Banks	Yes		
CJ	Sweetman	Yes		
Troy	Williamson		No	
Ed	Walker			Abstain
Result - Passed	Subtotals	Yes (11)	No (3)	Abstain (3)

1
2
3 **CHAIRMAN FRAZER:** All right, and so the motion carries with eleven
4 **yes, three no, and three abstentions.** Okay, and so we will go
5 ahead, I am thinking, to Action Item 2.
6

7 Action Item 2 has to do with active participation. All right, and
8 so, at this point, I'm not sure that we've got such clear
9 alternatives, although there was certainly some discussion, and
10 some consideration, by the IPT, again, with regard to landings,
11 VMS activity, and kind of pre-trip declarations, and so is there
12 something else, perhaps, that the IPT might consider, moving
13 forward?
14

15 I think, Captain Walker, what I'm looking for is -- I mean, so,
16 we've just kind of gone through all of the things that were
17 considered as part of this action, right, and have we missed
18 anything? Do you want to add anything to it? No? Okay. Mr.
19 Strelcheck.
20

21 **MR. STRELCHECK:** Nothing to add, but I guess I would not be in

1 favor of the requirement for any reef fish species, and I don't
2 think that's really addressing the goal, and the objective, that
3 we're trying to accomplish here and that we should be focusing on,
4 IFQ species, and not any reef fish.

5
6 **CHAIRMAN FRAZER:** All right, and so we've got, you know, Andy's
7 perspective on that sub-option, and so, again, I'm looking at Dr.
8 Diagne, and is this something that we need a motion to remove from
9 consideration?

10
11 **DR. DIAGNE:** That is, I mean, clear, for something like this. If
12 all of the participation requirements have to be limited to IFQ-
13 specific landings, perhaps we don't need a motion, and that's
14 clear.

15
16 **CHAIRMAN FRAZER:** Okay. We're good there. Ms. Boggs.

17
18 **MS. BOGGS:** I am looking back, and so it just occurred to me, and
19 I don't think it -- Well, maybe it does matter, and, I mean, what
20 about dealers in all of this process, because don't some dealers
21 hold permits, and then, if that's the case, would there not need
22 to be some mechanism, unless they come -- Unless they fall under
23 -- I don't know, and I'm not versed on this, but I do know we've
24 had a lot of conversation about the dealers, and what happens to
25 them, in past conversations. Are we going to get to that?

26
27 **CHAIRMAN FRAZER:** Ms. Gray.

28
29 **MS. GRAY:** Thank you. We will have a slide on that, where we'll
30 briefly touch upon that, and I assume that there would be some
31 discussion, since there has been discussion at previous meetings
32 as well.

33
34 **CHAIRMAN FRAZER:** Mr. Chairman.

35
36 **MR. ANSON:** This isn't a big issue, but I'm just wondering, for,
37 you know, future staff time, potentially, whether or not we should
38 consider eliminating the declarations of pre-landing notifications
39 as part of the requirement. I mean, it makes the statement that
40 it does not necessarily indicate that a trip was taken, and, you
41 know, it just seems like it doesn't really provide enough
42 confirmation that actual IFQ trips were taken, and IFQ species
43 were landed, or caught, and so I'm just putting that out there,
44 just for folks to consider.

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

47
48 **MR. WALKER:** I agree, and declarations and pre-landings -- Landings

1 are certainly more verifiable, quantifiable, than pre-landing
2 declarations on your unit, and so I agree. To me, out of these
3 three, landings is really the primary consideration here, but I
4 think you're right that declarations, and pre-landings, can just
5 be done, and it doesn't necessarily mean you went fishing, if you
6 really wanted to play around with it.

7
8 **CHAIRMAN FRAZER:** All right, and so I think -- Again, I mean, I
9 appreciate that input. What I want to make sure if when and where
10 we need a motion, right, to drop something, or to add something,
11 as we move forward, and so, in this particular case, I've heard a
12 couple of comments saying that there's probably limited value in
13 the declarations, or the pre-landings, consideration, and we
14 probably should move away from that as we develop the document.
15 Is there anybody that thinks differently? No? Okay. Is that
16 enough direction there? All right. Thanks. Any other discussion
17 with regard to Action 2? All right. I'm not seeing any, and so
18 -- Kesley, I'm so sorry. You're right in front of me, and I missed
19 you. I didn't mean it.

20
21 **DR. BANKS:** It's a blind spot over here. I guess I have a question,
22 more than a discussion point, and the VMS activity -- The
23 percentage, or the minimum number of pings, is that going to
24 penalize anybody if they're able to catch their fish more
25 efficiently, or they didn't have to go as far out to get their
26 fish, and I'm just thinking about the distance of the continental
27 shelf. If I'm bottom fishing and catching my target species, and
28 I can do it in two hours, versus three days, I might get penalized
29 for not having as many activity points.

30
31 **CHAIRMAN FRAZER:** I think I will let Ms. Gray tackle that one.

32
33 **MS. GRAY:** Thank you, and so, with the VMS activity, or the pinging,
34 that's twenty-four-seven, and it's not necessarily tied to whether
35 you're fishing or not. If you weren't fishing, we would assume it
36 would be under a power-down exemption, and so I don't think the
37 time that you're using it to land is necessarily going to be
38 prohibitive or lead to different --

39
40 **DR. BANKS:** So this is just having the VMS active, and this is not
41 being under an active VMS trip?

42
43 **MS. GRAY:** Correct, because this assumes that, by having that VMS
44 active, and all of the investment, and so the cost associated with
45 that, that there is, therefore, an investment, and engagement, in
46 the program.

47
48 **DR. BANKS:** Thank you.

1
2 **CHAIRMAN FRAZER:** Okay. Any other questions then, or discussion,
3 related to Action Item 2? All right. I'm not seeing any, and so,
4 Alicia, if you want to go ahead and move on to Action Item 3 in
5 the presentation, that would be great. Go ahead, Jessica. I'm
6 sorry. I can't see your hand on the screen.
7

8 **DR. STEPHEN:** That's okay. I just wanted to mention that -- So,
9 as Alicia explained, the twenty-four-seven pings is good for the
10 activity, and so that would be kind of the second bullet use under
11 there. If we were looking at activity past a certain demarcation
12 line, that would typically indicate fishing, and I do think we
13 want to take the comment that was made into consideration, if we
14 move forward in that way, to make sure that there is no penalty
15 for it.
16

17 **CHAIRMAN FRAZER:** Kesley.
18

19 **DR. BANKS:** I guess my question was that third bullet under the
20 VMS activity with the demarcation line, and so I guess I'm not
21 sure how I feel about that one just yet.
22

23 **CHAIRMAN FRAZER:** Yes, and I appreciate you bringing it up, and I
24 think we need to do more work, if we go forward with that action,
25 to clearly define it and to make sure we don't penalize fishermen
26 that don't fish as often, or fish more effectively, or efficiently,
27 past the demarcation line.
28

29 **CHAIRMAN FRAZER:** Okay. Thank you, Kesley, for the comments, and
30 Jessica and Alicia for considering those moving forward. All
31 right, and I think we will move on to Action Item 3.
32

33 **MS. GRAY:** Okay, and so now we have our remaining two actions, and
34 the first is going to be considering share requirements, and so
35 what would we want to consider requiring to obtain and maintain
36 shares, and remember that shares are a long-term privilege that
37 result in allocation each year, and share value is often an order
38 of magnitude greater than allocation.
39

40 For example, a pound of allocation may go for \$4.00 a pound, while
41 an equivalent share, for an equivalent pound in the same share
42 category, would go for \$40.00, and we do see that, roughly,
43 allocation price is about 10 percent of the share value.
44

45 Another limitation that we already have on shares is that the
46 amount of shares is limited, by share category, at the individual
47 business and account level, and so we sum all share exposure, and
48 therefore all of their shares that they own within all of the

1 accounts that they're affiliated with, multiplied by their
2 percentage of ownership of that account, and, again, that's done
3 at the entity, or the individual business, and account level.

4
5 In Action 3, we're going to see similar options here, and this is
6 going to be very nearly identical to allocation as well, and so
7 Alternative 1, no action, of course, would be to maintain current
8 regulations. For that, we simply need to affirm U.S. citizenship
9 in order to obtain and maintain shares. This allows for a
10 disconnect between long-term privilege and harvest in the program.

11
12 Alternative 2 would be to consider requiring a permit to obtain
13 shares, and so that would match the first five years of the
14 program. You would need a permit to increase your shareholding.
15 However, that would not restrict you from maintaining those shares,
16 should you sell or otherwise lose the permit thereafter. This
17 still would allow for a disconnect between privilege and harvest
18 in the program.

19
20 Alternative 3 would be to further add a requirement that a permit
21 would be required to obtain and maintain shares, and so this would
22 mean that, even to hold those shares, you would have to maintain
23 that permit, and this would start to connect long-term privilege
24 with the ability to harvest, while Alternative 4 would be a step
25 further, to require a permit as well as activity in the program to
26 obtain and maintain shares, and so this would connect long-term
27 privilege, and with actual harvest, and so, depending on our goals,
28 and our intent, do we want shares to be linked to the ability to
29 harvest, or the actual harvest by that participant, or do we want
30 to maintain flexibility as it currently is?

31
32 Of course, because this is a long-term privilege, we might want to
33 consider different requirements for shares than allocation, and we
34 could absolutely do that in the program, depending on the
35 alternatives we wish to pursue.

36
37 Here is the data that is similar to the table that I provided after
38 the first action, but we added two more rows, and those rows are
39 accounts with shares and permits and accounts with shares and
40 landings, and so here we can get at the percent of accounts that
41 hold shares that also have a permit, so that we could see the
42 number of accounts that currently meet that requirement. As of
43 2022, that would be 55 percent. If we wish to add in an active
44 participation requirement, then that would be 30 percent of
45 accounts currently would meet that requirement.

46
47 Of course, and again, this is not accounting for related accounts,
48 and as well as the latent permits, and so this would be the most

1 extreme idea of how many accounts there would be a reduction in,
2 but, again, it may not be a similar number, in terms of
3 participation and effort in the program.

4
5 Then, of course, all of this also would be dependent on our choices
6 that we make in Action 1 on your ability to open and maintain an
7 account. If you do not have an IFQ shareholder account, you also
8 cannot hold or have that vessel to hold these shares.

9
10 Some considerations for this action, as I just mentioned, again,
11 that depends on some decision points that we have for Action 1,
12 but, as I mentioned earlier, there are other participants in the
13 program that operate in a different role, and so, for instance,
14 the original program was not designed to allow dealers to control
15 shares, necessarily, and, from the beginning, some dealers were
16 already vertically integrated, and they held a dealer and a
17 shareholder account, and maybe had permits as well as landings,
18 and, since the implementation, or the allowance of public
19 participation, we know that some participants have obtained a
20 dealer account and have since become vertically integrated, and so
21 this would be a group that would be impacted by any of the decisions
22 that we make to this point and a consideration to take.

23
24 **CHAIRMAN FRAZER:** Okay. Action Item 3 is all about shares, and so
25 are there any other comments on the various alternatives and
26 actions that were considered, or, excuse me, alternatives in this
27 action? Mr. Anson.

28
29 **MR. ANSON:** Not a comment to additional alternatives, but just to
30 see -- In Alternative 2, under Action 3, does not restrict holding
31 shares after a permit is transferred to another vessel, and so, I
32 mean, it could still be the same permit holder, and they just
33 transfer to another vessel, and so it just seems a little ambiguous
34 there, the intent of that statement, or what it translates to,
35 because the permit is still retained by the individual, in two
36 cases, I guess, just for clarity, is all, if that can be addressed,
37 to further flesh that out. Thank you.

38
39 **CHAIRMAN FRAZER:** Ms. Gray.

40
41 **MS. GRAY:** Thank you. That's another consideration that we will
42 go over in a short bit, and so, whenever a permit name is changed,
43 adding a spouse's name, putting it in a business name, that is
44 seen as a transfer of a permit, and it would have implications
45 when obtaining and maintaining and the decision points that we
46 would make those.

47
48 **CHAIRMAN FRAZER:** Any other discussion on Action Item 3? Okay.

1 Alicia, go ahead, and we'll tackle Action Item 4.

2
3 **MS. GRAY:** Okay, and so Action 4 is considering requirements to
4 obtain and maintain allocation. I do note that these will not
5 impact the allocation that derives from shares, depending on the
6 options we choose, but it primarily will not impact those
7 allocation derived from shares.

8
9 Remember that allocation is annual, and allocation results from
10 shares, but it can be transferred to accounts without shares, and
11 it is done through an allocation transfer, and there are no
12 limitations on the amount of allocation transfer that can occur.

13
14 There is currently no allocation cap in the red snapper IFQ, and
15 there is an allocation cap for the grouper-tilefish program, and
16 it is equal to the sum of the allocation resulting from the share
17 caps, and it applies only at a singular point in time, and so this
18 is not cumulative, and it does not include landed allocation.

19
20 Then, identical to the shares requirements, Alternative 1, no
21 action, of course, would be to maintain current regulations, and
22 you only are required to be a U.S. citizen, and this allows for a
23 disconnect between short-term privilege and harvest, and
24 Alternative 2 matches the first five years of the program, and so,
25 in order to obtain additional allocation, you would have to have
26 a permit. This would not impact allocation derived from shares,
27 and any allocation that was obtained to the point that you had a
28 permit -- You would be able to maintain that to that point, but
29 you could not increase your allocation holdings beyond that.
30 Again, this allows for a disconnect between short-term privilege
31 and the ability to harvest.

32
33 Alternative 3 would require a permit to obtain and maintain
34 allocation, and so, of course, this is more restrictive, and it
35 starts to connect the short-term privilege with the ability to
36 harvest, and then Alternative 4 is a step further, requiring a
37 permit and activity in the program to obtain and maintain
38 allocation, and so this would connect short-term privilege with
39 actual harvest, and so, depending on our goals and intent, and,
40 again, of course, the alternatives that we wish to pursue in this
41 action can differ from what we choose for the share requirements.

42
43 Then here is a simplified version of that table. At the bottom,
44 again, this is against accounts with allocation, and so the percent
45 of accounts with permits, as of 2022, 60 percent would be able to
46 potentially obtain and/or maintain allocation, depending on the
47 alternative that we select, and, if we wish to consider
48 participation, as of 2022, 44 percent of accounts would meet that

1 requirement. Again, as mentioned before with related accounts,
2 that's the most extreme reduction that we could anticipate, and it
3 likely would not be a one-to-one for effort.

4
5 The considerations for this action is, of course, allocation is
6 only annual, and so any effects that come from this action would
7 be limited to one year, just something to note, and, again, since
8 public participation, we've had different entities operate in the
9 system in different ways, and so dealers specifically would be an
10 example. If they are holding an account to supplement the vessels
11 that land with them, by having shares and/or allocation, this would
12 be something that would restrict them from doing so.

13
14 Okay, and so I have two final considerations that will kind of get
15 to some of the points that were mentioned, and then I have a
16 summary slide, where we can look at all of the combinations of
17 alternatives that we may wish to pursue.

18
19 The first of those two considerations is the permit cycle. A
20 permit is valid for one full year. During that time, of course,
21 the participant is able to harvest. At the end of that year, the
22 permit goes into an expired status, and it enters what we
23 informally refer to as a renewable status.

24
25 It's a suite of statuses, and, once a permit is in this state,
26 they can no longer harvest fish. It is not able to do so, and
27 they have one year to take action on the permit, and so they could
28 renew it, they could transfer it, they could associate it with a
29 new vessel, but, if there is no action taken on that permit in the
30 full year that it is in that status, in that renewable state, the
31 permit will terminate, and it will be removed from the fishery,
32 and that is because this is a limited-access program and permit.

33
34 When we're considering this for the differences between obtaining
35 and maintaining privileges and accounts, this could have an impact,
36 and so, for instance, we were talking about obtaining either an
37 account, shares, or allocation, and this would link the privilege,
38 whether that's an account, shares, or allocation, to the current
39 ability to harvest. If we wish to include both valid and renewable
40 permits when obtaining any of these privileges, this may allow
41 someone to increase their holdings, while currently not allowed to
42 harvest, and so, depending on our goals, it's something to
43 consider.

44
45 On the flip side, when considering maintaining an account, shares,
46 and allocation, when a permit is up for renewal, sometimes it's
47 very smooth, and they don't go into the expired status, but, if
48 the paperwork was submitted a little bit late, or if there were

1 some deficiencies when they went to renew the permit, it might be
2 in a bit of a delay before the permit can be renewed, and so this
3 could be that they have a VMS deficiency, and they need to work
4 with VMS staff, or the vendor, to figure out why their VMS is not
5 accurately pinging, or, if they're missing some logbook
6 submissions, they would have to work on getting those submitted,
7 and then the system recognizing that they're up-to-date.

8
9 That timeframe that a permit can be within that renewable status
10 can be very different, and vary permit-by-permit, and so, when
11 we're considering maintaining assets, accounts, allocation, and
12 shares, only valid permits would potentially confuse timing for
13 divestment, because statuses can change so quickly, and then, if
14 we want to consider both valid and renewable for maintaining, this
15 would allow for those nuances in permit statuses, and we would
16 limit the maintenance of those privileges. It would limit that
17 for up to one year that they would have to take action or lose
18 their ability to maintain that account, shares, or allocation.

19
20 Then our final consideration will be divestment procedures, and so
21 Actions 1, 3, and 4 would, of course, require divestment
22 procedures, depending on the alternatives we wish to pursue. There
23 would be two scenarios, and that would be upon implementation for
24 any accounts that currently do not already meet the requirements,
25 and then, of course, thereafter, if an account subsequently fails
26 to meet requirements.

27
28 When we're considering the one-time effective action, for accounts
29 that do not meet the criteria, we are presenting three options
30 here, for now, and the first would be, upon the effective date,
31 privileges would be rescinded, and this would allow the time period
32 from the final rule until the effective date, and so, if we
33 consider this, it probably would be a minimum of six to eight
34 months before the effective date could be set and the shareholders
35 could self-manage their permit requirements or divest their shares
36 and allocation.

37
38 If we pursue any of the alternatives that would require new
39 development, this would push that effective date even further out,
40 and so keep that in mind, and then, of course, other options would
41 be to extend it past that effective data, and so we offer one and
42 two years here as options.

43
44 Then, of course, after implementation, any accounts that continue
45 to not -- Or thereafter does not meet the requirements, similar
46 options would be immediately upon permit transfer or end date, and
47 then one or two years after permit transfer or end date, and so,
48 when a permit expires, is transferred, the vessel is sold, or a

1 vessel lease has ended, there's an end date associated with that,
2 and that is already captured in our IFQ tables, and so we would be
3 able to monitor that. Again, consider do we want the expired or
4 renewable permits to be considered when meeting this requirement,
5 to allow for any nuances in permit changes.

6
7 This will be the final slide before I give you guys the summary,
8 and so, as mentioned before, when a permit is transferred, and
9 that can be the most obvious, that it's being sold to another
10 entity, but that also is if the name on the permit is being changed
11 into a business name, another name, or if a spouse's name, for
12 example, is being added. During that time, if the permit is being
13 transferred, the physical permit must be mailed into the Permits
14 Office, and so that would take a little bit of time.

15
16 Then the new relationships would have to be established
17 administratively and then shipped back out to the new permit
18 holder, and so, at that point, that's when IFQ staff typically
19 recommend that people call us to open their IFQ shareholder
20 account, so that we can ensure that the permit and the account
21 will match, and that we won't have any linkage issues, and so,
22 when you're considering transferring permits, it's these sort of
23 delays that could potentially make it beneficial to consider
24 renewable permits for the maintenance of these, because,
25 especially if they wish the shares to follow the permit, and they
26 wouldn't have had their IFQ in place to receive those shares. In
27 the meanwhile, it would have to stay with the old owner, or we
28 would have to otherwise find another way to hold those shares.

29
30 Then, of course, if it comes to a failure to divest, the
31 shareholder is unable to self-manage that, then the shares would
32 return to the agency to be held and distributed later, which will
33 be handled in Amendment 60.

34
35 Then we find we need a summary of actions, where now -- I feel
36 like this is a helpful way to look at the different alternatives
37 that we have, and the different levels, and wrap our minds around
38 all of the ways that these can impact each other, and so the upper-
39 left is the least restrictive and current regulations, that you
40 simply need to affirm U.S. citizenship to obtain an account, obtain
41 and maintain allocation, and there is no activity requirements.

42
43 The most restrictive, to the right of that, would be that we would
44 require a permit to obtain an account, obtain and maintain shares
45 and allocation, and perhaps even consider an activity requirement,
46 but we imagine that we might want to consider somewhere in the
47 semi-restrictive area, and these are examples.

1 Any combination, of course, could be considered, and this is just
2 a way for us to kind of start looking at it, and so the first semi-
3 restrictive example is that perhaps we want just U.S. citizenship
4 to be required to open an account and obtain and maintain
5 allocation. That would allow some flexibility, especially for
6 items such as a permit transfer, but we would maybe want to
7 consider tying a permit to obtaining and maintaining shares, and
8 as well as activity to maintain and obtaining shares, and then the
9 only difference with Semi-Restrictive 2 is that maybe we want a
10 similar grouping of alternatives, but not consider the activity
11 requirement.

12
13 I imagine that we will go back to this slide, but we just have one
14 final wrap-up slide, and so, basically, what does the council
15 envision that matches both the purpose and need and our new goals
16 and objectives? Do we want to add or remove anything, and then
17 these are the timelines that we're proposing, and these are draft,
18 and we expect that we will present on Amendment 60 in April, and
19 then go through the draft options in June and August, and then
20 we'll go from there.

21
22 **CHAIRMAN FRAZER:** All right. Thank you. So there's a couple of
23 things that I want to make sure that we go back and hit. We didn't
24 quite talk about any modifications or changes, but just comments
25 on Action 4, and then it looks, to me, like, you know, there are
26 a couple of things with regard to the permit cycle itself, right,
27 and are these -- And obtaining and holding privilege and permit
28 status, and are those going to be developed in additional action
29 items? I'm not quite sure yet.

30
31 There are a number of things going on here, in my mind, right, and
32 I'm not saying it's right or wrong, but I'm just trying to seek
33 some clarification, and so we have a pretty well-articulated Action
34 Item 4, right, and then we've got a couple of other things having
35 to do with the permit cycle, and, again, obtaining and holding
36 privilege, or permit status, and then you have some divestment
37 protocols, and are those three things -- Are they going to be like
38 specific actions with alternatives under them or not? Dr. Diagne.

39
40 **DR. DIAGNE:** I mean, the divestment protocols will be alternatives,
41 and Ms. Gray talked about, for example, the time period to
42 consider, at implementation, one year out, or two years out, and,
43 here, also, in terms of holding and obtaining privileges, we could
44 be fairly restrictive, quote, unquote, by just looking at valid
45 permit, but, to allow that flexibility, consider options that would
46 consider valid or renewable permit, to account for that extra time
47 period, and so, yes, all of these would be fleshed out, and
48 alternatives, and options, would be included in the draft that we

1 are going to present.

2
3 **CHAIRMAN FRAZER:** Okay. I got that. I just was wondering what I
4 might expect, or the council might expect, in June, and so we'll
5 flesh those out a little bit further. Okay. We've got a couple
6 of hands. I see Ms. Boggs and then Captain Walker.

7
8 **MS. BOGGS:** Thank you, Mr. Chair, and so, I sit here, and I look
9 at this, and, obviously, when the council originally set this up,
10 U.S. citizenship was very important. However, on a permit
11 application, you can select if you're a U.S. citizen or not, and
12 so could it be that we make if you have to have a U.S. citizenship
13 and a permit?

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

16
17 **MS. GRAY:** Yes, and the U.S. citizenship is a minimum standard by
18 the Magnuson-Stevens Act, and so that is required.

19
20 **CHAIRMAN FRAZER:** Captain Walker.

21
22 **MR. WALKER:** So it seems like there's a bit of a conundrum in
23 Action 4, that being the dealers, because I think most of us want
24 to keep the vertically-integrated businesses able to hold, you
25 know, at least allocation, but shares too, I guess, and the only
26 alternative here that will allow that, currently, unless we think
27 of something else, would be no action, which would reduce our
28 effectiveness of what we're trying to do here, and so I think --
29 I think there's some thought that needs to be put into how you're
30 going to address dealers, and other vertically-integrated
31 businesses, that are really participants in the fishery, but
32 technically maybe wouldn't be allowed to hold shares, and the only
33 suggestion I've slightly heard about that is maybe you could look
34 into the dealer permit requirements, and maybe there's something
35 in there, and I don't know, but it's a -- It's something that could
36 sink this whole action, really, I think, unless we put our heads
37 together and come up with some fair options.

38
39 **CHAIRMAN FRAZER:** Ms. Gray.

40
41 **MS. GRAY:** Thank you. The semi-restrictive, there are some options
42 that would allow that, like allowing just U.S. citizenship
43 requirements for obtaining an account and allocation, but, you
44 know, depending on also shares. I guess that is most of them.

45
46 **MR. WALKER:** A lot of the dealers hold shares and permits, and not
47 all of them have permits, and so how do we keep them and still
48 require a permit to hold shares? That's my question here.

1
2 **CHAIRMAN FRAZER:** Either Dr. Diagne or Ms. Gray.

3
4 **MS. GRAY:** So, if they already have a permit, then they would fit
5 a lot of those requirements. The activity might be where they
6 might have a hang-up, if they don't have any active landings or
7 whatever mechanism we wish to monitor that, but, again, depending
8 on the combinations that we want to choose, we have to be careful.

9
10 **MR. WALKER:** Right, and I'm trying to address the vertically-
11 integrated -- If there's like a fish house that has five boats
12 tied up out back, but the dealer itself doesn't have a permit,
13 because they're all on the vessels, and so I'm not sure how to
14 proceed.

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

17
18 **DR. SWEETMAN:** I had similar questions along those lines. I mean,
19 I think, one thing that we've -- My biggest concern here is
20 unintended consequences of what we're acting on, and who that could
21 impact here, and I think that thought was held by the IFQ focus
22 group, and this is a very complicated system, obviously, and we
23 need to be very considerate and think about what we do here, and
24 so, along those lines, I am wondering, and I'm not necessarily
25 advocating for this, but I'm just trying to see what options we
26 have within our purview here, but negatively impacting dealers is
27 probably not something that I would want to do in this situation,
28 and so is there any feasibility for exemptions along those lines,
29 to call out some of those? It's a sticky-wicket, and I get it,
30 but I'm asking the question.

31
32 **CHAIRMAN FRAZER:** Yes, and I'm going to -- I know that Dr. Diagne
33 had his hand up, but, Dr. Stephen, I'm going to give you an
34 opportunity to weigh-in, real quick.

35
36 **DR. STEPHEN:** Thank you. I appreciate that. When we're thinking
37 about the IFQ account, remember that the shareholder is the only
38 type of account that can actually hold shares and allocation. Our
39 currently vertically-integrated dealers and fishermen typically
40 have an account for the dealer as well as an account for the
41 shareholder, and so, when we're thinking about this, anyone who
42 still has a permit could probably, under most of these scenarios,
43 still obtain shares or allocation, and that activity requirement
44 would change things as you're going through it.

45
46 I also will want to point out that, on one of the earlier slides,
47 I believe that Alicia had pointed out that the original program
48 was not meant to have shares, or allocation, held by dealers, and

1 that was one of the original intents, and, if the council wants to
2 revisit that, I encourage a really robust discussion about that.

3
4 **CHAIRMAN FRAZER:** Thank you, Dr. Stephen. To that point, Dr.
5 Diagne.

6
7 **DR. DIAGNE:** Yes, and it was just to mention that -- I mean, at
8 the IPT level, we were thinking about dealers, but part of the
9 difficulty here is that the dealer permit is an open-access permit.
10 I can go and get one tomorrow if I needed to, and so how is it
11 that we are going to recognize the activity of the dealers and
12 then account for the fact that essentially any entity could go and
13 get themselves a dealer permit?

14
15 **CHAIRMAN FRAZER:** Good point. We've got a couple of folks, and
16 I'm just going to point them out. We've got Andy Strelcheck, Kevin
17 Anson, and then Susan Boggs. Andy.

18
19 **MR. STRELCHECK:** I mean, I appreciate the conversation, and it's
20 certainly, I think, one of the challenges with having a vertically-
21 integrated fishery. When we passed the goals and objectives back
22 in June, we did indicate that the objective for Goal 1 would be to
23 limit share ownership to accounts that are harvesting IFQ species,
24 right, and so what does that mean with regard to dealers that then
25 are also operating with vessels within the fishery? I don't know,
26 but, you know, I think the intention was to have reef fish permits
27 with shareholders, and then those boats are harvesting the reef
28 fish.

29
30 With that said, you know, I think we can explore how to fold
31 dealers into this, but I think there's a lot of challenges, and
32 Assane, you know, noted one of them, right, with having an open-
33 access permit, and I also don't want to disrupt the program
34 substantially by, you know, changing things dramatically, but, you
35 know, in light of kind of our previous goals and objectives, I
36 think we really need to be thoughtful in terms of how that would
37 work with the dealers integrating into that.

38
39 **CHAIRMAN FRAZER:** All right. Thank you for those comments, Andy.
40 Kevin Anson.

41
42 **MR. ANSON:** If I heard one or two of the comments about this
43 particular issue, it's that it sounds like this issue with the
44 dealers being more involved with the harvest of the fish has kind
45 of morphed, and they've taken on more of that role here over time,
46 and it's going to the point that Andy mentioned, is that, you know,
47 the intent is more for the harvest of fishermen and that maybe --
48 Yes, that we impact, but maybe it will kind of settle back down to

1 what it was before, eventually, depending upon what suite of
2 actions that we take, and, you know, if we do put more emphasis on
3 the dealers, and trying to give them an opportunity to be part of
4 this program, then we might need to change the need statement,
5 because, currently, it says the needs are to update the goals and
6 to reflect the changes in the program over time and for
7 participation by and improve the opportunities for entities
8 engaged in the harvest of IFQ species, and so what is --

9
10 If they're not really harvesting, then are they part of it, or do
11 we need to change the "engaged in the harvest" with other language
12 then that would kind of, you know, account for those types of
13 entities that are not really -- Because, in my mind, "engaged in
14 the harvest" is the people that are out there on the water
15 harvesting, and then you have the harvest and sale, or sale of
16 harvest.

17
18 **CHAIRMAN FRAZER:** Yes, and I think that's a good point, Kevin.
19 When I remember reading through that, I was thinking, in my mind,
20 whether I would insert the word "directly engaged", or "engaged
21 directly in the harvest", right, because that -- The way it's
22 written, it's open to interpretation, and so I think, moving
23 forward, we're going to have to think a lot about, you know, have
24 we unintentionally affected the dealers in this, and so I don't
25 know how to get there yet, and that's part of the IPT's world, but
26 good comment, Kevin. Susan Boggs.

27
28 **MS. BOGGS:** Dr. Diagne has already answered my question.

29
30 **CHAIRMAN FRAZER:** Okay, and so I just want to make sure -- C.J.,
31 did you get an answer to your question or not?

32
33 **DR. SWEETMAN:** I'm not sure that I did, Ms. Gray. I'm not sure
34 that I got an answer to my question about the potential for
35 exemptions with some of this stuff here. Dr. Stephen went on to
36 a separate topic.

37
38 **MS. GRAY:** Could you repeat that? I'm sorry.

39
40 **DR. SWEETMAN:** So I was wondering -- So, as we're sitting here
41 talking about -- I'm concerned about inadvertent consequences
42 here, all right, and specifically how the fishery operates now
43 with dealers being vertically integrated within it, and that's
44 something that I wouldn't want to negatively impact with some of
45 these decisions here.

46
47 Looking at -- Particularly when we were talking about Action 4,
48 and this is when this got brought up, in some of the activity

1 requirements and things along those lines, and I see value in some
2 of that, but also that could negatively impact the dealers
3 themselves, obviously, if they're not harvesting the animal, and
4 so my question was is there feasibility for exemptions along those
5 lines, specific to this circumstance?
6

7 **DR. DIAGNE:** I will, I guess, offer the beginning of an answer,
8 and Dr. Stephen is online. I mean, opening the door to potential
9 exemptions possibly is going to take us back to, I mean, some of
10 the issues, or the challenges, we had when we dealt with, I
11 believe, 36B or C, in terms of who to exempt, I mean, permit exempt
12 account versus non-exempt, who to grandfather, and so forth, and
13 I believe that -- I mean, it was a challenging, you know, set of
14 issues to unpack, and so the approach that the IPT has taken so
15 far, given the council's expressed intent with the objectives, was
16 to not really consider any exemption, per se, but give you the
17 flexibility to pick a suite of alternatives here that would fit
18 your purpose, but not carve out exemptions for any particular
19 group. Dr. Stephen is online, Mr. Chair.
20

21 **CHAIRMAN FRAZER:** Dr. Stephen.
22

23 **DR. STEPHEN:** Thank you. Assane, I think, covered it very well.
24 We were looking for ways not to carve out exemptions, but it allow
25 flexibility within the different actions and alternatives, and I
26 will just remind you that, any time you do an exception, we will
27 have to figure out a way to hard-code that into an electronic
28 online system, and maintain that over time, and that increases not
29 only the administrative burden, but it also increases the
30 complexity in understanding for the fishermen participating within
31 the fishery. I think sometimes a more clear-cut way of defining
32 these different actions, and maybe we need to add more actions and
33 alternatives, to give more flexibility, will be better suited.
34

35 **CHAIRMAN FRAZER:** Okay. Thank you. Mr. Strelcheck.
36

37 **MR. STRELCHECK:** I want to, I guess, turn it back to C.J. with the
38 question, but, I guess, to me, the answer would be, C.J., it
39 depends on our goals and objectives and what we're trying to
40 accomplish here, right, and really kind of thinking that through,
41 and I appreciate, obviously, that we don't want to have unintended
42 consequences, and so, in terms of kind of thinking through what
43 the IPT could bring back, I mean, are you suggesting consideration
44 of dealers still being able to hold shares and allocation, or do
45 you have other ideas that you would like us to pursue?
46

47 **DR. SWEETMAN:** Nothing in particular, Andy, and I was just kind of
48 -- Honestly, I appreciated the explanation from Dr. Diagne and Dr.

1 Stephen there about how it might overly exacerbate some issues
2 that we were dealing with in some of the previous amendments. I
3 am just trying to navigate any potential other options that we
4 might potentially consider to mitigate some of these unintended
5 consequences, but maybe an exemption is not the appropriate way to
6 go about it.

7
8 **CHAIRMAN FRAZER:** Andy, to that point?

9
10 **MR. STRELCHECK:** Well, I will just make a comment, because we have
11 a big audience here this for week, and, for those that are dealers
12 in the audience, I would love to hear from you, during public
13 testimony, based on this conversation, and hope you operate and
14 any concerns and issues that you bring up, as well as any ideas
15 you might have as to how the council moves forward in addressing
16 this.

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

19
20 **MR. GILL:** Thank you, Mr. Chairman. I have two items, but the
21 first one I would like to go to is the purpose and need, Slide 3.
22 In the purpose, it says "update the goals and objectives of the
23 Gulf IFQ programs based on program reviews, and revise the
24 programs' participation requirements".

25
26 I would argue that the bulk of the program reviews are now getting
27 pretty old, and this reads, to me, as that's our sole basis for
28 updating the goals and objectives, and so -- Certainly a lot of
29 water has gone over the dam relative to the program since those
30 reviews have taken place, but I think the consideration we're
31 making now is not solely based on program reviews, and so I would
32 recommend that we delete that portion of the purpose to read:
33 "Update the goals and objectives of the IFQ programs", which is
34 what we're doing, "and to revise the programs' participation
35 requirements".

36
37 **CHAIRMAN FRAZER:** Dr. Diagne -- Okay. I don't think there's a
38 need for a motion there, and we'll just modify that, and we'll see
39 it again in June. Captain Walker. I'm sorry. Bob, you had two
40 points. My bad.

41
42 **MR. GILL:** Thank you, Mr. Chairman, and so the second one is
43 financing, and so there has been a lot of discussion, at this
44 table, by industry, relative to -- In fact, it was one of the few
45 recommendations coming out of the IFQ focus group, to improve the
46 financing, and I circulated around to you all an applicable
47 section, provision, of Magnuson that addresses this, and my intent
48 was to consider adding that to this document, because it clearly

1 applies to the goal that we're trying to achieve.

2
3 Subsequent discussions with Mara, and staff, indicate that what we
4 did back in 2011 did some of that, and it may have resulted in the
5 Fisheries Finance Program, the FFP, which we know is, A, highly
6 restrictive, and, B, not well utilized, and so it really doesn't
7 get to what we were trying to achieve.

8
9 That program may have been established as a result of what was
10 done in 2011, and I don't know that at this point, and so I don't
11 want to introduce a motion to change what we're doing here, to try
12 to add that to it, but I might at Full Council, if we can determine
13 whether or not it's duplicating, and we don't want to duplicate,
14 but we do want to consider if there is a path forward in providing
15 a finance program, as outlined in that provision, 303(a)(g), if we
16 do want to consider that, as long as it's not basically going down
17 the same path and end up with the same result, and so I just want
18 -- At this point, I think we need to get some more information,
19 and hopefully we'll get it for Full Council, and, if we do, and
20 there is a path forward, then I would like to introduce a couple
21 of motions to make that part of this Amendment 59. Thank you.

22
23 **CHAIRMAN FRAZER:** Dr. Diagne.

24
25 **DR. DIAGNE:** Thank you, Mr. Chair, and we are going to go to Full
26 Council, and the issue will be further discussed, but would it be
27 a possibility to have this issue addressed in Amendment 60, because
28 Amendment 60 is going to follow right on the heels of this,
29 actually, and that one deals with distribution of shares, I mean,
30 those withheld as well as those that we get from divestment,
31 because, there, we would have to define, probably, fishermen
32 fishing from small vessels, as well as small entities, and so
33 that's just a suggestion. It could possibly be addressed there,
34 along with other distributional issues, to facilitate access to
35 shares, but, I mean, during Full Council, you guys will discuss
36 that further.

37
38 **CHAIRMAN FRAZER:** Mr. Gill.

39
40 **MR. GILL:** Thank you, Mr. Chairman, and thank you for that
41 suggestion, Assane. My read is that Amendment 59 primarily
42 addresses Goal 1, and the finance program is more aligned with
43 that, than is 60. Could we do it in 60? Sure, but I think the
44 linkage is weaker in 60 than 59. If it's the will of the council,
45 if we get that far, to put it in 60, I'm fine with that. I think
46 the real question here is is there a mechanism where we can take
47 council action that will help on the financing side, relative to
48 the IFQ program, and, if we can't, we can't, but, if we can,

1 however we do it is fine with me.

2
3 **CHAIRMAN FRAZER:** Okay. Thanks, Bob. Captain Walker. I'm sorry.
4 Dr. Stephen.

5
6 **DR. STEPHEN:** Thank you. I actually reached out to our Fisheries
7 Finance Program when Mr. Gill sent around this information, and so
8 I would like to inform you of a couple of bits of information that
9 I received from them.

10
11 One of them is that, in 2018, when they published the rule that
12 allowed all the catch share, or limited-access, programs to have
13 the loans, it did change some of the requirements. It made it
14 more flexible, and so the FMC did not have to initiate coming
15 through with it. In specific point to where, I think, in the
16 information Mr. Gill sent around, showing that they potentially
17 could use cost recovery, the one thing that I want to be very clear
18 about is the terms of any loan through the government will remain
19 the same as you see in the Fisheries Finance Program.

20
21 That is typically done outside of NOAA Fisheries, and it is coming
22 from the Treasury, and the Treasury sets that information, and so
23 the only influence I could see having here is that potentially you
24 could increase the amount of monies that could be put towards the
25 loan program within the Gulf.

26
27 I will say, at this point, we're not short of funds through the
28 existing avenue to go through with that, and any changes to the
29 interest rates, or the terms of the loan, probably would need to
30 be pushed at a higher level than the NOAA line office.

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

33
34 **MR. GILL:** Thank you for that, Jessica. I would argue there are
35 other considerations that loom as potential improvements, but I
36 understand what you're saying, and, if it's not appropriate, then
37 we won't do it, but I would argue that the FFP still remains pretty
38 restrictive, in terms of the reach of the average stakeholder.

39
40 **CHAIRMAN FRAZER:** Okay, and so I think we have a little homework
41 and discussion to do behind the scenes before we get to Full
42 Council, and so I just want to make it as productive as we can
43 with our time here, and so we'll follow that back up in Full
44 Council. Ed Walker and then Susan Boggs.

45
46 **MR. WALKER:** I've been kind of running different scenarios in my
47 head of how to address the dealer permits issue, and, the more I
48 think about it, it's really a huge loophole here that it kind of

1 opens up almost everything we're trying to do here to exploitation,
2 really, and, you know, just for a moment, I thought, well, what if
3 dealers could only hold allocation, and then they could distribute
4 it out to their folks, but they didn't actually gather up all the
5 shares, but, with the open-access dealer permit -- You know,
6 anybody can get one, and it opens up a lot of end-around to what
7 we're trying to do here.

8
9 **CHAIRMAN FRAZER:** I guess a suggestion, coming from the council at
10 this point, is that the IPT, you know, fully consider the role of
11 dealers in this amendment, and I'm sure there's going to be a lot
12 of discussion coming back, and so point well taken, Ed. Ms. Boggs.

13
14 **MS. BOGGS:** So, in the line with thinking about the dealers, and
15 I am not in the IFQ fishery, although I keep trying to understand
16 it, related accounts, and how does this affect related accounts?
17 I mean, can you help me understand that, and if that's an issue?

18
19 **MS. GRAY:** Could you clarify in relation to what? In terms of
20 dealers, or specifically what --

21
22 **MS. BOGGS:** Well, I'm asking specifically about related accounts,
23 or those accounts that hold shares, and I don't actually understand
24 how that works, but, in thinking about all the different scenarios,
25 and we kind of felt like we left out dealers, which we did address,
26 but then I remember conversations about related accounts, and,
27 like I said, I don't clearly understand, but I want to make sure
28 that's a group that we're not addressing.

29
30 **MS. GRAY:** For related accounts, and I'm sure Dr. Stephen will be
31 able to also fill in some more information on this, but they're
32 related to an account that may or may not have a permit, and we
33 are aware that there are business models where they will have
34 multiple accounts to separate that permit and shares, and so we do
35 assume that they would consolidate, but getting at that number
36 specifically is difficult, and I think our most recent update was
37 through 2021, but I will let Jessica add anything, if she has more
38 to speak to that.

39
40 **CHAIRMAN FRAZER:** Dr. Stephen.

41
42 **DR. STEPHEN:** When we think about the related accounts, keep in
43 mind that sometimes a fisherman might set up different companies,
44 and what they're trying to do is separate their assets. What we
45 anticipate is that the large bulk of the related accounts -- With
46 any actions that we take, we'll start to consolidate their accounts
47 together, and you will start to see them, those permits, maybe
48 with the shares, whereas, currently, the permits and shares are

1 separated.

2
3 What I also think that will is give us a better understanding of
4 what is going on, and occurring, within the program and how the
5 privileges are held, versus how the harvesting occurs. Right now,
6 it looks very disconnected, without the idea of related accounts,
7 but, once you start connecting those related accounts, you can see
8 that there really is not as high a degree of people with shares
9 that are not harvesting.

10
11 **CHAIRMAN FRAZER:** I've got Mara and then Andy.

12
13 **MS. LEVY:** I'm not advocating for a dealer exception here, but I
14 did want to note that there are a couple of requirements for the
15 dealer permit, and so it is open access, but you're required to
16 have a wholesale license from the state in which you operate, and
17 so the requirements for that would depend on the state, and there
18 are a couple of states that don't have that, and you're also
19 required to have a physical facility at a fixed location where you
20 receive fish, and so I can't just say I'm getting fish in my car,
21 right, and so there are a couple of requirements that may limit
22 people, but they may not, right, depending on the circumstances.

23
24 **CHAIRMAN FRAZER:** All right. Andy.

25
26 **MR. STRELCHECK:** So I guess one thing that dawned on me is maybe
27 we need to do some homework and look into accounts that hold shares
28 that are associated with dealers or not associated with dealers,
29 right, and so I guess my question, to Alicia or Jessica, is how
30 many dealers do we have that operate in the IFQ program,
31 approximately? Do we know?

32
33 **CHAIRMAN FRAZER:** Dr. Stephen.

34
35 **DR. STEPHEN:** I don't have that number off the top of my head, but
36 I think I had it in one of the previous presentations that we
37 pulled up. It's significantly less than the number of fishermen
38 we have participating in the program.

39
40 **MR. STRELCHECK:** I bring this up because I think we can maybe look
41 at this a little more carefully, and it's not going to be one-to-
42 one, because dealers might hold public participation accounts
43 without a reef fish permit, and so trying to match that can be
44 kind of complicated, but maybe we can delve into this and see how
45 many dealers actually are kind of holding shares and allocation
46 currently, or have some association with shares and allocation,
47 and bring that back to you at a future meeting.

48

1 **CHAIRMAN FRAZER:** I think Ms. Gray has the number.

2
3 **MS. GRAY:** As of 2022, which is the most recent annual reports,
4 for red snapper, there were 102 dealers, and then, in the grouper-
5 tilefish, there were 104, and I do want to note that sometimes
6 matching dealers to shareholders is difficult, based on the naming
7 conventions that they use.

8
9 **CHAIRMAN FRAZER:** Okay, and so, again, I think what we recognize
10 here is that there's an issue that we need to explore further,
11 right, having to do with dealers, and so we'll get a little more
12 clarity when we bring this document back in June, and so are there
13 any other items to discuss with regard to the development of
14 Amendment 59 at this time? I am not seeing any. Ms. Gray, thank
15 you for your time. We appreciate it, and it was a nice
16 presentation.

17
18 Okay, and so it looks like we're to Other Business, and there were
19 two Other Business items. The first one had to do with the Ad Hoc
20 AP Red Snapper/Grouper-Tilefish IFQ. Dr. Simmons.

21 22 **OTHER BUSINESS**

23 **UPDATE THE AD HOC RED SNAPPER/GROUPER-TILEFISH IFQ AP CHARGE**

24
25 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so we have
26 posted for you, in Tab B, Number 9, a proposed change to the charge
27 for that panel. We did briefly discuss this during Admin/Budget,
28 and we felt like, after discussing the IFQ amendments, so everybody
29 has it fresh in their mind, that we definitely need to update this
30 charge, and so, Bernie, if you could pull up that Tab B, Number 9,
31 please. There we go.

32
33 There is our current charge, and you can see that it has Amendment
34 36B in it, and so it is old, and then the revised charge to address
35 and focus on the two new amendments, and so we're looking for a
36 motion to approve those changes or to consider at Full Council.

37
38 **CHAIRMAN FRAZER:** All right, and so we have a proposed revision to
39 the charge of the ad hoc AP. Is there anybody on the council who
40 is willing to make a motion to accept that charge? Mr. Gill.

41
42 **MR. GILL:** Thank you, Mr. Chairman. **I move that we accept the**
43 **proposed changes to the Ad Hoc Advisory Panel for Red**
44 **Snapper/Grouper-Tilefish IFQ.**

45
46 **CHAIRMAN FRAZER:** All right. Thank you. We'll get that motion on
47 the board. While we're doing that, is there a second to the
48 motion? It's seconded by Ms. Banks. **All right, and so the motion**

1 on the board is to accept the proposed Ad Hoc Red Snapper/Grouper-
 2 Tilefish IFQ AP charge. Any further discussion? I am not seeing
 3 any, and I think we're still in the clicker mode, right, Mr.
 4 Chairman, and so we will go ahead and take a vote on the clickers.
 5

B.9.1 To accept the proposed changes to the charge of the Ad Hoc Red Snapper/Grouper-Tilefish IFQ AP....				
First Name	Last Name			
Kevin	Anson			Abstain
Susan	Boggs	Yes		
Billy	Broussard	Yes		
Dale	Diaz	Yes		
JD	Dugas	Yes		
Anthony	Overton	Yes		
Tom	Frazer			Abstain
Dakus	Geeslin	Yes		
Bob	Gill	Yes		
Michael	McDermott	Yes		
Chris	Schieble	Yes		
Joe	Spraggins	Yes		
Andy	Strelcheck	Yes		
Kesley	Banks	Yes		
CJ	Sweetman	Yes		
Troy	Williamson	Yes		
Ed	Walker	Yes		
Result - Passed	Subtotals	Yes (15)	No (0)	Abstain (2)

6
 7
 8 **CHAIRMAN FRAZER:** All right, and so it looks the motion carries
 9 with fifteen yes and two abstentions. All right.

10
 11 We had one more Other Business item, and it had to do with the
 12 SEDAR schedule, and I'm trying to remember who requested that.
 13 Mr. Schieble. I'm sorry, man. Have at it.

14
 15 **DISCUSSION OF SEDAR SCHEDULE**

16
 17 **MR. SCHIEBLE:** Thank you, Mr. Chair. I want to just sort of bring
 18 up the SEDAR schedule, because I wasn't sure the next time we were
 19 going to have a SEDAR Committee at the council, and it could be
 20 the next meeting, but I don't know.
 21

1 Based on the results of the SEDAR 74 research track assessment,
2 most recently, that we were given a review of, or the failure to
3 pass the review of the SEDAR 74 research track assessment, the
4 next SSC meeting is coming up on February 27, and I assume they're
5 going to get the results of that to review, and then we potentially
6 could have a SEDAR Committee at the April council meeting, and is
7 that correct?

8

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

10

11 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Yes, that is
12 correct, and so the SSC will have an opportunity to hear from the
13 Science Center regarding the review specifically for red snapper
14 and some other larger SEDAR process recommendations, I believe,
15 and so they can respond to those with the SSC, and then we have a
16 SEDAR Steering Committee meeting planned for the 25th and 26th of
17 March, I believe, in Charleston.

18

19 **CHAIRMAN FRAZER:** I think that's correct. Mr. Schieble.

20

21 **MR. SCHIEBLE:** So, to that point, I guess some of the other things
22 that I would like to ask, and potentially maybe Dr. Porch could
23 fill in the gaps for me here of looking at this schedule
24 tentatively so far, is, based on the research track not passing
25 muster, the next step would have been an operational assessment
26 listed there for nine months, in Slots 2 and 3, and would that
27 still be the schedule going forward, or are we delaying the
28 operational assessment because of this, and moving to a different
29 schedule after this, and can you speculate on that at this point,
30 or is that not appropriate, and, also, thinking of the timeline,
31 based on whatever that answer is, remind me what the terminal year
32 of the assessment data is that we're using for this assessment,
33 please.

34

35 **CHAIRMAN FRAZER:** Dr. Porch.

36

37 **DR. PORCH:** That is something to be negotiated, and we'll see what
38 the SSC has to say about that. There are some points in the review
39 that could be accommodated, and there's a couple of things that
40 aren't exactly accurate in the review, some misunderstandings, and
41 then there's the question that the review indicated that the Great
42 Red Snapper Count wasn't an index of absolute abundance and
43 shouldn't be plugged into the assessment, and so we need to talk
44 with the SSC about that, but the bottom line is, depending on what
45 the thoughts are, you could conceivably continue with an
46 operational assessment. I suspect that there will be more of a
47 push for a benchmark.

48

1 **CHAIRMAN FRAZER:** Mr. Rindone.

2
3 **MR. RINDONE:** Thank you, Mr. Chair, and, directly to that, it's
4 the council's current intention, based on our discussions
5 following all of this, to request a benchmark. We'll need to go
6 through an evaluation of the terms of reference for the Science
7 Center, but a lot to do with what Dr. Porch just said about what
8 things were misunderstandings in the review and what things from
9 the review can be translated into something we can attempt for the
10 next assessment.

11
12 To refresh you guys, a benchmark assessment consists of an in-
13 person data workshop, and the assessment process is held via
14 webinar, and then we have an in-person review workshop that
15 includes an independent peer review, using the CIE.

16
17 As far as the terminal year is concerned, it will depend on when
18 the assessment starts. If we're talking about a start time of
19 sometime this fall, optimistically, we could include data through
20 2023 for an assessment starting this fall. I think, as long as it
21 starts after about the middle of August, that means that the Texas
22 data are available, and those are the last data that we tend to
23 wait on from the recreational side of things. Everything else
24 will have been in prior to that point.

25
26 We'll have to go through an evaluation of, you know, what data to
27 include, things like that, just like we do for the benchmark
28 process, but, like Dr. Porch said, we'll negotiate all of that
29 specific timing and whatnot at the SEDAR Steering Committee level,
30 and so any input that you guys want to give to Mr. Anson and Dr.
31 Simmons, who are your representatives there, please convey that,
32 but, right now, the intent is to ask for a benchmark.

33
34 **CHAIRMAN FRAZER:** Mr. Schieble.

35
36 **MR. SCHIEBLE:** Just a follow-up question, and so help me out. A
37 benchmark assessment leads to an operational assessment after
38 that, or is that the final then, and so we could stay on the same
39 schedule as what's here, technically, by time, or no?

40
41 **MR. RINDONE:** So a benchmark assessment would replace the
42 operational assessment, and so it wouldn't say "OA" there anymore,
43 and it would say "B", and, at the end of the benchmark assessment,
44 we would have a tool that could be used to generate management
45 advice, and so we wouldn't have to do another assessment after
46 that to then create management advice, as was part of the research
47 track process, where the research track had to be followed by an
48 operational assessment, to get something that we can use, and so

1 the benchmark will produce projections, at the end of it, that the
2 SSC will review, along with the assessment.

3

4 **CHAIRMAN FRAZER:** Go ahead, Clay.

5

6 **DR. PORCH:** The timeframe may not be exactly the same as allocated
7 for the operational. A lot of it is going to depend on the input
8 we get from the SSC and what we think we can accomplish, because
9 the review workshop did ask for some things. For instance, there
10 were three areas in the model that they reviewed, and they felt
11 like that was too complicated for the quality of the data, and so
12 we would go back to the previous two-area model, and a number of
13 things like that.

14

15 Some of it could be accommodated easily, but, depending on what
16 else we're asked to look at, it conceivably could take a little
17 bit longer, but I wouldn't expect, you know, a year extension, or
18 anything of that magnitude.

19

20 **CHAIRMAN FRAZER:** Chris.

21

22 **MR. SCHIEBLE:** But the start time would stay the same, correct,
23 for that? There wouldn't be a delay?

24

25 **CHAIRMAN FRAZER:** Clay.

26

27 **DR. PORCH:** I think to be determined. It could, conceivably, but,
28 again, I don't want to go out on a limb until we've had that SSC
29 conversation.

30

31 **CHAIRMAN FRAZER:** Mr. Rindone.

32

33 **MR. RINDONE:** This is -- Again, we use this mostly for planning
34 purposes, and, typically, anything that says "final" stays final,
35 but there is extenuating circumstances with this assessment, and
36 so we'll get this updated, following the March Steering Committee
37 meeting, and so, in April, this will look different, and so it
38 will be updated with respect to all the negotiations for different
39 species that happen with respect to that meeting.

40

41 **CHAIRMAN FRAZER:** Chris.

42

43 **MR. SCHIEBLE:** Thank you. That answers my question, and I think,
44 when we get to that SEDAR Committee meeting, that may be something
45 for us, on the council, to have a discussion of the efficacy of
46 the current SEDAR process, based on how these results turned out
47 here, and maybe look into that a little bit deeper, but that's not
48 for today.

1
2 **CHAIRMAN FRAZER:** Great. Yes, and so we'll get an update,
3 obviously, in the April meeting, after the SEDAR Steering Committee
4 meets, and so we're all good there, and I don't think we have any
5 other business items, and so, Mr. Chair, it's 3:30, and we are
6 done with the Reef Fish Committee for the day.
7
8 (Whereupon, the meeting adjourned on January 30, 2024.)
9
10 - - -
11