

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

2
3 REEF FISH MANAGEMENT COMMITTEE

4
5 The Tremont House Galveston, Texas

6
7 OCTOBER 22, 2019

8
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- 11 Kevin Anson (designee for Scott Bannon).....Alabama
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- 30 Lt. Mark Zanowicz.....USCG

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PAGE 44: Motion to move Action 1 to Considered but Rejected. Action 1 is Establish Greater Amberjack Recreational Fishing Zones and Quotas. The motion carried on page 45.

PAGE 46: Motion to move Action 3 to Considered but Rejected. Action 3 is Modify the Greater Amberjack Recreational Fishing Year. The motion carried on page 47.

PAGE 48: Motion to add an action to consider a split quota between seasons for recreational management of greater amberjack in the Gulf of Mexico based on NMFS projections designed to facilitate access to the stock in spring and fall. The motion carried on page 54.

PAGE 54: Motion to move Action 4 to Considered but Rejected. Action 4 is modification of the greater amberjack recreational fixed closed season. The motion failed on page 57.

PAGE 102: Motion to ask the SSC to review red grouper projections based on the allocation time series from Reef Fish Amendment 30B, 1986 to 2005, and the best available landings used as inputs in the new stock assessment (40.52 percent recreational/59.48 percent commercial) and direct staff to start work on a plan amendment to update the red grouper allocation and establish catch levels based on the new assessment. The motion carried on page 102.

PAGE 103: Motion to ask the Science Center to conduct interim analyses of red grouper annually starting in 2020. The motion carried on page 103.

PAGE 115: Motion to ask staff to begin a framework action to reevaluate the trolling provisions in Madison Swanson and Steamboat Lumps. The motion carried on page 117.

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1 The Reef Fish Management Committee of the Gulf of Mexico Fishery
2 Management Council convened at the Tremont House, Galveston,
3 Texas, Tuesday morning, October 22, 2019, and was called to
4 order by Chairman Martha Guyas.

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

10 **CHAIRMAN MARTHA GUYAS:** We have some new members, and so, for
11 those who are not aware, everyone is a voting council member is
12 a member of the Reef Fish Committee, and so get excited, because
13 that's almost everyone around the table.

14
15 Our first item is Adoption of the Agenda, and it is Tab B-1.
16 Are there any additions or suggestions for change to this
17 agenda? All right. Is there any opposition to adopting the
18 agenda as written? Seeing none, we will move forward with the
19 agenda as written. The next item on our list is Approval of the
20 August 2019 Minutes. Any changes to the minutes? All right.
21 Let's do a motion to approve the minutes then.

22
23 **MR. DALE DIAZ:** So moved.

24
25 **CHAIRMAN GUYAS:** I have a motion. I need a second.

26
27 **MR. PHIL DYSKOW:** Second.

28
29 **CHAIRMAN GUYAS:** Seconded by Mr. Dyskow. Thank you very much.
30 Any opposition to that motion? Seeing none, the motion carries.
31 Our first item of -- We'll cover the Action Guide as we move
32 through, if that's all right, just to be a little bit more
33 efficient, and so our first real item here is the Review of Reef
34 Fish and CMP Landings, but I think Leann mentioned to me that
35 she wanted to ask a question before we get to this item. Leann.

36
37 **MS. LEANN BOSARGE:** Sue, before you -- I'm assuming you're going
38 to take us through those. Before you do, can you give us a
39 rundown on how the landings are coming in, FES versus MRIP, and
40 how they are presented here and if there's any calculations that
41 we're doing, so I know what I'm looking at, before we get into
42 it.

43
44 **MS. SUSAN GERHART:** Sure. You are talking specifically to the
45 recreational landings and how we receive those, and we receive
46 those from the Science Center. They start, obviously, with the
47 MRIP program, who collects those and sends them forward on a
48 wave basis, which is every two months. They come to the Science

1 Center, and there are some adjustments that are made to those
2 landings, having to do with fish weights and things like that,
3 and I think Dr. Porch has talked to that previously, as other
4 people from the Science Center have, and so I'm not going to
5 dwell on that, because I don't know the details.

6
7 From our office, we receive -- My understanding is we receive
8 several lists of landings, and we receive FES, which is how they
9 are received, and that's the survey that's ongoing, is the
10 Fishing Effort Survey. For those species where we have ACLs in
11 other units, being either APAIS MRIP, CHTS, or there are some
12 that are still in MRFSS landings, and those are converted at the
13 Science Center to all the different units, and so we get four
14 lists, I believe, of landings for the species in the different
15 units, and then we use the appropriate list for the appropriate
16 species, depending on what the ACL is.

17
18 If you want to know more detail about what happens to get to
19 that point, that would be more appropriate for someone from the
20 Science Center.

21
22 **CHAIRMAN GUYAS:** Go ahead, Leann.

23
24 **REVIEW OF REEF FISH AND CMP LANDINGS**

25
26 **MS. BOSARGE:** That tells me what I need to know, and so, right
27 now, the survey that's out there, they're coming in in FES,
28 recreationally, and the Science Center is converting that back
29 to MRIP, for what we have in front of us right here, for all
30 these different landings for the recreational sector, and so
31 we're looking at FES converted back to MRIP, and that's what I
32 was wondering.

33
34 **MS. GERHART:** Just to clarify that FES, CHTS, APAIS, those are
35 all MRIP. It's just different updates to the MRIP program, and
36 so just to be clear about that. We sometimes use MRIP versus
37 FES, and they're all MRIP.

38
39 For the landings, what you see there, we have the commercial
40 landings first, and these are the two species of interest that
41 are not in the IFQ program. As you know, we closed greater
42 amberjack quite early. We had a spawning season closure, and we
43 opened for nine days in June and then closed again.

44
45 Gray triggerfish is still open at this time, and we are watching
46 that closely, to make sure that we won't have to close it before
47 the end of the year, but that is still a possibility.

48

1 The recreational landings we have through Wave 3, and that's
2 through the end of June for 2019, and the first table you see is
3 for amberjack and this is for the 2018-2019 season, and that is
4 completed as of the end of July of 2019, and so the landings
5 that you see there are not complete, because we don't have July
6 landings yet, but, what we have so far, you see that we closed,
7 obviously, before the May season came along, and there are some
8 landings in the months that were closed, and that's why I said
9 it's not complete yet, but those are just landings that we
10 receive through the survey, and, if there's illegal fishing
11 going on, that's not the responsibility of the port agents to
12 take care of that, and so they just report what's reported to
13 them and what they find.

14
15 As you can see, and everyone is well aware that we had a fall
16 season in the end of 2018, but we did not have a May season this
17 past year. That did reopen, again, on August 1, but we don't
18 have any landings for that yet for this year.

19
20 For the rest of the recreational landings, again, landings
21 through June, the few landings you see in July and August are
22 from the LA Creel survey, and, of those, we had a closure for
23 gray triggerfish in May, and, of course, the red snapper season
24 was June 1 through August 2 this year.

25
26 We do have red grouper landings that are around 50 percent
27 through the end of June, and, since that doesn't include really
28 the peak of the landings, I don't believe, we may be looking at
29 a closure before the end of the year, but we don't know that
30 yet.

31
32 The bottom table, our red snapper private angler landings from
33 the states, and these are supplied to us from the states under
34 the EFPs that they are under for 2018 and 2019, and one update
35 to this is we did just get landings from Florida, and, through
36 the end of July, I believe, they were at 64 percent, and they
37 have done a reopening for weekends in October.

38
39 On the next page, we have the stock landings, and these are
40 selected species for which there is no allocation, and so
41 there's just one ACL for the whole stock, and these four species
42 have exceeded their ACL in the last year, and so we're keeping
43 an eye on them closely, and we don't expect for any of those to
44 close, except perhaps lane snapper, and lane snapper landings
45 are down this year, relative to previous years though, and so we
46 may or may not have a closure for that at the beginning of
47 December, at the earliest.

48

1 Then, if we go on to the next page, we have CMP landings, since
2 you don't have a Mackerel Committee meeting this session, and
3 I'm showing you those here. The 2018-2019 fishing season, for
4 most of the zones, ended at the end of June this year, with the
5 exception of the Northern Zone, which ended on September 30, and
6 so, as you can see for the 2019-2020 fishing season, we do not
7 have a lot of landings, with the exception of the Western Zone
8 is at 63 percent.

9
10 You may or may not recall that, in previous years past, before
11 we did some of the changes, that the Western Zone would close in
12 August or September some time, and so they are staying open
13 longer than they have in the past, and we expect that there may
14 be a closure before the end of the year, and certainly before
15 the end of the fishing year, but we're still keeping an eye on
16 that, and they're only at 63 percent right now.

17
18 For the previous year, the 2018-2019, it's still preliminary,
19 and we're still closing out that season, again, because they
20 just ended not too long ago. You will see, for the hook-and-
21 line sector, that they were just below their ACL. The Southern
22 Zone went a bit over, but the Northern Zone was under, and so
23 the total ACL was not exceeded, and we did have closures for all
24 of the zones at different times of the year. We didn't close
25 the Northern Zone, and that's what I meant to say. It was
26 closed, but now it's open again.

27
28 Anyway, the southern gillnet did exceed their ACL, and they will
29 have a payback this year, and they open the Tuesday following
30 the Martin Luther King Jr. Holiday, which I think is the 21st
31 next year, in 2020, and it's somewhere around there, and so they
32 will have a payback of their ACL for that overage that they
33 have, that 7.7 percent overage.

34
35 For recreational for king mackerel, they are also on the July
36 through June fishing year, and so we are not complete there yet,
37 and we don't have any landings for this season yet, but they are
38 well below their ACL, as is typical for this sector.

39
40 Then, finally, we have the stock ACLs for Spanish mackerel and
41 cobia. Again, no allocations here, and so one ACL for both
42 sectors. On these, you can see that we have very low landings
43 in both, and that, again, is fairly typical, for those stocks to
44 have those fairly low landings at this time, and that's all, and
45 I will take any questions if you have them.

46
47 **CHAIRMAN GUYAS:** Leann.

48

1 **MS. BOSARGE:** Sue, since you brought up red grouper and a
2 possible closure, I looked up last year's landings, which would
3 be in this same currency, the MRIP, and, last year at this
4 point, the landings were 494,000 pounds. This year, at this
5 point, it's 499,000 pounds, and so it looks like we're right on
6 track.

7
8 Now, the waves are a little different, and we caught a little
9 less this year in the May/June wave, and we caught a little more
10 this year in the early months, in the January/February, but it
11 looks like we're right on track, and, if we keep on that track,
12 we'll be over 100,000 pounds under the ACL, or the ACT, in this
13 case, and so I just wondered where you're projecting the
14 closure.

15
16 **MS. GERHART:** Recall that the council changed the ACL for red
17 grouper for this year, to be precautionary, and so the ACL for
18 this year is a million pounds, and it may be right on track to
19 hit right at that one-million pounds, but I was just saying that
20 we're watching this one, and that doesn't mean that we're going
21 to necessarily close it.

22
23 **MS. BOSARGE:** Last year, they landed 790,000 pounds, and we're
24 tracking right on that right now, and so, if we stay on that
25 track, even with the lower quota, they will still be under it.

26
27 **CHAIRMAN GUYAS:** Are there other questions for Sue? Leann.

28
29 **MS. BOSARGE:** It's not for Sue this time. You're off the hot
30 seat. On the landings, the private angler landings, state by
31 state, I appreciate the different closures, and that kind of
32 helps me understand it a little bit, about when they were
33 closing, but I really would like to get started, probably in
34 January, on the presentations that we would get from each state,
35 kind of giving us an update on their red snapper season for the
36 previous year, and just tell us that --

37
38 Because I see closures, and I know Texas, I think, state waters
39 are still open, and I would like to know how you ended up
40 managing it and what you saw, any changes that you made from the
41 previous year, any changes in the data collection, species you
42 may have added or things you may have tweaked or questions you -
43 - That would be interesting, and I really would like those
44 updates, and it's not something that I want to go dig out every
45 state's bulletin to find it, and so I would appreciate it if we
46 could get that at this table from each state, maybe in January,
47 once they have a good handle on their past year's season.

48

1 **CHAIRMAN GUYAS:** Okay. Hearing that, it sounds like, if it's
2 going to be every state giving a presentation, that might take a
3 little bit of time, which I'm not saying is bad, but it might be
4 good to get a motion from the committee to set that up for
5 January.

6
7 **MS. BOSARGE:** All right. Well, I'll try and throw a motion out
8 there. **To request that the council receive an update from each**
9 **state at our January meeting on that state's 2019 red snapper**
10 **private angler management.** That kind of leaves it wide open,
11 and you can talk to us about what areas you closed or left open
12 and how many days your data collection -- Anything that you find
13 would be good information for the council.

14
15 **CHAIRMAN GUYAS:** All right, and so we've got a motion on the
16 board to request that the council receive an update from each
17 state at our January 2020 council meeting on that state's 2019
18 red snapper private angler management. Is there a second to
19 this motion? It's seconded by Chris. Any discussion on this?
20 Lieutenant Zanowicz.

21
22 **LT. MARK ZANOWICZ:** Thank you. I think it would be helpful to
23 include in this presentation what states are planning to do for
24 the upcoming season, in terms of bag limits, size limits, and
25 the season structure.

26
27 Obviously, for the Coast Guard, we're going to be enforcing,
28 possibly, those five different regulations, and so it would
29 definitely be helpful to know, looking ahead, and that kind of
30 ties into what we were talking about earlier with regard to the
31 Fish Rules and incorporating all the different areas as well,
32 and so any information we can get, in terms of the different
33 state regulations for red snapper that we're going to be
34 enforcing in federal waters will be helpful, and so I think this
35 is a good avenue for that.

36
37 **CHAIRMAN GUYAS:** Noted. Susan.

38
39 **MS. SUSAN BOGGS:** I just wanted to ask Leann a question. Do you
40 want to be specific to January 2020, or do you want to, I guess,
41 make a motion each time you are looking to see this information?
42 I mean, is this the only time you want to see it, or is this
43 something that --

44
45 **MS. BOSARGE:** Of course not. I want to see it yearly, but, for
46 now, that's what I am -- It was in the document, and I think,
47 once we get into a routine, we'll probably get these updates the
48 same way Sue gives us updates, but, for now, I will make the

1 motion, to get it going.

2
3 **CHAIRMAN GUYAS:** Okay, and so we could maybe update this motion
4 to include any 2020 plans, I guess, if states have that at that
5 time. Depending on the processes within a state, they may not
6 have their seasons finalized yet, but I think that's doable. I
7 don't know if we need to include that in the motion, or we can
8 just kind of note that. We'll just include that in the report.
9 Okay. Any other discussion on this? **Any opposition to this**
10 **motion? Seeing none, the motion carries.** Anything else related
11 to the landings report from Sue? Chris.

12
13 **MR. SCHIEBLE:** I can give you a quick update. We're still open,
14 actually. This weekend was our last weekend, and our landings
15 total so far is 770,745 pounds, not much more than what's on the
16 list, but we're also having a veterans special season for the
17 remainder of the quota to be fished, if they fish it, but it's a
18 special season just for veteran anglers.

19
20 **CHAIRMAN GUYAS:** Great. Thanks, Chris. Okay. With that, let's
21 move on to our next item, which is Draft Amendment 36B. Ava is
22 going to give us a quick introduction to what we're going to
23 talk about today, and then it sounds like we'll get into the
24 document.

25
26 **DRAFT AMENDMENT 36B: MODIFICATIONS TO COMMERCIAL IFQ PROGRAMS**
27 **AND PRESENTATIONS**

28
29 **DR. AVA LASSETER:** Perfect. Great. Thank you. If you take a
30 look at the action guide, basically, I'm going to catch
31 everybody up on where we're at, what happened at the last
32 meeting, and thus where we are now, and then we will go through
33 the document. We do have one recommendation from the Reef Fish
34 AP, which we will share with you as well.

35
36 We can go ahead and move to the document, and then I will kind
37 of give a little background. The document is at Tab B, Number
38 5a, and so, at your last council meeting, the August council
39 meeting, you passed a couple of motions. One of them stated to
40 begin a standalone document with the actions at that time that
41 were 1.1 and 1.2.

42
43 The document, you can see up here up on the screen -- This is
44 that standalone document with those two actions, and we are
45 calling this Amendment 36B, and so it's the same as the last
46 meeting, Amendment 36B. We took the other actions that were not
47 part of the standalone document, and those are now in 36C.

48

1 One of your other motions from the last meeting asked us to
2 begin looking into non-NOAA quota banks, and we have begun
3 looking into that, and we've had an initial meeting, and we're
4 also dialoguing with the North Pacific Council staff, because
5 they're exploring some of these ideas, but this is very
6 preliminary. This is going to be a very novel-type of approach.

7
8 We are expecting, planning, to bring you a presentation on this
9 in January. If we can have something more than a presentation,
10 we will do so, but we're thinking to outline for you what are
11 your possible approaches for going forward with that type of a
12 non-NOAA quota bank approach.

13
14 With that said, 36B now is very focused on just those two
15 actions, and so we can take a look at the table of contents
16 first, and then we'll go to the purpose and need and then
17 through the actions, and so, if we take a look at the table of
18 contents real quick, we can see that now this document only has
19 an Action 1 and an Action 2.

20
21 Action 1 is the requirement for a permit, to require
22 shareholders, shareholder accounts, to have a reef fish permit,
23 and then Action 2 is a support action for that. It addresses
24 what would happen with accounts that are unable to get one of
25 those reef fish permits.

26
27 Also, we added an appendix here, Appendix D, and we have
28 provided copies of the control dates that were requested by the
29 council in the respective time periods, 2011 to -- I think it
30 was the very end of 2014, and those are referenced in the
31 document, and so those are there for you as well, but we'll come
32 back to those.

33
34 Moving on into the document, let's take a look -- First, we
35 provided you a figure on page 3, and we'll just take a look at
36 what we're looking at here. On page 3, we have Figure 1.1.1,
37 and you have a lot of information and one figure, but what this
38 is showing you is the numbers of accounts and the amount of
39 shares -- Really, this is the amount of shares in accounts that
40 are either associated with a permit, and those are all those top
41 lines, or not associated with a permit, and those are the bottom
42 lines.

43
44 The longest two lines are red snapper, and, of course, there is
45 three years longer history with the red snapper program, and
46 then you can see the grouper-tilefish lines as well. Since
47 these are the total amount of shares that are in each of these
48 accounts, as the number, or, as the amount of shares that are

1 not associated with a permit increases, as a result, the amount
2 of accounts with shares without a permit are going to decrease.
3 Basically, they are going to merge to each other.

4
5 What's also kind of interesting is that we haven't seen much
6 change in this over the last three years, 2015 to 2017, and so
7 that's just kind of some background for what you're looking at,
8 in terms of accounts with and without a permit. Now, within
9 each of these groups, you have the idea of related accounts, and
10 some of these accounts, many of these accounts -- Just because
11 one account does not have a permit, entities behind that account
12 may be associated with a different account that does have a
13 permit, and so there is a little more background information
14 behind these that does make it a little more complicated.

15
16 Let's turn on to the next page, and the very top is the purpose
17 and need statement, and so this is very different from your
18 previous 36B amendment, when you had all of the different
19 actions, the quota bank and everything in it. At that time,
20 that purpose statement included a reference to several of the
21 motions that you have passed over the last couple of years
22 addressing your new goals and objectives or intentions with this
23 document.

24
25 Now, because this document is only focused on these two actions,
26 this purpose statement has really been focused to reflect some
27 of the statements and the discussion the council had at the last
28 meeting and that supports specifically the actions in this
29 document.

30
31 Thus, the purpose of this action is to limit IFQ share ownership
32 by shareholders without a valid or renewable commercial reef
33 fish permit and promote share ownership by fishermen landing
34 reef fish within the red snapper and grouper-tilefish IFQ
35 programs.

36
37 This action considers placing limitations on shareholder
38 accounts that are not associated with a valid or renewable
39 commercial reef fish permit, and then here is our definition. A
40 shareholder account is considered to be associated with a permit
41 if the exact same entities are listed on both the shareholder
42 account and permit.

43
44 Let's talk a little bit more about accounts. If we scroll down,
45 we're on the top of page 7, and we have a section that you can
46 read, of course, at your leisure, but the gist of this is the
47 outlining the structure of this online system, and so, within
48 the IFQ online system, you have three types of accounts. You

1 have shareholder accounts, a vessel account, and dealer
2 accounts.

3
4 Then you have removed from consideration looking at dealer
5 permits, and so we're not going to worry about the dealer
6 accounts right now, and the two kinds of accounts that would be
7 relevant here would be the shareholder accounts and vessel
8 accounts.

9
10 A shareholder account refers to accounts that may or may not
11 have shares, and that may seem a little confusing in the
12 terminology, but the idea is that this is a participant's
13 primary account. If they have shares, shares are kept there,
14 but that account could also be used by somebody who doesn't have
15 shares, but must still have that account in order to have a
16 vessel account that is thus associated with that shareholder
17 account, and so, even when we say shareholder account, keep in
18 mind that shareholder accounts may not have shares. They may
19 have allocation only, and they are used then for moving the fish
20 and being able to land.

21
22 Here, what we're really going to be talking about are
23 shareholder accounts. A vessel account is at the vessel account
24 level that the commercial reef fish permit is associated,
25 currently, and so we're really going to keep in mind that
26 shareholder accounts, and that's what we're going to be talking
27 about requiring to have a permit, and then, currently, those
28 vessel accounts are sub-accounts, are support accounts, and
29 those are used by the fishermen to put their allocation and to
30 land fish.

31
32 Let's move on and move to page 9, and we have our beginning
33 first action. Action 1 is permit requirement, at the top of
34 page 9, and so you have a range of alternatives, and you have
35 seen these before, and we have tightened up the language
36 somewhat, so that they are consistent with the structure of the
37 program, and so we'll go through them.

38
39 First of all, always your Alternative 1 is your no action. In
40 this case, it would not establish any new requirements to obtain
41 or to maintain individual fishing quota shares. Alternatives 2,
42 3, and 4 would require some or all accounts to be associated
43 with a permit.

44
45 Alternative 2 would be the most restrictive, and it would apply
46 to all accounts. Thus, in order to obtain, and obtain means
47 transferring shares into a shareholder account, or to maintain,
48 to keep your shares, meaning holding the existing shares in a

1 shareholder account. Alternative 2 would require all
2 shareholder accounts to be associated with a valid or renewable
3 commercial reef fish permit.

4
5 Then there's our definition again, that a shareholder account is
6 considered to be associated with a permit if the permit has the
7 exact same entities listed on both the shareholder account and
8 permit, and keeping in mind too that each shareholder account is
9 composed of a unique set of entities, and so you can't have
10 multiple shareholder accounts that are with the same exact group
11 of entities. Each one is unique.

12
13 Alternative 3 would allow some accounts to be grandfathered in
14 and not be required to have a reef fish permit. Thus, for
15 Alternative 3, in order to obtain or maintain, keep one's
16 shares, all shareholder accounts established as of January 1,
17 2015 would be required to be associated with that valid or
18 renewable commercial reef fish permit, and there is our
19 definition, again.

20
21 This date, if you remember, corresponds with the control date
22 that ended the first five years of the grouper-tilefish program,
23 and so this would essentially -- Anybody that was participating
24 as a shareholder, having a shareholder account, but no longer
25 had maintained their permit to that date, would be grandfathered
26 in and would be allowed to continue with their account without a
27 permit. Again, we have provided copies of those control dates
28 in the appendix, if we need to reference them.

29
30 Then, finally, Alternative 4 would essentially grandfather every
31 shareholder account in until this amendment is implemented.
32 Thus, in order to obtain, get more shares, or keep one's shares,
33 shareholder accounts established after implementation of this
34 amendment would be required to be associated with a commercial
35 reef fish permit, and I will pause there for one moment. I
36 think this is the appropriate moment to bring up the Reef Fish
37 AP motion, because they actually recommended an additional
38 alternative, and, if we could call that up real quick, that
39 would be great.

40
41 The AP did discuss this action, and there was both support and
42 opposition for requiring all shareholder accounts to have a
43 permit, and, thus, the AP decided that, if the council intends
44 to require a permit, it was suggested to implement the
45 requirement going forward, and so, similar to your Alternative
46 4, which would grandfather people in, but with an earlier date,
47 and so the AP's motion was to recommend that the council
48 establish a control date from today forward, and that was the

1 date of the meeting, that anyone who buys shares is required to
2 obtain a reef fish permit.

3
4 My interpretation of that is that it would be similar to the
5 Alternative 4, but, instead of allowing it to be shareholder
6 accounts established following implementation of this amendment,
7 it would be from a date as of now, or even from the time of the
8 Reef Fish AP. That was the Reef Fish AP's recommendation, and
9 we've gone over the alternatives, and I am going to pause there
10 for a moment, for questions and discussion.

11
12 **CHAIRMAN GUYAS:** Leann.

13
14 **MS. BOSARGE:** Thanks, Dr. Lasseter. I have a technical
15 question. When you were going through the types of accounts,
16 you said there is a shareholder account and a vessel account,
17 and so I'm thinking through this, and I'm trying to think of it
18 as -- So, if we require a permit to own shares, retain shares,
19 maintain shares, for the man that is actively fishing on the
20 water, and he owns his boat, and he's the captain, and he is a
21 shareholder, and he owns some shares of that fishery, he has a
22 shareholder account and a vessel account, and the permit is
23 currently -- Because he's going to have a permit, if he's
24 actively fishing.

25
26 His permit is associated with the vessel account, and so, if we
27 were to implement this, there will be somewhat of a
28 consolidation of his accounts, because his shareholder account
29 would have to have the permit, and so he's going to go down from
30 two accounts, a shareholder and a vessel, to one account that
31 has the permit, has the ownership of the shares, and has the
32 allocation in it, and is that how that would work?

33
34 **DR. LASSETER:** Very close, and so I guess the process would be a
35 person, even if they know they have a vessel and a permit, the
36 first step would be to open that shareholder account, whether or
37 not you're going to have shares and whether or not you've put
38 the shares first. You would open that shareholder account
39 first.

40
41 Now, you know you have a permit. When you open that account,
42 you would provide that information as well, but you perhaps have
43 not opened and established the vessel account yet, and so, the
44 way this is worded, you wouldn't necessarily need to already
45 have that vessel account. NMFS is going to ensure that, as long
46 as that permit has the same name, the same entities, as on the
47 shareholder account, that shareholder account would be
48 considered to be associated with a permit.

1
2 In the case of this individual with a permit, they would not
3 need to do anything. Their permit is linked with that vessel
4 account, but NMFS did not want us to relate that directly to the
5 vessel account, and my understanding is because some individuals
6 are a little delayed in establishing that vessel account part,
7 and it's like an extra piece of the puzzle, but you get that
8 shareholder account first, and, as long as the entities are the
9 same on the permit and the shareholder account, that permit then
10 would satisfy your requirement, whether or not you have opened
11 the vessel account, which does raise the question of you would
12 need the vessel account in order to be able to fish any shares,
13 yes.

14
15 **MS. BOSARGE:** So that permit will satisfy both your shareholder
16 account and your vessel account?

17
18 **DR. LASSETER:** That is correct, yes.

19
20 **CHAIRMAN GUYAS:** Phil.

21
22 **MR. DYSKOW:** Thank you, Madam Chair. Ava, could you clarify, in
23 as simple terms as possible, the difference between Alternative
24 4 and the AP recommendation, please?

25
26 **DR. LASSETER:** Yes, of course. Alternative 4 would allow people
27 to continue to essentially be grandfathered in until we
28 completely finish this amendment and it is implemented, the
29 final rule publishes, and so, right now, Alternative 4 would
30 allow, potentially more people to be grandfathered in than what
31 the AP is recommending. The AP is recommending to go ahead and
32 set a date that is essentially between Alternative 3 and
33 Alternative 4, and so if you set it now.

34
35 As of this point forward, or, if you pick their point, which was
36 a couple of weeks ago, accounts already established from these
37 dates would essentially be grandfathered in. Any new accounts
38 would need to be required with a permit, and so the AP
39 recommendation is a little more conservative than Alternative 4.
40 The date is between Alternatives 3 and 4.

41
42 **CHAIRMAN GUYAS:** I am going to say one thing kind of related to
43 that, and then I will get to you, Dale. If you remember back to
44 that graph that Ava showed us, those data only go through 2017,
45 but I would note that, basically, since 2015, the permits have
46 kind of been flatlined, and there doesn't look like there's been
47 a lot -- Not the permits, but accounts that don't have a permit,
48 I guess.

1
2 It really may not make that much of a difference if you do the
3 Reef Fish AP's thing or Alternative 3 or 4, if that line extends
4 further out and just holding steady for 2018 and 2019, but we
5 don't know, I guess.

6
7 **DR. LASSETER:** I do want to qualify that this is explained a
8 little bit more in the text on page 2, in describing that
9 figure. The amount of shares held in accounts with and without
10 a permit has remained the same, has remained stable, from 2015
11 to 2017. However, the number of accounts has changed, and we
12 would assume that means that people are using the structure of
13 accounts for their business purposes, to separate assets and
14 whatnot, and total volume, amount of shares, associated with and
15 without a permit has remained stable over those years, but the
16 number of accounts has changed, and so we think that that's how
17 people are using the system, and so I did want to qualify that.

18
19 **CHAIRMAN GUYAS:** Roy.

20
21 **DR. ROY CRABTREE:** If an account is grandfathered in, and let's
22 say it's a corporate account, which a lot of these are, that
23 account will remain grandfathered in as long as that corporation
24 exists, and so, potentially, a hundred years from now, there
25 would be a grandfathered-in account that could have been sold
26 from person to person, but it would remain grandfathered in, and
27 is that correct?

28
29 **DR. LASSETER:** That is one issue that I did want to bring up, if
30 the council is comfortable with that, if they're aware of that
31 feature of accounts. However, whenever -- If you have a
32 corporation, if an account is held in the name of a corporation,
33 NMFS requires the ownership, to know the individual ownership
34 and percent ownership behind that account, and there is some
35 requirement that, if any changes are made to that, you must
36 notify NMFS of those changes, of the people behind the
37 shareholder account, behind the corporation holding the --

38
39 **DR. CRABTREE:** So that's something we would need to address in
40 here, how we intended that to work. What happens with a
41 grandfathered-in account that's owned by an individual, and that
42 individual passes away, and the account becomes part of the
43 estate, that then goes to one of his children? Is that account
44 still grandfathered in, or does it become no longer
45 grandfathered, and that child would then have to have a reef
46 fish permit or lose it all?

47
48 **DR. LASSETER:** These are all the issues that are ready for us to

1 discuss, and, however you would like us to address and handle
2 that, we will need to incorporate that into the document, but,
3 yes, these are some questions that we had for you.

4
5 **DR. CRABTREE:** Okay. Then, if we did, for example, what the AP
6 is suggesting a set a control date of whatever day it was, and
7 we said you had to have a permit by that date, and then, six
8 months later, we get to a final rule that requires that, then
9 all the people who didn't have a permit by that date would
10 immediately lose their permit, even if they bought a permit
11 after that date, because they didn't have it on the date, and
12 would they lose their permit? Not the permit, but would they
13 lose their shares?

14
15 **DR. LASSETER:** If I understand you correctly, there is a time,
16 the next action, which we haven't quite gotten to yet, is the
17 action that provides a time period for people to obtain their
18 permit. If you're unable to do so, then you would be forced to
19 divest of your shares, and NMFS would retain the shares.

20
21 **DR. CRABTREE:** So, even though we say a control date, that you
22 had to have a permit by that date, we're not really meaning
23 that, because we're going to allow them some period of time to
24 acquire a permit after that date?

25
26 **DR. LASSETER:** I think they're slightly separate things. There
27 are accounts that had been opened before or after a date that
28 would be required to have one. They wouldn't be required to
29 have had one by that date.

30
31 **DR. CRABTREE:** So you lose the being grandfathered in, but you
32 have a period of time to buy a permit and not lose your
33 accounts, and is that right?

34
35 **DR. LASSETER:** Correct. Depending on what side of the date you
36 were on, you would be required or not required to have a permit.
37 If you would be required, if you fall into the category that you
38 will be required, you will have to go and get one, yes, and the
39 next action provides the process and timeline by which that must
40 be accomplished.

41
42 **DR. CRABTREE:** Okay, and then, if I'm someone who has a permit,
43 and I have a vessel, but I have six different accounts, for
44 whatever reason, I would have to change how I'm handling all
45 that, because now -- Because I have one vessel, I would only be
46 able to have one account, and is that right?

47
48 **DR. LASSETER:** So one permit must be associated with a

1 shareholder account, and you can only -- They have to have the
2 same entities, the same names, behind them, but, with
3 shareholder accounts, you cannot have multiple shareholder
4 accounts in the same name. It could be maybe the same
5 individual behind it, but they would be different LLCs, and so,
6 yes, if an individual has only one permit and multiple accounts,
7 we would expect that those individuals would work on
8 consolidating their accounts, and so that would also make the
9 number of accounts in the figure, just looking at those with and
10 without a permit -- We would expect a lot of change in that.

11
12 **DR. CRABTREE:** Thank you.

13
14 **CHAIRMAN GUYAS:** Phil and then Kevin.

15
16 **MR. DYSKOW:** Thank you, Madam Chair. When Leann brought up the
17 idea of separating this out from the rest of what was 36B, I
18 thought that was a super idea, because I thought it would make
19 things simpler, but, as we can see, it's still very complicated.

20
21 I am really encouraged by the fact that we have a way forward,
22 even though we have much discussion and many issues to wrestle
23 through, I guess, and there are two points that I would like to
24 comment on, whichever one of these alternatives we eventually
25 select, if we can actually accomplish that.

26
27 As I interpret all of these, the IFQ, potentially, can exist
28 into perpetuity, and is that really the intent of what we wanted
29 to do initially and what we want to do now? Should there be a
30 timeframe associated with this, or should it be for the lifetime
31 of the current IFQ holder? I am familiar, a little bit, with
32 federal leases, and, in a very contentious area, they may have a
33 lease, a land lease, whereby the lease can be transferred to an
34 heir, a son or daughter or whatever, one time, and then it
35 expires, and it cannot be renewed beyond that point.

36
37 We need to put an endpoint to this, or, generations from now, we
38 may have people living in Cheboygan, Wisconsin that have never
39 fished in their lives controlling a significant part of the IFQ
40 for the Gulf of Mexico, and just envision downrange where this
41 could end up. I would encourage us to consider a finite
42 timeframe, realizing that there is businesses and families
43 involved in this, and so there should be some flexibility in
44 this as much as possible, but we need to have a point where this
45 ends. It can't go into perpetuity.

46
47 We have another hand up, and so let me finish this up, but the
48 other concern I have is let's say we all agree on any of these

1 alternatives, and I have a reef permit, and I have been awarded
2 IFQ, but I don't fish that IFQ, and I simply lease it. If I do
3 that annually for year after year after year, am I really a reef
4 fisherman? Am I really part of this industry, or am I just an
5 outside investor?

6
7 Maybe we can include some words in the document to close that
8 loophole, whereby, if I haven't actively fished a portion of my
9 IFQ for three years -- In other words, all I do is lease it to
10 other fishermen, and maybe I lose all or a portion of it. Does
11 that make any sense?

12
13 The two suggestions that I have is the one that I just
14 articulated and the previous one, where we have some sort of a
15 finite end to this IFQ, whereby that fisherman perhaps needs to
16 reapply or there's an endgame somewhere, so it doesn't go on
17 into perpetuity.

18
19 **DR. LASSETER:** I wanted to just make sure that I'm clarifying
20 some terminology. When you say finite end to IFQ, are you
21 meaning that shares don't remain with -- Do you mean the end of
22 the program, or do you mean shares wouldn't remain with the same
23 individuals in perpetuity and that there would be some kind of
24 redistribution of shares?

25
26 **MR. DYSKOW:** Yes. This all made perfect sense when I wrote it
27 down, but I think you're going to have to wordsmith it to have
28 it make sense.

29
30 **DR. LASSETER:** Okay.

31
32 **MR. DYSKOW:** I called it at the time, when we discussed the
33 duration of shares, adaptive redistribution, and what that means
34 I have no idea, other than we're looking for an endgame.

35
36 **DR. LASSETER:** Okay, and so a couple of words about that as
37 well, because I believe that was from a couple of years ago, and
38 the council did pass a motion, and it is one of the potential
39 alternatives and one of those sub-actions of the quota bank,
40 where you wanted to explore the idea of cyclical redistribution
41 of shares similar to what was being considered in Amendment 41.
42 Amendment 41 was considering the IFQ program for the
43 charter/for-hire. That came out of a discussion, and I believe
44 that Jessica Stephen was involved in looking at these potential
45 cycles, and so there is that concept, as a potential
46 alternative, in 36C.

47
48 To bring that into this document, I was thinking of a connection

1 with something Dr. Crabtree said, but I have that note down from
2 you, and then the other one is -- I think that both of these are
3 for further discussion for the council, if you're interested in
4 adding some of these provisions to the document, that we could
5 do so.

6
7 **CHAIRMAN GUYAS:** I had Kevin's hand, and then I'm sure a few
8 hands shot up based on that discussion. Kevin.

9
10 **MR. ANSON:** Thank you. That's kind of why we went with this
11 shifting or changing or modification of this document. We had
12 it in previous documents, some of those very concerns you
13 brought up, and they are much more difficult to get a consensus
14 on, or have some discussion about that, but, anyway, related to
15 my question that I had of the vessel accounts and the
16 shareholder accounts and the linkage of those two, currently, as
17 it stands, there can only be one permit in a vessel account and
18 then one vessel account -- A minimum of one vessel account
19 associated with a shareholder account, if they're going to
20 actually fish off of those shares within a shareholder account,
21 correct, and you can't have a half a vessel in one account and
22 half of that vessel, half a permit, in another account. Okay.
23 I just wanted to be clear. Thank you.

24
25 **DR. LASSETER:** You can have multiple vessels. One shareholder
26 could have multiple vessel accounts though, yes.

27
28 **CHAIRMAN GUYAS:** Leann.

29
30 **MS. BOSARGE:** The motion that you had on the board that came out
31 of the Reef Fish AP about a control date from today forward, the
32 Reef Fish AP is a diverse group, and it has commercial reef fish
33 fishermen, and it has for-hire, charter/headboat, and it has
34 recreational, and I see it says there was both support and
35 opposition for requiring shareholders to have a permit.

36
37 I was wondering if you could refresh our memory -- The actual
38 IFQ AP, which is all commercial guys, what did they have to say
39 on that requiring a permit? You don't have to pull it up right
40 now, but just at some point to refresh our memory, and it would
41 be nice to have those comments along with the comments from the
42 more diverse group.

43
44 **DR. LASSETER:** I could call them up quickly. We do have the IFQ
45 AP's summary in the appendix, and, just to share also
46 information on the Reef Fish AP, the support and opposition,
47 that motion that passed was the substitute motion. The initial
48 motion was recommending Alternative 2, and then a substitute

1 motion was made that recommended this control date for the day
2 of the meeting, and so, if we look at the table of contents real
3 quick, the advisory panel meeting summaries are Appendix E, and
4 so it would be the very end of Appendix E, would be the most
5 recent one. It's page 38, we believe.

6
7 Page 39, around the middle of page 39, the IFQ AP recommended to
8 the council that Action 1, Alternative 1 be the preferred and to
9 not establish requirements to obtain or maintain shares.

10
11 **CHAIRMAN GUYAS:** I am going to continue with my list, but I see
12 both of you all. Roy.

13
14 **DR. CRABTREE:** Just coming to Phil's comment, if you go back and
15 read the minutes of the meetings when we originally designed the
16 IFQ program, and I encourage all of you to do that, we did have
17 discussions, when we were talking about sunseting the permit
18 requirement, explicitly about out-of-state people who don't have
19 permits being able to buy up shares, and clearly the council's
20 desire was to allow that to happen, because that's what we did.
21 Whether you agree with it or not, we did have those discussions.

22
23 I guess where I'm having a hard time -- Yes, we have people who
24 own shares, and you can call them investors or whatever, but we
25 have a long tradition in the Gulf of Mexico of people who own
26 fishing vessels. I have known people who have owned as many as
27 fifteen different fishing vessels that have permits, and they
28 hire crews to fish the vessels and work for crew shares.

29
30 It seems to me that we have a long tradition in the Gulf of
31 having people who invest money in the fishing business, and they
32 don't go out on the boats, and they don't fish, and they may not
33 even live here. They may be a doctor or a dentist somewhere,
34 but they have invested in the fishing business, and they
35 essentially pay a crew to go out and fish, and they get part of
36 the profits.

37
38 It's just not clear to me how that is fundamentally different
39 than someone who buys IFQ shares and in that way is part of a
40 fishing business. They all, in effect, provide capital and
41 funding for other people to go out and catch fish, and I just
42 have a hard time distinguishing between how a doctor who lives
43 in Detroit and owns a fleet of fishing boats down here and
44 permits is fundamentally different than someone who lives
45 somewhere else and invests in red snapper shares and is in the
46 fishery that way.

47
48 **CHAIRMAN GUYAS:** Chris.

1
2 **MR. SCHIEBLE:** I concur with Mr. Dyskow's comments, and I think,
3 looking at these options here, other than Alternative 1, out of
4 the other four that remain, with the new one that we added, it
5 seems like Alternative 4 would be the least restrictive, but we
6 may have to modify or tackle the inheritability question somehow
7 in there, with the perpetuity, as he was describing.

8
9 It seems like, if you handle the inheritability part of it, that
10 would solve the problem, because it wouldn't affect the
11 shareholders we have currently, but it would force, or at least
12 require, a permit to be on that at that point, when it would
13 change hands in the future. I just don't know how to do that,
14 as far as the verbiage.

15
16 **CHAIRMAN GUYAS:** Dale.

17
18 **MR. DIAZ:** Thank you, Madam Chairman. My question is for Ava.
19 As far as the Reef Fish AP, what was the rationale for their
20 motion? I'm assuming it's about something to do with maybe
21 stability of permits or to let us give some information to
22 people, so they can make decisions, but I wanted to hear from
23 you what their rationale was.

24
25 **DR. LASSETER:** As I remember it, it was a discussion of
26 fairness, what was between the initial alternative -- The
27 initially-proposed alternative, Alternative 2, to require
28 everybody, was the argument of your commercial fishermen that
29 you need to have a permit. If you're involved in this program,
30 you need to have a permit.

31
32 A subsequent discussion, what led to the substitute motion, was,
33 yes, we want this to be in the fishery, but the council has
34 opened this up, and we've all been practicing using the program
35 in these ways for years now, and people have invested, because
36 legally they were allowed to, and now you're going to try and
37 change it. That was the rationale for, okay, going forward --
38 We can see you wanting to make a change going forward, but, hey,
39 leave the people that have been here already alone, if I can
40 paraphrase that, and we do also have both the motion maker and
41 the substitute motion maker here.

42
43 **MR. DIAZ:** That's a big concern of mine, is fairness, because I
44 do know that a lot of people have borrowed money to buy shares,
45 and there are some alternatives here that could leave those
46 people in a bad financial spot, and I am very concerned about
47 that. Thank you, Ava.

48

1 **CHAIRMAN GUYAS:** I am going to continue to work down my list. I
2 have got Leann and then Susan and then Tom.

3
4 **MS. BOSARGE:** Ava, I am wondering -- We are looking at possible
5 dates. If we were to require a permit, when, at what point,
6 back in time, everybody in the future, and so, on page 2 of the
7 document, if you can scroll to page 2 of the document, and it's
8 paper page 2, and I don't know what PDF page it is, but it says
9 -- There is some control dates listed at the top of that page,
10 and what is the significance of those control dates, and are
11 those dates that we should have in our options? I don't
12 understand.

13
14 It gives me a little bit of information. It says, however, at
15 the request of the council, NMFS published a control date in the
16 Federal Register notifying red snapper IFQ program participants
17 that the requirements for participation may be modified in the
18 future, and the control date is November 30, 2011.

19
20 Then it says that a comparable control date was published in the
21 Federal Register notifying the grouper-tilefish IFQ program
22 participants that participation requirements may be modified in
23 the future, and that control date is December 8, 2014. What is
24 the significance of those control dates?

25
26 **DR. LASSETER:** Good question. Thank you. For the initial five
27 years of each of these programs, only existing shareholders --
28 You needed a permit to get into the program. After five years,
29 the program is open to anybody, any U.S. citizen or permanent
30 resident could open an account and participate.

31
32 At the time of that five-year point after each of the programs,
33 the council was hearing from commercial fishermen who were
34 asking please don't open this up to the public, and we would
35 like this to stay within the fishery. The council, at that
36 time, and I think we were going through our first five-year
37 review on red snapper, if I remember, and the council did not
38 take action, and was not developing one of these amendments
39 right then, but they did decide that, okay, let's put a control
40 date in place for each one of these, because we may be coming
41 back and revisiting these in the future. That is what each one
42 of those are.

43
44 Now, you also had a separate alternative for each one of these
45 dates, to grandfather people in for each respective program,
46 and, at our meeting a few meetings ago, you did remove the date
47 for red snapper, and so, currently, that Alternative 3 that
48 would grandfather people in that had a shareholder account

1 before 2015, they're the second control date there. Again, both
2 of the control dates are in Appendix D, if you would like to
3 take a look at what they look like as well, and they have been
4 provided there.

5

6 **CHAIRMAN GUYAS:** Is it to that point, Mara? Go ahead.

7

8 **MS. MARA LEVY:** Just to note that the discussion is telling you
9 when it published in the Federal Register, and those dates are
10 not the control dates. For both of these, the control dates, as
11 shown in the appendix, are January 1 of the following year, and
12 so January 1, 2012 and January 1, 2015. That's the date that
13 that notice established as the control date.

14

15 **CHAIRMAN GUYAS:** Okay. Tom.

16

17 **DR. TOM FRAZER:** I just wanted to circle back to the AP motion,
18 the Reef Fish AP motion, and I know that Captain Walker is in
19 the audience, and I don't want to put you on the spot, but if
20 you would come up for just a minute.

21

22 It's important, I think, for the council to recognize or
23 understand fully the motivation behind the motion, and my
24 understanding is that you were the maker of that substitute
25 motion, and so, if you can give us your perspective, it would be
26 helpful.

27

28 **MR. ED WALKER:** I think Ava pretty much summed it up, but we
29 were very much mixed on the issue in the room. Some of the guys
30 said they don't even really think we need it at all, and, if we
31 are going to have it, they seemed to prefer it to be grandfather
32 everybody in that's already there and utilize it going forward,
33 but, like I said, there was a fair amount of discussion, and the
34 motion passed, but it passed with four opposed, and so we were
35 pretty mixed on it. Opinions were kind of across-the-board on
36 this one. Like I said, it passed, but it wasn't unanimous, and
37 there wasn't any huge support from the AP for it, but I would
38 say that the issue was give the most lenient of the options.
39 Right now, I think that's why we recommended one even a little
40 bit more lenient.

41

42 **CHAIRMAN GUYAS:** Susan, did you want to ask a question?

43

44 **MS. BOGGS:** Well, I listened to the AP meeting, and I thought it
45 was a commercial fisherman that actually made this motion, and
46 am I incorrect?

47

48 **DR. FRAZER:** I think I spoke in error. Excuse me. I think Ed

1 is the Chairman of the AP, and so I apologize for that.

2
3 **DR. LASSETER:** I can add that the maker of the initial motion
4 and the substitute motion were both commercial fishermen, and I
5 have seen both of them in the audience, and I apologize for the
6 confusion.

7
8 **DR. FRAZER:** Thanks, Ed.

9
10 **CHAIRMAN GUYAS:** All right. Working down my list, John Sanchez.

11
12 **MR. JOHN SANCHEZ:** Thank you. As we all know, there is some
13 fishermen that qualified originally, during the qualifying
14 years, and were allocated shares, and now they're retired. They
15 were elderly, and they are retired, and I would hate to see us
16 hurt somebody like that, that was a legitimate historical
17 fisherman and now is leasing some shares to supplement his
18 income.

19
20 In my mind, he's a legitimate commercial fisherman, and, if we
21 go back to the genesis of all of this, the industry really
22 didn't want shares to be leasing and all of this to be
23 happening. They wanted it to go to the fishermen that actually
24 were watermen on the water working and fishing, but these types
25 of discussions created these situations, and here we are now
26 again trying to put the toothpaste back in the tube.

27
28 We're going to hurt somebody if we do things without being
29 mindful of what we're doing, and then we talk about perpetuity.
30 I would like to see an industry in perpetuity, and so I don't
31 know why we're having these discussions. Thank you.

32
33 **CHAIRMAN GUYAS:** I think I have reached the end of the list. Is
34 there anybody else that wants to discuss this Action 1? There's
35 been a lot of discussion about things we could do, but, of
36 course, the way to actually accomplish those things would be
37 through motions, and I'm just putting that out there. Leann.

38
39 **MS. BOSARGE:** I have been thinking about something since the
40 last meeting. When we originally created the program, you had
41 to have a share in order to -- I mean, you had to have a permit
42 in order to own shares, and there was a timestamp on that.
43 After five years, that would expire, and other people could get
44 into it, and, at the beginning of the program, when we started,
45 the commercial fishermen were not in favor of that expiration
46 and allowing outside participants, but what did we do originally
47 with leasing? Did we have to have a permit in order to lease as
48 well?

1
2 **DR. LASSETER:** When we were talking about leasing, you're
3 talking about the allocation, and, in order to land allocation,
4 you do have to have a commercial reef fish permit, a vessel
5 account and a reef fish permit.
6

7 **MS. BOSARGE:** Right, but you don't necessarily have to have a
8 permit to lease. There can be a middleman, right? You can have
9 a shareholder, and, if we put this in place, the shareholder
10 would have to have a permit, or some of them may be
11 grandfathered, but let's just say that you've got to have a
12 permit, but we're not addressing leasing. My question is, when
13 we first implemented the program, before the five years was up,
14 what were our restrictions on leasing? Did you have to have a
15 permit in order to lease as well?
16

17 **DR. LASSETER:** In the first five years, no, you didn't. You
18 could be transferring allocation. I do want to take a step
19 back. In those first five years, you had to have had a permit
20 to have received those initial shares, and you had to have a
21 permit to obtain more shares, but, even during those first five
22 years, shareholders may not have maintained their permit, and
23 so, even if those initial five years, you did have some accounts
24 that were no longer associated with a permit, they sold it or
25 they didn't renew it, and those accounts were not allowed to get
26 additional shares, but they could keep their shares, and so,
27 even within those first five years, you did have some of this
28 public participation, in terms of people not having permits, and
29 you're right that there is no restriction, and this action, as
30 currently written, is not going to restrict allocation brokers,
31 people that would just be moving allocation around. This is
32 specific to shares.
33

34 **CHAIRMAN GUYAS:** John and then Roy.
35

36 **MR. SANCHEZ:** We always -- Whatever we do, there is unintended
37 consequences, but some of them are pretty foreseeable. If we
38 require people that we disenfranchise to have to go out and buy
39 a permit to not be disenfranchised, I promise you that I can
40 guess what's going to happen to the cost of the permits.
41

42 **CHAIRMAN GUYAS:** Roy.
43

44 **DR. CRABTREE:** Well, I'm told the price of permits has already
45 gone up substantially. If we did select one of the options that
46 grandfather people in, would the folks grandfathered in be
47 allowed to accumulate or acquire additional shares, or are they
48 capped at the number of shares they have at the grandfathering

1 date, somehow?

2

3 **DR. LASSETER:** That is another question that we have to decide,
4 that the council has to decide.

5

6 **DR. CRABTREE:** Well, I think, the way it's written now though,
7 they would be able to acquire more shares, and so this is part
8 of all of the complexities, I guess, that come into this.

9

10 **CHAIRMAN GUYAS:** Kevin.

11

12 **MR. ANSON:** I guess two things. one is to Dr. Crabtree's point.
13 I would assume that they would be able to acquire shares up to
14 the cap, essentially, for each shareholder account, correct? I
15 mean, if they're already at that cap, then, yes, they can't get
16 any more, but, if they're below that, then they could, and so it
17 depends on who it is.

18

19 Going back and listening to some of the comments and such, and
20 talking about fairness and equity and how this program started
21 and the purpose and need of the program and how the council has
22 changed and waffled on this issue over the years, based on
23 certain perceived needs and wishes and desires and plans, I go
24 back to how are those shares originally doled and on what
25 premise?

26

27 The premise was that they were caught by fishermen who were
28 engaged in fishing caught under a permit, and so all we're
29 trying to do, in my mind, is to get back to that original
30 situation. I mean, Roy, you brought about the capital needs and
31 requirements of somebody just buying a permit and a boat and
32 having someone hired to go out and do that, and it was eligible,
33 and it was allowed, but now we're in a system where that's not
34 the case, and we're talking about resource and gifting of the
35 resource now permanently to an individual who may never have
36 been engaged in fishing in the Gulf of Mexico commercially.

37

38 That is kind of where I'm getting at, is we're taking that
39 potential of revenue and the potential for that individual to
40 try to bolster their business, and to make an income for
41 themselves and make an investment for themselves, and it's to
42 try to make a little bit more of a fair and level playing field,
43 in my mind.

44

45 I think this is -- Obviously, there are some big issues that are
46 wrapped up in this document, but it's the other issues that are
47 still remaining that were left out that were part of 36B that
48 will address some of those other issues, as you try to look

1 long-term at trying to make this a viable program for the
2 fishermen.

3

4 Not only for the fish, but for the fishermen as well, and so, as
5 we go each year, and time passes, as we sit back in the Monday-
6 morning quarterback chair, it becomes more comfortable, and we
7 can see the lay of the land as to how the fishery would function
8 under certain scenarios and such, and so that's kind of where
9 I'm leaning to, and, Ava, I appreciate the work you've done to
10 try to modify the document and such, and I look forward to maybe
11 some motions here to try to address some of these action items.
12 Thank you.

13

14 **CHAIRMAN GUYAS:** Roy.

15

16 **DR. CRABTREE:** I think your premise is not correct. We set this
17 program up, and, some of the people who got the initial
18 allocations, I don't know that they ever set foot on a boat.
19 They didn't have to, and all they had to do was be a permit
20 holder and they got shares.

21

22 There were a lot of people who had multiple shares and paid
23 people to fish on them, and we knew that, and so it's just not
24 the case that we set this up so that people who fished got the -
25 - We never set it up just so that fishermen -- If, by fishermen,
26 you mean a guy who goes out on the boat and pulls fish in, we
27 knowingly did not set it up that way.

28

29 Now, there are regions, I think Alaska being one, where they
30 have tried to put a requirement that the shareholder be onboard
31 the vessel, and I don't think it has worked very well, but
32 that's not how we set it up, and we set it up so that, as soon
33 as you got your shares, you could have gotten rid of your permit
34 and remained a shareholder.

35

36 Then, coming to the grandfather issue, to me, when you
37 grandfather someone in, you're allowing them to do what they've
38 already done, but not allow them, necessarily, to do other
39 things, and so it does seem to me more like, if you grandfather
40 someone in, they can keep what they have, but I am not sure that
41 allowing them to expand and acquire more shares necessarily
42 makes sense, but this fishery was never one where you had to be
43 the guy on the boat, and it was never set up for just owner-
44 operators, because that's just not the way the fishing business
45 in the Gulf operates.

46

47 **CHAIRMAN GUYAS:** Leann.

48

1 **MS. BOSARGE:** Roy, in my mind though, the people that you're
2 talking about are still vested in the fishing industry. That
3 man that owns some boats and had a captain and crew, and so I
4 come from a commercial fishing family, and I will tell you that
5 we're not that easy to deal with, commercial fishermen, and so
6 we're quirky.

7

8 **DR. CRABTREE:** Can I respond to that point?

9

10 **MS. BOSARGE:** No, you cannot. That man was dealing with
11 commercial fishermen on a daily basis. If he had a permit and
12 owned a boat, he was dealing with the headache of having them
13 both. That's maintenance and upkeep, and it's a pain in the
14 rear, but you do it because you love it, and so he was in the
15 industry. He was in constant contact with fishermen, and he was
16 down there, and he was dealing with boats and fishermen.

17

18 What we have now is a little different, and I'm not saying it's
19 good or it's bad, but, some of the people that we have in there
20 now, they are just bankers, and they are not dealing with
21 fishermen, except to say, okay, I've got this quota at this rate
22 and do you want to buy it. They are moneymen, and that is the
23 business of being a banker.

24

25 If you go back to this type of system, where you at least
26 require a permit to be an owner of shares, then the banker is
27 going to have to have a little more interaction with the
28 fishermen. He's going to have to get a permit, which, to me, if
29 you have got \$100,000 or \$200,000 in shares, going and getting a
30 \$20,000, or \$25,000, permit to maintain your investment doesn't
31 seem like that big of a deal, especially when you're earning a
32 way higher rate of return than you can get at a bank, but, to
33 get the permit, he's going to have to put it on a boat, and so
34 now, if doesn't want to buy a boat -- You have to have a boat
35 attached to the permit. If he doesn't want to go out and buy a
36 boat, he's going to have to come up with a contract with a
37 fisherman, to somehow lease his permit.

38

39 This is going to tie the owner of the shares, the right to catch
40 the fish, closer to the fishermen, in my mind, if you go down
41 this route. Are there loopholes? Yes, there are, but I just
42 don't want to see that get too far removed.

43

44 **CHAIRMAN GUYAS:** Well, if I could, I guess my problem with that
45 is I think you're parsing things pretty fine to say a dentist
46 who owns a fishing vessel is in the fishing business, but
47 someone who owns shares is not.

48

1 In either case, if you own shares, you can't make any money
2 without dealing with fishermen, and you could lease a fishing
3 vessel and have some captain that you trust and know well who
4 runs it for you and takes care of virtually everything, but, in
5 any instance of this, to make any money on it, you're going to
6 have to deal with fishermen, and so I just have a very difficult
7 time seeing the distinction there.

8
9 Then I would urge you to go read your own purpose and need. If
10 you read the purpose and the need, it's really difficult to tell
11 why are we doing this, why is this a problem, and why is this
12 improving anything, and I think you're right that the guy who
13 owns several hundred thousand dollars' worth of shares will find
14 some way to maintain those shares, and so what we're doing is
15 we're coming in -- The bureaucracy is going to come in and make
16 him jump through a bunch of hoops, because of some, in my view,
17 misguided notion that it changes things, and we're essentially
18 introducing economic inefficiencies into the system, which
19 infuriates people, and is, to me, an example of overreach in
20 government, and I just have a very difficult time in believing
21 that doing this is going to fundamentally change the way the
22 fishery looks ten years from now.

23
24 I think fishermen will find ways to work around this, and life
25 will go on as usual, except it will have introduced some
26 economic inefficiencies and some bureaucratic hurdles into the
27 fishery.

28
29 **CHAIRMAN GUYAS:** All right. I am going recognize Troy, and then
30 we're going to take a break, and then we can come back to this
31 discussion, and I think I had some other hands over here.

32
33 **MR. TROY WILLIAMSON:** Roy, my question is to you. You were
34 around when this program was started, and I wasn't. Initially,
35 were the folks who were awarded the access to the fishery --
36 Were they all individuals, or were they -- Were there companies
37 involved in this? Additionally, this idea of perpetuity of
38 transferring this access to fish, did that just come about as an
39 unintended consequence? What has happened here?

40
41 **DR. CRABTREE:** In the initial eligibility, if you held what was
42 then a red snapper license, but, if you were a permit holder,
43 and you had landings that you showed through your logbooks, then
44 you were eligible to receive shares. You could have been a
45 corporation, and I don't know what percentage of the original
46 permits were held by corporations and what were held by
47 individuals, but it was to the permit, and so some permits --
48 Some individuals have multiple permits, and they may have been

1 corporate permits, and they may have been individuals, and some
2 didn't.

3
4 Then I think there was a historical captain provision or
5 something maybe in some of these things, but I don't remember
6 the details of that, and I have forgotten the second part of
7 your question. We set it up so that, to be eligible initially,
8 you had to have a permit, and that's how you got your shares,
9 but we didn't require people, once they got their shares, to
10 maintain their permits, and we didn't put any restrictions on
11 who they lease their allocation to, with the exception that the
12 boat that's actually fishing them and catching the fish had to
13 have the permit, so that they would have the reporting
14 requirements and VMS requirements and all of those kinds of
15 things.

16
17 **MR. WILLIAMSON:** The second part of my question concerned this
18 concept of in perpetuity. Was that something that was
19 contemplated when this program started?

20
21 **DR. CRABTREE:** I think we did talk about various sorts of
22 things, but, in the end, we didn't put any sunset or any
23 provision that people would lose their shares.

24
25 **MR. WILLIAMSON:** So there is no provision in this for
26 transferring indefinitely this access. Not the resource.
27 You're not transferring the resource when you pass it on in your
28 will. All you're passing on is access rights.

29
30 **DR. CRABTREE:** We knowingly set this up to allow access rights,
31 shares, to be sold and transferred and passed on.

32
33 **DR. FRAZER:** I am going to come to Martha's rescue.

34
35 **CHAIRMAN GUYAS:** I'm floating away up here, people.

36
37 **DR. FRAZER:** We are going to take a fifteen-minute break. Thank
38 you.

39
40 (Whereupon, a brief recess was taken.)

41
42 **CHAIRMAN GUYAS:** Okay. So, we're a little bit behind, but
43 that's okay. We're having some good discussion, and so here's
44 what we're going to do from here on out. If there are any
45 motions or burning discussions on Action 1, we will dispense
46 with those now, and we will hold off on Action 2 for the time
47 being, because we have many more important agenda items to get
48 through. If, at the end of the day, we still have time, we'll

1 come back to Action 2, but, otherwise, we're going to move on.
2 So, that said, anything else on Action 1? Okay. Let's talk
3 amberjack then. Dr. Hollensead is coming up for this one.
4

5 **DRAFT FRAMEWORK ACTION TO MODIFY GREATER AMBERJACK RECREATIONAL**
6 **MANAGEMENT MEASURES**
7

8 **DR. LISA HOLLENSEAD:** Thank you, Madam Chair. Really quickly,
9 with the action guide, just to orient everyone, we're going to
10 be looking at the revised draft for the recreational measures
11 for Gulf greater amberjack. The document has changed a little
12 bit, with some additions of a new action since the last time,
13 and so, before I get into the document, I'm first going to give
14 a quick presentation, just as to how the document has changed
15 and potentially what road the council decides to go down and
16 what sort of things they may have to think about.
17

18 Again, just a quick little background, there is three things to
19 remember about greater amberjack before I get into the
20 presentation. Number one is that it is considered overfished
21 with implemented accountability measures, where, if the ACL is
22 exceeded, the ACL and ACT will then be reduced by that overage
23 in the following year, and that's just something to keep in
24 mind.
25

26 The second thing is that, based on public testimony we've heard,
27 harvest is regionally dependent, and so, very broadly, in south
28 Florida, they are interested in harvesting fishing in the
29 wintertime, January and February. In the Panhandle of Florida
30 and Alabama, they are interested in harvesting specifically in
31 the month of May, and, in the western Gulf, Texas and Louisiana,
32 they're more interested in harvesting during fall, and so that's
33 another consideration to sort of have to think about.
34

35 Then, third, there's been lots of recent management measures for
36 the recreational fishery for greater amberjack. Most recently,
37 the change, as Ms. Gerhart pointed out, starting the fishing
38 year on August 1. For the 2018-2019 season, that resulted in
39 exceeding the ACT during the fall, and, therefore, there was no
40 spring May 2019 opening for harvest.
41

42 Based on public testimony from that, in June, the council made a
43 motion to develop the draft framework to look at recreational
44 greater amberjack measures in the Gulf, with the goal of sort of
45 improving the access to the fishery during that time, across the
46 Gulf, specifically looking at modifying the fishing year bag
47 limits and current season structure.
48

1 A copy of that draft was presented to the council in August,
2 and, upon review of that draft, the council decided to also
3 include an additional action to look at potential zone
4 management for greater amberjack, and so that's where we are
5 today, and so, because zone management is -- Sort of the other
6 management measures would be sort of dependent upon the decision
7 made by choosing zone management, Action 1, and that became
8 Action 1, and so that's what is different in the document from
9 the last time the council saw it.

10
11 Action 2 would then be those bag limits as well as an additional
12 alternative accounting for a motion that was made to look at
13 possession limits, and so, on multiday trips, you would only
14 still be able to retain one daily bag limit of greater
15 amberjack, and so that's also been included into the document.

16
17 Action 3 is now that fishing year, and Action 4 is sort of
18 looking at those fixed closed seasons, with another alternative
19 added, a fifth alternative, also looking at another possibility
20 for those fixed seasons, has been added.

21
22 Before generating the report and writing it specifically one way
23 or the other, without some input from the council, it was
24 decided by the IPT to sort of keep things generally broad, and
25 so this framework is going to be sort of put up, as it's written
26 right now, as sort of a skeletal element with which the council
27 -- It's nothing set in stone, and so I guess I want to say that.
28 Here's something that perhaps the council can consider, but
29 certainly, if they decide to go a different avenue, we can write
30 the framework to reflect that.

31
32 As it's written right now, if Action 1 is chosen, yes, we're
33 interested in pursuing some sort of zone management. Currently,
34 Actions 2 and 3, and so the bag limits and the fishing year,
35 would be Gulf-wide, regardless of zone management. If that
36 changes, the document could be rewritten to reflect that, and so
37 just be aware. These actions can be combined, in general.

38
39 This is a little bit of a beast, and so we're going to take it
40 one bite at a time, and so I've created sort of this decision
41 tree framework, just to help orient everybody as to what it is
42 that we're going to have to sit down and decide, moving through
43 this document, zone management being that first Action 1, and so
44 the first question would be is the council interested in
45 pursuing zone management for greater amberjack, yes or no.

46
47 If the answer is no, for example, then we would have those Gulf-
48 wide management approaches, and so this would be very similar

1 looking to the document that was brought back in August, and so
2 just sort of a throwback to that.

3

4 If, however, the council decides that, yes, we're interested in
5 considering some zone management, the next determination would
6 have to be, well, what would be the allocation between zones,
7 and so that's just something to have to think about. In terms
8 of the document, can other actions be selected along with that
9 zone management? If the answer is yes, for bag limits by zone,
10 fishing year by zone, and bag limits and fishing year by zone,
11 depending on -- Like I said, it gets complicated very quickly,
12 but just to illustrate that those could be written within sort
13 of the zone framework.

14

15 In terms of amending that fishing season or that fixed closed
16 period within zone, perhaps it could be implemented as a zone
17 action, but I would just want to point out to the council that
18 potentially we could run into the same problem that we are
19 currently having. For example, if one zone exceeds the ACL
20 before the other zone is open, or reaches their quota, they may
21 be closed prematurely, or in-season, rather, and so,
22 potentially, you could have the same problem that we already
23 have, and so sort of just drawing lines -- That would have to be
24 something to think about.

25

26 As I had mentioned earlier, in the past ten years, a lot has
27 changed with the regulations for recreational greater amberjack,
28 and it's a little easier to visualize it here than to just go
29 through it, and so we've got calendar date on the bottom, and
30 we've got year on the side. Each of those black dots represents
31 a day when the fishery was open for harvest for that year, and
32 yellow indicates the day when that harvest was closed.

33

34 Then the text along each of those yearly bars gives you an idea
35 of what happened in terms of recreational management changes,
36 either for that year, and so like moving up to 2009 to 2019, we
37 had a size limit change, and 2010 was an environmental disaster.
38 In 2011, we began the June and July fixed closures. There was a
39 size limit reduction, again, in 2016, and then, of course, most
40 recently, the fishing year being changed to August 1, and so, as
41 you can see, there's a lot of changes that have happened for
42 recreational management for greater amberjack.

43

44 Confounding things a little bit further is there's just not a
45 whole lot of data for greater amberjack, and so I introduced
46 some of this zone management, and I just want to reiterate that
47 it's not as if new data has come across to the IPT's attention
48 in the past two months, and we are still working with the same

1 little data that we had before, and we're now -- Potentially
2 trying to partition that further into zones would make that a
3 little difficult.

4
5 However, we do know that it seems like sort of the traditional
6 management tools that we're looking at right now hasn't achieved
7 the management objectives of sort of improving access across the
8 Gulf in the time of year in which those regions are interested
9 in fishing, and so perhaps zone management is worth looking at.

10
11 Very briefly, what is zone management? This would be a division
12 of the Gulf based on some spatial delineation that can be
13 determined, and it's been used before for king mackerel.
14 Granted, that was for commercial, and, generally, that fishery
15 doesn't exceed its quota, and so it's a little bit different,
16 and then, of course, most recently, state allocation with red
17 snapper. Again, that's a little different from greater
18 amberjack, in that most of the Gulf, no matter where you are, is
19 interested in harvesting red snapper at sort of the same time,
20 and so it's a little different than what we've got for greater
21 amberjack.

22
23 Just like any management tool, zone management has pros and cons
24 associated with it, and so, here on this slide, I've got sort of
25 a little thought diagram with which to illustrate that. We've
26 got improved access, and so access for folks around the regions,
27 and it's season length on the side, and it's status quo in zones
28 on the top.

29
30 Right now, with status quo, we don't really seem to have that
31 improved access that we're looking for. One side of the Gulf
32 seems to be shut down before the other can get started, for
33 example, and zones may be a way to address that, looking at
34 something with a little more precision, perhaps.

35
36 In terms of season length, the status quo could work, looking at
37 bag limits and things. Based on our analysis that we have just
38 generally so far, that might mean bag limits of one fish per six
39 anglers or something like that, but it could be achieved,
40 theoretically.

41
42 Season length, in terms of zones, potentially, theoretically,
43 you could actually have a negative effect, in that, if you
44 manage for a region to be harvesting greater amberjack when it
45 is most efficient, you might actually reduce the season length,
46 if that sort of makes sense, and so, theoretically, that's
47 potentially something that could happen.

48

1 Some other considerations, if zone management is something the
2 council is interested in pursuing, there's a few questions that
3 have to be answered. First and foremost, how many zones should
4 there be, and, in terms of drawing those lines, it's really got
5 to be something that's enforceable, something that's easy for
6 folks on the water to understand when they're out there, and
7 perhaps it would have to include some provisions for moving in
8 between those zones and those sorts of things.

9
10 Data collection and monitoring for those zones should be at the
11 appropriate timeliness and spatial scale, and that might be
12 difficult to do, if you're looking at perhaps monitoring in-
13 season things in terms of weeks, and the data comes into you in
14 terms of months, for example.

15
16 To achieve those management goals of seasonality across the
17 Gulf, and that's why we're here, and so hopefully zone
18 management would -- Whatever is implemented would do something
19 like that.

20
21 Then what should the allocation look like between zones? If you
22 decide how you want to draw your zones, how do you want to
23 divide up the pie? Are you interested in looking at landings or
24 daily catch rates? If so, from what time period? Then, of
25 course, these are just landings data, and they are not going to
26 capture all of the things associated with socioeconomic need,
27 and so, for example, if another fishery is open, perhaps
28 fishermen may gravitate towards the fishery and not greater
29 amberjack, or whatever the case might be, and so that's not
30 going to be encapsulated in these data, and so that's something
31 that needs to come from industry to help us understand.

32
33 Potentially any zone-specific payback provisions. Again, the
34 most recent landings data is confounded by multiple factors, and
35 so that makes it difficult to try to understand that. Again,
36 we've talked about perhaps different bag limits or start of
37 fishing years within the zones. Again, like I mentioned before,
38 that gets complicated very quickly, but potentially that's a
39 route we could go down.

40
41 One thing I would like to stress to the group is, if possible,
42 if the group can come to a consensus, and everybody sort of
43 agree, that this is the route we've decided to go down, and this
44 is what we decided to implement, and is comfortable with keeping
45 that on the books for a while as something that would be really
46 beneficial for the analysts to be able to come forward with more
47 robust data with which to help inform future management
48 decisions, and so just something to -- A lot of things,

1 actually, to keep in mind.

2
3 What I'm going to do is I'm going to kind of dive into what we
4 have currently in the document. Again, this is not set in
5 stone, and this is sort of a tee-off point that the IPT has
6 brought forward for everyone just to consider, what zone
7 management may look like, in terms of in the document.

8
9 You would have an Alternative 1, which would be your no action
10 alternative, and so you wouldn't have any spatial delineations
11 within the Gulf. It would be just as it is. Alternative 2
12 would have a spatial delineation along the Mississippi-Alabama
13 border, for example, and it would just divide the Gulf in two,
14 and so you would have Texas, Louisiana, and Mississippi
15 comprising the western zone and Alabama and Florida comprising
16 the eastern zone.

17
18 In terms of what potentially allocation may look like, these are
19 historical landings data, and so this is from 1992 to 2008, and
20 so this is before a lot of those contemporary management changes
21 had been put into place, and then you've got percent landings on
22 the side there, and so all those bars are going to add up to
23 100.

24
25 When you break out between the east and the west, the east being
26 those black bars and the west being the yellow, in general,
27 about 80 percent of those historic landings have come from the
28 east, and so Alabama and Florida. That is annual landings, and
29 we're also interested in some seasonality for this fishery, and
30 so, if you look at within-year harvest, traditionally, again
31 that same time period from 1992 to 2008, generally, again, about
32 80 percent of the harvest during those MRIP waves occurs in the
33 eastern Gulf. That's just something to keep in mind.

34
35 Potentially, in the document, we also have an Alternative 3 that
36 would further break apart that sort of eastern zone into a
37 northern and southern, and that line would be drawn along the
38 Florida Dixie County-Levy County line, and that's currently a
39 designation for MRIP sampling as well, and so, sampling along
40 those zones, you would have the associated MRIP data with which
41 to monitor those landings for those zones, for example.

42
43 In terms of looking at those landings, again, here is a plot
44 with the same time period and percent landings, and the west
45 isn't further divided, and so those yellow bars are going to
46 stay the same as they were in the previous graph, but now we
47 have further partitioned out the south and north, and so the
48 Panhandle and Alabama and then south Florida, central south

1 Florida, and, in general, about 66 percent of the harvest comes
2 from that northern Panhandle-Alabama area for that time period.

3
4 Looking at it within year, again, over the MRIP waves, we see
5 that again, and we also do see that little uptick in that
6 May/June period, when the Panhandle is fishing for greater
7 amberjack at that time period, and so, again, this is just an
8 example, and it's nothing set in stone. This would just be, for
9 example, how the document might be laid out and some of the
10 things to consider in terms of informing allocation, for
11 example.

12
13 I will just sort of leave this. This figure is in the document,
14 along with a little table with pros and cons for each approach,
15 just for consideration as well, but I might leave this with you
16 here, and then I did give a version of this presentation to the
17 Reef Fish AP, and they were able to comment on it, and they made
18 some motions. Captain Walker -- I asked if he was okay with
19 being in the hot seat at the break, and he told me that he was,
20 and so I think it would be interesting for the council just to
21 hear what the Reef Fish AP's input was on this, if that's okay.

22
23 **CHAIRMAN GUYAS:** Come on up, Ed.

24
25 **MR. ED WALKER:** For amberjack, the advisory panel actually liked
26 the idea, the concept, of zone management. They stopped short
27 of recommending it as a preferred at this time, but it was
28 pretty well received, I think, as a concept. They did, as it
29 says here on your document -- They were in favor of keeping the
30 current direction that amberjack is now for some time, to
31 provide some consistency, because there's been so many changes
32 so rapid fire here that the panel felt like let's kind of leave
33 it as-is for a little while and let it ride and let the
34 fishermen adjust to it while looking at the possible zone
35 management, and so they suggested -- I don't know if there was a
36 timeframe, but keep the current management for some time, I
37 guess is what we said, while considering zone management during
38 that time.

39
40 The AP did recommend that, if there were to be zones, we like
41 the two-zone structure, east and west zone, and I think there's
42 already a line on the map of what would be a potential two-zone
43 system. I think that's about it. Any questions?

44
45 **CHAIRMAN GUYAS:** Can you talk about why a two-zone versus three-
46 zone?

47
48 **MR. WALKER:** I think the map of the three zones that we looked

1 at -- It looked kind of complicated, and it just seemed like --
2 I may be speaking for myself here, rather than the panel, but it
3 seemed to just be a simpler solution just having an east and
4 west, all of Florida on one side and the western Gulf on the
5 other.

6
7 I know that there is this give-and-take back and forth between
8 the fishermen in the western Gulf and over on the eastern Gulf
9 on which side benefits from when the season is open, and there
10 has always been this back-and-forth. If it's open over here,
11 these guys catch more of it.

12
13 If it's open over here, these catch it, and there's this back-
14 and-forth, and I think that's why the panel said that, in that
15 situation before, in the commercial king mackerel, one was
16 blowing out the quota, and the guys on the other side of the
17 zone were not getting much, and that was the case in my region.
18 We were almost eliminated from the fishery for fifteen years,
19 because it was always being caught somewhere else, and that's
20 been somewhat solved with a zone management system, and so, if
21 it's a back-and-forth on who benefits the most, based on the
22 season, we thought it be interesting to look at, potentially, a
23 zone system that way.

24
25 **CHAIRMAN GUYAS:** All right. Are there other questions for Ed,
26 since he's up there, and then we'll back up to the presentation
27 and question on that? Okay. Thank you. All right. Are there
28 questions about the presentation? Ed.

29
30 **MR. ED SWINDELL:** Why is it that we just have data through 2008?
31 Don't we have more recent data than 2008?

32
33 **DR. HOLLENSEAD:** We do, and it's in the document. The most
34 recent data, those landings and things, will be in the actual
35 document. The purpose of the presentation was just to give a
36 sort of background of this is data where there wasn't a lot of
37 management measures, and this is what it sort of looked like
38 when those weren't in place, and so the idea being that you
39 would have some historical reference without all of those
40 management measures in place.

41
42 **CHAIRMAN GUYAS:** Anything else on the presentation? If not,
43 should we go into the document itself?

44
45 **DR. HOLLENSEAD:** We can. We can start with the first action.
46 It would be nice, I think, for the IPT to have a little feedback
47 from the committee, and so think about that thought diagram,
48 that sort of tree, and is zone management something the

1 committee is interested in pursuing or not? I think that would
2 be a good place to start.

3

4 **CHAIRMAN GUYAS:** Susan.

5

6 **MS. BOGGS:** I don't mind starting the conversation. I
7 understand the concept of the zones, but I don't think that
8 solves the problem for what we're facing with the Northern Zone,
9 which is Alabama, Destin, and Panama City Beach. Those are the
10 ones who have been the most vocal about the seasons. You've got
11 Panama City Beach saying that we want May, and you've got Destin
12 and Alabama saying that we want the fall, and so, in my opinion,
13 the zones don't solve the problem.

14

15 **CHAIRMAN GUYAS:** Chris.

16

17 **MR. SCHIEBLE:** I am more in favor of the zones also, but I would
18 like to hear some comment, like Susan's, regarding the three-
19 zone split for Florida and Alabama and the impacts that would
20 have, versus just the simple east-west split. We would be in
21 favor of the simple east-west split, from the Louisiana
22 standpoint, but I would like to hear some other comment.

23

24 **CHAIRMAN GUYAS:** Roy.

25

26 **DR. CRABTREE:** The practical difficulty that I see with the
27 zones is because you have this time lag in the data collection,
28 and you wouldn't know if one zone went over until they were
29 probably closed, and then it would have to come out of somewhere
30 else, and I worry that it might create a kind of derby
31 atmosphere with everyone, and I am not sure how to fix that, at
32 the moment, other than setting the sub-quotas for each zone
33 quite low, so that the chances of running over were low.

34

35 **CHAIRMAN GUYAS:** Dale.

36

37 **MR. DIAZ:** Roy, what you're saying is, if one zone opened early,
38 and they really blew the quota, it could affect whether the next
39 zone even got to fish at all.

40

41 **DR. CRABTREE:** It could affect the last zone, which is sort of
42 the dilemma we have now with the seasons. We could set seasonal
43 sub-quotas. The trouble is, by the time we get the data, it's
44 already past.

45

46 **CHAIRMAN GUYAS:** Other thoughts? I guess, to your comment,
47 Chris, or your question, we have, in Florida, heard that people
48 on the Peninsula tend to fish at different times than the

1 northern Gulf, but certainly what Susan raised is an issue as
2 well, and like it's very -- Even within the Panhandle, there are
3 some diverse views about when the prime time to fish would be,
4 which, obviously, this would not necessarily address, and so I
5 do put that out there, but all the points that have come around
6 the table are valid at this point. Mara.

7
8 **MS. LEVY:** Well, I mean, I understand the zone concept, although
9 it gets very complicated very fast, and, I mean, with respect to
10 this document and what you want to do, it's a threshold
11 question, because, if we're going to march down the zone
12 management path, there are many more decision points, and so, to
13 develop this document any further, you're kind of going to need
14 to make a decision yea or nay on that.

15
16 I mean, one option is, if, really, we're still looking at
17 wanting access in the fall and in May, is to sub-divide the
18 current quota between those two seasons and then ask NMFS to
19 project a closure date in advance.

20
21 Now, with the understanding that any projection is going to be
22 extremely uncertain, given the data issues, that you don't have
23 a lot of fishing in those different times, and so, at least for
24 the first number of years, you may not get exactly what you're
25 looking for, but, in that way, the fall wouldn't just run until
26 it was done and then you find out, after the fact, that the fall
27 harvested all of the quota, potentially. I mean, it could still
28 happen, but at least, if you're projecting, you're making a
29 guess.

30
31 The other way to do that is with the actions that are already in
32 there and shorten the fall season, shorten the May season, and
33 just let them run, and so I guess, at this point, I think you
34 really need to think hard about whether to go down this zone
35 management thing or try to focus on the things you can do with
36 the split seasons.

37
38 **CHAIRMAN GUYAS:** Bob.

39
40 **DR. BOB SHIPP:** I agree with Mara. I think the zone thing is
41 just replete with complications, and we have had it with king
42 mackerel, and it has worked some and not others, but I think
43 what Mara suggested is the ultimate solution, and that is let
44 NMFS project when the season would close in the fall and in May,
45 and let's see how it turns out. The more complicated it gets,
46 the less likely we are to succeed, I think.

47
48 **CHAIRMAN GUYAS:** Mara.

1
2 **MS. LEVY:** The idea of splitting the quota means that you're
3 going to have to decide what season gets what amount of quota,
4 and that would allow the projection. The other option that
5 doesn't require that upfront decision is shortening the fall,
6 and potentially shortening the May, season and see how that
7 works out, and so one is going to require an express allocation
8 decision, and the other one would require adjusting what the
9 season lengths are now.

10
11 **CHAIRMAN GUYAS:** Roy.

12
13 **DR. CRABTREE:** I think that this is scheduled for an assessment
14 in 2020, and I think this is a fishery that is seventy-something
15 percent recreational, and so potentially the use of the FES
16 survey data could have a large impact on this, and then I
17 believe there's been some other data -- I think Benny Gallaway
18 collected some estimates of abundance off of rigs and things,
19 and so there's potential for some changes in the assessment
20 coming not too far down the road.

21
22 **CHAIRMAN GUYAS:** Okay, and so we've got a couple of decision
23 points here. The first one is zones or no zones, and so I think
24 the cleanest way to collectively make that decision would be
25 through a motion. Then, if the committee is interested in
26 entertaining this split quota idea, that is not in our document,
27 and maybe we should go through what we have first in the
28 document, but think about that. If we would want to entertain
29 that, we would need a motion to add that to the document, and so
30 I will just put that out there so that people can gather their
31 thoughts. Do we want to walk through the document before we
32 start making motions, or are you guys ready to talk about the
33 zones more now? Susan.

34
35 **MS. BOGGS:** I am ready. **I am going to make a motion to select**
36 **Alternative 1, no action, do not establish recreational fishing**
37 **zones.** I can give some rationale if I get a second.

38
39 **CHAIRMAN GUYAS:** It's seconded by Dr. Shipp.

40
41 **MS. BOGGS:** My rationale comes straight from the Reef Fish AP.
42 Given the frequent modifications to greater amberjack
43 recreational management in the last ten years, they argue that
44 keeping some consistency in management would produce more robust
45 data, which could be used to better inform future stock
46 assessments.

47
48 **CHAIRMAN GUYAS:** All right. Is there any more discussion on

1 this? Sue.

2
3 **MS. GERHART:** Just a recommendation. This is basically an
4 options paper right now, and, if you don't want to do this,
5 probably the better way would just be to put it to Considered
6 but Rejected, rather than choosing no action. That would be
7 easier on staff, actually. Thank you.

8
9 **MS. BOGGS:** I would like to modify my motion to -- Action 1,
10 **Establish Greater Amberjack Recreational Fishing Zone Quotas, to**
11 **Considered but Rejected.**

12
13 **CHAIRMAN GUYAS:** All right, and so our new motion here is to
14 move Action 1 to Considered by Rejected, and, again, this is the
15 first time we're really seeing this, but I think, as Sue
16 mentioned, if we deal with this now, it's going to be a lot
17 easier to structure this document down the road, and it's going
18 to be easier for everybody, probably. All right. Is there
19 other discussion on this? All right. **Is there any opposition**
20 **to this motion? The motion carries.**

21
22 We will walk through the document, but just knowing that, at
23 least for the time being, the zones are off the table, and so
24 keep that in mind.

25
26 **DR. HOLLENSEAD:** Okay. Yes, that's fine. As the other actions
27 are written, they were going to be Gulf-wide anyway, and so then
28 this is not too different from what was presented in August, but
29 it's got a couple of new alternatives in it for consideration.

30
31 Action 2 is bag limit, and there was a motion made to include
32 another alternative, and so that's now in this document. It's
33 to allow one daily bag limit on multiday trips, for example, to
34 change that, and that was the only thing that was sort of new.

35
36 Since there are so few multiday trips, the predicted reduction
37 was very small for that consideration, and it would only be
38 about a 2.7 percent reduction, because there's just not very
39 many multiday trips. There's not very many multiday trips in
40 general, and then there's not very many multiday trips where
41 they also harvest greater amberjack.

42
43 **CHAIRMAN GUYAS:** Questions or comments on Action 2? Ava.

44
45 **DR. LASSETER:** I apologize, but I do have some LETC
46 recommendations. This is the one action that they looked at.
47 They did not -- I did introduce the zone action to them, but,
48 because you had not even looked at that yet, the council, they

1 did not discuss that action, and it was just kind of a heads-up.

2
3 The did discuss the bag limit action, and it was kind of an
4 interesting discussion, first in terms of who would they cite
5 and fine, should somebody be in violation, and that led to the
6 feeling that it was a little more complicated to enforce this
7 type of a bag limit, but it was enforceable, but they just
8 thought that it was not ideal.

9
10 They did inquire if a vessel limit, rather than a fractional bag
11 limit, could be a better way to reduce the bag limit, and I felt
12 that that was something that this group had already discussed
13 and considered, and, ultimately, they did pass a motion.

14
15 They felt that it is possible, but confusing, to enforce
16 fractional bag limits. The LETC recommends Alternative 1 and
17 that fractional bag limits not be adopted unless the council
18 feels the fractional bag limit would substantially increase
19 angler opportunity. That essentially means that we don't like
20 it so much, and it's going to be tough, but, if you're having
21 reasons that you really need to go forward with this, we
22 understand, and we will enforce it. Thank you.

23
24 **CHAIRMAN GUYAS:** Thank you, Ava. Anything else on Action 2?
25 Okay. Let's move on then. Sorry. Dale.

26
27 **MR. DIAZ:** I just -- When I read through this, I think I could
28 support fractional bag limits if there was something really
29 substantial to gain, but, when I read the Table 2.2.2, if you
30 did one fish per two anglers, the reduction is 9.5 percent, and
31 that's a pretty small reduction. Anyway, I just wanted to go on
32 the record and say that, based on the low amount of reduction
33 that you get for such a drastic measure, I would not be in
34 support of it at this time.

35
36 **DR. HOLLENSHAD:** Moving down to Action 3, and my apologies for
37 the typo. It's on there twice, but, if you look at the first
38 alternative and the second alternative versions, the no action
39 would be not to modify the current August start for the fishing
40 year, and Alternative 2 would be to return to the calendar year
41 of January 1 through December 31.

42
43 **CHAIRMAN GUYAS:** Any thoughts on Action 3? Chris.

44
45 **MR. SCHIEBLE:** I guess, using the same philosophy that we have
46 in Action 1, if we're not really in the position to be trying to
47 make management changes under the current regime, until we maybe
48 do get a stock assessment, and we at least see how the course of

1 action plays out with the changes that we have made, I would
2 like to make a motion that we also consider but reject this. It
3 doesn't make sense.

4
5 **CHAIRMAN GUYAS:** All right, and so let's get that motion on the
6 board. While that's happening, is there a second to this
7 motion? Seconded by Susan. The motion is to move Action 3 to
8 Considered but Rejected. Is there any discussion on this
9 motion? **Is there any opposition to this motion? Seeing none,**
10 **the motion carries.**

11
12 **DR. HOLLENSEAD:** Then Action 4 is the modification to the fixed
13 closed seasons. There is an additional Alternative 5 that was
14 input to the document, which would have the closure be from
15 October 1 to April 30 and May 21 to June 30, and so it would be
16 open May 1 to May 20 and then open July 1 to September 30, and
17 so that was also considered in the tables below. Table 2.4.1
18 sort of illustrates what that might look like, depending on -- I
19 guess, if we're going to just be looking at that top part of the
20 table, 2.4.1. Just that top half is what we would be looking
21 at.

22
23 To sort of get an idea, the white squares would be open for
24 harvest, and the black is when it would be closed, and that gray
25 sort of shaded area for May means sort of a partial harvest for
26 the beginning of May, and so that's what it would look like.

27
28 Then there's a series of tables for each one of these
29 alternatives, and then, depending on the different bag limits
30 that would go through for your consideration. I believe, in the
31 same time, the last time we showed this document, generally, the
32 only time you would have predicted a complete open season is in
33 the period when, I believe, August would be added to that sort
34 of summer closure. That is the only combination that generated
35 sort of a full year of harvest.

36
37 **CHAIRMAN GUYAS:** All right. Are there questions on this action
38 and the tables that Dr. Hollensead has here? Paul.

39
40 **DR. PAUL MICKLE:** Thank you, Madam Chair. I just wanted to
41 comment that I really am glad that this has made the agenda. It
42 seems like, when amberjack comes up, we're always on the other
43 side of the Gulf, and so I just look forward to some comments on
44 the seasonality here, or with Action 4. That's all I have for
45 now. Thank you.

46
47 **CHAIRMAN GUYAS:** Chris.

48

1 **MR. SCHIEBLE:** I guess just an observation. Looking at the
2 landings data that we received earlier, most of the state
3 snapper seasons are closed by the time we get to October. If
4 anything, they're open for maybe one or two weekends in there to
5 finish out the quota, and it would seem to make sense that, if
6 we are fishing for snapper at the same time, we would have less
7 discards, probably, during snapper season than we would outside
8 of the snapper season, and maybe I'm wrong with that, but it's
9 just an observation.

10
11 **DR. HOLLENSHAD:** Thank you, Chris, for bringing that up. That's
12 one of those socioeconomic things. When I went through the
13 presentation, looking at landings, that's one of those
14 intangibles that is not captured, necessarily, in just looking
15 at greater amberjack, and it's really good to get input from
16 folks, looking forward, and I would reiterate that.

17
18 **CHAIRMAN GUYAS:** All right. Anything else on Action 4 for the
19 time being? That is the last action that is in this document
20 now. If the committee wants to do split quotas or something
21 like that, we would need a motion to add actions along those
22 lines. I will just pause there for a minute, in case anybody
23 wants to do that. Bob.

24
25 **DR. SHIPP:** I don't have the verbiage, but I think the sense of
26 the committee, which is the whole council, is that we explore
27 the split season idea the way that Mara described it, and so, if
28 staff can generate some verbiage to that effect, I would
29 certainly make that motion. Do you want me to try?

30
31 **CHAIRMAN GUYAS:** Sure. It will be a team effort, but we'll
32 help.

33
34 **DR. SHIPP:** Okay. I move that, for the recreational management
35 of amberjack in the Gulf of Mexico that we consider a split
36 season based on projections by the National Marine Fisheries
37 Service designed to guarantee access to the stocks from both
38 east and west portions of the Gulf.

39
40 **CHAIRMAN GUYAS:** Phil, are you going to help us here?

41
42 **MR. DYSKOW:** Dr. Shipp, I would second your motion if we would
43 substitute "designed to maximize", as opposed to "guarantee", or
44 "facilitate access", and how about "facilitate", because I don't
45 think there are any guarantees in this.

46
47 **DR. SHIPP:** I am not sure that I will accept that. No, that's
48 fine with me, Mr. Dyskow.

1
2 **CHAIRMAN GUYAS:** All right. Sue, bail us out here.
3
4 **MS. GERHART:** Just a little clarification. We already have
5 split seasons, and so I think what you mean is a split quota
6 between seasons, and is that correct?
7
8 **DR. SHIPP:** You're right, and so, yes, let's change that to
9 quota.
10
11 **CHAIRMAN GUYAS:** Roy.
12
13 **DR. CRABTREE:** You already have access in the east and the west.
14 Both people in the east and the west fish in the fall season and
15 the spring season. This is just really about preferences as to
16 when people would prefer to fish, but it's not like in the fall
17 season no one from the eastern Gulf is fishing, because they
18 are.
19
20 **CHAIRMAN GUYAS:** Dr. Froeschke.
21
22 **DR. JOHN FROESCHKE:** Just as a reminder, when we developed the
23 split season document, the council considered sort of 60/40 and
24 70/30, and I believe, using the decision tool at the time, the
25 season that we had was approximately the 70/30 range, and that
26 was close to it.
27
28 **CHAIRMAN GUYAS:** I am trying to think how to -- Dale.
29
30 **MR. DIAZ:** Instead of access for the east and the west, should
31 it be access for the spring and the fall?
32
33 **CHAIRMAN GUYAS:** I think yes, but I'm looking at Dr. Shipp.
34
35 **DR. SHIPP:** I think Dale is correct that it is a fall and spring
36 issue. It goes back to what Roy mentioned as well.
37
38 **CHAIRMAN GUYAS:** So it would be based on NMFS projections
39 designed to facilitate access to the stock in spring and fall.
40 Okay. Roy.
41
42 **DR. CRABTREE:** But it's not a split quota between the east and
43 the west, right? It's a split quota between the fall and the
44 spring, and so I think the east-west needs to -- If I'm
45 understanding it.
46
47 **DR. SHIPP:** I think that's correct. I mean, this is what you go
48 through when you start from scratch, and so maybe we'll get it

1 refined here, but I think everybody knows the intent, and, if we
2 can verbalize it to address the intent, I think that's the way
3 to go.

4
5 **CHAIRMAN GUYAS:** All right, and so let me read this motion one
6 more time, and then I see you, Ed, with your hand up. **For**
7 **recreational management of greater amberjack in the Gulf of**
8 **Mexico, consider a split quota between seasons in the Gulf of**
9 **Mexico based on NMFS projections designed to facilitate access**
10 **to the stock in spring and fall.** I think I need a second to
11 this motion still.

12
13 **MR. DYSKOW:** I seconded it.

14
15 **CHAIRMAN GUYAS:** Never mind. Phil seconded it. Okay. Ed, go
16 ahead.

17
18 **MR. SWINDELL:** I guess I'm sitting here looking to -- I thought
19 we were working with Action 4, and this has nothing to do with
20 Action 4, and is that correct?

21
22 **CHAIRMAN GUYAS:** This is potentially to add a new action. If
23 you have something on Action 4, we can back up to that, but
24 let's dispense with this motion first, since this motion is now
25 on the table. Mara.

26
27 **MS. LEVY:** Right, and so, even though it doesn't say it, and I
28 don't think we need to change it, I read this as add a new
29 action to the current document that looks at allocating the
30 quota between the fall and spring seasons.

31
32 **CHAIRMAN GUYAS:** I think that's where we're at at this point,
33 and I think staff understands that, and so, even though the
34 words may not be perfect, this is hopefully where we all are, or
35 at least we understand what that means. Okay. Kevin.

36
37 **MR. ANSON:** Then, as further clarification to that, will staff
38 bring back kind of a range of options that would start August 1
39 to whenever days that would be, a September 1 start in the fall,
40 and then, likewise, an April 1 start, and a May start, to see
41 how many days that would be, and is that what staff is going to
42 be doing?

43
44 **DR. HOLLENSEAD:** Dr. Froeschke can bail me out if I misinterpret
45 this, but I believe it would be starting with August 1 and then
46 a range of 70/30 sort of split out, but that's, I believe, when
47 it would start, and that's what the analysis would entail.

48

1 **CHAIRMAN GUYAS:** Are there any other questions or discussion on
2 this motion? Ed.
3
4 **MR. SWINDELL:** Well, since we're going to consider a split
5 quota, what quotas are we considering?
6
7 **DR. HOLLENSHAD:** We could return with a range. I don't know if,
8 potentially, the committee wants to give any direction on that,
9 but I think it would sort of depend on what the data says, and
10 then sort of give ranges from there, and I think that would be
11 appropriate, but I'm certainly willing to look at any direction
12 that the committee is interested in looking at, for sure.
13
14 **CHAIRMAN GUYAS:** Tom.
15
16 **DR. FRAZER:** John, do you have any thoughts on this?
17
18 **DR. FROESCHKE:** The last time we did this, we looked at 60/40
19 and 70/30. I think the historical data that we used at that
20 time -- If I recall, it was around 65 percent of the landings
21 were in the fall and 35 in the spring, and so that's the way the
22 season -- I think the season was originally done that way
23 because you have the longer season in the fall, which was
24 supposed to catch the majority of it.
25
26 If we were to do it again, we could update it, but, if you were
27 to use this most current season, which all of the harvest was in
28 the fall, because there wasn't a May season, that wouldn't
29 really be a fair comparison.
30
31 **CHAIRMAN GUYAS:** Roy.
32
33 **DR. CRABTREE:** This is one that would be really sensitive to
34 using the FES data, because the FES data is all in the eastern
35 Gulf, and so presumably the eastern Gulf catches are actually --
36 I would guess they're going to turn out to be quite a bit
37 higher, but the western Gulf catches, because it's Texas Parks
38 and Wildlife and LA Creel, likely wouldn't change.
39
40 **CHAIRMAN GUYAS:** All right. Is there anything else on this
41 motion? Susan.
42
43 **MS. BOGGS:** Well, we've been having discussions that we have a
44 stock assessment coming next year, and is this not a little
45 premature, because, when we get new stock assessments -- I mean,
46 will we have to start over again? I guess it would just shift
47 the numbers, but I am just wondering if this is just a little
48 premature.

1
2 **CHAIRMAN GUYAS:** Kevin.
3
4 **MR. ANSON:** So what is the timeline for the next amberjack
5 assessment?
6
7 **DR. CLAY PORCH:** I think, right now, it's scheduled to be
8 available to the council in September of 2020.
9
10 **EXECUTIVE DIRECTOR CARRIE SIMMONS:** I believe it's scheduled for
11 early 2021. Ryan, can you check?
12
13 **MR. RYAN RINDONE:** It begins in 2020, and it will be delivered
14 in mid-2021. Then the SSC will have to review it, and then it
15 will come in front of you guys, et cetera, et cetera.
16
17 **CHAIRMAN GUYAS:** I have Leann and then Dr. Shipp.
18
19 **MS. BOSARGE:** Sort of related, but not, if we're talking about
20 the stock assessment, and, Dr. Crabtree, it piggybacks on what
21 you just said about FES in the eastern Gulf, and so are we
22 working on a calculation that will convert, I guess, LA Creel to
23 FES or convert FES to LA Creel, and the same thing for the Texas
24 landings? I would assume, when you put it in the stock
25 assessment, it's all got to be in the same currency, and so are
26 we working on that?
27
28 **DR. CRABTREE:** I think Richard Cody would be the best one to
29 answer that.
30
31 **CHAIRMAN GUYAS:** Come on up, Richard.
32
33 **DR. RICHARD CODY:** We have received a calibration from
34 Louisiana, and it's under review right now, and the consultants
35 have basically finished their review of it, and so it should be
36 available by then.
37
38 **CHAIRMAN GUYAS:** Go ahead, Roy.
39
40 **DR. CRABTREE:** But nothing in the works for Texas landings?
41
42 **DR. CODY:** No.
43
44 **CHAIRMAN GUYAS:** Is it to that point, Leann? Okay. Then go
45 ahead.
46
47 **MS. BOSARGE:** So, to that point, at some point, are we
48 determining what's the best science available, or are we just

1 going to have FES numbers over here, and we're going to have
2 state survey numbers over here, and which one are we converting
3 everything to? What are we trying to go to? This is going to
4 be the same thing when you get into red snapper. Are we going
5 to try to convert all the states into FES, or have we decided
6 that theirs is the best science available and we need to go to
7 those, since that's what we're managing in?

8
9 **DR. CRABTREE:** At the moment, LA Creel is the only estimate of
10 catches available in Louisiana, and so it's certainly the best
11 catch estimates available. I think it's open as to whether --
12 You know, we have different surveys that are giving us different
13 estimates, and, so far, the focus has been on statistical review
14 of both the FES and the state surveys, to make sure they are
15 statistically valid, and then to understand how they calibrate
16 with each other, so you can reconstruct the historical timeline,
17 and then I believe there are plans, down the road, to hold
18 workshops with the states to explore why we may be seeing some
19 of the difference in the magnitude of the estimates, and, if we
20 could figure out whether there is a bias somewhere in all of
21 this, we would certainly take steps to correct that, but that's,
22 I think, down the road. Is that fair enough, Richard?

23
24 **DR. CODY:** I think that's accurate. One thing I would add is
25 that, for the state surveys, at least for red snapper anyway,
26 the idea was to go to -- We presented an options paper, a white
27 paper, of which standard we would use going forward for the
28 assessments, and, right now, we're in a position where we have
29 the management -- We have the state surveys available to make
30 management decisions, but they're not at a point where you can
31 use them in a stock assessment, because we don't have the
32 calibrations ready. The idea is to have those ready fairly
33 soon, but those were the options that were laid out in the white
34 paper that we presented earlier this year.

35
36 **CHAIRMAN GUYAS:** One last, but we are getting dangerously into
37 tomorrow's SEDAR agenda item, and so --

38
39 **MS. BOSARGE:** Well, I would just -- I really hope, for amberjack
40 specifically, that we can have those calibrations before we get
41 into the stock assessment, so that hopefully the stock
42 assessment will be translatable into the units that we're
43 actually managing in.

44
45 **CHAIRMAN GUYAS:** Kevin, real quick.

46
47 **MR. ANSON:** We can cover this tomorrow, if, Richard, you're
48 planning to be here tomorrow as well, but my question would be

1 relative to the timeline for when it would be available, the
2 consultant review of those ratios of the red snapper numbers
3 particularly, but we can deal with that -- If that's going to be
4 brought up tomorrow, we can do that. Thank you.

5
6 **EXECUTIVE DIRECTOR SIMMONS:** Regarding greater amberjack, I
7 think, in the terms of reference -- The SSC discussed this, and
8 we brought it up, and it is an item in the terms of reference, I
9 believe, to look at.

10
11 **CHAIRMAN GUYAS:** Okay. Any other questions for Richard relative
12 to greater amberjack and this motion? Great. Perfect. Thanks,
13 Richard. Okay. Back to the motion. I had Dr. Shipp on my
14 list.

15
16 **DR. SHIPP:** It seems to me that this is still a viable method to
17 pursue, regardless of the change in numbers and the various
18 results of the stock assessment. We're still going to have to
19 deal with the problems between the east and west, and so I
20 continue to support the motion.

21
22 **CHAIRMAN GUYAS:** All right. Anything else on this motion? If
23 not, we're going to vote. **Is there any opposition to this**
24 **motion? Seeing none, the motion carries.** Ed.

25
26 **MR. SWINDELL:** When I go to Action 4, and I would like to make a
27 motion to consider but rejected Action 4.

28
29 **CHAIRMAN GUYAS:** All right, and so I think we've got Ed's motion
30 on the board, which is to move Action 4 to Considered but
31 Rejected. Action 4 is the modification of the greater amberjack
32 recreational fixed closed season, and I'm not going to read all
33 of those options or the alternatives there, but, essentially,
34 it's just changing some of those dates around. If there's a
35 second to this motion -- Seconded by Susan. Any discussion from
36 the committee? Otherwise, I'm going to ask Dr. Hollensead to
37 talk for a second.

38
39 **MR. SWINDELL:** Let me explain the motion a little bit. We have
40 had this for only a short time, and we haven't even gone through
41 the last half of this whole thing that we set up last year, or
42 this year, whenever we set it up, and so I would like to see it
43 at least play out, and let's see what happens. You're going to
44 do some quotas, evidently, for the split time that is available,
45 but I would rather see it go the way that even I think the
46 advisory panel recommended that we do, to stay with the status
47 quo. Thank you.

48

1 **CHAIRMAN GUYAS:** Paul.
2
3 **DR. MICKLE:** Has it been seconded yet?
4
5 **CHAIRMAN GUYAS:** Yes, it has been seconded.
6
7 **DR. MICKLE:** I would ask Ed if you would consider, just for
8 discussion's sake only -- Alternative 1 accomplishes what you
9 just said, and so no action, and it keeps it in the document and
10 let's us play around with it and move forward, and so I just
11 wonder -- I am probably not going to support the motion, but I
12 would support Alternative 1, which is, of course, no action.
13
14 **MR. SWINDELL:** Yes.
15
16 **CHAIRMAN GUYAS:** Kevin.
17
18 **MR. ANSON:** Well, having this motion in here was the reason why
19 I asked the question about the time, when it would start, and
20 so, if you have already determined that you're just going to use
21 the August 1 as the start date for the new action that we just
22 put in, then I support Ed's motion, because this just kind of
23 muddies the water. If not, you have to go and do the
24 calculations to determine the season length based on the various
25 alternatives here, and so, if you keep it in, then I see that
26 you would have to expand all of the iterations for season start
27 or what the season days would be based on these seasons, to make
28 them tie together.
29
30 **CHAIRMAN GUYAS:** Dale.
31
32 **MR. DIAZ:** Unless I am missing something, I am going to oppose
33 the motion on the board. Public comment that we got from a lot
34 of people in the eastern Gulf is they want to try to figure out
35 a way where they can have that spring season, and we haven't
36 developed Dr. Shipp's motion yet, and so I don't know what
37 that's going to look like. This is an avenue that might could
38 get us there, and so, for the time being, I would like to see it
39 stay in the document.
40
41 **CHAIRMAN GUYAS:** Mara.
42
43 **MS. LEVY:** Well, not necessarily just to this motion, but kind
44 of to Kevin's point, I think, if you keep this in the document,
45 that's fine, because it's sort of an alternative way to deal
46 with it, but then I think maybe talk about, at some point,
47 whether that new split quota thing -- If you want to consider
48 different season dates, or are you just looking at the split

1 quota for an August -- Like, the way the seasons are now, and
2 we're going to look at split quotas for the way the seasons are
3 structured now and see how to get the most days within those
4 seasons, or how you want to allocate, or do you really want to
5 look at split quotas for all of these different variations of
6 seasons, because I sort of see them as both addressing the same
7 issue, but in different ways, and so maybe you don't necessarily
8 want to look at split quotas for all these different things, but
9 I think it would be something that it would be helpful for you
10 to tell staff.

11
12 **DR. HOLLENSHAD:** If I may, certainly looking at all the
13 combinations would be something that would take staff a little
14 while, but I might suggest just -- You would have that
15 information available. If it was still in the document, that
16 would be something that you could at least consider. If you
17 decide to go with Alternative 1, you still could, without having
18 any change. Doing this would allow you just a little bit more
19 information to inform your decision, I would think, and, if Sue
20 and Mara want to chime in on that, with whether or not that's a
21 good idea, but I think that would be okay.

22
23 **CHAIRMAN GUYAS:** I am going to let Susan go first.

24
25 **MS. BOGGS:** What is the timeline on this document, now that
26 we've added this new action, because I know everybody is wanting
27 something before the council so that it will be effective next
28 year, which, obviously, it's not going to be, and so what is the
29 timeline that we might be looking at going forward with this new
30 action that we've added?

31
32 **MS. GERHART:** Our general timeline for getting rulemaking done
33 has been six to eight months, and so that's after the council
34 takes final action, and so, if you were to take final action in
35 January, then that's a possibility. After January, not so much,
36 and so, relative to what you're talking about here, if you want
37 to consider both of these actions in conjunction with each
38 other, then that is a whole lot of work that may not be able to
39 get done by January. If you consider them separately, as an
40 either/or type of deal, either you change the seasons or you do
41 a split quota, then that's easier for us to analyze, and it's
42 possible for January.

43
44 **CHAIRMAN GUYAS:** Paul.

45
46 **DR. MICKLE:** To that point, I would just suggest that -- I don't
47 think we're in a hurry. It seems like the AP was very vocal in
48 saying that they want this to lay out and have the data behind

1 the changes we've done, and we all forget that we had a size
2 change that didn't work, and we did a season change, a calendar
3 date versus year date, and we don't know if that works yet, but
4 it's kind of looking like it doesn't work, and so I would use
5 what was said by Sue to keep this in the document and keep them
6 separate, and let's take our time. Am I missing something of a
7 big hurry here? I don't know. I'm asking the group.

8
9 **CHAIRMAN GUYAS:** Tom.

10
11 **DR. FRAZER:** I don't think we're in a rush to do this at this
12 point, and so I guess my suggestion might be that we work on the
13 revised document and, if possible, bring a revised document back
14 in January, and, if it's not complete, if the analysis is more
15 complicated, then we'll look at it in April.

16
17 **CHAIRMAN GUYAS:** All right. Is there any more discussion on
18 this motion? It sounds like we might need to do this one by a
19 show of hands, if there's no more discussion. **How about all of**
20 **those in favor of the motion, please raise your hand. If you're**
21 **in favor, that means it's going to Considered but Rejected, just**
22 **to clarify; all those opposed. The motion fails three to ten.**

23
24 All right. Just to recap where we are with this document, I
25 think we kept Action 2, and we kept Action 4, and we have added
26 a new action, essentially, to consider the split quota. Is
27 there any other discussion on amberjack right now?

28
29 **DR. FRAZER:** Okay, and so we're at a convenient breaking point,
30 and we're going to need all of that time, and so we were
31 scheduled to come back at two o'clock, and we'll come back at
32 quarter to two.

33
34 (Whereupon, the meeting recessed for lunch on October 22, 2019.)

35
36 - - -

37
38 October 22, 2019

39
40 TUESDAY AFTERNOON SESSION

41
42 - - -

43
44 The Reef Fish Management Committee of the Gulf of Mexico Fishery
45 Management Council reconvened at the Tremont House, Galveston,
46 Texas, Tuesday afternoon, October 22, 2019, and was called to
47 order by Chairman Martha Guyas.

48

1 **CHAIRMAN GUYAS:** Continuing on our theme of easy,
2 straightforward issues, we will do the red grouper assessment.
3 I think Dr. Sagarese is going to take us through the assessment.
4

5 **STOCK ASSESSMENT REVIEW: SEDAR 61 - GULF OF MEXICO RED GROUPER**
6 **STOCK ASSESSMENT PRESENTATION**
7

8 **DR. SKYLER SAGARESE:** Thanks, everybody, for coming back after
9 lunch. I hope you all enjoyed it, and I hope you're all very
10 excited to go through the results of the SEDAR 61 red grouper
11 stock assessment for the Gulf of Mexico.
12

13 I am going to start off just giving you sort of a thousand-foot
14 view of the data inputs that went into the assessment, and I'm
15 mostly going to focus on some of the major changes to the data
16 inputs that were made from the last assessment, which was SEDAR
17 42, and that was conducted a few years ago.
18

19 I am going to go through some of the results from the model, but
20 I am going to focus most of this discussion on the projections
21 and some of the information that we looked at to try to get at
22 how that 2018 red tide might have affected red grouper, and,
23 with that, I'm also going to touch on quite a bit of stakeholder
24 input that we received throughout the assessment process, to
25 help us get a handle on where we think the stock was after this
26 assessment.
27

28 One thing to note is that the terminal year for this assessment
29 was 2017, and the severe red tide hit in 2018, and so, for this
30 assessment, all of the data inputs were updated through 2017,
31 and then we had the situation where 2018 occurred, and we knew
32 there was an issue, but we didn't have all of the inputs, and I
33 will sort of talk about that a little later.
34

35 As we all know, the 2018 red tide was all over the news, and it
36 was all over Facebook. In this bottom-right figure, thanks to
37 Ed Walker, I'm just showing pictures of red grouper that were
38 observed in fish kills, and so, overall, we'll go through this
39 and kind of tell the story of what we think happened with that
40 red tide and how it feeds into this assessment.
41

42 On this figure on the right, there's a lot going on, and there's
43 a lot of different colors. Essentially, this is just
44 summarizing a time series for each of the different data
45 components that we have in this assessment model, and so we've
46 got landings from the commercial fisheries and from the
47 recreational fisheries, and the one thing to note here is this
48 assessment is the guinea pig for the Gulf, and it's the first

1 one where we are using MRIP FES estimates of landings and
2 discards, and so it's the first assessment where we have this
3 issue now that everything is in the MRIP FES units for the Gulf.

4
5 In this case, we have got abundance indices from a variety of
6 sources. From the commercial indices, we have catch per unit
7 indices that, in this assessment, are truncated in 2009, because
8 of the IFQ. At this time, for this assessment, we were not able
9 to update those indices throughout, and that analysis still
10 remains a research recommendation from this assessment, and that
11 is something that we certainly value the importance of the
12 commercial data and we'll be looking at in the future on the
13 scamp assessment, on how to go about developing indices from the
14 commercial information and potentially exploring the utility of
15 observer data as well.

16
17 This red grouper assessment, we also have fishery-independent
18 surveys from the NMFS bottom longline survey that's run that
19 covers the majority of the adult red grouper habitat, and the
20 SEAMAP groundfish survey, which covers younger juvenile red
21 grouper, primarily ages two to four, and then we've got a
22 combined video survey, and so this red grouper assessment is one
23 of the first assessments that combines the video data from three
24 data sources, the FWRI, Panama City, and the SEAMAP reef fish
25 survey. All of the information is combined, and there's been a
26 lot of updating to the methodology to develop a single combined
27 index for the video.

28
29 We also have, with this assessment, a new case of data that was
30 provided is from the FWRI hook-and-line survey, and that's been
31 funded by the NFWF work, and so, for that, we have an index of
32 abundance as well as length composition. For the red grouper
33 assessment, we also have, in the model, length compositions from
34 the discard data for the commercial fisheries as well as the
35 recreational fisheries.

36
37 I just want to highlight the importance of this discard length
38 information, because it gives us a really good understanding of
39 what sizes are being discarded and what sizes are being kept
40 over time. That's really important for us to see, how different
41 management decisions may be impacting what's being caught, and
42 so those data sources are very valuable. We also have length
43 composition from the various surveys.

44
45 For this assessment, we have age composition from all of the
46 fisheries in the assessment, and so we're able to track how the
47 cohorts are changing over time, and we can see strong pulses
48 throughout each of the fisheries and the assessment, and,

1 lastly, we have discard estimates that are going into the
2 assessment from the commercial and recreational fisheries.

3
4 The first major update, as I mentioned earlier, was the
5 treatment of the recreational data. For this assessment, all of
6 the recreational data we used was from MRIP FES, and that
7 includes the discards and the landings. As many of you noted,
8 looking through the report, those estimates are substantially
9 higher than what was produced with SEDAR 42, but, for this
10 assessment, we're following the Option 1a in the white paper,
11 treating that time series throughout the whole time period of
12 MRIP FES-calibrated estimates.

13
14 We also had quite a bit of work done from our Fisheries
15 Statistics at the Science Center, looking at how to calculate
16 the commercial discards, and that was one of the major issues
17 with the last assessment, and there were concerns that those
18 discard estimates were too high, and the model previously was
19 having a hard time capturing those changes in discards.

20
21 Then there has been a lot of work done, and the commercial
22 discards -- There was some analysis to look at how we would
23 define effort for calculating the discards. After all the work
24 has been conducted by the Science Center, those estimates have
25 become much lower in the current assessment, and we have seen
26 much better fits within the model to that data that has gone in,
27 and so two major improvements to the methodology, the rec data
28 as well as commercial discards.

29
30 **DR. MICKLE:** I am sorry to interrupt, but is it all right to ask
31 a real quick question, because we're on it? How did the Science
32 Center actually delve into quantifying the reduction for effort,
33 effort specifically?

34
35 **DR. SAGARESE:** What they did was they wanted to look at --
36 Across the logbook and the observer data, they wanted to look at
37 the variable that was used to quantify effort, and so, in each
38 of the datasets, they looked to match, whether it was number of
39 trips or whether it was number of fishing days, to determine
40 which effort metric would be unbiased, and then they used that
41 effort metric to calculate the discards, and in the assessment -
42 - There is a working paper that details the methodology, but
43 they basically back-calculated the landings and compared them to
44 what the logbook landings showed.

45
46 There was some good agreement there, but, for the longline, they
47 found that the effort metric that produced the most unbiased
48 measure was the number of sets, and then, for the vertical line

1 gear, it was the number of fishing days, but there was a lot of
2 work that went into just trying to make sure.

3
4 One of the hypotheses with the last assessment was that it was
5 just a -- The data was being interpreted differently, and so we
6 were overestimating how long the trips may have been, as opposed
7 to what was done, and so that was a big modification for this
8 assessment.

9
10 The next couple of slides are just kind of an overview of the
11 major results coming out of the model. On the left-hand side,
12 over time -- One big difference to notice here is the SEDAR 61
13 assessment model starts in 1986, and the model that was
14 ultimately used for management advice with SEDAR 42 started in
15 1993, and so, in this case, on the figure on the left is total
16 biomass in metric tons of red grouper. On the right, it's just
17 the trend in spawning stock biomass with confidence intervals on
18 that right-hand side.

19
20 In the left-hand side, let's talk about the total biomass. The
21 red line is the result from SEDAR 61, and the blue line is the
22 result from SEDAR 42. There is a dot at the beginning of each
23 time series which represents essentially the initial biomass,
24 and so, because with this red grouper assessment we're not
25 starting way back in time, and we're not starting in an unfished
26 state, within the assessment, we have to set sort of an initial
27 starting point, an initial condition, of where we think the
28 stock is.

29
30 For these assessments, we generally use an average catch at the
31 beginning of the time series to give us that initial point, and
32 then the model estimates the trend thereafter.

33
34 One thing that I want to point out here, and we detail in the
35 report is, during the review of the SEDAR 42 assessment model,
36 there was a lot of requests made by the review panel at that
37 workshop that made some major modifications to that assessment,
38 including changing the start year as well as combining the two
39 recreational fleets at the time into a single fleet, and a lot
40 of data inputs had to be reprocessed, including these initial
41 catch estimates.

42
43 What we found, when we had all of this time to thoroughly review
44 and vet everything that was done, is that there was a
45 computational error in how those initial catches -- How that
46 initial condition was being set up, and so, when you look at
47 that figure on the left, what you see is that blue line is that
48 SEDAR 42 result, and so you can see how much higher the stock

1 biomass was over time, and, when you look at that initial
2 starting point, it was starting at a much higher position than
3 where it really should have been.

4
5 The take-home is that final model that was used for management
6 advice thought that there was a much larger population of red
7 grouper out there, and that is largely the reason why that OFL
8 at the time essentially doubled, to about fifteen million
9 pounds, and, at the time, given the information that was
10 reviewed at that assessment, it was thought that -- For example,
11 the commercial discards, one of the hypotheses was that there
12 had to be that much biomass to support all of those discarded
13 fish, and there was some anecdotal information from fishermen at
14 the time that they were discarding red grouper.

15
16 The one thing to highlight here it's really hard now to really
17 compare the old model with the new model. The first
18 modification we made was correcting that initial catch
19 condition, which substantially led to a major change in what was
20 going on with the stock, but both of the models picked up the
21 trend, the declining trend, in 2005 from the red tide, and, in
22 the more recent assessment, they picked up the decline in 2014.

23
24 **CHAIRMAN GUYAS:** Go ahead, Leann.

25
26 **MS. BOSARGE:** I have been going through this, and it is very
27 hard to kind of tell what the changes we made in 61 -- What is
28 driving the model, because we really don't have 42 to compare
29 to. How hard is it to go back to 42 and change that initial
30 parameter on biomass and get what the blue line would have been
31 for 42? Not updating it with all of our new stuff, but just
32 take the old 42 and change that initial parameter, and I'm sure
33 it's not as easy as hitting "start", but I would like to see
34 what the blue line would have really looked like. It helps me
35 understand where we're at now.

36
37 **DR. SAGARESE:** During the process, we did prepare a lot of
38 analyses such as that. What I can tell you is that it does drag
39 that trend down, essentially where the SEDAR 61 estimate is, the
40 time series. It's very similar. Now, for the continuity that
41 we did for SEDAR 61, although this doesn't address your question
42 about keeping everything similar, but that one change makes a
43 huge difference in the model, but we do have that information,
44 and it hasn't been shown to the SSC, but, if you wanted to just
45 see the SEDAR 42 model with that correction, we have that
46 information prepared.

47
48 **MS. BOSARGE:** Yes, I would love to see that, and it doesn't have

1 to be today, but I would like -- That really helps me understand
2 where we were then versus where we are now, as far as the health
3 of the stock.

4

5 **CHAIRMAN GUYAS:** Kevin.

6

7 **MR. ANSON:** Yes, I would be interested in seeing that too, and
8 I'm just wondering as to -- You know, we had set up management
9 based upon the higher level, and so we had those higher landings
10 then, and I'm just curious maybe, if it could be done, or if
11 there could be some discussion at the SSC as to whether or not
12 we ended up -- The timing of it with a red tide also could have
13 timed up with a recruitment failure, due to overfishing. I
14 mean, that would be something that would be interesting to see
15 too, to see whether or not that could be teased out as well. If
16 we had landings that essentially were twice as much as we should
17 have been doing, what would that have done to recruitment and
18 such, and so that would be just something curious that I would
19 be interested in seeing.

20

21 **DR. SAGARESE:** One thing to point out with the recent landings -
22 - I mean, I know the landings are just getting lower each year,
23 but, since that change was made, the landings really haven't
24 exceeded or gotten anywhere near that OFL, and so it's almost
25 been an unregulated fishery at this point, because they could
26 have caught as much as possible, and then it's slowly starting
27 to trail off, and so there's a lot of moving pieces here. Are
28 there any other --

29

30 **DR. FROESCHKE:** Skyler, we're having some technical difficulties
31 here with the slide, and so just give us a second, and we'll get
32 it going.

33

34 **DR. SAGARESE:** Okay. That's actually a timely question, because
35 recruitment is next.

36

37 **MS. BOSARGE:** While we have a second, Martha, if it's okay -- So
38 that one computational error, that kind of explains why, when we
39 got that last stock assessment, we were getting these huge
40 increases in ABC out of it, and that came to the council, and we
41 had the ability there in front of us to raise quotas across-the-
42 board, and it didn't really match up with what our fishermen
43 were telling us at that time, or at least on the commercial
44 sector at that time. They were saying, no, don't do this and
45 this stock is not in a good place, and so now we know why, and
46 so that's great. Thank you.

47

48 **DR. SAGARESE:** You are 100 percent correct. Essentially, there

1 was a lot of folks saying we couldn't even catch this, and so,
2 with perfect hindsight and lots of time to reevaluate things,
3 that's what ended up happening, but even -- So one thing just to
4 highlight is it didn't have an issue, and we didn't catch the
5 fifteen million pounds, but that change certainly affected the
6 market, and it certainly affected how the fishery is operating
7 and how the quotas and such -- So it's one of those things that
8 we're very grateful that we caught it, but just to caution that
9 having that much work to do overnight, when you're already
10 exhausted from the whole day, it was just an unfortunate timing
11 of not having enough time to thoroughly vet and diagnose the
12 model at that time. Are there any other questions while we're
13 waiting?

14

15 **DR. FRAZER:** We're going to take a five-minute break.

16

17 (Whereupon, a brief recess was taken.)

18 (There is a break in the audio recording.)

19

20 **DR. SAGARESE:** The red tide event at that time that was
21 incorporated for 2005 -- In the current assessment, we also
22 included the 2014 red tide event, and so, when we had all of the
23 data in the model, we were able to estimate the magnitude of the
24 mortality from the red tide on red grouper, and this is where we
25 have an issue, in terms of projections, because we don't have
26 all of that data available to really quantify what effect the
27 2018 red tide had on the stock, but we'll get there in a few
28 moments.

29

30 One thing to note here also is, in the most recent years, the
31 fishing rates are much lower than throughout the time series,
32 and so, recently, as it follows what's being seen in the fishery
33 and the landings, current fishing mortality is lower, and, in
34 this case, the red tide is really a major player within this
35 assessment.

36

37 Again, the first thing I want to highlight is this is a really
38 unique situation, and, in the current assessment, our terminal
39 year was 2017, and so the stock status that comes out of this
40 assessment is what was the status of red grouper at the end of
41 2017.

42

43 Based on the information within the model, currently, using the
44 newest definition of the minimum stock size threshold, the stock
45 is not overfished, and the stock is not undergoing overfishing.
46 The only thing to caution here though is, again, this is before
47 the big red tide in 2018 really roared up and kind of had a
48 major impact, and so, at that time -- This plot is a Kobe plot.

1
2 On the left-hand side, it's just showing the ratio of the
3 fishing mortality rate to the F 30 percent SPR. For red
4 grouper, we used the 30 percent SPR proxy as an MSY proxy within
5 this assessment, and so what you're seeing in this figure is,
6 basically, there is -- On the X-axis, it's the ratio of the
7 spawning stock biomass to the spawning stock biomass at that 30
8 percent SPR.

9
10 What we're seeing is that thick vertical line is essentially the
11 target, and so we would want to be at SSB 30 percent SPR.
12 That's the target we're going for. Then you see that the red
13 circle is essentially in between two lines, and so the line to
14 the left is our minimum stock size threshold, which we're above,
15 but we're below the target, and so we're kind of in the middle,
16 meaning that, given these definitions, the stock is not in bad
17 shape. However, we are not where we want to be.

18
19 We're not above the target, and another thing, just to note, is
20 that, just for continuity's sake, we did determine the stock
21 status using the old definition of minimum stock size threshold,
22 which was one minus M times the BMSY proxy. By that definition,
23 the stock would be considered overfished, if that older
24 definition was still in play today, and so it really -- That
25 decision about what's the status depends on that decision that's
26 been made by the council, and so, again, things are really not
27 rosy, but what we're not seeing is things in really dire shape,
28 but, again, just to caution that's because we have not looked
29 into that 2018 red tide yet, and that's where the projections
30 become really important.

31
32 For the projections for red grouper, the first thing to caution
33 is the projections that we run are really based on a number of
34 assumptions. For this assessment, we're assuming that
35 recruitment will be similar to recent years, and so, for 2010 to
36 2017, we're assuming an average recruitment over that period.
37 We are assuming that is constant, and we're assuming constant
38 selectivity and constant retention, and so we're assuming the
39 fishery is going to operate as-is.

40
41 In terms of the allocations, we are still using the 76 percent
42 commercial to the 24 percent recreational. That is what is
43 currently on the books, and so the projections are based on all
44 of these assumptions. One thing to note here is the terminal
45 year for our assessment was 2017.

46
47 The first year of our projection isn't until 2020, and so what
48 we end up doing in that projection is, for 2018, we put in the

1 final landings that were provided, and, for 2019, we have to
2 make an assumption about what the removals would have been, and
3 so, for this iteration of what you're going to see, we assumed
4 that in 2019 that the ACL that was just put into place with the
5 emergency rule would be removed, and so we're assuming -- We're
6 putting in the actual landings for 2018, and we're assuming that
7 2019 ACL will be removed, and then the first year of our
8 projection is 2020.

9
10 This is one of those assumptions, and, if anyone is curious, I
11 did also do the projections assuming the 2019 landings would be
12 similar to 2018 landings, because they are much lower, and
13 they're not even up to the ACL, but the results are very
14 similar, and so that's something that we did plan, just to make
15 sure that we had our bases covered.

16
17 Just one thing to note here is that, within the assessment
18 models, we put in the landings for commercial fisheries by
19 weights and then, for the recreational landings, we put in the
20 numbers of fish and then let the model estimate the weight, and
21 so, in this figure, we assumed that the recreational landings
22 would remain consistent from 2018 to 2019 for the projection's
23 sake.

24
25 As I mentioned earlier, we were sort of in this position, and we
26 had the assessment model, and we got the stock status in 2017,
27 and we knew that the 2018 red tide likely had an impact on the
28 stock, but we just didn't have the information or data to
29 quantify exactly how bad that effect was, and so one of the
30 things that was provided at the data and assessment workshop was
31 the Gulf Council's Something's Fishing with red grouper online
32 tool, where they put out a bunch of questions to get feedback
33 from various stakeholders, mostly private fishermen, but also
34 commercial and for-hire, and basically it just said give us your
35 observations and what weird things are you seeing with red
36 grouper, and are you seeing them in the red tides, and are you
37 discarding red grouper?

38
39 This kind of information was really helpful for us to kind of
40 get an idea of almost a litmus test of what the fishermen are
41 seeing and what recreational divers are seeing and this whole
42 sort of sense of what's going on, because we didn't have the
43 quantitative data from the fishery-independent surveys and such
44 to give us an idea.

45
46 The figure on the right was developed from the results that were
47 presented, and so, on the top panel, it's just showing the
48 makeup of the survey was primarily private fishermen, and the

1 figure, the second from the top, is just showing their
2 distribution by area, and so by shrimp grid zone in the figure
3 on the top right. Most of the survey is coming from 4 to 6, and
4 so off of central Florida.

5
6 The second from the bottom is showing the distribution of those
7 observations of who saw red grouper in red tide fish kills,
8 again primarily within that central Florida area, and then the
9 figure at the bottom -- I think it's really important to
10 highlight that, for the majority of the respondents, they were
11 essentially saying there is major issues with the red grouper
12 stock, whether that was that they're not able to catch them or
13 that they don't think they have recovered from the 2014 red
14 tide, but there were also some fishermen and divers and such and
15 stakeholders that said, you know what, we're seeing some
16 positive signs.

17
18 For example, we're seeing lots of sub-legal red grouper, and
19 we're catching lots of shorts, and so it's going to be good in a
20 couple of years, once they grow up, and so some of the key
21 messages from the survey are just that, essentially, red grouper
22 are going deeper than they used to and that there is some
23 positive trends, in terms of recruitment, and I keep hearing
24 that from many different people, which is encouraging,
25 considering the current status.

26
27 Also, just sort of a snippet of some of the major ecosystem or
28 environmental effects that may be out there. For example, the
29 predation, which we heard yesterday, how that's becoming a major
30 issue that seems to be increasing, or other issues, such as the
31 hurricanes, that they tend to move, and so it was just really --
32 From my perspective, for red grouper, I think it was really
33 great to have that information and to be able to summarize what
34 is being seen out there and then be able to have that help us
35 sort of figure out how to treat 2018.

36
37 Building on that as well, we were very lucky with this
38 assessment -- Well, I should say it was an unlucky time with the
39 2018 red tide. However, the Science Center ended up getting
40 some funds that helped us sort of spread out and go to local
41 areas in southwest Florida, where we started, and do some local
42 ecological knowledge surveys, and so, essentially, go to a place
43 and have a one-on-one with fishermen and just sort of pick their
44 brain and start from when they started fishing and describe how
45 it was back then, what red tides do they remember, and sort of
46 work our way up.

47
48 What species did they observe, how bad did they think it was at

1 the time, and so to just sort of develop some sort -- We're
2 hoping, overall, at the end of this project, to be able to have
3 a timeline of when these major events occurred back past the
4 time series we have for satellite data, and so back in the 1970s
5 and 1980s and such, just to be able to give us an idea that
6 these events have been occurring over long periods of time, but
7 there do seem to be some commonalities that we've seen with
8 these interviews.

9
10 In this figure, it's just an idea of giving you an idea, and so
11 each of the columns is when an interviewee essentially
12 identified a red tide, and so the left-most column is just
13 historical red tides prior to 2003. There were a lot of folks
14 from the different counties that remembered various events, and
15 maybe they didn't remember the exact year, but they had an idea
16 of that, and so that was really helpful.

17
18 For the purpose of this assessment, and, if you're interested in
19 this topic, we do have a working paper that goes into much more
20 detail about this evaluation, and it's still ongoing. We're
21 still moving our way up the coast to talk about some of these
22 issues as well, up in the Panhandle, but, basically, what we've
23 come to see is that, many of the interviews that we conducted,
24 that 2018 really tended to be an event that seems to be more
25 severe than what was seen in the past.

26
27 Granted, it's the most recent, and so there may be some recent
28 bias there, but we've been doing some work that suggests that
29 there is just some alarming trends that we are seeing, and so,
30 for example, that figure on the left is just showing -- Again,
31 each of the columns represents a red tide year, and so prior to
32 2003, and then, as you move to the right, it becomes the most
33 recent event.

34
35 The ends at the top just show you the sample sizes and so, for
36 the most part, most of the interviews were focused on that 2018
37 red tide, and the shading of that color -- The darker the shade,
38 it just leads to an observation that talked about how
39 devastating it was, and the medium shade is major, and then the
40 lightest shade is minor, and it didn't really have a major
41 impact.

42
43 The first thing you note with that figure is, in 2018, the
44 majority of the respondents, essentially, said that this was an
45 extremely devastating event, not just on red grouper and other
46 species, but on their business, on their fishery, on their
47 hotels and their tourism and such, and so it seems like this
48 2018 event did have a major impact. The more information we

1 looked at, the stronger the support was for that.
2
3 On the right, it's just giving you an idea -- As we're doing
4 these interviews, we're trying to get a comprehensive idea of
5 what species have been seen in these fish kills. The FWRI
6 database has a lot of information over time, but those surveys
7 tend to be the species that wash up on the beach.
8
9 One of the biggest data gaps we have, and we're hoping to fill
10 as we get additional resources, is what happens offshore. We
11 know these red tides can occur offshore, and, much of the time,
12 the fish sink, and so it's really hard to get an idea of what
13 species and what age classes and such. That is some of the big
14 issues when we have these assessments, is how do we treat these
15 red tides? For the purposes of red grouper, we assume that all
16 of the age classes are vulnerable to this red tide.
17
18 With all of that in mind, as I mentioned earlier -- So, for red
19 grouper, we use the 30 percent SPR proxy. What we're showing
20 with this figure on the left is going to be the projected
21 retained yield, and so that's in pounds of gutted weight for red
22 grouper. On the right, it's just looking at the trends in
23 depletion over time, and so if we focus on the left for now.
24
25 The red line -- Essentially, these are different scenarios of
26 the potential 2018 magnitude for that red tide, and so the red
27 line would be assuming that there was no effect in 2018, that
28 there was no red tide and red grouper had no mortality. Then,
29 as you move further down to the black line, it's basically
30 increasing severity, that we assumed and ran projections to see
31 what would the effect be if that red tide was more severe than
32 we thought.
33
34 Just to note that the blue line identifies the line where we're
35 assuming that the 2018 red tide was similar in magnitude to the
36 2005 red tide event, and that was the scenario that the SSC
37 ended up supporting as well, given the information we presented,
38 and I didn't want to spend too much time, but I did want to
39 mention here that we did receive updated fishery-independent
40 indices for the bottom longline survey through 2018 as well as
41 the SEAMAP groundfish survey through 2019. Both surveys showed
42 very low, near record abundance lows, for those surveys, and so
43 there's a lot of pointing evidence suggesting that the red tide
44 was severe.
45
46 At the end of the day, the line that you would want to focus on
47 here is the blue line basically represents what comes out of the
48 standard projection for F 30 percent SPR, and that is

1 essentially what the SSC supported, given the current control
2 rule.

3
4 In terms of the depletion, on the right, what you're seeing over
5 time is the depletion is just an estimate of the spawning stock
6 biomass in each of those years over the SSB from the unfished
7 condition, and so it's just a ratio of showing where you are,
8 and so the spike you see is 2020. Again, it's the first year of
9 our projection period.

10
11 You see that, if there was no red tide, that the stock was just
12 above the target in 2020, where the model would expect the stock
13 to be just above the target. Part of the reason of what's
14 driving that increase is essentially that 2013 recruitment that
15 I had mentioned, that you see it moving through the recreational
16 fishery and the commercial fishery, and so we see that pulse of
17 fish that the model thinks is out there, but, again, that red
18 line is assuming no 2018 red tide, and so just to give you come
19 context there.

20
21 In the other scenarios, you can see that the black line
22 essentially just represents a worst-case scenario, a what-if, if
23 things are twice as bad as 2005. In that instance, you see that
24 the stock size would drop below the minimum stock size
25 threshold, but, overall, what we see is, as you would expect.
26 The more severe the red tide, the lower the projected yields
27 would be, and the more depleted the stock would become. In this
28 case, each of the scenarios would rebuild in about 2035, which
29 is a fairly long time, if we were to go with this sort of
30 information.

31
32 Equally as important here was to show the projections on what if
33 we maintain the status quo being the 2017 landings levels, and
34 what if we just fished at that level from 2018, 2019, 2020 --
35 Sorry. From 2020 onward. What would then happen?

36
37 The first thing to notice is yield would remain constant for
38 each of the scenarios, again, and then the depletion levels --
39 You can see that, over time, the stock essentially, depending
40 upon that severity of the red tide -- Again, the blue being the
41 preferred scenario by the SSC, but, essentially, even there was
42 a red tide equivalent to the 2005 event, the stock would
43 essentially be up at the target biomass level at I think it's
44 2025-ish.

45
46 Even if we maintained the current -- Again, this is assuming
47 that that 2019 ACL could be removed, and I understand that,
48 currently, we're at about 50 percent of the quota for both

1 commercial and recreational, and so even the current landings
2 don't seem to be on that trajectory.

3
4 Given the wealth of information that we presented and the
5 scenarios and all of the information, what we tried to do was
6 boil the entire assessment and decision down to a decision
7 table, and so each of those figures on top corresponds to a red
8 tide scenario. The left-most scenario would be the no 2018 red
9 tide, and the right-most would be the most severe, and so it
10 doubled the 2005 magnitude.

11
12 What you're seeing, in this case, is that information
13 corresponds to that first row in the table, and so, again, each
14 of the columns in the table is that red tide scenario, and then
15 it's the scenario -- The F 30 percent SPR would be the MSY proxy
16 run, and that's the catch level that would come out of the
17 assumption that 2018 was like 2005, and so, in that figure up
18 top, the second-to-the-right, what you're seeing there is that
19 thick red line would basically be the 50th percentile, the OFL,
20 and so the 50 percent probability of overfishing, by definition,
21 of what would come out of that assessment.

22
23 The decision table is showing you that, if you maintain that red
24 line, but in fact say the red tide was twice as bad as 2005,
25 then you would be expected to use that distribution on the
26 right-most side, but, when you compare the red thick line to
27 that distribution, 100 percent of the time, that red line where
28 you are is above that, and so, essentially, you would have a 100
29 percent probability of overfishing. It would be very -- You
30 would have more risk in that situation.

31
32 As you move forward, for example, looking at the no 2018 red
33 tide, if you -- Making the assumption that it's like 2005, but,
34 if in fact there was no red tide, you would see that there is a
35 slight little amount of red on that left-most side, meaning that
36 you would only have about a 3 percent probability of
37 overfishing, and so, in this situation, treating this red tide
38 like 2005, this is the catch advice that comes out of that, but
39 this table allows you to see, over the various levels, how bad
40 could things get if you made certain decisions.

41
42 Granted, they are based on certain assumptions, but, at least to
43 give you some context, if we think it's this, but it's really
44 this, what's the risk of that decision, and, in this table, the
45 other catch levels below that F 30 percent SPR are just showing
46 the second row from the top is the P* of 0.427, which was used
47 for red grouper, and the next one below is a P* of 40 percent,
48 followed by 30 percent, and then the value for the 2017

1 landings.

2
3 The take-home with this decision table is, essentially, the
4 scenario treating the landings like 2017 would give you much
5 lower probabilities of overfishing, in the instance that there
6 was a red tide event, and so maintaining the status quo seems
7 like potentially a good way to go, as opposed to raising the
8 catches, as the F 30 percent SPR could potentially lead to, but,
9 again, given the landings that are currently being caught by
10 both commercial and recreational, it's possible that the status
11 quo -- Maintaining the status quo could potentially be a way to
12 go, or even lowering the -- Yes.

13
14 **MS. BOSARGE:** Explain the first row to me, the F 30 percent SPR,
15 and then you have catch, 5.3 million, roundabout.

16
17 **DR. SAGARESE:** That catch level corresponds to the 50th
18 percentile of the distribution that comes out within the
19 assessment, and so, essentially, the SSC -- That's the
20 definition of the OFL for the SSC, the 50th percentile, and so
21 that 5.35 is what is provided.

22
23 **MS. BOSARGE:** I thought that the OFL with no red tide that came
24 out for 2020 would have been 8.68 million pounds.

25
26 **DR. SAGARESE:** This whole table is showing -- Your baseline is
27 going to be the 2005 level, and so that F 30 percent SPR
28 corresponds to the 2005 scenario, and so you're right that the
29 no red tide table that's in the presentations of that eight
30 million or so pounds, but that, again, is assuming that 2018 had
31 no effect on the stock, and so this is the scenario that was
32 supported by the SSC, which we'll see in a few moments with
33 Luiz.

34
35 **MR. RINDONE:** Just to clarify, these numbers are using the FES
36 estimates from MRIP?

37
38 **DR. SAGARESE:** These are all using the MRIP FES currency,
39 correct, including the 2017 landings, but I will be showing that
40 in a second. In summary, I am just briefly going to be review
41 the SSC notes, which you'll see in a moment, but the SSS did
42 support the scenario assuming that the 2018 red tide was similar
43 to 2005.

44
45 I didn't have enough time to present all of the information, but
46 we had a lot of support for treating that decision. It seemed
47 like there was a lot of information from stakeholders and
48 fishery-independent sources that that 2018 red tide had a major

1 effect on red grouper and killed a lot of them.

2
3 In this instance, maintaining the current catch level, and so
4 the 2017 level, as I showed with the decision table, could be a
5 way to lower the probability of overfishing, in the event that
6 there was a red tide, rather than worrying about how bad was the
7 red tide under the various scenarios, with the exception of the
8 worst-case scenario. It would be a very low probability of
9 overfishing in these instances.

10
11 Thank you, Ryan. That was a good time to mention that, and so
12 the one thing that's been requested quite a bit is, because this
13 assessment -- All of the information was in MRIP FES units, and
14 the old ACL that was determined in the emergency rule for 2019
15 is in the old MRIP currency of APAIS.

16
17 In this slide, we're going to look at a comparison of --
18 Essentially, what's on the books right now is the top, and so,
19 the current ACL that's on the books of 4.16 million pounds,
20 that's coming from the landings from the MRIP APAIS and the
21 commercial landings. What we're showing in the bottom plot is
22 essentially looking at the change in -- The new recreational
23 landings from the MRIP FES survey essentially have become much
24 higher. Therefore, what would the 2017 landings turn into if
25 the new currency was used?

26
27 What you can see from the table is that there is an increase,
28 and the recreational landings that were used within the
29 emergency rule were one million pounds. Given the new currency
30 of FES, that one million pounds becomes converted to 2.05
31 million pounds, and so it's essentially a doubling, in this
32 case, of what's being input. Therefore, that 2019 ACL would be
33 higher than what is currently on the books, given the increase
34 in the recreational landings.

35
36 **MS. BOSARGE:** When you say we used FES in the stock assessment,
37 we scaled everything to FES, and so I understand that Florida,
38 Mississippi, and Alabama, red grouper, those landings are
39 currently being collected and coming out in FES the way they
40 are. The survey is FES, but Louisiana is not. Louisiana is LA
41 Creel, and so I'm assuming you had to convert Louisiana
42 landings, which probably means you had to scale them up by some
43 factor to get them to FES numbers, to go in the assessment, and
44 then did we scale Texas numbers?

45
46 **DR. SAGARESE:** For red grouper, we don't have Texas landings in
47 the assessment. We also don't have the LA Creel numbers,
48 because the landings are very, very, very small. For red

1 grouper, it's just mostly the State of Florida, and so it's MRIP
2 FES. The issue you raise is going to come up with some of the
3 other species assessments that are coming up in the future. For
4 red grouper, Texas and Louisiana were not an issue, at this
5 time, and so we did have everything in MRIP FES currency for
6 now, for this assessment, for landings and discards. I think
7 the next slide should be the questions, and so any other
8 questions?

9
10 **CHAIRMAN GUYAS:** All right. Are there questions for Skyler?

11
12 **DR. SAGARESE:** Can I just thank everybody that was involved in
13 this whole process, especially all the stakeholders and everyone
14 that responded, and it's been really amazing to -- I think I
15 probably learn more from some of these opportunities than they
16 learn from me, and so I just want to say that that's been
17 extremely valuable with this assessment, is being able to kind
18 of work as a collaborative unit, and that's been great.

19
20 **CHAIRMAN GUYAS:** All right. Well, if there aren't any
21 additional questions for Skyler -- Tom.

22
23 **DR. FRAZER:** I am not sure that you are the appropriate person
24 to ask this question, but I was looking at the executive summary
25 of the assessment, and so one of the things that I noticed in
26 there was, when you were looking at the average -- This was with
27 regard to the recreational fishery, and so you used a discard
28 mortality rate, I guess, of about 11 percent, and then, when you
29 look at the average catch over kind of the reference time period
30 and the number of fish that were discarded at that time, the
31 discards were 0.87 million pounds of gutted weight, and the
32 total catch was 2.29.

33
34 When I look at that, I see that mortality rate is about 37
35 percent, and so, when I look at the empirical data, how do I
36 reconcile that to what the discard rate is that you actually
37 used?

38
39 **DR. SAGARESE:** In the assessment, the way that the discards are
40 treated is we input -- The discard mortality is a fixed value,
41 but, the way the what the model is operating, selectivity is in
42 terms of length, and so it's length-based, and so it's
43 accounting for -- The selectivity pattern defines what the
44 fishery is encountering, and then, from there, the discard
45 mortality is applied to a fraction of that that is being --
46 Sorry.

47
48 A fraction is being retained, and a fraction of that selected

1 fish is being discarded, and then, from that component, the 11
2 percent is applied to that, and so I think it has to do with the
3 age structure, in terms of the weights, and it's not necessarily
4 going to be 11 percent just looking at that comparison, but it's
5 essentially internal to how the model is treating discards.

6
7 **DR. FRAZER:** Okay. Thank you.

8
9 **CHAIRMAN GUYAS:** Any other questions? Leann.

10
11 **MS. BOSARGE:** On the red tide, and I've been wondering this,
12 when we put it in the model, and not the 2018, but the actual
13 red tides that were part of model in 2017 and before, we're
14 telling the model that that is essentially an additional fishing
15 fleet, right, and that's how we model it, like we have a
16 commercial fleet, a recreational fleet, and we have this fleet,
17 we have this red tide fleet.

18
19 I have been wondering how this model -- If you look at all the
20 other fleets, both fishery-dependent and fishery independent,
21 almost all of them have a negative trend. Things are going
22 down, and they're not going in a positive direction. Then we
23 tell the model that there's this other fishing fleet, and
24 essentially that's where the rest of the harvest, or kill, is
25 taking place.

26
27 Is the model thinking that everything is okay because of, on the
28 whole, harvest is probably staying about the same, or even going
29 up, because that red tide is what's taking it out, and does the
30 model is not a fishing fleet and that everything is pointed
31 down?

32
33 **DR. SAGARESE:** I did run sensitivity analyses that essentially
34 removed the red tide fleet. In terms of removing that 2014 red
35 tide, you still see that declining trend, and so, essentially,
36 even with or without the red tide, the model is picking up on
37 all of those declines in the indices and declines in the
38 landings, and so you still see that behavior, that the stock is
39 going down, but it's just the inclusion of the red tide helps
40 account for some of that.

41
42 For example, we see improved fits to the indices of abundance,
43 that's the sort of information where the red tide helps. It
44 helps us explain what's really going on, but we did look at
45 sensitivities with that issue.

46
47 **MS. BOSARGE:** Just a follow-up, Martha, and so I'm just trying
48 to figure out -- We did an MSE, which obviously is very limited.

1 We did a management strategy evaluation and went through the
2 SSC, to try and figure out what we should implement for that
3 emergency rule, remember, and theirs was just slightly higher
4 than what we ended up implementing. It was four-point-something
5 million, I think, like 4.3 or something like that, and we
6 implemented four-point-one-something, which was landings from
7 the prior year.

8
9 Yes, they have limited data, but they were looking at things
10 through 2017 and 2018, and they came up with something that is
11 essentially half of what the stock assessment -- If you don't
12 account for the 2018 red tide, it gave us an OFL of eight-point-
13 something million and an ABC of eight-point-something million.
14 I am trying to figure out where that disconnect is in the stock
15 assessment. Even in 2017, it shouldn't have been that rosy, and
16 where is the disconnect?

17
18 **DR. SAGARESE:** Two things here. Just remember that the catch
19 advice was about eight million, assuming 2018 red tide was not
20 an issue. That likely is not what's going on in reality, and
21 so, essentially, that 2005 scenario -- What the model is doing
22 with that eight million pounds is it's saying there's a
23 relatively large recruitment event coming through, and recent
24 fishing mortality has been fairly low, and let's ramp up
25 fishing, because we can, because there is all this biomass that
26 essentially is there, but it has potentially been removed by the
27 red tide, and so I think it's really -- I would be really
28 cautious focusing on that eight million number, just because
29 it's assuming that there is no effect in 2018 of the red tide.
30 That seems to be a decision that needs to be accounted for, and,
31 with the decision table, we've tried to sort of show the
32 influence of that decision, but, in 2017 -- Clay, go ahead.

33
34 **DR. PORCH:** I was going to let you finish, but I just wanted to
35 get in the queue here. I do want to point out a couple of
36 things. The first one is we can do another interim analysis in
37 2020, once we get the 2019 data, and then we're going to
38 actually have some good, quantitative information on what the
39 effect was, and so the projections work for now.

40
41 They have to make some assumptions, and it seems the preferred
42 assumption is that the 2018 event was similar to 2005, but, in
43 2020, once we get the 2019 data from the bottom longline survey,
44 we can do another interim analysis.

45
46 The other point I want to make, just because I'm a little afraid
47 that some people might be confused. When we say we model the
48 red tide like a fishing fleet, it's not actually counted as

1 fishing, and this is just sort of Stock Synthesis lingo. People
2 who do the assessments know what they mean, and they are using
3 the same sort of structure, but that source of mortality is not
4 added in any way to fishing or anything like that. It's
5 completely separate accounting, and so, when she shows graphs of
6 fishing mortality, fraction taken by fishing, that does not
7 count the red tide. That's a separate source of mortality, but
8 it's just lingo, but I can imagine someone hearing that and
9 saying, wait a minute, you're counting it as a fishing fleet,
10 and they are distinguishing the two.

11

12 **CHAIRMAN GUYAS:** Tom.

13

14 **DR. FRAZER:** Clay, if you want to do the interim analysis in
15 2020, and you get the bottom longline data, when would you run
16 that, do you think? I mean, when would that start?

17

18 **DR. PORCH:** That can happen pretty quick in 2020. It takes a
19 little while to process the data, and I think we're just about
20 done with the survey, and it takes a couple of months to process
21 the data, and so fairly early in 2020 we should be able to get
22 it done.

23

24 **DR. FRAZER:** Okay. Thanks.

25

26 **CHAIRMAN GUYAS:** All right. If there aren't any other questions
27 for Skyler, I believe there are a few more slides.

28

29 **DR. CRABTREE:** I was going to go over a few that are sort of
30 focusing on the allocation issue, and I don't know if you want
31 to do this before the SSC report or if you would rather here the
32 SSC version. It's your call.

33

34 **CHAIRMAN GUYAS:** I think SSC makes sense, to do that first, and
35 so let's hold those. We'll come back to those.

36

37 **EXECUTIVE DIRECTOR SIMMONS:** Madam Chair, I just wanted to tell
38 Skyler thank you so much for coming to the Reef Fish AP in
39 person and the SSC meeting and for doing such a great job.
40 Thank you.

41

42 **SSC REVIEW OF SEDAR 61, OFL, AND ABC RECOMMENDATIONS**

43

44 **DR. LUIZ BARBIERI:** Let me echo Dr. Simmons' thanks to Skyler
45 for everything she's done. I mean, this has been a monumental
46 amount of work, and she's done a great job putting this
47 assessment together, and it was great to have her at the SSC
48 meeting presenting in person and being able to answer a parade

1 of questions from the committee and then coming to the AP
2 meeting, and so many thanks for that.

3
4 I just want to sort of reiterate some of the points that Skyler
5 just brought up when she gave this overview of the assessment,
6 but, basically, the main conclusions of the SSC and then our
7 catch recommendation going forward, and so we considered this
8 assessment the best scientific information available, and we
9 agreed with the stock status determination outcome of this
10 assessment.

11
12 As of 2017, which is the terminal year of data going into this
13 assessment, the stock was considered to be not overfished and
14 not undergoing overfishing, and Skyler already explained to you
15 that, of course, this not overfished stock status is due to the
16 new definition of MSST that you have adopted. If we were using
17 the old definition, the stock would have been considered
18 overfished.

19
20 The stock status, nevertheless, we know that the stock is in
21 very low abundance, and, if you remember, looking at her
22 trajectories of spawning stock biomass and total biomass over
23 time, this is the lowest point over the entire time series,
24 since 1986, that we have the red grouper stock biomass, and so
25 it's the lowest that it's been in a long time.

26
27 The stock has been impacted by a number of factors, most
28 prominently these intense red tide events that happened, the
29 2005 one that was very, very intense and then the 2018 that we
30 believe, and we don't know, and we don't have all the
31 information in hand yet, but we believe that this one was very
32 intense as well and comparable, similar, in intensity to the
33 2005 one, and that has impacted the stock greatly.

34
35 Despite the great work that Skyler did and all the results that
36 came out of this assessment, capturing the dynamics of red
37 grouper is difficult at this point. There are a number of
38 things that are going on that are not easy to understand. I
39 mean, all of us looking at the assessment outcomes can see that
40 there are things that are difficult for us to understand.

41
42 Poor Skyler, when she was at the SSC meeting, I asked her like a
43 ton of very detailed questions, kind of grilling her a lot, Dr.
44 Crabtree style, when Dr. Crabtree grills me, because a lot of
45 things that we wanted to understand, in terms of reconciling
46 what we see as the condition of the stock right now with the
47 stock status and the catch advice that's coming out of the
48 assessment, and some of these things, we believe, are due to

1 factors that may be impacting the dynamics of red grouper and
2 that are not being properly accounted for, because we don't have
3 the information, and we don't have the knowledge, of what those
4 things may be.

5
6 A couple of suggestions here from the committee is that continue
7 using the combined sexes for estimation of reference points, for
8 stock status determination, of red grouper, and there is some
9 research that is ongoing in the eastern Gulf that is looking
10 into factors that have to do with sexual transition and the
11 dynamics of mating in red grouper that might be informative for
12 us to try and explore into the future, as we look into future
13 assessments.

14
15 Another one is there might be other ecosystem-level factors
16 besides the red tide that might be impacting this stock that we
17 are not really being able to put our finger on, and so an easy
18 one that I think we all can think of is with the expansion, the
19 rebuilding, of the red snapper stock and the expansion of this
20 stock now kind of recolonizing the West Florida Shelf, the
21 eastern Gulf, that this has to have some impact on other species
22 that are there.

23
24 Questions that came up ten years ago, literally -- In 2009, we
25 did a big update of the original red grouper benchmark
26 assessment, and, at that point, we were asking these questions,
27 because we could see the red snapper stock beginning to rebuild,
28 and we already had these questions about potential impacts and
29 interactions among species, and so those are issues that the SSC
30 pointed out as potential contributions going into the future for
31 assessments that can have more information added to it.

32
33 Then I don't need to repeat this slide for you. Skyler did a
34 great job of explaining it, but, basically, this decision table
35 was something that really influenced the discussions of the SSC
36 in determining what kind of scenario are we going to look at in
37 making a choice for how we're going to determine the stock
38 status and then the catch advice coming out of the assessment,
39 and so the no 2018 red tide, which is the greener scenario
40 there, of course, is not realistic, and so, if we go with that
41 one, we run a very big risk of setting catch level
42 recommendations that would not be sustainable, and you can make
43 other assumptions, that 2018 was actually just half of 2014, or
44 equal, in intensity to the 2014 red tide, equal to the 2005
45 event, which is what the SSC chose, or double that.

46
47 Looking at different lines of evidence, we actually decided to
48 go with the scenario that the 2018 red tide event was similar in

1 intensity and scale to the 2005 event and pursued our
2 recommendations afterwards looking at that scenario.

3
4 Here is a table similar to what Skyler just showed you that came
5 out, and it's another format of that decision table, and one
6 thing to note is the left-most column there is you have a number
7 of potential scenarios for catch levels in pounds associated
8 with different probabilities of overfishing that I will explain
9 in a minute, but one point that the SSC wanted to make is that,
10 instead of adopting, like we usually do, projections, like five-
11 year projections or three-year projections, coming out of the
12 assessment, that, to avoid that spike --

13
14 Remember that, just now, when Skyler showed you those
15 trajectories of projections, that there was a spike there, and
16 then they kind of level off. I don't know if you want to see
17 that again, but it's Slide 12 in -- If Skyler's presentation is
18 still handy, and I don't know if it is, but it's Slide 12 in her
19 presentation.

20
21 You can see -- Remember that I mentioned yesterday an issue that
22 the SSC is working with the Science Center and other partners on
23 in discussing and trying to determine what is causing our
24 projections coming out of the assessments that we conduct to
25 have that spike that basically could be overestimating the
26 productivity of the stock, or there is something informing the
27 model that that first year after the terminal year of data
28 that's going into the assessment is going to be better than it
29 usually turns out to be later on.

30
31 To avoid that spike, the SSC decided to use an average, and not
32 use the projections as an annual yield stream coming out of
33 there, but just use an average of the period, 2020 to 2024, and
34 so five years, and average those years, to actually avoid having
35 to deal with the spike.

36
37 This is why you see there that instead of -- Usually we give you
38 a number of years, like either three years or five years, and we
39 give you yield streams with catch levels, OFL and ABC, per year,
40 and we're giving you just one set of numbers there, and it's an
41 average for the five years.

42
43 The top one is actually an average using the 2005 red tide as
44 being similar to 2018, and, at the 50 percent probability of
45 overfishing, which is determined by our ABC control rule, if you
46 may remember, and so it's sort of risk neutral there, and that
47 50 percent is what we consider the OFL. That is the 5.35
48 million pounds.

1
2 Then, at the bottom, instead of going with the level of
3 probability of overfishing that we used last time, and I think
4 it was 0.42, for the last assessment, considering the condition
5 of the stock as it is, considering that there are uncertainties
6 associated with this assessment that we're not being able to
7 account for, we decided to go down to a probability of
8 overfishing for an ABC of 30 percent.

9
10 We wanted to go below what we used last time, but still stay
11 within what you told us was the range of probability of
12 overfishing that you found acceptable, and so the highest one is
13 0.5, and that's the OFL, and then you gave us the flexibility to
14 go up to 0.3, to 30 percent probability of overfishing, as we
15 make our ABC recommendations.

16
17 With that, the very top there, the 5.35, would be our
18 recommendation for OFL. Again, it's just one number over the
19 next several years, and, at the bottom, the 4.9 million pounds,
20 is an ABC recommendation, and that has a 30 percent probability
21 of overfishing.

22
23 You can see there the proportion of the red grouper population
24 that was estimated to have been killed by the red tide as you
25 look at those different scenarios, and that's something that we
26 felt helped us make a choice here on which one of those
27 scenarios we would go with, and we went with 2005.

28
29 Just to wrap it up then, OFL was the 5.35 million pounds at a 50
30 percent probability of overfishing, and the ABC of 4.9 million
31 pounds gutted weight at a 30 percent probability of overfishing,
32 and Skyler and Ryan already explained that these new numbers are
33 using the FES-adjusted MRIP data, and, as I explained, these
34 numbers, the catch advice for OFL and ABC, are based on the
35 average yield from projections in this assessment using the
36 current sector allocations and assuming that the red tide in
37 2018 was similar to the impact of the red tide in 2005.

38
39 In terms of assumptions on the allocations, the SSC discussed
40 this a little bit, and Skyler had come to our meeting actually
41 prepared to show us different scenarios of what different
42 allocations could look like, but the committee felt that
43 allocation is strictly a council function and that we did not
44 want to overstep our charge, and we decided to go with a
45 recommendation that uses the current allocation scenario, the 76
46 commercial and 24 recreational, and leave it up to you to then
47 proceed with a different recommendation as you see fit. That,
48 Madam Chair, completes my presentation.

1
2 **CHAIRMAN GUYAS:** Thank you. Are there questions for Dr.
3 Barbieri about the SSC report? Clay.

4
5 **DR. PORCH:** Maybe more a comment. I just want to take some of
6 the mystery out of that big jump-up in the first projection
7 year. One, it looks worse than it is, because the scale of that
8 graph started at four million pounds, and so it makes it look
9 like the current catch is really low and then jumps up a lot,
10 but the other thing is you have to remember that these are
11 projections to get the OFL -- That means they assume that the
12 fishing mortality rate would be the reference point at 30
13 percent SPR, whereas the assessment has estimated, in recent
14 years, the fishing mortality rate has been a lot lower than
15 that, and it attributes a lot of the mortality to the red tide
16 event in 2014.

17
18 The bottom line is the assessment estimates, in 2017, that the
19 fishing mortality rate is well below F 30 percent SPR, but, to
20 calculate OFL, the overfishing limit, you would assume then that
21 the fishing mortality rate has to go up to F 30 percent, the
22 reference level, and so, if you increase the fishing mortality
23 rate, then, of course, the catch is going to go up, and so that
24 explains a lot of the reason that you're getting that jump-up.

25
26 **CHAIRMAN GUYAS:** Leann.

27
28 **MS. BOSARGE:** Luiz, when you all reviewed the MSE, your data
29 went through 2017, because you did it in 2018, because we
30 implemented it in 2018, that emergency rule, and, when you all
31 looked at the limited data through the 2017 terminal year, you
32 all came up with a very different picture than what the stock
33 assessment did.

34
35 You didn't take into account the 2018 red tide either, and you
36 were looking at 2017 and back, and you all came up with about
37 four-point-something million for an ABC, 4.3 or something,
38 whatever it was, and what was the big positive thing that
39 happened in this stock assessment to make this model look it
40 through 2017 and come out with eight-point-something million as
41 an ABC, before we start buffering it down for the qualitative
42 indexes that we have for red tide? Where is the difference?

43
44 **DR. BARBIERI:** It's funny that you ask this question, because
45 this is one of the questions -- It was one of my first questions
46 for Skyler when she came to the SSC meeting, and it was almost
47 exactly like this. This is what I mean by trying to reconcile
48 what we see as a condition of the stock, and we use fishery-

1 independent indices and the level of landings from the fishery-
2 dependent information, and I was trying to make sense of that
3 and how the -- Not necessarily the stock status even, but the
4 catch advice that was coming out of that assessment could be so
5 different, even if we were to ignore the 2018 red tide event.

6
7 Those are the things, and maybe Skyler can come and explain some
8 of this, but she talked and showed us some information about
9 recruitment coming in and a slug of younger fish that had been
10 showing up in some of the indices and in some of the catches and
11 that, working through, they are beginning to show up and project
12 that they will continue showing up and increasing the
13 productivity of the stock during this time period, because
14 stocks go up and down like this as they get inputs of
15 recruitment all the time.

16
17 Without going into detail, and I will have to rely on her to go
18 into more detail, but those things -- We looked at the whole
19 distribution of recruitment inputs and the deviations of those
20 over time, and we tried to get completely into the weeds,
21 because we are not really understanding what was informing the
22 model that this was the case.

23
24 I think that she came up with a very reasonable, likely
25 explanations, but, still, I think that there are issues here
26 that are going on, and this is a single-species stock assessment
27 that is very data rich, when you look at all the information
28 that is going into it, but there is a lot still, at the
29 ecosystem scale, that we are missing that is not being input
30 here, because there's information that we don't necessarily have
31 our hands on to be able to input into this assessment to account
32 for why this is happening.

33
34 **CHAIRMAN GUYAS:** As one of those factors that may be influencing
35 the assessment, did you all discuss maybe how FES has changed
36 the game here? Skyler didn't show the graphics of how the
37 recreational catches and discards change, but they become very
38 peaky, but can you talk about that?

39
40 **DR. BARBIERI:** Yes, and I'm not sure if I'm going to have a
41 whole lot of reasonable answers for you there. Again, and
42 Skyler may remember, those are some of my questions, and I asked
43 several of them, because I was curious as well about the impact
44 of how the FES-calibrated data would have into this assessment,
45 and, being familiar with the structure of how assessments are
46 set up, I had been thinking about how the model was going to
47 interpret a new data series from one sector only that would
48 completely change the balance of the different fleets that go

1 into this model and that this would have some impact.

2
3 Skyler explained that, in the new version of SS 3 that is being
4 used to run this assessment, you actually have the ability to
5 use a larger coefficient of variation, larger band of
6 variability there, in the data that goes into fitting the
7 landings, and they used a CV of I guess it was 30 percent, and
8 that CV would give the model then more flexibility in either
9 considering or ignoring some of that data, depending on how well
10 it would fit into all of the other data sources that are coming
11 in, and so that, in my view, explains some of what happened, but
12 it's not intuitive to us to then determine, because, at some
13 points, the model may be not considering as much, as certain,
14 that recreational data, and, because of that, it may be ignoring
15 it at times, and it's hard to tell what the impact of this new
16 data series had, but I'm still scratching my head as well and
17 trying to understand.

18
19 I mean, this is like a moving surface that you end up with these
20 models, and it's like a Etch-a-Sketch, but, instead of having
21 two knobs that go up and down and left and right, you have
22 sixty-five knobs that go into different dimensions, and so
23 reconciling all of this is really, really difficult, with
24 different data sources going in, but a big question-mark.

25
26 **MS. BOSARGE:** I will be quick, Martha. I think the key to
27 starting to understand that is -- That's why I asked could we go
28 back and change that one preliminary input into SEDAR 42. Not
29 this assessment, but the one before, and actually understand
30 where we were then, because that's what we have to compare to.
31 How much did our virgin biomass, starting biomass, whatever,
32 change when we changed this large input?

33
34 What effect did it have, and, right now, we can't tell, because
35 the old assessment had that error, but, if we can go back and
36 rerun that old assessment, and I'm not saying it will answer all
37 the questions, but it will sure give us a base to compare to, to
38 get a better understanding of what is driving this assessment.
39 What is so positive in this assessment that it's trying to give
40 us an eight-million-pound ABC, when we're landing about three
41 million? Something is off. Even when you go back to 2017,
42 that's the case.

43
44 **DR. BARBIERI:** There are issues, and I think the SSC had this
45 discussion regarding the FES-calibrated MRIP data, and we still
46 are trying to understand -- This is our first stock assessment
47 coming before the SSC that is using these FES-calibrated data,
48 and the new MRIP, the MRIP that has the revised and updated

1 APAIS and the revised and updated -- It has the FES instead of
2 the Coastal Household Telephone Survey, and the new MRIP is
3 better. It's a better survey. That is unquestionable.

4
5 However, it also produces results that are somewhat different
6 than what we used to see. For example, the error bars, the
7 variability, the coefficient of variation, the proportion
8 standard error, around the data is actually larger now than it
9 used to be.

10
11 This may be not necessarily a bad thing, and maybe we're having
12 PSEs that are now more realistic to the high variability in the
13 data, but you can imagine how stock assessments would read data
14 that is so highly variable with a high confidence interval and
15 try to interpret that.

16
17 Another thing is that the data is no longer smoothed over time,
18 and so you're going to see that there is jagged ups and downs.
19 The peaks are higher, and the valley are lower, and so there is
20 quite a bit more variability.

21
22 Again, realistic for the estimates that are coming out of the
23 MRIP, but how the assessment uses and interprets this
24 information is bound to be a different, and so I think that the
25 committee is still trying to grapple with all of this and trying
26 to understand how these different factors may be impacting the
27 way that the models run and the way that that produce the
28 outputs.

29
30 **CHAIRMAN GUYAS:** Ryan.

31
32 **MR. RINDONE:** Thank you, Madam Chair, and I just wanted to
33 expand on something that Skyler had said earlier about that
34 eight-million-pound estimate. That eight million pounds is in
35 FES and not APAIS, and so it's larger than what we're using to
36 seeing for this particular stock, as far as a catch
37 recommendation might go, and it's also assuming that
38 recruitment, catchability, selectivity, retention, discard
39 mortality, that all of those things remain constant over that
40 eight-year reference period of 2010 to 2017, and there is a
41 recruitment spike that is predicted in 2013, which brings that
42 average recruitment a little bit higher than the surrounding
43 years.

44
45 If you were to remove that 2013 recruitment event, which, as
46 Skyler had said, the model is predicting is really coming into
47 its own in the stock in 2017, 2018, 2019, and so forth, then the
48 recruitment would be -- It would be pretty poor, and that event

1 is important, and that's why she had recommended caution in
2 looking at that number, is because there's a lot of reasons why
3 it's as high as it is, but that's also why the SSC didn't think
4 that that number represented reality, because it also doesn't
5 account for that 2018 red tide event, which is predicted to have
6 killed as much as 34 percent of the entire stock.

7
8 When you take all of those additional factors, the move from
9 APAIS to FES, the red tide, the 2013 recruitment event, and you
10 think about that when you're looking at that eight-million-pound
11 projection level, it becomes really nonsensical at that point,
12 and that's why the SSC converged on the catch recommendations
13 for you guys that they did.

14
15 **CHAIRMAN GUYAS:** Clay.

16
17 **DR. PORCH:** I will second what Ryan said, and, on top of that,
18 you're assuming the fishing mortality rate is going to go all
19 the way up to the reference point to calculate an OFL, but the
20 other point that I wanted to come to was what the assessment,
21 back in SEDAR 42, would have been had we not had that early
22 substitution of too high catch numbers, and I think actually
23 there was a run, and maybe Skyler can come up, but, as I recall,
24 that takes into account almost all of the scale difference
25 between the two, but you can get a feel for it, just from the
26 difference in ACL advice for how much it would have been.

27
28 To me, it seems to be a little bit of a red herring to go back
29 and show what it would have been had we run that assessment with
30 the right numbers, and the current assessment is the best
31 available scientific information.

32
33 **DR. SAGARESE:** Just one thing to point out with that SEDAR 42
34 assessment is the model that was reviewed at the assessment
35 workshop did not have that error in there, and so the catch
36 advice, essentially the MSY that it was estimating, was around
37 seven million pounds.

38
39 It wasn't until the review stage where that model changed and
40 that error was made, and then that MSY comes out to about
41 fifteen million pounds, and so, when you look at the model that
42 was presented to the assessment panel, it was much more similar
43 in line with what we see with this assessment and with past
44 assessments, and so, in general, the red grouper assessments
45 generally estimate an MSY around seven or eight million pounds,
46 and so that increase that was noted with the issue -- You can
47 sort of go back in time and see came out of the other
48 assessments.

1
2 **CHAIRMAN GUYAS:** All right. Any other questions for Dr.
3 Barbieri or for Skyler? All right. Next, we're going to jump
4 around a little bit, and we're going to go to the AP report, and
5 Ryan is going to take us through that.

6
7 **REEF FISH AP RECOMMENDATIONS**

8
9 **MR. RINDONE:** Thank you, ma'am. Dr. Sagarese gave a similar
10 presentation to the Reef Fish Advisory Panel, and, in Tab B-9 is
11 where we have their summary, and, if you go to page 3, the top
12 of page 3, you can see the catch level recommendation that the
13 AP provided.

14
15 The AP talked at length about the difference between the FES and
16 APAIS data currencies and their effect on catch recommendations
17 for red grouper, and they ultimately settled on a unanimous
18 motion to recommend that you guys set the ACL for red grouper at
19 3.5 million pounds gutted weight in MRIP APAIS currency, and I'm
20 adding that word "currency" in there, and adjust accordingly in
21 the future, and so their intent was that, based on the catch
22 levels that they are used to now under the APAIS-adjusted MRIP
23 currency and what they have been landing, and they thought 3.5
24 million pounds represented a responsible catch level, and so,
25 whatever that up-converts to under FES is what they thought
26 would be appropriate.

27
28 Further, they recommended to support the council's request for
29 an annual red grouper interim analyses for the next few years,
30 for use in providing updated catch recommendations, and they had
31 made this recommendation to you all just based on the fact that
32 red grouper show exceptional vulnerability to red tide, and they
33 have very intermittent recruitment, and it's unpredictable when
34 a good year class may come through, and so it was a good idea to
35 have pretty high resolution on what's going on with this
36 particular species. Madam Chair.

37
38 **CHAIRMAN GUYAS:** Are there any questions about the AP
39 discussion? If we need to, we can call Captain Ed Walker up
40 here again. Is everybody all right? Okay. In that case, we
41 will bounce back to the slides that I think, Sue, you're going
42 to present?

43
44 **MS. GERHART:** Well, actually, Dr. Crabtree was going to do that.

45
46 **CHAIRMAN GUYAS:** Nice.

47
48 **DISCUSSION OF ALLOCATION IMPLICATIONS**

1
2 **DR. CRABTREE:** Okay. I just wanted to say a few things about
3 the allocation implications. One is we've been through -- This
4 assessment uses the FES landings, but, as Luiz said, the
5 projections are based on the status quo allocation, which is 76
6 percent commercial and 24 percent recreational. That is based
7 on the old MRIP data.

8
9 What we have now is a new set of recreational landings that are
10 considered the best available landings estimates, and so, to
11 maintain internal consistency, we need to define the allocation
12 based in similar currency to what the ABC is based on, because
13 changing the allocation will change the projections and change
14 the ABCs, because the selectivities are a little different in
15 the recreational and commercial fishery.

16
17 This is just sort of a hypothetical example of how, in a very
18 simple way, this kind of could play out, and so assume you had a
19 fishery with just two sectors, A and B, and, to the best of your
20 knowledge, the fishery is in good shape, not overfishing and not
21 overfished, and everything is right where it should be, and so
22 you have each sector catching 100 pounds a year, and the ACL is
23 200 pounds, and the allocation is 50/50.

24
25 Now, just say, hypothetically, you somehow discovered that in
26 fact one sector has actually been landing 200 pounds all the
27 time along, and so now the ACL would be 300 pounds. If you were
28 to maintain the 50/50 allocation though and not update it based
29 on the new perception of landings, you would end up with each
30 sector being allocated 150 pounds.

31
32 One sector would take a fifty-pound cut, and the other would get
33 a fifty-pound increase, but, if you shifted the allocation to
34 reflect the new understanding of the landings, it would switch
35 the 67 percent Sector A and 33 percent Sector B, and each sector
36 would be continuing to catch what they historically have caught.

37
38 At least in my view of the world, I consider maintaining the
39 allocation at 50/50 to in fact be a reallocation, because you
40 are in fact changing the historical mix of the fishery, whereas
41 adjusting the allocation to reflect the new landings maintains
42 the historical mix of the fishery, which was the goal of your
43 allocation, and so that's an admittedly simple example.

44
45 These are the landings that we're using now, and these are the
46 FES-adjusted landings. The current allocation comes from
47 Amendment 30B, which was put in place I think in 2006 or 2007,
48 and the allocation was based on the mix in the fishery during

1 the years 1986 through 2005, and so that's a nineteen-year
2 period, and I don't believe that the Florida trip ticket system
3 broke down species of grouper by species prior to 1986, and so
4 you really can't go further back in time than 1986.

5
6 When we put in place 30B, back then, I think 2005 was probably
7 the last year of data we had at the time, and so, if you take
8 the time period and you then use the landings that are used in
9 the assessment with the FES landings, you come up with an
10 allocation of 40.5 percent recreational and 59.4 percent
11 commercial, and so that's the shift that results from using the
12 updated landings that are now considered the best available,
13 but, if you maintain the intent of the allocation in Amendment
14 30B, which was to maintain the mix in the fishery at that time,
15 based on these new estimates in the new assessment, that's what
16 that mix in the fishery at that time was.

17
18 Skyler has rerun the projections, and you used the new outcome
19 of the allocations, the 59.4 and 40.5, and these are you come up
20 with -- This is using all of the other factors that follow what
21 the SSC did, the red tide equal to 2005 and the same
22 probabilities, and you end up with an OFL of 4.67 million pounds
23 and an ABC of 4.27 million pounds and a recreational ACL of 1.73
24 million pounds, and that's in FES terms, and a commercial quota
25 of 2.54 million pounds.

26
27 Now, there are lots of different ways that you can slice this
28 and look at it, but, to me, that's the most straightforward
29 application of what was the intent of Amendment 30B and the new
30 assessment and the best available landings that we have, and I
31 think that's everything I had to present.

32
33 **CHAIRMAN GUYAS:** John.

34
35 **MR. SANCHEZ:** Should we be cautious in assuming that events and
36 things that we're looking at, observations that we're making
37 today, relate directly to things that happened potentially all
38 the way back to 1986, and is that problematic, potentially?

39
40 **DR. CRABTREE:** Well, I mean, clearly, there is uncertainty in
41 all of this. The recreational catch estimates are not known
42 with certainty, and the assessments don't give you answers that
43 are known with any certainty, and so I would say you should be
44 cautious with all of this, but these are the best estimates that
45 we have and what has come out of the new assessment.

46
47 **CHAIRMAN GUYAS:** Tom.

48

1 **DR. FRAZER:** When Luiz was giving that talk, and they were
2 basing the OFL and the ABC on the old allocation, and so you had
3 an OFL of 5.3 million and an ABC of 4.9, but you had an ACL
4 suggested at 4.3 in this figure here, your ACL and your ABC are
5 the same, and is there a reason for that, and is there no buffer
6 between the ABC and the ACL?

7
8 **DR. CRABTREE:** Yes, that's my understanding, that there's not
9 any buffer set between the ABC and the ACL, and so what you see
10 is, I think, right now, with the emergency rule, the commercial
11 quota is set at three million pounds, and so this comes down
12 somewhat from that, and the recreational ACL is one million
13 pounds, and so it goes up some to reflect the new FES data.

14
15 **MR. RINDONE:** Just to that point, red grouper uses annual catch
16 targets for setting the seasons and issuing the IFQ quota, and
17 the difference between the ACL and the ACT is 8 percent for the
18 recreational sector and 5 percent for the commercial sector, and
19 so the ACTs for those would be just a hair lower.

20
21 **CHAIRMAN GUYAS:** Leann, did I see your hand a minute ago? Go
22 ahead.

23
24 **MS. BOSARGE:** Under the current allocation scheme, we get an OFL
25 of 5.34 million pounds, which converts to an ABC with a
26 probability of overfishing that the SSC wanted of 4.9 million.
27 If you were to reallocate this fishery by the percentages you
28 said to the recreational sector, why are we all worse off? Why
29 do have a lower OFL, 4.6 million pounds, and a lower ABC of
30 4.27, versus the five-point-three-something and the 4.9?

31
32 **DR. CRABTREE:** It comes down, because the -- When the
33 projections go forward, the projections assume the catch limits
34 are caught, and so you're telling the projections how much of
35 that is recreational and how much of that is commercial. The
36 recreational fishery catches smaller fish, on average, than the
37 commercial fishery has, and so I guess you lose some yield per
38 recruit from it, and the catch levels come down a little bit. I
39 don't know if you want to --

40
41 **MS. BOSARGE:** Well, this will actually argue in favor of the
42 recreational fishery, but that's confusing to me. So you're
43 saying it's actually better for the stock if you catch the
44 bigger fish, which are the bigger spawners, than to catch the
45 little fish?

46
47 **CHAIRMAN GUYAS:** Clay.

48

1 **DR. PORCH:** You're still fishing at the SPR level, but then
2 buffered down by the ABC. It's just that, if you're going to
3 catch smaller fish, then you need to decrease the TAC that would
4 get you to that same SPR level, because you're changing the mix
5 of fisheries, and so remember we're trying to get to an SPR of
6 30 percent. That's the target, and, if you're going to catch
7 smaller fish, than you've got to decrease the weight of the
8 quota to get you to that SPR of 30 percent.

9
10 **CHAIRMAN GUYAS:** So, right now at least, and it's been for the
11 past couple of years, the commercial size limit is lower than
12 recreational, and I get that they catch bigger fish, because
13 they're further out, but has that -- Is that still the case,
14 given that lower size limit? Okay.

15
16 **CHAIRMAN GUYAS:** Leann, I can see your hand itching over there.

17
18 **MS. BOSARGE:** In Roy's example, even the sector's whose
19 percentage of allocation goes down, they end up staying neutral,
20 and they get to catch as many pounds as they did before, right,
21 and the quota in pounds stays the same, in your example, but
22 that's not what is happening here.

23
24 **DR. CRABTREE:** No. In my example, there is no red tide, and
25 there is none of that effect, but, if you look at that, they
26 were catching 200. When one side's estimate changed up, the
27 actual ACL went up from 200 pounds overall, and it goes up to
28 300 pounds overall.

29
30 Now, this situation is more complicated, because we're building
31 into this the assumption that a large fraction of the population
32 died because of red tide, but, generally speaking, what you're
33 going to see with bringing the FES data into it is the model is
34 going to say, okay, more fish were caught overall, and so the
35 population is larger overall, and it will generally scale up the
36 total allowable catch some.

37
38 Now, it's not linear over time, and so it won't be one-to-one,
39 but I think, as you run assessments using the FES, as a rule of
40 thumb, you're going to get larger estimated population sizes and
41 larger total allowable catches. This is just a special example,
42 because you have other things going on, with red tide and all,
43 that are unrelated to all of this.

44
45 **MS. BOSARGE:** One more question. What were FES recreational
46 landings last year? Do you have that? Then what were
47 commercial landings last year? I know that's not changing, but
48 I don't have it in front of me. I want to compare it to what

1 the quota is going to be, possibly be, if we make this change.

2
3 **MS. GERHART:** If you look on the bottom of this slide here,
4 those are the 2018 landings, 2.05 million pounds, in FES
5 numbers. The commercial landings were 2.36 million pounds.

6
7 **DR. CRABTREE:** The bottom line is, last year, the commercial
8 caught a little less than what comes out of this, and the
9 recreational caught a little more, and so, if the recreational
10 catch rates stay where they are, or even increasing, because the
11 stock is growing, they would likely end up triggering an
12 accountability measure.

13
14 If we're seeing some recovery in the population, and I have had
15 fishermen tell me that they're seeing small fish, and, to the
16 extent that happens, then I suspect the commercial fishery will
17 come closer to catching their full allocation, and the
18 recreational catch rates will certainly go up.

19
20 **CHAIRMAN GUYAS:** Sue.

21
22 **MS. GERHART:** Again, to remind you of what Ryan pointed out,
23 it's that these percentages that you're seeing on the screen are
24 percentages of the ACL, and we currently have ACTs in place for
25 both sectors, and so the actual -- The amount of quota that
26 would be given out through the IFQ program, as well as the
27 projections for the recreational season, would be based on lower
28 numbers than you're seeing there.

29
30 **CHAIRMAN GUYAS:** On that note, when -- The last time, five years
31 ago, I guess it was, when the fishery was peaking, at least on
32 the recreational side, and they were bumping up against the --
33 They were hitting the quota, actually their ACT, and closing
34 early, and the feedback that we got from the recreational
35 grouper fishery was whatever we need to do, basically, to keep
36 the fishery open late in the year, right, and so I guess,
37 depending on where we go here, we may need to consider, of
38 course based on how people react to this, and I think we may
39 need to consider management changes, or at least that may need
40 to be something on the table for the recreational side, and I am
41 just putting that out there for people to think about, because
42 what we've heard in the past, particularly in southwest Florida,
43 where the heart of this grouper fishery is, is fishing late in
44 the year was important to them.

45
46 For those on the council, you may remember that we ended up
47 dropping the bag limit from four to two, and we got rid of that
48 wonky accountability measure, where it went up and down and was

1 very confusing, and so I just put that out there as something to
2 think about, another confusing item. Leann.

3
4 **MS. BOSARGE:** We sort of went through this same exercise when we
5 got the great quota out of that last stock assessment, when it
6 says, hey, you can increase everything. Some of the people were
7 saying, no, no, no, don't do that, and this stock is not in a
8 good situation, and then the recreational sector said, hey,
9 we're closing early, and we're catching our fish, and you need
10 to increase that quota.

11
12 That's kind of what we're about to do right here. We're going
13 to make sure they stay open all year, and, yet, we just got a
14 stock assessment that said this thing is not in good shape, and
15 you may have a small closure, Roy, if you have 2019 landings
16 that look like 2018.

17
18 Right now, what we just looked at on the MRIP, when you look at
19 the old system, old MRIP quota and old MRIP landings, they're at
20 50 percent of their quota for the year, and that's apples to
21 apples. That's MRIP quota to MRIP landings. Something just
22 doesn't jive to me here.

23
24 **CHAIRMAN GUYAS:** Maybe to clarify what I just said, I think the
25 question for the recreational sector would be how do you want to
26 take that cut? Is it going to be an early closure every year,
27 like an ACL closure or an early ACT closure? Do you want to
28 mess with the bag limit? Do you want to have a closed season?
29 That's the question that I put out to recreational folks. If
30 we're going to have to go down this road, they're going to see
31 some cuts, and how do they want to take that cut?

32
33 In the past, the feedback that we've gotten is they want as long
34 of a fishery as they can have, and that may not be the case, now
35 that the fishery is at a two-fish bag limit, and we've had red
36 tide impacts, but I think it's something that we're going to
37 have to ask. Roy.

38
39 **DR. CRABTREE:** I think the last time there was a recreational
40 closure was 2015, and so they haven't had a closure in some
41 years, and I don't -- I am not sure how to read your comment,
42 because what we're looking at now is there likely would be a
43 recreational closure, all things equal.

44
45 Well, that's because we have lowered the quotas, and this,
46 essentially, maintains lower quotas, and the information we have
47 is the stock is not in that great shape, because of the
48 implications of the red tide, and so they're looking at likely

1 shorter seasons, and the commercial guys are looking at probably
2 a small reduction in what they're able to catch.

3
4 Now, you can go below this, if you feel like the stock is in
5 worse shape and you want to be more aggressive in making
6 reductions, and these are sort of the upper bounds that come out
7 of the assessment, but you could be more conservative. If you
8 choose to reopen the whole allocation game, and look at some
9 alternative basis for allocation or some alternative sets,
10 you're free to do that through a plan amendment, but we've just
11 tried to offer to you, if you stick with the new assessment and
12 the new landings and the allocation on the books, here's the way
13 it comes out, and, to me, it's not really anything that
14 surprising about it. It comes out about where you might expect
15 it to.

16
17 **CHAIRMAN GUYAS:** John.

18
19 **MR. SANCHEZ:** I think, in this fishery, we've seen this before,
20 where we have had episodic mortality associated with red tide
21 events, throughout, I guess, history, and we have also seen
22 smaller fish, which we're seeing again, and I personally have
23 seen a lot of small red grouper and not been able to catch some
24 keepers, nearshore and offshore, where I'm at, in south south
25 Florida, and I'm hearing that from everybody I know that fishes
26 recreationally as well.

27
28 There is a lot of small fish, and maybe we're in one of those
29 year classes that is where, in a little bit, they will be
30 entering the fishery, and this will kind of do what it's done
31 historically, which is we have seen this happen before. We've
32 seen this show before.

33
34 Reallocating right now, with all these things going on, I don't
35 know if it's the thing exactly to rush to judgment on, but I
36 also recall, during some prior discussions, which weren't in
37 this fishery, and it was in king mackerel, some of my colleagues
38 said there was some value to leaving fish in the water, and so
39 maybe we should leave some fish in the water and not rush to
40 reallocate.

41
42 **CHAIRMAN GUYAS:** Leann.

43
44 **MS. BOSARGE:** I have been looking at this, but let me be clear
45 that I'm not endorsing changing our ABCs and everything without
46 an amendment that goes through allocation. We have an
47 allocation on the books, and we can't pass some motion today
48 that changes the allocation that's on the books.

1
2 Now, if I thought that we might do that with every species, and
3 simply plug the new numbers into the historical time series for
4 that allocation, maybe I could follow that logic, but, when we
5 get to the other species, I know good and well that won't be the
6 case. We're going to want to look at every single year and
7 determine what is the correct time series.

8
9 When you look at mackerel, do you think we're just going to plug
10 it in and have it be the new allocation, because, even with
11 increased recreational catches, you are probably going to shift
12 allocation to commercial. It won't happen. We'll go through an
13 allocation amendment, and we've already talked about, with red
14 snapper, we're not just going to plug it in, and we're already
15 talking about what is the appropriate years to look at. We have
16 been through this discussion of how do we look at that.

17
18 I can't see where we do anything different than what either the
19 SSC recommended for an OFL and an ABC in a document or
20 continuing with the emergency rule OFL and ABCs and ACLs that we
21 have without going through an allocation amendment, and I don't
22 see how you can just change what's on the books, based on a
23 motion. You have to go through an amendment.

24
25 **CHAIRMAN GUYAS:** Roy.

26
27 **DR. CRABTREE:** No one is suggesting that, Leann. You have to go
28 through an amendment process to change it, but, back to John's
29 comment about changing the allocation, I think the appropriate
30 way to look at this is, if you stay at 76/24, you are
31 reallocating this fishery.

32
33 That is a de facto reallocation, which I would caution you not
34 to do, because I think it would be indefensible. If you shift
35 to the 40.5 and 59.5, I think that is consistent with your prior
36 determination about the basis of the allocation, but, to put
37 that on the books -- I will defer to Mara, but I think you will
38 have to do a plan amendment to do that, and so you are going to
39 have to go through the process, but I think you could
40 potentially -- If that's what you're going to do with the
41 allocation, you may not have to evaluate a wide range of
42 alternative allocations. You may able to just say this is
43 what's on the books, and this is with the new data, and that's
44 the allocation we're going to use. That is up to you.

45
46 Now, I wouldn't hazard a guess as to what you're going to do
47 with all these other species, or king mackerel, and you're going
48 to have to figure that out. I can tell you that you have some

1 species, like red grouper, where you have a reasonably robust
2 timeframe that the allocation is based on. It's nineteen years,
3 and it makes some sense.

4
5 You have other species, of which red snapper is one, that the
6 years that your allocation is based on are very difficult to
7 justify anymore, and it's 1979 to 1986. The current survey
8 doesn't support 1979 or 1980 anymore, and so it's not
9 straightforward to apply the calibration back to those years,
10 and that then leaves you with 1981 to 1986 or 1987, and I might
11 be missing a year, and that's a pretty short time period to base
12 an allocation on.

13
14 I think there is some degree of you're going to have to treat
15 each species a little different. Sometimes you may decide you
16 have a strong basis for staying with the years you have approved
17 in the past, but there may be other species where sticking with
18 the allocation on the books is a problem, because, for some of
19 these species, the allocation was put in place in Amendment 1,
20 back in 1990, and there was only a very short time series that
21 could be used to base an allocation on.

22
23 That may be a problem, but I think, in all of those cases,
24 you're going to have to go through some process here and make
25 some determinations, and, depending on the timing of this and
26 how it proceeds, you may well get the new interim assessment
27 before you actually get this implemented. If Clay and the
28 Center can deliver that relatively early next year, I think that
29 will be the case, and the interim rule, or the changes we just
30 made, will be in place until we're able to get this done.

31
32 **CHAIRMAN GUYAS:** John.

33
34 **MR. SANCHEZ:** Then the other concern I have is that, in pretty
35 much all of these instances, we have a finite universe of
36 participants in the commercial sector, but it's wide open on the
37 recreational side, and so it's kind of a no-brainer that, if the
38 quotas kind of remain the same over time, one group is going to
39 continue to grow, and, even though they are catching, seemingly,
40 the small bag limits, the universe of participants is going to
41 grow over time, whereas one is contained, and you're going to
42 forever be reallocating to the recreational from the commercial,
43 and so it's endless, and it's kind of going to go that way in
44 the long term, and that's concerning to me.

45
46 **CHAIRMAN GUYAS:** Dale.

47
48 **MR. DIAZ:** Kind of to what John is talking about, but I am

1 viewing it differently. I think we absolutely are going to have
2 to start a plan amendment to reallocate, because of what Dr.
3 Crabtree said. if we don't, then we have done a reallocation,
4 and so I think we have to do that, but, in my mind, like we're
5 talking about here with red grouper, I want this to be fair.

6
7 I would like for people, after reallocating, to be about where
8 they were before we plugged these new numbers in there, and I
9 was hoping that there would be a standard way where we could do
10 this for all of the species that we've got the new stock
11 assessments coming, but, as we talk about it around the table, I
12 don't know that that's going to be the case, and maybe it
13 shouldn't be the case, but I think we're going to do it with all
14 of these new stock assessments that we get. I don't see any way
15 around it.

16
17 **CHAIRMAN GUYAS:** I see you, Leann, and then I think we're going
18 to take a break.

19
20 **MS. BOSARGE:** Well, good, and so I'm going to end with an
21 apology, because I apologize. I thought -- If you want to go
22 through a plan amendment to look at allocation, I am good with
23 that. I saw OFLs and ABCs from the SSC presentation, based on
24 the stock assessment, and then the next slide that I saw was
25 OFLs and ABCs that we ought to implement, and I thought the
26 suggestion was -- Normally, we start a plan amendment to
27 implement whatever OFL and ABC comes out of our stock
28 assessment, and I thought that the implication here was, no, we
29 need to start a plan amendment that will implement this now. We
30 have an OFL and an ABC, and that's one thing we have to do.
31 It's a separate discussion to go through an allocation
32 amendment, and so that's great.

33
34 **DR. CRABTREE:** I apologize if I gave that impression. These are
35 simply -- I believe you likely will need to go back to the SSC
36 and get them to give this their blessing with this change in the
37 allocation formula, but, yes, you're going to have to go through
38 the appropriate vehicle, which I think Mara is saying is a plan
39 amendment, in order to implement all of this.

40
41 **CHAIRMAN GUYAS:** Real quick.

42
43 **MR. DIAZ:** So everything is about timing. Now we've got a stock
44 assessment in front of us, and the fishing year is fixing to
45 start, and a plan amendment takes a great deal of time to do. I
46 mean, as Sue said earlier, it's six to eight months once it gets
47 out of the council.

48

1 In reality, we're probably going to have to live with what we
2 have on allocations until we can push that through, which it's
3 probably going to be sometime in the late summer or fall of next
4 year, under the most optimistic, and this is going to happen
5 every time we get a stock assessment. We're going to have some
6 allocations that are not right, and it might not happen every
7 time, depending on when the fishing year starts, but, with some
8 of them, it's going to push into times when we have to live with
9 what we have for a while, until we can work through the process.

10
11 **DR. FRAZER:** We're going to take a fifteen-minute break.

12
13 (Whereupon, a brief recess was taken.)

14
15 **CHAIRMAN GUYAS:** We need to cover the draft format of the stock
16 assessment executive summary, and then, at some point, we'll
17 bring red grouper in for a landing, recognizing that we
18 obviously are not going to solve all of those problems today,
19 but, for the moment, I am going to pass it over to Ryan, so he
20 can talk about this executive summary.

21
22 **DRAFT FORMAT OF STOCK ASSESSMENT EXECUTIVE SUMMARY**

23
24 **MR. RINDONE:** Thank you, ma'am. This is Tab B, Number 7(d), and
25 this is something that the Science Center has been working on
26 with council and SERO staff, to try to briefly characterize the
27 biggest highlights in the stock assessment, and this is -- The
28 executive summary, as you might imagine, is designed to be
29 easily digestible by the largest swath of potential audience
30 members.

31
32 We have structured this thing in such a way to keep what folks
33 are most interested in right upfront, what stock we're talking
34 about and the stock status, and, as you move through the
35 summary, you will see the reference points, the SSC
36 recommendations, which, for red grouper, if this goes back to
37 the SSC, then that will get updated.

38
39 Then the socioeconomic considerations and red tide projections,
40 the data that were used in the assessment, the meristics of the
41 length-weight and age-length conversions and all of those things
42 that a lot of the staff find themselves using at various points
43 through the amendments. Then recruitment, landings, discards,
44 and, at the very end, that table that has the commercial and
45 recreational landings in pounds by fleet in the FES-calibrated
46 MRIP landings and effort.

47
48 What we're looking for from you guys is feedback, and just as

1 far as structure, information, content, things like that, things
2 that we might be able to do to revise this to be as useful as
3 possible. We intend to work with the Science Center in
4 producing these for every stock assessment, and so are there
5 thoughts?
6

7 **CHAIRMAN GUYAS:** I guess I first would say thanks for putting
8 this together. It is much better to go through a nine-page
9 document versus a 500-page one, and so I will just start there
10 and say that, but, yes, we're looking for feedback on this from
11 the committee.
12

13 **MR. RINDONE:** Dr. Sagarese and Dr. Stevens, Molly Stevens,
14 worked very hard in putting this together, and so a big hat-tip
15 to them.
16

17 **CHAIRMAN GUYAS:** Leann.
18

19 **MS. BOSARGE:** My feedback would be there are some nerds in the
20 room that still like to read the big assessment, and they might
21 like to start here, but read the 400-page one, and so if there
22 could be a link, like somewhere, because, usually, we're reading
23 this on the computer, and so if there could be a link somewhere
24 at the beginning of the summary that you could just click, and
25 it would take you to the full assessment from the summary,
26 straight to the full assessment, where you could dig into the
27 data, and I have not read the summary, because I read the big
28 assessment, and you may have that in there already, but that
29 would be my word of advice.
30

31 **MR. RINDONE:** We actually have that at the end of the summary,
32 before that appendix table, at the bottom of page 7.
33

34 **CHAIRMAN GUYAS:** Kevin.
35

36 **MR. ANSON:** I think it's good. It's, obviously, a lot of work
37 to condense the salient points down into a rather short
38 document, as documents go for the council, and I just wanted to
39 follow-up. It was mentioned that Dr. Sagarese had used some of
40 her presentation to really expound upon the responses that came
41 from the Something's Fishy application, or tool, and so I wanted
42 to reach out to Emily and say kudos for getting that off the
43 ground and trying to get some support through the fishermen in
44 the community to engage in that.
45

46 Certainly there's a lot of skepticism out there on the science
47 and such, and so I saw -- I was keeping up with some of the
48 Facebook postings, and I saw it was a little bit of a challenge

1 to encourage folks and to get them to buy-in, so to speak.
2
3 I think if we can somehow, not necessarily in this document, but
4 I don't know if you were going to do something that would help
5 to explain and condense some of the points that Dr. Sagarese had
6 brought up that were helpful as the assessment folks were
7 looking at those responses and trying to, again, reconcile some
8 of the later time series and some of the data they were looking
9 at and then using their responses to help kind of fill in the
10 gaps, if you will.

11
12 I think that would be helpful in at least relaying that out to
13 those that did respond specifically, if you've got contact
14 information for those. If you come up with that post, you can
15 say, hey, thanks a lot for participating, and please read the
16 summary, and then that would get out also to the general fishing
17 community for the next time the Something's Fishy comes along,
18 and there might be some more -- Less skepticism, I guess, and,
19 more buy-in, and so I think that would be helpful, if you could
20 spend a little bit of time and do that, Emily, and I appreciate
21 it.

22
23 **CHAIRMAN GUYAS:** Any other feedback? Carrie.

24
25 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Madam Chair. Is this
26 going to live in front of the full assessment report, or is it
27 going to be a standalone document?

28
29 **DR. SAGARESE:** My understanding, after talking to Julie, is this
30 can't be amended at the beginning of the SEDAR stock assessment
31 report, but, on the SEDAR website, under the post-SEDAR
32 material, we can post this summary, as well as Molly also
33 developed a one-pager that is like a really succinct summary of
34 what's been coming out of it, and so the thought is that it's
35 going to go to the SEDAR website.

36
37 At the top, you have the link to the full assessment report, and
38 then, below that, you see the executive summary, as well as the
39 one-pager, and part of that is because, as Ryan mentioned, the
40 goal of this executive summary is really to summarize the entire
41 process, because, normally, the assessment reports stop after
42 the review, and there's often a lot of changes that are made at
43 the SSC and the modifications, and so hopefully this document
44 will be a living document of all the decisions and the final
45 outcome of what came out of the assessment and how that changes
46 over the steps.

47
48 I know that I have been in that position and trying to go

1 through all the old documentation, to figure out what decisions
2 were made, and it can be very tedious, and so hopefully this
3 will be a standalone document that we can revise as necessary
4 after each step of this process.

5

6 **CHAIRMAN GUYAS:** That sounds great. Clay.

7

8 **DR. PORCH:** I just kind of wanted to ask again, and hopefully
9 everybody has had a chance to look at it, and is there anything
10 missing from this document that you think really should have
11 been there? I mean, we want to save you from having to go
12 through the full stock assessment for key information, except
13 for folks like Leann who want to get into all the gory details.

14

15 On the other hand, it also is pretty long for an executive
16 summary, and so is there anything in here that you think you
17 don't really need to see in the executive summary and you would
18 have been happy just to go and leave it to the big report? I
19 mean, I think they've done a nice job, but we just want to
20 refine things so that it's as useful to you as possible.

21

22 **CHAIRMAN GUYAS:** All right. Kevin.

23

24 **MR. ANSON:** Dr. Sagarese just mentioned that it would be kind of
25 an update, if you will, or a living, breathing document, and so
26 I don't see anything in here relative to findings from the
27 previous assessment, maybe, and so, if there were major
28 deviations in how the model was treated, or how data was input,
29 maybe that might be something in here as kind of like the first
30 paragraph of, hey, this is our third iteration or third
31 assessment for this stock, and the previous two assessments were
32 done this way, or had this result type of thing, and there may
33 be, in a paragraph or two -- I know it adds more length, and I
34 can't comment right now on your desire to try to reduce it,
35 because I think a lot of the sections in here are pertinent and
36 worthwhile and provide a lot of information that would describe
37 the assessment. Thank you.

38

39 **CHAIRMAN GUYAS:** Skyler, go ahead.

40

41 **DR. SAGARESE:** Just to follow up on that, we did go back and
42 forth a lot while we were developing this, with putting that
43 kind of information in, and it would lengthen the document. I
44 think we initially targeted for four pages, and we're
45 essentially doubling that, but we could certainly, as Leann
46 mentioned earlier, have a link to the section in the stock
47 assessment report that we describe in detail what were the major
48 data changes, what were the major changes to the model

1 configuration, and we could potentially add a link directing you
2 directly to that section, to see here is the breakdown of what
3 happened.

4
5 That would take up only a few lines, versus having to -- Because
6 some of this assessment, in particular, we had a lot of
7 modifications, but the previous assessment -- In this case,
8 because the SEDAR 42 model that was used had those errors, I
9 would imagine, going forward, we would want to -- For example,
10 looking at the stock status table, maybe have the old assessment
11 and the new assessment, to see how those different metrics
12 compare.

13
14 That is something we can do moving forward, but, at this time,
15 we just didn't want to waste the space in this executive
16 summary, given what we were comparing was not necessarily
17 appropriate, but that's something we can certainly do.

18
19 **CHAIRMAN GUYAS:** All right. Well, I am not seeing any more
20 suggestions now, but, maybe between now and Full Council, if
21 folks didn't have a chance to look at this before the meeting,
22 they can and bring suggestions to Full Council. Thank you, all,
23 for working on that. All right, and so, before we leave red
24 grouper, I want to circle back to a suggestion that Roy made
25 before the break that we maybe kick those projections to the
26 SSC. Roy.

27
28 **DR. CRABTREE:** I am going to make a motion. I move that we ask
29 the SSC to review red grouper projections based on the
30 allocation time series from Amendment 30B (1986 to 2005) and the
31 best available landings used as inputs in the new stock
32 assessment, which is approximately 40.52 percent recreational
33 and 59.48 percent commercial, and direct staff to start work on
34 a plan amendment to update the red grouper allocation and
35 establish catch levels based on the new assessment.

36
37 **CHAIRMAN GUYAS:** All right. I am going to read it out loud, to
38 make sure it all makes sense. The motion is to ask the SSC to
39 review red grouper projections based on the allocation time
40 series from Amendment 30B (1985 to 2005) and the best available
41 landings used as inputs in the new stock assessment (40.52
42 recreational and 59.48 commercial) and direct staff to start
43 work on a plan amendment to update the red grouper allocation
44 and establish catch levels based on the new assessment. Is
45 there a second to this motion? It's seconded by Dale. Is there
46 discussion on this motion? **Is there any opposition to this**
47 **motion? Seeing none, the motion carries.**

48

1 I will put out one other idea for a motion that the committee
2 may want to consider, and so we've talked a couple of times in
3 this discussion about those interim analyses, and the Reef Fish
4 AP asked that we conduct those annually, and we had a discussion
5 about hopefully getting one of those in 2020, and it might be
6 nice to have a motion to formally request that from the Science
7 Center folks. **The motion would be to ask the Science Center to**
8 **conduct interim analyses for red grouper annually, starting in**
9 **2020.** I am just -- That's what a proposed motion maybe could
10 be.

11
12 **MR. DIAZ: So moved.**

13
14 **CHAIRMAN GUYAS:** Thank you. Is there a second to that motion?
15 It's seconded by Leann. All right. The motion is to ask the
16 Science Center to conduct interim analyses of red grouper
17 annually, starting in 2020. Does that make sense? We're good?
18 Okay. All right. Is there discussion on this motion? **Is there**
19 **any opposition to this motion? Seeing none, the motion carries.**
20 I think, at that point, we are ready to move away from red
21 grouper for the time being. Greg.

22
23 **DR. STUNZ:** This isn't specifically for red grouper, and it's
24 just in general, but red grouper is sort of our example here,
25 and, mainly, this is for Roy. We have this issue where you have
26 this de facto kind of reallocation that doesn't really take
27 place until you do this plan amendment that your motion put into
28 place here, but what I'm wondering is what happens in the
29 meantime?

30
31 We've got this second motion to do an interim analysis, but I
32 assume that's just updating it with the recent catch statistics,
33 but do we just go with what we've got in the meantime, or -- I
34 am not real clear what happens, because that plan amendment
35 could take quite a while to get through.

36
37 **DR. CRABTREE:** Well, it could, and I would say that's largely in
38 your hands as a council. If you move expeditiously and don't
39 needless complicate things, hopefully we can get it done, but,
40 in the meantime, we just implemented a rule to reduce the red
41 grouper catch levels and establish them where they are now for
42 2019 and beyond, and so those would remain in place, and we
43 would have to, until we get this taken care of, take the FES
44 landings and convert them back into the old currency, which is
45 what we've been doing, and so that's what we would do, I guess,
46 for 2020, and then hopefully we get all of this in place in time
47 for the 2021 season.

48

1 I am fairly comfortable with that, and we're not in the position
2 to ask for an interim rule, because we're not overfishing this
3 stock, and we don't need a rebuilding plan, and, because we just
4 enacted some pretty steep reductions in the red grouper catch
5 levels, I think we're okay, but we do need to work on this
6 amendment and get it done as quickly as we can.

7
8 **CHAIRMAN GUYAS:** All right. With that, we're going to move on
9 to our next agenda item, and we've got about forty minutes to
10 cover the Itarget model update and projections for Gulf lane
11 snapper, and then we'll get to the rest of the Reef Fish AP
12 report, and I believe Skyler is back up to present the lane
13 snapper.

14
15 **STOCK ASSESSMENT REVIEW: ITARGET MODEL UPDATE AND PROJECTIONS**
16 **FOR GULF LANE SNAPPER**
17

18 **DR. SAGARESE:** All right, everyone, and thanks for trying to
19 make this not as long as red grouper. In this case, a
20 disclaimer here. All of the analyses that you're going to see
21 are using the old currency of MRIP, and so this assessment used
22 the MRIP APAIS numbers for recreational landings and
23 recreational discards. That decision was not updated during
24 this analysis that's been done up to now, but it could
25 potentially be presented to the SSC at the following meeting, to
26 see how would this advice change, given the new MRIP FES numbers
27 that are coming out for lane snapper.

28
29 Just let me start by saying this is work that Nancie Cummings at
30 the Science Center has led, and I'm going to just try to give
31 you a brief update of some of the key highlights, and she has
32 some documents that kind of give more details on the analysis,
33 and this is essentially a strict update of the data-limited
34 method that was used for lane snapper, and what it is,
35 essentially it's a data-limited method that requires a time
36 series of landings, as well as an index of abundance.

37
38 The index that was chosen, that we'll discuss a little later,
39 was the headboat index, and so the first thing that Nancie did
40 was update that headboat index, using the same methodology and
41 the same approach.

42
43 The only thing that changed was new data was added, and then she
44 reran the Itarget data-limited approach to provide an updated
45 OFL and ABC catch advice that the SSC reviewed, using the
46 decisions they made, and so we'll kind of go through each of
47 those steps, and, just as a reminder, this is an unofficial
48 update, because it's not really an official SEDAR process, but

1 it's of a SEDAR 49 evaluation, where lane snapper was one of the
2 species that was reviewed, and I believe the only species where
3 the assessment advice was considered for the assessment, and
4 that was back in -- The SSC finalized the results in 2017.

5
6 The first thing to talk about is the headboat index, and so,
7 essentially, we've got four more years of data, and the terminal
8 year for SEDAR 49 was 2014, and this assessment now is covering
9 through 2018, and so what Nancie did was go back and update this
10 headboat index, using the same approach.

11
12 It's essentially a two-step approach that goes towards
13 developing the index. First, you look at the proportion
14 positive of the headboat data that shows lane snapper being
15 caught, and so this figure is just giving you an idea of, over
16 time, and so from 1986 onward, what was the proportion of effort
17 where lane snapper were observed versus not, and so the number
18 of trips with lane snapper versus those that are total trips,
19 and so you can see, in general, the lane snapper have a pretty
20 high occurrence within each of the years, ranging from about 40
21 percent up to about 70 percent, but there is a clear increase in
22 that trend, and so lane snapper are very prevalent within the
23 headboat data, and that was one of the reasons why it was
24 chosen.

25
26 Just keep in mind that we see an increasing proportion positive,
27 and then that sort of information goes into the rest of the
28 assessment, to develop the full index of abundance, and so, in
29 this slide, the orange color is essentially the index that was
30 provided and used for SEDAR 49.

31
32 The gray index here is updated through 2018, and that's the
33 newest estimate of the index of abundance, the same methodology
34 and same assumptions, and so what you see in this trend is you
35 can see that the overlapping years are fairly similar across the
36 different assessments, but then, in the most recent years, we've
37 seen a large spike, and so there is essentially -- It's
38 suggesting that there is higher relative abundance in the most
39 recent years, with a slight drop in 2018, and so what we saw at
40 the end of that assessment of SEDAR 49 -- Since then, we've seen
41 abundance go up above, and that's one of the strengths that,
42 when we talk about the method, I will kind of go into a bit more
43 detail.

44
45 Another thing to look at with the headboat is we wanted to
46 compare the headboat effort that was affiliated with lane
47 snapper with the total headboat effort that is being -- The
48 total effort that's being portrayed by the fishery, and so,

1 overall -- Again, this plot is over time, and the red color is -
2 - Total effort, I believe, is in blue, and then the lane snapper
3 targeted effort is in the orange.

4
5 This is on a normalized scale, and so, essentially, the trends
6 are similar. We have seen sort of a recent -- Since that SEDAR
7 49 assessment, we have seen an increase in the effort, according
8 to this headboat survey data, and the trends between those two
9 sources, and so total effort and then lane snapper effort follow
10 a very similar pattern.

11
12 One thing to highlight here is, for this assessment, for this
13 presentation, we have updated the landings. Again, this is the
14 commercial landings in weight, and the recreational landings are
15 the MRIP APAIS-adjusted landings in weight, and, in this case,
16 the assessment model, or the data-limited approach, uses total
17 removals, and so it's accounting for the landings plus the dead
18 discards, and so, overall, in the time series, what we see here
19 over the different time series is essential removals are
20 primarily recreational, and so we would expect -- If the similar
21 patterns follow with the MRIP FES numbers, you would expect
22 that, if that recreational component goes up, we will see that
23 for this species as well, and that's something we will review
24 with the SSC in a couple of months.

25
26 What we see here, mostly we've seen very variable landings
27 overall, up to about 800,000 pounds, in this currency, in I
28 think the late 1980s, versus, in more recent years, we've seen
29 sort of a spike in landings, which helped spawn this request for
30 this updated evaluation.

31
32 Just sort of a brief review of SEDAR 49. Many of you, if you
33 were involved in that process at all, you remember how it was
34 data-limited, but it was assumption-rich, and it was eight
35 species at once, and so it was quite a bit of work, the whole
36 process.

37
38 Lane snapper was the one species that, at the end of that
39 evaluation, was selected for catch advice, using an index-based
40 data-limited method that relied on this index of abundance as
41 well as total landings, and the reason why the headboat index
42 was chosen was because of the high proportion positive of lane
43 snapper. It had very high sample sizes and a relatively low CV,
44 and so, therefore, that index was chosen to represent what was
45 being used to track the trends in the population.

46
47 During that process, that approach was -- The index-based
48 approach was supported by a variety of different analyses that

1 sort of looked at data reliability and what we had available,
2 and what the group decided on and supported was the is Itarget
3 method that uses relative information from the index and gives
4 you an idea of where you are, and then that would be used to
5 potentially change your catch advice.

6
7 Just for context, again, this is sort of a strict update, where
8 we have just updated the data streams that are going into the
9 assessment, and we're using the same methodology, the same
10 approach, that was used for SEDAR 49.

11
12 The CPUE Itarget method, during SEDAR 49, there was a lot of
13 behind the scenes work that went into evaluating some of the
14 assumptions, and so, the way the method operates, it uses a
15 reference period of mean catch. From that reference period of
16 mean catch, you use a trend in your index, and so, during the
17 reference period that was used, and, in this case, it was 1999
18 to 2008, which comes out of the previous decision during the
19 Generic ACL Amendment, and so, basically, that reference period
20 was chosen because it was a period of stable landings, and there
21 was no trend in the landings, and we used the same assumption,
22 and that was supported by the panels throughout this assessment.

23
24 We took the reference mean catch, and the way this Itarget
25 method works is you have an index of abundance and mean index
26 value during that same reference period, and you make the
27 assumption -- What we assumed was during that period the stock
28 was near an MSY condition, and the decision was made from the
29 generic ACL work, and so, essentially, that mean CPUE, that mean
30 index of abundance during the reference period, is where you're
31 trying to target. You are trying to get that value.

32
33 Then what you do is you take the last five years and see where
34 we are now. For SEDAR 49, we were just kind of above that mean
35 value, and so we saw sort of a slight increase in the catch
36 advice, and so, depending upon the recent CPUE and the recent
37 indexes, compared to our reference period -- If it increases, we
38 would see an increase in the catch advice, and, if it decreases,
39 we would see a decrease in the catch advice.

40
41 Basically, the take-home here is just the trend in the index
42 helps track the catch, and so, over time, eventually, it will
43 kind of stabilize and get us to a catch level that we would
44 expect. Just to give you an idea of that reference period that
45 was chosen, and this is, again, just reviewing the landings
46 series, the decision that was made by the council, with the 2011
47 Generic ACL Amendment, is the period of 1999 to 2008 was a
48 period of no trend, and what we end up seeing is that the

1 landings, in this case, have -- You can see the large
2 variability between the over 800,000 to the more recent periods,
3 but landings generally for lane snapper have been very variable.

4
5 Again, what we're going to see now is, basically, what I
6 mentioned earlier is we're going to take that reference mean
7 catch, and we take our difference between the reference index of
8 abundance, the recent index of abundance, and we recalculate
9 what the catch advice would look like.

10
11 In this figure, the thick vertical line is the recommendation
12 that came out of SEDAR 49, and it's about -- I think it's
13 350,000 pounds. What you see with that distribution, that's
14 essentially the updated catch advice that comes out of the new
15 model, and the first thing you will notice is it's much higher
16 than what was on the record from SEDAR 49. The main reason for
17 that is because we've seen such an increase in recent abundance
18 that the model is expecting that we can catch more fish, so that
19 we can try to get at the target level we have set.

20
21 If we had seen a decline in our abundance index, we would expect
22 to see a drop in the catch, and so, while these data-limited
23 methods can be assumption-rich, they are designed to sort of
24 track what's going on over time, a similar concept to the
25 interim analysis. You have sort of a starting point, and then
26 you're using information from another data source to kind of
27 track where you are and eventually help you get to a stable
28 level.

29
30 What this model is saying is that the catch advice can be
31 increased to about 600,000 pounds, in this case, and, again,
32 this is in the same currency, MRIP APAIS, that was used for
33 SEDAR 49. Just for context, the dashed line of that
34 distribution is essentially the 50th percentile.

35
36 At the SSC review in 2017, the SSC decided to use that 50th
37 percentile of that distribution as what would be termed the OFL
38 and then to use the 30th percentile of that distribution as the
39 definition of the ABC, and so, in this case, this table is just
40 showing you what the updated catch advice in the top row would
41 be compared to what was on the books from SEDAR 49, and so you
42 can see there's a large increase in what's being recommended,
43 and, again, that's based on that change in relative abundance
44 coming out of the headboat index.

45
46 With that, are there any questions or comments? I am sure that
47 Nancie is on the line as well, if there are any questions or
48 comments for her as well.

1
2 **CHAIRMAN GUYAS:** Roy.
3
4 **DR. CRABTREE:** I guess my only question is this -- I think
5 you've redone this using FES landings?
6
7 **DR. SAGARESE:** We have, but the SSC has not reviewed that yet.
8
9 **DR. CRABTREE:** Is that in the plan, or what are we doing with
10 that?
11
12 **MR. RINDONE:** We're going to bring it to them in January.
13
14 **CHAIRMAN GUYAS:** Any other questions for Skyler? Kevin.
15
16 **MR. ANSON:** I am just curious. Can you recall what those
17 numbers show, using the FES numbers, relative to these?
18
19 **DR. SAGARESE:** I am not going to give you an absolute number,
20 but I can just tell you that they're going to be much higher,
21 because the majority of this fishery is recreational, and so, as
22 we see those landings go up, you will see a different number.
23
24 **MR. RINDONE:** It's been a million and 1.1 million pounds, and
25 the other thing to remember for this stock is that we do not
26 have sector allocations for lane snapper, and so all of the fun
27 that you guys discussed previously with red grouper wouldn't be
28 as applicable for lane snapper.
29
30 **CHAIRMAN GUYAS:** Roy.
31
32 **DR. CRABTREE:** Then I guess we could do some sort of framework
33 amendment to implement the new catch levels, because there is no
34 allocation here. Okay.
35
36 **CHAIRMAN GUYAS:** We'll have to cross that bridge when we get
37 there, but it sounds like this is going to come back to us again
38 following the next SSC meeting. All right. In the meantime, if
39 there aren't questions for Skyler, I believe Luiz has a slide
40 about this from the SSC meeting as well.
41
42 **DR. BARBIERI:** Thank you, Madam Chair. Basically, the SSC
43 accepted this assessment as the best scientific information
44 available, and this, as Skyler explained, this is an assessment
45 that was conducted as part of -- Analysis that was conducted as
46 part of SEDAR 49, and the SSC reviewed that back in 2017, and
47 then this potential overfishing over the last couple of years
48 kind of elicited this move to go and look into this analysis

1 again and update it.

2
3 The SSC accepted the analysis and used the 50 percent --
4 Remember that we always provide our catch advice of OFL and ABC
5 based on probabilities of overfishing, because that's how our
6 ABC control rule is structured, and so, at 50 percent, we use
7 that for OFL, and then whatever percentage we feel, in terms of
8 probability of overfishing, reduction from OFL to ABC, we
9 produce that one, and so, in this case, we used 30 percent for
10 ABC, consistent with what we had used last time, and 50 percent
11 for OFL, and those are the figures there.

12
13 As Skyler already explained, this is based on the APAIS data and
14 not the FES-calibrated data, and so we're going to be looking at
15 the new numbers, revised numbers, after she provides them, and
16 then we'll be submitting them to you as well.

17
18 **CHAIRMAN GUYAS:** All right. Are there questions for Luiz?
19 Seeing none, thank you, Dr. Barbieri, but we do have a Reef Fish
20 AP recommendation regarding this assessment.

21
22 **MR. RINDONE:** I am chasing that down now. The Reef Fish AP
23 discussed this at their October meeting, and, after hearing the
24 presentation, they passed a motion unanimously to recommend that
25 you guys set the ACL equal to the ABC, following the SSC's catch
26 recommendation.

27
28 **CHAIRMAN GUYAS:** All right. I assume there's no questions about
29 that. It's pretty straightforward. Again, we're going to talk
30 about this again. Our next agenda item is to cover the
31 remaining items from the Reef Fish AP report, and so I'll pass
32 it back to you, Ryan.

33
34 **REMAINING ITEMS FROM THE REEF FISH AP SUMMARY REPORT**

35
36 **MR. RINDONE:** I can so that. Again, this is Tab B, Number 9,
37 and, as some of you noticed, we have a new Chair for the Reef
38 Fish AP, and the AP elected Captain Ed Walker as the Chair and
39 re-elected Captain Troy Frady as the Vice Chair.

40
41 If you scroll on down past all of the SEDAR 61 materials, you
42 get to discussion of removing the rule allowing trolling in the
43 Steamboat Lumps and Madison-Swanson MPAs, and so Captain Walker
44 brought this issue before the AP, and he talked about having
45 seen fishing for reef fish under the guise of trolling in
46 Steamboat Lumps, and there was an FWC Law Enforcement officer
47 present at the meeting that noted that it was particularly
48 difficult to be able to say that someone was in fact trolling,

1 as opposed to drift fishing, while trying to bottom fish for
2 reef fish, because the vessel is underway, or moving in a way
3 that could be considered to be trolling, and so it makes
4 enforcement of the trolling-only provision for fishing in
5 Steamboat Lumps, and Madison-Swanson, for that matter, difficult
6 to enforce.

7
8 After talking about the area and the bottom there and the kinds
9 of fish that are held, the AP thought that trolling activity
10 really isn't something that goes on in either one of those areas
11 and that the trolling that is perceived to be going on is
12 largely just a ruse for bottom fishing.

13
14 They passed a motion to eliminate all fishing in Steamboat Lumps
15 and Madison-Swanson MPAs, in order to protect spawning
16 aggregations. That carried with twelve in favor and two
17 abstentions. I guess I will take the motion things one at a
18 time with you all.

19
20 **CHAIRMAN GUYAS:** I guess let's pause there, just to see if
21 anybody has any questions on that or reactions to that. Roy,
22 are you putting your hand up?

23
24 **DR. CRABTREE:** I recall, when we changed the provisions in
25 Steamboat Lumps and Madison-Swanson to allow surface trolling,
26 and it was quite contentious, and it involved a lawsuit and a
27 settlement and a study and a host of other things, and bear in
28 mind this was before anyone had VMS on vessels or anything else,
29 and I look back at that and consider it to have been a mistake,
30 and I regret that I went along with making that change to it,
31 and I have always felt like it's an unenforceable situation,
32 with the way we wrote the rule with respect to allowing surface
33 trolling, and that we shouldn't have done it.

34
35 I would support fixing this and getting rid of that provision,
36 and I don't think that we should have ever made the change to
37 begin with, and I think a lot of things have changed, too.
38 These places are way offshore, but, nowadays, you've got people
39 with go-fast boats and four outboards on them, and I think, even
40 though these places are way out there, they are a long ways to
41 go, and I did, at the AP meeting, talk to the FWC agent, who had
42 a lot of concerns, and I think it would be good to hear from
43 some of those guys, or maybe have -- I think the AP may have
44 already talked about this, but the FWC agents raised a lot of
45 concerns with the unenforceable nature of some of this, and so I
46 think it's something we should address.

47
48 **CHAIRMAN GUYAS:** I want to call Captain Ed Walker up to the

1 podium. This is his issue, and he is the Reef Fish Chairman,
2 and he can give us a little bit more, and I just want to confirm
3 that the LETC did not talk about this, and is that right? Okay.

4
5 **MR. WALKER:** Thank you. The issue here is that, particularly in
6 Steamboat Lumps, I've been involved in a research project with
7 Sue Barbieri out there, on a gag grouper reproductive potential
8 study, and I have since come to find out that that area out
9 there, the Lumps, has become a primary fishing destination for a
10 lot of recreational fishermen now, and the reason being is the
11 fishing is fantastic in there, because the commercial guys
12 haven't been in there in fifteen or twenty years, because they
13 have a VMS, and they simply cannot go in there, and so there is
14 great fishing.

15
16 Now you have a lot of guys with go-fast boats, and the ones that
17 are landing there are just knocking it out of the park. It's
18 the best fishing they have ever seen, and they tell their
19 friends, and it's a problem. I know some of these guys who go
20 there, and it's their favorite place to go fishing.

21
22 One guy told me that he was in there one day, in the Steamboat
23 Lumps Sanctuary, fishing illegally, and there were six other
24 boats in there that day fishing with him, and so it's 130 miles
25 offshore, and so enforcement is difficult, and so I talked to my
26 local enforcement guys, and I gave them the coordinates of all
27 the bottom in there, and they struggle to make a case.

28
29 It's 130 miles out, and so they struggle anyway, but they agreed
30 that, if they didn't have a trolling allowance, it would be a
31 lot easier for them to make a case on somebody. The FWC agent
32 told me that, essentially, all somebody has to do, when they
33 roll up on them, is put the boat in gear, and they are trolling,
34 by definition, and they can't make a case.

35
36 I think these guys need some help, because it's -- Particularly
37 in the Steamboat Lumps, it's a really big problem, and we did
38 probably twelve or fourteen trips out there last winter, and, in
39 my experience as a charter boat captain, there is nothing
40 special there for trolling.

41
42 It's not a legitimate trolling destination, and I don't think
43 you're going to hurt anybody. I don't know anyone that has ever
44 gone to Steamboat Lumps to go trolling. There is no big bottom
45 features there, and it's relatively flat. There's no current
46 edges or anything, and it's really not a trolling spot. The
47 trolling is merely a cover now for rampant bottom fish poaching,
48 in what's supposed to be -- In 2000, this was set up to, quote,

1 increase the stock size of gag grouper, these sanctuaries out
2 there, and the area is being picked to death.

3

4 Now, I don't know as much about Madison-Swanson, as far as it
5 relates to if that's a legitimate trolling place or not, but I
6 talked to a couple of the charter boat captains up there and
7 Pete Harwell, who is an enforcement guy up there, and they kind
8 of concurred that the same things are going on in Madison-
9 Swanson that they are in Steamboat Lumps, but that's the issue,
10 and it's a really big problem. That place is being hammered by
11 recreational go-fast boats every weekend, and I'm happy to
12 answer any questions about that.

13

14 **CHAIRMAN GUYAS:** Lieutenant.

15

16 **LT. ZANOWICZ:** Thanks for the comments. Just to chime in from
17 the Coast Guard side, obviously this area is definitely far
18 offshore, and it's also far from not just where we have Coast
19 Guard patrol boats homeported, but also where we have Coast
20 Guard stations, and so, historically, this area hasn't seen a
21 whole lot of Coast Guard enforcement.

22

23 We did have one of our fast-response cutters conduct a patrol
24 there within the last few months, and they actually got
25 feedback, while they were doing boardings, from individuals
26 onboard that they were surprised to see the Coast Guard out
27 there.

28

29 We do have regular overflights of this area, but we have seen
30 several violations in these areas in the past couple of years,
31 and so I would definitely say, if there's any area in the Gulf,
32 protected area in the Gulf, where compliance is an issue, it
33 would probably be these ones.

34

35 **CHAIRMAN GUYAS:** Kevin.

36

37 **MR. ANSON:** Captain Walker, was there much discussion as far as
38 the enforcement, since they are kind of out of the way and out
39 into themselves and get to for enforcement, and was there any
40 discussion amongst the AP that talked about addressing the
41 provision that allows possession of reef fish onboard while
42 vessels are in that area?

43

44 **MR. WALKER:** Yes, and thank you for asking that. That's a
45 tricky one, and you can possess fish in a transit situation
46 only, and so you can have a reef fish onboard in the sanctuary,
47 legally, as long as your -- The definition is your gear has to
48 be stowed, and you have to be underway.

1
2 It's a ten-mile-by-ten-mile box, and I believe they both are,
3 and so it's a hundred-square miles, and so boats are going to
4 need to transit through there, and I don't know that you could
5 say no transit, and like a commercial grouper boat might have to
6 come that way on his way home, and so, yes, we did talk about
7 that, and I don't know -- If there was a way to eliminate
8 possession, I think it would be great, but, without screwing
9 around with the transit part of it, I don't know that you could,
10 but that's a good question, for sure.

11
12 **CHAIRMAN GUYAS:** Any other questions or discussion on this? All
13 right. Thanks, Ed. What else have we got?

14
15 **MR. RINDONE:** All right. What else do we have? They talked
16 about the executive summary, and the AP generally liked the
17 layout. You guys went through their lane snapper
18 recommendations, and they talked about the Florida Keys National
19 Marine Sanctuary expansion plan. Natasha covered that. Then
20 also the Flower Garden Banks expansion, and they had an update
21 on Coral Amendment 9.

22
23 They talked about the amberjack management measures, and they
24 received a status update on Draft Amendment 52, the reallocation
25 of red snapper, and they talked about Amendment 36B. It was a
26 very busy meeting. Then the for-hire possession limits, and
27 that ties it off. It was a packed one-day meeting.

28
29 **CHAIRMAN GUYAS:** All right. Thank you. Leann.

30
31 **MS. BOSARGE:** Can we go back to the discussion we just had about
32 Steamboat Lumps and Madison-Swanson?

33
34 **CHAIRMAN GUYAS:** Sure.

35
36 **MS. BOSARGE:** I was hoping that one of the recreational
37 representatives would speak up and say let's look into this, but
38 I guess, if they are not, I will step up and say let's look into
39 this. It's supposed to be protection over the spawning stock,
40 and we have made sure that we've protected it from one sector,
41 but it sounds like it's not being protected all the way around,
42 and so let's take a look at it.

43
44 I would like to make a motion. Somebody help me out. Would it
45 be a motion to start a document, or would it be a motion to look
46 further into it? What would it be? Roy, I am looking at you.

47
48 **CHAIRMAN GUYAS:** I will just insert some thoughts while Roy is

1 conferring over there, but I think it sounds like we would want
2 law enforcement to look at this, or maybe get some kind of
3 report from the FWC Law Enforcement. I think, if you actually
4 did want to make a change, you would have to start some kind of
5 document, but I'm not exactly sure what type of document that is
6 at this point. Roy.

7
8 **DR. CRABTREE:** Well, I think the appropriate motion might be to
9 ask staff to start a framework action to reevaluate the trolling
10 provisions in those two areas.

11
12 **MS. BOSARGE:** Okay. That's my motion. The two areas are --

13
14 **DR. CRABTREE:** Madison-Swanson and Steamboat Lumps.

15
16 **MS. BOSARGE:** MPAs.

17
18 **CHAIRMAN GUYAS:** The motion is to ask staff to begin a framework
19 action to reevaluate the trolling provisions in Madison-Swanson
20 and Steamboat Lumps. Is there a second to this motion? It's
21 seconded by Paul. Is there any other discussion on this?

22
23 **MR. RINDONE:** Just for clarification and direction for staff,
24 when you guys say "reevaluate", the presumption being either to
25 allow it or not to allow it, and then the consideration perhaps
26 of the transit provisions that Captain Walker talked about, like
27 having something in there that says that those would continue to
28 be allowed? I am just trying to make sure we have enough
29 direction to move forward and bring something sensible back to
30 you guys.

31
32 **CHAIRMAN GUYAS:** Leann.

33
34 **MS. BOSARGE:** Well, yes, allow it or don't allow it, but I am
35 sensitive to the transit -- Not even transit, but this whole
36 idea of possession, and I am sensitive to it both recreationally
37 and commercially. There is recreational people that are going
38 to transit it through there too, and those are big areas, and we
39 need to make sure that we don't unduly punish them for
40 transiting through there, and so we need to make sure, if it's
41 going to be a definition of gear stowed, or gear out of the
42 water, essentially, that we get that right when we go about
43 this, because I don't want them to be punished for not doing
44 anything wrong.

45
46 **CHAIRMAN GUYAS:** Paul.

47
48 **DR. MICKLE:** I guess, just hearing the information from Captain

1 Walker and talking about it, it seems like that the trolling
2 provision seems to be the main issue, and he is identifying,
3 from the AP, that trolling isn't really the type of activity
4 that is really favorable in these areas, and so this document
5 will hopefully allow the public to flesh out and identify if
6 there is a group that is going to be affected, but, again,
7 trolling is -- It just seems like it's not something that is
8 really viable in these areas.

9
10 This motion would really tackle the problem, and with just the
11 trolling issues. I think the other transit and possession -- It
12 just really seems like this will take on the problem that's been
13 brought up from the AP report. Thank you.

14

15 **MR. RINDONE:** Okay. I think we're good then.

16

17 **CHAIRMAN GUYAS:** Dale and then Mara.

18

19 **MR. DIAZ:** When I pull this up, and I just typed it in, and
20 there's another site out there called The Edges, and would that
21 site also be something that would need to be included?

22

23 **CHAIRMAN GUYAS:** Roy.

24

25 **DR. CRABTREE:** I don't think we have a comparable provision for
26 The Edges, and the problem provision on trolling is for -- It
27 says within the Madison-Swanson sites and Steamboat Lumps,
28 during May through October, surface trolling is the only
29 allowable fishing activity. For the purpose of this paragraph,
30 surface trolling is defined as fishing with lines trailing
31 behind a vessel which is in constant motion and speeds in excess
32 of four knots with a visible wake. Such trolling may not
33 involve the use of downriggers, wire lines, platers, or similar
34 devices.

35

36 That is the provision that we would be looking at, and that only
37 applies to these areas, and I remember, at the council meeting
38 when we did this, NOAA Law Enforcement got up and said,
39 basically, we can't enforce this, and we just can't do this, and
40 so it was an enforcement problem then, but I think that's the
41 provision, and I think it's only applicable to those two places.

42

43 **MR. DIAZ:** Thank you.

44

45 **CHAIRMAN GUYAS:** Mara.

46

47 **MS. LEVY:** Just to note that there are transit provisions in
48 there already.

1
2 **MR. RINDONE:** Thanks, and, just to clarify the regs for The
3 Edges, and I am pulling up the management history, and fishing
4 is prohibited in The Edges from January 1 through April 30, as
5 of July 24, 2009, for recreational and commercial fishing. That
6 is prohibited, period, trolling and bottom fishing and everyone.

7
8 **CHAIRMAN GUYAS:** All right. Are we ready to vote? **Is there any**
9 **opposition to this motion? Seeing none, the motion carries.** We
10 are finished with the Reef Fish AP report, and we've got about
11 four minutes, if there is any other business for the committee.
12 Okay. We've got two.

13
14 **OTHER BUSINESS**

15
16 **DR. STUNZ:** Mine is pretty quick. At the last meeting, I made a
17 motion, when we had a lot of public testimony about the
18 discards, particularly from the longliners and the IFQ folks,
19 and I am trying to find the motion, but it was basically just --
20 Here it is. Provide some estimates of discards in numbers and
21 weight of fish and gear type that is used to harvest commercial
22 IFQ species, and that was to build into what was 36B at the
23 time, but whatever it is now. I was just wondering what's the
24 status of that, and I don't know if that's a question for Clay
25 or Roy, but I don't -- There wasn't a timeline on that motion,
26 and so obviously I was hoping we would hear something at this
27 meeting.

28
29 **CHAIRMAN GUYAS:** Carrie.

30
31 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Madam Chair. We have
32 not sent that letter yet to the Science Center, because we need
33 more time to develop the request, based on what we had already
34 received for the discard mortality workshop, and work through
35 that information and get it up for the best practices. That is
36 a top priority, and we wanted to try to get it out before this
37 meeting, but we were just not able to do that, but we need to
38 work with the Science Center some more, to find out what we can
39 actually get, and get that letter drafted and submitted to them.

40
41 **DR. STUNZ:** That's good, and I appreciate that, Carrie, because
42 the example we were talking about, that website, and you look by
43 fleet and by discard, and, if you look at some of the testimony,
44 one person on one day exceeded the discard rate that that table
45 shows, and so obviously there is some discrepancies in that
46 data. In other words -- The last thing I want to make sure is
47 clear is apparently there is -- During that process, there is
48 reporting of discards that do go, official reporting, but I

1 don't know what that looks like or whatever, but, anyway, that's
2 what I was hoping to gain from the motion, and it's clear in the
3 text of the report what we were talking about.

4

5 **CHAIRMAN GUYAS:** Troy.

6

7 **MR. WILLIAMSON:** In your package on Amendment 36B, in the
8 appendix, under the advisory panel summary, there was a
9 reference to a council motion back in January of 2018, and it
10 was an instruction to staff to start a white paper exploring
11 rents and royalties in the Gulf commercial red snapper fishery,
12 and to be included in that were examples of calculation of Gulf
13 red snapper rents and royalties and alternative methods for
14 distribution of shares. I didn't see that white paper in the
15 documentation, and my question is, has that been developed?

16

17 **CHAIRMAN GUYAS:** Ava.

18

19 **DR. LASSETER:** Yes, and I can provide a copy of that for you,
20 Troy. It has been presented to the council.

21

22 **MR. WILLIAMSON:** Thank you.

23

24 **CHAIRMAN GUYAS:** All right. It is 5:29, people. I'm just
25 saying.

26

27 **DR. FRAZER:** Without further ado, we will adjourn, and I will
28 see you at 8:30 in the morning.

29

30 (Whereupon, the meeting adjourned on October 22, 2019.)

31

32

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