

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL  
2  
3 SUSTAINABLE FISHERIES COMMITTEE  
4

5 Omni Hotel Corpus Christi, Texas  
6

7 August 24, 2022  
8

9 **VOTING MEMBERS**

10 Greg Stunz.....Texas  
11 Kevin Anson (designee for Scott Bannon).....Alabama  
12 Susan Boggs.....Alabama  
13 Billy Broussard.....Louisiana  
14 Tom Frazer.....Florida  
15 Chris Schieble (designee for Patrick Banks).....Louisiana  
16 Bob Shipp.....Alabama  
17 Joe Spraggins.....Mississippi  
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49 Jim Nance.....GMFMC SSC

1 Clay Porch.....SEFSC  
2 John Quinlan.....NOAA  
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4 - - -  
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PAGE 46: Motion to request staff begin work on a presentation that addresses the factors that need to be considered when contemplating the need for federal conservation and management of Florida pompano. The motion carried on page 51.

- - -

1 The Sustainable Fisheries Committee of the Gulf of Mexico  
2 Fishery Management Council convened at The Omni Hotel in Corpus  
3 Christi, Texas on Wednesday morning, August 24, 2022, and was  
4 called to order by Chairman Greg Stunz.

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

10 **CHAIRMAN GREG STUNZ:** I will call to order the Sustainable  
11 Fisheries Committee. In terms of the membership, I am obviously  
12 the Chair of that, and Dr. Shipp is the Vice Chair. Mr.  
13 Schieble, Mr. Anson, Ms. Boggs, Mr. Broussard, Dr. Frazer, Dr.  
14 Sweetman, General Spraggins, and Mr. Strelcheck are the folks  
15 that make up that committee membership, and we're all present  
16 today. Our first item of business will be the Adoption of the  
17 Agenda. Would someone like to move for the adoption of the  
18 agenda?  
19

20 **DR. TOM FRAZER:** Motion to approve the agenda.  
21

22 **MS. SUSAN BOGGS:** Second.  
23

24 **CHAIRMAN STUNZ:** Motion by Tom and second by Ms. Boggs. Any  
25 additions or edits that we need to do before we move on with  
26 that approval? Seeing none, we'll consider the agenda approved.  
27 Moving on to the minutes approval, is there any adjustments or  
28 edits that need to be made to the minutes? Did you have edits,  
29 or are you motioning to approve, General Spraggins? Motioning  
30 to approve? Okay. General Spraggins moves to approve the  
31 minutes, and Ms. Boggs, again, will second that. If there's no  
32 more discussions, we'll consider the minutes approved.  
33

34 Seeing none, we'll move ahead to the Action Guide and Next  
35 Steps. Lisa, you're going to handle that? Okay. Go ahead,  
36 Lisa, please, with the action guide. Well, maybe I should stop  
37 for a second. We have a pretty packed agenda today, for the  
38 couple of hours that we have, and so I would probably recommend,  
39 Dr. Hollensead, if you want to go through one-by-one, or maybe  
40 some opening remarks, since that will keep us on track, since  
41 there are so many items.  
42

43 **PRESENTATION ON NOAA'S CLIMATE SOUTHEAST REGIONAL ACTION PLAN**  
44

45 **DR. LISA HOLLENSEAD:** Yes. Absolutely, Mr. Chair. That's a  
46 good idea. The first agenda item that we have before the  
47 committee today is looking at the Draft Southeast Regional  
48 Action Plan, and this was composed to address climate change

1 influences on marine and coastal environments, and this sort of  
2 springboards off of work that was completed in 2015 by the NOAA  
3 Fisheries Climate Science Strategy, to identify seven key  
4 objectives to fulfill the agency's mandates.

5  
6 This current draft regional action plan identifies climate-  
7 related actions to be carried out over the next three years, and  
8 so, in your briefing materials, there is a draft of that plan  
9 available. Additionally, we have Dr. Quinlan and Mr. Waters  
10 from NMFS that will -- Dr. Quinlan is going to go through the  
11 presentation, and Ms. Waters will be available for some  
12 questions online, as they give sort of a presentation regarding  
13 the action plan.

14  
15 Additionally, there is public comment open for that draft  
16 version of the regional action plan. Staff has provided a draft  
17 letter, which is also in the meeting materials, that the  
18 committee can review and provide comments on, and so the  
19 committee should read the draft regional action plan, listen to  
20 the presentation, and provide feedback on that draft comment  
21 letter, and, if there's no other questions, that concludes that  
22 action guide.

23  
24 **CHAIRMAN STUNZ:** Okay, and, just to be clear, we are going to  
25 hear a presentation from Dr. Quinlan?

26  
27 **DR. HOLLENSSEAD:** Yes.

28  
29 **CHAIRMAN STUNZ:** All right, and so I should have -- For those  
30 listening in, the business of this committee is under Tab E, for  
31 all the documents, but, if Dr. Quinlan is ready, we can go  
32 forward with that presentation.

33  
34 **DR. JOHN QUINLAN:** Yes, I'm ready.

35  
36 **CHAIRMAN STUNZ:** Dr. Quinlan, they're loading up that  
37 presentation right now. Whenever you're ready to start the  
38 presentation, go ahead.

39  
40 **DR. QUINLAN:** Okay. As mentioned, I'm John Quinlan, with NOAA  
41 Fisheries in Miami, and Lauren Waters is my partner on this  
42 talk, with SERO in St. Petersburg. We're going over the  
43 regional action plans, the climate regional action plans, and  
44 the presentation outline is listed here, and I will use these  
45 bullets sort of as places for break points in the talk.

46  
47 First, we'll talk about the climate science strategy document,  
48 and we'll then move to regional action plan, which we called RAP

1 1.0, which was the previous version. We'll talk about some of  
2 the achievements from that regional action plan, and we'll talk  
3 about RAP 2.0 and the development of that document, as well as  
4 some of the things that we have planned in the document. Then I  
5 will switch to the climate, ecosystems, and fisheries  
6 initiative, and then I will talk a little bit about the  
7 Southeast Climate Team, as it's set up right now.

8  
9 The climate science strategy was developed back in 2014, and  
10 it's available at the link on the bottom of the slide. I have  
11 links to the documents throughout the presentation, and the idea  
12 here is it's a proactive approach to increase production,  
13 delivery, and the use climate-related information to fulfill  
14 NOAA Fisheries mandates.

15  
16 As mentioned, there are seven objectives, and these are set up  
17 to -- The intention is to reduce impacts and increase resilience  
18 with a climate-driven ocean. This is a national document, and  
19 there are regional action plan groups throughout the country.  
20 Each of them is developing regional action plans, and the  
21 implementation of the climate science strategy is through the  
22 regional action plans set up by each of the groups at each  
23 science center.

24  
25 The seven objectives are shown here in their interdependence.  
26 It starts out at the bottom, with build and maintain adequate  
27 science infrastructure, and it moves up to track change and  
28 provide early warnings. Next is understand mechanisms of  
29 change, projecting future conditions, setting up adaptive  
30 management processes, setting up robust management strategies,  
31 and then climate-informed reference points.

32  
33 We are basically at the bottom three or four layers of this  
34 pyramid. We're coming up to point where we can project future  
35 conditions, and there is short-term and long-term projections  
36 that are available now for ocean conditions. Adaptive  
37 management processes, robust management strategies, and climate-  
38 informed reference points are the things we're working toward,  
39 and I think there will be national initiatives to develop how we  
40 approach those sorts of things.

41  
42 The RAP 1.0 was developed with the Southeast Fisheries Science  
43 Center, SERO, AOML, the councils, and public input, and there  
44 were two documents produced, one for the South Atlantic and one  
45 for the Gulf of Mexico, and they're shown here. A link to those  
46 documents is provided on the slide.

47  
48 For the South Atlantic, there were sixty-eight action items,

1 areas that we intended to work on or had aspirational goals to  
2 work on them, and eleven of the action items in the South  
3 Atlantic were considered priority. In the Gulf of Mexico, we  
4 had sixty-two action items, twelve of which were considered  
5 priorities.

6  
7 Some of the action items and accomplishments that we have, we  
8 plan to conduct climate vulnerability assessments for both the  
9 South Atlantic and the Gulf of Mexico. Those documents are --  
10 The Gulf of Mexico is a week or so away from being submitted for  
11 publication, and the South Atlantic version made it through  
12 internal review and is going through some editing.

13  
14 Developing ecosystem status reports, we have the initial  
15 ecosystem status report for the Gulf, as well as an update, and  
16 the South Atlantic ecosystem status report was released at the  
17 end of last year. Establishing a regional climate team, the  
18 Southeast Fisheries Science Center, SERO, and AOML, we're  
19 working on -- We have some people from AOML on tap, but we've  
20 been careful with their time, because the people we have are  
21 senior-level managers, and we are in communication with them, to  
22 try and build-out our climate program better.

23  
24 We've had some examples of including environmental covariates in  
25 stock assessments, AMO in swordfish and red tide and larval  
26 transport in the Gulf of Mexico. We've hired an MSE, management  
27 strategy evaluation, specialist, and there are large demands on  
28 her time, and we're planning on developing climate-ready harvest  
29 controls, or at least some examples thereof.

30  
31 We've had some work to develop a monitoring plan to support  
32 climate science needs. Some of this includes physical and  
33 chemical oceanography to better align with some international  
34 programs that are in place, and some of it involves improving  
35 our survey programs.

36  
37 This is probably aspirational, to some degree, and we're working  
38 on getting funding for some of it, and there are additional  
39 details for RAP 1.0 achievements in Peterson et al. 2021, which  
40 is a NOAA technical review, and it's a five-year progress  
41 report, and the link is there. It covers all of the regions.

42  
43 Regional Action Plan 2.0, this was developed in a manner similar  
44 to the first RAP, and had input from the Southeast Fisheries  
45 Science Center, SERO, the council, and we used that to develop  
46 the action items in the plan. There were also some rollovers  
47 from the previous regional action plan. We have one document  
48 now, instead of two, and this document includes the South



1 Atlantic, the Gulf of Mexico, and, for the first time, the  
2 Caribbean, and there are region-specific action items, and so  
3 the Gulf of Mexico has a section, and then there are some common  
4 sections that include things like metrics, and it consists of  
5 seven objectives, performance metrics, and how they link into  
6 the seven objectives in the document.

7  
8 We went through a public comment phase, and, right now, we're in  
9 the process of incorporating those public comments. I did have  
10 a chance to look at the draft comments that the council  
11 provided, and they are very informative, and I'm looking forward  
12 to trying to incorporate those into the plan. We plan to  
13 finalize and release this regional action plan as a tech memo  
14 sometime in October. We're on a relatively quick fuse on this,  
15 but we think we can get it out in October.

16  
17 A few of the action items that we have in RAP 2.0 include a  
18 regional climate change workshop, which we had planned to hold  
19 virtually, and we have gotten some public comments that people  
20 would like to see either a hybrid or an in-person workshop, and  
21 we're going to try and work to accommodate that.

22  
23 We've got some projects that improve understanding of  
24 environmental drivers on population growth, population dynamics,  
25 growth and recruitment of harvested species. In the Gulf of  
26 Mexico, there's a really nice program to examine mangrove  
27 saltmarsh interactions and the effect of that habitat on penaeid  
28 shrimp, which is occurring around the Gulf right now.

29  
30 Investigate the use of coastal surveys, and so scientific  
31 surveys performed by the Southeast Fisheries Science Center to  
32 detect species distribution shifts, and we have this occurring  
33 in both the Gulf of Mexico and the South Atlantic. We have some  
34 text that's going into EFH, HAPC, NEPA, and the ESA documents.  
35 That work is being headed up by SERO, and it's been going on for  
36 about the past four months, and it may be in draft documents  
37 right now, but we're making some progress, in terms of getting  
38 climate, mostly from the climate vulnerability assessments, into  
39 those documents.

40  
41 There is an east coast climate change scenario planning workshop  
42 that's underway, and this covers the entire east coast of the  
43 United States, and these are producing different sorts of states  
44 of nature that are discussion points for how fisheries may  
45 change, going forward, in the changing climate for the next  
46 forty years, twenty to forty years, and I think there are  
47 applications to the Gulf of Mexico in this program, and it's  
48 worth keeping an eye on. I think the results could be

1 interesting.

2  
3 We're planning on expanding stakeholder engagement, I think  
4 through participatory modeling involving fishers, and red tide  
5 in the Gulf of Mexico is an example, and this is Mandy  
6 Karnauskas and Matt McPherson's work, and, also, some work with  
7 red snapper is happening there. Again, we're trying to develop  
8 a comprehensive and collaborative monitoring program for  
9 climate, and the sort of initial looks at this were everything  
10 from nutrients to protected resources, and that's aspirational,  
11 and it would require extra funding, and we'll try and work  
12 toward it. We've had some opportunities to apply for funding in  
13 the past.

14  
15 Switching to the climate, ecosystems, and fisheries initiative,  
16 this is cross-NOAA program that involves the National Weather  
17 Service, OAR, and NOAA Fisheries, and it builds upon a model.  
18 There's an image on this slide that is part of the domain for  
19 this modular ocean model, and this image shows chlorophyll for  
20 this model, and it's getting reasonable -- We're getting  
21 reasonable dynamics, and I will show you one with sea surface  
22 temperature in a second.

23  
24 This MOM6 model is intended to be a national modeling framework  
25 that will be implemented across all fisheries science centers,  
26 to cover regional applications, and it has ecosystem components,  
27 and so it's nutrients, zooplankton, phytoplankton, ocean  
28 chemistry, as well as hydrodynamics. This modeling system is  
29 intended to support something called a fisheries and climate  
30 decision support system, and that system is intended to produce  
31 climate products useful to managers, and so things like climate-  
32 informed harvest rates, species distribution maps, recovery  
33 targets, indicators for ecosystem status reports, and, overall,  
34 this is intended, again, to reduce impacts and increase  
35 resilience.

36  
37 The image on this slide is sea surface temperature, and, again,  
38 we're getting good dynamics out of this model, and so I'm  
39 hopeful that the performance of this model will be adequate for  
40 a lot of our needs.

41  
42 The climate, ecosystem, and fisheries initiative has some large  
43 goals over the next six years, once it is funded, and, right  
44 now, it's unfunded, but it's in the President's budget again.  
45 They are hoping to have these MOM6 regional models updated and  
46 operational across NOAA, delivering hindcasts, nowcasts,  
47 forecasts, and ecosystem projections for management use. They  
48 are intending to set up NOAA regional teams, and so, within each

1 science center, a group of people will support production and  
2 application of the system for fisheries management, and they  
3 will have a national interlocking, so that we have information  
4 sharing and things like that.

5  
6 They are hoping that research and modeling will help improve  
7 understanding of climate impacts and help identify best  
8 management strategies. For that access, they're planning on  
9 having web portals, dashboards sorts of things, for climate-  
10 related information, and they're hoping that decision makers  
11 will have early warnings and longer-term projections of things  
12 like marine heatwaves, hypoxic events, harmful algal blooms, and  
13 acidification.

14  
15 Right now, we're at a stage where marine heatwaves are  
16 apparently predictable from one to twelve months out, and so  
17 we're achieving some of these goals right now, and we hope that  
18 we can do better with it.

19  
20 Switching to the regional climate team, as mentioned, we  
21 currently have people from the Southeast Fisheries Science  
22 Center and SERO, and we have people on tap from AOML, and we're  
23 trying to expand this to include more aspects of management and  
24 science across the region. We're working to -- This team works  
25 to develop and implement the regional action plans, and it's  
26 responsive to headquarters taskers, and it completes things like  
27 CVAs, and we're working toward ecosystem indicators, climate  
28 indicators, things like that.

29  
30 Right now, the SERO team is Lauren Waters, Joseph Cavanaugh,  
31 Dave Dale, Karla Gore, and Kelli O'Donnell, and, from the  
32 Southeast Fisheries Science Center, it's Michael Burton,  
33 Jennifer Doerr, Jennifer Leo, Roldan Munoz, myself, and  
34 Christopher Sasso. The AOML contacts we have right now are  
35 Chris Kelble and Sang-Ki Lee, and that's what I have, and I will  
36 shift this back to Dr. Stunz.

37  
38 The next slide has my contact information, and Lauren's contact  
39 information, on it, if you want to switch to that, and I'm happy  
40 to discuss any of this with anyone who would like to just write  
41 me. Thank you.

42  
43 **CHAIRMAN STUNZ:** All right. Thank you, Dr. Quinlan, and I'm  
44 looking around the room, to see if there's some questions or  
45 comments regarding this presentation, and, of course, we have a  
46 letter prepared that we'll discuss here in a minute, but, while  
47 we've got Dr. Quinlan on the line, is there any questions? Mr.  
48 Strelcheck.

1  
2 **MR. ANDY STRELCHECK:** I don't have a question for Dr. Quinlan,  
3 but I just want to thank him for the presentation, and I know  
4 we'll get into this with the letter, but, just for kind of  
5 reference, you know, we, obviously, have this as a priority from  
6 the current administration, and we've been building capacity,  
7 obviously, with climate science and climate management going  
8 forward, and so this is, obviously, important for us.

9  
10 We do have limited resources, and so it's really going to be  
11 helpful for us to hear from the council, in terms of what is  
12 most beneficial, from a management standpoint, and John pointed  
13 to some of that in one of his earlier slides, and, given the  
14 environment that we're living in today, and some of the  
15 uncertainty and changes that we're seeing in our natural  
16 resources, and we're really interested in getting that feedback  
17 into specifically how we can provide the council the science,  
18 with the tools necessary to help address some of that changing  
19 climate, and so thanks.

20  
21 **CHAIRMAN STUNZ:** Thank you, Andy. Dr. Porch.

22  
23 **DR. CLAY PORCH:** Just to follow-up on that, if you look at the  
24 climate regional action plans, and, in particular, that pyramid  
25 that John started out with, it is rather ambitious, and, in  
26 particular, if you look at the pyramid, I think the top of the  
27 pyramid is climate-informed reference points, and so my only  
28 point is probably things like that aren't going to happen for us  
29 in the Southeast, since we can't really, for many of our stocks,  
30 compute MSY as it is, because it's hard to know what the long-  
31 term recruitment potential is.

32  
33 Under climate change, and other factors, that could actually  
34 change in the future, and so, if we're not going to be able to  
35 do it now, we're not going to be able to do it the future, but  
36 what we can do is develop the next tier in that pyramid, which  
37 is robust management procedures, and so we get an idea of the  
38 effects that climate change and other factors will have on the  
39 environment, and how can we manage in a way that's sustainable,  
40 even if we have some sorts of changes in the environment,  
41 whether it's associated with climate change or not, and that's  
42 consistent with where we started to go with things like interim  
43 analyses, where we're relying heavily on our survey indices of  
44 abundance, to see what trends actually are.

45  
46 I think this is a good point to start thinking about where the  
47 council wants to go and how fishery management plans might  
48 change to accommodate robust management procedures, and it's

1 something that I think is part of a longer dialogue, and I don't  
2 mean to initiate it here, but I think we need to start thinking  
3 about doing things a little bit differently.

4

5 **CHAIRMAN STUNZ:** Okay. Thank you, Dr. Porch. Mr. Anson.

6

7 **MR. KEVIN ANSON:** Nice comments, Dr. Porch. I would be curious  
8 to see how the data, and the products that are available through  
9 these efforts, to try to incorporate some of the climate  
10 science, you know, then can be compared to the other data  
11 sources that we have more familiarity with, and maybe see if  
12 there are correlations, you know, looking back in time, to see  
13 if they match up with what the assessment shows, as far as  
14 recruitment pulses and such, and so it will just be interesting  
15 to see the level of detail that they can provide, relative to  
16 the species that we manage and their cycles and those types of  
17 things.

18

19 Like you said, it's, I think, part of a longer process here,  
20 that, as this, you know, comes online, and we're able to see  
21 those things, and then be able to throw that against what we've  
22 been able to do in the past, we might be able to try to identify  
23 some key areas, or data, that they're able to produce that we  
24 feel comfortable with and try to establish some sort of  
25 management process that we could use, in the interim, for our  
26 assessments, and so I'll be looking forward that, seeing if we  
27 can get there.

28

29 **CHAIRMAN STUNZ:** Thank you, Kevin. I'm looking around the room,  
30 and I don't see any other comments. Thank you, Dr. Quinlan. I  
31 mean, we obviously have some discussion on the letter, and  
32 that's Tab 4(c), but the way, but any more comments regarding  
33 the presentation for Dr. Quinlan? Well, seeing none, Lisa, you  
34 want us to comment, at this point, regarding the letter, and so  
35 the staff has put together --

36

37 By the way, this letter is due pretty quickly, and so this is  
38 kind of our last chance at it. They've put together a  
39 thoughtful letter, and, in fact, it includes quite a bit of some  
40 of the conversation -- Or at least captures some of the  
41 conversations here that we just had, and so I would encourage,  
42 if there's any thoughts on that letter, so that Dr. Hollensead  
43 can finalize that, and we will send it out, but now is the  
44 chance to weigh-in on that. Dr. Hollensead, go ahead.

45

46 **DR. HOLLENSEAD:** Thank you, Bernie, for putting it up, and I can  
47 just orient the committee, if you're amenable to that, to just  
48 let you know sort of the layout of the letter, and, if you have

1 any questions, or comments, we're certainly happy to incorporate  
2 those. We also want to thank the agency for allowing an  
3 extension on this comment period, so that we could draft this  
4 letter and review it at our meeting today.

5  
6 Council staff put together some general comments, sort of  
7 overviews the report. We also have some objective-by-  
8 objective comments throughout, which we call those the seven  
9 climate management objectives and so we also had some specific  
10 comments to that.

11  
12 In general, we appreciate that the report sort of pointed at  
13 trying to identify some partners with which these goals could be  
14 achieved, and some collaborations, and so we tried to highlight  
15 some of our APs and technical committees, as well as, you know,  
16 looking at some research agencies and things like that to help  
17 them achieve the goals in the report, and so those are some  
18 generalities, and certainly, if anyone on the committee has any  
19 comments or questions, we would be happy to take that.

20  
21 **CHAIRMAN STUNZ:** Okay, and so now is the time, if there's  
22 anything we would like to add to this letter, or modify. I  
23 don't recall, and, Lisa, on these letters, do you need a motion,  
24 or we're just fine with the letter to move forward, or how do we  
25 do business on these letters?

26  
27 **EXECUTIVE DIRECTOR CARRIE SIMMONS:** We can just take your  
28 comments and incorporate it in the committee report and then  
29 modify the letter, as necessary, and Mr. Diaz can review it and  
30 make sure that it's consistent.

31  
32 **CHAIRMAN STUNZ:** Okay. Good. All right, and so I'm not seeing  
33 a lot of comments. Ms. Boggs, go ahead.

34  
35 **MS. BOGGS:** Well, I don't necessarily have a comment, but I have  
36 a grammatical error, if you would like me to point that out.

37  
38 **CHAIRMAN STUNZ:** Please do.

39  
40 **MS. BOGGS:** It's the first paragraph, line 6, and it starts with  
41 "face", and you have "of" in there twice, "face of of a".

42  
43 **CHAIRMAN STUNZ:** Thank you, Ms. Boggs. Lisa has captured that.  
44 Andy.

45  
46 **MR. STRELCHECK:** Related to my comment that I just made, I think  
47 the letter, as written, is nicely done. Where I think it would  
48 be helpful for the council, maybe to bolster, is really how it

1 directly relates to the work that we're doing around this table,  
2 and, if there is -- I guess the best approach is we want this to  
3 be an actionable plan, something that's going to be beneficial  
4 to you, and the outcomes of products that we're producing are  
5 going to be useful tools, going forward, and so, if there's  
6 anything that you, as a council, want to comment on specific to  
7 that, that can help inform future management, that would be  
8 beneficial to add to the letter. Thank you.

9  
10 **CHAIRMAN STUNZ:** I would also add to that that, you know, this  
11 is a pretty in-depth concept and letter and that kind of thing,  
12 and so we do have -- Lisa, this is due at the end of the month,  
13 and is that right? Go ahead, Carrie.

14  
15 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so we  
16 actually got an extension. I think the deadline was like the  
17 end of July, and so post-haste, because they have allowed us to  
18 have some extra time.

19  
20 **CHAIRMAN STUNZ:** Okay, but so there is some time to think about  
21 this now, between Full Council too, and so we don't -- If  
22 there's certain things that caught your interest, or things you  
23 think would be useful, in terms of us carrying our management  
24 process through this concept, you know, there's some time to do  
25 that, but I'm not seeing -- Kevin, did you have your hand up?  
26 Go ahead.

27  
28 **MR. ANSON:** Just to Andy's last comment, and, I guess, Andy, I  
29 don't know if that is warranted to put in the letter, and I'm  
30 just trying to figure out -- It looks like you're trying to find  
31 a process for which the council can start implementing, or  
32 looking at, the data, to help us with our decision-making and  
33 such, and so, again, I don't think that's necessarily needed in  
34 the letter, other than to say that we look forward to utilizing  
35 the data to help us, but that is something that we need to  
36 discuss here at committee, as to how we might want to go about,  
37 you know, requesting that data, or starting to look at the data,  
38 to help us understand it, again, and try to see if there's any  
39 way that we can start to implement it, maybe if we want to  
40 provide a little bit more feedback.

41  
42 **MR. STRELCHECK:** Yes, and I know we're talking in kind of  
43 generalities right now, but I guess the way I would look at this  
44 as well is the agency, using the resources we have, is trying to  
45 prioritize work, but, you know, the councils, and other  
46 entities, are our close partners, obviously, for the work that  
47 we're doing, and so, if you have specific recommendations on  
48 tools, priorities, actions, that resonate, either in the plan or

1 relate directly to the plan, then that's essentially what I'm  
2 asking you to include, because that will help them with our  
3 prioritization of research going forward.

4  
5 **CHAIRMAN STUNZ:** Okay, committee. Any other comments? Dr.  
6 Hollensead.

7  
8 **DR. HOLLENSEAD:** Mr. Chair, just listening to some of the  
9 conversation around the room, and maybe I can help bridge that a  
10 little bit, is, in this plan, there were -- It was nice to see  
11 that there was a lot of specific research that the agency had  
12 identified, all the way down to some ideas they had for some  
13 laboratory experiments, and it seems like, you know, this group  
14 has been thinking about a lot of these things for a long time,  
15 and now they have an opportunity to sort of present those ideas,  
16 and so there are some very specific things in there, which was  
17 kind of nice to see.

18  
19 Although, in drafting this letter, we kind of ran into the  
20 question, Mr. Anson, that you had, is sort of like how do we  
21 pull this apart, and certainly there is parts in the plan that  
22 talk about continued engagement, either through workshops or,  
23 you know, having -- Like we had Dr. Quinlan today, but perhaps  
24 other members of the team come and speak on any of those results  
25 from some of these experiments or things that --

26  
27 Some of the scientists that may want to report later, and that  
28 might be a way then that the council can begin to think about  
29 drafting some actionable things, and so we've got that in sort  
30 of the summary portion of this letter, saying that we would  
31 certainly encourage the continued engagement, as this is being  
32 developed, as things are reported, and we would like to know  
33 that, and so I know it's not probably the answer, exactly, that  
34 you're looking for, but we do try to encompass that somewhat in  
35 this letter.

36  
37 **CHAIRMAN STUNZ:** All right. Thank you, and so I think where  
38 we're need to be, and then, obviously, as things develop, we  
39 still have mechanisms to give input to that, and so, if there's  
40 no other -- In the interest of time, and we've got a lot of  
41 other business ahead of us as well, and so, if you've got what  
42 you need at this point, Lisa, I think we'll go ahead and move  
43 on, and please provide any more comments between now and Full  
44 Council regarding this letter.

45  
46 Moving on to our next action guide item, speaking of letters,  
47 there's another letter that we need to consider, and, Lisa, do  
48 you want to tell us what you would like to see from this



1 committee regarding EEJ?  
2

3 **DRAFT COMMENT LETTER ON NOAA'S EQUITY AND ENVIRONMENTAL JUSTICE**  
4 **STRATEGY**  
5

6 **DR. HOLLENSEAD:** Yes, Mr. Chair, and so, if the committee will  
7 recall, at the last meeting, there was discussion of NOAA's  
8 equity and environmental strategy, and so staff, and I believe  
9 that's Dr. Lasseter, has developed a draft letter to comment on  
10 the presentation, and, also, continuing that theme yesterday,  
11 Mr. Rauch also presented on the agency's priorities for that  
12 draft EEJ.

13  
14 The committee should review the draft letter and provide staff  
15 with any comments, edits, or further suggestions, as  
16 appropriate. Staff will revise that draft letter, and  
17 submission will be August 31, to meet that comment deadline.  
18

19 **CHAIRMAN STUNZ:** Okay. Thank you and so, committee, any  
20 comments on the EEJ letter? All right. It's a quiet committee  
21 today, and, really, I think some of the challenges with this  
22 too, around the council, is identifying some of these  
23 underrepresented groups and that kind of thing, to present a  
24 little bit of a challenge as we begin to address this, but Mr.  
25 Rauch's comments yesterday, and, obviously, this letter will  
26 move us, I think, in the direction we want to go, and it's just  
27 another example of developing things as this process moves  
28 forward. Are you looking for anything specific, Dr. Hollensead,  
29 or is there any other committee input on the letter?  
30

31 **DR. HOLLENSEAD:** Certainly hot potato to Dr. Lasseter, if she  
32 had any specific questions for the committee.  
33

34 **CHAIRMAN STUNZ:** Ava, go ahead.  
35

36 **DR. AVA LASSETER:** Thank you. Again, I think it's very similar  
37 to what Dr. Hollensead just went over for the climate letter,  
38 and I would take the opportunity to review it, if you haven't  
39 had a chance to do so, and perhaps think about it before Full  
40 Council, if you have any additional comments. Basically, we  
41 drafted this in response -- We incorporated the comments from  
42 Mr. Gill and Ms. Bosarge from the last meeting, and I think Lisa  
43 captured the rest of it. Thank you very much.  
44

45 **CHAIRMAN STUNZ:** All right. Not seeing any more comments, if  
46 the committee then is okay with the letter, we'll move forward,  
47 with the opportunity to add any comments at Full Council, any  
48 changes or anything, and, with that, I guess we'll go ahead and

1 move forward to the next agenda item, Dr. Hollensead.

2  
3 **SSC RECOMMENDATIONS ON ACCEPTABLE BIOLOGICAL CATCH (ABC) CONTROL**  
4 **RULE**  
5

6 **DR. HOLLENSEAD:** Thank you, Mr. Chair. Next, we'll have a  
7 presentation from Dr. Jim Nance, the chair of the SSC, and he's  
8 going to give a presentation regarding the SSC's current  
9 development of looking at the Acceptable Biological Catch, or  
10 ABC, Control Rule. The SSC has made some progress on that  
11 recently.

12  
13 This presentation is provided for the committee's information  
14 only, and no recommendations are requested at this time.  
15 However, the committee is encouraged to ask questions and  
16 provide feedback, as appropriate.

17  
18 **CHAIRMAN STUNZ:** All right. Thanks, Lisa. Dr. Nance, if you're  
19 ready, go ahead.

20  
21 **DR. JIM NANCE:** Thank you. Go ahead and put the slides up,  
22 Bernie. We have, at two of our previous SSC meetings -- In May,  
23 we spent about six hours in discussion of the ABC Control Rule,  
24 and, in July, we spent probably an additional four hours, and so  
25 we've been having discussions with ourselves and the Southeast  
26 Fisheries Science Center to be able to move forward on looking  
27 at having a new ABC Control Rule for the Gulf of Mexico.

28  
29 Just some background, and, as I'm sure each of you know, each  
30 regional council must establish an ABC Control Rule, based on  
31 scientific advice from its SSC. The current ABC Control Rule  
32 has been in place since 2011. SSC members have regularly  
33 expressed the desire to revisit the control rule, due to its  
34 tendency for generating narrow buffers between the OFL and ABC  
35 that is not representative of the scientific uncertainty within  
36 the stock assessments, as Mr. Gill pointed out Monday, and that  
37 was one of the discussions that we had on that presentation for  
38 yellowtail snapper.

39  
40 To address these issues, a comparison analysis of multiple stock  
41 assessment results can be performed to quantify scientific  
42 uncertainty over time. This method has been proposed by Ralston  
43 in 2011.

44  
45 Results from the Ralston method indicate a minimum sigma, or  
46 sigma min, of 0.36 is appropriate for data-rich stocks, Tier 1  
47 stocks, and it allows for sigma to increase as data quality and  
48 quantity decline, resulting in larger buffers between OFL and

1 ABC for lower tiers. This is in contrast to the results of the  
2 Gulf of Mexico's ABC Control Rule, which often uses sigma values  
3 of 0.1 for many of the Gulf stocks.

4  
5 An update of the Ralston et al. 2011 has since been published by  
6 Privitera-Johnson and Punt, and that was in 2020, which suggests  
7 using probability-based control rules to incorporate scientific  
8 uncertainty and risk tolerance when setting catch limits by  
9 scaling buffers between catch limits and scientific uncertainty.

10  
11 We had a presentation from the Southeast Fisheries Science  
12 Center, and we had the large discussions on this topic, and we  
13 had three motions at our May meeting, and I think, as you see  
14 these three motions, you can see our progression of our thought  
15 process during these discussions.

16  
17 While it had been suggested that we use just the Ralston number  
18 for our ABC control rule, those were west coast species that  
19 were used in that assessment, and we thought that it would be  
20 better to use the Ralston approach on Gulf species, and so that  
21 was this first recommendation from the SSC.

22  
23 The SSC recommends that the council request that the Southeast  
24 Fisheries Science Center develop the sigma min using Ralston et  
25 al. 2011 method for Gulf of Mexico Tier 1 stocks. That motion  
26 carried without opposition, with two being absent at the  
27 meeting.

28  
29 In further discussion during that meeting, we came up with a  
30 second motion was proposed, and this motion was the SSC  
31 recommends that the council requests that the Southeast  
32 Fisheries Science Center evaluate the potential for setting ABC  
33 at 75 percent of FMSY, or its proxy, without exceeding OFL, as  
34 outlined in Appendix A of the Restrepo et al. 1998 report for  
35 Tier 1 stocks. We wanted to add the Restrepo method to that  
36 analysis. That motion carried with one opposed and four absent.

37  
38 This motion kind of encapsulates the first two motions in our  
39 further discussion, and so this motion basically captures all of  
40 those. This motion reads: The SSC recommends that the Gulf  
41 Council request a management strategy evaluation to better  
42 account for scientific uncertainty, including imprecision and  
43 bias issues, in reducing ABC from OFL estimates or projected  
44 from data-rich Gulf stock assessments. Approaches to be  
45 considered should include those of Restrepo et al. 1998, Ralston  
46 et al. 2011, and Privitera-Johnson and Punt 2020, among others.  
47 That motion carried with two abstentions and four absent, and  
48 that, Mr. Chair, is my presentation.

1  
2 **CHAIRMAN STUNZ:** Thank you, Dr. Nance. Are there any questions  
3 for Dr. Nance? Mr. Gill.

4  
5 **MR. BOB GILL:** Thank you, Mr. Chairman. I'm not on your  
6 committee, and I appreciate the recognition. Thank you, Dr.  
7 Nance, and, in contrast to some of my prior conversation, I like  
8 all of this, and I'm a supporter of these three motions, but I  
9 have a question for Dr. Porch, and that is the question on these  
10 three motions in combination, and say the council passes the  
11 equivalent of all three, and are there any issues, from the  
12 Science Center, with any of the motions, and I'm thinking  
13 principally in terms of timeliness and your workload, et cetera,  
14 and I guess there's a tinge of feasibility issues that I might  
15 not be thinking about that would creep in there and affect the  
16 actual realization of the intent of these motions.

17  
18 **CHAIRMAN STUNZ:** Dr. Porch.

19  
20 **DR. PORCH:** Thank you for the question, and so we agree, in  
21 principle, that everything that's in those motions, and, in  
22 fact, we've done some of those analyses before, the first time  
23 we revised the ABC Control Rule, when we showed the effect of  
24 using different approaches for generating ABC from the stock  
25 assessments, but, fundamentally, I agree that the stock  
26 assessments tend to underestimate the true uncertainty, and so  
27 the SSC is right on target to look at other ways to get a better  
28 estimate of the true uncertainty in assessments.

29  
30 It is on our list already to update the Ralston et al. analysis,  
31 but with stock assessments conducted in the Southeast Region.  
32 That's not a small lift, and so it's not something that's going  
33 to happen in a few months, and then the request for the MSE is  
34 also a good idea, but, typically, those sorts of procedures are  
35 measured in years, rather than months, and so that's not going  
36 to happen soon.

37  
38 What we can do, sooner, is show what the impact would be on the  
39 ABC advice, using things like -- Basically update the analyses  
40 that we've showed before, using F 75 percent, versus something  
41 like the Ralston approach, and you can see the range in ABCs  
42 that you would get.

43  
44 One concern I have, although I like the simplicity of the 75  
45 percent of the FMSY proxy approach, is it doesn't actually  
46 account for some assessments being less certain than others, and  
47 so that, if you actually improve the assessment, you would still  
48 be getting the same buffer, when you're using the 75 percent of

1 the FMSY proxy, and so the short answer to your question is all  
2 those things are on our list. Some things could be done maybe  
3 on the order of a few months, and other things will take some  
4 time to thoroughly evaluate.

5

6 **CHAIRMAN STUNZ:** Mr. Gill.

7

8 **MR. GILL:** Thank you, Mr. Chairman. Thank you, Dr. Porch, and  
9 so I'm not on your committee, but I would recommend the  
10 committee make commensurate motions for passing consideration to  
11 Full Council.

12

13 **CHAIRMAN STUNZ:** Thank you, Mr. Gill, and, to that point, and  
14 please raise your hand if there are some other questions or  
15 comments, but, Dr. Nance, I have a question, because, obviously,  
16 this is pretty technical. The two prior motions to this -- Does  
17 the third motion capture the two prior motions, and then my next  
18 question, to follow-up on that, would be so the idea is to run  
19 these different, and I don't know if they're called models or  
20 scenarios, and then come back to the council and report at some  
21 point, or I guess what's the end goal, or how would that look  
22 like, as it relates to this council?

23

24 **DR. NANCE:** Well, this has not been done in a vacuum at our  
25 meetings, and we've had Dr. Shannon Cass-Calay there, and she's  
26 intimately involved in what we've been discussing, and so, as we  
27 move forward on these -- I know, from Clay's perspective, Dr.  
28 Porch's perspective, that these are things that they would like  
29 to do, things they have on their plate that they would like to  
30 proceed with, but certainly there are time constraints to be  
31 able to accomplish these. I think we're all after the same goal  
32 of being able to get an ABC control rule that allows us to have  
33 a buffer between OFL and ABC that we're happy with that is  
34 scientifically valid.

35

36 These motions, as we talked -- We would certainly like to see,  
37 as Dr. Porch suggested -- The Ralston approach is something that  
38 we would like to have done with the Gulf stocks, instead of the  
39 west coast stocks. As he pointed out, the Restrepo approach is  
40 certainly -- It's 75 percent, but some of the SSC members said  
41 they would like to see that one done, and so that one was put  
42 in.

43

44 I'm not sure the third motion gets rid of the first two, and we  
45 would like to see, basically, the Ralston approach, the  
46 Privitera-Johnson and Punt, and that's a newer one, and then the  
47 Restrepo approach, and so those three we would like to have  
48 looked at, and then so we can discuss those at our SSC meetings.

1  
2 **CHAIRMAN STUNZ:** Okay. I see Dr. Sweetman has his hand up  
3 online. C.J., are you there?  
4

5 **DR. C.J. SWEETMAN:** Yes. Thank you, Mr. Chair. Just a couple  
6 of questions, and this first one I guess is for the broader  
7 committee and council. Given that we have some new council  
8 members, I'm curious if it would be useful for the council to  
9 hear a presentation about the current ABC rule and how it works.  
10 I know we received one in 2021, but I'm just curious if that  
11 would be of interest to the council and the committee, to hear  
12 that, and, secondly, I know that the South Atlantic Council is  
13 also currently revising their ABC control rule, and I'm curious  
14 how some of these methods that we're discussing today, or what  
15 the South Atlantic Council is working towards, if there are  
16 additional things that maybe the Gulf Council needs to consider,  
17 based on what the South Atlantic Council is doing, and maybe our  
18 South Atlantic rep can speak to that.  
19

20 **DR. NANCE:** We're aware that the South Atlantic Council is  
21 moving forward on an ABC control rule change. They have, I  
22 think, a public hearing tonight, between 5:00 and 7:00, and I'm  
23 going to listen to that, just to hear what they're trying to do.  
24 I don't want to follow exactly what they're doing, but we're  
25 certainly interested in what they're doing, and maybe take some  
26 advice, depending on where they're moving with their ABC control  
27 rule.  
28

29 **CHAIRMAN STUNZ:** Carrie, did you want to -- The other question  
30 C.J. had was regarding just sort of an update presentation of  
31 the ABC control rule for new council and that sort of thing, and  
32 I don't know what the committee -- Do you recall when the last  
33 time was what we had something like that?  
34

35 **EXECUTIVE DIRECTOR SIMMONS:** I will look back at the other staff  
36 table, but I think it's been quite some time since we've  
37 discussed this, and probably 2010, maybe, when we were  
38 developing it?  
39

40 **MR. RYAN RINDONE:** The last time that we did a meaningful update  
41 to the ABC control rule was following the ACL/AM Amendment, and  
42 so it's been on the books since about 2011.  
43

44 **CHAIRMAN STUNZ:** Well, maybe -- If other committee members feel  
45 strongly one way or the other, let me know, or maybe I could  
46 sort of direct that back to you and your staff, Carrie, to think  
47 about, and is that necessary, or how would that fit into the  
48 timeline with the Chairman, and I don't want to overstep my

1 bounds here, in terms of doing that, and it might be good for  
2 the new council to have an update at some point, but, you know,  
3 I don't want that to sidetrack a lot of other stuff that we have  
4 going on as well.

5  
6 **EXECUTIVE DIRECTOR SIMMONS:** I can work with Mr. Diaz, and we  
7 need to figure out when we would have time to do this, and as  
8 well as Dr. Nance. I think maybe, when they start working on  
9 the changes, they could also bring what we're currently doing in  
10 more detail to the council.

11  
12 **CHAIRMAN STUNZ:** Actually, that's a good idea, because, if some  
13 analysis were to occur, that might be a good point to refresh  
14 everyone's mind. Mr. Rindone.

15  
16 **MR. RINDONE:** I just wanted to add, and Dr. Nance can certainly  
17 vouch for this, but, due to the narrow buffers that our current  
18 control rule tends to generate around the projections between  
19 the OFL and the ABC, the SSC explored other ways to better  
20 account for scientific uncertainty, like Dr. Porch had  
21 mentioned, and using 75 percent of the FMSY proxy as the  
22 substitute for setting the ABC, as opposed to using the P\*  
23 approach, when the P\* approach generates those really narrow  
24 buffers.

25  
26 Some of the other approaches that are currently being  
27 investigated by the Science Center and by the SSC are going to  
28 result in wider distributions, which will inherently generate  
29 wider buffers between the OFL estimate at 50 percent probability  
30 of overfishing and the ABC estimate, which is at some  
31 probability lower than that, and so, the more narrow those  
32 distributions are, the more narrow the buffers are. The wider  
33 the distribution, the wider the -- So that's one of the things  
34 that the SSC is currently considering, and so we can certainly  
35 present what we're currently doing.

36  
37 The SSC doesn't have a habit of using it very much recently,  
38 because they're unhappy with it, and they have found other  
39 quantitative ways, working with the Science Center, to better  
40 characterize the uncertainty, the scientific uncertainty,  
41 inherent in the assessment, the projections, and there is some  
42 ongoing and proposed research by the Science Center, and some of  
43 the colleagues that they work with, to improve the projection  
44 tools to better account for that uncertainty within the model,  
45 and that will do a lot to change where we're going with  
46 projecting yields in the future.

47  
48 **CHAIRMAN STUNZ:** Thank you, Ryan. Dr. Porch.

1  
2 **DR. PORCH:** I just wanted to encourage the council, and the  
3 council's SSC, to work with the South Atlantic Council. I think  
4 the ABC control rules are kind of diverging unnecessarily, and  
5 so it would be -- I mean, they really operate pretty  
6 independently, and it would be good if we could open up maybe a  
7 more comprehensive dialogue between the two SSCs.

8  
9 **CHAIRMAN STUNZ:** Well, Clay, to bring those maybe more  
10 convergent together between the councils, would these analyses,  
11 where you're considering these different approaches, help  
12 towards that? I'm not real clear on what the South Atlantic is  
13 doing, and so does this make things more divergent or help with  
14 the convergence of those?

15  
16 **DR. PORCH:** I think that the South Atlantic SSC is considering  
17 some of the concepts, some concepts that are similar to this,  
18 but not identical, and so, again, I think it's just time to  
19 start talking about it, as both group's ABC control rules are  
20 evolving, and there may be some ways, in the fairly near future,  
21 to kind of fine-tune them in a way that maybe makes them a  
22 little more similar, and so the short answer to your question is  
23 it's not clear whether it's going to make it more divergent, but  
24 it's not going to, as it stands now, make it less divergent, and  
25 so it would be good if the two groups talked, and, basically,  
26 they have similar situations.

27  
28 **CHAIRMAN STUNZ:** Well, I might suggest -- I am not seeing other  
29 hands from the committee, and, as Chair, I'm not sure I can make  
30 a motion, or should make a motion, I guess, for this just yet,  
31 or maybe what we can do, between now and Full Council -- Because  
32 I'm not totally clear on the previous two motions, Jim, and what  
33 I'm saying is we need to come up with a nice motion that  
34 captures all of that, but also what Clay just said about working  
35 with the South Atlantic, to try to have similar methodologies  
36 converge more and then bring that to Full Council, and would  
37 that help? I'm throwing it out there, and I don't want to  
38 complicate things, but that seems like it might be the next  
39 step.

40  
41 **DR. NANCE:** I think yes.

42  
43 **CHAIRMAN STUNZ:** Okay. So I would recommend, because this is  
44 complex, between now and Full Council -- I am happy to make that  
45 motion at Full Council, if the staff or Clay or you, Jim, or  
46 whoever can help kind of consolidate this down into a nice  
47 motion, which hopefully -- Or two or whatever it takes to get  
48 this moving forward, in terms of, I think -- Lisa, hopefully



1 that captures kind of the intent of where the committee is  
2 going, and, if we can work together in the next day or so and  
3 come up with something, we can move this forward. Is that --  
4 I'm speaking on behalf of the committee here, and I want to make  
5 sure that's okay. Andy.

6  
7 **MR. STRELCHECK:** That sounds good, Greg, and I just wanted to  
8 mention that I'll be at the South Atlantic Council meeting in  
9 three weeks, and we are going to be talking about their ABC  
10 control rule amendment that's going to public hearing draft at  
11 this stage, and so they are fairly far along in the process, but  
12 certainly we'll be happy to also deliver this message, in terms  
13 of wanting to further coordinate on the ABC control rule  
14 development, to the extent we can at this point.

15  
16 **CHAIRMAN STUNZ:** Yes, that sounds good, Andy, and maybe just a  
17 brief update at our next meeting, and we can kind of see where -  
18 - Go from there, and so, if that sounds good to the committee,  
19 we'll move forward with that. If not, you know, now is the time  
20 to speak up. All right, and so, on this particular topic, is  
21 there anything else, Lisa? Did we get through what we needed to  
22 in the action guide for that? All right. Thank you, Jim. If  
23 there's nothing else, we'll move on through the agenda then.

24  
25 **DR. NANCE:** Thank you very much.

26  
27 **CHAIRMAN STUNZ:** All right. Mr. Chairman, it's 10:00, and we  
28 haven't had a break, but I don't know. Up next was Mr. Rindone  
29 and Dr. Simmons were going to talk about some automated catch  
30 advice, and is something we want to do before break or -- I  
31 don't know how long that's going to take.

32  
33 **MR. DIAZ:** I am going to look around the table for thumbs-up or  
34 thumbs-down on a break. Are folks okay to continue going?  
35 Thumbs-up, and so these two presentations should be fairly  
36 short. All right. Please proceed, Dr. Stunz.

37  
38 **CHAIRMAN STUNZ:** Okay. Then we can talk about a break after  
39 that and so, Dr. Hollensead, do you want to go through the  
40 action guide regarding Item Number VII, please?

41  
42 **PRESENTATION ON MECHANISMS AND OPTIONS FOR AUTOMATING CATCH**  
43 **ADVICE FROM INTERIM ANALYSIS**

44  
45 **DR. HOLLENSEAD:** Dr. Simmons is going to lead this presentation,  
46 and I think she gets the award for the largest action guide  
47 text, and so I'm going to let her take the lead on this one.

48

1 **EXECUTIVE DIRECTOR SIMMONS:** Thanks, Lisa. I will blame it on  
2 Mr. Rindone, since he blamed me for the Reef Fish action guide.  
3 All right. We're going to provide, or I'm going to provide, a  
4 short presentation on how the updates to catch advice following  
5 an interim analysis might be implemented in a more automated  
6 fashion.

7  
8 As most of you know, the Science Center has been able to produce  
9 a tool, an interim analysis tool, to help us understand stock  
10 health and trends between stock assessments, and, typically,  
11 that analysis uses data, such as a fishery-independent index,  
12 from a previous year to inform those proposed potential  
13 modifications to catch advice.

14  
15 The purpose of this tool is to capture a more real-time  
16 understanding of what is occurring on the water, as a stock  
17 assessment is often outdated by the time we get to some of the  
18 management advice, and so what we've done here is just put  
19 together a preliminary draft for the committee to consider, to  
20 see if you like it, if you would like more information, and, if  
21 you wanted to consider it, I think we would have to do a plan  
22 amendment to make changes to our framework, and so, Mr. Chair.

23  
24 **CHAIRMAN STUNZ:** All right. Thank you, Carrie. So are you  
25 giving that, or is Ryan giving that presentation? You are?  
26 Okay. Well, if we want to go ahead and pull that up, and  
27 whenever you're ready.

28  
29 **EXECUTIVE DIRECTOR SIMMONS:** All right. Thank you. This is Tab  
30 E, Number 7. Just a little bit of an outline here, to give you  
31 some background on some management considerations we've done in  
32 the past, and what we have going on right now, and this is an  
33 example of our process, in the management side of the house, and  
34 I took a preliminary look at what other regional management  
35 councils are doing, to see if any of it could possibly apply to  
36 what we're trying to do here, and more could be done there as  
37 well, and I have a suggestion for a mechanism that we could  
38 consider, and then how that might assist us in streamlining the  
39 potential regulatory impacts and some next steps.

40  
41 As I just stated, the Science Center has developed this interim  
42 analysis tool, and it can provide updates on the health of the  
43 stock, in between stock assessments, and then the SSC can  
44 consider that and decide if they want to make recommendations,  
45 or should be making recommendations, for catch advice. This has  
46 been a great tool for us, and it has allowed managers to assess  
47 health and make modifications in between stock assessments.

48

1 Currently, it takes six to eight months for us to develop a  
2 framework action after this advice has been given and then  
3 another six to eight months for us to go through the regulatory  
4 side of things, to consider the range of alternatives, have that  
5 public input, and then, once we take final action, it's  
6 typically another six to eight months, and so are there new  
7 options that we could come up with to reduce time between this,  
8 and that's what our aim is, but we understand that there's a  
9 tradeoff between transparency and efficiency, and, as we all  
10 know, this whole process -- That is one of the big tradeoffs we  
11 have, and so what are people's comfort level with efficiency  
12 compared to what we need for transparency for the public.

13  
14 This is just a recent example for gray triggerfish. You recall,  
15 in 2020, the Science Center informed us that they were unable to  
16 move forward with the stock assessment, and, at that time, they  
17 recommended that we use this tool and, if possible, consider  
18 changes to catch advice, and we did in fact do that, and this  
19 just shows the timeline for the council process and then, in  
20 white, the regulatory side. Excuse me. In blue is the  
21 regulatory side, after the council takes final action to get  
22 those rules on the books and implement it, and so that was a  
23 sixteen-month process.

24  
25 Just to remind everyone, we have often requested these interim  
26 analysis updates from the Science Center. We've got some  
27 completed and some outstanding, and some are requested every  
28 year, and I think, every year, we've asked for red grouper, and  
29 then we have a standing request for gag, but we're still waiting  
30 on some decisions, I believe, from the council regarding  
31 allocation and moving forward with the units in the State Reef  
32 Fish Survey.

33  
34 We took a look at just what is the percent change that the  
35 council implemented in the framework actions from this interim  
36 analysis, and so I looked at red grouper, and that was a 57  
37 percent decrease from the current ABC, which was set equal to  
38 the total ACL, and that was what the SSC recommended, and I  
39 think what we ended up doing was a more conservative approach,  
40 which was using the combined landings from 2017, and that  
41 actually ended up being a 61 percent decrease, and that was  
42 implemented in October of 2019.

43  
44 What did we do for red grouper? That was a 16 percent increase  
45 in the ABC, and that was implemented just this month. For  
46 triggerfish, it was a 49 percent increase, and that was  
47 implemented in 2021.

48

1 For red snapper, it was not -- It was a little bit more  
2 elaborate interim analysis that I believe the Science Center had  
3 to conduct, but that was a 2 percent increase in the ABC, and  
4 then the document you're considering final action on at this  
5 meeting is almost a 6 percent increase.

6  
7 I didn't really see a trend there, and there wasn't a whole lot  
8 of consistency with the percentages, and they were all over the  
9 board, and so I said, okay, let me look at what we've done in  
10 the last five years, just for reef fish, and just for actions  
11 where we're changing catch advice, and not where we're making  
12 other management changes, and so, for lane snapper, that was a  
13 92 percent increase. Then, for red snapper, a couple of years  
14 ago, it was almost a 10 percent increase.

15  
16 What have other councils done? The Mid-Atlantic Council has  
17 some regulatory language on the books that allows the agency to  
18 make changes for particular species, that being dogfish and  
19 monkfish, and they can do that, actually, when the council  
20 recommends different catch level advice, and so I thought that  
21 was interesting, and so that is in their codified text.

22  
23 The other thing they're looking at is developing this  
24 recreational harvest limit, using a percent change approach from  
25 the current stock benchmarks, and that is a little bit more  
26 elaborate approach than what I was thinking we could try to do  
27 here, but I provided the link, because they are currently  
28 working on this, and there's some interesting information there  
29 that the council may like to look at and maybe get more  
30 information in the future on what they're doing there.

31  
32 One thing that they're doing there that could apply for this,  
33 this more automated approach, that I was looking at is the  
34 recreational catch limits. They're looking at those for the  
35 last two years, and so they're using dependent, fishery-  
36 dependent, information, and they're comparing it to the recent  
37 landings, that year of landings compared to the previous two  
38 years of landings, as well as the confidence interval, to  
39 determine whether measures should be more liberal or more  
40 conservative, and they do have different thresholds in there,  
41 and so getting back to that percent threshold idea.

42  
43 The New England Council also has, and apparently this is some  
44 old regulatory language, on the books, in a couple of their  
45 plans that is automated and allows their Regional Administrator  
46 to deviate from the council's recommendation without any limits,  
47 for a species such as Atlantic herring, and my understanding is  
48 this hasn't been used very much, but it is a regulatory language

1 on the books that other councils have done, and so that was my  
2 point in providing it here for you today.

3  
4 So what we can we do here? I looked at our framework procedures  
5 for reef fish, and I was thinking, in our closed framework  
6 procedure, if we could come up with a percentage, increase or  
7 decrease, that would not trigger significant impacts with NEPA,  
8 and/or Magnuson, what the council would be comfortable with,  
9 perhaps in the short-term, or based on the status of the stock,  
10 based on an SSC recommendation, and so that could perhaps be  
11 modified with the language there that we have.

12  
13 In a perfect world, could this work? Could we get the interim  
14 analysis information from the Science Center, for a particular  
15 species, and the SSC reviews it, at a meeting, and that advice  
16 goes to the council at their next meeting, and then the council  
17 decides if they want to act on that, and then, at that time, the  
18 public could provide comment, based on those two meetings, at  
19 that council meeting.

20  
21 If the council concurred, they could write a letter requesting  
22 the Regional Administrator to change that catch, based on a  
23 percentage or something else, and then they do the regulatory  
24 side. They notice it in the Federal Register, and there's a  
25 comment period.

26  
27 If you look at those percentages, increase and decrease, over  
28 the last five years, just for reef fish actions, and that was  
29 about seven framework actions, and four of those would have met  
30 that criteria, which was the 25 to 30 percent.

31  
32 We think there's some utility in further consideration of this,  
33 to maybe look at our coastal migratory pelagics actions, or  
34 maybe there's another way that we could automate this that would  
35 not trigger these significant impacts for NEPA and require an  
36 environmental assessment process.

37  
38 I'm sure there is going to be some tradeoffs here, for  
39 efficiency and transparency, the amount of time the council has  
40 to deliberate on these changes, versus the time it takes to  
41 implement them, and so what are some other considerations that  
42 you might want to think about? There's stock status and if we  
43 don't want to do this for overfished stocks, and maybe we want  
44 to put a time limit on it. I think what the Mid-Atlantic  
45 Council is doing is they have like a two-year time limit on it,  
46 or you may not want to make these changes when we're converting  
47 them from MRFSS to MRIP or the state surveys. I think that's  
48 it. Thanks.

1  
2 **CHAIRMAN STUNZ:** Thank you, Carrie. Any comments or questions  
3 from the committee? Dr. Hollensead, do you want to remind us  
4 what -- I mean, do you want comments from the committee, and the  
5 staff would like that, in terms of sort of what do you want for  
6 the next steps?

7  
8 **EXECUTIVE DIRECTOR SIMMONS:** I mean, if you would like to see  
9 more of this, I think a motion would be appropriate, and I don't  
10 know if Ms. Levy is on, but I think, if we make changes to our  
11 framework procedure, we need a full plan amendment, but maybe  
12 Mr. Strelcheck knows.

13  
14 **CHAIRMAN STUNZ:** Andy, would you like to comment to that?

15  
16 **MR. STRELCHECK:** I don't know if that is the correct mechanism  
17 or not, and you're probably right that it would probably require  
18 an amendment. I guess a couple of thoughts, while I have the  
19 microphone. One, thank you, Carrie and team, for thinking  
20 outside the box, and I think we, obviously, do get bogged down,  
21 a lot of times, with a lot of additional work that maybe could  
22 be streamlined and simplified, and so I like, obviously, the  
23 ideas that are being put forth here.

24  
25 We do have a number of questions on the fisheries side, and I  
26 think welcome the opportunity to talk to you, Carrie and team,  
27 about this. By authorizing me, as the Regional Administrator,  
28 to make these changes, it doesn't necessarily alleviate the work  
29 that may be associated with NEPA, with our economic analyses,  
30 and so there's still going to be a burden on the agency that  
31 would come along with this, and so I would really like to kind  
32 of go through and determine what that might look like, how that  
33 would change things, in terms of this directly kind of  
34 interacting and intersecting with the council, versus work being  
35 done with the Fisheries Service, once we get a recommendation,  
36 or a letter, from the council, but, beyond that, I'm certainly  
37 supportive of continuing to explore this idea.

38  
39 **CHAIRMAN STUNZ:** Thanks, Andy. You know, I have a question, and  
40 I don't know if this is for you, Andy, or Clay, but, you know,  
41 the intent, or the implication, is that, with the efficiency,  
42 you're somehow not being as transparent or whatever, and I don't  
43 know, and is that really the case? I mean, obviously, there's a  
44 lot more steps for transparency in a full-blown process, but  
45 we're still, in my mind, meeting that, or would be -- In other  
46 words, it's improving efficiency, it allows us to get business  
47 done that couldn't otherwise get done in a timely manner, and is  
48 that transparency really that compromised?

1  
2 **MR. STRELCHECK:** In commenting on that, I would say we would be  
3 reducing the opportunities for public input during the process,  
4 right, and so there would still be opportunities for public  
5 input, through rulemaking, or notices, any sort of publication  
6 of NEPA documents, if required for comment, but, in terms of  
7 having, you know, discussion during council meetings and public  
8 testimony, that would be steps that would essentially be  
9 eliminated from the process, and so it would reduce, obviously,  
10 that public testimony and input.

11  
12 **CHAIRMAN STUNZ:** Dr. Porch, and I know -- Before you answer, Dr.  
13 Porch, I know there's two hands up online, and I will get to you  
14 two next.

15  
16 **DR. PORCH:** I would say, from the science end, if anything, it's  
17 even more transparent, because it's -- The stock assessment  
18 process is extremely transparent, and you go over ever step, but  
19 most people just don't understand all the technical stuff that  
20 goes into an assessment. With these interim analyses, the index  
21 goes up, the catch goes up. The index goes down, the catch goes  
22 down. It's simple math, an algebraic formula, and I think it's  
23 just easy for people to understand. It's a simple thing that  
24 people can use and understand.

25  
26 **CHAIRMAN STUNZ:** Andy, go ahead.

27  
28 **MR. STRELCHECK:** Well, and related to this, although maybe more  
29 difficult for us to do this in this region, I am aware of other  
30 regions where they have their annual specifications process, and  
31 it occurs at the kind of same time each and every year, and so  
32 that could also help with transparency, if we could get to  
33 something that allows for these changes to be kind of known and  
34 be occurring at a date certain, or a time period, each and every  
35 year, going forward.

36  
37 **CHAIRMAN STUNZ:** Thanks, Andy. Okay. I've got Mara and C.J.  
38 online and then Tom Frazer after that. Mara, are you there?

39  
40 **MS. MARA LEVY:** Yes. Thanks. A couple of things. One, I mean,  
41 Andy mentioned an annual specification process, and that would  
42 potentially be possible, but it's going to require a reworking  
43 of how we do all of our annual catch limits and targets and  
44 what's codified versus what we're just specifying annually each  
45 year, and it works, you know, on the west coast, by virtue of  
46 their process, and so I just think that, you know, we really  
47 need to think about whether we can work that type of thing into  
48 the way that the Gulf Council and this region operate.

1  
2 I would also just point out that you can make changes to -- You  
3 can respecify ACLs and ACTs and such under the current  
4 abbreviated process, right, and so it's not that you don't have  
5 a mechanism to do this fairly quickly, but it still requires a  
6 rulemaking, which, in and of itself, requires time, and, again,  
7 that's just by virtue of the way that this council and this  
8 region operate and the way that things have been set up, and so  
9 I'm not saying you can't change that, but, again, thinking about  
10 how the process, in terms of getting the catch advice, fits into  
11 how we actually process the data and then change the  
12 regulations.

13  
14 If we're going to change what we've codified, in terms of catch  
15 limits, we've got to do a rulemaking to do that, and it can't  
16 just be a temporary rule, the way we do accountability measures,  
17 and so I guess I would just say that there is a way to do this  
18 fairly quickly. The lag is doing the analysis for whatever is  
19 required for the council, and it's not necessarily that it's not  
20 doable in a timely fashion. Thanks.

21  
22 **CHAIRMAN STUNZ:** Okay. Thank you, Mara. C.J.

23  
24 **DR. SWEETMAN:** Thank you, Mr. Chair. I just have a process  
25 question for Dr. Simmons, and so, looking at Slide 13, on Step  
26 3, where it says the council will receive catch advice from the  
27 SSC and concur via a motion, I'm curious what happens if the  
28 council wants to use a different catch limit, and does that then  
29 go back to the SSC, during this interim analysis process? Just,  
30 if you could expand upon that, that would be helpful. Thanks.

31  
32 **CHAIRMAN STUNZ:** Carrie.

33  
34 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so I  
35 think, you know, the council can always request different  
36 things, or take things back to the SSC, and so I guess, if you  
37 wanted to set an ACL lower, we have done that for red grouper,  
38 and that would be in your purview, and whatever percentage, or  
39 threshold, that you would set up in your framework action -- It  
40 could still be automated, would be my dream, but we have other  
41 things to work through, obviously. If it would be higher, or  
42 you weren't comfortable with that, then I think you would send  
43 it back to the SSC, or explain why you don't act upon it, would  
44 be my thinking.

45  
46 **CHAIRMAN STUNZ:** Okay. Dr. Frazer.

47  
48 **DR. TOM FRAZER:** Thank you, Dr. Stunz, and I just really want to



1 thank Carrie and the team for trying to move the ball forward on  
2 this one. I do see a tremendous amount of opportunity to be  
3 responsive, but I also appreciate Andy's comments as well, that  
4 they're going to have to look at, you know, what's going to  
5 trigger some NEPA action and what that workload is going to look  
6 like, but my -- You know, again, the approach I would probably  
7 take is how do we do that, as opposed to identifying the process  
8 and saying these are all the problems that we face.

9  
10 I think it's a good idea, and let's figure out how to make it  
11 work, as opposed to just identifying all the roadblocks, but the  
12 second part of my question, and I will let the SERO guys kind of  
13 work out the NEPA stuff, but, you know, the idea of the interim  
14 analyses, right, is to allow us potentially to respond quickly  
15 to what we're seeing on the water, because the regular  
16 assessment and management process takes so long, and that's good  
17 to be responsive, particularly if the fishery is changing and  
18 there is more fish to be harvested, or accessed, whatever  
19 language you want to use there, but I also recognize that we've  
20 had a number of conversations, around this table, about  
21 stability in the fishery, right, and so there's this tradeoff  
22 between being responsive and making sure that the industries and  
23 the sectors know what they're going to be doing for the next  
24 couple of years, and so we don't want to be bouncing all over  
25 the board, like a ping-pong ball or something like that.

26  
27 I see the opportunity here, right, and there is certainly a way  
28 to be more responsive, and I'm super encouraged by this, and so  
29 I hope that we can work with the agency and the Regional Office  
30 and the Science Center and everybody that's involved to make  
31 this happen, and I think it would be a step in the right  
32 direction, and so, again, thank you.

33  
34 **CHAIRMAN STUNZ:** Thank you, Tom, and I think you summarized that  
35 very nicely, especially your first part, about the real question  
36 is, is the next steps -- If we could go back to your next steps  
37 slide, Carrie, and sorry that I don't remember -- I think it's a  
38 couple past this one here.

39  
40 That's where I really think -- Carrie, I really have a question  
41 for you, and, I mean, I'm all about improving efficiency, but  
42 maintaining the transparency, and you have that right there in  
43 the considerations, and so I'm trying to gather, from this  
44 committee, if we're interested in moving down that road, and, in  
45 terms of officially, what do you need from us, or what do we  
46 need to do at this point?

47  
48 **EXECUTIVE DIRECTOR SIMMONS:** Well, I think a motion would be

1 good, and maybe we're not ready to start an amendment, but just  
2 a motion to look into this further and maybe consider more than  
3 just reef fish species, if you think that's reasonable, and  
4 bring back some maybe different vehicles, or mechanisms, that  
5 would be appropriate with NEPA.

6  
7 **CHAIRMAN STUNZ:** I agree with that. Is there a committee member  
8 willing to make that motion? Andy, go ahead.

9  
10 **MR. STRELCHECK:** I raised my hand because Mara is on the board.

11  
12 **CHAIRMAN STUNZ:** Okay. Thank you for pointing that out, Andy.  
13 Mara, go ahead.

14  
15 **MS. LEVY:** Thanks. I don't really want to belabor this, but I  
16 do want to point out that this type of thing is already  
17 available through the abbreviated framework process, and, if we  
18 go back to the slide that we were looking at before, that has  
19 the different steps, you know, under the abbreviated process,  
20 the council could receive new SSC advice, and you would notice  
21 it for public comment and potential action, which is already up  
22 there, and the procedure, under the abbreviated framework, or  
23 even the regular framework, process says that you can then send  
24 a letter with the required analysis and information to NMFS,  
25 requesting implementation.

26  
27 The piece that gets fuzzy is the light-blue steps on that slide,  
28 and, you know, notice publishes in the Federal Register. Well,  
29 it may not just be a notice. NMFS, given the way that things  
30 are set up now with your catch limits, would likely have to  
31 propose changes to the current codified ACL and/or ACT, and,  
32 once you take comment on something, you can't just implement it  
33 as soon as the comment period is done being effective, right,  
34 and we have a comment period, and we respond to those comments.

35  
36 We generally have a cooling-off period, unless we waive it under  
37 the APA, and so there are a number of requirements in those last  
38 two blue steps, light-blue steps, that may not be able to be  
39 simplified in the way that it is depicted, and so I just feel  
40 like we need to take all of those things into consideration, and  
41 maybe we should also be taking a much closer look at what you  
42 can already do under the abbreviated framework process to  
43 accomplish these goals. Thanks.

44  
45 **CHAIRMAN STUNZ:** Thank you, Mara. Andy.

46  
47 **MR. STRELCHECK:** Going back to Carrie's comment, in terms of  
48 next steps, I think what Mara is kind of pointing out is what we

1 need to do is let's carefully look at the existing process, and  
2 what avenues we have to do this, and then have a team come back  
3 and recommend to us any changes to that process, as well as  
4 discuss kind of the tradeoffs, the pros and cons of this, from  
5 the standpoint of some of the things we've talked about, like  
6 transparency and public comment versus efficiency and moving  
7 things faster to implement things quicker.

8  
9 I think that would be really beneficial, and we can lay out  
10 clearly then what the process would look like, what the  
11 requirements would be of the council, and also what then would  
12 be the requirements of the agency.

13  
14 **CHAIRMAN STUNZ:** Tom.

15  
16 **DR. FRAZER:** I just wanted to, again, ask a question of Dr.  
17 Simmons with regard to some of the examples you provided, and  
18 one of them was from the New England Council, where the RA  
19 essentially had the authority, right, to make changes, and did  
20 you talk with that council and their staff about how long --  
21 What the process, the length of the process, to actually  
22 implement those changes was, and is it different than what we're  
23 talking about here?

24  
25 **EXECUTIVE DIRECTOR SIMMONS:** Thank you for the question, Dr.  
26 Frazer. I did not get into those details with the Mid-Atlantic  
27 Council. The first example I think I provided has been on the  
28 books for some time, and the other is a framework action that  
29 they're working on, and so that hasn't been finalized yet, with  
30 the thresholds, the one with the link, and I think it's the  
31 second example that I gave.

32  
33 I do think we can look at our current process with the  
34 abbreviated frameworks, but I can't recall the last time we  
35 developed and implemented anything faster than a year, and so I  
36 agree that we need to look into this more, and we need to see  
37 pros and cons, but I think that the current process is taking  
38 way too long, and we need to try to improve that, where we can.

39  
40 **DR. FRAZER:** I mean, I guess what I was suggesting is that you  
41 and the Regional Office contact -- Particularly, in this case,  
42 it looks like it's the New England Council, right, where the RA  
43 has that kind of discretionary authority, and ask them, very  
44 specifically, about their process, and, if they get something  
45 done in six months, you know, that's a signal, to me, that we  
46 can probably do better on our end.

47  
48 **CHAIRMAN STUNZ:** Okay. Thank you, Tom. Well, in the interest

1 of time, because we still have a few items before us, and we're  
2 up against, or past, a break here, and I think, Carrie, unless a  
3 committee member has a motion ready, can we talk with staff  
4 between now and -- I hate to keep deferring everything to Full  
5 Council, but I want to make sure we get the motion right, and if  
6 we could discuss a motion with your staff and what is -- How do  
7 we best get to those next steps through a motion, and I think  
8 that would be good, and, if that's okay with the committee,  
9 we'll move forward that way.

10  
11 **EXECUTIVE DIRECTOR SIMMONS:** Yes, that would be good.

12  
13 **CHAIRMAN STUNZ:** I'm seeing a lot of head-nodding around the  
14 table, and so I think we'll, for now, hold off right now, and,  
15 Mr. Chairman, if you want to take a break, and we have still two  
16 items still. Just to refresh, it's the research set-aside  
17 discussion and a discussion on pompano, and I know we're running  
18 - We don't have a whole lot of time left, and so I'll let you  
19 decide how we want to proceed forward.

20  
21 **MR. DIAZ:** Let's take a short break, just ten minutes, if we  
22 could try to get everybody back in ten minutes, and try to wrap  
23 this committee up close to on time. I think we've got a busy  
24 afternoon planned this afternoon, and I don't want to get too  
25 far behind schedule, and so ten minutes, and we'll come back at  
26 10:35.

27  
28 (Whereupon, a brief recess was taken.)

29  
30 **CHAIRMAN STUNZ:** With that, we'll call the Sustainable Fisheries  
31 Committee back to order, and if everybody would take their seat,  
32 please, so we can move along, because we've got still a little  
33 bit of ground to cover, and I know Dale wants to get the Full  
34 Council meeting started here and move on with that today.

35  
36 For the next item of business, we have been discussing these  
37 research set-asides, and, Dr. Hollensead, do you want to review  
38 the action list, briefly, about what we need to accomplish on  
39 that topic?

40  
41 **OVERVIEW OF RESEARCH SET-ASIDES (RSA) TIMELINE, COMPOSITION, AND**  
42 **DRAFT OBJECTIVES**

43  
44 **DR. HOLLENSEAD:** Yes, Mr. Chair. Staff, which I believe the  
45 point of contact for this is Dr. Freeman, will present an  
46 overview of draft objectives, workgroup composition, and  
47 anticipated timelines for evaluating a potential research set-  
48 aside in the Gulf of Mexico. The committee should consider that

1 presentation, ask any questions, and provide feedback.

2  
3 **CHAIRMAN STUNZ:** Okay. If we want to pull up that presentation.  
4 If I'm understanding this right, Dr. Freeman will be the one  
5 presenting that, and so, Dr. Freeman, while they're pulling that  
6 up, are you there?

7  
8 **DR. MATT FREEMAN:** Yes, sir. I'm here.

9  
10 **CHAIRMAN STUNZ:** Okay. Hold on one second. Okay. It looks  
11 like we have the presentation in front of us, Dr. Freeman, if  
12 you want to go ahead. Please proceed.

13  
14 **DR. FREEMAN:** Okay. Terrific. Following the presentation by  
15 the New England and Mid-Atlantic Council staff on the use of  
16 research set-asides, or RSAs, in their respective regions, the  
17 Gulf Council made a motion.

18  
19 That motion was to request council staff to work with council  
20 members identified by the Chair to evaluate the potential for  
21 establishing a research set-aside in the Gulf of Mexico. This  
22 presentation is simply a brief update since the June council  
23 meeting, and sort of laying out the path forward.

24  
25 The first is the composition of the workgroup, and the  
26 identified council members are Patrick Banks, Susan Boggs, Bob  
27 Shipp, and Greg Stunz. For council staff, it would be myself  
28 and Carrie Simmons. From the Southeast Regional Office, we  
29 would have Mike Travis, and then, from the Science Center, we  
30 would have John Walter, and just to note that any meetings of  
31 the workgroup would be open to the public, as well as noticed in  
32 the Federal Register.

33  
34 We have laid out some draft objectives for the workgroup, and  
35 this is one of the items that, if the committee would like to  
36 provide feedback, we would certainly be receptive to that, and  
37 so the first would be to set the goal of an RSA program in the  
38 Gulf, and so, in essence, to state what the council would like  
39 to accomplish, should they set the RSA program, and so, for  
40 instance, in one of the recent Mid-Atlantic workshops, they  
41 noted that their RSA program was to support robust scientific  
42 research that will help inform important resource and management  
43 needs, and so, in essence, sort of an overarching goal.

44  
45 From there, we would ask the workgroup to help identify some of  
46 the research goals that the council wants to meet with an RSA  
47 program, or, in essence, consider sort of areas of research that  
48 the council would want to provide funding for. Related to that,

1 we would look -- This is in general terms, but a minimum level  
2 of funding that would be needed to meet any of those research  
3 goals. Following from there, identifying any potential species  
4 through which an RSA program would achieve that minimum level of  
5 funding, or, in other words, which species might be able to  
6 generate the monies needed to fund an RSA program.

7  
8 Then, lastly, determine how an RSA program would be  
9 administered, as well as enforced, in the Gulf, and examine if  
10 there is existing capacity to do so, and, as sub-bullets here,  
11 based on the New England and Mid-Atlantic presentations that the  
12 council received, it appears that NMFS would administer the  
13 program, and so the workgroup will discuss anticipated resources  
14 necessary to administer an RSA program in the Gulf.

15  
16 This is a very draft timeline, and we would look at having the  
17 first meeting of the workgroup in November. Then a presentation  
18 summary of that meeting to the council in January of 2023. We  
19 would hold a second meeting of the workgroup following that  
20 council meeting, hopefully in March, but possibly in April, and  
21 then, depending on that timing, provide another update to the  
22 council, either at its April or June 2023 meeting.

23  
24 We're sort of envisioning a process where the council would  
25 receive information from the workgroup, offer feedback and  
26 suggestions, and then the workgroup continues to build on that,  
27 and so this is an initial sort of short timeframe, and we could  
28 certainly proceed beyond this, and we would look to the council  
29 for guidance, as these presentations are given, in terms of the  
30 direction for the workgroup.

31  
32 As I mentioned, this is just a brief update on where we're at  
33 and where we're headed, and so, if the committee has any  
34 feedback on the objectives, if they feel that it's appropriate,  
35 any modifications, or any additional thoughts that they would  
36 like for us to consider, staff is open to that, and I will make  
37 notes of that.

38  
39 **CHAIRMAN STUNZ:** Okay. Thank you, Dr. Freeman, for setting up  
40 that structure and getting this group organized. Mr. Gill.

41  
42 **MR. GILL:** Thank you, Mr. Chairman. I'm not a member of the  
43 group, and so I do appreciate the recognition, and thank you,  
44 Dr. Freeman, for this update, and I very much appreciate that  
45 update, to see what's going on. By and large, I like what  
46 you've laid out thus far, and I would like to offer comments on  
47 the draft objectives.

48

1 One of the things I would like to have this group discuss is, if  
2 you will, the first part, the setting the goal, and, in my mind,  
3 the real focus of this RSA, should we adopt one, would be  
4 strongly driven on management needs, so that, for example, the  
5 RSA would not support basic science that is not related to  
6 management, and I don't know if that's implicit in here, but,  
7 when you talk about important resource needs, the basic science  
8 might apply in there, and I think this whole concept, at least  
9 in my mind, is focused around the practical side that supports  
10 management, so that we can do a better job, particularly since  
11 they utilize some of the species available to fishermen, and the  
12 fishermen are paying a modest price to do that. They should,  
13 therefore, be the beneficiaries.

14  
15 The other comment I would make is that I would urge the  
16 workgroup to not get locked into how New England the Mid-  
17 Atlantic have done theirs, but to speak specifically to a Gulf  
18 approach and what fits our situation best, and so, for example,  
19 in the administration, and whether that's NMFS or not, because  
20 that gets to capacities and how we do all that, and so I think  
21 they provide some good source for discussion, what worked and  
22 what doesn't work in there, but the workgroup should go beyond  
23 that and say, okay, we're really focused here on what's going to  
24 work best for the Gulf Council, because, if it's not going to  
25 work best, probably we ought not start it, and so I would hope  
26 that they be wide open to that kind of discussion. Thank you,  
27 Mr. Chairman.

28  
29 **CHAIRMAN STUNZ:** Thank you, Bob. I agree, and those are very  
30 thoughtful comments. Is there other comments or feedback from  
31 the committee? Andy.

32  
33 **MR. STRELCHECK:** More just curiosity, and I apologize if I  
34 missed it, and so, Bob, you have been, to me, instrumental in  
35 kind of leading the charge to investigate RSAs, but your name  
36 isn't on this workgroup, and I'm curious as to why you wouldn't  
37 participate.

38  
39 **CHAIRMAN STUNZ:** Go ahead, Mr. Gill.

40  
41 **MR. GILL:** Thank you, Mr. Chairman. So I don't feel a strong  
42 need to be on that, because, one, you want to be thoroughly  
43 objective, and I may not be, but, two, we've got good folks that  
44 are listed on the committee, and I think they will do as equal,  
45 or better, job than I could, and so I don't feel any chagrin at  
46 all.

47  
48 **CHAIRMAN STUNZ:** Go ahead, Andy.

1  
2 **MR. STRELCHECK:** I agree that we have good folks on the  
3 committee, but I certainly would support your participation in  
4 it, if so desired.  
5  
6 **CHAIRMAN STUNZ:** I have J.D. next, and, yes, Bob -- I was  
7 reading Bob, and it's Bob Shipp, who I am certain will do a  
8 great job on that, but, when I saw Bob, I just, in my mind, made  
9 the assumption that it was Bob Gill, and so, Bob, I would  
10 encourage you to consider your participation in that, but,  
11 anyway, that's your decision. Go ahead.  
12  
13 **MR. GILL:** Thank you, Mr. Chairman, and so you can be sure that  
14 I'll be listening in, or at the meeting group, depending on  
15 whether they are virtual or otherwise.  
16  
17 **CHAIRMAN STUNZ:** Okay. All right. Thank you, Bob. J.D.  
18  
19 **MR. J.D. DUGAS:** Thank you, Mr. Chair. To that point, how were  
20 the four council members chosen? I don't recall.  
21  
22 **CHAIRMAN STUNZ:** You know, J.D., I don't recall either, and,  
23 Dale, if you want to comment to that, and it was more sort of  
24 self-selection, if you wanted to be on it, is sort of what I  
25 recall, but I don't know.  
26  
27 **MR. DIAZ:** That's a good question, J.D., and so I believe the  
28 motion said for the Chair to designate people to serve on it,  
29 and I did have some people let me know that they had some  
30 interest in it, but I did try to go through the council list and  
31 look at folks that I thought would be able to contribute to the  
32 group in a good way, and, ultimately, it was a meeting of the  
33 minds between folks asking and me asking them about it.  
34  
35 If there is a desire for the council for Mr. Gill to sit on it,  
36 I certainly wouldn't have a problem with that. I think Mr. Gill  
37 could contribute in a good way, and so, if you have a desire to  
38 get on it, if you want to talk to me about it after the meeting,  
39 we could talk about that, Mr. Gill, but, anyway, that's the way  
40 the committee was set up.  
41  
42 **CHAIRMAN STUNZ:** I think that's a good point, and I would  
43 recommend that this committee is very inclusionary, and, if  
44 there's somebody that really wants to participate, but also keep  
45 it small enough that we can get, you know, efficient work done,  
46 but I certainly would not want anyone that wants to participate  
47 to feel like they can't join in. I guess my next -- Bob, go  
48 ahead.



1  
2 **MR. GILL:** Thank you, Mr. Chairman, and so I would caution  
3 making the group too big, because that just increases the  
4 difficulty of getting the output and arranging all that, and so,  
5 if other folks want to be in, and I believe all the council  
6 members on there have expressed a desire to be in there, which  
7 is a good thing, but adding folks -- I would caution  
8 consideration of as probably inadvisable.

9  
10 **CHAIRMAN STUNZ:** Yes, and I agree with that, Bob, especially  
11 during the formative stage, as we're getting this thing going  
12 and see where it heads kind of thing. All right, and so a  
13 question that I have for this, and maybe I guess to Dr. Freeman,  
14 is are we set for this November meeting, or what do you need  
15 from this committee between now and November, when we have our  
16 inaugural meeting of this program group?

17  
18 **DR. FREEMAN:** Yes, sir, and so, really, we were looking, at this  
19 point, just on feedback, as I mentioned, on the draft  
20 objectives, and so I think we're set, based off the responses  
21 that I've heard so far from the committee, and so I'll be  
22 working with council staff to set up that meeting and have the  
23 FRN published, but I don't anticipate, offhand, anything else,  
24 in terms of a motion or anything else, that would be required at  
25 this time.

26  
27 **CHAIRMAN STUNZ:** Okay. Thank you, Dr. Freeman. Then it sounds  
28 like we're ready to move forward with that November meeting. Is  
29 there any other discussions that we need to have, or comments or  
30 questions, from the committee regarding this RSA program? Well,  
31 that was quick. Seeing none, we'll go ahead and move on to the  
32 next item of business. Dr. Hollensead, does that bring us to  
33 pompano? Yes, that brings us to pompano.

34  
35 **DISCUSSION ON THE FLORIDA POMPANO PETITION FOR FEDERAL**  
36 **RULEMAKING LETTER**

37  
38 **DR. HOLLENSHAD:** Yes, Mr. Chair. Agenda Item IX is a discussion  
39 on Florida pompano. Florida pompano is managed by Florida Fish  
40 and Wildlife Conservation Commission, which established a number  
41 of management measures for the stock. The stock assessment was  
42 finalized by the FWC in 2006, indicating that the stock was not  
43 overfished and not undergoing overfishing.

44  
45 The council received a request letter from NOAA Fisheries to put  
46 some time on the schedule for this meeting, as it had received a  
47 request for -- Let me sure I get this right. A petition for  
48 rulemaking to develop a fishery management plan for Florida

1 pompano in the EEZ.

2  
3 The committee should review the various background materials,  
4 and those are the request letter that the council received from  
5 NOAA Fisheries, requesting time on the agenda, as well as the  
6 current commercial and recreational regulations for Florida  
7 pompano, the most contemporary stock assessment, as well as the  
8 guidelines for rulemaking. The committee should then also ask  
9 any questions regarding the current approaches to Florida  
10 pompano management and consider if pompano is appropriate for  
11 federal management, and I believe that Mr. Strelcheck is going  
12 to speak to that.

13  
14 **CHAIRMAN STUNZ:** Okay. Thank you, Lisa, and that letter is  
15 included in there, and I believe, Andy, you're the point person,  
16 as listed in the agenda, on this topic, and so would you like to  
17 comment?

18  
19 **MR. STRELCHECK:** Yes. Thanks, Mr. Chair. I am going to really  
20 read and draw off the letter that I sent to council, as well as  
21 the regulations essentially pertaining to species in need of  
22 federal management. I think, you know, I have some advice,  
23 guidance, with regard to maybe a path to proceed, given the  
24 short time we have today to discuss the topic.

25  
26 As Dr. Hollensead mentioned, we received, from Mr. David Horan,  
27 on May 23, a letter, or a petition, for rulemaking, asking  
28 essentially that the Gulf of Mexico Fishery Management Council  
29 develop a fishery management plan for pompano. In the Gulf EEZ  
30 right now, essentially all the states have management authority,  
31 at this point, to manage pompano into the EEZ, because we don't  
32 have a federal management plan, but, specifically, off of  
33 Florida, Florida, obviously, maintains that authority, and  
34 that's where the concerns have arisen in what was provided to  
35 us.

36  
37 I'm sure that C.J. can provide more details, in terms of the  
38 regulations, but FWC regulations require permitted fishermen,  
39 commercial fishermen, harvesting pompano with gillnets to land  
40 in a pompano endorsement zone, and, if you're looking at the  
41 State of Florida, it's kind of the Cape Sable area of Florida  
42 north of Keys and kind of south of the Fort Myers/Naples region,  
43 where there is a specific area where those fish can be landed  
44 with gillnets.

45  
46 The concern that Mr. Horan has identified with the regulations  
47 is that gillnetters that might encounter pompano in that region,  
48 or elsewhere, can't land them in other parts of the state, and

1 so his concern is, obviously, that fish caught in the EEZ have  
2 to be landed in that small area, and that can create problems  
3 for incidental catch of pompano, and so he's asked us to  
4 consider, obviously, management of pompano at the federal level,  
5 and, in my letter, I note, at kind of the very bottom, the  
6 regulations in the Federal Register with regard to factors that  
7 the council would consider for federal management of pompano.

8  
9 I, unfortunately, didn't have a chance to review the full  
10 history, but I understand this was a topic probably a decade-  
11 and-a-half, or two decades, ago with the council, and it's kind  
12 of similar discussions about whether or not pompano is in need  
13 of federal management, and so if staff could take us to the link  
14 that summarizes the guidelines for establishing a council FMP.

15  
16 **DR. HOLLENSHAD:** Bernie, that would be that last link under --  
17 The last link for Sustainable Fisheries.

18  
19 **MR. STRELCHECK:** While we're waiting to have that brought up,  
20 the Magnuson Act requires the council to prepare an FMP for each  
21 fishery under its authority that requires conservation and  
22 management, and not every fishery, obviously, requires federal  
23 management, and stocks that are predominantly caught -- Any  
24 stocks that are predominantly caught in federal waters and are  
25 overfished, or subject to overfishing, or likely to become  
26 overfished, or subject to overfishing, are considered to require  
27 conservation and management.

28  
29 Beyond such stocks, the council may determine that additional  
30 stocks require conservation and management, and the guidelines  
31 essentially lay out ten factors that the council would consider,  
32 in terms of determining whether or not pompano, or any other  
33 species we don't federally manage currently, is in need of  
34 conservation and management.

35  
36 If you scroll down a little bit further, you can see those ten  
37 factors on the screen right now, and so it talks about -- You  
38 can read them for yourselves, but the stock is an important  
39 component of the marine environment, is caught by fishery, is  
40 the target of a fishery, et cetera.

41  
42 I wanted to, one, bring this to your attention, because we  
43 received a petition for rulemaking, and then my suggestion is  
44 that, given the limited time today, would be to ask staff to  
45 review these factors and provide feedback, input, on each of  
46 these factors for the council to consider at a future meeting,  
47 and then the council, based on the review of those factors,  
48 could make a determination as to whether or not pompano is in

1 need of federal management.

2  
3 **CHAIRMAN STUNZ:** Okay. Just a second, Phil. Dr. Sweetman had  
4 his hand up online, but I will get you right after that. C.J.,  
5 are you there?

6  
7 **DR. SWEETMAN:** Yes. Thank you, Mr. Chair, and so let me preface  
8 my comments by saying that Mr. Horan currently represents a  
9 client that is actively engaged in challenging the State of  
10 Florida's authority to regulate Florida pompano. I am not going  
11 to comment today on the status or specifics of that case, but  
12 only that the commission will be defending its regulations as  
13 they stand.

14  
15 The question at-hand is should the council manage Florida  
16 pompano, and I believe the letter from Mr. Strelcheck references  
17 Gulf pompano, but it's important to recognize that we're talking  
18 about Florida pompano here. It's our belief that Florida  
19 properly manages the resource for sustainable populations and  
20 adequate use and enjoyment for both fishermen and anglers alike.

21  
22 Florida manages Florida pompano, permit, and African pompano  
23 under the same rule in both state and federal waters. However,  
24 there are different regulations that are associated with each of  
25 the species, and regulation are actually dependent upon other  
26 species. This rule has been in effect for about twenty-two  
27 years, and the federal government has not ever regulated this  
28 fishery.

29  
30 The pompano endorsement that we provide allows you to land in  
31 Florida, and, therefore, Florida law must be complied with.  
32 Each state has landings rules that must be abided with. We  
33 don't discriminate against any vessel, whether it's Alabama,  
34 Mississippi, or Massachusetts.

35  
36 If the council decides to ultimately regulate the Florida  
37 pompano fishery, and develop a fishery management plan, Florida  
38 would certainly make appropriate regulatory modification.  
39 However, we don't really believe that there is any cause for  
40 concern with Florida pompano, African pompano, or permit that  
41 would necessitate the council stepping in to regulate these  
42 three species in federal waters for the entirety of the Gulf of  
43 Mexico.

44  
45 Ultimately, I would ask you to all consider whether the Gulf  
46 Council has time to regulate one, or all three, of these species  
47 in the immediate future. We certainly have a lot on our plates,  
48 and I am not entirely sure that developing a federal fishery

1 management plan for Florida pompano, African pompano, or permit  
2 is the best use of time for this council. Thank you for your  
3 time.

4

5 **CHAIRMAN STUNZ:** Thank you, C.J. Up next was Mr. Dyskow.

6

7 **MR. PHIL DYSKOW:** Thank you, Greg. Coincidentally, this is  
8 actually happening in my backyard, but, just to clarify, the  
9 motivation for this is one letter, or perhaps multiple letters,  
10 from one fisherman, and is that the motivation for going down  
11 this path, potentially?

12

13 **MR. STRELCHECK:** It is a letter from an attorney representing a  
14 gillnetter, yes.

15

16 **MR. DYSKOW:** So if I could ask a follow-up, please, and I'm just  
17 trying to find out the motivation, and so is there a concern on  
18 the part of the agency that this may end up in a lawsuit, and is  
19 that the motivation?

20

21 **MR. STRELCHECK:** No, that's not a concern of the agency. We  
22 have received a petition for rulemaking, and so it's appropriate  
23 for us to bring it to the council, given the request by the  
24 fisherman and the letter that we received in terms of the  
25 question of whether or not it's appropriate to be managed  
26 federally, and Mara may want to contribute more.

27

28 **CHAIRMAN STUNZ:** Mara.

29

30 **MS. LEVY:** Thank you. Andy is correct, and so the motivation  
31 here is that the agency received a petition for rulemaking, and,  
32 under the Administrative Procedure Act, is required to respond  
33 to that petition, but, since this is a request for something  
34 that is within this council's purview, the appropriate response,  
35 at this point in time, was to refer it to the council, to  
36 actually look at the information, look at the regulations that  
37 talk about when federal management, conservation and management,  
38 is appropriate and make a reasoned decision on whether --

39

40 **CHAIRMAN STUNZ:** Mara, I believe you cut out there. Do you go  
41 on mute, or did we just lose you? Mara, if you can hear us, we  
42 can't hear you. Well, while she fixes that technical issue, I  
43 will look around the room and see if there are some other  
44 comments. I have a comment regarding this, but I want to wait  
45 until we hear from everyone on the committee first. Go ahead,  
46 J.D.

47

48 **MR. DUGAS:** Thank you, Mr. Chair. I'm trying to follow along,

1 and can the State of Florida not continue to manage this  
2 species?

3  
4 **CHAIRMAN STUNZ:** J.D., that's kind of my question too, and the  
5 point that I was going to bring up, in light of C.J.'s comments,  
6 and, in talking to a lot of other people about is this -- This  
7 is not really -- Especially as you get more in the western Gulf,  
8 this isn't on other folks' radar, and it's particularly a  
9 Florida issue, primarily.

10  
11 My take is there's not a lot of appetite to add more to our  
12 plate, given everything we've got, but I am speaking  
13 individually there, and not as the committee, but do we want to  
14 carry the message further, and that's what I'm looking for.  
15 Andy, go ahead.

16  
17 **MR. STRELCHECK:** Well, in response to J.D.'s question, I mean,  
18 yes, the decision by the council might very well be that Florida  
19 is going to continue to manage this fishery. The rationale  
20 certainly can't be you don't have the appetite, or you don't  
21 have the time, to manage this fishery, and that's why you need  
22 to walk through and address the factors for determining whether  
23 or not this is in need of federal management and conservation,  
24 and why I proposed that staff go ahead and do that and bring  
25 this back to the council for a recommendation at that point,  
26 based on a review of the factors related to conservation and  
27 management.

28  
29 **CHAIRMAN STUNZ:** I see Mara is still offline, and so we'll wait  
30 for her to tune back in to finish her comment, but, Andy, that  
31 sounded kind of like a motion. Would you like to make that  
32 motion, or would you prefer another committee member make that  
33 motion? I think that's where we need to go, but I'm just trying  
34 to figure out what's the right path to move forward on that.

35  
36 **MR. STRELCHECK:** I mean, I guess my preference is, since the  
37 petition to the agency, it's probably more appropriate for  
38 someone else to make that motion.

39  
40 **CHAIRMAN STUNZ:** Yes, I think so. Kevin.

41  
42 **MR. ANSON:** So I will make a motion then that staff bring back a  
43 document that addresses, or provides information, relative to  
44 each of the factors associated with FMP development related to  
45 Florida pompano, African pompano, and permit, or do we need to  
46 keep it at Florida pompano?

47  
48 **CHAIRMAN STUNZ:** Sorry, Kevin, and I didn't hear that last part.

1  
2 **MR. ANSON:** I was just wondering what other species -- I mean, I  
3 think the letter from the lawyer that represented the fisherman  
4 was specific to pompano, but there's been some discussion as to  
5 whether or not additional species related to pompano -- Those  
6 are included? Okay, and so permit, and so the three species  
7 then. Florida pompano, African pompano, and permit.  
8  
9 **CHAIRMAN STUNZ:** Okay. Then I think that captures it. C.J. had  
10 his hand up. Susan, let me get to C.J., and then you're next.  
11 Go ahead, C.J.  
12  
13 **MS. BOGGS:** Well, a point of order. Don't we need a second?  
14  
15 **CHAIRMAN STUNZ:** Yes. Sorry. Were you going to second that,  
16 Susan?  
17  
18 **MS. BOGGS:** Well, and that may be what C.J. was going to do. I  
19 was going to second it for discussion.  
20  
21 **CHAIRMAN STUNZ:** Okay. Well, let's move there. Susan seconds  
22 it for discussion, so we can have that discussion. Sorry,  
23 Susan. I forgot we needed a second. C.J. Are we having  
24 trouble with online? C.J., are you there? While we're waiting  
25 to fix that problem, Susan, go ahead.  
26  
27 **MS. BOGGS:** I seconded for discussion because I would like to  
28 ask staff, and does it need to be a document, necessarily, or  
29 just -- Do you do an opinion? I mean, I hate to task them with  
30 like some kind of a full-blown document. that sounds pretty  
31 formal, and so I don't know if there's way to reword it where  
32 it's just more a provide guidance to the council.  
33  
34 **CHAIRMAN STUNZ:** Kevin, are you -- Do you want to change it?  
35 Maybe "presentation", and I agree with Susan that a document may  
36 be a little heavy.  
37  
38 **MR. ANSON:** Yes, and "document" was the first thing that came to  
39 mind, and I mean, "options paper" floated in, but it's not an  
40 options paper, and so, I mean, a presentation is fine, and I  
41 don't have any -- **As long as it provides the information, and so**  
42 **if it's better to use "presentation", you can substitute**  
43 **"presentation" for "document", and that's fine.**  
44  
45 **CHAIRMAN STUNZ:** Okay. Susan, since you're the seconder, and  
46 you made that comment, I assume you're okay with that.  
47  
48 **MS. BOGGS:** Well, so, not to begin work, but to request staff to

1 bring a presentation to the council that addresses -- I mean, I  
2 don't think -- If the presentation then requires additional  
3 work, but I don't think this is going to be like an ongoing  
4 thing that you're going to -- Staff will present, and then it  
5 will be the council to determine where we go from there, and  
6 this seems like it's kind of we're going to start this, and then  
7 we'll continue on with it, but we can leave it as such, if  
8 that's okay with the staff.

9  
10 **CHAIRMAN STUNZ:** I am looking to see if that motion gets that.  
11 Andy, go ahead.

12  
13 **MR. STRELCHECK:** If Kevin and Susan are amenable, I guess my  
14 suggestion would be to request staff to begin work on a  
15 presentation that addresses the -- How do I want to say this?  
16 The factors for consideration of federal management of Florida  
17 pompano, and not include African pompano and permit, because  
18 we've only been petitioned for Florida pompano.

19  
20 **DR. SWEETMAN:** That was what my hand was raised for.

21  
22 **DR. HOLLENSHAD:** Mr. Strelcheck, would you mind repeating the  
23 modification, for Bernie? Thank you.

24  
25 **MR. STRELCHECK:** All right. **So that addresses the factors for**  
26 **federal conservation and management of Florida pompano.**

27  
28 **CHAIRMAN STUNZ:** We moved that back to Florida pompano, and is  
29 that a general -- To some of Kevin's concerns -- You're good?  
30 Susan, we changed that, and the second is still good, and  
31 everything is good? Okay. All right. We've got a motion on  
32 the floor. Carrie, go ahead.

33  
34 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so just a  
35 question regarding timing on this. When we receive these  
36 requests, is there a -- I'm sorry that I'm not familiar with  
37 this particular part of the regulations, and is there a time  
38 constraint that we're bound to to address this and respond? Can  
39 you help me with that?

40  
41 **CHAIRMAN STUNZ:** Go ahead, Andy.

42  
43 **MR. STRELCHECK:** Mara can probably weigh-in further, but my  
44 understanding is there is not a timeframe, but, given this  
45 request came in late May, and we notified you in July,  
46 obviously, it would be good to respond to Mr. Horan in a timely  
47 manner.

48



1 **CHAIRMAN STUNZ:** Okay. Thank you. Phil, go ahead.  
2  
3 **MR. DYSKOW:** I have a question, as part of this discussion, and  
4 has Florida attempted to develop a workaround to accommodate  
5 this one fisherman? It would be a shame if we did all this work  
6 and there was a solution within the current management  
7 responsibility that addressed the needs of this one fisherman.  
8 Is C.J. still on the line?  
9  
10 **CHAIRMAN STUNZ:** I still see C.J., and maybe we've got Mara.  
11 C.J., are you there? Are you able to comment to Phil's  
12 question? Basically, is there a state workaround for this?  
13  
14 **DR. SWEETMAN:** That is an active litigation right now, and so my  
15 attorney has told me not to respond to specifics along those  
16 lines, but we do have -- Our regulations are abided by, as Andy  
17 said, and, if you have a pompano endorsement, if you have a  
18 special products license, and you're fishing within the pompano  
19 endorsement zone, but the issue at-hand is landing south of  
20 Hurricane Pass and north of Sable. We believe we have allowed  
21 for an opportunity here and have worked with the fishermen, over  
22 time, to try and understand their needs, in order to understand  
23 how we can sustainably manage the fishery.  
24  
25 **CHAIRMAN STUNZ:** All right. Thank you, C.J., but very good  
26 point, Phil, and maybe we can make some progress on that end.  
27 Mara, it looks like you're back online. Are you there?  
28  
29 **MS. LEVY:** I am there, and I don't know what I said that you  
30 didn't hear, but I don't need to repeat it, given the motion,  
31 but I was just going to comment, and Andy pretty much covered  
32 it. I mean, the requirement is a reasonable time, but, you  
33 know, I think it seems reasonable to at least discuss this at  
34 the next council meeting and figure out how you want to move  
35 forward. Thank you.  
36  
37 **CHAIRMAN STUNZ:** Okay, and so we have a motion on the floor.  
38 Tom, go ahead.  
39  
40 **DR. FRAZER:** Sorry, and I'm just trying to work through this  
41 motion and make sure it achieves what we really intend, and so,  
42 the way that I read the motion, you know, it -- **I guess what I**  
43 **would do is consider adding some language, and I'm not sure who**  
44 **made the motion, but maybe to request staff, again, to work on a**  
45 **presentation that addresses the factors that might be**  
46 **considered, or that need to be considered, when contemplating**  
47 **the potential need for federal management.**  
48

1 The reason I say that is I'm concerned that we've already  
2 committed ourselves, by way of -- The nature of the language  
3 might be presumed that we're going to start to embark upon this  
4 plan, and I'm not sure at all, based on the conversation I've  
5 heard, that that's a necessary step.

6  
7 **CHAIRMAN STUNZ:** Thank you, Tom. Kevin, would you be okay with  
8 adding that language, and Susan?

9  
10 **MR. ANSON:** That's fine with me.

11  
12 **CHAIRMAN STUNZ:** Andy.

13  
14 **MR. STRELCHECK:** I think that's a great suggestion, Tom, and,  
15 with the previous wording in the motion, the intent there was  
16 staff would not be providing the recommendation, or the  
17 decision, and the council would consider that information and  
18 make a decision at the point we review the presentation.

19  
20 **CHAIRMAN STUNZ:** Okay. Thank you, Andy. Well, let's move  
21 forward. One more. I see Mara's hand is back up. Mara, is it  
22 related to this motion, so that we can dispense with this  
23 motion?

24  
25 **MS. LEVY:** Yes, and just briefly. I don't have any problem,  
26 necessarily, with the language, as long as it's clear that the  
27 factors in the regulations are a non-exhaustive list, and it  
28 says, "should be considered", and I so I just want to make it  
29 clear that not every factor has to be considered, and there are  
30 other things that could be relevant that aren't listed, and so,  
31 as long as we're all aware of that, then I'm fine. Thanks.

32  
33 **CHAIRMAN STUNZ:** Okay. Thank you, Mara. It looks like there's  
34 no other comments, and we need to move along, and, Kevin, would  
35 you mind reading that motion into the record, please, and then  
36 we'll take a vote, or move forward?

37  
38 **MR. ANSON:** The motion is to request staff to begin work on a  
39 presentation that addresses the factors that need to be  
40 considered when contemplating the need for federal conservation  
41 and management of Florida pompano.

42  
43 **CHAIRMAN STUNZ:** Okay. Thank you. Let me see if we can just do  
44 this. Is there any opposition to this motion?

45  
46 **DR. SWEETMAN:** I abstain.

47  
48 **CHAIRMAN STUNZ:** Okay. With that, the motion carries with one

1 **abstention.** Okay. Moving on, is there any other pompano, Lisa,  
2 discussion that we need to have?

3

4 **DR. HOLLENSSEAD:** No, sir.

5

6 **CHAIRMAN STUNZ:** Okay. Then -- Sorry. Let me get back to the  
7 agenda here, and that should bring us, I think, to Other  
8 Business, and so is there any other business that needs to come  
9 before this committee? Lisa, did we cover everything? That was  
10 a packed agenda, and I want to make sure we got it. Okay.  
11 Well, seeing nothing else, Mr. Chairman, that concludes the  
12 business of the Sustainable Fisheries Committee.

13

14 (Whereupon, the meeting adjourned on August 24, 2022.)

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