GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

REEF FISH MANAGEMENT COMMITTEE

Marriott Beachside Hotel                       Key West, Florida

JUNE 9-10, 2015

June 9, 2015

VOTING MEMBERS

John Greene...........................................Alabama
Martha Bademan (designee for Nick Wiley).............Florida
Doug Boyd...........................................Texas
Roy Crabtree........................................NMFS, SERO, St. Petersburg, Florida
Dale Diaz (designee for Jamie Miller)...............Mississippi
Myron Fischer (designee for Randy Pausina).........Louisiana
Campo Matens.......................................Louisiana
Lance Robinson (designee for Robin Riechers).........Texas
David Walker.........................................Alabama
Roy Williams........................................Florida

NON-VOTING MEMBERS

Kevin Anson..........................................Alabama
Leann Bosarge.......................................Mississippi
Jason Brand..........................................USCG
Pamela Dana.........................................Florida
Dave Donaldson......................................GSMFC
Harlon Pearce........................................Louisiana
Corky Perret.........................................Mississippi
John Sanchez........................................Florida
Greg Stunz...........................................Texas

STAFF

Steven Atran.......................................Senior Fishery Biologist
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John Froeschke.....................................Fishery Biologist/Statistician
Doug Gregory........................................Executive Director
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Ava Lasseter.........................................Anthropologist
Mara Levy............................................NOAA General Counsel
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Gary Jennings.............................................Windermere, FL
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Rick Turner................................................Marathon, FL
Russell Underwood.......................................Lynn Haven, FL
Tom Wheatley..............................................Pew, Tampa, FL
Daniel Willard..........................................Austin, TX
Johnny Williams.........................................Alvin, TX

ADOPTION OF AGENDA
APPROVAL OF MINUTES
ACTION GUIDE AND NEXT STEPS
CHAIRMAN JOHNNY GREENE: Good morning and with that, I am going to call the Reef Fish Committee together. All members are present and the first item is the Adoption of the Agenda. Is there any additions to the agenda? Seeing no additions, we will call for an adoption of the agenda.

MR. ROY WILLIAMS: Move to adopt the agenda as written.

CHAIRMAN GREENE: The motion has been adopted and seconded. The next item is Approval of Minutes. Any corrections to the minutes? Seeing none, is there a motion to --

MR. WILLIAMS: Motion to adopt the minutes.

CHAIRMAN GREENE: Thank you, sir. Is there a second? Thank you. I appreciate it. Item III is basically your Action Guide and Next Steps, Tab B, Number 3, which is for your information. The next thing will be the Options Paper on Joint South Florida Management and Dr. Simmons.

OPTIONS PAPER - JOINT SOUTH FLORIDA MANAGEMENT BACKGROUND ON SOUTH FLORIDA ISSUES

DR. CARRIE SIMMONS: Thank you, Mr. Chair, and good morning. I think that Ms. Bademan is going to start with a short presentation to the committee.

CHAIRMAN GREENE: Okay. Ms. Bademan, are you ready?

MS. MARTHA BADEMAN: We are going to be talking a lot about South Florida issues at this meeting. I know not all of us have been with this topic the last few years as it has moved through the subcommittee that’s been working on these issues and so I wanted to just give a quick overview about where we’ve been and where the committee has been trying -- The options that the committee is looking at before we dive into this today and then dive into it again on Thursday with the South Atlantic Council and so that’s just my point here.

It’s a little unorthodox for a council member probably to be giving this presentation, but Florida FWC held the scoping meetings on some of these issues and so I thought I would let you guys know things that we heard and the issues that we identified and then we can go from there.

This committee was formed in reaction to a motion that was made at the South Atlantic Council the last time the two councils met jointly in Key West and that was in 2011. It was quite a ways
ago, but basically the South Atlantic Council asked that the Gulf Council and NMFS form this ad hoc joint committee to come up with a plan for South Florida fisheries and part of what this committee discussed was potentially delegating management of some species to the State of Florida.

Since that time, we kind of got ourselves organized in 2013 and we formed a subcommittee. The subcommittee members from this council at this point are myself, Pam, John Sanchez, and Roy Williams. This committee has met a number of times in the Keys and we’ve come up with a suite of options and alternatives for some of the management problems I’m going to talk about in a minute and then, of course, we will be meeting this week jointly with the South Atlantic Council to kind of choose a path forward.

The reason why this committee was even formed is there’s a lot of confusion and frustration with the jurisdictional boundaries and regulations in the Florida Keys. We have the South Atlantic Council regulations and we have Gulf Council regulations and we have Florida FWC. There are sanctuary regulations on top of that in some areas and national parks and state parks. It is very confusing. Depending on where you are, you could be subject to two or maybe three or four different sets of regulations, depending on where you are fishing and where you are landing your fish.

At the scoping meetings that FWC held, John was there and we had a representative from the South Atlantic Council, Ben Hartig, and then myself and Jessica McCawley were there from FWC.

Some of the big things that we heard were people really wanted to see some consistency between state and federal rules and then also some -- There was a desire to see something different for South Florida because people felt that the ecosystems and the fisheries here are unique and there are a number of fisheries that are South Florida centric, so to speak, and they wanted to see some kind of action taken there.

The South Atlantic Council has been going through a visioning process the last few years and they have heard similar concerns about the inconsistencies with regulations between state and federal waters and then also between the two councils.

Just to give you an idea of some of the regulatory boundaries and complexities here, the orange line down the middle of the Keys that follows US1 is the Gulf and Atlantic boundary for state waters.
You can see the federal waters of the Gulf in green and the Atlantic is kind of a purple color and then on top of that we have many different smaller management zones. The Sanctuary is the purple dotted lines and we’ve got the Tortugas has special management and the Everglades National Park and Biscayne National Park. Depending on where you are, you have got a lot of regulations to follow and different regulations in different areas.

Some of the ideas that we’ve heard from the public at the scoping meetings that were held and other meetings, one would be to develop some kind of regional management for South Florida centric species. These would be species like yellowtail snapper, mutton snapper, and black grouper.

Some folks wanted to see some kind of just regional management for the Keys and South Florida in general. One of the suggestions we heard was to have a regional fishery management plan that the councils put together that is similar to what the Caribbean has done for islands. I guess for different areas or different islands they have different fishery management plans that are specific to that locality’s needs.

One of the ideas we heard was to just place all the Keys under the jurisdiction of one council, whether it’s South Atlantic or the Gulf. We also heard suggestions to just not even think about lines and special regions, but just manage the species as a whole and not necessarily split into two councils or jurisdictions, but just manage yellowtail snapper as a whole and not Gulf Council managing and South Atlantic managing and FWC managing.

The committee has taken up a number of the species that were brought up at these meetings. The big focus I think of the document that we’re going to talk about today or the documents, I should say, are yellowtail snapper, mutton snapper, and then groupers.

There are some pretty big discrepancies in grouper regulations between the two councils and FWC and there are some unique issues to yellowtail snapper and mutton snapper that I will talk about as well.

With yellowtail snapper, some of the concerns that we’ve heard is that this stock should be managed as a single unit. It’s one stock and right now in the Atlantic and Gulf we have similar regulations, but we have separate quotas and a few years ago we
ran into a situation where the fishery was going to close I think on the Atlantic side but stay open in the Gulf. This was the commercial fishery and there was a lot of confusion about that.

One of the ideas was to transfer management authority to the state. Changing the fishing year was an option. That potentially could minimize disruption, should there be a quota closure. We have heard suggestions to do a spawning season closure and then we’ve also heard concerns about the circle hook requirement and yellowtail snapper.

This fishery operates a little bit different than some of the other reef fisheries. We will talk more about that later and so there has been some suggestions to remove that requirement for yellowtail snapper.

For mutton snapper, the big concern that we hear in the Keys is that spawning fish need some protection. The aggregations are fished pretty hard at certain times of the year and so we’ve heard ideas about a spawning season closure or just lowering bag limits.

Grouper is a big concern down here. The inconsistencies between Atlantic and Gulf federal waters, there is differences in size limits and there is differences in the seasonal closures and then there is also differences in the bag limits that are pretty different and very confusing.

On the Atlantic side, there is a lot of angst about the closure that they have from January through April. That’s peak grouper season down here and that closure was put in place originally to protect gag grouper, which is not a highly abundant species down this way. It kind of shifts more to black grouper and so that’s been another topic that the committee has been trying to tackle.

This slide basically outlines some of the things that we’ll talk about today and so one of which would be delegation. That would be one option to look at for some of these problems and another option could be to set a joint ABC and ACL for some of these species, to eliminate some of the issues where you have one side closing and the other side staying open for a single stock.

Changing recreational bag limits and trip limits for mutton snapper and somehow trying to tackle the shallow-water grouper issues, black grouper in particular, and the circle hook requirements for yellowtail snapper and then setting some uniform accountability measures.
I wanted to just throw this map in here. I think this may be my last slide. This illustrates some of the regions that we’ll talk about, that Doug will talk about or Carrie will talk about, when we go through this document.

There is a couple of actions that have areas associated with them. The one that talks about Shark Point is the one that has the red and I think gray hash lines and then the Monroe County line is just north of that and then south of 28 is the yellow and so I just wanted to throw that in there so you have a visual.

One thing we’ll have to think about on Thursday and today as well is that the two councils, when they have talked about this separately, have taken different approaches. The South Atlantic has been -- they have been interested in using this document as a vehicle to handle problems that extend beyond South Florida and just broader issues that they see, including some of their shallow water grouper closures not exclusive to South Florida.

The reason why they’ve kind of taken this approach is if you change something for South Florida, it affects what’s going on further north of that, whereas in the Gulf -- I think here the interest has been in keeping the focus on the amendment and solely with South Florida and so at some point we will have to deal with this issue and I don’t know if it’s here in committee or I’m sure we will talk about it here on Thursday, but just something else to keep on your radar as we’re going through this document and I will stop there, because I have probably talked too much as it is. If anybody has any questions, I am sure either I can answer them or Carrie or Doug or council staff that’s been working on this process. Thank you.

CHAIRMAN GREENE: Thank you. Any questions? Okay. Seeing none, I guess we will move to the next item, which would be Review of Options Paper, Tab B, Number 4(b), and Dr. Simmons.

REVIEW OF OPTIONS PAPER

DR. SIMMONS: Thank you, Mr. Chairman. Good morning again to everyone and so I am planning to walk through the options paper. What you will notice is the actions and alternatives have not changed from the last time the council reviewed them. At your March meeting, I think Ryan walked you through those actions and alternatives.

We have lots of questions. The IPT has lots of questions about
the actions and alternatives currently drafted in the document. I think Ms. Bademan has provided a nice background bit of information for the committee about where we are currently and so I will just try to tell you some of the differences and the changes we’ve made in the discussion.

Before I get into that and not to confuse you too much, we do have another tab, Tab B, Number 4(c), that has a proposed restructured actions and alternatives. Now, the South Florida Committee has not seen that, but staff did take it upon themselves to put that together just so that the committees, both the South Atlantic and the Gulf, had something to look at prior to the joint meeting.

This really came out because of the concerns at our last council meeting about some of the overlapping actions that we had, especially for the grouper species, and not being specific on the sectors in the information that we had in there, what sector it was applying to, and potentially not being specific on if it was just off of Monroe County and if we were establishing a certain South Florida area or -- There was a lot of muddy water and so we were just trying to put something down on paper.

If there is anything in there that the committees like or think would be better or bits and pieces that we may be able to replace in the current draft document, that’s what that is for, but, again, the South Florida Committee has not had a chance to see that yet.

It is new. There is not the exact same actions and alternatives that are in the current draft options paper. They are similar. We tried to capture what we thought was the goal of the South Florida Committee, but we have removed a lot of the extraneous -- What we felt was extraneous options and alternatives that were outside of the South Florida goals and objectives.

We may be kind of going back and forth between those two documents and hopefully that’s not going to be too confusing, but that’s why staff has done that and also NOAA GC -- It was Shepherd Grimes that’s been participating in our meetings and he has expressed some concern just about structure and the way the document was set up and so, again, this is just a proposal and you may not like any of it, but it’s there for you to review and see if there is anything that we can use.

Now I will start walking through Tab B, Number 4(b). As I mentioned, Martha has provided some nice background. Starting on page 2 and 3, we have expanded these tables for regulations.
We have included the shallow-water grouper species that were not there at the last draft that you reviewed.

You can see from these tables the recreational differences in regulations are primarily the bag limits and the closed seasons among the Gulf, the South Atlantic, and the State of Florida waters. Then the commercial, the primary differences are the size limits and those closed seasons for the groupers that Ms. Bademan was talking about with the January to April closures.

The joint council committee has met three times and this is what we have so far is the actions and alternatives in front of you. One of the major changes or decisions that we would like the councils to really talk about and flesh out at this joint meeting on Thursday is delegation and that is delegation of management to Florida FWC for yellowtail snapper, mutton snapper, and recreational black grouper. These three species are primarily caught and landed off the State of Florida.

Staff added some information about delegation. I don’t know that Ms. Levy has had a chance to review what we put in there about delegation requirements, but delegation to Florida FWC would require the agreement of them to accept responsibility of management of these species throughout their range or it could be limited to waters off the State of Florida, which is currently what the South Florida Committee is proposing.

Our understanding is that delegation, this authority to the states, would require a three-quarters majority vote of the voting members of each council and more of that is listed in Appendix B of the current draft options paper.

We have updated the purpose and need and it’s on page 7. We may want to come back to this after we’ve gotten into the actions and alternatives a little bit more. Just remind me to do that and so let’s start on page 8 with Action 1.

This action would partially delegate commercial and/or recreational management of yellowtail snapper to the State of Florida for federal waters adjacent to the State of Florida. Alternative 1 is no action, do not delegate. Alternative 2 would determine specific recreational management items for delegation to the State of Florida. Alternative 3 would determine specific commercial management items for delegation to the State of Florida.

This action, this structure, is set up similarly for mutton snapper and for recreational black grouper and so that’s the
same similar structure that we have throughout.

The idea with delegation currently, the preference of the South Florida Committee is that the councils would remain responsible for establishing and implementing the acceptable biological catches, the annual catch limits, and the accountability measures and that the existing permit requirements in the Gulf and the South Atlantic would remain in effect.

The green that you see under Alternative 1, the SAFMC, is the South Atlantic Council’s Snapper Grouper AP recommendation. They did get a chance to review this document and I think it was after the March meeting. Our Reef Fish AP looked at this document last July. It was in a really early stage and so I did not include their recommendations.

We can circulate their recommendations to the council if you would like, but they selected similar no action on many of these actions and alternatives before you. They didn’t think a lot of the current actions, management actions, were necessary, but, in all fairness, they have not seen this revised options paper. We thought it wasn’t quite ready yet and we were repopulating our Reef Fish AP at the time and so that’s why the Gulf AP hasn’t reviewed it again.

As you can see, we have lots of yellow here. We have lots of questions about, for example, under Option 2d and 3d what minor modifications to existing allowable gear means. Specifically, what waters we’re referring to and if we want to establish a South Florida area. With that, I will stop and see if there’s some questions about Action 1.

DR. ROY CRABTREE: It says that councils remain responsible for ACLs and accountability measures and that means if there was a quota closure that would not be delegated?

DR. SIMMONS: I think the intent was that the councils would set those and then the State of Florida would establish management measures that would ensure that we stay within those ACLs and those quotas is my understanding.

DR. CRABTREE: But if the quota was hit anyway, would the State of Florida then close the fishery in state and federal waters? Would the closure authority be delegated?

MS. BADEMAN: I don’t think that’s part of this.

DR. CRABTREE: So we could still end up in a situation where
federal waters are closed and state waters remain open?

**MS. BADEMAN:** On the commercial side, we are set up so that doesn’t happen. On recreational, I guess that’s a potential. I think our goal would be to set up the regulations though so that we don’t get in a situation where we have quota closures, but for commercial, we require the reef fish and snapper grouper permits to fish that fishery in state waters and we require them to abide by federal closures.

**MR. JOHN SANCHEZ:** I am not on the Reef Fish Committee, but I’m part of the South Florida working group and so I don’t know where that puts me in this and so I don’t know, but this thing is evolving very slowly and it kind of makes sense that -- At least I would support maybe delegation of the recreational fishery for mutton, yellowtail, and black grouper to the state and then, because of the permits and such, let the existing federal management prevail for commercial and that would be my two-cents.

**MR. WILLIAMS:** Johnny or Carrie, are you looking for motions as we go along or do you want to go through the whole thing and then come back or do you care?

**DR. SIMMONS:** I think it would be helpful to have motions as we go along and to have something in front of us at the joint meeting on Thursday. I think that would be a good idea. If we want to go back and forth -- We might not be there yet as far as if there’s anything you want to use in the other proposed actions, but I can go through that if there is something in there that you wanted to use.

**MR. WILLIAMS:** Are you through with your presentation on Action 1 then and could I proffer a motion?

**CHAIRMAN GREENE:** Absolutely.

**MR. WILLIAMS:** I would move then, given Mr. Sanchez’s comments, that the committee approve Alternatives 2a, 2b, and 2c, which are size limits, seasons, and bag limits for yellowtail snapper, to delegate those to the State of Florida.

**CHAIRMAN GREENE:** We have a motion on the floor and is there a second?

**MS. BADEMAN:** You are making these preferred alternatives, right?
MR. WILLIAMS: Yes, preferred alternatives.

CHAIRMAN GREENE: Mr. Williams, is the motion correct on the board? Okay. Any further discussion?

MR. SANCHEZ: Just for purposes of discussion, we do have the I guess newly created Tab B, Number 4(c) and I don’t know if we should -- I don’t want to add to the confusion, but kind of that seems like a cleaned-up version of this and I don’t know if we should address that at the same time, just to keep this thing going. If we’re going to present this to the South Atlantic Council tomorrow, at least they will know where we stand on this newly created document as well.

MS. BADEMAN: I have an idea about that. I don’t know if you have looked at the restructured document, but basically it lumps yellowtail, mutton, and black together for the delegation. My suggestion I think would be maybe for us to get through the delegation actions on those individually first and then if we come to the same decision on all of them, then maybe move forward with the lumped together version, but if we end up in different places on different species, then that option wouldn’t work, but if it does, then yes, let’s lump it together. Does that make sense?

MR. CORKY PERRET: The action that’s taken today won’t go before our full council and so will these actions be presented as committee recommendations tomorrow or how do we handle that?

DR. SIMMONS: Yes, the plan is to put these in a report and it may be a slightly different format than our committee reports with what the South Atlantic Committee has made motions on regarding this document and then on Thursday we are going to sit down and go through it. Both councils will be at the table on Thursday.

MR. PERRET: But with today’s modifications by committee.

DR. SIMMONS: With those recommendations in the committee report or decision document on Thursday, yes, from both councils, from both committees.

MR. PERRET: Once you get finished this one, I want to make a suggestion on your purpose and need, which you asked for input on. I thought we were going to go through the document and start, but I’ve got something I want to comment on relative to the purpose and need.
CHAIRMAN GREENE: Thank you. We have a motion on the floor and is there any opposition to the motion? Seeing none, the motion carries. Moving on to the next item, but first Mr. Sanchez.

MR. SANCHEZ: Just a quick question. So I understand what we’re I guess walking into tomorrow, are they, the South Atlantic Council, going to see this today or tomorrow and have the same exercise that we’re kind of going through right now, so to speak, so that when we do get together we are kind of at least on the same page in terms of having reviewed this stuff?

DR. SIMMONS: Yes, that is the plan. I am planning to go over after lunch and go to their Executive Committee and try to help Mr. Waugh go through this and try to get some recommendations that are similar from their council so that we’re on the same page. Our joint session is on Thursday.

EXECUTIVE DIRECTOR DOUG GREGORY: If you look at the bottom of each action and in this case, on the top of page 10 are three council action items that are highlighted that are close to the, I guess, questions that are being asked of the South Atlantic Council. You can see where I think they were going and these are not identical to the questions that are being asked of the South Atlantic Council, but they are close.

MS. BADEMAN: I was just going to address maybe some of those or try to get the conversation started on those IPT comments and so the first one is about whether or not, if delegation occurs for this species, the State of Florida would have to submit a management plan. Can you talk about that, Mara, if that’s a requirement or if it just -- How would that work?

MS. MARA LEVY: It seems to me if you delegated then Florida does what they want as long as it’s consistent with the FMP. When we were talking about delegation in Amendment 39, the whole idea was the states do what they want as long as it’s consistent with the FMP and if it’s not consistent, the statute provides that you get notice that you’re not consistent anymore and then the delegation ends up being rescinded if you don’t become consistent, but I don’t think that you would want to have to submit a plan. That seems to be contrary to the idea of delegation.

MR. DAVID WALKER: I was just going to ask Martha if you’ve had any public comment on this yet.

MS. BADEMAN: We’ve had a lot and so we have -- I think we’ve heard probably both. Well, actually, probably -- This was just
a recreational action that we talked about and I think there’s a
fair amount of support for doing some delegation here for
yellowtail snapper and so I know there’s some on the commercial
side that were maybe less supportive of delegation for various
reasons, but from what we’ve heard, I think there is support for
this from the public. I am hoping that we will have some
comment on it at some point in public comment, but yes.

MR. WALKER: That’s just what I was -- I was interested in
hearing public comment from the Gulf.

MR. WILLIAMS: I just want to note I did not move Alternative 3,
delegation of the commercial fishery. Mr. Kelly has already
spoken against this and my belief is that there will probably be
five votes against delegating commercial to the State of Florida
and I really just don’t want to make staff go through all the
analyses on it if it’s not going anywhere and I don’t think it’s
going to go anywhere. That is why I moved Alternative 2. I
believe we can muster the necessary votes to get delegation of
the recreational fishery and so that’s it.

MS. BADEMAN: I will keep working down the IPT list here. The
second note is about clarifying if this would pertain to waters
adjacent to the State of Florida or throughout the Gulf and
South Atlantic jurisdictions.

I think the committee’s intent was for this to be just off of
Florida and so adjacent to the State of Florida. I think that’s
where we were going with that and then the Options 2d and 3d
about minor modifications to existing allowable gear, I think
the purpose of that was to deal with the circle hook issue and
so I guess if we address that elsewhere in the document that we
could definitely remove those options and it probably would be
worth clarifying them if we do keep them in here.

MR. WILLIAMS: I would move that Options 2d and 3d be moved to
the Considered but Rejected.

CHAIRMAN GREENE: We have a motion coming up on the board and it
has been seconded. Let’s get the motion up and make sure it’s
correct the way you want it, Mr. Williams.

MR. WILLIAMS: It’s 2d and 3d. Yes, that’s correct.

CHAIRMAN GREENE: We have a motion on the floor and it’s been
seconded. Is there any further discussion from anybody? Okay.
Any opposition to the motion on the board? I didn’t see any and
the motion carries. That sends us back to Mr. Williams.
MR. WILLIAMS: Following up on the IPT note here, the second note, I would move that these actions pertain to the waters adjacent to the State of Florida, that the delegation apply to the waters adjacent to the State of Florida.

CHAIRMAN GREENE: We have a motion going up on the board and it’s been seconded by Ms. Bademan. Mr. Williams, is that your motion?

MR. WILLIAMS: Yes.

CHAIRMAN GREENE: Okay. Any discussion?

DR. SIMMONS: Just so staff is crystal clear here, there are very low landings, recreational landings, it looks like off of South Carolina and so any bag limit or size limit changes the State of Florida makes, those potentially would not apply and the South Atlantic Council could change those bag limits and size limits for yellowtail snapper in their FMP and that would – The State of Florida’s regulations would not apply to South Carolina, correct?

MR. WILLIAMS: That is my intent, yes.

MS. BADEMAN: I think that makes sense. It would be kind of weird for Florida to be regulating what’s going on off of the other states.

CHAIRMAN GREENE: Okay. Any further discussion?

MR. DOUG BOYD: Just a question about the word “adjacent”. What does that mean in this context? Does that mean that Alabama is adjacent? I am not arguing with it, but I am just concerned about the definition. Do we need to be a little more specific about what that means? Martha can address that, I guess.

MS. BADEMAN: Well, I mean I think what we’re getting at here is federal waters adjacent to the State of Florida and so off of state waters and definitely not Alabama.

CHAIRMAN GREENE: Okay. Everybody is good? Okay. That gets us through the second one and now we’re down to the third IPT note.

MS. BADEMAN: I just talked to Carrie about this and suggested to remove the language regarding the first IPT note about submitting a management plan if delegation occurs. I would move to remove language from the discussion document pertaining to
the document and the discussion. Is that --

DR. SIMMONS: Sorry. Right now, the South Atlantic Council --
You know they do a lot of things by motion whereas you guys can
just give staff direction and so I think it would be helpful
just to have a motion because the South Florida Committee put
this in there at the last meeting that it’s not necessary,
according to the National Marine Fisheries Service, for the
State of Florida to do this under delegation, just so we’re
clear it’s going to be removed from the discussion of the
document.

So we would be removing from the discussion the requirement for
the State of Florida to submit a management plan for yellowtail
snapper.

MS. BADEMAN: Because we’re going to talk about this again with
the other species, should we just say about delegation and not
specifically for yellowtail snapper? Carrie, when she teed up
that motion, she made it specifically about yellowtail snapper.
We’re going to talk about delegation again for two other species
and so my suggestion would be to just make it general and just
remove the discussion of the management plans from the document
that pertain to delegation.

CHAIRMAN GREENE: We have a motion going up on the board and
let’s make sure we get it as you wish.

EXECUTIVE DIRECTOR GREGORY: I have a question. Do we really
need a motion on that if General Counsel has told us that it
didn’t really make sense? That seems to be good enough guidance
for the IPT to not work on that anymore, but a motion is fine.

DR. SIMMONS: I am just trying to be complete because of the
differences in the way the councils operate and the fact that
the South Florida Committee put that in there.

MS. BADEMAN: Whatever makes it go easier on Thursday. I will
suggest though that after “remove the discussion of the” to
stick “State of Florida submitting management plans” and so it
would be “remove the discussion of the State of Florida
submitting management plans”. I think that makes it a little
bit more clear.

CHAIRMAN GREENE: Ms. Bademan, is that your motion? Is it
correct?

MS. BADEMAN: Yes.
CHAIRMAN GREENE: Do we have a second for this motion?

MR. WILLIAMS: Second.

CHAIRMAN GREENE: It’s seconded by Mr. Williams. Any further discussion? Seeing none, any objection to this motion? The motion carries. That gets us through that and so I guess we’ll go back to Dr. Simmons at this point.

DR. SIMMONS: Thank you, Mr. Chair. We will go to Action 2 and it starts on page 11.

EXECUTIVE DIRECTOR GREGORY: Excuse me, Carrie, but shouldn’t they at least look at or possibly address those council actions that are similar to the ones the South Atlantic Council is going to be reviewing today, the ones on page 10 there?

DR. SIMMONS: I think we did.

EXECUTIVE DIRECTOR GREGORY: Okay.

DR. SIMMONS: If there is something that you -- They picked a preferred and they removed 2d and 3d. Action 2 would establish and consolidate the acceptable biological catches and annual catch limits for yellowtail snapper.

Alternative 1 is the no action alternative. It would maintain the current commercial and recreational annual catch limits for yellowtail snapper based on the South Atlantic Council’s fishery management plan and the total or stock ACL for yellowtail snapper in the Gulf, based on the Gulf’s management plan.

Alternative 2 would manage yellowtail snapper as a single unit with an overall multijurisdictional ABC and annual catch limit instead of apportioning that ABC like we do currently with the South Atlantic Council, based on those historical landings.

Alternative 3 would use both councils’ agreed upon ABC for yellowtail snapper and then allocate commercial and recreational ACLs and so this would be another big decision for the Gulf Council, because we don’t currently have sector ACLs established for yellowtail snapper.

Then there is a series of options as far as establishing those sector allocations or ACLs based on historical landings. Option a would use the formula of the ratio of 50 percent of the landings from 1993 to 2008 and 50 percent of the landings from
2009 to 2013. Option 3b would base sector allocations on average landings from 2009 to 2013 and Option c would base sector allocations on average landings from 2004 to 2013.

When the Joint South Florida Committee was talking about this, the idea was that this Action 2 could stand alone or it could be combined with delegation and so you can go with delegation and choose not to establish sector ACLs and manage it overall, but since we have -- It looks like we’re going towards delegating just recreational management measures and I think we would have to think a little bit more about exactly how that would work and we may need to establish sector ACLs now and so with that, I will stop.

MR. WILLIAMS: A question for Carrie. If we approve Alternative 2, then we also need to approve some portion of Alternative 3, correct?

DR. SIMMONS: I think if we’re looking at delegating just recreational management measures, I think we would need to move forward with that and go ahead and set those alternatives up that way, yes.

MR. WILLIAMS: I would like to get to the point too where we have one commercial quota on yellowtail snapper, so that we don’t run into the situation that we almost ran into where one council was closing and the other council was going to stay open. Whatever one of these would do that or two of these -- I was thinking Alternatives 2 and maybe 3a we could get there, but that’s where I would like to end up.

CHAIRMAN GREENE: Okay. Mr. Gregory, did you have a comment to that point?

EXECUTIVE DIRECTOR GREGORY: That will work and we talked about -- I am confused how the South Atlantic operates now, but maybe Roy Crabtree could help us. We talked about combining ACLs so that the fishery did not close until the overall ACL from both councils combined would close and I don’t know if that would be just commercial ACL or commercial and recreational.

For instance, would the councils want to say the recreational has met their sector allocation, but the commercial guys have not and would we not close the recreational sector until the overall ACL is met? There is two different ways of doing that. You could look at it as a combined commercial ACL and a combined recreational ACL or a combined overall ACL, where nothing closes until the overall is closed.
I don’t know what the South Atlantic Council does now. At one point in the discussion I think Gregg said they have sector allocations only for data collection purposes, but I think in the past the commercial guys were being closed but not the recreational.

MS. BADEMAN: Yes, that’s right. I think they do have sector-specific closures, because when this happened, it was going to be for commercial only and recreational I guess had not bumped up against their catch limit and so think you’re right. I think you could do it either way, but that seems to be the way that they’re operating now.

DR. CRABTREE: We have separate ACLs for the recreational and commercial fishery and I think, although I am not positive, the commercial ACL is if they catch the ACL that you close them. I think the recreational is different and that if they go over their ACL you do something the next year, shorten the season or something like that, in order to try to prevent it from going over again.

If you go to a single ACL that includes commercial and recreational, you are going to have to change the accountability measures. Otherwise, you could hit the single ACL and close the commercial guys and the recreational just keep fishing, even though they’re already over. I think that’s going to be a problem. It seems to me with the way we’re going that you’re going to need to have separate ACLs for the two commercial and recreational fisheries to make this work.

MR. WILLIAMS: In that case, we wouldn’t want Alternative 2 and we would want something in Alternative 3 which provides for separate ACLs. Is that right, Carrie or Martha?

DR. SIMMONS: I think the way the South Florida Committee talked about this is selecting both Alternative 2 and 3 and so 3 would apportion the sector ACLs, but then 2 would add those recreational ACLs and the commercial ACLs back together for both the Gulf and South Atlantic and so you have a combined recreational and commercial ACL. I mean -- I’m sorry. Combined Gulf and South Atlantic recreational ACL and combined -- You know what I mean. Gulf and South Atlantic commercial ACL.

MR. WILLIAMS: I would be prepared to offer a motion if the discussion is over. I would move that we approve -- In Action 2 that we approve Alternative 2 and Alternative 3a.
CHAIRMAN GREENE: Ms. Bademan, are you seconding? Okay. Let’s make sure we get the motion on the board correct.

MR. WILLIAMS: I guess it would be preferred alternative and that our preferred alternative be Alternative 2 and Alternative 3a.

MS. BADEMAN: I am going to support this motion. I think this solves the commercial quota problem that we had a few years ago or potentially had, I think, and then with Alternative 2 and then Alternative 3 would give us a means to do separate accountability measures and separate closures for the respective sectors and so I am comfortable with this.

DR. CRABTREE: I am kind of confused, I guess, now. My read is Alternative 2 says you’re going to have a single ACL that combines the recreational catches and the commercial and so it’s one combined ACL, but Alternative 3a says you’re going to have separate ACLs based on that allocation. It doesn’t seem to me that you combine 2 with 3. It seems they are different things, to me.

MR. WILLIAMS: The context of that I believe was that we were going to combine the Gulf and the South Atlantic into an overall -- Each council was going to give some ACL in order to provide one overall ACL and then split between commercial and recreational. I see how you read it and I read it that way initially too, but I think the intent is simply that each council is going to donate some to an overall ACL which will then be split recreationally and commercially.

DR. CRABTREE: Isn’t that what Alternative 3 does? It sets up a single -- It allocates it and then you have an ACL for the recreational and an ACL for the commercial that is for both the Gulf and the South Atlantic.

MS. BADEMAN: I think I see what Roy is saying and would it help in Alternative 2 -- To me, it seems that Alternative 2 gives you the single ABC and then I guess, the way it’s written now, an ACL also and then Alternative 3 splits that ABC into your sector ACLs. I mean would it help in Alternative 2 to just make it pertain to the ABC, a single ABC, and not a single ACL? I am trying to figure this out.

EXECUTIVE DIRECTOR GREGORY: I think we need to recall that there has only been three meetings of the joint council committees and this is a rough options paper, in other words. The discussion here clarifies the direction people are thinking
and that’s what we need. That’s what we want from the councils.

The fact that Alternative 2 can be read one way and not the other way is not unexpected, but with the discussion, we have got clarification that the intent is to have a multijurisdictional commercial ACL and a multijurisdictional recreational ACL and so this is helpful, but don’t get hung up on anything that’s unclear. We need to clarify it. That’s the purpose of this meeting.

**MR. STEVEN ATRAN:** I think a minor change in the wording of Alternatives 2 and 3 might clarify the intent. On Alternative 2, if you were to insert the word “stock” before annual catch limit, so it says “the combined multijurisdictional allowable biological catch and stock annual catch limit”, and then in Alternative 3, add the word “sector” in front of ACL so it would say “allocate the commercial and recreational sector ACLs”.

The National Standard Guidelines recognize both a stock-wide ACL and individual sector ACLs and that would clarify what you are talking about, although I think Dr. Crabtree is correct. My reading on this is that with Alternative 3 it’s not necessary to have Alternative 2 as well.

**MR. WILLIAMS:** Given that advice of Dr. Crabtree and Mr. Atran, I would ask if the seconder would agree to just remove Alternative 2 and the motion only address approval of 3a as the preferred alternative.

**MS. LEVY:** I understand that you are trying to sort of frame what the committee thinks is the best course of action, but I would just ask you to consider whether we’re at the point that the committee should actually be picking preferred alternatives, meaning we have sort of an options paper and we’re trying to figure out the structure and we’re trying to figure out what alternatives and actions are supposed to be in there and we are not quite sure what some of the alternatives mean at this point.

I mean I know you want to present something to the full council and maybe the way to do it is say this is how we’re thinking we want to go with the delegation and having separate ACLs for the sectors, but in terms of picking particular preferreds, it just seems a little premature.

**CHAIRMAN GREENE:** Ms. Levy, yesterday when we were in Data Collection, we were trying to do the same thing and we were looking at potential preferreds and does that help you with what we’re trying to do?
MS. LEVY: I mean you can frame it that way. I am just a little bit concerned when we’re talking about what things mean and we don’t have a clear idea about what the alternatives mean and we don’t really have an analysis about what these allocations mean that you’re going down the path of saying this is our preferred alternative.

If you want to frame it some other way in the discussion that just shows what your intent is, and I don’t know if this is helping council staff decide how this document should be structured and maybe it is, but I just wanted to put that out there.

CHAIRMAN GREENE: I mean we could potential preferred endorsement. I am just trying to -- I think the intent is we’re just trying to show what direction we’re going and I think people are kind of struggling with how we do that. Anybody want to weigh in?

DR. CRABTREE: I mean it seems to me -- I am not quite sure why we need to show which way we’re going on a preferred here. This is an allocation thing and so there is that formula, but why is that the -- Why should that be the allocation? Why is that fair and equitable?

I look at the table later on and we’re talking about 7 percent, depending on which one -- Hell, we would argue for three or four years about 7 percent of the red snapper fishery and here we’re -- I kind of am with Mara. We are making an allocation decision and I am not sure why -- Is that currently the South Atlantic Council’s allocation or what is their allocation, because they already have one. I mean if we just wanted to endorse the South Atlantic Council’s allocation and apply it across, that would be one thing, but it’s not clear to me if one of these is actually the South Atlantic.

EXECUTIVE DIRECTOR GREGORY: First off, it’s important to get direction, because let’s say the two councils this week decide they want to delegate recreational yellowtail, mutton, and black grouper to the State of Florida.

Then we can take out other actions that are in here related to mutton snapper and we can just leave it up to the State of Florida to decide what to do on the recreational side and so it is important to get some direction there.

The allocation formula, the South Atlantic Council had an
allocation formula that was -- Say it had a ten-year period and
50 percent of the ten-year period and then 50 percent of the
last four years of that same ten-year period and so staff at one
point pointed out that was doubling counting those last four
years.

At the joint committee meeting, the South Atlantic Council
people said yes, we really don’t want to do that and so they
decided to divide the formula so it’s 50 percent of the last say
six -- The previous six years and 50 percent of the last four
years, so you’re not double counting years. The formula, the 50
percent, if you want to call it a Bow-Tie Formula, is different
here than what the South Atlantic currently has, but this new
formula so far has the endorsement of the South Atlantic Council
and that joint committee, since there has been no objections to
it from the South Atlantic Council and they have looked at this
document more than we have.

MR. WALKER: I am not really prepared to vote on this in support
of this. I would like to hear more public input and I don’t
want to get the cart ahead of the horse here on this.

CHAIRMAN GREENE: Mr. Williams, did you have something?

MR. WILLIAMS: Under what Dr. Crabtree has suggested, we just --
We don’t want to make any -- You are suggesting that we just
accept this as is and make no changes and go to the South
Atlantic with that, but we don’t want to add any new
alternatives or delete any alternatives and just leave the rest
of it as is?

DR. CRABTREE: That’s up to you if you want to add new
alternatives or change the alternatives. My concern is about
choosing the preferred, because I can’t really tell -- I mean
the way this is structured when you look at the no action,
status quo, it doesn’t even say what the current allocation is
in the South Atlantic and so we’re choosing a new allocation,
but I can’t tell how different what we’re choosing is from
what’s currently on the book for the South Atlantic Council.

I heard what Doug said about the formula, but that doesn’t tell
me how much we’re actually changing what their allocation is and
so my concern is just selecting a preferred at this point
without really knowing what we’re changing from.

MR. WILLIAMS: Mr. Chairman, I would like to withdraw my motion,
if the seconder would agree to it.
CHAIRMAN GREENE: The seconder agrees and the motion has been withdrawn. Now, I think we had one previous that we had selected a preferred and is that correct? I would have to look at the previous motions. Okay. Just making sure.

MS. BADEMAN: Before we leave Action 2 -- I guess I need to do this in a motion, but based on the IPT note, I would move that we clarify that this action pertains to the whole Gulf and South Atlantic Council jurisdictions. If I get a second, I can explain that.

MR. WILLIAMS: Second.

CHAIRMAN GREENE: We have a motion going on the board. It’s been seconded by Mr. Williams. Ms. Bademan, make sure it’s correct.

MS. BADEMAN: Action 2 would be the action there. The idea here is this is one stock of fish that just happens to span two councils. The vast majority of it is in Florida, but there are some pepperings of yellowtail snapper in other states and I think it just makes sense to just do this as one lump stock ABC and ACL, if that’s the way we want to go, rather than trying to split it out between states. That is where I am coming from.

CHAIRMAN GREENE: We have a motion on the floor and it’s been seconded and we’ve had some discussion. Any further discussion? Seeing no more discussion, is there any opposition to the motion on the floor? Seeing none, the motion carries.

EXECUTIVE DIRECTOR GREGORY: The South Atlantic Council Committee is going to be addressing the basic question of do you want to keep Action 2 in the document or do you want to move it to Considered and Rejected. I think if we address that that we’ll be having a motion similar to what the South Atlantic is looking at today. I am looking at their decision document and trying to see where we can come out to where they’re working on.

MS. BADEMAN: I mean I think we need to keep considering this. I mean it makes a lot of sense. I wouldn’t want to rule this out at this point at least. You know maybe this isn’t the road we end up going down, but I don’t want to remove it. That’s just my two-cents.

CHAIRMAN GREENE: Any other committee members have an opinion?

MR. WILLIAMS: I would move then, given Doug’s comments, I would move that we keep Action 2 in the document.
EXECUTIVE DIRECTOR GREGORY: The exact wording in the South Atlantic Council’s decision document is consider approving Action 2 alternatives for detailed analysis after staff receives IPT requested clarifications. This is where the two councils operate differently and that’s why some of this seems odd to you all, because we don’t do things that way.

The original purpose or the original intent was for the two council committees to address these items and come together and combine their motions to see where there was agreement or disagreement.

CHAIRMAN GREENE: Thank you. We have a motion and it fails for lack of a second. With that, we will go back to Dr. Simmons.

DR. SIMMONS: Thank you, Mr. Chair. Action 3 starts on page 15. This is partial delegation of commercial and recreational management of mutton snapper to the State of Florida. Again, it’s in federal waters adjacent to the State of Florida and so this is the exact same structure that you just reviewed in Action 1 for yellowtail snapper.

CHAIRMAN GREENE: Okay. Any discussion about mutton snapper?

MR. WILLIAMS: Given -- I am trying to figure out -- Given Dr. Crabtree’s earlier comments that we’re not seeking preferreds here, I mean I want to -- I guess the thing to do then would probably be for me to make a motion that we move Alternative 3 to Considered but Rejected. Is that appropriate? There is nobody here to give -- Carrie, do you --

DR. SIMMONS: If that’s the direction the committee feels they want to go.

MR. WILLIAMS: All right. That is my motion.

MR. DALE DIAZ: Roy, at the end of the day, I don’t know how all of this is going to work out, but we are going to have some public testimony tomorrow and I was kind of hoping that when we got public testimony that we would have a few commercial fishermen, and we are in south Florida, give us some testimony and see what they’re thinking on these different species.

At the end of the day, I might could support your motion, but right now, I would prefer to leave it in there until after we hear public testimony.

CHAIRMAN GREENE: Fair enough. Go ahead, Ms. Bademan.
MS. BADEMAN: I don’t know if this motion has a second, but I agree with Dale.

CHAIRMAN GREENE: Okay. There is a motion on the floor and seeing no second, it fails. We will move on. Go ahead, Mr. Williams.

MR. WILLIAMS: Then I’ve got one other motion and that would be to move Options 2d and 3d to Considered but Rejected. This is what we did with yellowtail snapper.

CHAIRMAN GREENE: We have a motion going on the board and it’s been seconded by Ms. Bademan.

MR. WILLIAMS: 2d and 3d to Considered but Rejected.

CHAIRMAN GREENE: Mr. Williams, is that your motion?

MR. WILLIAMS: Yes.

CHAIRMAN GREENE: What action was it?

MR. WILLIAMS: Action 3.

CHAIRMAN GREENE: Okay. Any further discussion about this particular item? Seeing no more discussion, any opposition to the motion? Seeing none, the motion carries. Dr. Simmons.

MR. WILLIAMS: Before we go on, do we need to go through the rest of these IPT notes again or is that understood from what we did in the first one that they’re going to pertain here too?

DR. SIMMONS: I think just the clarification on the waters. Is this throughout the Gulf and South Atlantic Councils’ jurisdictions or just off the State of Florida? If we could get some clarification on that and then while I have the mic, I just want to point out that I know this document needs a lot of work, but because we have nested actions in here and if the councils decide to delegate to the State of Florida and it’s all these recreational management measures, later on in the document, when we get to the mutton snapper recreational management measures and the closed season grouper closures and bag limits and size limits, those -- We may not need to consider those anymore if we’re going to delegate those species to the State of Florida.

I think that’s what staff is looking to do. We have thirteen actions in here right now and I know they need a lot of work,
but maybe some of this other stuff would fall out and I think that’s why it’s a bit premature, but we are looking for some direction to take to the joint meeting and also to let staff know what potentially could be removed as we move forward.

CHAIRMAN GREENE: Thank you. Is there any further comments? That’s a good point.

MR. WILLIAMS: I think we still have to address the second IPT note and clarify that our intention is that this action apply to the waters adjacent to the State of Florida.

MS. BADEMAN: Do we need a motion for that and do that? I will make a motion that Action 3 apply to waters adjacent to the State of Florida.

MR. WILLIAMS: Second.

CHAIRMAN GREENE: We have a motion and a second. I know there was some discussion earlier about adjacent from Mr. Boyd and so we will try to make sure we get it worded correctly. Mr. Atran, did you have anything?

MR. ATRAN: I am not sure if it was this equivalent motion from Action 1 or not, but I have in my notes that it was the understanding that the previous action would apply to all three species.

MS. BADEMAN: I think that was the one about the management plans.

CHAIRMAN GREENE: Okay. I think staff has got it worked out now. We have a motion on the board and is it correct as written? If the maker of the motion is good with it, the seconder is fine and is there any further discussion about this topic? Is there any opposition to the motion? Seeing none, the motion carries. Dr. Simmons.

DR. SIMMONS: Thank you, Mr. Chair. Action 4 starts on page 18 and this, again, is the same structure we just reviewed for yellowtail snapper and the same alternatives and even the sector ACLs, the years that are going to be used, and the methods are all the same as currently drafted.

MS. BADEMAN: Based on that, I would make a motion that Action 4 apply throughout the Gulf and South Atlantic Council jurisdictions.
MR. WILLIAMS: Second.

CHAIRMAN GREENE: We have a motion going on the board and it’s been seconded by Mr. Williams. Ms. Bademan, your motion on the board is correct?

MS. BADEMAN: Yes.

CHAIRMAN GREENE: Any further discussion? Seeing none, any opposition to this motion? The motion carries. Dr. Simmons.

DR. SIMMONS: Thank you, Mr. Chair. Action 5 starts on page 21 to modify mutton snapper recreational bag limits in the Gulf and South Atlantic Council. This action came about, as Ms. Bademan mentioned, because the public had expressed concerns regarding fishing effort on the spawning aggregations.

I think later on we’ll be getting some information about the mutton snapper stock assessment and some recommendations from our SSC and I think we will be looking at -- In talking to Mr. Atran, we’re going to be looking at reducing our catch levels, I think, for mutton snapper in the next three years and so despite the fact that it is a healthy stock and it’s not overfished, I think we are still looking at reduced catch levels.

Recent landings from 2011 to 2013 revealed really that there are very low recreational landings in the Gulf of Mexico. There were only about seventy-two trips in the Gulf that landed mutton snapper and so the analysis in this action really pertains primarily to the South Atlantic Council and there is some new information in the document from the last time that you reviewed it regarding that and so we’ll start with Alternative 1, no action, mutton snapper is part of the aggregate ten snapper bag limit in the Gulf of Mexico, the South Atlantic, and the State of Florida. Table 9 shows the species composition of those aggregates and they are different between the Gulf and South Atlantic Council.

Alternative 2 would remove mutton snapper from the recreational aggregate bag limit and change the bag limit for mutton snapper during the regular season, which is July to April, and then also there’s a change during the spawning season, which is May to June, a step-down in bag limit.

Option 2a would reduce it to ten fish per person per day and not reduce it, but it would establish a ten fish per person per day currently in the regular season, specifically though for mutton snapper, and then reduce it to two during the spawning season.
Option 2b is five fish during the regular season and two fish during the spawning season and four fish in the regular season and then two fish during the spawning season.

The differences between Alternative 2 and Alternative 3 is Alternative 2 would remove mutton snapper from the aggregate and Alternative 3 would retain it within the aggregate bag limit and then there’s the same suboptions under each of those.

Really, if you just look at the Option 2a and 3a with the tables, you get a similar percent reduction during the spawning season. I think it’s about 20 to 22 percent, but Dr. Larkin is here and he can help me answer any questions. He completed the analysis for this action.

CHAIRMAN GREENE: Thank you. Is there discussion?

DR. CRABTREE: Okay, but if we delegate recreational mutton snapper to Florida, then this whole action would just go. Now let me ask you a hypothetical. I think I heard you say that even though the mutton snapper assessment indicates we’re not overfished that we could end up with some reductions in the annual catch limit.

We would do that as a council and set the catch limit, but we’ve delegated the management measures to Florida and so we wouldn’t do anything else. Let’s say hypothetically we hit the catch limit one year and that means something has to happen the next year to prevent us from going over and so we could close it, I guess, but we’ve delegated all that to Florida and so I guess for this to work at that point the council would then ask Florida to make some change to try and reduce the catches and stay within the accountability measure, whether it’s closed season or whatever? I am just trying -- Because we have never done this before and I am trying to think through how it would work.

I guess at that point we would notify Florida that we went over the catch limit and Florida needs to take actions to reduce the harvest by this amount and I guess if Florida then said no, we’re not going to do that, we would rescind the delegation and do it as a council. Is that kind of how everyone -- Particularly Martha, is that kind of how you see it working, just so we would understand how the accountability measures would work?

MS. BADEMAN: I think that’s how -- That’s kind of my understanding of how it would work. If we went over in a year
one thing that I guess would be a positive in delegation is our commission can change the rules a lot more quickly than we could through the council process and so if we did need to make a big change, we could do it relatively quickly, in a meeting or two at the state level. Yes, I think that would seem appropriate if you guys sent us a letter notifying us in some way that we need to make some changes.

CHAIRMAN GREENE: Thank you. Any further discussion?

MR. SANCHEZ: I just wanted to mention it and I’ve said this before, but in speaking with a lot of the local fishermen, particularly here in Key West, they have mentioned that they perceive mutton snapper to be compromised and they’ve seen reduced size in the fish as opposed to historical catches and they, even though the assessment says that it’s maybe not warranted and not in jeopardy, they are asking for us to be proactive in this and get ahead of this and saying that they do need some help and there is no reason to have a ten fish bag limit during the spawn, where a boat with six guys can come back to the dock, in some instances repeatedly, with sixty fish. It’s just excessive and it’s needless.

They have mentioned to me on more than one occasion that they would like to see something more akin to a four or five fish bag limit and not a closure during the spawn, because it would impact the business, but definitely a reduction in bag during the spawn to something like two fish. Like a four and two I think they would applaud that effort, for the most part, the people who are seeing this fishery diminish.

CHAIRMAN GREENE: Thank you. Any further discussion? Okay and seeing none, Dr. Simmons.

DR. SIMMONS: Thank you, Mr. Chair. On to Action 6, modify the mutton snapper commercial trip limit in the Gulf and South Atlantic, this starts on page 26. Right now, we have six alternatives and so we would like to try to see if we can whittle these down a little bit.

Alternative 1 is the no action alternative. Alternative 2 would establish a commercial trip for mutton snapper during the regular season, which is July through April in the Gulf of Mexico and South Atlantic. It would be the recreational bag limit and Option 2a is the ten fish per person per day limit and 2b is some higher bag limit or trip limit, which if we leave this in here, staff needs to know what that would be.
Just for your information, we have updated the discussion regarding 2a, the ten fish per person per day. That would be approximately eighty-eight pounds whole weight in the Gulf and eighty-one pounds whole weight in the South Atlantic.

Alternative 3 would be specify commercial trip limit for mutton snapper during the spawning season of May and June in the Gulf and South Atlantic and then it’s establishing those same bag limits that we’re looking at for the recreational sector of two, five, and ten and then 3d is no bag or trip limit.

Alternative 4 would specify a commercial trip limit for mutton identical to the recreational bag limit during the spawning season in the Gulf of Mexico and I guess assuming whatever we do in Action 5 and then the South Atlantic Council as well, although the South Atlantic currently has a ten mutton snapper per day or ten mutton snapper per trip limit during the spawning season only, whereas the Gulf does not.

Alternatives 5 and 6 look at a gear type trip limit and these were recently added, I think in January, as far as the document goes by the South Florida Committee. This would specify the same similar trip limits as in Alternative 3, but it’s by gear type for the hand line sector during the spawning season and so you’re looking at two, five and ten or some other trip limit and, again, we need some information there about what that would be.

Then Alternative 6 would specify a commercial trip limit for the longline sector during the spawning season of May and June in the Gulf and South Atlantic Council. Option 6a would be a 500 pound whole weight or 450 pounds gutted weight trip limit and then Option 6b is some other trip limit.

Again, there are some new tables, Table 14 and 15, that shows landings from 2004 to 2013 by gear type for the Gulf and South Atlantic. As you can see, Table 17 shows the estimated increases and decreases that you would get from changing these trip limits.

Commercial landings are highest during the spawning season and it looks like into the month of July as well. In addition, commercial landings of mutton snapper in the South Atlantic are highest then too, despite the ten fish per person per day bag limit currently. With that, I will stop, but there are several IPT questions regarding this action.

CHAIRMAN GREENE: Okay. Staff is looking for a little direction
DR. CRABTREE: Some of this seems to get a little squirrely if we delegate the recreational fishery, for example Alternative 4, where we set the trip limit equal to the recreational bag limit. We just delegated that to Florida and so they are changing that.

Then if we were to select one of these lower trip limits of two or five fish per day and Florida decided to stay where they are, we could have a commercial limit that was actually lower than the recreational trip limit and so there are some weird things that can happen here because one part of the fishery is delegated and not the other and we don’t really know what Florida would decide to do with it.

CHAIRMAN GREENE: I guess that’s assuming that we do delegate it and I guess if we decide not to delegate it, then we have to have something to fall back on and so I understand where you’re coming from. It almost seems like we need to decide if we’re going to delegate it or not and then move through it from there, but I am sure glad I didn’t have to put this document together. Committee, any direction here? Staff is asking for something to move on and I don’t really know which way to lead you.

MR. WILLIAMS: I think Dr. Crabtree made a good point on Alternative 4. If we delegate recreational bag limits to Florida, then Alternative 4 just doesn’t make any sense anymore. I am going to move that Alternative 4 be moved to the Considered but Rejected.

CHAIRMAN GREENE: We have a motion on the floor and it’s going on the board now and it’s been seconded by Ms. Bademan.

MS. BADEMAN: On this one, if we end up not delegating and you still wanted to do an option like this, you could just name the same bag limits for commercial and recreational in the action and so no big deal.

CHAIRMAN GREENE: Any other discussion? Any opposition to the motion on the board? The motion on the board is correct and seeing no opposition, the motion carries. It seems like we’re putting a lot of emphasis that Florida will delegate this stuff and so I certainly understand where we’re going here. Okay, Dr. Simmons.

DR. SIMMONS: Thank you, Mr. Chair. There are several options under here that say some other higher trip limit and some other bag limit and could we get some recommendations there or try to
consolidate these even more? I guess the question we have is do we want to limit or establish a commercial trip limit during the regular season and the spawning season? Right now, the South Atlantic Council only has a commercial trip limit and it is that ten mutton snapper per day or ten mutton snapper per trip during the spawning season.

I guess is that an alternative we want to keep in or just consider the spawning season? Staff, if you look at the proposed restructuring, did consolidate or have a proposal here where we just looked at the gear types and it was focused just on the spawning season. That’s on page 5 of Tab B, Number 4(c) and so I don’t know if there’s any way we could consolidate these any more than we already have moving forward.

MR. WALKER: I don’t know if John has had any communication, but I would like to hear public testimony on this as well. They have concerns and they know more about their fishery here.

MS. BADEMAN: I am comfortable with that and maybe they can -- Where do we have the some other bag or trip limit, we can get some suggestions there for some reasonable options.

CHAIRMAN GREENE: I agree and as Mr. Sanchez noted about yellowtail, the industry had some ideas and hopefully the industry will come forward with something on mutton snapper as well. Any further discussion?

MR. WILLIAMS: Just a question for Carrie. Carrie, do you recall what fraction of the mutton snapper catch came out of the South Atlantic area of jurisdiction? Was it over 90 percent, do you recall? You don’t know? Okay.

MR. ATRAN: I don’t know what the actual catches are, but I was just looking at the apportionment and mutton snapper -- The Gulf gets 18 percent of the apportionment.

MS. BADEMAN: Look at page 31.

DR. SIMMONS: I think we’ve been landing around 200,000 pounds commercially and a couple hundred pounds recreationally annually in the Gulf. It’s primarily commercial landings in the Gulf of Mexico.

CHAIRMAN GREENE: Any further discussion? Seeing none, Dr. Simmons.

DR. SIMMONS: Again, this action would pertain to the Gulf and
South Atlantic Councils’ jurisdictions or just the State of Florida? There are some landings I think off the Carolinas and maybe Georgia commercially.

CHAIRMAN GREENE: Committee?

MS. BADEMAN: I think the simplest approach is just to apply it to the whole Gulf and South Atlantic. I don’t know if any other states have heartburn with that, but it seems to be easier. I can’t imagine that they’re -- I mean since the majority of landings are Florida and this is a Florida-centric species -- I mean if you happen to encounter them in other states, but I would think it’s kind of more of an incidental thing, where they are not going to blow it out one day and just catch a zillion mutton snapper. With that, I will make a motion to apply Action 6 throughout the Gulf and South Atlantic jurisdictions.

CHAIRMAN GREENE: We have a motion going on the board and it’s been seconded by Mr. Williams. Any further discussion about the motion on the board? Seeing none, any opposition to the motion? The motion carries. Dr. Simmons.

DR. SIMMONS: Thank you, Mr. Chair. We will move on to Action 7. This is the partial delegation of recreational management of black grouper to the State of Florida. The South Florida Committee discussed the commercial delegation, but because of the IFQ program in the Gulf of Mexico, it was decided that it would be only reasonable to look at delegation of recreational management for black grouper.

CHAIRMAN GREENE: Any discussion on black grouper? Seeing no discussion, Ms. Bademan.

MS. BADEMAN: To get to some of the IPT concerns here, I will make a motion that Action 7 apply to waters adjacent to the State of Florida.

MR. WILLIAMS: Second.

CHAIRMAN GREENE: We have a motion going on the board and we will make sure we get it correct. It’s been seconded by Mr. Williams. I believe the motion is worded correctly. Ms. Bademan, you’re fine with that motion? Okay. Any discussion about the motion on the floor? Seeing none, any opposition to the motion? Seeing none, the motion carries.

MR. WILLIAMS: I would also move that in Action 7 that Alternative 2d be moved to Considered but Rejected.
MR. DIAZ: Second.

CHAIRMAN GREENE: We have a motion going on the board. It’s seconded by Mr. Diaz. I believe the motion is correct. Any discussion? Seeing no discussion, any opposition to the motion on the board? Seeing none, the motion carries. Anything on the IPT list? Okay. Dr. Simmons.

DR. SIMMONS: Thank you, Mr. Chair. Again, if you delegate the recreational management for black grouper to the State of Florida, there are some later actions that we could potentially consolidate or could be removed from the document, because I mentioned earlier this document is nested with a lot of the actions. We will go to Action 8 on page 37, establish and consolidate ABCs and ACLs for black grouper.

These are the same actions and alternatives as we looked at in Action 2 for yellowtail snapper and 4 for mutton snapper, except for Option 3a. It wasn’t in the others because we have -- In the Gulf, we have a sector apportionment that was established in the Generic Amendment for black grouper and we don’t have actual quotas or ACLs based on those apportionments, because black grouper is part of the shallow-water grouper component. It’s one of the major species in there that has been assessed.

Because of that, even though we have this difference in alternatives, Option 3a, staff is thinking that this could be very complicated and difficult to move forward with analysis on until we establish those sector-specific ACLs the way it’s currently set up, because it is part of that shallow-water grouper aggregate.

CHAIRMAN GREENE: Any discussion on black grouper? Seeing no discussion, I guess we will move on, Dr. Simmons.

DR. SIMMONS: So we will leave it in for now. We may not be able to do that one. We will have to really think about that.

MS. LEVY: Just a question. So right now in the Gulf, we have black grouper part of the other for purposes of the IFQ, right? Is the intent here to somehow tease out what’s required for that and then have another recreational allocation? Like how is that going to work? Do you have to remove black grouper from the other shallow-water grouper to do this commercial/recreational allocation to actually delegate? I am just curious. What’s the -- Have you all thought about how you’re going to do that?
DR. SIMMONS: I think we’ll just have to look at historical landings. I guess because of the IFQ program we have a default allocation in the Gulf between recreational and commercial, but because of that program, I am not exactly sure -- We will have to look at some historical landings and essentially pull black grouper out of the recreational shallow-water grouper aggregate. We do have a stock assessment for black grouper.

MS. BADEMAN: I mean we should be able to do that for recreational. We have species-specific landings and we do its own assessment.

CHAIRMAN GREENE: I am sorry, but I didn’t hear what you said.

MS. BADEMAN: We should be able to that. I mean we have recreational data specifically on black grouper and it’s not like it’s aggregated and we do an assessment for black grouper.

CHAIRMAN GREENE: Thank you. Any further discussion? It seems kind of complicated. Okay, Dr. Simmons.

DR. SIMMONS: Thank you. We will go on to Action 9, which is modify shallow-water grouper species compositions and seasonal closures in the Gulf and South Atlantic. These actions -- I think what has happened is there’s a lot of stuff that’s been added in from the joint committee, but we haven’t really had a chance to look at it altogether and I think we have essentially right now two actions together. We have species composition and seasonal closures in one action and so I think we could potentially separate those.

Then the other question staff has is I’m not sure we need to change the species compositions to move forward with this. They are slightly different in the Gulf than they are in the South Atlantic.

At this point, I think it would also be good for us to look at what staff has proposed for some of these actions as far as trying to really get at the objectives of what we thought the South Florida Committee may want to focus on, but I will try to quickly run through these alternatives. Right now, I think they’re a little bit confusing, because we’re looking at specific areas that are kind of woven into the actions and alternatives, plus we have species composition in some and seasonal closures in others.

Alternative 1 is the no action alternative to retain the existing shallow-water grouper species composition and seasonal
closures in both councils. Alternative 2 would remove the shallow-water grouper closure for all grouper species in the Gulf and South Atlantic Council and Option 2a would be from the Dade/Monroe County line on the east coast of Florida to Shark Point on the west coast of Monroe County, Florida.

Option 2b was throughout each council’s jurisdiction. At the last meeting, the Gulf Council suggested moving this alternative or this option to Considered but Rejected, but the South Atlantic Council hasn’t done that yet, because it was outside the scope, we thought, of the objectives of this document. That hasn’t occurred until the South Atlantic completes that.

Alternative 3 looks at establishing similar or identical regulations for the shallow-water grouper species compositions and it would be for a specific area from the Dade/Monroe County line on the east coast of Florida to Shark Point on the west coast of Florida and then you would be adopting the Gulf shallow-water grouper species composition and adopting the South Atlantic shallow-water grouper species composition or specifying a new and identical shallow-water species composition for the Gulf and South Atlantic.

At the IPT meetings, we haven’t had a whole lot for this amendment, but this alternative seems fairly impractical, because many of the species the South Atlantic Council has in their shallow-water grouper aggregate the Gulf rarely encounters and I think it was in 2010 and 2011 that we took many of those species out of our FMP, like the coney, graysby, some of those species. This seems difficult and cumbersome as currently drafted.

Alternative 4 would establish identical regulations for shallow-water grouper seasonal closures in the Gulf and South Atlantic from the Dade/Monroe County line on the east coast to Shark Point on the west coast and Option 4a would adopt seasonal closures for the Gulf and South Atlantic using the Gulf seasonal closures, which are February and March, fishing outside of twenty fathoms.

4b would adopt the South Atlantic shallow-water grouper seasonal closures for the Gulf and South Atlantic, which I believe it’s that current four-month closure of January through April, and 4c would establish some new seasonal closures for the shallow-water grouper.

Alternative 5 was removed by you guys or as considered outside the scope of South Florida. However, the South Atlantic Council
has not done the same and then Alternative 6 would modify the shallow-water grouper seasonal closure off Monroe County to allow harvest of other shallow-water grouper species and only close harvest of gag.

MR. SANCHEZ: The concerns I’ve been hearing here is that if gag was the genesis of the shallow-water grouper closure and gag is warranted and requires further protection that we should focus and protect gag uniformly throughout its range, but for an area, perhaps, such as has been kicked around, like Miami/Dade/Shark Point south, get rid of the shallow-water grouper closure, because it’s really having a tremendous impact on the charterboat fleet here and recreational fishermen who are closed again on species of grouper that do not seem to be compromised and are accessible and are more available in this more temperate southern climate.

Broomtails, reds, blacks, all of these things and so that’s one of the biggest things that was brought up in this South Florida management thing to my attention, was that has had a tremendous, tremendous impact on them economically speaking.

CHAIRMAN GREENE: Any more discussion?

DR. CRABTREE: On the shallow-water grouper closure in the South Atlantic, that was not done just because of gag. There was a gag issue there, but it was done as a spawning aggregation closure for all shallow-water grouper because they aggregate to spawn and we had a lot of testimony from fishermen, and continue to get it, that basically says we shouldn’t be fishing on spawning fish and we shouldn’t be fishing on spawning aggregations.

There were some issues with gag, but it was broader than that and it was sort of a blanket decision to protect spawning aggregations that the council made and that’s why they included all these species in it.

There were some issues with gag and now there have been some issues with red grouper and there were concerns that if we close it to everything except one species or only to one species that you would have a lot of discard issues and those kinds of things, but it’s more complicated than to just paint it as a gag measure.

CHAIRMAN GREENE: Thank you. Any further discussion? I know there is a lot of notes going on around the table and I’m trying to give everybody a second.
MR. WILLIAMS: A follow-up to Dr. Crabtree. But, Roy, Monroe County is affected by this gag closure and they really don’t catch them down here is what we’ve heard, right? I mean that’s really a difficult --

DR. CRABTREE: That’s true, but they catch an awful lot of other grouper species down there and they do aggregate to spawn and there are a lot of aggregation sites that don’t have fish anymore and that measure, like I said, a lot of that was to protect spawning aggregations and relieve fishing pressure on it.

Now, at the time that was put in place, it was before the first black grouper assessment was done and so we didn’t know what the status of black grouper was, but they catch a number of other grouper species down in South Florida and black grouper do aggregate to spawn and they aggregate during those wintertime months.

CHAIRMAN GREENE: Okay. Good conversation and any more discussion on the closures? Okay. Seeing no more discussion, I guess we’ll go back to Dr. Simmons.

DR. SIMMONS: I guess it doesn’t have to be at committee, because I know this is a lot to think about, but I mean staff is going to have a really hard time writing up this action as it’s currently drafted and so I mean essentially, like I said before, I think this is potentially two actions and if there’s anything in that proposed restructured that we could look at that we could use and maybe focus on moving forward -- I mean do we really think we could change the species compositions? Is that something we really want to start tackling and adding species back in or asking the South Atlantic Council to take some of these species out? It seems quite cumbersome and is that really something we want to pursue?

DR. CRABTREE: I do think this action is beyond the scope of this amendment and probably shouldn’t have been put in here, because when you start talking about putting species in or out and changing the composition of these species groupings, that is much broader than just a South Florida issue and to some extent -- I mean I know the shallow-water grouper closure was very controversial down in the Keys and yes, we now know that it appears that black grouper are in good shape, but it is a measure that applies throughout the South Atlantic and there are a lot of grouper catches all the way up to North Carolina and I think it’s going to be hard to explain to folks why we would get
rid of the closure just off Monroe County and not in other areas
of the South Atlantic and so I am not completely convinced any
of the stuff in this action ought to be in here, but I do think
changing the species composition probably is beyond the scope of
this document, but I will leave it up to you guys.

CHAIRMAN GREENE: Okay. Thanks a lot. Any more discussion?

MR. WILLIAMS: Carrie, would you like us to get rid of the
species composition alternatives?

DR. SIMMONS: I mean if it’s not something the council wants us
to look at. We’re looking at like -- I think Ryan calculated
130 options or something like that we’re supposed to be
analyzing for this document and if it’s not something that you
guys are interested in doing, then yes, we would like you guys
to take it out.

CHAIRMAN GREENE: Thank you. That was certainly a whole lot.

MR. WILLIAMS: We don’t necessarily have to do it today. We
could talk some more and try to work it out before the full
council meets on this.

MS. BADEMAN: I think Carrie made some points that maybe we
should split this up and I do maybe think we could conference
and try to figure something out. It is complicated and it’s a
lot to take in at once and maybe by the end of the week we can
come to a solution between the committee meeting and the full
council. I don’t know, but we do need to -- I think it is
something that we need to address, because this a major hang-up
that people down here have.

CHAIRMAN GREENE: I agree. Mr. Sanchez, you’re on that
committee and do you share the same thoughts as Ms. Bademan
does?

MR. SANCHEZ: Yes and I think we’re going to drop back and punt
and talk about it amongst ourselves a little bit and see if we
can’t figure a way through this. Right now, this second, I have
no idea.

CHAIRMAN GREENE: Fair enough. Okay. Any further discussion?
Okay, Dr. Simmons.

DR. SIMMONS: Thank you. Moving on then, we will go to Action
10 on page 46 to modify the black grouper fishery closures and
bag limits. Again, black grouper is part of the shallow-water
grouper aggregate that we essentially just talked about in Action 9, yet we kind of have it pulled out here, based on the discussion at the South Florida meetings, and we also have closures and bag limits mixed in again here for this action.

Alternative 1 is do not modify black grouper recreational closures in the Gulf or recreational and commercial closures in the South Atlantic and maintain the current seasonal bag limits in both the Gulf and South Atlantic for black grouper.

Alternative 2 would remove black grouper from the shallow-water closures of the recreational seasons in the Gulf and both the recreational and commercial seasons in the South Atlantic and this alternative is similar to Alternative 4 and 5, but Alternative 4 would remove it from the aggregate and change the seasonal closures in federal waters off of Florida only. That’s Alternative 4.

Alternative 5 would do the same, but it would be in federal waters off of Monroe County and that would be for the same seasonal closures.

Alternative 3, going backwards, would establish a recreational season closure for black grouper in the Gulf and South Atlantic with multiple months as options, using similar months that the South Atlantic Council currently has, excluding April.

Alternative 6, you suggested to remove this from the document at the last meeting because you thought it wasn’t necessary to remove black grouper from the aggregate grouper bag limits. Alternative 7 would remove black grouper from the South Atlantic aggregate bag limit. They have not done the same.

Alternative 8 would establish a recreational bag limit for black grouper. It could be one fish or two fish or three fish or four fish or apply this bag limit only to the following areas and so you have off of Monroe County, in federal waters off of Florida, or in federal waters of the Gulf and South Atlantic. That, again, was removed or suggested in a motion to be removed by the Gulf Council at the last meeting.

Alternative 9 would modify the commercial seasonal closure for black grouper in the Gulf of Mexico and South Atlantic and they have January, February, and March. This was added in by the South Atlantic Council and I think at the last meeting it wasn’t supported by the Gulf.

Again, I think this action is very confusing. I think we’re
mixing some things and I think it overlaps with Action 9 and I think staff needs to know, again, what are the objectives here with these actions and what are we trying to achieve and do we want to make these changes to a specific area or region and are these closures only going to apply to the recreational sector? It seems like the South Atlantic Council wants to consider them applying to the commercial sector, even though the Gulf has an IFQ program in place.

CHAIRMAN GREENE: Okay. I am looking for some direction here. Does anybody want to offer up anything? Okay. Seeing no discussion, Dr. Simmons.

DR. SIMMONS: Okay and so everyone is going to think about it and by Thursday staff is going to have something, right, because we can’t get this into a public hearing draft for the councils to look at without some direction. I mean some of these alternatives really don’t make sense now, right now, what we have in front of everyone and so we will definitely need some guidance by Thursday.

Action 11 would look at harmonizing bag limits and size limits for species in the shallow-water grouper complex in federal waters adjacent to Monroe County, Florida. This was added I think and then modified by the South Atlantic Council at their April meeting.

Alternative 1 is retain the current bag and size limits for species in the shallow-water grouper complex in federal waters adjacent to Monroe County and Alternative 2 is harmonize the bag limits for species in the shallow-water grouper aggregate in federal waters adjacent to Monroe County.

Alternative 3 is harmonize size limits for species included in the shallow-water grouper aggregate in federal waters adjacent to Monroe County. Again, these overlap with what we have in Actions 9 and 10.

I guess staff was really not sure. I mean there are several species and they differ that are in the shallow-water grouper aggregate and so do you just want us to focus on where those bag limits are different and bring back a range of alternatives or do you just want us to focus on where those size limits are different and bring back a range of alternatives?

I mean here is where it might help to look at the proposed restructured actions and alternatives, which would be Action 7 with the bag limits. We focused on recreational, just because
the Gulf Council and the IFQ program in the Gulf.

Action 6 would standardize seasonal closures for black grouper and I guess, in thinking about that, we would certainly need some advice and some feedback moving forward on how you want to handle this action as well.

CHAIRMAN GREENE: Staff is asking for some direction here and it’s certainly complicated, but does anybody want to offer up some ideas? We are trying to find something here on the bag limits and size limits and staff is asking for some direction and does anybody want to help out? Okay. Maybe we will get some public --

MR. WILLIAMS: Well, I don’t want to remove anything here. Let me ask Carrie what she recommends that we do here, because I don’t know what to do.

DR. SIMMONS: I think you could split the action and focus on bag limits, size limits, and closed seasons and then also do you -- I mean as far as the Gulf is concerned, don’t we just want to focus on the recreational sector and see where those differences are or if we’re delegating to the State of Florida, do we just want to focus on where the differences in the commercial regulations are? But we’re not delegating grouper to the State of Florida.

MS. BADEMAN: I mean I think it makes sense to split some of these out and split up the bag limits and closures and I feel like the commercial issues are South Atlantic issues, at least at this point, because we don’t have a commercial grouper closure. I would tend to leave that one alone and maybe the South Atlantic has a solution that they’re working on when they cover this today. I mean we’re going to have to make a decision sooner or later, but if they can come up with something that works for their fishermen, then I don’t want to block that by taking that out either and so that’s my two-cents.

CHAIRMAN GREENE: Okay. It seems like there is some will to separate out the bag limit for the recreational and the size limit, but not wanting to take any options off the table, but we certainly need to give staff a little direction and I think everybody wants to do that, but it’s such a confusing topic.

EXECUTIVE DIRECTOR GREGORY: This is a good point to look at the restructured document and part of the problem here is this action and some of the others are actually combining different actions into one and there is no way, going through the NEPA
process, we’re going to be able to do that, because you can’t have alternatives that aren’t alternatives to one another. We’re not saying size limit or bag limit or season. Those are three separate actions and so in the restructured document, we addressed them separately and looked at alternatives for each action, season alternatives, bag limit alternatives, size limit alternatives.

With some guidance from NOAA General Counsel or the Regional Office, as far as trying to alleviate the confusion in South Florida with differing regulations, let’s just -- For instance, gag grouper has a twenty-four-inch size limit on the Atlantic side and a twenty-two-inch size limit on the Gulf side.

Currently, a fisherman can go to the Gulf federal waters and catch a twenty-two-inch fish and bring it back to land and transit state waters and so the simple thing is does the South Atlantic want to reduce their size limit to twenty-two or do we want to increase ours to twenty-four? I would like to hope we wouldn’t have to get into looking at a whole range of other size limits that aren’t on the books, because the purpose of this effort is to bring things together and not to completely reevaluate it.

There may be exceptions if the biology dictates otherwise, but take a look at the items in the restructured document. To us, that’s the way to move forward and that’s part of the problem with the other actions, is we’ve got different actions combined into one and they have to be separated at some point.

CHAIRMAN GREENE: So how do we take the restructured document and merge it in with this?

EXECUTIVE DIRECTOR GREGORY: In this instance, you could -- Let me pull it up. You could look at Action 8 in the restructured document on size limits and Action 7 on bag limits and Action 6 on closures and see if they are along the lines of what harmonize means for you and if so, just take those three actions and replace that with the harmonized action and I so move.

CHAIRMAN GREENE: I understand what you’re saying, but we’re trying to figure out how to get there from here. It’s 10:55 and why don’t we take about a ten-minute break and let’s kind of get our heads around which way we need to go and get back at 11:05 so we can get back to work. We started late and we’ve got a lot to do. With that, we’ll take a ten-minute break.

(Whereupon, a brief recess was taken.)
CHAIRMAN GREENE: With that, we’re going to get started with the Reef Fish Committee. Please carry your conversations outside. I am going to go ahead and recognize Mr. Williams. He has a motion he would like to present.

MR. WILLIAMS: Thank you, Mr. Chairman. We’ve talked about this extensively during the break and we think that for now the best thing that we can do is to remove Actions 10 and 11 from the options paper and replace them with the proposed Actions 6, 7, and 8 in the restructured document. I am going to offer a motion that we remove Actions 10 and 11 in the options paper and replace them with Actions 6, 7, and 8 in the restructured document.

CHAIRMAN GREENE: We have a motion going on the board and let’s make sure it’s worded correctly. Okay, Mr. Williams, is that your motion?

MR. WILLIAMS: Yes.

CHAIRMAN GREENE: Okay. Is there a second for this motion? It’s seconded by Ms. Bademan and is there discussion?

MR. WILLIAMS: We continued to discuss whether to apply this only to the South Florida area or whether to apply it throughout the jurisdictions and we never settled that and so for now, I believe it only applies in the South Florida area in the replacement options and so that’s something we will continue to work on though.

MS. LEVY: I was actually going to raise that point, because when you read the restructured document, it refers back to a -- For these actions, it talks about in the South Florida management area and in the restructured document, Action 3 is where you’re picking what the South Florida management area is and so you can’t just add it wholesale without either picking this or kind of modifying it to reflect that you haven’t made that decision, I guess, because if you just cut and paste the language, you’re going to refer to a management area that you haven’t established yet, if you look at Action 3 in the restructured document.

CHAIRMAN GREENE: Okay and so I think it’s pretty clear what our intent is and is it okay to ask for editorial license to make sure we do that at this point, because we’re trying to get somewhere from here. I understand there is probably some technicalities, as you just pointed out, on your end, but is
that something that can be easily changed or no?

MS. LEVY: Well, I guess what is the intent, because you say South Florida and is it as to be determined in the future, I guess, what South Florida means?

DR. SIMMONS: I think Mara is bringing up a good point, but could we just add into the report that this is going to be further discussed at the joint meeting on Thursday if we’re going to establish a South Florida area or not, just to try to get some of these actions and alternatives straightened out a little bit and that we will discuss with the joint councils whether or not we’re going to establish the South Florida area and where that area is?

MS. BADEMAN: I think replacing 10 and 11 with these other three actions from the restructured document -- I agree it’s not perfect right now and there is some bugs we need to work out, but this at least starts the discussion and I think it probably puts us in a little bit better place.

If you look at Action 11 in the main document now, it’s extremely vague and at least this gives us something to look at and so it’s a discussion point with the South Atlantic.

CHAIRMAN GREENE: I understand and everybody is good with this and understands the intent of what we’re trying to do? Okay. Any further discussion? We have a motion on the floor and it has been seconded. Any opposition to the motion? Seeing none, the motion carries. Dr. Simmons.

DR. SIMMONS: Thank you, Mr. Chair. We will add that to the report no problem and Action 12 starts on page 51 and this looks at changes to the circle hook requirement in the Gulf and South Atlantic Councils’ jurisdictions.

I think this action got started because the yellowtail snapper commercial fishermen requested that circle hooks no longer be a requirement in the Gulf, to match the South Atlantic Council’s regulations. Now we have several alternatives in here that look at multiple species and we have also put in both the recreational and the commercial sector in here.

This is a lot of alternatives right now. We are looking at more than just yellowtail snapper. Alternative 1 is the no action alternative and it would retain the current hook requirements in the EEZ of the Gulf and South Atlantic Councils. Alternative 2 would look at removing the requirement to use circle hooks when
fishing with natural bait for yellowtail snapper in the EEZ off the Gulf of Mexico and we have suboptions for the recreational and the commercial sector. I think that was the crux of some of the public comment originally.

Alternative 3 would remove the requirement to use circle hooks when fishing with natural bait for yellowtail snapper south of the 28 degrees North latitude line and approximately around the Tampa area, the St. Petersburg area, in the EEZ of the Gulf of Mexico and, again, for the recreational and commercial sector.

Alternative 4 would require the use of circle hooks when fishing with natural bait for all snapper grouper species south of the 28 degrees North latitude line and so I think that’s an alternative that the South Atlantic Council has added back in this document to look at.

Alternative 5 would remove the requirement to use circle hooks when fishing with natural bait for all species in the snapper grouper complex north of 28 degrees North latitude in the EEZ of the South Atlantic. Again, it has it for the commercial and the recreational sector.

Alternative 6 would remove the requirement to use circle hooks when fishing with natural bait for yellowtail snapper in federal waters from the Dade/Monroe County line on the east coast to Shark Point on the west coast and, again, it has it for each sector. With that, I will stop there.

CHAIRMAN GREENE: Okay. Any discussion? Circle hooks and j-hooks seems to be a pretty hot topic.

MS. LEVY: Just a question. Does the South Atlantic have a circle hook requirement? I’m sorry I don’t know the answer to that, because when I read what the description of Alternative 1 is, it just mentions the Gulf of Mexico as being applicable.

MS. BADEMAN: I can help with that. They do, but it’s north of 28 and apparently -- I think the reason why some of these actions are in here, like Alternative 4, is there are some council members that are interested in extending that requirement south and so there’s all kinds of options that are a little bit wild, but yes, they do, but it’s just not -- It starts -- The requirement is north of like the Cape Canaveral area and so not close to the Keys.

MS. LEVY: Just a suggestion. I know some of these no actions have a lot of moving pieces and so we have tables, but for ones
that are very specific, it would be helpful to actually say what
the status quo is, if you could say it in a sentence. Thanks.

CHAIRMAN GREENE: Okay. Thank you.

MR. DIAZ: I just want to make a comment. I wasn’t able to hear
the comments at the public hearings so far, but I did hear
Martha talk about the comments they had got from the meetings
she had went to and I heard things like trying to shoot for
consistency and eliminate inconsistencies and so I mean this is
kind of going in the opposite direction.

I do understand there is some folks that want to do that and
then we certainly need to hear from law enforcement and
depending on what way we go with this, I could see this being
some law enforcement challenges, depending on which option we
select. Thank you.

CHAIRMAN GREENE: I understand. I saw a hand down at the other
end of the table and forgive me, but I couldn’t see who --
Martha, I’m sorry.

MS. BADEMAN: I imagine that Captain Kelly and some of the folks
from this area will talk about this in public comment, but the
yellowtail snapper fishery, the commercial fishery in
particular, fishes quite differently than other reef fish
species. They are using different gears and they are using
light tackle a lot of times and so I will let them talk about it
in public comment and make their argument for dealing with this,
but I think we will have enforcement also at the meeting on
Thursday. I think there will be some FWC folks.

CHAIRMAN GREENE: Thank you.

MR. WALKER: I was just going to add that with circle hooks I
think you have less -- We would have less fish mortality using
the circle hooks and one thing with the natural bait and is it
just anything that’s non-artificial and is that the definition
they’re using of natural bait? Is it cut bait or live bait or
is it anything that’s not artificial? Okay.

EXECUTIVE DIRECTOR GREGORY: I will be real quick, but the South
Atlantic Council did away with the requirement to use circle
hooks south of 28 degrees latitude because of a study that was
done in the Gulf comparing circle hooks and j-hooks and that
study was later refuted at a SEDAR, but when the industry came
to us and said we want to have the similar thing and to be able
to use j-hooks for our yellowtail fishing, we on staff said
circle hooks, like David said, circle hooks work and so we don’t want to just do away with circle hook requirements for all reef fish, but this option is designed for the commercial fishery only to not require circle hooks, but still to require circle hooks for the rest of the reef fish and for the recreational sector that we have now.

CHAIRMAN GREENE: Thank you. Any further discussion? Okay. Knowing we got a late start, I wanted to get through that particular action and I know that accountability measures are following and so I guess I will ask Dr. Simmons a question. Of the remaining action items left, is there any one in particular that you need clarity on, because we need to kind of move on.

DR. SIMMONS: I was just going to suggest we can come back to the accountability measures after the joint meeting and after we have a better understanding of earlier sections and actions in the document, but it might be good to get some information from Mr. Perret on the purpose and need quickly. He had some suggestions earlier.

CHAIRMAN GREENE: Good call. I think we’ll go back to the purpose and need at the front of the page and as soon as Mr. Perret is ready with his words of wisdom, we will move on.

MR. PERRET: The first sentence, and I know we’re all for simplifying fisheries management, but it seems like any time we try to simplify, we just kind of compound issues, but just some suggested language change.

The purpose of this amendment is to provide consistent fishery management for reef fish species unique to South Florida or something like that. I like “consistent” better than “simplify” and on the second paragraph, to me it’s starting out the need for the amendment is to decrease the public’s burden and the need for this amendment is to increase the public’s -- To assist the public or increase the public’s awareness of varying different regulations or something like that, just some language or suggested change, but the first comment was the one on the consistency rather than simplicity.

CHAIRMAN GREENE: Okay. Duly noted and I think staff has made a note of that and I’m sure they will change it accordingly. With that, unless there is any opposition, we’re going to leave that section and move on to our next agenda item, which would be the SSC Review of Alternative Red Snapper MSY Proxies. That leads into SSC Comments and Tab B, Number 5 and, Dr. Barbieri, if you’re ready.
SSC REVIEW OF ALTERNATIVE RED SNAPPER MSY PROXIES

SSC COMMENTS

DR. LUIZ BARBIERI: There is actually a brief presentation that’s to be posted there that summarizes some of the SSC discussion points and recommendations to the council.

CHAIRMAN GREENE: We will try to find that presentation and get it up there. Okay. This was emailed out at 11:41 this morning if you’re struggling to find it. Go ahead, Dr. Barbieri.

DR. BARBIERI: Mr. Chairman, given the situation with the schedule, I am going to try to go through this as fast as possible. I am going to be around pretty much all week, bouncing between the two councils, and so if there are any additional questions or more detailed explanations, I can always come back and revisit the issue when you have more time.

Regarding the alternative red snapper MSY proxies, this is some background information that hopefully you have in front of you and I don’t have to read all of this, but the council has requested an analysis from the Center that looks at different alternative values of MSY proxies for red snapper.

As you know, the current rebuilding plan is working with a 26 percent SPR proxy, but the council, given the results of the last assessment, the council is looking at exploring some other options as well and so the SSC received a presentation from the Science Center and it was a very detailed, thorough, complete presentation that looked at the outcomes really of all the different SPR values being used and some other options in terms of MSY estimates and after reviewing all of that and having some extensive discussion, the written report that’s part of your briefing book actually has a lot of detailed information on that presentation and the SSC discussion.

The SSC did not really find any other reason to depart from the current recommendation of staying with the 26 percent SPR as a rebuilding target for red snapper and so I will pause there, Mr. Chairman, in case there are some questions regarding this item.

CHAIRMAN GREENE: Thank you. Any questions?

MR. KEVIN ANSON: Insufficient biological evidence for a better MSY proxy, so we had -- The council had talked about this before and you had come up and talked about SPR and kind of SPR and what it means and what it doesn’t mean, I guess, but it comes
down to risk I think is what the gist of it was and so insufficient biological evidence for a better MSY proxy, but how about insufficient -- I mean a different MSY proxy. I guess is there a different explanation of this in terms of, again, just the risk and what it entails and what it doesn’t entail?

DR. BARBIERI: Yes and the SSC’s position here is really based on the life history and the population structure of red snapper and if you look at the literature, and this is not just globally, but involving all the other MSY proxies that you have adopted for all the other species that you manage, I don’t think there is one species there in that package that is below a 30 percent SPR with the exception of red snapper.

When you look at the body of evidence, research, that is used for the last twenty or thirty years, 30 percent -- Most of the SPR proxies vary between 20 and 60 percent, depending on the life history characteristics of the species. For something like red snapper that lives to be over fifty years old and needs a lot of age classes there in the population, 30 percent is the value that we think is the minimum that could be used and guarantee long-term stability of the stock and resilience in terms of the ability to withstand impacts, environmental variability, or some issues.

You are right that you as the council, in terms of assessing risk, could depart from this recommendation and use something different. As your body of scientific advisors, we are basically telling you it’s something that involves a level of risk that we feel is higher than it would be for rebuilding the stock to a sustainable level.

MR. DIAZ: Thank you, Dr. Barbieri. I am going to try to ask a question, because I am trying to get something straight and I might even have a hard time asking the question. We used to use a process called MSY link and if we used MSY link today, the SPR would be 23 percent, if I read the paper correctly, but we’re using a new method now, because it’s better than MSY link. I believe even at your meeting you all made a motion to not use MSY link anymore, but in the new method that we’re using, are we now at a higher standard than what we would have been at with MSY link? I am just trying to get that straight and can you help me out with that?

DR. BARBIERI: Sure and we might have to ask at some point for Clay Porch to step up and discuss in more detail the MSY link or the analysis that the Center conducted, but the use of an SPR proxy is really something that you do when you don’t have an MSY
When you conduct the assessment and you go through the model process, the model can either estimate a valid -- Come up with a valid estimate of the stock recruitment relationship and if that's the case and the value that comes out of that estimate of the model result is approved through the SEDAR process and approved or accepted by the SSC, that means that you have an actual direct MSY estimate and you don’t need to use a proxy in that case.

In the case of red snapper, because the model wasn’t really able to come up with a valid estimate of steepness and therefore couldn’t estimate the stock recruitment relationship, the MSY estimate was not really accepted by the assessment panel, by the SEDAR review panel, and by the SSC and so at this point, there is no valid, scientifically-accepted estimate of MSY for red snapper.

This is why we are using a proxy to substitute for using the MSY estimate and now what the proxy is doing is basically putting aside some amount of spawning biomass and saying, okay, if we keep this spawning biomass out there, let’s expect that on average over time the stock will remain sustainable, given the levels of fishing and natural mortality.

This is really the approach that we are going with here and I know that there have been some alternative analyses conducted by the Center that at this point is looking at different ways to perhaps provide an alternative to an MSY target, but at this point what we have coming out of the assessment is not having a valid MSY estimate and we have to use the proxy. Did that address your question?

MR. DIAZ: I think partially, but still is the standard that you all are recommending now any -- Is it a higher standard or a more stringent standard?

DR. BARBIERI: No, it’s not. Now, remember that the rebuilding plan that has been in place and that’s the rebuilding plan that you’re following right now assumes a target of 26 percent SPR and so this recommendation is not any different than what the SSC has recommended for the last several years. This is basically recommending that you stay on course with the existing rebuilding plan and the existing rebuilding target and so nothing different, no higher standard by any means.

MR. CAMPO MATENS: Luiz, thank you very much and, as you know, I
was there in New Orleans when this was discussed. I think it’s obvious on the face of it that as you move up and down this SPR scale that risk changes. My curiosity is, is there any way to quantify that risk, should we move up or down the SPR scale?

DR. BARBIERI: I don’t know how that could be done. I mean ideally you would have the actual estimate of the risk associated with each one of those probability of overfishing or not rebuilding the stock or not having some level of non-sustainable fishing, but we don’t have those results, that analysis, completed and so unfortunately we cannot assign specific risk values to those SPR proxies.

MR. MATENS: Let me follow up on this. So if this council recommended going to an SPR of anything less than 26, we would be accepting risk blind and is that a correct statement?

DR. BARBIERI: I’m sorry. Can you repeat the last statement?

MR. MATENS: If we started to move down on the SPR scale to 24 or 22 or 20 or anything else, we would be accepting increased risk, but we would be blind as to how much risk we would be accepting and is that a correct statement?

DR. BARBIERI: Yes.

CHAIRMAN GREENE: Go ahead, Dr. Stunz.

DR. GREG STUNZ: Thanks for letting me address your committee. Luiz, I’ve got a question on the same lines as Camp. In the motion, there is insufficient biological evidence, but if we were to go, as Camp suggested, down to 23, is there biological evidence that that’s better or worse than 26 or really what I’m asking is is there biological evidence that 26 is as good or better than the others?

DR. BARBIERI: No. Now, the way that this works between the scientific advice, and I think that this needs to be made clear, this is not the SSC telling the council manage the stock this way. I like to use analogies and so in this case, it’s like risk, for example, of smoking.

You can ask a doctor and say, listen, I like to smoke and I love to smoke and I had an uncle who died at age ninety-five and he smoked all his life and so can you tell me that it’s okay to smoke and the doctor is going to tell you, well, no, I can’t do that.
You have to assume that risk and you don’t know what the risk is, but the science over time has shown that smoking increases the probability of you dying earlier or not living as long or not being as healthy and so we still don’t know what the actual different risk levels are, but looking at the body of scientific evidence over time and the doctor is not telling you don’t smoke. You still have the freedom to smoke if you want to, but you know you’re going to be assuming risk that’s higher and that the scientific evidence indicates that that risk is based on previous studies or case studies.

No, we can’t at this point. We just don’t have the tools at this point to quantify what the difference would be between 20, 23, 26, or 30 or any other, but based on the state of the science on this, we know that the lower the SPR for a species like red snapper, the higher the risk you’re going to be assuming. Did that answer your question?

DR. STUNZ: That answered it and I completely understand the analogy. I am just worried that -- Let’s say, for the sake of argument, the SPR was in fact at 23 and not 26, just hypothetically. Would this motion read the same thing, essentially? Would there still be insufficient biological evidence to remain the same in terms of if the yield was 23 SPR?

I guess what I’m asking is I’m not seeing evidence that 26 is necessarily better than 23 and it’s just we don’t know and you’re just assuming a little bit more risk.

DR. BARBIERI: Right. I mean you just have a body of evidence that looks at life history and population dynamics of stocks. Longevity is one of those and sexual maturity and egg production and a whole number of different factors and over time you can compile all of those and look at those different examples and in a situation like red snapper, to tell the truth, and you look at what the South Atlantic has adopted for this same species, the recommendation from the SSC was actually to use 40 percent, given the longevity of the stock, but the council decided to assume 30 and has been using that.

26 is close enough to 30 that since you had this already on the books we decided that let’s just go with 26, but we just don’t feel that anything lower than 26 would be advisable to you. It’s not a matter of right or wrong, but it’s just we wouldn’t advise you to do that.

MS. LEANN BOSARGE: I am not on this committee, but, Luiz, you said a lot and I’m trying to take it all in. You mentioned the
proxies, the MSY proxies, that we use for all the other fish
that we manage and can you repeat that? Did you say that this
is the lowest? Do we have some that are similar to this or what
do we normally do on those?

DR. BARBIERI: I have to rely on staff to look at the record,
but my recollection is that there is no other species in the
snapper grouper management plan that is lower than 30 percent
other than red snapper. Steven, is that the case?

MR. ATRAN: That is correct. Red snapper is at 26 percent and
the majority of our other reef fish are at 30 percent and I
believe we have a couple of species, goliath grouper and maybe
one other, where we went to 40 percent, but generally most of
the recommendations have been to set SPR somewhere between 30
and 40 percent.

MR. SANCHEZ: I have a question for anyone and probably Roy. I
remember -- I guess if we adjust the SPR, doesn’t that affect
the rebuilding timeframe?

DR. CRABTREE: I think you would have to revise the rebuilding
plan and reevaluate rebuilding timelines and I think what the
Center looked at was that you would recover in ten years or less
at those lower SPRs, so that if you started the rebuilding plan
in 2016 or something that it would end in 2026 rather than 2032.

Back to the question of the 30 percent. We have looked at this
nationwide and this is one of the lowest SPR, meaning most
aggressive, reference points used in the entire country and so
you know the argument for going lower than 26 percent is awfully
difficult to make, because what we know about fish like this is
in most cases the appropriate SPRs are 30 percent or even 40
percent or higher, in some cases. I think it’s a tough lift to
make to try and reduce the reference point here.

MR. ANSON: I understand where red snapper is relative to other
fish that the agency manages and I didn’t participate in any of
the conversation in this last SSC meeting, but you know relative
to this body of knowledge that we have for red snapper and red
snapper is one of the species that we have the most information
on and relative to other snapper or reef fish fisheries in the
world, it hands down will top any of the other fish when you
make those comparisons.

I understand the relationship between having a full range of age
classes and such as it relates to risk, but you know some of the
information that we have available here as of late, ten of the
top twenty years for recruitment the SPR were 5 percent or less and so you know there is a lot of the I guess book knowledge that we need to try to kind of correlate with our actual knowledge in data that we have for the species.

Just kind of make sure that we’re moving the book knowledge and understanding, I guess, with the science, because with the more science and the more data we have, we should be able to make a little bit better judgement call and be able to kind of minimize that risk that we take or we put into the analysis as such and the decision making and so that’s all I’m trying to make a point, is that as we go through time and we accumulate more and more information, we should have a much better understanding of what the fish does and what the fish needs biologically and then we can make those decisions in a bit of a better sound environment I guess is what I’m trying to say. Thank you, Dr. Barbieri.

DR. BONNIE PONWITH: So I appreciate your comments, Chairman Anson, and you’re right that when the SPR for this stock was at very low levels that we did occasionally see spikes in recruitment and that’s one of the idiosyncrasies of this species. That can still happen and it leads us to understand that environmental factors and other things that aren’t totally quantified or well understood are influencing those recruitment patterns.

It is not necessarily the spikes that we’re worried about when we contemplate what is the right SPR to protect the long-term vitality of this stock. It’s those spikes that go in the other direction that become worrisome and so you’re right that we’ve seen spikes upward in recruitment and the concern is how low can you set that level and still be able to recover from recruitment failures, if you had a series of those year after year, and that’s the flip side of that risk coin or that recruitment coin.

MR. ANSON: Just to follow up on that, again going back to my comment about the body of knowledge that we have, is not only on the science side we’re getting better in capturing those signals, but on the management side in being able to track what the Fs are or what the human removals are. We’re getting much better at that as well and so they’re kind of converging, I think, to a point.

MR. WALKER: Luiz, we’ve got the eastern and the western Gulf and I guess the SPR is increasing in the west and it’s decreasing in the eastern Gulf and how is the biomass doing with that?
DR. BARBIERI: The biomasses are increasing on both sides of the Gulf. Now, the prognosis, when you look at the long-term projections, is different between what has happened in the east and the west, but the SSC looked at those analyses and discussed some of those issues, but right now the reference point that we have and the way that you have been managing the stock is Gulf-wide and so we really did not go beyond that Gulf-wide SPR level, because you know you don’t have anything right now looking at managing those two stocks separately or portions of the stock separately.

MR. WALKER: So the SPR is lower in the eastern Gulf and the recruitment -- We have four years now that we’re at low recruitment and I’m just kind of worried about the recruitment and when we might hopefully get some numbers we can appreciate.

CHAIRMAN ANSON: Any more questions for Dr. Barbieri? Okay.

SSC REVIEW OF THE EFFECT OF RECALIBRATED RECREATIONAL REMOVALS AND RECREATIONAL SELECTIVITY ON ESTIMATES OF OFL, ABC, AND MSY FOR GULF RED SNAPPER

DR. BARBIERI: With that, Mr. Chairman, I’m going to just move on then to the next item, which was to Review the Effect of Recalibrated Recreational Removals and Recreational Selectivity on Estimates of OFL, ABC, and MSY for Gulf Red Snapper.

You may remember an analysis was presented to you on this that was looking at some options for reallocation and the impact of those reallocations, reallocation options, on the catch level recommendations that come out of the assessment as well as the potential impact of the new recalibration of the recreational survey estimates.

In that case, the SSC, after looking at that analysis, agrees that yes, the reallocation and the recalibration of the recreational estimates would cause a change in the estimates of OFL and ABC for red snapper and so it’s something that would prompt re-estimation of those quantities, in case you want to go that way.

We didn’t go any further into more detail on this and basically just looked at this as a way to provide some feedback on the question of if there are these reallocation options and the impact of the recreational survey recalibration and whether this would impact OFL and ABC and our conclusion was that yes, it would and so we have to revisit those figures. I will pause
again, Mr. Chairman.

CHAIRMAN GREENE: Any questions? Seeing no questions, we can continue on.

SSC REVIEW OF GAG INDICES OF ABUNDANCE

DR. BARBIERI: Thank you and moving on, another item that we reviewed was the indices of abundance, an update on the indices of abundance for Gulf gag since the last assessment. You requested the Center -- I guess you had a lot of public input, stakeholder requests, to look into the situation with gag, given the outcome of the last assessment.

The Center then updated those indices of abundance and the fishery-dependent indices were updated through 2013 and the fishery-independent through 2014 and the SSC, looking at that, noticed that the trends, all the indices actually, agree and having the trends going in a downward direction and that suggested there are issues there going on with gag abundance that may not have been captured by the last assessment.

Based on that, the SSC recommends caution on your part in setting up ACL and ACT for gag, because there are some red flags out there that indicate that this stock may not be in as good abundance as was estimated by the assessment, the last assessment. Again, Mr. Chairman, I will pause for any questions.

CHAIRMAN GREENE: Thank you. Any questions? Seeing none, continue on, please.

MR. ATRAN: At this point, there is a gag options paper for adjusting ACL and ACT for gag, because there are some red flags out there that indicate that this stock may not be in as good abundance as was estimated by the assessment, the last assessment. Again, Mr. Chairman, I will pause for any questions.

CHAIRMAN GREENE: What’s the pleasure of the committee? I guess we’ll just go on through the report and then we’ll come back to the options paper as you noted, if that would be okay with Dr. Barbieri.

REMAINDER OF THE SSC REPORT

DR. BARBIERI: Okay and so moving on to the mutton snapper OFL and ABC recommendations that came out of the projections from the last assessment, I believe that you have received already a report that provides stock status and catch level
recommendations for mutton snapper.

The stock was found to be not overfished and not undergoing overfishing and the SSC applied its ABC control rule and developed projections for mutton snapper using a P* of 30 percent for ABC and 50 percent for OFL and I have a table there that should be also in detail in your written report from the SSC that sets catch level recommendations for OFL and ABC from 2016 to 2020 and those values are presented both in landed numbers and weights and discards.

This one is really just a brief overview of what’s presented in detail in your report in case there are any questions or comments that you would like to make.

CHAIRMAN GREENE: Any questions on this?

MR. WILLIAMS: Luiz, these yield streams apply to the mutton snapper population as a whole, right, the Gulf and the South Atlantic and not just the South Atlantic? Okay.

DR. SIMMONS: Just a quick question, Dr. Barbieri. I didn’t get a chance to read the whole assessment. What were some major indications or when you guys were working on the stock assessment of why the projections are so much lower than they have been in the previous assessment? Were there recruitment problems or major changes in catches or just can you give us a quick synopsis?

DR. BARBIERI: Right and that’s a good question and I should actually have pointed this out, because this is an issue that came up when we were discussing this with the South Atlantic Council as well and the issue is that the last assessment used an older model, so to speak, the ASAP model, that wasn’t really able to explicitly take into account some of the selectivity functions, some of the issues really, that capture those issues of the fishery as properly as this one does.

This update uses a more up-to-date version of the model that better estimates the selectivities and because of that, the productivity of our estimates or the productivity of the stock have actually changed and so you’re going to see that the estimates of MSY between this assessment and the last one are different, but that doesn’t reflect in any way changes in productivity of the stock.

It’s just the way that this newer model can actually account for all the issues more explicitly and capture the dynamics of the
stock better and so these estimates are more reflective of the actual abundance levels in the productivity of the stock out there.

In the case of your question about bad recruitment, there wasn’t any really indication that there are any negative trends in recruitment or a decrease in productivity of the stock that we could tell. It’s really something that had to do with the modeling approach and how those estimates came up.

CHAIRMAN GREENE: Thank you. Any other comments?

MR. WILLIAMS: Just one. I am pleased to see that in these mutton snapper projections and ABC recommendations that it actually increases over time. Most of what we look at they go down as the years -- Do you know why that is?

DR. BARBIERI: In this case, it’s because the stock, as it is right now, it is not way above that biomass at MSY and so even though the stock is not overfished, by using this projection, you are actually allowing the biomass of the stock to increase further and given what’s coming out of the recruitment estimates that are being used for the projections, the projection of the stock to be more productive or higher abundance as we go into the future.

CHAIRMAN GREENE: Okay. Thank you. Any other questions? Okay, Dr. Barbieri.

DR. BARBIERI: Another quick report on the hogfish assessment results and recommendations of OFL and ABC yield streams for the hogfish stock. You may remember that the assessment actually was conducted for three separate stocks that had been found to be separate genetic units, biological units.

There is small stock up in North Carolina that didn’t really have enough data to be assessed properly and there is a southeast Florida/Florida Keys portion of the stock that is really managed by the South Atlantic Council and then there is the west central Florida portion of the stock that is under the council’s jurisdiction.

This portion of the stock, the assessment came out as not overfished and not undergoing overfishing. The SSC applied its control rule and came up with a P* of 40 percent and recommended three-year projections at 50 percent for OFL, as we traditionally do, and at 40 percent for ABC. Yes, Mr. Williams, in this case we have a situation where the projections show that
the stock is actually at a higher abundance level now and that
going into the future the yield streams show decreasing trends
in OFL and ABC.

Basically, because the biomass, the current biomass of the
stock, is very high, you are above the biomass of MSY and so
since the OFL and ABC are based on MSY, they actually provide
you a trajectory that fishes the stock down to that level and so
the SSC discussed this and there were some suggestions from some
members that we provide you with a constant catch projection
scenario that would avoid you having decreasing catches over
time, but because there are different ways to accomplish this,
to get to that constant catch, and because we didn’t know what
you wanted to do in terms of how to manage this stock and
whether you wanted to work with constant catches or not, we
decided to forego that part and present this to you and if you
actually would like to see a constant catch scenario, we will
bring it back to you at your next meeting.

CHAIRMAN GREENE: Thank you. Any more comments?

EXECUTIVE DIRECTOR GREGORY: Thank you, Dr. Barbieri, and what
are the three ways of doing constant catch, I mean if the
council wants that and they’ve been asking that in past stock
assessments?

DR. BARBIERI: Well, there is different ways for you to either
calculate what the constant catch would be. Either you use an
average of those three years or you can use different scenarios
there to come up with that and so we discussed that and felt
that, in looking at all those options, if you want to go that
way that we can provide you with an additional recommendation.
In this case it wouldn’t be the Center. In this case, it would
be FWC to put together an options paper that would have
different options there of how you could address this.

EXECUTIVE DIRECTOR GREGORY: I think I seem to remember to do it
the way we were doing it in the beginning requires a lot of
iterative analyses to find out what is that constant catch that
meets the same sort of protection that the declining does and at
one point in one stock, Clay I think just averaged the three
year projections and found that that was very close to the more
difficult and time consuming iterative approach and so if we
could get guidance that that is an appropriate way of us
implementing constant catch, then we don’t have to go back and
forth to the SSC.

DR. BARBIERI: That’s fine. I mean one thing that we can do is
we can work with the Center in developing a white paper that would look -- An analysis summarized for you or for the SSC to review of different ways of achieving that constant catch and then have the SSC review that and provide you some recommendation.

One last thing that I forgot to say about the last slide is that keep in mind that this portion of the stock that’s managed by the Gulf Council is actually not overfished and not undergoing overfishing, but there is a portion of the stock that is the southeast Florida/Florida Keys portion that is overfished and undergoing overfishing and so in that case, there is a rebuilding plan that’s going to be presented this afternoon to the South Atlantic Council.

Now, there is a small portion of that biological unit that actually falls under the Gulf Council’s jurisdiction and so staff actually felt that it would be good to bring this to your attention so that you can keep an eye on the rebuilding strategies that are being used by the South Atlantic Council, since that portion of the stock there that’s managed by the South Atlantic is in your jurisdiction. Did I present this correctly, Steven?

MR. ATRAN: That’s correct and that was one thing I was going to bring up. I am not sure -- We’ve got a small slice, as you said, and I don’t know what the percentage is, of the South Florida/Keys Hogfish stock that’s overfished that extends into the council’s jurisdiction and then we’ve got most of the hogfish that are a separate stock in the Gulf that are doing fine and they are not overfished or undergoing overfishing.

One of the things we need to figure out is how we’re going to deal with that slice of the South Atlantic stock that extends into our jurisdiction and I don’t know if that’s something that’s going to be discussed at the Joint South Florida meeting or not. If it is, maybe we might want to hold off on making any decisions until after that joint meeting.

MR. WILLIAMS: Luiz, does the South Florida/Keys stock -- Is there a discontinuity in its distribution from the Keys into northwest Florida? If so, how far up does it go?

DR. BARBIERI: The separation?

MR. WILLIAMS: Yes.

DR. BARBIERI: I mean there is basically a little tip turning
around, over here actually, into the Gulf, very small, and then
the other portion is really off of the Tampa Bay area, Charlotte
Harbor area, the west central Florida.

MR. WILLIAMS: So is our portion of the Keys stock principally
Monroe County, would you say?

DR. BARBIERI: Yes and so it’s a very small proportion of the
stock of that unit, biological unit, that kind of spills into
the Gulf Council’s jurisdiction, very small. Of course, the
South Atlantic Council will be considering this afternoon
different rebuilding strategies for that stock and I will be
giving a presentation to them on different scenarios that they
may consider for rebuilding the stock at different probabilities
of rebuilding and achieving either faster or longer rebuilding
timeframes.

CHAIRMAN GREENE: Okay. Thank you. Any other discussion? We
are behind schedule and I believe the intent of the Chair,
Chairman Anson, is to make probably an hour long lunch. We have
two additional items within this section and so at this point
I’m going to back up. Item Number VII, which would be Review of
Options Paper and Decision Spreadsheet, Tab B, Number 6(a), (b),
and (c). Mr. Atran, if you can quickly run us through this.

OPTIONS PAPER – FRAMEWORK ACTION TO SET GAG ACL AND RECREATIONAL
SEASON

REVIEW OF OPTIONS PAPER AND DECISION SPREADSHEET

MR. ATRAN: Okay. We have prepared an options paper and as you
know, we do have ACL recommendations now from the SSC and we
also have concerns that the results of the stock assessment may
have painted a somewhat optimistic picture of where we’re going
right now with gag.

Although the assessment said that the stock is neither
overfished nor undergoing overfishing, anecdotal information
from fishermen have suggested that the abundance appears to be
down in the most recent years and so we requested an analysis of
CPUE indices through 2014. The assessment only went through
2012 and the results did show that CPUE indices are down in the
last few years.

The SSC recommended being precautionary in how you set the ACL
for gag going forward and our Reef Fish AP had also previously
recommended a precautionary approach for the same reasons and so
we’ve got two actions in this options paper.
One action is where to set the ACL for the next few years and then the other action is where to set the recreational fishing season or seasons, if you want to have a split season. We have some projections that were made with a decision tool, a spreadsheet, that the Regional Office put together thanks to Mike Larkin.

We have some estimates of how long the seasons would be under different combinations of ACLs and various approaches to setting the season. Just very quickly to go over the Action 1 alternatives, which is the ACL itself, Alternative 1 is no action. We are currently at a stock-wide ACL of 3.12 million pounds and we do have ACTs for both the commercial and the recreational sector.

The recreational sector has an ACL of 1.93 million pounds and an ACT of 1.708 million pounds. On the commercial side, their ACL is 1.217 million pounds and that normally would be their quota, but when the current ACLs were adopted, there was some concern from the previous stock assessment that because of the low amount of IFQ shares that were going to be distributed for gag that there would be a significant amount of discard mortality from vessels that would have to throw back their gag because they don’t have sufficient allocation to keep them and that wasn’t accounted for in the stock assessment.

We had an ACT for the commercial sector and right now it’s 0.939 million pounds. That is also their quota for gag. This latest stock assessment did take into account discards during any closed season or because of a lack of quota shares and so we no longer need an ACT on the commercial side.

All of the other alternatives other than status quo do not have an ACT on the commercial side and only the recreational side and so the ACL would become the quota on the commercial side.

Alternative 2 is a precautionary approach. It would set the ACL at 3.80 million pounds. I am not going to go through all the other numbers. You can read them. This was recommended by the council at the last meeting. It is midway between status quo and the next lowest ACL that we previously had.

Alternative 3 would set ACL and ACT based upon the long-term projected optimum yield, equilibrium optimum yield. In theory, we could set the ACL at this level and never have to change it again, because we would always be catching below our MSY level, even given fluctuations. In reality, there is a lot of uncertainty with these long-range projections and chances are
the equilibrium OY estimate will change with the next stock
assessment, but 4.46 million pounds is our current estimate of
what the long-term equilibrium would be.

Alternative 4 was an attempt to try to set a constant catch
based upon the yield projections that we had. As you heard on
the discussions just dealing with hogfish, we didn’t have a
constant catch projection for the three years that the SSC was
looking at, which was 2015 through 2017, and so if you wanted to
do a constant catch ACL, it would have to be at the lowest ABC
of those three year periods, which would be 4.57 million pounds.
You could maintain that going forward.

Alternative 5 has a separate ACL for each of the three years,
2015, 2016, and 2017, based upon the specific ABC that was
recommended for each of those years by the SSC. 2015 you can
forget about. There is no way we can get regulatory action in
place before the end of the year and so we’re really looking at
where to set the ABC and any seasons for 2016 and 2017 and if
there is no update to the ABCs, the ACLs would remain at the
terminal point going forward.

Those are the actions as far as ACL and then Action 2 dealt with
changes to the recreational gag fishing seasons and under all of
these alternatives, it looks like we could have a longer season
than we currently have, even the conservative ones.

Alternative 1 is no action. We have a recreational gag season
that opens on July 1 and it closes on July 3 and then it’s
closed from the 3rd until the end of the year. That’s 147 days,
unless it’s shortened due to a projection that the ACT will be
reached sooner and it doesn’t appear that we’re going to be
reached any sooner than that.

Alternative 2 deals only with that December 3rd to the 31st closed
season. That is a fixed closed season, but it’s really not
necessary, because if NMFS projects that the season needs to be
closed on a certain date, they will close it on that date.
Alternative 2 would remove that fixed closed season in December
and either allow the season to run until the end of the year or
until the ACT is projected to be reached.

Alternative 3 and 4 would remove all of the existing closed
seasons other than the February/March closure, which is dealt
with in the options, and then determine how you want to set up
an open season for the recreational gag season.

Alternative 3 would open the season on January 1 and then it
would run through until the date when the ACT is projected to be
reached with certain behaviors for that February/March closed
season. Alternative 4 would try to adjust the season so that at
least in the first year of implementation it would be open
through December 31 and then we would back calculate what the
opening date would need to be in order to be able to take it
through December 31.

The options are similar in Alternatives 3 and 4 and they deal
with how we’re going to deal with the February and March closed
season or partial closure now on shallow-water grouper. Currently for shallow-water grouper during those two months the
season on those fish is closed shoreward of twenty fathoms --
Excuse me. It’s closed beyond twenty fathoms, but it’s open
shoreward of twenty fathoms.

Option a, 3a and 4a, would retain that for gag so that if those
months fall within what would otherwise be an open season for
gag that it would be open only shoreward of twenty fathoms and
it would be closed along with the other shallow-water grouper
beyond twenty fathoms.

Option 3b would remove that twenty-fathom closure only for gag
and if gag is open during February or March, it would be open in
all waters, regardless of depth. Then Option c would close the
gag to all waters, regardless of depth, during those two seasons
and so both shoreward and seaward of the twenty-fathom boundary
gag would be closed during February and March.

Now, this gives us -- For Alternatives 3 and 4, we have three
options and then five actions as far as ACLs and so toward the
end of the document, on pages 11 and 12, are tables where we put
out the results of the decision spreadsheet to project what the
seasons would be under every combination of ACL alternative and
how you wanted to treat the twenty-fathom closure.

For example, we’ve got Table 2.2.1 up on the screen right now
and this deals with Action 2, Alternative 3. That’s the one
that says open on January 1 and go until the ACT is projected to
be reached. If you leave the twenty-fathom closure in effect as
is, which means during February and March, you could still fish
for gag shoreward of twenty fathoms, but it would be closed
further offshore.

Then the projection is that you could fish from January 1
through August 15, or 227 days. Then, likewise, under each of
the other ACL alternatives are how long the season would be.
Alternative 5, which is the least restrictive alternative, you
wouldn’t have any closure and you would have a year-round fishery under that twenty-fathom effect.

Alternative 3b allows gag fishing in both offshore and seaward of twenty fathoms and, again, each of the alternatives has an estimate of how long the season would be, running from 222 days to 363 days. Then if you were to have a fixed closed season for gag regardless of what the depth of water, which is Alternative 3c, then under the most restrictive alternatives, the status quo or that precautionary alternative that we added at the last meeting, there would be a closure either August 28, under Alternative 1, under status quo, or mid-November, November 18, under Alternative 2. Under any of the other alternatives, there would be no closure and the season would be open year-round.

Then Alternative 4 options, which is the next table, it’s set up pretty much the same way, except, as I said, we tried to compute, at least in the initial year, when the opening date would have to be in order to remain open through the 31st.

We are not projecting that that opening date would be reestablished or recalculated every year. Once it’s established for the first year, that would stay in effect and then there may or may not be closure toward the end of the year, depending upon the quota for that year and the fishing pressure.

Again, since under this set of alternatives February and March would be closed for gag anyway, under Alternatives 1 and 2, you have the same season under both of those. Excuse me. Yes, you would. Under Alternative 1, regardless of whether the twenty-fathom closure is in effect or you’re allowed to fish throughout the waters, because the season is closed, it would still be June 21 through December 31, or 191 days.

Option 4c is actually a split season. You would open in January and then close for February and March and then open again in April until either the end of the year or until the ACT is reached and so under Alternative 1, the most restrictive, you would have the January opening and then, in order to get an opening that would last through the end of December, you would leave it closed until July 5 and it would open July 5 through the end of the year for 211 days.

I won’t go through the other numbers. You can read the numbers on here. Obviously as you go from Alternative 1, which is most restrictive, to Alternative 5, the least restrictive, you get more days fishing and then as you go from either having a partial closure, no closure, or a total closure, that also
affects how many total days you would get if the season is open in February and March.

The only other thing I would like to say about these estimates is they are -- They have to be considered preliminary. They are based upon the most recent information we have about what the catch rates have been during each of the seasons. In the case of March, February and March, we had to go back to I believe it was 2009 to find some seasons when the recreational season was open during that period and so we’re getting a little bit of old data that’s being used to estimate these seasons.

Whatever combination of alternatives is adopted, the Center will need to recalculate exactly what the seasons would be, but this is our best estimate as of right now.

CHAIRMAN GREENE: Thank you, Steven. Anybody got any questions?

MS. BADEMAN: Just a quick one. In the Excel sheet, it looks like the last year of data that you used is 2013 and is 2014 available? Could we use that for the later -- If you go to the top of the document, Wave 4 through 6 is based on 2013 and could we use 2014 in here, just so that we have more recent information, at least before this is finalized? I realize it may not have been available before.

MR. ATRAN: I think Mike Larkin can answer that for you.

DR. MIKE LARKIN: It was because that was the most recent year, 2013, where we have landings for all three years in Waves 4, 5, and 6. 2014 we did not have that and I can’t remember off the top of my head what the closures were in 2014, but that’s why we didn’t use those landings or maybe they were too preliminary at the time that we made this spreadsheet, but I think there was additional closures in 2014. No? Then I guess this goes back to the issue of it was just preliminary at that time for 4, 5, and 6.

CHAIRMAN GREENE: Thank you. Anybody else? Okay.

MR. ATRAN: Our intent is to bring back a framework action for final action at the next council meeting and hopefully we will be able to do that. You don’t have to select preferred alternatives at this meeting, but if you can, it would allow us to focus on certain sets of alternatives, but, like I said, we can bring you back a framework action with no preferred alternatives if that’s what you would rather have us do.
MS. BADEMAN: At least with the season at this point -- I mean this is the first time people are really seeing this and I think we should at least wait until full council.

CHAIRMAN GREENE: Okay. I certainly don’t have a problem with that. Anybody else? Okay. Chairman Anson, do you want me to continue? It is now 12:20 and do you want to try to get this decision document, Tab B, Number 14, under Item VIII out of the way or what is your pleasure?

MR. ANSON: I think we ought to break for lunch, Johnny.

CHAIRMAN GREENE: Okay. What time do we need to be back?

MR. ANSON: Let’s try to be back at 1:30.

(Whereupon, the meeting recessed at 12:20 p.m., June 9, 2015.)

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June 9, 2015

TUESDAY AFTERNOON SESSION

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The Reef Fish Management Committee of the Gulf of Mexico Fishery Management Council reconvened at the Marriott Beachside Hotel, Key West, Florida, Tuesday afternoon, June 9, 2015, and was called to order at 1:40 p.m. by Chairman Johnny Greene.

CHAIRMAN GREENE: Let’s go ahead and get started. We’re already starting off about ten or fifteen minutes late and so, Dr. Simmons, if you’ll go ahead and start off hogfish, B-14.

HOGFISH AND MUTTON SNAPPER OFL AND ABC
HOGFISH DECISION DOCUMENT

DR. SIMMONS: Yes and I will just quickly go through B-14. We worked on this a little bit with the South Atlantic Council staff. As Dr. Barbieri mentioned, the South Atlantic Council is working on an amendment for the East Florida/Florida Keys stock based on the genetic evidence that the South Atlantic and Gulf SSC recommendation. They are treating hogfish as three stocks. We heard that this morning and they’re going to be looking at a rebuilding plan for this particular stock, the East Florida/Florida Keys stock.
We share some of the jurisdictional area by both councils for this stock and the SSC considered the information, the best available science, for the OFLs and ABCs and they did indicate that the stock is undergoing overfishing and is overfished.

The rebuilding provisions that are specified in Magnuson to rebuild within ten years, you can look on page 2 of the decision document, where the council is considering action. Those are the OFLs and ABCs for a ten-year rebuilding plan that the South Atlantic SSC recommended and the Gulf SSC concurred with.

My understanding is that the South Atlantic Council does things a little bit differently. They could choose to rebuild in a quicker time period and so within seven years and so these OFLs and ABCs could change slightly based on that rebuilding time and also they could change the level of risk, I guess, that they’re willing to accept.

Right now, we don’t have the final numbers I guess from them, but these are the numbers that cannot be exceeded, the ABCs that cannot be exceeded, for this stock currently and so one of the things we’re looking at is how to manage this stock. As Dr. Barbieri mentioned, most of this is in the South Atlantic’s jurisdiction. I think landings from 2004 to 2012, between 4 and 13 percent has been estimated to come from the Gulf Council’s jurisdiction for hogfish for this particular stock.

This just looks at different ways to manage it. If we go to page 3, the South Atlantic Council is considered to be the true lead and they feel like this may miss some of this portion of the stock unless we essentially give them these fish and maybe set up a management boundary based on the geographic range of this particular stock.

We could also delegate management of hogfish for the Gulf Council to the South Atlantic Council and we could also delegate -- Both the Gulf and South Atlantic could delegate management of this stock to the State of Florida and we could consider putting it in the South Florida Amendment.

One problem with that though is the rebuilding plan and the State of Florida would have to come up with a rebuilding plan for that in order for that to be accomplished and so one of the options that I think the South Atlantic Council is really seriously considering is establishing a -- Have this multijurisdictional ABC after we get the finalized numbers and then the Gulf would adopt some recreational and commercial management measures in a defined area and that area could be the
Monroe County line on the west coast of Florida to the council boundary and we could have the rebuilding plans set up for that specific area or it could be the Shark Point, which is about 25 degrees, 23 minutes North latitude on the west coast, to the council boundary.

These are things to think about. The other thing we could do is establish a jurisdictional apportionment for this stock, based on historical landings, which is what we’re currently doing for mutton snapper and for yellowtail snapper between the Gulf and South Atlantic. However, this is a very small stock and so after we did that, you are probably dealing with a very small apportionment and having to come up with a rebuilding plan could be quite cumbersome if we do it that way.

These are just things to think about when we’re moving forward and getting ready for our joint meeting on Thursday. If you go to page 5 of the decision document, Action 1 looks at modifying the Gulf reef fish and South Atlantic snapper grouper management plans to define the geographic range for this East Florida Keys stock and they essentially are going to modify their management unit to I guess define these areas and so I guess we would focus on Alternative 3 and think about if we want to set up a boundary, use our current council boundary, establish the Monroe/Collier County line, or the Shark Point line. We would take their regulations and they would establish a rebuilding plan and we would say where those would be applied.

CHAIRMAN GREENE: Thank you. Any comments by the committee on this hogfish document?

MS. BADEMAN: Do we need to do anything with this now or this is just a heads-up for Thursday?

CHAIRMAN GREENE: Well, I don’t know. Part of the hogfish quota that was exceeding the ACL, I thought maybe that was getting at this, but I may be incorrect. Dr. Simmons, is there anything that we need to do with this document right now before Thursday or what is your advice?

DR. SIMMONS: If you have some ideas or something in mind on how you would like to move forward, that would probably be good to put it down, so we have something in front of us for Thursday. If we’re not there yet, just think about it and that would be great as well.

DR. CRABTREE: Given how little of this east Florida stock is really in our jurisdiction, it seems to me what the best thing
to do would be for us to modify our management unit to just include the west Florida stock and then we just don’t manage that east Florida south and then the Secretary could designate the South Atlantic Council as managing that south Florida stock and let it be their problem.

It’s kind of like when we took Nassau grouper out of our FMU and then we just turned it over and let the South Atlantic Council manage it. That seems, to me, to be the easiest thing to do, is just let them have it.

CHAIRMAN GREENE: Sounds good.

MS. BADEMAN: So would that be -- Well, that’s not really -- I hear what you’re saying, Roy, and I think it makes sense, but it doesn’t really seem to be one of the options on the list and do we need to add that as an option to our list here, just so that we can tee that up on Thursday? It’s not really delegation, I guess.

DR. CRABTREE: A council cannot delegate to another council. Delegation can only be to a state, but I think that’s the general idea behind Number 2, but it’s not a delegation under the statute.

EXECUTIVE DIRECTOR GREGORY: When you said Number 2, do you mean Alternative 2?

DR. CRABTREE: I am looking at options for management authority on page 3. It’s just not worded properly. It’s not a delegation.

EXECUTIVE DIRECTOR GREGORY: Okay and so we would need a boundary of what that South Florida stock is to some extent, wouldn’t we? Until we have that, either we just draw an arbitrary line like the option on page 5 or 6 has.

DR. CRABTREE: I think you’re right that we would have to have a line and I guess what this talks about is the Monroe/Collier line and so anything south of that is the east Florida stock and anything north is the west coast stock and it seems to me that when we defined our west coast stock in the FMP that we would define it that way and then when the Secretary wrote the letter to the South Atlantic saying you’re going to manage this east Florida stock, it would define it as it means any fish below this, because you would have to have some operational way to tell.
DR. SIMMONS: Okay. I think that would be good and so the correct language would be the Gulf Council wouldn’t delegate, but they would remove this stock from our FMU and that’s what we would --

DR. CRABTREE: Well, it’s not in our FMU. I mean what we have now is just hogfish and so we’re going to have to change our FMU to define the stocks and the South Atlantic is going to have to change theirs to separately define the south Florida and then their whatever it’s called, Carolina.

We’re all going to have to change and resppecify the stocks in it and then we just wouldn’t add this South Florida stock to our FMU and then NMFS would just delegate the South Atlantic Council as managing that south Florida stock throughout its range, which we would just have to define as geographically means this. I think that all works, but I would have to ask Mara to think it all through.

MS. BADEMAN: I was just going to say whatever line we settle on here, I feel like it should be the same line that we use -- If we use a line for some of the South Florida actions, a couple of them were at least potentially area-specific.

DR. CRABTREE: Does the assessment say where the break is? I mean we would need to look at that, because if the assessment indicates this is the stock boundary, then that’s probably where it would need to be.

CHAIRMAN GREENE: Good point. Go ahead, Mr. Williams.

MR. WILLIAMS: I was wondering if we ought to approve a motion here, just a general motion, that does -- A motion about what Roy has talked about in order to have this teed up for the meeting on Thursday to just move through it a little faster. Do you think that if we approved a motion to remove hogfish from our management unit in South Florida that might make it go a little faster?

CHAIRMAN GREENE: Would that require a framework or what is the necessary vehicle?

DR. CRABTREE: I think you need a plan amendment to add things to the fishery management unit and so we would be removing hogfish from our fishery management unit and then we would be adding -- Is it called the west coast stock of hogfish? I guess whatever it is, we would remove hogfish and add the west coast stock of hogfish to our management unit. I guess it would be to
add the west coast hogfish stock to the management unit.

CHAIRMAN GREENE: We’ve got a motion we’re trying to get on the board.

MR. ATRAN: If you want to be accurate with what Florida uses, say the West Florida Shelf stock.

CHAIRMAN GREENE: Okay. I’m not sure who the maker of the motion was, but --

DR. CRABTREE: I don’t think you need “southwest Florida” in there and just remove hogfish from the Gulf FMU and add the West Florida Shelf hogfish stock. Then I guess you could say the council’s intent is to allow the South Atlantic Council to manage the southeast Florida stock, if you wanted to be clear with it. So it’s the council’s intent --

DR. SIMMONS: Dr. Crabtree, shouldn’t we say to remove the -- Should it be East Florida/Florida Keys hogfish from the Gulf FMU?

DR. CRABTREE: That’s not in the Gulf FMU. Only hogfish is in the FMU, right?

DR. SIMMONS: Couldn’t we just modify the geographic range and define the stocks in our current FMU and not -- We have to remove it in order to give it to the South Atlantic? I see what you’re saying.

DR. CRABTREE: What we need to do right now is just get our intent down and then you guys figure out exactly how to word it and how to do it, but I think I would add to this motion that it’s our intent to allow the South Atlantic Council to manage the East Florida/Florida Keys stock. I think that captures what we’re trying to do. Now, exactly how you word all of it and do it is something that I think staff will have to figure out.

MR. WILLIAMS: That’s your motion and I’m going to second it.

DR. CRABTREE: Okay. I make that motion.

CHAIRMAN GREENE: Thank you. Mr. Williams seconds it. Okay. Any objection to the motion on the board? Seeing no objections, the motion carries. Anything else we need to do before we leave this document?

EXECUTIVE DIRECTOR GREGORY: Roy, what would be the problem with
just saying we agree to go along with the rebuilding plan the South Atlantic Council implements for hogfish in the South Florida area for our jurisdiction?

DR. CRABTREE: You can, but then you’re going to have to modify your plan and put in place a rebuilding plan and put all those things in, I think. I think you can do it that way, but it just seems like it would be more complicated.

EXECUTIVE DIRECTOR GREGORY: I mean that’s what we’re doing with the other species.

DR. CRABTREE: Look how complicated that has become.

EXECUTIVE DIRECTOR GREGORY: Touché.

CHAIRMAN GREENE: Anything else? I see Mr. Boyd pointing and, Dr. Simmons, does that give you everything you need?

DR. SIMMONS: Yes, thank you.

CHAIRMAN GREENE: With that, we’re going to wrap up the hogfish and move into the next agenda item, which is going to be Updated Draft Amendment 28, Red Snapper Allocation, Tab B, Number 7, and this would be Dr. Diagne.

UPDATED DRAFT AMENDMENT 28 - RED SNAPPER ALLOCATION

DR. DIAGNE: Thank you, Mr. Chair, and good afternoon. As mentioned, the updated amendment for red snapper allocation is available at Tab B, Number 7. Let me first mention that the draft EIS was filed on May 29 and the comment period will run until July 20.

Essentially for this update, we simply reflected your choice of a preferred alternative, which as you recall is now Preferred Alternative 8. The other things that we’ve done in this document was to explicitly state the ACLs and ACT when applicable for the commercial and recreational sectors, recognizing the fact also that you approved the Amendment 40 and so we had to indicate on this document the ACLs and ACTs for the two components that were established.

The document still includes the nine alternatives that were discussed and apart from the modifications that I just mentioned, it is essentially the same document. I think that will be a very short review of this updated draft DEIS for Amendment 28. Thank you.
CHAIRMAN GREENE: Okay. We are on Draft Amendment 28 and does anybody have anything they want to offer or change? Any discussion?

MR. MYRON FISCHER: What is our schedule and schedule for completion?

DR. CRABTREE: We published the DEIS and that comment period began on June 20 and runs through July 20 and so it seems to me you could take final action on this in August.


DRAFT FRAMEWORK ACTION TO ALLOW NMFS TO WITHHOLD A PORTION OF THE COMMERCIAL RED SNAPPER QUOTA IN 2016

REVIEW DRAFT FRAMEWORK ACTION

DR. DIAGNE: Thank you. For this framework action, as you recall, should you take final action for 28 as scheduled at the next council meeting, there is a likelihood that Amendment 28 will be implemented after the first of the year and so to allow the council to make the adjustments, we were directed to prepare this framework action, which essentially would retain a portion of the commercial red snapper quota to allow you to make the adjustments based on your preferred alternatives in Amendment 28.

This is a very simple framework action. It has one action. It has status quo and under status quo, on January 1, 2016, we would essentially distribute 100 percent of the commercial red snapper quota to shareholders.

Alternative 2 here would retain up to 34.7 percent of the commercial quota. The exact percentage will be determined as soon as you take final action on 28. If I may, I would ask you to look at the table on page 12, which is Table 2.2, and over there, the percentages that would have to be withheld based on the alternatives that we have are indicated relative to the status quo.

Alternative 2 is written as stated because under Alternative 6, even though it is not your preferred, but the maximum that could possibly result from Amendment 28 is 34.7 percent of the
commercial quota relative to status quo and so that is why the alternative is written as such, to be consistent with 28, if you would, but as soon as you take final action for 28, we will know the exact percentage and based on your preferred alternative, we would have to retain 4.9 percent of the commercial quota to allow you the flexibility of making the adjustments to the quotas after January 1, 2016, meaning have the allocation, the new allocations, be effective during 2016, rather than waiting until 2017. Again, it’s a simple one action framework action and having those percentages to allow that flexibility. Thank you.

CHAIRMAN GREENE: Thank you, Dr. Diagne. Does everybody understand what’s going on and any questions or comments?

MR. WALKER: I was just kind of wondering why you’re holding back 34.7 when the preferred alternative is nowhere near that right now. It just seems kind of a large amount to hold back.

DR. DIAGNE: Yes, Mr. Walker. The alternative says to withhold up to 34.7 and that is simply written like that to be consistent with 28. Even though your preferred alternative is Preferred Alternative 8, let’s say 4.9 percent, if we were to write this alternative and say, for example, withhold up to 10 percent of the commercial quota and then in August the council decided to change its mind and picked Alternative 6, then we wouldn’t be in a position of being able to make the adjustment and so to be consistent with Amendment 28, we had to recognize the maximum that the council could potentially withhold, but, again, the rest of the alternative indicates that the exact percentage will be determined as soon as you take final action on 28 and as of today, that would be 4.9 percent.

MS. BADEMAN: Let’s pretend we approve Amendment 28 and we do reallocate something. Assane, would we actually then go to this document and put the exact percentage in there as a council or is that something that you would do automatically as staff?

DR. DIAGNE: The way in which the alternative is written, that would be done automatically, because it says that the exact percentage would be determined based on your preferred alternative.

MS. BOSARGE: Assane, I just wondered -- Obviously this is a very streamlined document, but do we know at what speed the commercial sector reaches that quota? In other words, in June of that year have they caught 75 percent of their quota? It seems like it’s fairly -- I won’t say evenly distributed
throughout the year, but I am just wondering what that speed looks like.

**DR. DIAGNE:** I would have to look at the landing records let’s say online, on the website, that are provided, but it depends on the year. Let’s say, for example, you would have to consider the fluctuations of the variations in price and when is Lent, for example. Those sorts of things would have an impact on the speed of harvest.

**CHAIRMAN GREENE:** Any other comments?

**MR. ANSON:** Assane, I stepped out for a little bit and didn’t hear the whole presentation, but this is -- There is a trigger in here to withhold the 34.7 percent on the assumption of 28 and so just throwing out some hypotheticals here and what if the council doesn’t move forward with 28 and make a decision so that it would impact the 2016 allocations?

I mean there is nothing in here that says pending decision by the council by such and such a date and if not that 100 percent gets released and that type of thing. I guess I was trying to see what the thought process was on that.

**DR. DIAGNE:** Thank you, Mr. Anson. I think on page 11 of the framework action we state that the amount withheld would be added to the 2016 recreational red snapper quota once the Secretary approves Amendment 28 for implementation. That is the first part.

The second part is the amount withheld would be returned to IFQ shareholders if the council elects to not pursue 28 or if the Secretary disapproves 28.

**MS. LEVY:** I think that the plan is to, if you are looking to take final action on 28 at the next meeting, to do that first and once you’ve done that, then take final action on this framework. You are not meant to take final action today on the framework or do anything with it at this point.

**CHAIRMAN GREENE:** If we approve it in August for final action, will the Secretary approve it before December 31?

**MS. LEVY:** It’s a framework action and so it doesn’t have secretarial approval, per se. It just goes through the NMFS regulatory process and so there is no FMP amendment approval process and so that’s why the Fisheries Service can implement the framework before January 1 to withhold that piece of the
quota even though they might not be able to implement Amendment 28 before the first of the year. This would be able to get implemented before the first of the year.

CHAIRMAN GREENE: Okay and so I kind of see it as an A and B thing or a trigger. So we’re going to have this set up before 28 is approved by the Secretary and if it is approved, then we have the mechanism to withhold the fish. If it’s not approved, for whatever reason, then 100 percent is redistributed and is that correct?

MS. LEVY: Right and so the Fisheries Service would withhold the amount that’s necessary to implement Amendment 28 and if it’s approved, it would go to the recreational sector, because that’s what Amendment 28 would do. If it were disapproved, then the Fisheries Service would release the rest of that back to the commercial sector.

CHAIRMAN GREENE: When would that happen? Upon the Secretary’s findings that’s when that would happen?

MS. LEVY: Right, February probably or in the beginning of year if you take final action in August.

CHAIRMAN GREENE: Okay. Fair enough. Is everybody good with all of that? Any more discussion? I don’t see any more hands and so I guess that wraps up Agenda Item Number X. Next is Revised Alternatives, Amendment 39, Regional Management of Recreational Red Snapper, Tab B, Number 9, and Dr. Lasseter.

REVISED ALTERNATIVES - AMENDMENT 39 - REGIONAL MANAGEMENT OF RECREATIONAL RED SNAPPER

DR. AVA LASSETER: Thank you, Mr. Chairman. We have brought the document to you for your review and further discussion. The plan is to bring you the complete document to the August meeting and we will have filed the DEIS before then. We had guidance from you at the previous meeting that you were considering taking final action after that time and so if we had the DEIS filed before the August meeting, you could potentially take final action in October.

We will review the actions and alternatives here and provide you opportunity for discussion after each one. Again, this is Tab B, Number 9 and Action 1 begins on page 8 and your current preferred alternative for this action is Alternative 3 and this would be to establish regional management using the conservation equivalency proposals that each region would be submitting to
NMFS for review.

Your other alternatives -- Alternative 2 was your previous preferred, which was delegation, and then you also have Alternative 4, which would incorporate an additional review of your conservational equivalency proposals before reaching NMFS, through a technical review committee.

Then, finally, we have Alternative 5 with some options for a sunset on regional management. Is there any discussion on this action?

CHAIRMAN GREENE: Anybody got any discussion? I am not seeing any discussion, Dr. Lasseter.

DR. LASSETER: I will just point out that we’ve put on page 13, in this Action 1, the CEP timeline that you reviewed at the last meeting and so it’s now in the document. Moving on to Action 2, it begins on page 16 and this addresses how regional management would work together with sector separation.

I am going to request that we go on to page 19 to discuss Alternatives 1, 2, and 4 and then we’ll come back to Alternative 3. This just visualizes it a little easier. Alternative 1 would be no action and so it would retain current federal management of recreational red snapper for the years 2015 to 2017. Separate ACLs will be established for the federal for-hire and the private angling components and so you can see in the top there the recreational ACL for these three years will be divided into two component ACLs. Under Alternative 1, from 2018 onward, the recreational ACL would be managed as a whole.

Alternative 2 is shown in the middle of the page and this alternative would essentially extend separate management of the two components of the recreational sector and thus, this amendment of regional management would apply to the private angling component only and you can see in the visualization that the recreational ACL would be divided into two component ACLs and then the private angling component ACL would be divided into regional ACLs and I used the current preferred alternative of five established regions to show each state as a region receiving its own regional ACL.

Then Alternative 4 would end sector separation at the time of implementing regional management. Therefore, this document would apply to the entire recreational sector and so under Alternative 4, the recreational ACL, which is our quota, would be divided into five regional ACLs for our preferred alternative
of five regions at present and so each one of those regional
ACLs would cover both the private anglers and charter vessels
within that state.

Let’s go back to Alternative 3 and this one just got a little
too unwieldy to even draw a visualization and so I wanted to
explain a little bit about this first. This is your volunteer
option that you requested for states or regions to continue
sector separation at the regional level or not.

The previous version, the alternatives you saw had each state as
an option under this alternative. We have removed those states
as options from the council’s decision, for the council to
decide which states would do that, and we have moved that
decision to within part of the region’s conservation equivalency
plan or their delegated management measures that they would be
proposing, whichever alternative remains as preferred.

Under Alternative 3, sector separation would be extended and
states and regions would decide if they choose to manage
separately their private angling and for-hire components of the
recreational sector or if they will manage only their private
anglers.

The reason this gets a little more complicated is because we
could have up to ten ACLs. We could have a regional ACL, a
regional and component -- Component ACLs for each region. We
would need to calculate how to divide each of those component
allocations at the regional level, based on the equation used in
sector separation, which was an average Gulf-wide, or using each
state’s regional proportion of landings for each of those
components.

You can see how this gets a little bit tricky and we would need
to figure out how we would calculate each of the regional
components, either using the sector separation Gulf-wide
allocation or that state’s proportion. I am going to turn it
over for any questions, because I think that was a mouthful and
a little confusing.

MR. DIAZ: Thank you, Ava. I appreciate that explanation. If
under Alternative 3 a state decided to do something other than
the percentages from Amendment 40, would that cause some issues
where it might trigger some NEPA -- Can you talk about that a
little bit?

DR. LASSETER: A state or region would not be able -- If they
declare their intent to manage both components, that state or
region would not be able to decide independently what proportion of their regional quota they would assign to each component.

In working through this alternative, the IPT is still figuring out how to calculate these regional component ACLs and in terms of which would come first. Do we divide the component into component quotas first or do we divide it into regional components first and then have to make the adjustment back to the federal for-hire component for those regions that are managing their private anglers only? I am not sure if I answered the question.

CHAIRMAN GREENE: Okay. Any other discussion? Anybody?

MR. LANCE ROBINSON: Ava, a question. Alternative 3, that assumes Amendment 40 continues in perpetuity?

DR. LASSETER: Okay and so Alternative 3, if we look at the -- There is a little table on 2.2.1 and so yes, Alternative 3, under regional management, applies to the private angling and for-hire components, but they would be managed under separate component ACLs and so yes, Alternative 3 would extend sector separation. Sector separation remains, but individual regions would decide whether or not they will manage both the components within their region or will manage only the private angling.

MR. ANSON: Going back to our discussion about the August timing, do we not need to select a preferred at this point, Mr. Chair or Ava?

DR. LASSETER: It’s always advisable to have a preferred. However, I will point out that we have not written the effects analysis for this yet and we also did not intend to be bringing the complete document to this meeting and so we put together as much of it as we could and so I will actually defer to Mara. Since we don’t have the effects analysis, I am not sure if it’s better to have the preferred or not.

MS. LEVY: I always advise that you have an analysis of effects before you pick preferreds, but sometimes you decide you want to let people know what you’re thinking and so it’s really up to you.

MR. WILLIAMS: Ava, would you refresh my memory? Did the council add Alternative 3 or did you guys add it? Did we add this at a previous meeting?

DR. LASSETER: The council requested an alternative that allowed
a voluntary option for the states or regions to do sector separation and so this is the voluntary states that wanted to manage the separate sectors could do so and other regions would not be obligated to do so.

CHAIRMAN GREENE: Any more discussion?

MS. BADEMAN: Just to say that based on everything Ava said about Alternative 3, it looks like we’re still missing a piece of the puzzle with that alternative anyway. It sounds like there’s a lot that still needs to be worked out, which is -- I am not saying anything about you, but just before we -- If that’s the direction people are interested in going, I think we need to figure out what exactly that means.

CHAIRMAN GREENE: Well, I agree, because if you have one state that wants to do it and four others that don’t or vice versa, that’s going to really weigh in to that cause and effect type of situation and I imagine that’s going to be a tremendous workload, but any other discussion? Okay. Seeing no more hands, I guess we will wrap up Amendment 39.

DR. LASSETER: I’m sorry, but I will carry on with the next action.

CHAIRMAN GREENE: I’m sorry. Go ahead.

DR. LASSETER: That is the only action that we do not have a preferred alternative for. Action 3 is on page 20 and your current preferred alternative is to establish five regions representing each Gulf state, which may voluntarily form multi-state regions with adjacent states. You did change this to this preferred alternative at your last meeting. Previously, each region was going to be its own state, but this does allow each region the opportunity to join together with adjacent states.

I am just going to move on if there is no questions about that one. Action 4 begins on page 23 and Action 4 would modify the federal minimum size limit. Your current preferred alternative is 3, to reduce the federal minimum size limit to fifteen inches total length. I am going to stop here for a question.

MS. LEVY: I just have a question about the intent of this action as it relates to Action 1, which is what the states are allowed to modify, because this action says we’re going to change the federal minimum size limit to fifteen inches and Alternative 1 says that states will provide size, bag, and season in their conservation equivalency plan.
Is the intent to still allow states to choose a size that is not fifteen inches and this would then just become the default if they don’t have their conservation equivalency plan or is the intent to establish this fifteen-inch size limit and take that out of what the states are allowed to change?

CHAIRMAN GREENE: Good question. Anybody want to weigh in?

MR. FISCHER: I was going back and reading, but I think this originally we were not going to include size limits, but presently the states have different size limits in their regulations in state waters and we realized to accommodate all states that we would lower it to what the lowest is.

I don’t remember what discussions took place thereafter about increasing size limits, because I know if we increase size limits that that could have an effect on quota and so I am going by memory, but I thought we put it established at a minimum of fifteen inches and whether we were going to allow the plan to go forward and allow other states -- It looks like a contradiction to have other size limits. Thank you all for defaulting this to me, but I don’t have that pure answer of what the concept was at this stage, three or four years later. That would have to go back and just have a quick show of hands or Kevin looks like he can really enlighten us right now. Either that or he was mocking me for my lack of ability to answer this.

Where we are, we went back and forth on it and we do have in one alternative a minimum size of fifteen inches in Action Item 1 that does state that bag limits could be adjusted.

MS. LEVY: The reason I bring it up is because I think that from discussions that I’ve heard is that staff is reading it different ways, but the way that I read it, as it is currently written, under Action 1, under the conservation equivalency plans, states can pick a size limit and it’s not necessarily fifteen inches.

However, we would modify the federal under Action 4, which would then end up being the default. That’s the way I read it and that’s the way I would advise staff to analyze it if they have to do an analysis for the next version. If that’s incorrect and that’s not how you want the analysis to be, to think about that and come back and let staff know, so that they don’t come forward with this analysis that then is completely off base.

MR. FISCHER: If the council goes with a default of fifteen
inches, should we continue to have the phrase in Action Item 1 that states bag limits?

MS. LEVY: Do you mean size limits in Action 1?

MR. FISCHER: Excuse me. Size limits.

MS. LEVY: Well, I guess that depends on whether the intent is to allow the states to pick a different size limit. If that’s still the intent and the fifteen inches is just for the default federal regulations, then that’s how I read that. If the intent is to have that non-negotiable, states must have a fifteen-inch size limit in their conservation equivalency plan, then we need to change the wording of Action 1.

MR. FISCHER: Are you clear, Johnny?

CHAIRMAN GREENE: I am just trying to lead you, man. I ain’t trying to sway you one way or the other.

MR. FISCHER: If you think it’s something the committee should discuss, that’s fine. Otherwise, maybe staff has all the information they need to move forward.

CHAIRMAN GREENE: Okay. Anybody got any other discussion on the fifteen-inch size limit? Okay. Seeing none, I guess --

MR. WILLIAMS: Does Ava understand what --

DR. LASSETER: My understanding is in line with Mara’s. That’s the way we’ve approached it here. You would be modifying the federal size limit and that will remain in the default regulations, which will apply if your conservation equivalency plan is not in effect, or delegation, depending on the track we go.

While the size limits are available for modification in Action 1, we have had a lot of discussion about the problems with regions modifying that and the implications that could create for the stock assessment and so I would think at the regional level, in developing your CEPs, you would want to think carefully about your size limit and I am not sure what the intent is. Are the regions intending to -- That are at sixteen inches now, do you prefer to stay there? I don’t have much feedback from the regions on that.

I am going to, if there is no further discussion, move on to Action 5, which starts on page 25. This is the closures in the
Gulf EEZ. We did remove the one alternative similar to the
earlier action that had options for each state, because it would
not be appropriate for the council to decide for each state what
should or should not happen.

The preferred alternative is Number 2, a region may establish
closed areas within the EEZ adjacent to their region in which
the recreational harvest of red snapper is prohibited. It’s not
necessary to select an option in addition to the alternative,
but there are options that are available and I will turn -- This
action has created some confusion and I think Dr. Crabtree has
expressed some concern about this and so I will open this up for
discussion.

CHAIRMAN GREENE: Discussion?

MR. PERRET: Out of curiosity, if we have regional management
and so we’re delegating to the states to do certain things with
this fishery and if a state should decide to close its area, the
EEZ, off their state, who is then responsible for law
enforcement? Is it the state? Is it the state and the federal
government or who will be the fish cops?

DR. LASSETER: Is that directed to me? Maybe I can ask
Commander Brand, but my understanding also is that -- I wouldn’t
think that enforcement would change. We may need additional
enforcement, but let me turn it over to Commander Brand.

MR. PERRET: Remember, it’s only if the state decides to close
its EEZ.

DR. CRABTREE: Remember that is isn’t delegation anymore and so
if that’s what the state wants to do, they’re going to come to
you as a council and ask you to do it and you’re going to have
to go through a framework or something to do it and then it’s
going to be a federal closure and it will be enforced by the
same parties that enforce things now. I still maintain this is
kind of a crazy action, but --

MR. WILLIAMS: Could somebody give me the -- I don’t recall why
we stuck this in there. Is this coming from one of the larger
states like Texas or Florida with a long north/south coastline
or do you recall, Ava, or does anybody recall how we ended up
with this?

DR. LASSETER: In the first version of the document that we had,
the way we had it structured was in one action there was several
alternatives and in each alternative -- I think we had eight
alternatives and each alternative, if selected, would allow the regions to enact that change at the regional level and so we had one for bag limit and we had one for size limits and we had one for the season dates.

Those are the ones that the IPT had started with, because those are the traditional management tools, management measures. The council and committees then added some additional alternatives and we ended up with everything selected as preferred in that action.

One of those was to allow a state or region to close the EEZ adjacent to its region. Originally it said allow a region to close the EEZ adjacent to its region only to vessels fishing from that state. Ms. Levy determined that that would pose a problem with National Standard 4, because we could not have closures applying just to residents of a particular state when it would be open to fishers of other states.

We did have to remove that and so the intent was that -- This alternative was promulgated first by Mr. Riechers to allow them to have the season open and closed in state and federal waters as worked best for them, but in changing the wording and having to remove this only applying to vessels within your region, the implication of this is if a region does close the EEZ adjacent to their region, no recreational vessels from any state can fish for red snapper in that area.

As we have been reworking this -- We revised this document, the document structure, and this alternative, this idea, needed to be analyzed separately. It was something different and we have already analyzed the bag limit and size limit and seasons through different amendments and so those could be included in Amendment 1. We have regulations for those in place and those are the things that the regions can identify for modification in their CEPs. Here, we’re just looking at the spatial closure in a separate action independently.

LCDR JASON BRAND: This area closure would be probably a little easier if we determined how many areas they could close, because if a particular region could close numerous areas within an EEZ, it makes it nearly impossible to enforce that, especially when you’re only dealing with the harvest of red snapper, because the person could just state that they caught it in an open area next to the closed area and so trying to be a little bit more specific in these closures would help us.

CHAIRMAN GREENE: I certainly concur.
MR. DIAZ: Either Dr. Crabtree or Dr. Lasseter -- Roy, you just made a statement that I just haven’t read in this document and so I mean if what you’re saying is accurate, we probably ought to put it in the document, but -- I read through this thing and I might have missed it and so correct me if I’m wrong, but it looks like the authority is given to the region to close that area adjacent to their state and so I just didn’t see it.

If we do indeed have to come back to the council to close an area adjacent to the state, I mean that needs to be really clear and is it in the document, Ava?

DR. LASSETER: I think Dr. Crabtree was responding to Corky’s comment about delegation. Corky referred to delegation and our current preferred alternative is the conservation equivalency plan, but I am going to let Mara speak.

MS. LEVY: I think this whole closure thing has been confusing from the beginning and it’s gotten even more confusing when you throw in the idea of conservation equivalency plans. It’s one thing if you have a delegation and the council is delegating certain authority to the states to do X, Y, and Z, including potential closures.

It’s another thing when you have the states proposing conservation equivalency plans and I am not sure that we’ve thought through very carefully how you would propose a closure and how we would implement that in the regulations.

With bag limits, size limits, and season, we’re sort of saying, I guess out front, that we have this default -- I mean I guess we would have to take your plans and put out a notice as to what the closures were, but I don’t think we’ve fully thought through how that would work for the conservation equivalency plan, which I think was Dr. Crabtree’s sort of instinct to say the council would have to do something with respect to the closure. If you’re really interested in going down this road, I think we would have to think more about how that would be accomplished and what the process would be.

MS. BADEMAN: For what it’s worth, I think we should continue to look at this. The last time we talked about this action, I was under the impression that if a state wanted to break up their state into regions, like a north or south or whatever, that we wouldn’t need this, but the way Alternative 2 is written and described in the document, we would need Preferred Alternative 2 in order to do that and so I am definitely still interested in
pursuing this and ironing out details as to how a state would need to go about doing this.

**MR. ANSON:** I am hearing two different things from Mara and Dr. Crabtree relative to this particular action. I hear from Mara that it’s the process that we’ve got to nail down, but the end result we can still achieve, but yet I hear from Dr. Crabtree that he’s unsure of the end result and whether or not that can be implemented.

I am a little confused here as what guidance or what you all are saying. Dr. Crabtree, you just don’t see how it’s possible to shut down a portion of the EEZ off a state or --

**DR. CRABTREE:** No, I see how it’s possible, but I think it’s going to require a NEPA analysis and a rulemaking, right? That will mean essentially a framework action that the council would have to approve to do it, unless they can come up with some other way to get there.

**MR. ANSON:** Okay. I just misunderstood what you were saying then.

**MS. LEVY:** I think the attempt to try and define these different options in here was so that we could do a NEPA analysis on these type of alternatives and hopefully have the ultimate analysis in such a way that if the state did want to close something that we would have analyzed it, but with the possibility that we may not always capture that and so it might require further analysis and further NEPA -- The NEPA part we were trying to take care of, but not entirely sure that it would cover everything.

Then, like I said, I don’t think we’ve fully thought through what the regulatory process is for the closure piece of it and so I think there’s just more process that needs to be thought about about how this would happen.

**DR. CRABTREE:** When you look at some of the alternatives that are on there, I mean how could you analyze what would happen if you allowed harvest within twenty nautical miles? I don’t think there is any analytical basis for how you would calculate a conservation equivalency on that.

I mean we have data on state water harvest and EEZ harvest, but we don’t have anything outside of that and so it’s just very complicated and hard for me to figure out exactly how this would work, Kevin.
CHAIRMAN GREENE: Any other discussion? I have one question. How would this affect the stock assessments when you look at areas opened and closed and fishing and effort and different things? Would that have an impact on the stock assessment as well?

DR. CRABTREE: I would think it certainly could, because you potentially are changing the selectivities and the size fish that are being caught. If you confine all the harvest to within nine nautical miles, you are going to catch smaller fish, but exactly how that would happen, I don’t know.

CHAIRMAN GREENE: Thank you. Any more comments relative to Action 5? Okay, Dr. Lasseter.

DR. LASSETER: Moving on to Action 6, it begins on page 28 and you do have preferred alternatives selected here, Preferred Alternative 5 and 6, Options a and b, which would be to apportion -- I’m sorry, but this action is apportioning the recreational ACL, the quota, among the regions and the Preferred Alternative 5 would apportion the recreational sector ACL or component ACLs, if appropriate, among the regions based on 50 percent -- Based on half of the average historical landings for the longest time series, 1986 to 2013 is from the previous version, and 50 percent of average historical landings for the years 2006 to 2013. We did not change these alternatives to include 2014 and we did leave 2013.

Then also Preferred Alternative 6 is in calculating the regional apportionments above, exclude the years 2006 and 2010 landings from that calculation. In Amendment 40, only one of those years is excluded. 2010 is excluded and 2006 is not excluded from the sector separation equation.

I will add also on Alternative 8 here that at the last council meeting you passed a motion to formally include this alternative in the document and we have provided the analysis for the resulting apportionments and they’re in Table 2.6.6 on page 32. That’s for Alternative 8.

This alternative would apportion the recreational sector ACL such that each region’s initial allocation provides for an equivalent number of fishing days and you can see it really shifts the allocation towards the east from the west and so I will turn it over to the committee for discussion.

CHAIRMAN GREENE: Is there committee discussion?
MS. BADEMAN: Just a question. I know last time when we talked about this document that we had at least some preliminary estimates of what this would look like in terms of days and is it possible to get something like that for all of these alternatives? I know it’s a lot, because there is a lot of tables and alternatives in here, but I think it would help put this into context.

DR. LASSETER: I think with the -- I’m sorry, but I’m not really able to answer that question. I know the analysis was provided to me by the SERO and so I could get back with you on that and see if we could get an estimate of days.

CHAIRMAN GREENE: Any other discussion?

DR. CRABTREE: One thing I think you’re going to need in the document -- I mean it’s apparent from looking at that table and things that the current preferred alternative for state-by-state allocations shifts fish to the western Gulf relative to what has been going on for the last few years and somewhere I think you’re going to have to explain why is it that you want to shift fish to the western Gulf and I don’t know that there’s really anything in here that gets at that, but why is it fair and equitable to do that, because you know you can look at the table with those percentages that things would have to change to give you an equal number of days and it’s pretty apparent that, all things equal, Texas and Louisiana are going to get substantially longer seasons than Alabama and Florida. I think you’re going to need to explain why it is that’s a good outcome and what you’re trying to do.

CHAIRMAN GREENE: Thank you. Any discussion? Okay.

MR. FISCHER: Sure, Roy, and the authors of this would have to incorporate that language, but it should be the same language that was used in Amendment 40, because we shifted the current catch of recreational, the for-hire versus private, and what it was in the last couple of years, we shifted that back to the for-hire sector and so it would be the same type of language.

DR. CRABTREE: Except it’s a different situation. In that case, that shift had occurred in the last few years because of the more lenient state seasons and the fact that the federally-permitted vessels aren’t allowed to fish in state waters and so their season was getting shorter and the private catch was going up because of all the state water catches and the council concluded that that wasn’t fair and equitable and they shifted that back a little bit to provide what was determined to be fair.
and equitable access for anglers who fish on for-hire vessels
and so that was the rationale there. I don’t see how that
rationale applies here, because this is a different situation.

MR. FISCHER: Sure and it may not be the exact rationale, but it
does include historical catch and historical catch is what
drives most all of our amendments. It also weighs 50 percent to
the more recent years and so it does look like it’s a fair
weighting.

DR. CRABTREE: I understand that, but that doesn’t get to the
essence of the question of -- So your intent is to shift the
fishery more towards the western Gulf and I guess what I’m
getting from you is it’s because you believe somehow the western
Gulf has lost out over time and you want to shift it back some,
but I don’t think there’s anything that reflects any of that in
the document and I am not trying to second guess why you’re
doing it or whether it’s the right thing to do or not the right
thing to do.

That’s something you’re going to have to figure out, but I
really don’t think there is anything in here that addresses it,
because I don’t think we really had numbers that showed it so
much until this particular analysis was done, but clearly I
think fishers in Alabama and Florida will see it differently
than how fishermen in Louisiana and Texas may see it.

MR. ANSON: Even though Lance is here, he probably was not part
of the conversation and comments that Robin had given when we
had some of this discussion meetings ago and so speaking for
Robin, some of the points that he had made was that there was --
Because of the seasons being designated in the summertime versus
the historical, that was outside of their peak fishing activity
for their headboat/charterboat fleets and they had more of a
winter fishery and so that excluded that effort from having
access when the seasons went to the summertime.

He also mentioned something about weather and that weather is a
little bit more windy and less conducive to fishing during the
summertime, whereas in the eastern Gulf the weather is much
calmer and so those were some of the points that he had brought
up and I am just repeating them here to add and to give to
staff.

CHAIRMAN GREENE: Okay. Any more discussion? Okay, Dr.
Lasseter.

DR. LASSETER: Thank you, Mr. Chairman. Moving on to our final
action in the document, Action 7 begins on page 33 and this action addresses post-season accountability measures and your current preferred alternative is to -- If the combined recreational landings exceed the recreational sector ACL, so the overall quota, reduce in the following year the regional ACL of any region that exceeded its regional ACL by the full amount of the region’s overage in the prior fishing year. The recreational ACTs will be adjusted to reflect the buffer thereafter.

Then you have Alternative 3 would apply the overage adjustment to the component ACL, to the component that exceeds its component ACL. Alternative 4 combines the two and would apply the overage adjustment to the regional component that exceeds its regional component ACL and so it’s the most specific to whichever area or component has exceeded its part of the quota.

Any discussion on this action?

CHAIRMAN GREENE: I am not seeing any, but I have one question. Under Preferred Alternative 2, while red snapper are overfished, and then in parentheses you have “based on the most recent Status of U.S. Fisheries Report to Congress” and how often does that happen? Is that a yearly or monthly or biannually or how does that work?

DR. LASSETER: This is an annual report and this language was put in to reflect the language that was used in the alternatives for the framework action that established the accountability measures and so that is how -- It’s to clarify how NMFS will be determining whether or not snapper are overfished. They will use that report that comes out and it is an annual report and I can’t remember when it actually comes out. Maybe one of NMFS staff knows for sure.

CHAIRMAN GREENE: Thank you. Any other discussion? I am not seeing anybody. Go ahead, Dr. Lasseter.

DR. LASSETER: That completes the actions in this amendment and the IPT is just looking for some guidance for your intended direction and timeline for the amendment. Is it still your intent that we should have the DEIS analysis all complete before the next council meeting or what would you like us to do?

CHAIRMAN GREENE: Okay. Staff is asking us for some direction and has anybody got anything they want to offer?

MR. ANSON: I mean we’re two months away from the next meeting, Ava, and is that something doable or is staff going to just be
that overwhelmed and taxed in trying to deal with everything else that it’s impossible and maybe October is better?

I mean I would like to move it along and keep it on track as quick as possible. I am not on your committee, but I am just adding my two-cents and so I just was curious to know the workload issue and such relative to the next meeting and having it accomplished before then.

DR. LASSETER: After the last council meeting, it was our understanding for the August timeline and so we have made writing assignments and we do expect to have it completed. Then we were requested to bring this back for discussion and so we were more wanting to check in with you.

Now in reviewing some of these actions and alternatives, it does sound like we need to flesh some things out and bring them back to you and so I think it would be best for us to bring it to you in August. I am concerned about our workload and not so much with this amendment, but it’s all of the other ones together, but right now we have the writing assignments out and we were planning to bring this to you in August, unless you would rather have us work on something else.

CHAIRMAN GREENE: Okay. Anybody else want to offer staff any more direction or guidance? I am not seeing any and I guess we will move on. Chairman Anson, that concludes what we have on the agenda for today. No? Wait a minute. We’ve got a fifteen-minute break there and then two more items. Okay. Before we start Amendment 36, we are ahead of schedule and why don’t we go ahead and take a fifteen-minute break and we will pick back up with Amendment 36 about ten minutes after three.

(Whereupon, a brief recess was taken.)

CHAIRMAN GREENE: Go ahead, Mr. Atran.

MR. ATRAN: I just wanted to say a couple of quick things about mutton snapper and hogfish. Since we do have stock assessments and we have new ABCs on those, although the committee hasn’t made any motions -- I don’t know if the council will, but we will have to start on some regulatory actions to implement ACLs based upon those new ABCs.

In the case of mutton snapper, that should be fairly straightforward. In the case of hogfish, because we are defining a new stock basically, the West Florida Shelf stock, we’re probably going to need a plan amendment, because we’re
going to define a new stock and probably new status
determination criteria and so hogfish will probably require a
full plan amendment and mutton snapper we can implement new ACLs
via a framework action and whether the council makes a motion or
not to begin those actions, we have to do it anyway and so we
probably will begin the process.

CHAIRMAN GREENE: Okay and so I think I heard staff asking us
for a motion for a hogfish plan amendment.

MS. LEVY: You did make the prior motion to remove the hogfish
from the FMU and put the new one in and we talked about that we
would decide how that would happen and yes, it needs to be a
plan amendment, but I think you sort of covered what you want to
do with the hogfish, but maybe not.

MS. BADEMAN: I think we have to add the catch limits in there
too for the Western Shelf stock and so would we do that in the
same document or would we want to do that in a separate
document?

MS. LEVY: My vision, and we didn’t talk about the details
because we said we would have to work it out, was that you do a
plan amendment and you need to add the stock and then you need
to have all the things that go with it, which is the status
determination criteria and the ACLs and the AMs and all of that
stuff.

CHAIRMAN GREENE: Okay. Yes, we are looking for a motion.

MS. BADEMAN: I will move that the committee recommend that the
council initiate a plan amendment to change management for
hogfish and that would include breaking up the stock and setting
ACLs, among other things.

CHAIRMAN GREENE: Let’s help her get it on the board. We
probably need a little help with the --

MS. BADEMAN: Change the regulations or management.

MR. ATRAN: To define the West Florida --

MS. BADEMAN: To define the West Florida stock of hogfish.

MR. ATRAN: With associated --

MS. BADEMAN: With associated management.
MR. ATRAN: Instead of saying “to change the regulations for hogfish”, say “to define a West Florida Shelf hogfish stock with associated status determination criteria and ACLs”.

CHAIRMAN GREENE: Ms. Bademan, is that your motion? Is there a second for this motion?

MR. DIAZ: Second.

CHAIRMAN GREENE: It’s seconded by Mr. Diaz. We’ve had discussion. Is there any opposition to the motion? Seeing no opposition, the motion carries. Mr. Atran, does that complete what you needed?

MR. ATRAN: Yes and as I said, I don’t think it really needs a motion, but we are also going to begin work on a framework action to implement ACL adjustments for our apportionment of the mutton snapper stock and that would be 18 percent of the ABC.

CHAIRMAN GREENE: Okay. That brings us back to where we were before the break, which would be Item Number XII, Scoping Summaries, Amendment 36, Red Snapper IFQ Modifications, Tab B, Number 10(a). The first item is Scoping Workshop Summaries and then followed by Committee Recommendations and so with that, I will turn it to Dr. Lasseter.

SCOPING SUMMARIES – AMENDMENT 36 – RED SNAPPER IFQ MODIFICATIONS

DR. LASSETER: Apologies, but actually I should have made that a little more clear. The Tab B, Number 10(a) is the scoping document, which you have seen several times. We have put that in for background information and the Tab B, Number 10(b) is the scoping workshop summary document, which was also included in your briefing book last time.

Just before the last council meeting, we finished the scoping summaries and so you weren’t afforded much time to review them and so we did put them in the document again, but we did provide the summaries at the last meeting.

Unfortunately, we ran out of time in both committee and full council at the last meeting to fully address the items from the scoping document and so what we’re looking to do today is to review all of those items from the scoping document and get some guidance as to which of those items we should retain and develop in an options paper and which items we should remove from further consideration.
There is a worksheet up here for us to work through and a couple of notes first. Just a quick refresh on some of the IFQ program terms. Whenever we are talking about a share here, we are talking about a percentage of the red snapper commercial quota. Allocation, IFQ allocation, refers to the pounds of red snapper that are represented by those shares and so allocation is an annual allotment of pounds that corresponds with the shares, which is a proportion of the quota. Share is always proportion and allocation is always pounds.

Another point is as we go through this list, because there is so many, there is like twenty-five items, I would suggest, rather than make a motion for each item, if there is any item on each of these pages that the committee wishes to remove that you make a motion just to remove that item and then staff will assume that the items that remain will remain for further development into an options paper. I think that will just make it go a little smoother.

Let’s begin on the first page. These are each grouped together thematically in categories and so these three items addressed program eligibility.

I’m sorry, but one more point here. The red text -- We are looking for two decisions to be made, whether or not to develop each of them in the options paper, each of the items, and, again, there would be a motion to remove them, and any text highlighted in red are questions the IPT has for the committee to help us further understand your rationale and help us develop the range of alternatives that would be appropriate to that potential action.

For this one, we have three items that address program eligibility and they pertain to possession of a commercial reef fish permit and so the first one would restrict future transfer of shares to only shareholder accounts that hold a valid commercial reef fish permit.

This was a provision that for the first five years of the program only holders of a commercial reef fish permit could buy shares and after five years, it opened up to any resident alien, U.S. citizen, et cetera, could buy and participate in the program.

The next item is to allow accounts with shares, but without a commercial reef fish permit, to harvest the allocation associated with those shares and since this was initially put on this list, the council has expressed its intent in a motion not
to pursue intersector trading and so I think that should be a consideration for this item.

Then, finally, on this page, limit the amount of shares and/or allocation that non-permitted IFQ accounts may possess, referring to IFQ shareholder accounts that are not associated with a commercial reef fish permit.

This third item would really relate if you did not take action on the first one. It would be more applicable and so if you did allow anybody in the public to participate in buying shares, did you want to put a limit on the amount that those non-permitted shareholders could possess? Are there any questions on the three of these?

MR. WILLIAMS: No questions, but are we going to do motions? Are you ready for motions? Do you want us to work from this document as opposed to from the amendment?

DR. LASSETER: I put this together to simplify what’s in the amendment and so it includes all of the items on the left. It’s just a little easier to work through, but I believe we’re going to have to switch over to a motions page.

MR. WILLIAMS: I would like to restrict future transfer to only shareholder accounts that hold a valid commercial reef fish permit and I would offer that as a motion.

CHAIRMAN GREENE: We are going to get a motion up on the board here. She is getting it up there now.

DR. LASSETER: I think the motion would be to retain the item to restrict transfer, because any of these items that you are going to retain in the document we are going to create into an action with alternatives and so you’re not making a decision here on what you want to ultimately do. You are expressing which actions you would like us to develop.

MR. WILLIAMS: Gotcha. Thank you.

CHAIRMAN GREENE: We have a motion on the board and is there a second to the motion? There is a second. It’s been pretty well laid out and is there any further discussion?

MR. WALKER: Let me ask something. Some of the industry that doesn’t like this, I would kind of like to hear what they have — Maybe we can get this going here and hear what they have to say in testimony. I know some of them have a little heartburn
over it and so I think this should be like this, but it’s something we need to hash out and get a start here in this committee for sure.

CHAIRMAN GREENE: Thank you, Mr. Walker. Anyone else? Okay. Seeing none, we have a motion on the floor and it’s been seconded. Any opposition to the motion? Seeing none, the motion carries.

DR. LASSETER: Are there any further motions to address the items on this page?

MS. LEVY: I am not sure if I heard this right, but, Ava, in the beginning did you say that you wanted to identify things to be removed? I just want -- If we’re going to identify things to stay in, if you don’t identify it as staying in, then staff is going to assume you want to remove it and so you’ve either got to be consistent and identify things you want to remove, so that they know what stays, or identify things you want to stay so they know what to remove and so before you move on, if you don’t identify anything else on this particular page that you want to stay in, I think staff’s assumption would be that you want to remove it and so I just want to make sure that we’re all on the same page about what we’re identifying and what will happen in the options paper stage based on what feedback you give.

CHAIRMAN GREENE: Thank you.

MR. WALKER: I think we have a chance to bring this back up in full council too and I mean I have a motion of things to keep, but we’re working on things to delete and I guess either way, whatever the pleasure is.

CHAIRMAN GREENE: The last motion was to keep an item in the document and so if you have some stuff pertaining to the first page to keep, then go ahead at this time if you wish.

MR. WILLIAMS: Just to clarify with Ava, if we approve the first one, but don’t approve the second two, they just go away and we won’t see those again?

DR. LASSETER: I might have been confusing. My original suggestion had been to make motions only for those to remove and I just thought that perhaps I wasn’t clear and so you carried on with you motion and either way we want to do it. We’ve got one motion now with one to retain and as long as I just understand for the other two -- We don’t need to make twenty-five motions to remove or retain, but let’s just kind of pick one format for
each page. So is there anything people want to -- Let me turn it over.

MR. PERRET: I think the first one -- Roy, your motion passed, right, or has it been voted on? Okay. So the second box, if we’ve got people with shares but without the reef fish permit, if a motion is not made, then what happens to those shares?

DR. LASSETER: I’m sorry, but if a motion?

MR. PERRET: I can’t make a motion and I’m not on the committee, but it allows the council shares, but without a commercial reef fish permit to harvest the allocation associated with those shares and so if you don’t make a motion to support that, what happens to those shares?

MR. DIAZ: They can trade them, but they can’t harvest them.

MR. PERRET: Are they going to be able to trade them, but they can’t harvest them?

DR. LASSETER: I guess I was confused what you meant by the motion. What this says -- If this was to go forward in the document and it passed, it would essentially allow anybody without a commercial reef fish permit to buy and sell and participate in the IFQ program and land those fish.

The whole program would be affected by doing this and this is also a form of intersector trading, which you had expressed, since we put this in, that you weren’t interested in pursuing and so this is a problematic one.

MR. PERRET: Obviously I am missing something. I am hearing they will be able to trade the shares and that’s not in here. All I’m doing is reading what’s in the box and the box says nothing about trading and all it says is accounts with shares but without the reef fish permit to harvest the allocation associated with those shares and so if a motion is not made to accept that, where does it say the shares can be traded or whatever with them?

DR. LASSETER: Currently, right now, anybody without a commercial reef fish permit can buy and sell shares and transfer the allocation. They just cannot land it and so if this remained in the document, this would further expand program participation and allow anybody who buys and sells shares, because that is currently allowed, to also land the allocation associated with those shares without a commercial reef fish...
permits.

**MS. BADEMAN:** I was trying to help Corky and so like this -- If we move this forward, this second box here, me, Martha Bademan, who does not have a commercial reef fish permit, I could buy up a bunch of allocation and I am going to go commercial fish for red snapper without a reef fish permit. That’s what this is letting me do.

Right now, I could buy or lease, but I wouldn’t be able to fish it. This would allow me to actually fish it, which, by the way, I am not interested in. I will just throw that out there.

**MR. DOUG BOYD:** I have a question. Is this -- These different boxes, are we, in effect, voting to remove to the Considered but Rejected several of the items that are in the amendment or in the document? Is that what this is, a summary of those, and that’s what we’re removing?

**DR. LASSETER:** You had a scoping document. We don’t have a Considered but Rejected. We’re not that far along yet. You had a scoping document with a bunch of different items for us to go out and get feedback on and for the council to consider whether it was interested in pursuing these modifications.

Now we’ve brought you all of those items. We’ve had the scoping summaries and we are looking for direction from you which of these items staff should work up into a draft options paper and start developing some alternatives and start developing some discussion. Which of these are you interested in evaluating further and which of these can you remove from consideration?

Those that you remove from the scoping document stage I don’t think need to go in a Considered but Rejected section at this point. These are just loose ideas.

**MR. WALKER:** Ava, do you think if you just developed an options paper and then brought it to us and then maybe we could remove them and use them all and then we could remove them at the next meeting?

**CHAIRMAN GREENE:** That’s what she is trying to do, in effect.

**DR. LASSETER:** Please, no.

**MR. WALKER:** From scoping and the five-year review of what they have recommended.
MS. LEVY: Staff can develop whatever types of things the council decides it’s interested in pursuing, but if you know now that there’s no way that you want to let people commercial harvest red snapper without a commercial reef fish permit, then tell them that, so they don’t have to develop it.

If you really think that you’re going to consider that and let folks actually fish their shares and allocation with no reef fish permit, then okay and I am just using that as an example, but for any of these if there’s a resounding we don’t want to do that, then it’s much better to let staff know now so you have a simpler options paper and staff doesn’t have to spend a lot of time developing things that you already know are not things that you want to pursue.

DR. LASSETER: I don’t know if you noticed that scoping document and it was rather confusing. You had a lot of items in there and a lot of things to discuss. At the options paper stage, it’s going to be a little more complex as well, which is why we’re trying to narrow down your scope and focus of what you want to pursue in this action.

CHAIRMAN GREENE: My question would be with the Amendment 30B and not allowing people to fish in state waters, I guess you have just went around that with this particular item, if I am reading it correctly and I think I am. I think Martha was spot on with what she said earlier. However, Mr. Matens would like to make a point.

MR. MATENS: I have a procedural question and then I may have a motion. Ava, is it your understanding that if we pass, which we did, Roy’s motion on the very first box and moved to the next page, will we have deleted the next two boxes or do they remain in the document?

DR. LASSETER: Since you -- My original advice was to remove items and we are only going to remove those items that you tell us to remove.

MR. MATENS: Thank you. In that case, I move that we delete the item that reads “allow commercial shares without a commercial reef permit to harvest the allocation associated with those shares”.

MR. WILLIAMS: Second.

CHAIRMAN GREENE: You have a motion and it’s been seconded. Let’s make sure we get the motion on the board. Mr. Matens, is
that your motion?

MR. MATENS: Yes, sir, it is.

CHAIRMAN GREENE: Any discussion? Seeing no discussion, any opposition to this motion? Seeing no opposition, the motion carries. We still have some other items on the first page and does anybody wish to go there?

DR. STEVE BRANSTETTER: As I read this, it seems to me that Number 3 is very different than Number 1. Number 1 talks about restricting future transfer of shares, but Number 3 talks about people who already have them and so I think those are two very different concepts that need to be -- I don’t think of them as well, if you keep 1 that you get rid of 3.

CHAIRMAN GREENE: Thank you. Mr. Boyd, did you have a comment?

MR. BOYD: Yes, I’ve got just a procedural question for Ava. Are any of these items that we have on here going to modify or delete something that is already in the IFQ program in an amendment that’s already been processed and approved by the council?

DR. LASSETTER: All of these are your suggested changes to the existing red snapper IFQ program. We have only finished scoping these items and we haven’t started the actual amendment and so we’re trying to decide what changes to the IFQ program the council is interested in evaluating and potentially making those modifications.

CHAIRMAN GREENE: Basically we’re looking for ideas to put in an options paper. Basically, it’s a what are you interested in and what are you not interested in kind of a thing is the way I understand it. We still have -- Any more comments or discussion?

MR. MATENS: Let me see if I can help clear up this third item. As I understand this third item, those people that hold those IFQs that don’t have a reef permit, if the first box goes through, they are restricted to either holding them and not using them or selling them to someone who has a reef permit and so it doesn’t put them out of business.

They can sell them and they can’t use them anyway themselves and I, for one, am uncomfortable about having these reef permits become financial instruments, but I think that this would allow those people that have bought them or acquired them to be able
to get out of them and not lose whatever capital they have in
them and I would be for limiting the amount that they can
possess. Let’s see what’s a reasonable amount.

CHAIRMAN GREENE: Okay.

MR. MATENS: Please forgive me. You guys may remember I did go
to LSU. Accordingly, I move that we accept the language in the
third box to limit the amount of shares/allocation non-permitted
IFQ accounts may possess.

DR. LASSETER: Perhaps if there is no -- Never mind.

MR. PERRET: It seems like if you want to limit the amount that
you certainly have to have some options. A could be 10 percent
and B could be 20 percent and C could be 5 percent and D could
be 1 percent. I mean just limiting it, I mean we’re limiting it
to what?

MR. MATENS: To that point, Corky, I agree with you and I think
staff needs to give us some idea of what’s reasonable here.

DR. LASSETER: That would be included in the options paper.

DR. BRANSTETTER: Corky, to your point, think of these as
actions and then staff will develop alternatives to go under
them.

CHAIRMAN GREENE: We have a motion on the floor and does the
motion read as you wish?

MR. MATENS: Yes.

CHAIRMAN GREENE: The motion has been seconded. Any further
discussion? Seeing no discussion, any objection to the motion?
The motion carries. Dr. Lasseter.

DR. LASSETER: If we could move to the next page, so there is
two items for consideration here and they both address a full
retention fishery. The intent would be to reduce regulatory
discards and the first item for consideration is to eliminate
the commercial red snapper minimum size limit and the second
option or item is to consider the full retention of
commercially-caught red snapper.

MR. WALKER: I would like to make the motion that we keep both
of those in the document. A lot of people would like to remove
the size limit and there’s some discussion of a fully retention
and I would like to hear more discussion on that and so I would
like to keep it in there.

CHAIRMAN GREENE: Mr. Walker is making a motion and let’s make
sure we get it up on the board. Essentially you’re wanting to
keep both items.

MR. WALKER: Yes, I would like to keep both of these items, to
eliminate the commercial red snapper size limit and consider
full retention of commercially-caught red snapper.

CHAIRMAN GREENE: Let’s get the motion on the board and see if
there’s a second before we go down the road. Mr. Walker, does
that read as you wish?

MR. WALKER: Yes.

CHAIRMAN GREENE: Okay. Is there a second to this motion?
Seeing no second, the motion fails for lack of a second.

MR. WILLIAMS: I would be in favor of considering the full
retention of commercially-caught red snapper. I would move that
we retain that portion of it.

CHAIRMAN GREENE: We have a motion on the floor. Mr. Williams,
is that your motion? Do we have a second for this motion?
It’s seconded by Mr. Walker.

DR. BRANSTETTER: Both of these have bullets beside them that
say “could reduce and eliminate regulatory discards and may not
be possible, given limited quantities of IFQ allocation” and the
first box to eliminate the snapper size limit, I don’t think
that’s true that it may not be possible, because if you
eliminate the size limit, you’re going to catch until you run
out of allocation and then you can’t land anymore, but the
second one you cannot do full retention, because when you do run
out of allocation, you are building into a regulation here that
says you’ve got to keep on keeping fish and I don’t think that’s
logistically possible.

MR. DIAZ: I agree with some of what Dr. Branstetter said, but I
did attend the public hearing and I do remember the commercial
folks that were at the public hearing, they did not think it was
possible to do a full retention. They thought it would be an
enforcement nightmare and the folks that were at the public
hearing I attended, if I remember correct, they were completely
against that one.
I would be more willing to leave in the size limit and explore that a little bit further and see if that’s possible. I don’t know at this point, but the full retention, if we was going to save some staff time, I would be in favor of knocking that out, to save some staff time. Thanks.

**MR. WILLIAMS:** I was going to say I am not -- Well, first off, I am not in favor of eliminating the minimum size limit, because I think we’re going exactly the wrong direction. The recreational fishery has increased the size of the fish it has targeted and increased the size and increased their yield per recruit and buoyed everybody’s catches up or the total allowable catches up because of it and this would be going exactly the wrong way.

On the second one, I don’t think full retention is actually practicable at this time, but I think it will be at some point in the future. There are people experimenting with cameras onboard their vessels to look at the possibility of full retention and so I will admit I don’t think it’s practicable at this time, but I think the day will come when it is and so I’m just in favor of leaving it in for now.

**MS. BADEMAN:** I guess a point and a question. One, I don’t think this is feasible and I agree with you right now, Roy, but my question is how do you do a full retention fishery while maintaining a minimum size limit?

**MR. WILLIAMS:** I withdraw my motion.

**CHAIRMAN GREENE:** I guess we’re back to square one here and so, all right, does anybody else wish to weigh in on the second page of this?

**MR. SANCHEZ:** Just seeing the way this is evolving, it seems like this program has been successful and it has worked and it stays within its limits and now we’re going to try to micromanage it and tell these folks who should and shouldn’t have these things, instead of letting economy and capitalism take shape.

You might end up consolidating these shares into the hands of just a few people and then the consumer is going to be the loser, because once only a few control it, the price has got nowhere to go but up and this thing is just so -- I don’t know, but it’s so troubling that this whole building shakes every now and then.

**CHAIRMAN GREENE:** All right. Dr. Lasseter, I guess we will
DR. LASSETER: Okay and ironically, since there was not a motion that passed to remove them and the motion failed to retain them, right now we have them both left in the document. Shall I go on?

MR. WILLIAMS: I thought they were both coming out. I thought we were eliminating both of them.

DR. LASSETER: So I can interpret that since the motion failed to retain them that I am going to interpret that to remove them?

CHAIRMAN GREENE: That is my understanding. That is correct.

DR. LASSETER: That sounds wonderful. Okay. Let’s move to the next page. These two items would address caps on the amount of allocation that can be held. Currently, the red snapper program does have a cap on the amount of shares that an entity can possess and this would address a cap on the amount of allocation. The grouper/tilefish program does have an allocation cap and it’s very high and nobody has ever approached it. That is just background info.

The first one would be a cap on the amount of allocation that may be held by an entity and we would interpret the entity as either the shareholder or in the vessel account. Then the second one would establish a cap on the amount of allocation that can be landed by a single vessel.

For both of these, the IPT is not sure what the intent is of the cap and what is the practice or behavior that you’re trying to modify. Is there a need for a cap? We are looking for a little more guidance on, if you wish to retain these items, what is it that you’re trying to achieve.

CHAIRMAN GREENE: Okay, committee.

MR. WILLIAMS: My recollection is in the original red snapper IFQ program that we adopted that we considered something like this, but I think the final decision was it wasn’t enforceable anyway and people could just create a new entity and so there is really no practical way to make it work and so my recollection is we eliminated it.

MS. LEVY: I mean I will just say that, as Ava said, the grouper/tilefish program has a share and an allocation cap and they do keep track of allocation distributions and things like
that and so I’m sure they’re tracking it to make sure that nobody is reaching the cap and so I think it’s enforceable and you could do it if you wanted to.

**MR. WILLIAMS:** Why can’t you just create a new corporation then? Just create a new corporation and hold whatever else you want to buy in that.

**MS. LEVY:** Because as we track shares, we track allocations and it drills down into who owns the corporations and the percentage ownership and the IFQ program tracks all of that and so you can’t have like ten corporations then say each one is separate. They drill down to the actual ownership percentage in those corporations.

**DR. BRANSTETTER:** Mara is right and I am getting a text here from Jessica back in the office and they can track this, Roy, because they are tracking at the human level. An entity can be human or account and so it’s how you want to address this in the future, but they can track it, because they are tracking it at the human level.

**MS. BOSARGE:** In the positive light, I can see where in the future hopefully we will continue to rebuild the red snapper population and so as that happens and the quota increases, hopefully, for everybody, then your share percentage may stay the same, the number of shares that you have, but the number of pounds of fish that go along with that share is hopefully going to increase if we do our job right.

I see where this can cause a problem in the future that as somebody that owns a certain share continues to be accountable and fish properly and by the rules that they almost end up being punished by this allocation cap, this number of pounds, and that they wouldn’t get their certain percentage to go fish as it rebuilds, but I could be looking at it wrong and I don’t know.

**MR. FISCHER:** Leann, I don’t think it’s meant to dictate by pounds. I think it’s always been by percentage and so as the total allocation goes up, their individual percent stays the same, but their quota goes up, but I will let the creator of the document further fill you in, but I believe we are not talking about pounds, but percentage.

**DR. LASSETER:** These are with allocation and so pounds.

**MS. BOSARGE:** So allocation is in pounds and shares are in percent. The percent would stay the same, but there is going to
be a cap on their number of pounds if their allocation is capped, right? So that quota could keep going up and they keep their same percent of the total quota, but because there’s a cap on the actual pounds that they can receive, it’s going to stop at some point.

MR. WILLIAMS: I would move to strike both of these on this page, both of the caps, to strike both of the caps that are referred to on this page.

CHAIRMAN GREENE: Okay. The motion has been seconded and we’ll get it up here on the board in just a second and make sure it reads correctly. Mr. Fischer, do you have discussion to this motion?

MR. FISCHER: Yes and I was going to ask Roy and even if it were in percent and not in allocation, in pounds, because the wise authors who did this -- We’re in the five-year review and who did this nine years ago had foreseen the possibility of --

MR. WILLIAMS: I might go with that, Myron. I’m still not sure what it serves, what purpose it would serve, but I wouldn’t be really strongly opposed to that, but I think Leann makes a good point on the allocation portion of it, because Ava said allocation is pounds.

CHAIRMAN GREENE: Any further discussion?

MS. LEVY: I was just looking at the regulations for the grouper/tilefish and I think the way they’ve done their allocation cap is they link it to the share cap and so it’s the allocation associated with the share cap and so it’s linked in that way, just to let you know.

CHAIRMAN GREENE: I hear some rumbling from down the table, but I don’t see a hand and so we have a motion on the board and is it written the way you wish, Mr. Williams?

MR. WILLIAMS: Yes and hold on a second. Kevin and I were just talking if we restructured it or if the options paper -- If we retain this, then the options paper could perhaps restructure it the way that Myron referenced it, as the way that the grouper/tilefish IFQ is done. Now I am less -- I might vote against my own motion.

CHAIRMAN GREENE: Okay. Do you wish to withdraw your motion?

MR. WILLIAMS: Yes, I would like to, if it would be all right
with my seconder, that the cap that is established be the allocation associated with the cap on shares and would that be okay with you? Is that right, Mara, and did I say it correctly? It would be the allocation that’s associated with -- That we cap the allocation associated with the share cap.

MS. LEVY: I mean I think you could just leave the idea of an allocation cap in there and then staff can come back with some alternatives and they can structure it -- We can go back to Amendment 29 and see how grouper/tilefish did their allocation cap.

MR. WILLIAMS: I would like to withdraw my motion then with that understanding, if Dale agrees to it.

CHAIRMAN GREENE: The seconder agrees and the motion is withdrawn. Mr. Walker, did you have your hand up?

MR. WALKER: Yes, I was just going to say the -- Not your allocation, but your shares for snapper, I think it’s like 6 percent, where tilefish is in the teens or something, I think, and so I mean it’s -- What the concern was from some of the people in the industry was, and I know it was just one particular vessel, was leasing more fish, and I am not sure what his shares were, but he was leasing a lot of fish and he was catching 200,000 or 300,000 pounds and some people didn’t think that was -- Something to consider and anyway, that’s where that came from. It was people worried about one vessel catching too many fish, too much allocation, and not these shares.

DR. LASSETER: My understanding is if you do leave these two in that one of the alternatives we would develop would be something to mirror the grouper/tilefish program allocation cap and how that’s structured.

MR. WILLIAMS: Yes.

DR. LASSETER: Okay. Then it sounds like we can go on to the next page. This page addresses accounts that have never been activated and the first three items all begin with the same phrase, “only for accounts that have never been activated in the current system”.

The item is to propose closing those accounts and redistributing the shares within those accounts that have never been activated and then there’s three options that have been considered. Do that if those accounts are not active by a specified date, and we could provide you some alternatives with dates, or to
redistribute the shares to those with no or small shares or to new entrants and this would be as a purpose to reduce regulatory discards.

Third, again, to reduce the regulatory discards, use that quota from those inactive accounts to distribute through quota banks or have NMFS administer the distribution in some way and so it’s closing the accounts, potentially by a specific date, and then a couple of options as to what could be done with those inactive shares and then, finally, at the bottom it’s an item of in the event of future increases to the commercial red snapper quota, consider alternatives to redistribute those quota increases to new entrants and small shareholders. I will add that the idea of new entrants and small shareholders will have to be defined and fleshed out.

CHAIRMAN GREENE: Thank you. Any comments or desires to do anything on this particular page? Okay. Seeing none, I guess we will continue on.

DR. LASSETER: Moving on, there is only one item on this page and this concerned enforcement and it was one recommended by the Law Enforcement AP, I believe, and it would require all vessels with a commercial reef fish permit to hail in prior to landing, even if they are not in possession of IFQ species.

The idea is that there are commercial boats that do not participate in fishing any of the IFQ species and so they would not be hailing out and hailing in. To improve enforcement, what if those vessels did have IFQ species onboard and just had not hailed in or were not part of the program?

They could be landing in their regular spots, which are not approved landing sites, where law enforcement would not be notified and they would be less likely to be checked and so this is an idea to improve enforcement for all reef fish landings, but especially for the IFQ species.

MR. WALKER: I think this is a good one to keep in. A lot of people are worried about people that didn’t have any IFQ shares and they wouldn’t have the restrictions and they could unload at nighttime or different times and I think everybody was in support of that, of this staying in the document.

CHAIRMAN GREENE: Thank you for that. Anybody else wish to weigh in?

MS. BADEMAN: I agree with David and so are we looking for a
motion to retain or are you happy just with that input?

DR. LASSETER: Unless there is a motion to remove it, we are going to keep it.

CHAIRMAN GREENE: I think everybody has kind of got that down. Okay, Dr. Lasseter.

DR. LASSETER: Okay. This next page is a confusing page. Here we have lots of questions and lots of items and all of these pertain to requirements for the use of how shares and/or allocation are used and they pertain to the transferability of shares and allocation.

For the first item, establish use it or lose it provisions, this was an action in Amendment 26, but it had a different meaning than how it’s widely being used now and we would strongly recommend that -- Not that you don’t consider requirements for the use of shares and allocation, but that we not use the expression “use-it-or-lose-it”. It’s become confusing.

For some of these other items, what we’re looking for is some direction as to what you were trying to achieve, what the committee is interested in achieving or what behavior they are interested in modifying.

After the use-it-or-lose-it provisions, we have restrict ability for shareholders not actively engaged in fishing to transfer those shares and allocation to other shareholders. For this item, there is a couple of issues. With the IFQ system, it does not track -- It tracks the transfers of allocation, but it does not identify, when allocation is ultimately landed, who that original shareholder’s account that it came from.

Then another red question in here is the IPT would like some discussion on how the committee would define “actively engaged in fishing” and I will turn it over for some discussion.

CHAIRMAN GREENE: Okay and as you said, this page is confusing and so maybe we’ll just back up and take them one block at a time. Does anybody wish to weigh in on a use-it-or-lose-it provision? Okay. The next thing that she was asking for or the next category is restrict ability of shareholders not actively engaged in fishing to transfer shares and has anybody got anything? Okay. I guess we will just take these one at a time. Mr. Walker, did you have your hand up?

MR. WALKER: I would like to hear some testimony on the restrict
ability of shares and actively engaged.

CHAIRMAN GREENE:  Okay.  So noted.  Anybody else?  Okay, Dr. Lasseter.

DR. LASSETER:  The next item is to place restrictions on the transfer of IFQ allocations and shares and we would like some more guidance on what type of restrictions you would wish to consider and what is the goal of these restrictions?  What is the practice or behavior of fishermen that you are trying to address with restrictions on transferability?

CHAIRMAN GREENE:  Anybody?

MR. WILLIAMS:  Where did this one come from?  Did this come from scoping?  Is this something that was suggested in scoping?

DR. LASSETER:  Most of these items came from council discussion and we have heard council discussion about people who are -- We hear the expression a lot of not “actively engaged in fishing”, but when you actually look at the structure of the program, that’s not so clear to define and so while these all came from council discussion, that’s also why the IPT needs some more feedback about what is the specific behavior or problem that you’re trying to address in placing restrictions on transferability and that will help us, if this item remains, to define alternatives.

DR. CRABTREE:  I am assuming, because I hear about this a lot, is the issue of people who are shareholders and don’t own a vessel and just lease shares and make their income off of leasing their shares, but don’t ever fish themselves.  I am assuming that’s kind of what this is trying to get at.  I can’t think of what else it is.

MR. WILLIAMS:  That would be my guess to, but we addressed that in our very first -- Way back on the first page.  We wanted an alternative to require shares to be held by a reef fish permit holder.

DR. CRABTREE:  So every shareholder would have to have a reef fish permit and get a vessel then?

MR. WILLIAMS:  That’s what would be in the options paper, yes. I think we ought to just take this one out.  I think we’ve addressed it elsewhere.  I am going to move that we eliminate, quote, place restrictions on the transfer of IFQ allocations and shares.
CHAIRMAN GREENE: Let’s get the motion on the board and are you seconding it? Mr. Walker seconds the motion. Is there discussion while they are getting it on the board?

DR. CRABTREE: When I am looking at the -- I am sorry I missed the discussion then, but you said you had an item that was restrict future transfer of shares to accounts that have a reef fish permit and limit the amount of shares/allocation that non-permitted IFQ accounts may possess and so I guess that one -- If you said non-permitted accounts can’t possess any shares, then yes, that seems to do it.

MR. FISCHER: Roy, where are we if the first item doesn’t pass?

MR. WILLIAMS: One would assume that if that didn’t pass that this probably wouldn’t either. I mean if it’s important to you guys to leave it in, I will leave it in, but I just don’t -- As it asks out here what practice or behavior is to be restricted, I guess Ava would understand from the discussion here what the practice is. It’s the people that own shares but don’t own a reef fish permit that we’re trying to control.

MR. MATENS: I guess I would like clarification for myself. How does this apply or not apply to a shareholder that may or may not own a boat but doesn’t fish at all and all of his shares are rented out? Can someone answer that question?

MR. WILLIAMS: Well, in my opinion, he or she would be constrained by that very first page, by the alternatives on the first page. That’s the way I think about it. This could be a backup, I suppose. You could do the same thing here if Ava -- I guess Ava understands the context of the discussion that’s going on here and so probably that’s what she would pick up on. I would also point out that I never got a second and so I don’t have to -- Did I?

CHAIRMAN GREENE: Yes, Mr. Walker seconded. We have a motion on the floor and is there any more discussion? Any further discussion? Any opposition to the motion? Hold your hands up if you’re in opposition. I see three. All in favor of the motion raise your hand. Three to three and the motion tied and so it fails.

MR. BOYD: A procedural question. If an item is deleted from this list and at some time in the discussion and in the document, whatever amendment we’re going to do, somebody wants to put one of these items back in, it could be put back in and
is that a correct statement?

DR. LASSETER: My understanding is that just failed and so we are keeping it in the document and was that your question?

MR. BOYD: No. My question is a procedural question for the future. We’re going to -- You’re going to develop a document out of this and we’re going in and we’re going to eventually select preferreds and we will vote on those. At some point in time if a council member wants to add one of these back in or something else, they could do that, couldn’t they?

DR. LASSETER: Absolutely. Our next stage is an options paper and so once we expand on these and give you some discussion, you may want to remove more of these and you may want to tweak them and absolutely that will be the logical next step.

MS. LEVY: If the discussion of this use-it-or-lose-it -- If everyone agrees that it’s somewhat accomplished by what we did on page 1, we can keep it in there, but I think what will happen when staff goes back to write the options paper is it’s the same thing, right, and so we would likely combine it into whatever action is appropriate to address that, because I don’t think we want duplicative actions that say pretty much exactly the same thing.

CHAIRMAN GREENE: Thank you. All right. With that, we’re going to move on, Dr. Lasseter, and we’ve got a couple more items. We still have a presentation, but we have failed to get through Amendment 36 in our last couple of attempts and we will get through it today and so let’s continue on, Dr. Lasseter.

DR. LASSETER: Actually, I am still -- What I understand right now is that all of these have remained in the document.

MR. WILLIAMS: What do you mean by rollover provision? Does that mean roll over any unused allocation from this year to next year?

DR. LASSETER: I apologize. I realize we just got through the first three and let’s take up that one. Item Number 4 here says to adopt a rollover provision for unused IFQ allocation that idea is for IFQ allocation -- At present at the end of the year, it disappears. Anything not used disappears and the shareholder gets the next year’s allocation by January 1.

This would allow some amount of unused IFQ allocation to be used in the following year and we have received some feedback from
NMFS that this could be problematic for monitoring annual sector ACLs and then I also wanted to point out that the quota will be decreasing over the next three years. We do have a decreasing yield stream and so I’m not sure how that -- If it could create problems for the ACL.

MR. WILLIAMS: I move that we strike the fourth box to adopt a rollover provision for unused IFQ allocation.

CHAIRMAN GREENE: We have a motion on the floor and it’s been seconded and we’re getting it on the board and I saw a hand. Do you have a comment to this motion? Go ahead, Mr. Diaz.

MR. DIAZ: I am just trying to recall and it seems like when we discussed National Standard 1, 3, and 7 the other day that there was some provision in there to allow to roll over unused ACLs and so I mean if I am not mistaken on that, there may be a mechanism to do it in the future that doesn’t exist today, although I know I’m talking about potential passage of legislation, but I do think that may be on the horizon.

DR. CRABTREE: The problem is that you can’t exceed the ABC and I think we have normally set the quotas at the ABC and so if you carry over unused quota to the next year, that would then put you above the ABC and so it seems like to do that that you would have to go back to the SSC somehow and ask them for a new ABC.

The other thing I see here is that if we were going to go down this path with this commercial fishery, we were over a million pounds under quota on the recreational side last year and it sure seems like to me if we’re going to try to carry over uncaught quota that we would need to look at doing that for both sectors and not just one, but I think that’s the problem with it, is figuring out how to do it without going over the ABC.

MS. BOSARGE: There may be another way to do this without a rollover provision. What the people in Mississippi at our scoping meeting were speaking of is when we -- Where they had an issue was when we had an increasing quota at the end of the year one year -- I don’t remember and was it 2013, maybe, where we had an increase and so essentially what happened is that quota got shoved down to the commercial sector in the third quarter of the year and then you kind of ended up with a lot of that derby-style fishing or something like that and they were wondering if that comes up again, is there any way, instead of shoving all that at us in the third quarter of the year, can some of it be transferred to us after January 1?
I mean maybe there is other ways to alleviate the problem they were looking at and I will just throw it out there that that’s what they were talking about in Mississippi.

MR. WALKER: I was just going to add with talking about the rollover, it’s a small percentage that’s not harvested every year. I think it was around 1 percent last year and it could be only 1 percent that could probably roll over.

DR. CRABTREE: Listening to Leann, it seems to me the most straightforward way to deal with that would be don’t increase the quota until the first quarter and that would effectively mean the catches didn’t go up until the first quarter and so they would probably go up more than they otherwise would have, but that’s kind of a problem we created by our timing on raising the quotas.

CHAIRMAN GREENE: Thank you. We have a motion on the floor and we’ve had good discussion on it. Is there any opposition to the motion? Seeing no opposition, the motion carries. Dr. Lasseter.

DR. LASSETER: Thank you, Mr. Chairman. The final item on this page is to consider adopting a lease-to-own provision, such that an entity buying, leasing, annual allocation earn some credit toward possession of those IFQ shares. Is there any discussion?

MR. WILLIAMS: This was my item and I will tell you that I’ve had far more complaints about it than I have had -- In fact, I don’t think I’ve had any compliments about it. Despite that, I still like the idea of it and so I’m not going to make a motion to eliminate it.

DR. CRABTREE: Can you explain at least to me what “earned some credit” means? We don’t have credit accounts and I’m not quite sure that means.

MR. WILLIAMS: It would mean that a person who has to go out and lease allocation every year would be given some small portion of that share and so if I had to go out and lease -- Make up a number. 1 percent, which might be 100,000 pounds every year, because I am new to the business and I don’t have the money to go lay down to buy that allocation and I can’t get a bank to loan me any money on it, but I would be given some small portion of that and it would transfer from the owner to me. After ten or twenty years, I would have a real share and so that’s what it attempts to do.
DR. CRABTREE: So effectively when you lease quota to somebody, you have to sell them a certain amount of shares that go along with it?

MR. WILLIAMS: You could look at it that way, sure.

MR. WALKER: I would like to see it removed. I think it’s just going to cause the discards to go up. I mean if someone is going to find out there’s a control date that’s going to be set forward that this could happen then I think a lot of leasing would stop and people would just go catch them themselves so they don’t end up losing them.

MR. ANSON: I am not on the committee, but I mean there aren’t any alternatives as to how that necessarily would work and I think staff might be able to come back with some options that could be attractive to shareholders and attractive to those that want to lease and there might be some ways you set it up that you could work that and it would be beneficial to the resource and beneficial to the fishermen.

MR. WALKER: I would like to hear some comment. We could get some public comment.

MR. MATENS: I am in concurrence with Kevin’s opinion. I think this has value and we should try to move forward with fleshing it out.

CHAIRMAN GREENE: Okay. I don’t see any more hands and no motion to take it out and so we will move on to the last item.

DR. LASSETER: I just want to clarify on the previous page. So I understand shareholders who don’t own a vessel and make income off leasing shares is what you’re trying to address and so what type of restrictions -- We will bring you alternatives, but we have the -- The item specifies restrictions on transfers of allocations and shares and is there anything more specific you could provide in terms of the types or we’ll just come up with stuff if that’s what you want to have us start with or is there something you’re thinking of? Is there some idea you have?

MR. PERRET: It seems to me you’re back on the second part of that box and I have been trying to figure out what happened to that. Did we leave it in or take it out? It’s still in? Well, why, if an individual is a shareholder and may even own boats, but never sets foot on the boat, do we want to restrict that person from carrying on his business activities?
He may not be the guy that is actively fishing and I guess I would throw out if I own a charter boat, but I don’t ever set foot on the charter boat and I let somebody run it for me, what are we trying to do there if I own a boat, but I don’t go out on it?

DR. LASSETER: That’s what I want to know. What are you trying to do there?

MR. PERRET: I want to know why is it in there? I guess if I was on the committee, I would move to take it out, but it seems to me we’ve got people that own vessels and they own shares and they’ve got quota and the whole bit and they follow the rules, but they don’t ever set foot on a boat. Some of them are my age and older and so they can’t go out anymore.

CHAIRMAN GREENE: Anybody else? Anything else you want to add? Okay, Dr. Lasseter, does that complete --

DR. LASSETER: We will bring something back. Again, I am not clear on transfers of allocation, shares, but we will see what we can do. Let’s move on to the next one in the interest of time and, yay, this is our last one. This item is actually related to the framework action that Dr. Diagne just presented a while ago, which is to withhold distribution of some portion of a shareholder’s allocation at the beginning of the year if a mid-year quota reduction is expected.

There is a one action framework action that was just reviewed that would withhold some amount of quota, depending on what alternative passes in Amendment 28, and the framework action is only valid for the one year and to make such a withholding permanent would require an action and a full plan amendment.

If that type of action that’s under consideration in the framework action is something you wish to make permanent, then you would want to retain it here and we could further develop it.

DR. CRABTREE: I think we need this, because we have had this come up on a couple of occasions. I think it was a problem when we needed to reduce the TAC on gag and it’s going to be a problem on any of these species if we get an assessment and we need to make some reduction or if you decide you want to adjust the allocation and we run into these timing kind of issues and so I think this is -- It’s a difficulty that’s inherent in these IFQ programs and so I think we need this to give us the flexibility to do this.
CHAIRMAN GREENE: Okay. Any other comments? Okay, Dr. Lasseter.

DR. LASSETER: If there are no further comments on the items in here, then we will move forward. Perhaps we could talk timeline and what is your intention? The next step would be an options paper. Any comments on timeline?

CHAIRMAN GREENE: When do you think you -- When is your schedule -- I mean you all have got a lot to do, but when is --

DR. LASSETER: October. Originally, I think at the last meeting, I told you August, but now I am concerned with Amendment 39 and we have several other documents we’re working on.

CHAIRMAN GREENE: Any committee objection to October before this comes back as an options paper? Seeing none, that sounds fine to me. Dr. Lasseter, does that complete your --

DR. LASSETER: It does and thank you very much.

CHAIRMAN GREENE: With that, the next and final item for today is Grouper/Tilefish IFQ Five-Year Review, Overview of Studies, Tab B, Number 11(a) and I am not sure if the individuals are here to do that, McPherson and Peruso.

GROUPER TILEFISH IFQ FIVE-YEAR REVIEW
OVERVIEW OF STUDIES

MR. MATT MCPHERSON: Good afternoon. My name is Matt McPherson and I am the Director of the Social Sciences Research Group at the Southeast Fisheries Science Center. I would just like to take the opportunity to introduce myself, because I’ve only been with the Science Center for about six months. I’m an anthropologist and I was leading a similar group at the Northeast Fisheries Science Center, but was very happy to have the opportunity to come south and I am looking forward to meeting everyone as well as I appreciate the opportunity to address the council today.

As most of you know, our group focuses on gathering social and economic data and conducting research to inform the fisheries management process and today we want to tell you about work that we’re doing in support of the five-year review of the grouper/tilefish IFQ program. We are doing this work in partnership, very close partnership, with SERO and this council.
I just want to spent a couple of minutes myself setting this up by discussing the proposed national guidelines for five-year reviews before handing this off to economists Larry Perusso and Walter Keithly, who will talk about the more specific plans and activities that we’ve conducted to date.

The Office of Sustainable Fisheries is finalizing a guidance document for five and seven-year reviews of catch share programs and this document does things like identify key components of the review process and how the review document should be set up and what kinds of questions and issues should be addressed and the guidance is still a work in progress, but as part of the process of developing this guidance, they are going to be seeking input from the councils, but they are also using a number of different references, which I won’t read, but you can see them on this slide that include MSA, NOAA catch share policies, and other things, other studies.

The key components of this process include the review plan, the review team, and interim reports and these are all things that have been done to date, in preparation for the grouper/tilefish IFQ review. We have been able to benefit from the experience of having done the red snapper five-year ITQ review and so the review plan was, in this case, established before the end of the fifth year and we are asking, by presenting this plan right now for the council to review, to begin to review our plans before it’s finalized and before we initiate significant work towards the implementation of this plan.

We have a team, as I mentioned, that includes the council, the Regional Office, the Science Center, and the Office of Law Enforcement and we benefit from different interim reports that have been done along the way, including annual reports that have been done by SERO as well as different reports that include information on performance that have been done by headquarters and they focus in particular on the economic performance of catch share fisheries.

There is a review team that is responsible for compiling data, for conducting the analyses, and for writing the report. The plans are that drafts of the report will be made available to the council and to advisory groups like the SSC and different advisory panels and before the report is finalized, the feedback from all these groups will be incorporated into the report and there will be a final review before the report is considered final that will include, again, the council, the Regional Office, the Science Center, Office of Law Enforcement, and
General Counsel.

The approach to this report, the purpose would be to describe and analyze the effects that have taken place since the baseline time period to incorporate different references and other relevant findings, when possible. There is not any length restriction to this report.

Also on the use of standardized indicators and there are a number of standardized indicators that have already been developed and are already being reported on for the different catch share fisheries across the country and eventually they want to take a holistic approach to these kinds of reviews. For example, if two or more programs are found to have a significant interdependency, joint reviews may be completed after the initial review is done.

Here is just some information about what the structure of the review document would include and I am not going to read all of these to you, but it has things like the purpose and need of the review, history of management, sort of the goals and objectives, introductory type information, as well as an evaluation of the biological, ecological, social, and administrative effects in comparison to the goals and the objectives of the program. It will see how the performance of the program actually compares to its original goals and objectives.

The analysis components, again, include things like goals and objectives, the eligibility requirements, how transferability is working, how the quota is performing in comparison to the ACLs, whether there is a need for accumulation limits and caps, cost recovery, data collection. There is a wide range of things that are potentially included in this report.

Even though this guidance is still in the review process, the five-year grouper/tilefish ITQ review that we’re planning is very closely aligned with this national guidance and so when that national guidance comes out, there shouldn’t be too many surprises for us in terms of the plans and the information that we’re going to already have available for the grouper/tilefish five-year ITQ review. With that, I will turn it over to Larry, who will talk to you more specifically about the plans that we have for the review.

MR. LARRY PERUSO: Good afternoon. My name is Larry Peruso and I’m an economist at the Science Center and I’m going to go ahead and show some of our ongoing projects and proposed projects that are related to the five-year grouper/tilefish IFQ program

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First, a little background on how we set this up. About a year or so ago, we applied for some funding from the Office of Science and Technology at NMFS for their catch share program and our idea was to offer up a suite of proposals that would look at the specific objectives of the grouper/tilefish IFQ program and these included reducing overcapacity, increasing technical efficiency, harvest efficiency, profitability, mitigating and preventing race to fish, but we also wanted to look to see if any of the anticipated benefits were realized.

This includes market stability; elimination of quota closures; crew safety at sea; balance of social, economic, and biological benefits and also reducing bycatch and associated bycatch mortality.

These, in general, were the projects that we offered up. We wanted to look at the attitudes and perceptions of stakeholders of the IFQ program and we wanted to look at the effects of the program on fishing communities and we also wanted to assess the efficiency of the quota balancing mechanisms that are specific to the grouper/tilefish IFQ program.

We wanted to look at changes in fishermen behavior and we wanted to evaluate changes in fleet capacity in the technical efficiency, harvest efficiency, of the fleet. We wanted to look at changes in prices and also changes in market power.

I would like to say that even though this suite of the programs that were funded by NMFS was specific to the objectives of the grouper/tilefish IFQ, they’re sufficient to also address a range of those analyses that Matt just presented to you from the national guidance.

The first suite that we’re looking at is we wanted to evaluate the perceptions and attitudes of stakeholders. We have completed what I would call a survey of participants of the IFQ program and that includes shareholders, non-shareholders who purchase allocation, and, to a lesser extent, people who left the IFQ program. This has been completed and we expect to have results to be presented at the January meeting. Dr. Keithly will show you some example of this and so I won’t go too much into this.

We are also in the process of finalizing surveys for the dealer processing sector and also captains and crew. This hopefully will be completed by the end of the year and an interesting
aspect of these surveys is that we have significant contribution from industry, not only with reviewing documents, but they are also helping set contacts and follow up some things of that nature and so they’re very much a part of this process.

We have an ongoing community survey that is looking at pre and post changes in the IFQ at the community level. This includes ethnographic interviews with key informants in the communities and also ground truthing these interviews with existing quantitative data that we have, for example, through logbook and trip ticket data collections.

The communities that we’re looking and, again, this is ongoing right now, but Madeira Beach, Cortez, the Panhandle, Apalachicola, Louisiana, Galveston, and Freeport.

Just a little background on the share categories. There is five share categories and red grouper, gag grouper, other shallow-water grouper, deepwater grouper, and tilefish. There are thirteen to eighteen species, five of which were removed in 2012. Again, what’s interesting about this program is that there is flexibility measures. There is a red grouper multiuse and a gag multiuse and that was suspended because of the stock status of the gag, but it is geared back up for 2016.

There is also shallow-water grouper and deepwater grouper flexibility. Shallow-water grouper, scamp, can be landed under deepwater grouper and deepwater grouper, warsaw grouper, and speckled hind can be landed under the other shallow-water groupers. 10 percent overage for accounts with shares and once per year per share category.

The first project that we’re working on this, and this is with Quinn Weninger and Rejesh Singh of Iowa State University, is to look at these quota balancing mechanisms with actual harvest and discard levels and so we wondered are these flexibility provisions effective in meeting the stated goals of reducing bycatch mortality and discards.

We will empirically estimate the harvest technology and separate longlines and vertical lines and so we’ll be able to look at it in separate gears and we will do policy simulations to assess fishing behavior and responses and economic benefit and costs associated with the flexibility provisions.

This is important not just for the grouper/tilefish program itself, but at a national level, because really these things haven’t been looked at a theoretical point of view and our

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contractors are going to do a theoretical study, but use the
grouper/tilefish IFQ as a case study.

We want to look at are these post-harvest trading, are they
efficient? Are these multiuse allocations efficient and also to
be able to say something about whether they’re meeting the
management objectives that were designed by imposing these
flexibility measures.

The next project is also with Quinn Weninger at Iowa State and
we want to look at the changes in fisher behavior before and
after the IFQ implementation and so this is a model of fishing
behavior across space, time, and depth and this is interesting
because it’s a continuous model and it’s not like the discreet
choice models that you may be familiar with that you have to pic
the area rather than being able to look at it continuously and
there is also a production model built in.

We have put in realistic properties of the stock with abundances
that vary across space and time. There is individually fished
and share portfolios of the reef fish stock that are estimated
using observed behavior of fishers and we use a description of
reef fish ecology and identify costly targeting for discard
avoidance and so this a bioeconomic modeling approach that
incorporates random harvest.

It will be able to talk to us about things before and after and
did the harvest portfolios change? Did the fishing location
change? Did revenues go up? Did costs go down? Did
profitability increase? It will also tell us things about fleet
structure and harvest efficiency of the fleet.

The next one, and this should be familiar from the red snapper
review, and once again contracting with Danielle Solis to look
at the capacity and technical efficiency of the fleet and did it
change before and after the IFQ implementation.

Again, this is what’s called a stochastic distance frontier
framework and in other words, you’re looking at a frontier and
if you’re on the frontier, you’re efficient and the distance
that you’re off of the frontier measures inefficiency. The nice
thing about stochastic distance frontier is that you’re able to
incorporate the randomness of fishing, weather patterns and
stock variations and things like that. We will be looking at
measures of fishing capacity, capacity utilization,
overcapacity, and technical efficiency changes.

Some of the proposed projects that we’re going to look into to
adhere to the guidance that just was referenced by Matt, on accumulation caps we’re going to look at summation of data collection to determine the caps and changes in market power. That could be at the entity level accumulation, but also we want to look at are there labor monopsony type issues going on and also, an idea of what the literature is calling share cropping as far as are people able to purchase shares and get into the fishery.

Technical efficiency will also be brought into this to look at share and allocation caps. We will also look at cost recovery, summation of collecting cost recovery fees. Is the 3 percent fee appropriate? Does it cover NMFS incremental costs? Also we’ll analyze the compliance with respect to the cost recovery fees.

Lastly, we will be looking at monitoring and enforcement and it will be a summation of seizures, types of non-compliance, and rates of compliance. That’s all I have and were there any questions? Walter Keithly is going to come up and discuss some of the surveys that I talked about at first and show you some examples of what we have out in the field. If there is anything particular to the projects that I just described, I could answer those questions now if you would like.

CHAIRMAN GREENE: Thank you. Any questions? I am not seeing anybody and thank you.

SURVEYS FOR THE REVIEW

WALTER KEITHLY: Thank you. Most of you know me and I’m going to keep this very short, because I was just informed that I’m holding up two-for-one beers and the end of the day and so mine is going to be very quick. As Larry mentioned, I am helping National Marine Fisheries Service in a couple of different areas.

One thing that wasn’t mentioned is that I’ve got a contract to help look at the influence of the IFQ program on prices of the products. Now, we often hear that IFQs lead to higher prices and so forth because they’re able to space out their fishing activities and so forth and not bring everything in at once. I am involved in that, but also I’m involved in what I’m about to show you just very briefly on some of the survey work that has been done and we will be doing over the next six to eight months.

again, one aspect of this five-year review is we have three
different surveys going on, a participant survey, those that own
the shares and what are they doing and we’ll get into a little
bit more detail on that. Again, I’m going to keep everything
brief and those of you that have had the fortune or probably the
misfortune of being on the council long enough may remember me
from the red snapper IFQ and basically the participant survey I
will talk about largely followed what we did for red snapper,
other than it’s much more complicated, because we were dealing
with one species when we did red snapper and now we’re dealing
with several different species in deepwater grouper and shallow-
water grouper and so forth and so it’s a much more longer
survey, but it basically followed the same format that the red
snapper survey followed, other than learning from some of the
mistakes on the red snapper survey that we fixed.

Also, a somewhat unique aspect, as far as I know, is we’re also
doing a survey of the dealer processors, the grouper/tilefish
dealers or primarily dealers, but a few processors in there and
as far as I know, that’s a relatively new concept and I don’t
know of any other studies that have been done and I may be wrong
on that, but, again, we did not do that on the red snapper.

In red snapper, we simply looked at participants, the
shareholders, and now we’re also going to be looking at the
dealers and the processors and their attitudes and so forth on
the IFQ program.

Finally, as Larry mentioned, we’re going to be doing a labor
survey, that of crewmembers primarily, looking to see their
opinions of the IFQ program and whether it has benefitted them.

The first survey, as I mentioned, was that of participants.
That’s been completed. It was conducted in 2014 and it’s a
combination of telephone surveys, a web-based survey, primarily
telephone and web-based survey, and mail surveys. We’re going
to look at just a little bit of details on that.

Again, following pretty much the red snapper survey, participant
survey, that was conducted, there is six different sections to
the participant survey, again shareholders and so forth. It’s
your basic background information that you do in any of these
surveys, but also with this one, we realized some people held
many accounts and we needed to sort it out and make sure we
weren’t double counting.

The second section is the attitudes and perceptions, again, and
the question of whether they voted on the referendum and their
attitudes and whether they were in favor of the IFQ program when

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it was initiated and whether we’ve had any changes in attitudes over the last five years of the program. Satisfaction with the program, including what they considered to be the most positive impacts of the program as well as the negative impacts of the program.

The outcomes, in several different layers we looked at the outcomes, in terms of increased or decreased profitability, whether there was increased flexibility in the fishery and so forth. I won’t get into any detail and whether there was change or consolidation. Again, Section 2 was generally simply looking at opinions of the shareholders.

Section 3 was a socioeconomic assessment of the grouper/tilefish IFQ program and it largely dealt with investments and disinvestments in the fishery among shareholders as a result, at least as they saw being the result, of the grouper/tilefish IFQ program.

We looked at investments and disinvestments and we also looked at the ability to maintain crewmembers and the skill of the crewmembers and plans on what they planned to do in the near term, the next five years or so, in terms of whether increasing the number of shares, increasing purchases of allocation and so forth.

Transfer of grouper/tilefish allocation and shares, again we looked at why they had bought or sold shares or allocation and so why did you either buy or sell the shares or allocation and what they considered to be a fair market price for the shares and allocation. It was often very different, as you might expect, from what they actually pay, but we looked at that and some other basic issues.

Section 5, which I really had nothing to do with, is more sociological information on the social wellbeing and demographic information among the shareholders, including their perceptions of fishing in general, whether it’s just a job or more than a job and issues on income and family size and so forth. It’s much expanded really from the red snapper survey and it’s pretty much a new section that was not in the red snapper survey. Finally, we have information, which is basically --

CHAIRMAN GREENE: We have a question for you from Ms. Bosarge.

MS. BOSARGE: Before we get too far away from it, I was interested in that Section 4. When you’re asking about the transfer and you said buy or sell and I just want to make sure,
do you mean buying or selling shares or are you talking about
the leasing of allocation?

**DR. KEITHLY:** Both. Now, again, on the next survey I’m going to
talk about, we go into a lot of detail on whether to call it
buying or selling or selling allocation or leasing it. You know
the fishermen, we have input from a group of fishermen and some
of them say the term they use is selling allocation. They sell
it for a one-year period, generally.

**MS. BOSARGE:** So it’s all focused on the allocation and not the
ownership of the shares, the long-term ownership, and, in other
words, somebody getting into or out of the IFQ program?

**DR. KEITHLY:** No, that would be selling of the share.

**MS. BOSARGE:** Right and are you asking about that?

**DR. KEITHLY:** By selling just a one-year allocation or a certain
amount of fish for a one-time catch, that would be allocation
that you’re selling.

**MS. BOSARGE:** Right and so you don’t you ask about the share,
the long-term --

**DR. KEITHLY:** Yes, we asked about both the shares and the
allocation. The other information is basically at the request
of the Regional Office and a number of questions were asked
regarding customer service and what the shareholders felt about
the satisfaction with the online system and what improvements
could be made and landing notification and so forth and what
improvements could be made there.

Just real quickly, just a few basic statistics and let me back
up and say QuanTech -- The lab hired QuanTech to do the study
and they’re a consulting firm up in Virginia or Maryland and
basically they went about collecting this data in a number of
different ways. The first way is through a web-based survey.
Fishermen could respond or shareholders could respond through
the web-based survey or questionnaires were mailed to the
shareholders.

Finally, there were some phone calls made and that just kind of
gives you a percentage. Again, as you can see, if you look down
at the very bottom, about 997 participants, shareholders, were
contacted or attempted to be contacted. That was basically the
universe and paper surveys, 199 of them were completed and web-
based was 132.
To make a long story short, we had about a 33 percent response rate, which given the length of the survey -- Again, it was much longer than the red snapper survey, due to looking at the different combinations of species and so forth -- The red snapper survey, if I recall correctly, had about a 45 percent completion rate and this was a little bit lower, but I think a lot of it was due to two factors. One, it was a much longer survey and the second was it was not as new as the red snapper. Basically, a 33 percent, about one-third rate, which is pretty acceptable, given the length of the survey and so forth.

Again, just a couple of basic questions. QuanTech, who I mentioned, was contracted to do the survey and they did a very preliminary analysis on some of the results and, again, did you vote on the IFQ referendum, 112 said yes and 152 said no. That may look a little large, that 42 percent said yes, but if you remember, the referendum was only those that averaged 8,000 pounds and I think it was 330, roughly, much less than the total number that had reported grouper/tilefish landings, but, again, this survey that we did encompassed everyone who owned shares.

Were you in favor of the IFQ program at the time of implementation in 2010, 38 percent said yes and another 43 percent said no and there some undecided and so forth and so just keep that yes there at 38 percent and 44 percent, roughly.

Five years later, the no stayed roughly the same, but the yes, those that are in favor of it now, had increased from about 38 percent to 45 percent and so there does seem to be some increased acceptance to it. Now, again, all we have is some very, very preliminary results given to us by QuanTech and I suspect that when we did into it -- Larry and I will be working on this and hopefully getting a report out by about next January.

What we’re going to find out is those who are in favor of it are those that have larger shares and it’s the same thing with the red snapper. I have very little doubt that you’re going to find a more favorable opinion of the grouper/tilefish IFQ program based on the share size that the individual owns or entity.

Again, just participant satisfaction with the grouper/tilefish IFQ program, about a third are highly unsatisfied and, again, I suspect it’s going to be those that have small shares, relatively small shares, and going up to highly satisfied, about 20 percent, and satisfied was another 20 percent and so roughly 40 percent of the participants that responded to the survey are
satisfied or highly satisfied with the program.

Moving on, again, I have the study that QuanTech has done and just some very preliminary information and I didn’t ask Dr. Peruso if that was available to the public. If it is, I will be glad to give it to anybody that may want it at this stage. I have to talk to him and see if it is available.

Again, two other surveys I’ve mentioned, the dealer and labor surveys, you can read that, but basically it’s just looking at the performance in these two sectors and, again, as far as I know, there has not been any dealer surveys conducted with any of the IFQ programs and so it’s going to be -- Hopefully it’s going to be interesting and have some useful results.

Again, the dealer surveys match pretty much the same as with the participant survey and, again, we have not gone down the field with it yet. It’s up and we’ve gone to the Federal Register and we’re on about the third iteration of it now and hopefully it will be going to OMB in the next thirty to sixty days and after that gets back, it will go into the field and largely it will be more in-person surveys than the participant study was and, again, with a thousand participants, it’s tough to get them in the field, but with the dealer survey, at least with larger dealers, there will be a lot of in-person interviews, but there will also be some mail surveys and so forth sent out.

Again, just gathering some opinions by the dealers on their acceptance and impressions of the grouper/tilefish IFQ program, but also looking to see how the IFQ program has changed their business in terms of the infrastructure and equipment, including vessels, whether they’ve bought or sold vessels as a result of it, and other capital equipment.

Section 4 is one of the more interesting ones and so I’m just going to skip down to it, because I know time is short, but really it’s beginning to look at vertical integration and the influence vertical integration has on dealers that also have shares and how do they use these shares to enhance their business operations or change their business operations or have they?

Do they lease or actually, I shouldn’t say lease, but give the allocation to fishermen with restrictions that they have to provide the dealers back with their catch and questions of that nature and, again, pre and post -- Going back to Section 2 for a minute, pre and post IFQ operations and asking a number of issues in terms of whether it has changed employment or whether
they can relate that change in employment in their operation to
the IFQ and changes in production costs and changes even in
product forms that are being produced as a result of the IFQ
system and outlets that it’s being sold to.

Then just, finally, on this section, opinions regarding the
grouper/tilefish IFQ program and, again, it’s opinion based and
do you think that the IFQ program has resulted in an increase in
price, and that’s just one example, that you pay the fishermen?
Has it led to increased stability in the fishery? Again, I’m
not going to get into detail.

We’re on I think the third iteration of this and I assume I can
give it out if anybody has a strong interest on it at this point
in time.

Finally, the labor study. As far as I know, there hasn’t been
any survey of the crews in any other IFQ fisheries and, again,
this grouper/tilefish is much more expanded in that it has both
that dealer survey and the crew survey and both studies simply
look at the participants of that being the shareholders.

We had one draft of this and I shouldn’t say we’re behind on it
and I’m still hoping to get everything finished this year. It
will be largely an in-the-field survey method. It’s tough to
get information on crewmembers. National Marine Fisheries
Service does not have any strong databases on location of
crewmembers and so forth and it’s going to be in the field
sampling, opportunistic sampling, and then what we sociologists
call a snowballing effect. You ask about other people they
might know that are also crewmembers.

Again, just looking to see whether the grouper/tilefish IFQ
program has led to significant changes in income and economic
factors and wellbeing and I will leave it at that of the
crewmembers. Again, we had just one draft of that at this stage
and I believe Larry is working with another university on that.
That’s where we stand on the different surveys at this point and
any questions?

MR. PERRET: Your forty-odd percent that was highly unsatisfied,
what was their biggest gripe or complaint?

DR. KEITHLY: Again, as I mentioned, all we have gotten is the
basic ten-page survey results from QuanTech. They conducted the
survey and I have not looked in detail what the biggest gripe
is. Again, if it follows the red snapper, what you will see is
that their satisfaction with the program is directly related to
the share that they hold. Those with larger shares are going to be more satisfied with the program and that’s how it was with red snapper and I have not looked at grouper yet, but certainly we ought to expect that same thing.

I should mention that’s what kind of interesting and before somebody asks me the question, I will throw it out. If you remember the referendum that was taken, I forget what -- It was, what, an 80 percent vote on that of people in favor of the program, but you’ve got to remember it’s just the larger shareholders or actually they weren’t shareholders at the time, but the larger -- Those with higher historical catches that voted on that initial referendum and so while 80 percent were in favor, based on that initial referendum, that was just a sample of the fishermen and the sample being truncated towards the larger fishermen.

MS. BOSARGE: It sounds like a very in-depth survey and I love your comments about getting to the crewmen. That’s spot on and you’ve got to go to the dock and then one will lead you to the other, but I did have a question.

We have had some issues in the past where we were trying to collect some more economic data on the red snapper commercial sector and what Doctors Agar and Carter ran into, and I don’t want to put words in their mouth, is that the data that they had was mainly on leasing of allocation. In other words, the price when allocation, just for that one year, is transferred from one owner to another or whatever.

It didn’t have a lot of actual dollar values on sale of the shares, permanent sale, permanent transfer, and what it actually was bought or sold for, along with they didn’t have a lot of data on market value, retail market value, the end of the chain, for red snapper and substitutes for red snapper.

In this, it seems like it’s an excellent survey to capture some of that information and we could maybe multitask here and provide a benefit in another way that we may need in the future and is there any opportunity to maybe somehow include questions that would give us that kind of feedback?

DR. KEITHLY: Again, I actually did the survey on the red snapper and it’s been four or five years ago now and so I’m having a tough time recollecting. You are only going to get information on the sale price of shares amongst those that sell their shares and that, as I recall, was rather limited at the time.
If you do the survey again, you may find some increased shares being sold and I believe it’s in the NMFS annual report what the share price -- I am almost positive that they collect that information and that they have the price of shares or the estimated price.

Now, the problem is -- Well, I will leave it at that. The retail price is just tough to come by. It’s not in this survey and the people that we’re asking, for the most part, would not know anyway unless they had a retail outlet. On the dealer survey, we do have some questions on who they are selling to and what percentage of their product is going retail or so forth, but unless they are selling it retail, they are just selling it to somebody else and it may go two or three times up the chain before it gets to retail.

We will not have any real information on retail price and, unfortunately, NMFS has never collected -- Well, I shouldn’t say that. They used to collect retail prices going back, and I will show my age, about thirty years ago now on shrimp and a few other species, but over the years they -- They found it very expensive to collect that information and it was relatively small sample sizes and so forth and there was a question of the representativeness of those retail sales and so they stopped collecting it, but as far as I know, there is no other place you can get the retail data.

MS. BOSARGE: We are hearing a lot more buying and selling of shares going on when we listen to our public testimony, in the red snapper IFQ anyway, and so maybe if we could try and capture some of that data with a dollar value attached to it and a specific time that it happened, then in the future it could prove useful to us. It’s just food for thought.

DR. KEITHLY: Thank you. I will keep it in mind. Any other questions? No? Okay. Thank you.

CHAIRMAN GREENE: Mr. Walker has one more for you.

MR. WALKER: I was just going to say -- I was going to just kind of remind some of the council members that we had some people that weren’t too thrilled about the IFQ to begin with and I suspect of it, with some of the testimony -- I remember going to a scoping meeting one time and the gentleman said that I don’t want any IFQs and he said I caught over 100,000 pounds every year and I sold all my fish for cash and I have no record and I don’t think the lady -- She said, sir, you do understand you’re
testifying to the federal government and he never came back to another meeting, but I suspect there were some of those people that were angry about it.

DR. KEITHLY: There’s no doubt about it. If you don’t have records -- Let me put it this way. I think that over the years, due to a number of issues, federal payments due to hurricanes and so forth and the expectation of IFQs, as well as the logbook system that NMFS has set up and has done a much better job in recent years, it has led to much better records among the fishermen, I think, though there still may be some that evade on it.

CHAIRMAN GREENE: Thank you. Anybody else?

MR. MATENS: Walter, you have been involved in red snapper for a long time and I was just curious whether you had any opinion about the economic efficiency of the allocation?

DR. KEITHLY: About the what? I’m sorry.

MR. MATENS: The recreational/commercial allocation.

DR. KEITHLY: No. I have opinions, but I am not going to state them. It’s the school of hard knocks on that question.

CHAIRMAN GREENE: Okay. Thank you. Anything else? With that, we are done with today’s portion of the agenda.

(Whereupon, the meeting recessed at 5:20 p.m., June 9, 2015.)

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June 10, 2015

WEDNESDAY MORNING SESSION

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The Reef Fish Management Committee of the Gulf of Mexico Fishery Management Council reconvened at the Marriott Beachside Hotel, Key West, Florida, Wednesday morning, June 10, 2015, and was called to order at 8:35 a.m. by Chairman Johnny Greene.

CHAIRMAN GREENE: We have a quorum of our committee here and we’re ready to go. We are going to start off with our Report of the Ad Hoc Red Snapper Charter For-Hire AP, Tab B, Number 12, and so, Dr. Lasseter, if you’re ready, we will start and that’s
The Ad Hoc Red Snapper Charter For-Hire AP met and we had a very productive meeting. Altogether there is twenty-five motions that they agreed upon to address your charge towards the design and implementation of flexible measures for the management of red snapper by the charter for-hire fleet.

I can go through some of these and these are also for potential management measures to be included in Amendment 41 and so as we’re reviewing these, if the committee could give us any guidance on anything that should or should not be elaborated on in further developing Amendment 41.

They discussed data collection first and staff provided them with some information on the progress and the status of the Generic Charter Vessel Reporting Amendment. They also addressed the sunset of sector separation and made a couple of motions in regards to that, to recommend that the council extend the sunset of Amendment 40 for two years and to recommend the council remove the charter for-hire component from Amendment 39.

Then they started discussing something that a group of them had coined permit fishing quotas, or PFQs, and this idea is similar to IFQs except there is no transferability and that the quota is attached to the permit instead of attached to the individual and that seemed to be important to many members of the group that transferability of whatever kind of quota was distributed not be permitted.

They did recommend that the council develop a plan for allocation-based management for the charter for-hire component that can include, but not be limited to, such items as PFQs, permit fishing quotas, tags, cooperatives, and angler management organizations.

Then they passed another motion to provide the council with a definition of how they were defining PFQs, which included a reef fish permit-based allotment that remains attached to the permit and not the individual and that no transferability, leasing, or
selling of the allocation be allowed and that fish must be
landed by the vessel that the permit is attached to and that
PFQs would allow for an annual opt-in to participate in the
federal red snapper fishery. We had a SERO staff in attendance
that described a similar program to PFQs that’s used in the
Pacific bluefin tuna longline fleet.

Then they addressed moving forward with Amendment 41 and that it
should have a review incorporated into it and they also
addressed what the purpose would be and so I will read that one.
It’s to recommend to the council that the purpose of Amendment
41 is to increase flexibility for permit holders, to decrease
management uncertainty, and increase accountability to catch
limits. A long-term goal is to have a year-round fishery that
is totally accountable.

Next, the AP began discussing qualifications for the
participants in this plan and they recommended that it be open
to all federal charter for-hire reef fish permit holders and
they recommended that the plan be structured so that permit
holders who intend to participate in an allocation-based
management plan annually opt in to the program and the purpose
of this was to identify the user groups for that year.

Then the third recommendation under the qualifiers was to
recommend the council consider how the cost of any new program
will be shared between the charter for-hire industry and NMFS
under the opt-in scenario.

Next, they discussed tags as a way of validating fish under a
potential new management plan and they ended up recommending
that all participating vessels in the management plan use
carcass tags that could be validated for law enforcement, which
will be distributed at the beginning of the year. Tags will
expire at the end of the year and this will be to validate all
fish harvested under this plan.

Next, they discussed how they would distribute allocation fairly
amongst the participants and they noted their intent to not
exclude anyone and the motions they passed were to recommend the
council pursue allocation options that include all federal
charter for-hire reef fish permit holders and to recommend that
all participants in the management plan report using electronic
logbooks with dockside validation.

An additional recommendation to that was that opt-in
participants are subject to dockside intercepts and validated
landings by local or federal law enforcement at any time.
Some of the participants noted that under the MRIP dockside intercept component that operators are allowed to refuse inspection and so that was the intent of this motion, was that the participants should not be able to refuse inspection.

Then an additional motion was as a qualifier to participate the participant must meet all licensing requirements for his or her state of operation. There was discussion here pertaining to that each state had different requirements in addition to the federal requirements for a vessel to operate from that state.

Discussion then turned to the issue of dual-permitted vessels and how to address their participation and after implementation of the plan, the AP recommended that there be no intersector trading permitted, that is between commercial and recreational, and they also recommended that any allocation granted to a permitted vessel may only be used during charter for-hire trips.

Next, the AP discussed allocating the quota among the charter vessels and to approach how to allocate, they recommended that an allocation tier level be established and be based on permit capacity, but not be any greater than the approved passenger capacity for that vessel and then they also recommended that the council consider the following allocation scenario to divide quota among participating vessels and that would be that a six-passenger vessel would receive one allocation or one share and multi-passenger vessels with a COI with a permit capacity from seven to twenty-four would receive two allocations or shares and then multi-passenger vessels with a COI of greater than twenty-four, and so twenty-five or more, would receive three allocation or shares.

They also recommended that the timeframe from Amendment 40, the equation that we used for allocating the components of the recreational sector, also be used by the council for apportioning the quota between the charter boats and headboats, which you will hear the headboat report next by Dr. Diagne.

Again, they requested to be convened to continue developing the program as soon as possible and they -- An earlier motion, they recommended a suite of management approaches be explored in the document and that would be appropriate for us to evaluate various management approaches, but they did recommend that their preferred management plan was the use of the permit fishing quotas, PFQs, with tags as a validation tool.

Then, wrapping up, they addressed the idea of stacking or
marrying reef fish permits and passed a motion to both define
that and clarify their intent. The AP recommends that the
council not allow stacking or consolidating of reef fish
permits, defined as stacking meaning putting multiple permits on
one vessel so that the landing history might be attached, and
consolidation of charter permits is defined as consolidating two
or more permits to one permit which contains the catch history
of both permits.

Then their final was to recommend to the council to allow the
participant in the program to opt in at the level of allocation
the participant chooses, up to the maximum amount of the
participant’s allocation. This motion was driven by that some
charter boats that may opt in to participate may not be as
heavily vested or have access to red snapper as much as other
vessels in other areas and they may not choose to receive all of
the allocation that they might otherwise receive.

It was a lot of motions, twenty-five in total, and so we have a
lot to work with. Staff has a lot to work with for developing
Amendment 41 and so I would like to see if there’s any
discussion on the motions. Are there any of these management
measures you expressly want included or do not want included and
if we could discuss a timeline, that would be appreciated.
Thank you.

MR. HARLON PEARCE: Ava, thanks for the report and I’m sorry I
got on a little late. I had to leave my house. I had DSL
problems and so I moved and got in just in time for the end of
your testimony, but the three take-aways that I took from this
AP, which they did an excellent job and I have to applaud them
for the work that they’ve done, both in the headboat and the
charter for-hire AP, because they really were pretty specific
about what they really wanted.

Three of the take-aways I looked at was that, first off, that
they want electronic logbooks for sure, which I think we’ve
known for a while, but this just continues to validate that
thought process that they want real-time monitoring.

The second take-away is that they want to be out of Amendment 39
and be on their own and then, lastly, they would like us to
stretch the Amendment 40 sunset for at least two years to give
them a little more time to make sure that all the kinks are out
of their program so that the council at that time can really
discuss what should happen with that sunset in 40 and what we
should do with it or not do with it.
I think those are real strong take-aways, other than all the other motions that were made made a whole lot of sense and so I want to thank the APs for a job well done and Ava for a job well done and hopefully at the council we can help the charter for-hire industry and the headboat industry move ahead into the future.

CHAIRMAN GREENE: Thank you for that, Harlon. We appreciate it. Any other discussion?

MR. WILLIAMS: Regarding those motions about data collection and electronic logbooks, we received a press release last week or the week before last of three or three-and-a-half million dollars that NMFS has received to do this kind of work and will this -- Can anybody tell me how that will solve this problem right here that they’re referencing, the need for being accountable and being able to record their information in some kind of a flexible system?

MR. PEARCE: I think I can help with that, Roy. We have worked very hard to try and get this volunteer VMS program off the ground. That grant proposal represents the work that we’ve done. The grant proposal will outfit 350 vessels with VMS. It will have data points that are in line with MRIP and the validation for the program will be done by MRIP.

There is a statistician hired that MRIP wants to be hired that will begin to calibrate for the first time volunteer data right along with MRIP and so this is very important step in the development of a real-time program for the charter vessels and I think it’s important, because it gives us time to -- It’s sort of a precursor to whatever we do in the future. It will prove up or prove down VMS and it will do a lot of positive things, but it will get the charter fleet ready to go and understanding what we need to do for them to be in the real-time world.

I think that it’s a two-year program and so it fits perfectly with developing the electronic reporting amendment that we’re doing at the council now and so I do believe that all of this is very timely and working very well together and I am very glad to see that the charter guys are very interested in this, but this will be a wonderful grant proposal and it’s just perfect for what we need right now for the charter vessels.

MR. WILLIAMS: Thanks, Harlon.

CHAIRMAN GREENE: Thank you. Any other discussion? Dr. Stunz.
DR. STUNZ: Thank you, Mr. Chair, for letting me address your committee and I just wanted to follow up on some of Harlon’s comments. I think the proposal he was just discussing is a great start, but I am not sure it covers the entire fleet, which I think that’s going to be very important that we have everybody reporting.

Some lessons learned in work in other similar pilots are that it needs to cover everyone and some of the things going on now is we have a good support or at least recommendation that it needs to be mandatory and that doesn’t necessarily mean that if it’s mandatory that you’re going to get everyone to report, but I think we need to start that way.

It needs to probably be tied to the reef fish permitting in some way, to ensure that you’re getting the good news, unlike some of the other pilots going on in the pure private recreational. I think these guys are a manageable group and that this can be done, but when you start having people maybe not reporting or other issues going on, particularly in the validation realm, it can be problematic and so for this to succeed, I think we need to really think long and hard about it and think about some of these validation and mandatory and making sure every person and every permit is doing this.

MR. PEARCE: Mr. Chairman, Dr. Stunz, I agree completely with what you’re saying. You know it was just going to be impossible to really get everybody involved in this first program that we’re doing.

You and I were involved in Seattle two or three years ago and I guess time flies so fast that I’m not sure how long ago it was, but this thought process actually started with our discussions two or three years ago in Seattle with NFWF and with everyone else. That’s where all these thought processes came from and I agree with what you’re saying about people maybe not reporting or not doing this and doing that, but that’s what this program is going to prove up.

If I’m a charter boat sitting out there right now, I am telling myself I had better make this work. If I want to change my industry into the future and I want to do our job correctly in the future, I better make this work and so this is giving them the opportunity to make sure everybody reports.

If I’m a charter boat that’s got a guy next to me that’s giving me trouble, you better get on his butt, because we’ve got to make sure that this will work or not work and that’s what this
program is going to prove up and it’s going to prove just how sincere the charter vessels are for moving their fishery into the future.

Maybe they aren’t. Maybe they don’t want to, but at least we’ll get some really clear ideas from this grant what the real world is all about and I agree that it’s not a complete fishery, but it’s enough of a fishery and MRIP is involved, which is really wonderful, and calibrating it with MRIP and all these things are positive moves and it’s up to the charter boats to make sure it’s not a negative move.

CHAIRMAN GREENE: Thank you, Mr. Pearce. Mr. Anson.

MR. ANSON: Thank you, Mr. Greene. Ava, I know it’s the last motion and it could have been the last item taken up during the meeting, but they made a recommendation to the council to opt in or opt out or to find a level of participation and did they have any discussion as to what would happen to the allocation or share that would be remaining? Would they have that go into a general pool and that be -- Again, they probably just ran out of time, but I’m just curious if any discussion had occurred regarding that topic.

DR. LASSETER: I don’t remember off the top of my head and I apologize if there was a discussion about a pool, but a lot of these motions were -- The group was really trying to build consensus amongst everybody and so that’s where some of those motions came from, was just that they’re wanting to not leave anybody out and they’re wanting to be inclusive and so I think that was the sense from the group and the drive for these motions.

CHAIRMAN GREENE: Kevin, I’m sorry and I was writing a note, but I was the council representative there and what was the question you were asking?

MR. ANSON: Just realizing that it could have been the end of the day and it may not have been really the charge of the group at the time, but if there was any discussion that came about relative to the last recommendation to the council that’s listed on the report to allow the participant in the program to opt in and define the level of participation relative to their share at their vessel size or the permit size and I’m just curious to know what would happen to those shares and would they just go into a general pool and randomly be distributed or how would that --
CHAIRMAN GREENE: Well, I was there and I remember this, because I was really taken by all the work that was done by all the AP members. I think we did a good job populating that AP and I think everybody was engaged and given ample opportunity to speak and share differences if they had any, but this particular item that you’re asking about, the opt in or opt out, came from Captain Ed Walker out of Florida and he had a really neat deal, because his comment was in my part of the Gulf, I don’t need a whole lot of red snapper and so if I just say, well, I am not going to -- Instead of getting a large number of fish, I only need thirty or forty snapper and that would probably get me through the whole year and so I am going to declare that amount and leave the remainder of mine in the pool to be divided up by the other vessels who need them.

I think this was one of those things that you look at where you have people in South Florida who don’t need red snapper, where potentially in our area you may not need grouper and so if there was something down the road that was grouper driven, perhaps people who wouldn’t need grouper wouldn’t take as many or so on and so forth.

It was a neat idea and concept, because I guess there’s a lot of people in this part of the State of Florida who don’t need as many and they were just going to take what they thought they would need and leave the remainder for others to be divided up equally and spread out throughout the fishery. Any further discussion?

MR. WILLIAMS: What’s the next step here, either Johnny or Ava? Are we going to have them meet again or is it time to begin preparing an options paper or where do we go from here?

DR. LASSETTER: The next step would be we would develop a draft options paper and we would request guidance as to when we should bring that back to you and so staff could work on that and the AP requested to be reconvened to continue developing this and I think it would be more beneficial if that occurred after an options paper had been developed, to allow them to comment on that.

CHAIRMAN GREENE: My opinion would be that there is a sunset provision in here and so any way to move this forward as quickly as possible should be, but I understand what you’re saying about the development of an options paper. Any other discussion? Not seeing any and, Dr. Stunz, I want to go back to a comment you made earlier about electronic logbooks and mandatory reporting.
I agree with you and I think it should be 100 percent, but with
the grant the way it went down and getting the funding and
getting 350 vessels in the program, you know it’s going to take
a while for Amendment 41 to be developed and so while it’s being
developed, I think that the 350 vessels scattered throughout the
Gulf everywhere and everybody who wants one would be able to get
one would be a good way for those people to take in -- I have
never used one, and ELB, and I’ve never been a part of one and I
would like to have the opportunity to learn how to use one
that’s not mandatory and that there wouldn’t be implications if
I messed up or if I was not sure how to use the equipment.

I think that while Amendment 41 is being developed, and I think
it’s the intent that everyone wants to go to mandatory
implementation for them, this would be a great way for it to
build industry support amongst the users and allow them to kind
of say, hey, I really liked this, but I didn’t like that and
potentially work back and forth with the developers of the
software and try to get it right so that whenever Amendment 41
does come online that everybody is ready and everybody knows
what is expected of them and at least that’s the way I see it.
I don’t know if that gives you any direction, but go ahead, Dr.
Stunz.

DR. STUNZ: Johnny, I agree 100 percent with you and maybe I
wasn’t as clear and I was aware that 350 in VMS isn’t going to
cover everyone, but I don’t know that it’s necessary that
everyone have a VMS.

I mean there’s obviously going to be guys that don’t want that
or maybe don’t have the capacity to do that and so I think that
there is availability for multiple reporting options and I just
don’t think it should be -- Everyone should report at some level
and if you want to argue that VMS might be the gold standard,
because you know they’re out and you know what is going on --
There are some issues with that right now in terms of the
reporting side of that, the actual catch reporting.

In other words, I think some thought needs to go into exactly
how that would work by this group and others, but everybody
should have at least an opportunity and my opinion would be a
mandatory reporting through some type of mechanism.

CHAIRMAN GREENE: I agree and I would encourage that if there’s
any other types of programs out there that would like to be
tested or moved forward that that ability come forward in some
way somehow to be presented to other people and have multiple
types of stuff tested at the same time, so that whenever it does
happen everybody is ready and people can talk amongst themselves and say, hey, I like this part of this program or this part of this program, but I really didn’t like this and I really didn’t like that.

I don’t see any attempt to try to go any one direction. However, this seems to be the only direction moving at this time, if that makes sense to you. Mr. Pearce, go ahead.

**MR. PEARCE:** Dr. Stunz, I agree with you. I think that we’ve got plenty of time to develop those different thought processes as to what equipment or what gear will be used. It’s just very important to me that they want to do it in the first place, as a charter industry, and that they’re moving ahead or trying to create a business plan for themselves.

I do agree that there will be other options as we move down this path and like Johnny said, I think this was the one that we could get and grab pretty quickly and so we’re going to do that, but I completely agree with you that we have to sort of source out and look at what the better options for or what options a particular charter vessel wants to use for his particular boat, but in this program, we’re going to try the VMS idea and I think it’s good that we’re doing the gold standard, because we’re going to see if it’s too far or not far enough or if we’ve got to back up a little bit.

It’s just going to give us some real ideas of what works and doesn’t work in that VMS idea and if the need to simplify is there or if we need to look at different things like your iSnapper, that’s perfect. I mean that’s not a problem at all. I just think that this is a great start and that as we move down this path of electronic reporting that it’s just a wonderful deal.

**CHAIRMAN GREENE:** Thank you, Mr. Pearce. Any more discussion?

**MR. WILLIAMS:** Mr. Chairman, would it be appropriate to offer a motion to begin development of an options paper for Amendment 41?

**CHAIRMAN GREENE:** Yes, sir, I believe it would.

**MR. WILLIAMS:** I would like to do so then and I would move that we direct staff to begin developing an options paper for Reef Fish Amendment 41 including consideration of the motions from the advisory panel, from the Charter For-Hire Advisory Panel.
CHAIRMAN GREENE: I am not sure if we need this motion or not. Staff, do we need a motion to continue forward?

DR. LASSETER: No, we don’t need a motion to continue forward. You have already passed motions to initiate development, but what I see in this motion is the end part, that you are recommending that we include the motions from the AP, and so that’s useful.

CHAIRMAN GREENE: Thank you for that clarification. We have a motion on the board and, Mr. Williams, does it read as you wish?

MR. WILLIAMS: Yes.

CHAIRMAN GREENE: Is there a second to the motion? Second by Mr. Walker. Is there any opposition to this motion? Seeing no opposition, the motion carries. Okay, Dr. Lasseter, does that complete everything you had for this?

DR. LASSETER: It does and we are going to plan to bring the options paper to you in August.

CHAIRMAN GREENE: Thank you very much. Okay. Moving along to the next agenda item, which would be the Ad Hoc Reef Fish Headboat AP, Dr. Diagne.

REPORT OF THE AD HOC REEF FISH HEADBOAT AP

DR. DIAGNE: Thank you, Mr. Chair. Good morning. The meeting was well attended and also very productive. The AP made a total of ten motions and I will just summarize the major points that they discussed.

If you recall, the Headboat AP is a reef fish AP. It’s a Reef Fish Headboat AP and so one of the first issues that was discussed was what species would be included in the plan that would be developed in Amendment 42. The AP discussed that and would like to consider the possibility of including what we call the six major reef fish species, meaning gag, red grouper, red snapper, greater amberjack, triggerfish, and black grouper. They would like to explore the idea of including all of those six species in the plan moving forward.

Subsequent discussions reaffirmed their desire to have the headboat as a standalone component and essentially they passed a motion specific to that, that headboats be acknowledged as a standalone component of the recreational sector. This would include all vessels with federal for-hire reef fish permits that
participate in the Southeast Region Headboat Survey and to be more specific, they defined what is meant by headboat in this sense in the Southeast Survey.

In terms of the management approach, or approaches plural, to be considered in Amendment 42, the AP discussed traditional management approaches and looked at what is available and essentially indicated that they are interested in allocation-based management approaches and that would cover also some of the ideas mentioned by Dr. Lasseter, including PFQs, tags, et cetera.

Further, discussing the issue of allocation-based management, they also expressed a desire to at least explore opportunities for transferability, but they were very clear in indicating that that transferability would not include intersector trading, if it were to be considered.

In terms of discussing monitoring, VMS was discussed and the AP passed a motion indicating that they would recommend to the council that enforcement tools for monitoring include VMS, tags, and electronic logbooks.

Of course, these things come at a cost, but the AP expressed a willingness to bear some of the cost, if you will, and indicated that the council should, if it so chooses, consider how management costs could be shared between the agency and the headboat component.

Essentially this meeting provided a lot of elements, if you would, that could be considered during the development of Amendment 42 and throughout the discussions, references were made to the headboat EFP that we have still going and some of the major successes of the program were highlighted and the AP passed a motion to recommend that the council considers the key features of the headboat EFP when designing this allocation-based management program for the headboat sector and, in closing, they also requested the opportunity to meet again and further assist in the development of Amendment 42 and that is, I think, the summary of their recommendations. Thank you.

CHAIRMAN GREENE: Thank you, Dr. Diagne. Mr. Pearce.

MR. PEARCE: Assane, good report and thank you and, again, I’ve got to applaud the Headboat AP for doing really a wonderful job and some of the take-aways I got from this is that, first off, they want to be a standalone component of the recreational sector and that falls right in line with some of our data
collection discussions that we had a couple of days ago that possibly the headboat electronic reporting should move independent of the charter for-hire, to make sure it moves on its own, so to speak, and they also want to be part of the Amendment 40 thought process as a subsector of the fishery when it comes to the allocation-based idea of it.

Those are all important thought processes and some of the things that I was impressed with also was, of course, they want VMS, which they are saying they want daily reporting, which is very important when it looks at real-time data, but all of a sudden the word “tags” come up and they want to use tags to improve enforcement and so I think that’s an important step into the future to understand how this fishery will grow and how it will fit into the allocations and stay accountable and do their job correctly and make it a lot easier for enforcement to do their jobs, but all told, I think both of these APs have done a wonderful job and sort of independently done their own thing and so I believe they’ve done a great job and I’ve got to applaud them both and I hope that the council as we move into the future takes their considerations and runs with them, because I think they are very important. Thank you.

CHAIRMAN GREENE: Thank you. Any further discussion?

MR. WILLIAMS: What is the next step in this, Assane? Where do you go from here?

DR. DIAGNE: Yes, Mr. Williams, and the next step is for us to prepare a draft options paper and we would try to prepare it as soon as possible and bring it back, let’s say, for example, for the August meeting, if permitted.

CHAIRMAN GREENE: Thank you. Any further discussion?

MS. LEVY: Just a question. Assane, you mentioned the idea of looking at transferability, but not intersector trading. Are they referring to trading between commercial and recreational or -- Because this would then divide the recreational into headboat and charter and so was it no intersector trading between anyone or no commercial/recreational or -- Do you understand what I am trying to say?

DR. DIAGNE: Yes, Ms. Levy. I think their main concern was basically between recreational and commercial and some discussions about dually-permitted vessels, essentially, and so no trading between the recreational and the commercial.
CHAIRMAN GREENE: Thank you. Any other discussion? Okay. Seeing no further discussion, I guess that wraps up the Reef Fish Committee. There was no other business noted and if there’s no other business to come before this committee, we are adjourned.

(Whereupon, the meeting adjourned at 9:10 a.m., June 10, 2015.)
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PAGE 11: Motion that the committee approve Alternatives 2a, 2b, and 2c, which are size limits, seasons, and bag limits for yellowtail snapper, to delegate those to the State of Florida as the preferred alternative. The motion carried on page 12.

PAGE 14: Motion that Options 2d and 3d be moved to the Considered but Rejected. The motion carried on page 14.

PAGE 15: Motion to remove the discussion of the State of Florida submitting management plans. The motion carried on page 16.

PAGE 23: Motion in Action 2 to clarify that the action pertains to the whole Gulf and South Atlantic Council jurisdictions. The motion carried on page 24.

PAGE 26: Motion to move Action 2d and 3d to Considered but Rejected in Action 3. The motion carried on page 26.

PAGE 27: Motion that Action 3 apply to waters adjacent to the State of Florida. The motion carried on page 27.

PAGE 27: Motion that Action 4 apply throughout the Gulf and South Atlantic Council jurisdictions. The motion carried on page 28.

PAGE 32: Motion that Alternative 4 in Action 6 be moved to Considered but Rejected. The motion carried on page 32.

PAGE 34: Motion to apply Action 6 throughout the Gulf and South Atlantic jurisdictions. The motion carried on page 34.

PAGE 34: Motion that Action 7 apply to waters adjacent to the State of Florida. The motion carried on page 34.

PAGE 34: Motion that in Action 7 that Alternative 2d be moved to Considered but Rejected. The motion carried on page 34.

PAGE 45: Motion to remove Actions 10 and 11 in the options paper and replace them with Actions 6, 7, and 8 in the restructured document. The motion carried on page 46.

PAGE 74: Motion to remove hogfish from the Gulf FMU and add the West Florida Shelf hogfish stock. It is the council’s intent to allow the South Atlantic Council to manage the East Florida/Florida Keys stock. The motion carried on page 74.
PAGE 95: Motion that the council initiate a plan amendment to define a West Florida Shelf hogfish stock with associated status determination criteria and ACLs. The motion carried on page 96.

PAGE 98: Motion to retain the item to restrict transfer. The motion carried on page 99.

PAGE 102: Motion to delete the item that reads “allow commercial shares without a commercial reef permit to harvest the allocation associated with those shares”. The motion carried on page 103.

PAGE 104: Motion to accept the language in the third box to limit the amount of shares/allocation non-permitted IFQ accounts may possess. The motion carried on page 104.

PAGE 113: Motion to eliminate “place restrictions on the transfer of IFQ allocations and shares”. The motion failed on page 114.

PAGE 116: Motion to strike the fourth box to adopt a rollover provision for unused IFQ allocation. The motion carried on page 117.

PAGE 145: Motion to direct staff to begin developing an options paper for Reef Fish Amendment 41 including consideration of the motions from the Charter For-Hire Advisory Panel. The motion carried on page 146.