

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

REEF FISH MANAGEMENT COMMITTEE

Embassy Suites Panama City, Florida

OCTOBER 23-24, 2023

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Tom Frazer.....Florida
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 Kesley Banks.....Texas
 Susan Boggs.....Alabama
 Billy Broussard.....Louisiana
 Rick Burris (designee for Joe Spraggins).....Mississippi
 Dale Diaz.....Mississippi
 Jonathan Dugas.....Louisiana
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 Bob Gill.....Florida
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 Ed Walker.....Texas
 Troy Williamson.....Texas

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 Mary Levy.....NOAA General Counsel
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3	Tim Griner.....	SAFMC
4	Peter Hood.....	NMFS
5	Dylan Hubbard.....	FL
6	Clay Porch.....	SEFSC
7	Jessica Stephen.....	NMFS
8		
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PAGE 22: Motion to direct staff to develop an abbreviated framework action to adjust the OFL, ABC, and ACL for lane snapper. The motion carried on page 23.

PAGE 80: Motion that, upon the death of a shareholder, irrespective of any transfers to family members, corporate entities, partnerships, or third-parties, that the deceased shareholder's shares be reclaimed for redistribution. The motion failed on page 87.

PAGE 88: Motion to direct staff to initiate a plan amendment to address the issues related to share ownership (maintaining and obtaining shares) of IFQ species. The motion carried on page 93.

PAGE 103: Motion to recommend the council approve the Framework Action: Modifications to Recreational and Commercial Greater Amberjack Management Measures and that it be forwarded to the Secretary of Commerce for review and implementation and deem the codified text as necessary and appropriate, giving staff editorial license to make the necessary changes in the document. The Council Chair is given the authority to deem any changes to the codified text as necessary and appropriate. The motion carried on page 103.

PAGE 114: Motion to recommend that the Gulf Council move Snapper Grouper Amendment 44/Reef Fish Amendment 55 to Priority Level C and continue work on this document after completion of the updated SEDAR 64 operational assessment that incorporates calibrated SRFS recreational landings estimates and requests that the South Atlantic Council also consider the same. The motion carried on page 116.

PAGE 132: Motion to direct staff to write a letter to the SEFSC requesting yearly interim analyses on gag grouper until the next stock assessment is received. The motion carried on page 132.

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1 The Reef Fish Management Committee of the Gulf of Mexico Fishery
2 Management Council convened at The Embassy Suites in Panama City,
3 Florida on Monday afternoon, October 23, 2023, and was called to
4 order by Chairman Tom Frazer.

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

10 **CHAIRMAN TOM FRAZER:** I will call to order the Reef Fish Committee,
11 and the first, I guess, item that we need to discuss would be
12 Adoption of the Agenda, and that would be Tab B, Number 1 in your
13 briefing materials. Before I get a motion to approve that, is
14 there any additions, or modifications, to the agenda as written?
15 J.D.

16
17 **MR. J.D. DUGAS:** Thank you, Mr. Chair. I would like to add
18 something to Other Business, if possible.

19
20 **CHAIRMAN FRAZER:** Fire away.

21
22 **MR. DUGAS:** I would like to have a discussion about other entities,
23 maybe universities or maybe consultants, for the Science Center
24 contracting, or bidding, out projects, to help speed up the SEDAR
25 process.

26
27 **CHAIRMAN FRAZER:** Okay. Thank you, J.D. Are there any other
28 additions to the agenda for Other Business items? Okay. I am not
29 seeing any, and so is there -- Can I get a motion to adopt the
30 agenda, with the Other Business item added by J.D.?

31
32 **MR. BOB GILL:** So moved, Mr. Chairman.

33
34 **CHAIRMAN FRAZER:** Is there a second? It's seconded by Dr.
35 Sweetman. All right, and so is there any opposition? Seeing none,
36 we'll consider the agenda approved. The next order of business is
37 the Approval of the August 2023 Minutes, and that would be Tab B,
38 Number 2 in your briefing materials. Are there edits to those
39 minutes? Mr. Gill.

40
41 **MR. GILL:** Thank you, Mr. Chairman. On page 13, line 8, change
42 "morality" to "mortality", because I don't believe we have anything
43 to do with fishing morality.

44
45 **CHAIRMAN FRAZER:** Duly noted, my good friend. All right. Are
46 there any other additions, or edits, to the minutes? Not seeing
47 any, all right, and can I get a motion to approve the minutes as
48 corrected?

1
2 **MR. GILL:** So moved, Mr. Chairman.

3
4 **CHAIRMAN FRAZER:** All right. We have motion by Bob Gill, and is
5 there a second? It's seconded by Ms. Boggs. Thank you. Is there
6 any opposition to approval of those minutes, with that modification
7 by Bob? Seeing none, we'll consider the August 2023 minutes
8 approved, and we will move on to Tab B, Number 3, which is the
9 Action Guide and Next Steps, and so, Mr. Rindone, if you want to
10 walk us through that.

11
12 **MR. RYAN RINDONE:** Thank you, Mr. Chair. We'll start with Item
13 Number IV, and is Luiz still with us? Luiz, have you had your
14 Theraflu?

15
16 **DR. LUIZ BARBIERI:** Yes, I'm here, and after a Theraflu, and so I
17 should be good to go.

18
19 **SSC REVIEW OF 2023 GULF VERMILION SNAPPER INTERIM ANALYSIS**

20
21 **MR. RINDONE:** Good to go. All right. We'll start with the scope
22 of work then for Item Number IV, Bernie. Okay, and so Dr. Barbieri
23 is back with us, and he's going to review a presentation from the
24 Science Center on the 2023 Gulf vermilion snapper interim analysis,
25 which used data through 2022. These data were prepared to help
26 inform the SSC about the general condition of the Gulf vermilion
27 snapper stock, which was estimated to be healthy as of 2017 by the
28 SEDAR 67 stock assessment.

29
30 You guys will also review as summary of comments and motions for
31 vermilion snapper from the Reef Fish AP, and Captain Dylan Hubbard
32 was here. There he is, and he can answer any questions that you
33 might have about any of the AP's comments or discussions, and you
34 guys should consider the information presented and make any
35 recommendations to the council, as appropriate. Dr. Barbieri.

36
37 **CHAIRMAN FRAZER:** Luiz, are you ready to go?

38
39 **DR. BARBIERI:** I am, Mr. Chairman. Thank you, and thank you, Ryan,
40 for that introduction. This will be Slide 15 of that presentation,
41 I believe, or perhaps the one before. We start there, and I'm
42 going to basically walk you through an interim analysis that our
43 Science Center conducted for vermilion snapper, and then also
44 summarize SSC discussions and then recommendations that came out
45 of the committee report.

46
47 I will start by reviewing and then give you a refresher on where
48 we are with vermilion snapper. As Ryan pointed out, it was last

1 assessed during SEDAR 67, and this was in 2020, with data through
2 2017, and the stock was found to be not overfished and not
3 undergoing overfishing, and we have an ACL in place, and I think
4 it's through 2025, and the period of 2023 forward is on the order
5 of 6.615 million pounds whole weight, in FES units.

6
7 This interim analysis was based on the GFISHER combined video
8 index, and GFISHER is a new program, and I will talk a little bit
9 more about that in the next slide, but that integrates surveys
10 conducted by Florida FWC, FWRI, with our Science Center to get
11 broader coverage, both in terms of areas of the Gulf,
12 geographically as well as depth, and habitats being sampled.

13
14 In this case here, for vermilion snapper, it's a combination of
15 the Panama City video that covers shallow water, and the Pascagoula
16 deepwater video survey, and then the FWRI West Florida Shelf
17 survey, also using camera pods.

18
19 The survey coverage varies between the surveys, but, when you put
20 them together, or the idea is to work together and actually form
21 sort of a mosaic that covers a broader area of the Gulf, from
22 offshore of Mobile Bay to about west of the Dry Tortugas.

23
24 Here we have the geographic coverage of the GFISHER, and we are
25 very thankful to the NOAA RESTORE science program that has funded
26 this joint program for the last five years, and we are considering
27 a review of our program this fall, and hopefully we're going to be
28 awarded another five-year continuation. In my view, it has been
29 a very successful program that has produced a lot of good
30 information for assessment and management in the Gulf, and you can
31 see there that the red dots are the Panama City video survey,
32 covering shallow waters of the Big Bend and the Panhandle, and
33 then the blue dots are the Pascagoula survey, which covers deeper
34 waters from Mobile Bay all the way to the Key West area, and then
35 the FWRI survey covers a big portion of the West Florida Shelf and
36 fills in some of that southern area that needed to be surveyed.

37
38 Here, you have, on the left side, a time series of the combined
39 index, in the green color, the combined index that was used for
40 the last assessment, and that was SEDAR 67, and then that compared
41 to a similar time series for the GFISHER, that now extends through
42 2022, and you can see there how the trends of this index behave,
43 but I will call your attention to the last, perhaps, five to seven
44 years of the time series, where you can see that there is a lot of
45 variability, a lot of ups and downs, right, peaks and valleys,
46 toward that end, but, when you look on the graph on the right-hand
47 side, which has the time series, the same time series that you
48 have on the left, those indices, those surveys, includes confidence

1 intervals, and you can see that there are very wide confidence
2 intervals there, showing that there's a lot of uncertainty
3 associated with this time series.

4
5 The SSC had a lot of discussion about this, you know, the fact
6 that, over the last fifteen or twenty years, the index has been
7 primarily flat, with not showing a whole lot of contrast, but that,
8 you know, this high variability that has been observed was a little
9 bit of concern, right, and the vermilion snapper seems to show
10 schooling behavior, and so you have a probability of getting either
11 large numbers of fish there, or no fish at all, and so you end up
12 with that tendency of having very high variability, which may
13 suggest that this index-based approach may not be suitable for
14 vermilion snapper. We didn't get to the bottom of this, but I
15 just wanted to let you know that the committee had a lot of
16 discussion about this and eventually -- You know, a lot of
17 concerns.

18
19 **CHAIRMAN FRAZER:** Luiz, before you go to the next slide, can we
20 hold it there for a second?

21
22 **DR. BARBIERI:** Sure.

23
24 **CHAIRMAN FRAZER:** I believe that Mr. Gill has a question. Bob.

25
26 **MR. GILL:** Thank you, Mr. Chairman, and thank you, Dr. Barbieri,
27 and so GFISHER you mentioned is the combined video of the three
28 combined videos, and so, comparatively speaking, what's the
29 combined video in this slide versus GFISHER?

30
31 **DR. BARBIERI:** Right. Very good question, Mr. Gill. Well, these
32 surveys started at different times, right, and I think the
33 Pascagoula was -- That it started in the early 1990s, and then the
34 Panama City was the early 2000s, and then FWRI is sort of the mid-
35 2000s, and the surveys were conducted independently through 2019.

36
37 At that time, for SEDAR 67, and remember data going through 2017,
38 the assessment team developed a standardization procedure for the
39 combined video, but that wasn't really integrating all the
40 components of GFISHER, right, which really started in 2020, and so
41 what you see there is a combined video that, in green, was used
42 before, for SEDAR 67, and then in blue is when you integrate all
43 of the additional data, and you run through other procedures for
44 GFISHER, and you re-standardize all of the index, and you end up
45 with a different time series there, comparing to the previous one.
46 Does that make sense, Mr. Gill?

47
48 **MR. GILL:** It's good enough for government work, Dr. Barbieri.

1
2 **CHAIRMAN FRAZER:** Okay. All right, Luiz. I am not seeing any
3 other hands, and so we can move to your next slide.
4

5 **DR. BARBIERI:** Thank you. Here, you see two sets of graphs, one
6 on the left and one on the right, and these are the graphs that
7 were used, provided by the Science Center, to adjust the ABC
8 values, right, and so there are two options to adjust catch advice,
9 in this case ABC, using the index-based harvest control rule, and
10 so the graph on the left is using a three-year moving average, and
11 then the graph on the right is using a five-year moving average,
12 and so these two options were presented to the SSC, to give the
13 SSC the opportunity to make a choice between using the three-year
14 or five-year, based on whatever criteria it wanted to consider for
15 making that choice.
16

17 You can see, down there at the bottom, the very bottom of that
18 slide, right, that you would end up with different management
19 advice, in terms of millions of pounds, between the three-year or
20 the five-year options. In the case of the three-year moving
21 average, you would end up with 6.712 million pounds whole weight,
22 in FES units, and, in the case of the five-year, you would end up
23 with a 5.049 million pounds whole weight, also in FES units.
24

25 Let me remind you that the SSC had robust discussion about this,
26 and I have to say a lot of disagreement internally, in terms of
27 whether it was a good idea to proceed with this management advice,
28 considering that, one, we have management advice in place through
29 2025, and I believe that the current catch limit for vermilion
30 snapper was just finalized back in May of this year, and so it
31 hasn't been that long since that was put in place, and the
32 committee was concerned about changing that, considering all the
33 variability that we have observed in these last few years of the
34 survey.
35

36 Then, you know, the fact that, since we have management advice
37 through 2025, there wasn't really any sense of urgency in having
38 to refresh that catch advice, because what we have on the table
39 was actually provided based on a model-based assessment, you know,
40 that came out of SEDAR 67.
41

42 Based on that, a five-year moving average, the committee actually
43 made a motion, had a motion made, about accepting this vermilion
44 snapper interim analysis as consistent with the best scientific
45 information available, and they made a recommendation there for
46 OFL and ABC for vermilion snapper, based on that five-year moving
47 average, but, when the motion went for a vote, it failed, with
48 four votes for the motion, in support of the motion, and sixteen

1 against, with four members absent, and so, to me, this is really
2 reflective of the issues, the concerns, that the committee had
3 with the use of this index, at this point in time, to refresh the
4 management advice for vermilion snapper.

5
6 Although the SSC felt that the actual analysis itself had been
7 done according to proper scientific methodology, and was thought
8 to be sound, the concerns with the index itself, given the
9 schooling behavior of vermilion snapper, and the high variability
10 in the index, especially over the last several years, led them to
11 vote down this motion and actually refrain from providing new
12 management advice for vermilion snapper. I believe, Mr. Chairman,
13 that this is my last slide on vermilion snapper, and so this
14 completes my presentation for this agenda item.

15
16 **CHAIRMAN FRAZER:** All right. Great. Thank you, Dr. Barbieri, and
17 so we also had the Reef Fish AP weigh-in on this a little bit, and
18 so Captain Hubbard.

19
20 **REEF FISH AP COMMENTS**

21
22 **MR. DYLAN HUBBARD:** We discussed this at the Reef Fish AP, in
23 regard to the SSC review of the interim analysis, and the main
24 points that the AP discussed was that the fishery was healthy, and
25 we were experiencing a larger average size overall, across
26 different areas, and the different representation on the AP all
27 agreed that, across the Gulf, we're seeing a larger average-size
28 fish, and a healthy population, and we felt that, at this time,
29 there was no action warranted by the council on vermilion snapper.

30
31 I think, in my opinion, there was a little bit of disappointment
32 that there was a discussion over taking the five-year average
33 instead of the three-year average, as though it is a healthy
34 fishery and we wanted to see that higher catch level. There was
35 a discussion that occurred, and a motion made outside of that, in
36 regard to vermilion snapper, and the AP wanted to explore sector
37 allocations for vermilion snapper, once the MRIP-FES pilot project
38 has concluded, I believe, is how the motion is read.

39
40 Yes, and the Reef Fish AP wanted to wait until sector allocations
41 could be explored, upon completion of the updated MRIP-FES
42 recreational effort calibration, and that motion carried nine to
43 three, with three abstentions and two absent, and so that was the
44 big discussion, outside of just the vermilion snapper interim
45 analysis, but, overall, the AP recommended no action from the
46 council in this healthy fishery.

47
48 **CHAIRMAN FRAZER:** All right. Dylan, it looks like we have some

1 questions from Ms. Boggs.

2
3 **MS. SUSAN BOGGS:** Dylan, unfortunately, I didn't get to listen to
4 the Reef Fish AP meeting, and so --

5
6 **MR. HUBBARD:** It was riveting. You missed out.

7
8 **MS. BOGGS:** I'm sure it was. After Shrimp and the SSC -- I did
9 listen to the SSC, and so I've got a lot of questions about that
10 conversation, but so the sector allocations -- Are you all saying
11 recreational and charter/for-hire or commercial, or, I mean, what
12 allocations are you looking for, or asking about?

13
14 **MR. HUBBARD:** For clarity, the Reef Fish AP discussion was
15 specifically centered around sector allocations between commercial
16 and recreational. It was proffered by a commercial interest on
17 the AP, concerned with the uptick in recreational directed
18 fisheries for vermilion snappers.

19
20 What we're seeing across the Gulf of Mexico, and this is now
21 switching from an AP's perspective to my personal perspective, and
22 what we're seeing now is a lot of people effort shifting. For
23 example, up in our area, we see a lot of people out deep right
24 now.

25
26 Now, especially with gags closed, people are going out there and
27 catching the snowies, the yellowedge, the queens, and you can stop,
28 on the way in, in 350 or 400 foot, and get this vermilion snapper
29 that are just huge, bigger than the queen snapper you have in your
30 box, and so it's really, really impressive, the size of the
31 vermilion snapper, and so the concern was that the shift in
32 historical access, and now shifting more recreationally, from the
33 commercial fleet, and that was kind of the idea behind the motion,
34 was we need to consider sector allocations, so that the commercial
35 fleet can preserve the historical access, was my interpretation at
36 least, personally, and that is, again, a personal opinion, to
37 answer your question.

38
39 **CHAIRMAN FRAZER:** Susan.

40
41 **MS. BOGGS:** Well, and you're welcome, and I agree with you, and I
42 think I've said it at the table here, and I think it was during
43 vermilion snapper, and are you going to see an effort shift, now
44 that you have this abundance of fish, and that's why I was so
45 adamant, during the Reef Fish AP meeting, and Johnny Greene came
46 forward with, you know, 75 percent, because that's exactly what I
47 was worried was going to happen, and I will just go ahead and say
48 this about the sector allocation.

1
2 I mean, I don't know, if it's a healthy fishery, if this is
3 something that really needs to be looked at, and, of course, we're
4 four years from being able to look at that, or three years, but I
5 do recall, and I don't know why this is so vividly, but it was
6 January of 2013, in Mobile, Alabama, when the recreational sector
7 got cut 50 percent for vermilion snapper, and the commercial sector
8 did not, and so I would certainly support something like that,
9 because I do think, with where we're going, if this stock stays
10 healthy, as we might see with other stocks that are healthy, you're
11 going to see an effort shift in your fisheries, and so thank you.
12

13 **MR. HUBBARD:** That was the main discussion around it, is the effort
14 shifting, and, as we continue to see -- I mean, there's some
15 negative things that we talk about at this table, and at these
16 meetings, but there's some positive things, and I think vermilion
17 snapper is one of them. We're seeing a really healthy fishery,
18 and a lot of people starting to have a more directed vermilion
19 snapper fishery, as they increase in size, but it's going to create
20 contention, as user groups conflict over that healthy fishery, and
21 that was the idea behind the motion.
22

23 **COMMITTEE DISCUSSION**

24

25 **CHAIRMAN FRAZER:** Okay. Any other questions for Captain Hubbard?
26 All right, and so this is where I think we are with regard to this
27 particular agenda item, and so we've had an interim analysis that
28 was carried out, and that analysis was reviewed by the SSC, and
29 the SSC didn't recommend adjusting the catch advice at this time,
30 and the Reef Fish AP agreed with that, and so, I guess, at the
31 council level -- I mean, there's not necessarily any action that
32 we need to take, moving forward, and we can consider this a bit of
33 a health assessment, right, and move to the next one, unless, of
34 course, somebody feels like they want to make a motion to move
35 something forward, but there's nothing, in what we've heard so
36 far, that would suggest that's the path forward, right? Ms. Boggs.
37

38 **MS. BOGGS:** Certainly I don't want to make a motion, but that does
39 bring me to a question, and I think it was some discussion in the
40 SSC meeting, and I just had it pulled up, and I guess I closed it,
41 but it was about scheduling another interim analysis for vermilion
42 snapper, which I'm not exactly sure how we got this interim
43 analysis, and I think there was some confusion there, as to why
44 this interim analysis was done, but, I mean, are we set for future
45 interim analysis? I haven't looked at the SEDAR -- Go ahead, Ryan.
46

47 **CHAIRMAN FRAZER:** Mr. Rindone.
48

1 **MR. RINDONE:** So this interim analysis was originally planned to
2 be an operational assessment, and we continually negotiate with
3 the Science Center about things like scheduling and planning for
4 when to do assessments, and this -- At the time when we had
5 discussed this, we thought this presented an opportunity to do
6 vermilion as an interim, using the GFISHER index.

7
8 Based on the Science Center's preliminary analysis, which, again,
9 doesn't tell everything, and it just -- It looked like this would
10 be a species that we could do an interim, using the GFISHER index,
11 and, as it turns out, there's a lot of uncertainty specific to
12 this species in there, and so it may be that, the next time the
13 council wants to take a look at vermilion, we need to do something
14 like an update assessment, and so, at least at this point anyway,
15 there's not a lot of evidence that a lot of new science about
16 vermilion, or new datasets which would need to be included, and,
17 I mean, I personally don't know of anything, and I'm kind of
18 looking over at Clay a little bit, and Clay is shaking his head.

19
20 So an update might be the most appropriate path forward for that,
21 and the benefits of that is that it's a very streamlined process.
22 You know, all the data that were used in the past can all get
23 updated, and they all get put back in the same model, and the only
24 model changes are the ones that are necessary to make sure that
25 everything keeps running smoothly, and so we can -- At the SEDAR
26 Steering Committee level, we can negotiate with the Science Center
27 and try and figure out a good time, and place, to plug vermilion
28 in.

29
30 Another point about that, and Dr. Simmons just mentioned this, and
31 Luiz had mentioned it also, is the catch limits from the last
32 assessment were just implemented, and so we don't have any time
33 really under those catch limits, except for, you know -- Well, I
34 guess coming up on the end of this year, right, and so it would be
35 good to see how the fisheries respond to those catch limits, and,
36 based on our analysis from that document, we didn't expect to catch
37 that ACL either, but we did expect to be a lot closer to it.

38
39 **CHAIRMAN FRAZER:** All right, and so thank you, everybody, for that
40 discussion. Dr. Porch.

41
42 **DR. CLAY PORCH:** I just wanted to comment, briefly, on the
43 uncertainty there, and when you would use an IA, and that's exactly
44 why there's a multiyear average in there, and so the five-year
45 average smooths that out, and so I get that the SSC was worried
46 about it, but that's exactly why we developed the multiyear average
47 approach, to kind of smooth out those ups and downs, and, when you
48 take that into account, you can see that it doesn't change the

1 catch advice very much, and so, basically, although the index is
2 variable, it's saying that things haven't changed that much, and
3 so there isn't -- I agree there's not a compelling reason to change
4 the catch limit.

5
6 **CHAIRMAN FRAZER:** All right. Thank you, Dr. Porch, and so we will
7 go ahead, Dr. Barbieri, if it's okay with you, and we will proceed
8 to the SSC's review of the 2023 Gulf lane snapper catch analysis,
9 and that would be Tab B, Number 4(a) in everybody's briefing
10 materials. Luiz.

11 12 **SSC REVIEW OF 2023 GULF LANE SNAPPER CATCH ANALYSIS**

13
14 **DR. BARBIERI:** Yes, that's fine, Mr. Chairman, and thank you.
15 Moving on to interim analysis for lane snapper, this was a review
16 by the SSC, very similar to what we just discussed for vermilion
17 snapper, and so the Science Center conducted this interim analysis,
18 and presented it to us for consideration, and then, you know,
19 considering whether we would like to provide management advice,
20 based on the interim analysis, as well and update the current
21 management advice in place.

22
23 Again, a refresher here on where we are for lane snapper, and this
24 was last assessed in SEDAR 49, which was a data-poor methods
25 assessment conducted with data through 2014, using the NOAA
26 Fisheries Data-Limited Toolkit, and, in this case, there was a
27 procedure there called iTarget, and that was particularly
28 identified as susceptible to work for lane snapper, and that's
29 what was used for this species. The catch advice that was
30 generated there has been twice updated, using this method, once in
31 2017 and then again in 2020.

32
33 The lack of an actual fishery-independent, a reliable fishery-
34 independent, index of abundance for lane snapper has forced us to
35 actually rely on the use of a fisheries-dependent index, and so
36 this interim analysis uses the headboat CPUE index, with a terminal
37 year of 2022, and that tracks headboat landings relative to effort.

38
39 Here are results of this interim analysis, and you can see the
40 graph on the left shows the two periods, and you have a time series
41 of the headboat index over time, there on the left, and the orange
42 box indicates the period that was used before, with the update
43 that was conducted in 2020, and then you can see the blue box on
44 the right, the terminal part of that trajectory, time series, is
45 what is used now, was used recently, right, with data through 2022.

46
47 Although the index, in general, seems to be fairly flat, it does
48 show a little bit of an increase, right, and the SSC discussed the

1 fact that, since this is a fishery-dependent index of abundance,
2 it's not really ideal for this purpose, but, with the lack of a
3 fishery-independent one, really, there was no other option, but we
4 wanted to point out that CPUE may not actually track total
5 population trends, and, if there is a way for us to come up with
6 a fisheries-independent index, to index lane snapper abundance,
7 that that would be preferable.

8
9 This increase in the index, even though minor there, seems to
10 correspond well with the increasing landings that have been
11 observed in the recent years, and we can see that there towards
12 the end of that trajectory of landings on the right side of the
13 screen.

14
15 Here, we have -- Let me walk you through, right, the quantities
16 that were presented to the SSC by the Science Center, and that led
17 to SSC recommendations, and so what you have here is what had been
18 in the row marked 2020 of that table, and you have all those values
19 for ABC, OFL, and then measures of dispersion around those, the
20 standard deviation, standard error, and coefficient of variation,
21 that were developed for the update that was done, conducted, in
22 2020, and then an updated set of values that were just provided
23 now for 2023.

24
25 The OFL that represented the 50th percentile of a distribution,
26 corresponding to something similar to what we use in the P*
27 analysis, and that would change the OFL from 1.053 million pounds
28 to 1.116 million pounds for lane snapper, and then, based on what
29 the SSC had recommended in the last analysis, they decided to go
30 with the 30th percentile for that distribution for the ABC, instead
31 of a 40th percentile, and so that changed the ABC from 1.29 million
32 pounds to 1.089 million pounds.

33
34 With that, the SSC then made that motion that you see there, with
35 a recommendation for updating the OFL and ABC values for lane
36 snapper in the Gulf of Mexico to 1.116 million pounds whole weight,
37 in FES units, for the OFL, and 1.088 million pound whole weight,
38 also in FES units, for the ABC, and that motion carried with no
39 opposition. That, Mr. Chairman, I believe concludes my
40 presentation for lane snapper.

41 42 REEF FISH AP RECOMMENDATIONS

43
44 **MR. HUBBARD:** The Reef Fish AP made a motion that we would recommend
45 that the council follow the SSC's recommendation and update the
46 catch advice for lane snapper and set the ACL equal to the ABC.
47 Much like our vermilion snapper conversation, the conversation
48 around lane snapper, at the AP table, centered around the larger

1 overall size, greater spatial distribution of the species, and
2 we're seeing them shallower than ever, and we're seeing them deeper
3 than ever, and we're seeing them bigger than ever, and we're seeing
4 a lot more of them.

5
6 Right now, if you look at the ACL monitoring page, we're at about
7 a little north of 60 percent of the ACL landed currently. If this
8 moves through, this would give us a very small increase, but not
9 very much at all, and I think it's at 1.02 right now, and so this
10 would move it to 1.08, and so not much of an increase, and this is
11 an extremely healthy fishery, where we saw a closure.

12
13 This council moved forward with updating the catch advice, but,
14 unfortunately, the rulemaking didn't get done in time, and we saw
15 a closure, a few years ago, at the end of the year, because that
16 rulemaking didn't get done in time, and so the industry is starving
17 this year, with the closures in multiple different species, the
18 early closure of gag grouper and red grouper. If see a closure in
19 lane snapper too, it's going to crush us, and so it would be nice
20 to have some positive news to bring back, that the catch level is
21 increasing, and so we would urge the council to move forward on
22 this and set the ACL equal to the ABC.

23
24 **CHAIRMAN FRAZER:** All right. Dylan, it looks like Kevin Anson has
25 a question.

26
27 **MR. KEVIN ANSON:** Thanks, Dylan, for being here. You mentioned
28 about the larger sizes, larger numbers, kind of across-the-board,
29 but I'm curious, specific to southwest Florida, you know, Florida
30 Bay, all that in there, are you seeing the same thing? Are they
31 getting the larger size, as well as the higher numbers, there as
32 well?

33
34 **MR. HUBBARD:** I thought it was just my area, but, in talking to
35 folks like Captain Greene in Destin, his boat got first and second
36 place in the rodeo right now for largest lane snapper, and I
37 believe, if I remember correctly, it was north of five pounds. I
38 mean, huge, and, in my area -- When I was working the boats at a
39 young age, as a charter mate, you had to be like sixty to eighty
40 foot, and you caught lane snapper that were eight to ten inches.

41
42 Now I can catch an eight-inch lane snapper off the dock with my
43 kids, and I catch them as deep -- I mean, we took Mr. Hood, and
44 the group from NOAA, out on a Return 'Em Right trip, and we were
45 in 155 foot last year, the day that lane snapper was scheduled to
46 close, due to a quota closure, and we were in 155 foot and catching
47 lane snapper, which, historically, you didn't seem them anywhere
48 deeper than ninety, or maybe a hundred, foot, and so a huge spatial

1 increase in that species, for sure.

2
3 **CHAIRMAN FRAZER:** Ms. Boggs.

4
5 **MS. BOGGS:** So thank you, Captain Hubbard, and so, based on the
6 discussions we had earlier about FES, and I know you all made a
7 motion, at the AP, with regard to reallocations, but, being that
8 this is such a small number, my concern, and I'm not saying that
9 I'm not going to support it, but my concern is do we come back and
10 say, oops, we shouldn't have given you that 60,000 pounds, and now
11 we're going to take it away, and we're not hitting that buffer, or
12 we're not up against a closure at least, and you're right that
13 it's like at 60.9 percent right now.

14
15 **MR. HUBBARD:** Yes.

16
17 **MS. BOGGS:** I will agree with you, and, Kevin, to your point --
18 Well, you didn't ask about this, Kevin, but Alabama is seeing more
19 lane snapper, and so, here again, is it a shifted effort? Are we
20 going to -- We're in such a peculiar situation right now, and it's
21 not that I want to take anything, or not make it available to any
22 fisherman to be able to catch, but I just don't want to have to
23 come back, in two years, and maybe we just enjoy the benefits for
24 two years, and, of course, it will take us two years to get this
25 document through, and so I'm just curious, and did the AP discuss
26 that at all?

27
28 **MR. HUBBARD:** So the AP discussion didn't cover that, and, as
29 Chair, I was concerned that discussion would come up. Recalling
30 back to this council table, I feel -- I recall you having similar
31 discussions when the initial increase and the MRIP-FES calibration
32 initially happened, because we say that it's a small number now,
33 but I believe it was like less than 400,000 pounds, originally, in
34 CHTS numbers, and, when it was calibrated to FES, I remember that
35 Ms. Bosarge was at the table and very concerned about jumping to
36 1.2 million, or 1.02 million, and it's not enough.

37
38 It's simply not enough, and it's a healthy fishery, and so I agree
39 with you. I think everybody at the Reef Fish AP table has concerns
40 over MRIP-FES, and especially in light of the recent information
41 that's come to light, but we know, and we're confident, and I am
42 personally confident, speaking on my personal opinion, that it's
43 a very extremely healthy fishery, and we need to try to do whatever
44 we can to preserve access to that healthy fishery, as the science
45 catches up to what we're seeing on the water.

46
47 **CHAIRMAN FRAZER:** To that point, Susan?

1 **MS. BOGGS:** Well, I mean, it's just conversation for this body,
2 this committee, and, you know, we just looked at Spanish mackerel,
3 the scenario they ran with the 25 percent decrease, and, you know,
4 I don't know what the answer is, and I'm just trying to bring up
5 all these issues, and, I mean, like I said, I'm not going to say
6 that I would support it or wouldn't support it, but I'm just very
7 concerned, and I understand what Mara said, that we can't stop
8 managing the species, but, at the same time, the fishermen really
9 don't like it when we come back and say, ha, fooled you, and we're
10 going to take all that back from you, and so is it better just to
11 wait a couple of years and let it ride? I mean, I don't know what
12 the answer is, and I'm just putting that out there for discussion.
13 Thank you.

14
15 **CHAIRMAN FRAZER:** Yes, and I just would point out -- I mean, I'm
16 hearing this, but, again, I mean, we're talking about a pretty
17 nominal increase, right, and it's 60,000 pounds, or a little less
18 than that, and so that would be one issue to think about, for sure.
19 Dylan.

20
21 **MR. HUBBARD:** Yes, and, to your point, I hear your concern, and
22 maybe Dr. Porch can correct me if I'm wrong, but I believe the
23 issue, in regards specifically to your example with Spanish
24 mackerel, is that decreases -- The problem with MRIP-FES is it's
25 showing a higher effort, right, and so we're overestimating effort,
26 and so, if it's overestimating effort, that means we need a higher
27 catch level for these healthy fisheries where the landings are
28 occurring.

29
30 With Spanish mackerel, landings aren't occurring, and so, if we
31 have an overestimation of effort, and landings still aren't coming
32 up, it means there's other problems there. In this lane snapper
33 fishery, it's healthy. The landings are there, and we're at 60
34 percent halfway through the year, with the end of Wave 3 data, and
35 so we're facing down the barrel of a closure in a healthy fishery,
36 and so we need the increase in catch level, and that's where I'm
37 coming from on it. I think it's apples to oranges, when you're
38 looking at a fishery that doesn't have the landings, when you use
39 Spanish mackerel as an example.

40
41 **CHAIRMAN FRAZER:** I've got Ryan and then Captain Walker.

42
43 **MR. RINDONE:** You can go to Ed. I'm fine.

44
45 **CHAIRMAN FRAZER:** Ed.

46
47 **MR. ED WALKER:** I would say that fishermen are less upset to come
48 back three years from now and having you take something away than

1 having an increase on the table that you could have given them.
2 I'm just giving you my side of it, and, if there was a 60,000-
3 pound increase on what a lot of people are saying is a healthy
4 fishery, and we said, no, let's not take it, just in case, and I
5 would give it to them myself, but I'm a fisherman, and so it's a
6 relatively biased opinion there.

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

9
10 **MR. GILL:** Thank you, Mr. Chairman, and so, Dylan, the question
11 I've got is the decision by the AP to equate the ACL to the ABC,
12 and so, if you looked at the landings history, in whatever units
13 transpire, typically it's either bumping up to or exceeding the
14 ACL, and exceeding the ACL is one thing, and exceeding the ABC is
15 yet another, and why would you support that kind of difficulty in
16 leaving no buffer?

17
18 **MR. HUBBARD:** That's a great question, and a conservative approach
19 for sure, and I encourage, and push, and continue to push behind
20 the scenes, for an increase to the ABC and OFL along with it, and
21 I don't think the science has caught up to the level we're seeing
22 on the water, and I think that's been an issue in lane snapper
23 since 2017, when these quota closures, and projected quota
24 closures, began, and we've done a lot of IAs, and these CPUE index
25 updates to this species, but we haven't had the really hard-core
26 look under the hood of this fishery that's really, really, really
27 healthy.

28
29 **CHAIRMAN FRAZER:** Mr. Gill.

30
31 **MR. GILL:** Thank you, Mr. Chairman, and so I hear you, relative to
32 pushing for a greater availability of ABC and OFL, but we've got
33 what we've got, and we're not going to get another one for a while,
34 and the issue that's on the table today doesn't allow for that
35 kind of consideration, and so the question today, relative to what
36 we were just talking about, is we've got what we've got ABC-wise,
37 and that's what we've got, but what the AP is recommending is no
38 buffer between ACL and ABC and, given the history of this fishery,
39 and I grant you that it's healthy and all of that, and, of course,
40 that implies higher catchability, and even more likelihood of
41 exceeding the ABC, and I don't think we want to go that route, but
42 that's what you all recommended, and so you've got me confused
43 here, Dylan.

44
45 **MR. HUBBARD:** I see your point, and I don't think that conversation
46 occurred, and that conversation didn't occur around the AP, to
47 answer your question, but it's a good point.

1 **CHAIRMAN FRAZER:** Before I go to Susan, Ryan, can you -- I mean,
2 what's the current situation, with regard to the ABC and the ACL?
3 Aren't they already equal, based on the 2021 analysis?

4
5 **MR. RINDONE:** Yes.

6
7 **CHAIRMAN FRAZER:** So there's no change there. Ms. Boggs.

8
9 **MS. BOGGS:** Well, so, to Captain Walker's point, I am married to
10 a fisherman, and there are some fishermen that have a perspective
11 of leave a few fish in the water, because we don't know what we're
12 facing, and, again, effort shift -- If you give them more fish,
13 they're going to catch it.

14
15 I would probably lean more conservative, and not as drastic as
16 vermilion snapper, to 75 percent catch, but maybe a buffer, because
17 you've already had a closure, and, if you see effort shift, and it
18 doesn't have a payback, Ryan Rindone?

19
20 **MR. RINDONE:** It does not.

21
22 **MS. BOGGS:** You know, so I don't know, and I don't know what the
23 compromise is, and I'm not saying yea or nay, and I'm certainly
24 not prepared to make a motion here, but I just -- I get very
25 concerned, and I'm going to be one of the more conservative, and
26 I think you all have seen that of me, but for the right reasons,
27 and particularly the conversation we just had with vermilion
28 snapper, and so I don't know really where I stand on this.

29
30 Again, like I said, we're seeing more in our area, and so, yes, I
31 would probably tend to agree with it's a healthier stock, and maybe
32 it's moving around, and I don't know, but now that you're taking
33 more water out of the coast of Alabama, are you going to reach
34 your ACL higher? I mean, I just don't know what the answer is,
35 and so I don't mean to be so controversial, but I'm just trying to
36 put all the information out there that's possible. Thank you.

37
38 **COMMITTEE DISCUSSION**

39
40 **CHAIRMAN FRAZER:** All right. Thank you, Susan, and so I'm going
41 to try to keep us on time, and so we have a closed session, I
42 think, that starts right at 4:00, and so a couple of things. I
43 mean, so we clearly have a recommendation from the SSC, as it
44 relates to this particular fishery, and it sounds to me that the
45 AP supports that recommendation.

46
47 We don't have to make a motion right now, but we should certainly
48 be prepared to when we come back in Full Council, and I guess there

1 are two questions that I have, so that people can think about that,
2 and, I mean, it's a relatively small change, right, and we can
3 accomplish that, I believe, with a framework, and so that motion
4 might involve directing staff to start work on a framework action,
5 or include that activity in another document that they're working
6 on, and so those are two options, but I guess, it's such a small
7 amount, with regard to process, do we even have to go through that,
8 Ryan or Carrie? Is there -- Procedurally?

9
10 **MR. RINDONE:** Yes. I mean, you guys need to pass a motion saying
11 to direct staff -- Something along the lines of direct staff to
12 initiate work on a document, or an action within a document, to
13 accept and address the SSC's recommendations for lane snapper.

14
15 **CHAIRMAN FRAZER:** Okay. Gotcha. I think we're all good to go,
16 and I think we know where we need to be at Full Council, with
17 regard to this particular issue, and so I think that's the -- Go
18 ahead.

19
20 **MR. WALKER:** I will wait.

21
22 **CHAIRMAN FRAZER:** Go ahead. We've got two minutes.

23
24 **MR. WALKER:** I was just going to throw in, and I'm sorry to delay
25 it, but, you know, it's possible that this 60,000 pounds could be
26 the difference between a closure and not a closure, the way it
27 sounds, and so that's just, you know, this year, right, or would
28 that figure into this year or not?

29
30 **CHAIRMAN FRAZER:** No, and we're going to --

31
32 **MR. WALKER:** Okay. Then never mind.

33
34 **CHAIRMAN FRAZER:** Andy.

35
36 **MR. ANDY STRELCHECK:** Is your preference to wait for a motion at
37 Full Council? I'm prepared to make the motion.

38
39 **CHAIRMAN FRAZER:** I think, if you're prepared to make a motion, I
40 would prefer to have it, so people can think about it and we can
41 vote on it in Full Council.

42
43 **MR. STRELCHECK:** All right. My motion would be to direct staff to
44 develop an abbreviated framework action to adjust the ABC and ACL
45 for lane snapper and OFL. It would be ABC, ACL, and OFL for Gulf
46 lane snapper.

47
48 **MR. GILL:** Second.

1
2 **CHAIRMAN FRAZER:** All right, and so we're getting it all on the
3 board here. Andy, I will read it back, just for the record. **The**
4 **motion on the board is to direct staff to develop an abbreviated**
5 **framework action to adjust the OFL, ABC, and ACL for Gulf lane**
6 **snapper.** That motion was seconded by Bob Gill. We've had a fair
7 amount of discussion, and we'll have a little bit more, but I want
8 to keep our time in mind, but Ms. Boggs.

9
10 **MS. BOGGS:** Well, so, again, just -- I was going to make this
11 comment before Andy made the motion, and, again, I'm neither here
12 nor there, but so we're looking at the SSC recommendation of 1.088,
13 or, excuse me, but 1,088,000 pounds, and, in 2022, we had an
14 overage, and it was 1,097,000. My point is you would have already
15 had a closure, even if you increased this, and just be mindful.

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

18
19 **MR. STRELCHECK:** 60,000 pounds, in the whole scheme of things, of
20 a million-pound quota, is not a lot, right, and so, as you well
21 know, it could be very difficult to predict a closure based on
22 such a small change in the quota in the first place, and what
23 resonates with me is the scientific advice, and it seems like we
24 have a good index, and there is solid rationale from the SSC, and
25 the input from fishermen, which Dylan is one of many people that
26 I have spoken to about this fishery that is saying the same thing,
27 and it's resonating around the council, in terms of the robustness
28 of at least the lane snapper fishery at this point.

29
30 It is a small change in the whole scheme of things, and so I don't
31 see this as a huge risk if we're wrong, right, and, ultimately,
32 we're going to get new advice down the road, but, when we have
33 increases like this, it seems important and like we should go ahead
34 and consider them, and give back to the fishery, and so that's why
35 I'm making the motion.

36
37 **CHAIRMAN FRAZER:** Okay. Is there any further discussion on the
38 motion? **Seeing none, is there any opposition to the motion?**
39 **Seeing none, the motion carries.** Mr. Chair, that's our last agenda
40 item, and I will hand it back to you.

41
42 **MR. ANSON:** Thank you, Dr. Frazer. We will be taking a short break
43 before we go into closed session next, but, before everyone
44 departs, I just want to send out a reminder that, this evening,
45 from 5:30 to 7:00, there will be a social, here in the bar, on the
46 first floor, and that's going to honor Peter Hood, who is looking
47 to retire at the end of the month, and so, if you all are around,
48 please come by and say hello and give your thanks to Peter and his

1 long years of service. Other than, we will take a short recess
2 while we get ready to go into closed session. Thank you.

3
4 (Whereupon, the meeting recessed on October 23, 2023.)

5
6 - - -

7
8 October 24, 2023

9
10 TUESDAY MORNING SESSION

11
12 - - -

13
14 The Reef Fish Management Committee of the Gulf of Mexico Fishery
15 Management Council reconvened at The Embassy Suites in Panama City,
16 Florida on Tuesday morning, October 24, 2023, and was called to
17 order by Chairman Tom Frazer.

18
19 **CHAIRMAN FRAZER:** We will pick up where we left off yesterday, and
20 we will -- I will let Dr. Diagne go over the review of IFQ program
21 goals and objectives, and the action guide, and then we'll step
22 into a presentation by Dr. Stephen, and so, Dr. Diagne.

23
24 **REVIEW OF IFQ PROGRAM GOALS AND OBJECTIVES**

25
26 **DR. ASSANE DIAGNE:** Yes, Mr. Chair. Thank you. Good morning.
27 For the action guide for this item, Dr. Stephen, here from SERO,
28 will give a presentation on the IFQ program goals and objectives
29 that the council selected during the June meeting.

30
31 During the presentation, there is an emphasis on Goal Number 1,
32 which is to improve opportunities for participants to enter the
33 program. The presentation will include data, and information,
34 relative to the evolution, as well as the current state of the IFQ
35 program. She will also discuss potential approaches to developing
36 management measures to address the specific objectives under Goal
37 Number 1.

38
39 The committee is expected to review the data and information
40 presented, ask questions, and determine the alternative approaches
41 for developing management measures to be included in an amendment
42 addressing Goal 1. We will also discuss a tentative timeline for
43 the development of an amendment. The committee is expected to
44 review the suggested timeline, offer revisions, and make
45 recommendations, as needed. Thank you.

46
47 **CHAIRMAN FRAZER:** All right. Thank you, Dr. Diagne, and so Dr.
48 Stephen is going to go through what is a pretty extensive

1 presentation, and I was just talking to her a little bit, and I
2 think the council members should certainly feel -- Or take the
3 opportunity to ask questions as they see fit, as we go through,
4 but she's built in some pretty natural breaks here, and so, you
5 know, if you have clarifying questions on a slide, that's probably
6 okay, but let's just kind of take advantage of the natural breaks
7 to lead the discussion, and, again, ultimately, there's a lot here,
8 and, at the end of the day, I think we're going to be focusing our
9 efforts on, you know, what is a logical next step for us, right,
10 and this is a big elephant, and we're probably not going to eat it
11 all in one bite, and so, with that said, Jessica, go ahead.
12

13 **DR. JESSICA STEPHEN:** All right, and so we're going to go ahead
14 and get started within this. Before we kind of get too far into
15 the presentation, I want to remind everyone of what led us to the
16 point where we are right now, and so, in January of 2023, there
17 was a motion to review the IFQ program's goals and objectives.
18 That was followed-up in the June council meeting, by actually
19 approving some goals and objectives that we're looking at
20 addressing for participation, equity, and access, balanced against
21 how we can reduce capacity.
22

23 Then, in the August meeting, we gave you just a brief update,
24 because we were in the middle of working on all of these different
25 goals, and so, to remind you, these are the five goals, and they're
26 arranged in a particular order because of where overlap may occur
27 between those goals, and so I want to remind everyone that the
28 solutions and tools that will be used to achieve these goals may
29 be applicable to more than one goal, and, as mentioned, we're just
30 going to start here with Goal Number 1.
31

32 To remind everyone what Goal Number 1 was, it's the ability to
33 improve opportunities for participants to enter into the program,
34 and the different objectives that were discussed at previous
35 meetings were the idea of limiting share ownership to accounts
36 that are harvesting IFQ species, and what this means is looking at
37 what types of accounts can maintain, and obtain, shares, and we
38 went over some of the IFQ 101 yesterday, to show how the different
39 impacts were of that between what we originally had and then we
40 have now under public participation.
41

42 The next objective was to evaluate the merits of limiting that
43 overall share ownership, by looking at some different alternative
44 mechanisms that would assist with equitable redistribution of
45 shares and allocation, and, again, with the idea of centering this
46 around accounts that are harvesting IFQ.
47

48 A third bullet, that's along similar lines, was thinking about how

1 do we work with deceased account shareholders, and is there a way
2 to recover, and redistribute, those shares, and then, to remind
3 everyone, since I believe 2018, NMFS has held shares that we did
4 reclaim from accounts that had never activated their IFQ accounts.

5
6 The next objective goes on a little bit different pathway, and
7 it's looking at the potential of an allocation bank, and you might
8 hear it sometimes referred to as a quota bank, and how that could
9 be used to reduce the barriers to obtaining the fishing privileges
10 or entering into the program.

11
12 Then the final bullet here was thinking about what is actually the
13 barriers that inhibiting, or limiting, the participation in the
14 program, or for those who want to enter into the program, and
15 exploring that in a little more depth.

16
17 As an overview of what we're going to do, I have an outline of the
18 presentation, and the first kind of section of it is looking at
19 understanding the complexity of the program. You all had a taste
20 of that yesterday, with the IFQ 101, and we're going to now explore
21 it in a little bit more depth. We're also going to look at the
22 program trends over time. Within this area, I do have conclusion
23 slides, a series of slides, and that's a good time to ask
24 questions, and we can kind of dig into things before we get too
25 far along into overwhelming you with all of our data and graphs.

26
27 Then I kind of am going to suggest that we might take a pause
28 before the allocation bank and adaptive catch share program and
29 barriers, because there's a lot to digest, and so it might be good
30 to get a little movement, and then, within each of those sections,
31 I'll have an opportunity for people to ask questions. Once again,
32 if you have any clarifying questions as I'm going through, feel
33 free to ask those.

34
35 Let's get started, and what we're going to do here is look into
36 the different complexities of the program, looking at trends over
37 time. As I mentioned yesterday, both of these programs are run
38 within the same system, and so we have a large degree of overlap
39 between the red snapper IFQ program and the grouper-tilefish IFQ
40 program. In fact, when we look at the analysis here, we see that
41 90 to 92 percent of the grouper-tilefish harvesting vessels are
42 also harvesting red snapper. You can flip that around the other
43 way, and you get similar percentages.

44
45 When you look at how they're participating in the program, we
46 realize that individuals typically hold shares in more than one
47 category, and I'm going to walk through this little table here.
48 When you're looking across on the top row, that's the number of

1 different types of share categories they hold, and so they hold
2 from one single share category up to shares within all six share
3 categories, and, just to give you a comparison of how things have
4 changed over time, we start looking at what it looked like in 2010,
5 when grouper-tilefish started, compared to what we are seeing now
6 in 2022.

7
8 What we've seen is that, for those participants who hold shares in
9 one or two share categories we've seen an increase in the
10 proportion of those that are holding in just one or two categories,
11 and we've seen a decrease in those that are holding shares in three
12 to five different categories. Then the total that hold shares in
13 all six categories -- That has remained largely the same.

14
15 I want to caution you that this is a high-level view, and so, if
16 you're holding shares in two categories, that could be shallow-
17 water and deepwater grouper, or it could be red snapper and red
18 grouper, and it can be any combination of those.

19
20 One of the things to look at in this is the shift to holding more
21 shares in less categories, and that may imply that there's some
22 specialization that's occurring later in the program that we might
23 not have seen earlier within the program.

24
25 Shareholders also can be classified in a variety of different ways.
26 As we mentioned yesterday, we looked at those that hold shares,
27 and they could hold shares in a small amount, a medium amount, or
28 a large amount, and we also have those that we are terming
29 allocation-only holders, and those are people that participate in
30 the program, but do not hold shares.

31
32 One of the difficulties, when we're looking at a cost program
33 participation, is that, while we can define these within each share
34 category, when we start summing it up, to define it across both
35 programs as a whole, it becomes very difficult to classify
36 someone's role within the program, and so that means you could
37 hold small shares in one category, no shares in another, and
38 potentially large shares in a third category, and so I want to
39 have everyone keep that in mind as we're looking to move forward,
40 about those different impacts and the blended nature of the roles
41 within the program.

42
43 Digging a little bit more into the shareholder side, what we have
44 here is a table that shows the 2022 values of different share
45 categories and the sizes within it. The one thing that I want to
46 caution is that the initial share distribution, in both programs,
47 was based on landings, and what we saw, with those landings, is
48 that there were always a large number of small harvesters, and so,

1 to give you an example for red snapper, before the program began,
2 we had Class 1 and Class 2 license holders.

3
4 Class 2 license holders were typically bycatch of red snapper, and
5 they were limited to 200 pounds per trip. We had 416 accounts, or
6 vessels, that were classified as Class 2 license holders. Those,
7 in essence, became the small shareholders in the red snapper
8 program. When we looked at the Class 1 license holders, and those
9 are the ones that were targeting red snapper, had a 2,000-pound
10 limit, we had eighty-nine, and those eighty-nine vessels, or
11 accounts, because our medium and large shareholders over time.

12
13 When we look through what's going on with the program, we see that
14 those current shareholdings that we have still largely reflect the
15 pattern that we saw pre-IFQ, and so what that means is that we do
16 have a large number of smaller shareholders that hold, overall,
17 comprehensively, a small amount of shares. We have seen that the
18 amount of shares held by some of the larger shareholders has
19 increased over time, although this is not a pattern that's true
20 within every share category.

21
22 If we look at the table here, and we've got these breakdowns of
23 small, medium, and large, they were done just by looking, sort of
24 statistically, at where the natural breaks were occurring to choose
25 these, and keep in mind that there's different quotas, and there's
26 different kinds of ways that distributions occur with the
27 categories, and we wanted some way to compare overall.

28
29 In looking at that, the numbers that you see are the number of
30 accounts, and then the numbers in parentheses is the total amount
31 of shares for that grouping, and so what you see is that, for red
32 snapper, deepwater grouper, and tilefish, the larger shareholders,
33 which are smaller in number, tend to have a higher percentage of
34 the overall shares held within those accounts. What you do see
35 though is, in red grouper, gag, and shallow-water grouper, that's
36 really the medium shareholders that own the predominant amount of
37 shares, moving forward.

38
39 We can do a similar exercise when we're looking at the dealers and
40 their participation within the IFQ program. Here, we're going to
41 classify the dealers by the percentage of overall landings that
42 they have received. Once again, there might be more smaller
43 dealers, in the number of them, but they are overall landing, or
44 receiving, a smaller proportion of the landings, and so what we
45 see here, in red snapper, and in grouper-tilefish, is that we have
46 around eighty, to eighty-five, small dealers, but they're only
47 accounting for 12 to 13 percent of the landings.

1 Keeping in mind, from yesterday's talk, and we talked about how a
2 lot of vertical integration is occurring, and so fishermen may be
3 obtaining dealer accounts, because it's economically more
4 efficient for them, and it could also be due to limited dealers
5 within the area, and it would behoove them in order to do that, or
6 that ability to transport IFQ species across land. A reminder
7 that, in order to transport your IFQ species across land, you must
8 have a landing transaction completed.

9
10 We saw that the greatest number of smaller dealers occurred around
11 2014 and 2015, in both programs, and so there seemed to be a
12 movement, at that point in time, for a lot of fishermen to become
13 their own dealers. In the recent years, we have seen a small
14 downtick in the number of smaller dealers, and this is something
15 we need to keep an eye on and see what happens. It could be just
16 an effect of the pandemic at the time, and we might see a reversal
17 of it as we're moving forward.

18
19 Speaking of vertical integration, again, this is where a
20 participant is involved in more than one aspect of the entire
21 business process, and a reminder that this idea of vertical
22 integration can occur in any business, and in any fishery, and so
23 it's not unique to this program. Within this program, we look at
24 vertical integration really as someone who might be owning quota,
25 may have vessels or permits, they may harvest, and they might also
26 be a dealer or a wholesaler or any combination of these different
27 aspects.

28
29 When you look into what vertical integration has typically done in
30 businesses, what we tend to see, and this is, overall, again,
31 businesses that are vertically integrated typically increase their
32 efficiencies, and they have an ability to reduce their transaction
33 costs and increase their control over production and distribution,
34 and so that's true of just vertical integration in general.

35
36 When we're looking at how it applies to our catch share program,
37 what we've seen, sometimes, is small harvesters have become their
38 own dealers, and so that's an increased potential in efficiency,
39 and maybe a reduction in transaction costs, and we've also seen
40 where dealers may begin to own quota, either shares or allocation,
41 and that allows them potentially to lower the costs for the
42 fishermen who are landing with them.

43
44 When thinking about vertical integration as a whole, it's typically
45 considered good for economic efficiencies, but, as you look at it
46 in the greater scheme of things, it might have some negative
47 consequences, in terms of fairness and equity, and, again, these
48 are broader vertical integration, and we need to kind of tie if

1 these effects are happening within our program, and so the examples
2 of how vertical integration might impact things.

3
4 In some industries, it leads to anti-competitive behavior, and
5 that means here is that it could have the opportunity to limit
6 those different opportunities or reduce the fairness within the
7 markets. You also can see that vertical integration can result in
8 advantages for certain resources, or access to capital. If you're
9 involved in more levels of production, you're probably a larger
10 player overall, have more of those capital and resources, and what
11 this could mean, within programs, is reduction of equity to your
12 smaller competitor.

13
14 Typically, you see, in vertical integration, that someone who is
15 vertically integrated is going to prioritize their own needs first,
16 and the example that you might see here is that they might sell
17 allocation to themselves, or to vessels landing with them, before
18 others, in order to prioritize their own needs and keep their
19 business running.

20
21 A conclusion of these kind of few slides here, and I want to go
22 over everything and just summarize, but current participation has
23 largely been driven by our pre-IFQ dynamics. While we've had
24 consolidation, it has mostly occurred within the smaller
25 shareholders. It has occurred over time, and so it's not that all
26 of the consolidation occurred immediately. There is a high degree
27 of overlap between the programs, with both accounts holding shares,
28 or allocation, in more than one category and landing species in
29 both red snapper and grouper-tilefish.

30
31 Because of this blended nature, it is difficult, sometimes, to
32 classify an individual's role in the program. It's much easier to
33 classify the role within this separate share category than the
34 programs as a whole.

35
36 When looking at the overlap of roles within the program, we do see
37 that there's been an increase in vertical integration since the
38 start of the two programs, and this, again, is fishermen obtaining
39 dealer licenses or dealers obtaining shareholder accounts to hold
40 shares and allocation. While vertical integration may negatively
41 affect fairness and equity, because of these blended roles, this
42 might be hard to tease out, and so I would caution, as we're
43 looking through things, to think about the potential impacts of
44 vertical integration in relation to any program changes. I will
45 take any questions on that section first.

46
47 **CHAIRMAN FRAZER:** Mr. Williamson.

1 **MR. TROY WILLIAMSON:** I was curious as to how you were tracking
2 the shareholders.

3
4 **DR. STEPHEN:** How I was tracking the shareholders?

5
6 **MR. WILLIAMSON:** Yes, and, I mean, you're supposed to be recovering
7 dead shareholders' shares, reclaiming them, and --

8
9 **DR. STEPHEN:** I'm not sure that I completely understand.

10
11 **MR. WILLIAMSON:** Do you scan the obituary column?

12
13 **DR. STEPHEN:** For deceased shareholders? I will get to that later
14 in the presentation.

15
16 **MR. WILLIAMSON:** What about the transfers to -- I will call them
17 intergenerational transfers to family or corporate entities,
18 partnerships, third-parties, and what are we doing there?

19
20 **DR. STEPHEN:** Our IFQ system is related directly to our permit
21 system, and then we collect additional information, similar to
22 what we collect in permits for what we're going to call public
23 participants. Because it's a fully online system, we track all
24 transactions electronically, so we always know what is going from
25 one account to another account, and we also know who owns every
26 business, and that's critical to making sure that we're not
27 exceeding the share cap.

28
29 If you own a business, you must supply the ownership of the
30 different participants within it. If you have a business owning
31 a business, I mean, a business, so on and so forth, you must supply
32 that information to us until we get down to the individual person
33 level, and so we have all of that information at our hands, between
34 our permits system and our IFQ system, to track it effectively.

35
36 **MR. WILLIAMSON:** I guess I'm missing it, and the transfers from
37 the deceased shareholder -- They are also -- That interest is
38 recovered?

39
40 **DR. STEPHEN:** So when a deceased shareholder, and I will get into
41 this slide later, and so there were procedures that we had in
42 place, prior to public participation, when we first encountered a
43 deceased shareholder, and there is a lot of legal requirements
44 that have to go in place before someone is granted access to that
45 account and then has the ability to transfer those shares and
46 allocation. After public participation, the rules changed a little
47 bit, and I'm going to wait on that question, until I have the
48 slides in front of me, to really go through it in-depth, but so we

1 track all transfers.

2
3 We are only notified of a death if someone notifies us of this,
4 but we have certain requirements for accessing the system, and you
5 must prove to us, every two years, that you're still a U.S.
6 citizen, and that's used as a check-and-balance, to make sure --
7 If someone is deceased, then they cannot prove U.S. citizenship,
8 and what happens, at that point, is an account becomes suspended,
9 and so no access is allowed to it.

10
11 **MR. WILLIAMSON:** So you're not recovering all of the shares?

12
13 **DR. STEPHEN:** Within the program, the shares are kind of moving
14 throughout, based on the people who own the shares. The only
15 recovered shares that we have had, to date, have been through
16 Amendment 36A, where we recovered shares from accounts that had
17 never been activated within the system.

18
19 **CHAIRMAN FRAZER:** Troy, I just want to make clear, right, so
20 there's a section in the presentation that deals very specifically
21 with deceased shareholders and the NMFS-held shares, and I think
22 there's a logic flow there that Jessica will get. It's just a
23 little bit later in the presentation though. Mr. Strelcheck.

24
25 **MR. STRELCHECK:** So two comments. I guess, with regard to Troy's
26 question, just to be clear, one of the objectives we laid out for
27 Goal 1 is the potential for recovery of shareholders from deceased
28 shareholders, and what Jessica is explaining, essentially, is that
29 there's a lot of legal requirements that would allow for the
30 transfer, sale, you know, retention of those shares, based on the
31 estate and other legal requirements, and so that is, obviously, a
32 consideration before us as we move forward with making potential
33 changes to the program.

34
35 The question I had for Jessica is so we have often tracked the
36 changes in the program with regard to shareholders, or allocation
37 holders, and I know you're going to get to that, and I was struck
38 by the number of dealers that represent the large landings, right,
39 and so it's almost three-quarters of the landings go through ten
40 dealers. I assume that was kind of consistent pre-IFQ program,
41 and have you looked at that?

42
43 **DR. STEPHEN:** Yes, and so that was kind of consistent to what we
44 saw pre-IFQ. If anything, because we have more smaller dealers in
45 there, we might have kind of reduced some of that, and I would
46 have to look whether the percentage shifted between the medium or
47 larger dealers overall, but we have typically had similar
48 structure, even with dealers, pre-IFQ to post-IFQ.

1
2 All right. Seeing that there's no more questions, we'll move on
3 to the next segment, which is talking about program growth and
4 changes in participation. I am going to spend a lot of time on
5 this slide, and so I want to help orient everyone to this slide.

6
7 The two slides we see, we have red snapper on the left and grouper-
8 tilefish on the right, with years on the X-axis going through time,
9 and, if you look at the color-coding, the red-dotted line is
10 showing the number of participation, or what we call allocation
11 holders, and these are allocation holders who received allocation
12 by either transfer or buying it or through shares.

13
14 The light-blue line is indicating the number of shareholders we
15 have within the system, and these are shareholder accounts with
16 shares, and then the purple line is the number of vessels within
17 each program, and I want to point out that the dashed-dotted line
18 in each one is the average number of vessels that were in the first
19 three years prior to each of the programs, and so it's in essence,
20 our baseline of where vessel participation was prior to the
21 programs.

22
23 Let's take a look on what's happening with each of these over time,
24 and I'm going to start with red snapper. If you look at the
25 overall participation in the program, what you see initially, in
26 the first three years, is a decrease in participation, and this is
27 expected of a catch share program. The uptick that you see, in
28 2010, was largely driven by having the grouper-tilefish program
29 come online. A reminder that they participate within the same
30 electronic system, using the same account, and so the barrier now
31 for participating in red snapper was eased significantly when we
32 brought the grouper-tilefish program in.

33
34 They're familiar with the activities, and there's the whole suite
35 of different participants to work through, and so that's that
36 uptick that you see in 2010.

37
38 Since then, what we've seen is a general slight increase in
39 participation over time within red snapper, and I want to compare
40 that to what we're seeing in grouper-tilefish. With the total
41 number of participants in grouper-tilefish, we did not see that
42 expected decrease, and that might be, in part, due, again, to the
43 red snapper participants now participating in grouper-tilefish.
44 While we still see an overall upwards trend in participants, it's
45 not nearly as steep as what we are seeing in red snapper.

46
47 I'm going to move on to the shareholders, and so the light-blue
48 lines within each of the graphs, and, in both of them, you do see

1 a decrease in the number of shareholders overall. Again, this is
2 not an unexpected trend that you would see within a catch share
3 program. When you're looking at these, we do see that red snapper
4 though has had a steeper decline, which is probably indicative of
5 more consolidation than what you would see in grouper-tilefish.

6
7 Moving on to the number of vessels, starting again with red snapper
8 in the purple line, initially, in the first three years, we see
9 that it's significantly decreased from that baseline, and that you
10 had a slight decrease each year. Once again, the uptick in number
11 of vessels in red snapper in 2010 was most likely due to grouper-
12 tilefish participation.

13
14 What you see, interestingly enough, is a really steep increase in
15 the number of vessels participating in red snapper, to where they
16 are very close to what the baseline was of red snapper
17 participation prior to the IFQ program, and you see that largely
18 happening between 2012 up through around 2017 or 2018, and so,
19 after public participation has occurred within it, but also after
20 quite a lot of increases in quota have occurred within red snapper.

21
22 In recent years, we saw a slight decrease in the number of vessels,
23 and, again, we need to kind of watch this trend a little bit
24 longer, and make sure that wasn't an impact of the pandemic going
25 through.

26
27 When you're looking at the number of vessels in grouper-tilefish,
28 you actually see a very different pattern. You once again though
29 see the decrease in the number of vessels participating, compared
30 to the baseline, but you don't see that steep increase, where
31 you're approaching the baseline number of vessels, within grouper-
32 tilefish.

33
34 One thing to keep in mind that these graphs might show to you is
35 that there has been a lot of growth within red snapper, and it may
36 be exasperating the different access issues, and you might not see
37 that similar pattern within grouper tilefish.

38
39 I want to kind of change over and look particularly at the
40 participation by the idea of allocation holders and break them out
41 to those allocation holders that have shares, and those would be
42 the light-blue lines in each graph, and those participants that
43 are allocation holders without shares, the orange line, and what
44 you see, at the start of each program, is that there's a lot amount
45 of allocation holders without shares, somewhat expected as how we
46 started each of the programs, and you start to see increases in
47 the number of allocation holders without shares as each program
48 progresses.

1
2 Again, that 2010 value, in red snapper, is most likely the
3 participation of grouper-tilefish coming over into the red snapper
4 program, and, while you are seeing convergence of these two lines,
5 and they're getting closer to equal, what I would like to point
6 out is that, in red snapper, that convergence is much steeper.
7 The values are very close together, and you don't see that same
8 pattern that is occurring within grouper-tilefish.

9
10 You can also see that a lot of the convergence really started to
11 happen after public participation within each program, and
12 remember, in public participation, you are allowed to obtain an
13 account without having a permit, and you are allowed to hold both
14 shares and allocation without a permit.

15
16 We can also look at the overall change in dealers over time, and,
17 once again, the dotted line represents the baseline of the number
18 of dealers participating in these fisheries prior to the IFQ
19 program. In both programs, we do see an overall increase in the
20 number of dealers, and this is largely driven by those smaller
21 dealers that are joining into the program, and this could be
22 indicating more vertical integration within the program over time.

23
24 I have a series of graphs that kind of show tables in a variety of
25 different ways with color-coding, and this one is talking about
26 related accounts, and, if you remember yesterday, a related account
27 is any account that has that same entity in another account, and
28 so an individual who is, in some way, shape, or form, participating
29 or listed as an owner, or a shareholder, of a business in another
30 account.

31
32 What we're looking at here, the orange color is the percentage of
33 related accounts over overall accounts, and the blue, or teal,
34 color is the percentage of not related accounts, and so, when you
35 take a first cut of this, and look at it, you see that there's 41
36 percent related accounts, versus 59 percent unrelated accounts.

37
38 In order to kind of dig into this a little bit more, we were
39 looking to see how that connected with those that had permits and
40 those that did not have permits, and that's your graph on the
41 right, with this shaded kind of color within each representing
42 those who have permits and the solid color representing the public
43 accounts, and so, when you dig into this a little bit more, most
44 of the related accounts do have permits. We have 13 percent of
45 accounts that are both public and related to other accounts, while
46 we have 20 percent of the overall accounts that are public and
47 unrelated to the accounts.

1 I will remind you all too that the related accounts typically can
2 occur because someone is either having a business or partnership
3 with another account, or they might have been separating their
4 assets, or they might be looking to create a business for each one
5 of their individual vessels under it, and so there's a lot of
6 reasons that work towards what a related account is.

7
8 We're going to take that kind of same idea and flip it on its head,
9 and I want to look at it from the view of how many public accounts
10 there are and how many permitted accounts there are, and so, once
11 again, the blue color is the number of public accounts, and so we
12 have 33 percent of the accounts being termed public, and that means
13 they do not have a permit, versus around 67 accounts that have a
14 permit.

15
16 We wanted to dig into this a little bit more, because the related
17 nature may play into this, especially if you are separating your
18 assets along the way, and so the graph on the right is looking
19 into taking those public accounts and then designating them either
20 as public and related or public and not related. The dark-blue
21 color here represents those that are public and not related.

22
23 We go from an overall public percentage of 33 percent of accounts
24 being public, but, once you start adjusting for the related nature,
25 that becomes only 20 percent of the accounts that are truly
26 considered public and not involved with the other accounts within
27 the system.

28
29 As a reminder, in the first five years of the program, we could
30 have public accounts, and those typically happened because someone
31 had a permit, and was able to obtain an account, and then did not
32 renew that permit, or transferred that permit to someone else, but
33 they were able to retain their account and their shares. Keep in
34 mind that they could not increase their holdings in those first
35 five years.

36
37 That was looking at overall participation of the program. To
38 narrow it down a little bit more, we wanted to look at how does
39 this public nature, and the permit nature, play into it for
40 accounts that were holding shares, as we can have public accounts
41 that don't hold shares as well. When we look at the first cut of
42 this, the story is that there are 42 percent of overall accounts
43 with shares that are considered public, and so it was greater than
44 the value that we saw looking at just overall accounts.

45
46 Once again, we wanted to adjust for the related nature. When you
47 look towards that, and start adjusting for the related nature,
48 which is the slide on the right, it turns out there are only about

1 26 percent of the accounts holding shares that are both public and
2 not related to any other account within there.

3
4 Keep in mind, as we're looking through it, the number of public
5 accounts with shares has increased over time. We did have some
6 slight differences in 2019 and 2020. Overall, 42 percent of those
7 accounts are public, but, when we adjust for it, it's really only
8 26 percent of the accounts that are considered public and
9 unrelated, and, again, this is just your number of accounts, which
10 leads us into the probably more relevant question of, of those
11 accounts holding shares, what is the percentage of the shares
12 overall being held by permitted accounts and public accounts, and
13 this one is just the graph that you have typically seen on the
14 right, kind of to illustrate the point going through here.

15
16 The majority of our shares are still owned by permitted accounts,
17 and so 76 percent of all shares, across both programs, are held by
18 permitted accounts. The amount of shares that are being held by
19 public accounts, we still see the increase in the total amount of
20 shares over time, which goes in line with the increasing number of
21 accounts that we saw holding shares, and we have roughly 24 percent
22 of the shares being held by public accounts overall. When we start
23 adjusting that for related accounts, only 7 percent of the shares
24 are held by accounts that are both public and not related to any
25 other account. Go ahead, Susan.

26
27 **CHAIRMAN FRAZER:** Sorry.

28
29 **MS. BOGGS:** So I don't know if this is an appropriate time, and so
30 I'm just curious. Now that you have really drilled down to it,
31 and so, the 7 percent that are public and not related, what does
32 that equate to in number of shares, or are you going to be getting
33 to that?

34
35 **DR. STEPHEN:** So that's 7 percent of all of the shares, and so
36 what we do is we take the six categories, at 100 percent, and we
37 sum them all up and redo the math on it, and so it's just really
38 a small proportion. To dig into it, we would probably need to dig
39 in by share category and determine how much of the categories each
40 have that overall 7 percent, and I have not that done that analysis
41 yet, but that could be something we could bring back to the
42 council.

43
44 **MS. BOGGS:** Well, I think it would be helpful. I'm sorry.

45
46 **CHAIRMAN FRAZER:** Go ahead. You can follow-up on that, and then
47 I will get to Dale.

1 **MS. BOGGS:** I mean, I think that would be helpful, because, when
2 we have this conversation at the table, a lot of times, it sounds
3 like we're dealing with a large percentage of shares that are
4 publicly owned, but, now that you've drilled down into it, and, of
5 course, with non-related accounts, which I have a very clear
6 understanding of what that means now, I think it would be very
7 interesting to see, and are we talking about 5,000 pounds of fish
8 or 500,000 pounds of fish in each category, because that could
9 make a difference in maybe how this conversation goes in the
10 future, and so thank you.

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

13
14 **MR. DALE DIAZ:** Dr. Stephen, first, I appreciate the amount of
15 work that you and your staff have put into this. This is a
16 tremendous amount of work, and so, as we're going through these
17 last few slides, I'm trying to figure out -- So we have a document
18 that basically would require a person to have a permit, and so
19 that's what I'm trying to figure out, and does the current slide
20 that's on the board -- Would we be dealing with the entire 26
21 percent, the 17, or the 7, and how many people would be affected
22 if we were to implement where we required a permit, and can we
23 pick that up with this slide?

24
25 **DR. STEPHEN:** So you can pick how many people would be affected by
26 the previous slide, and so remember that 26 percent of all the
27 accounts that held shares were both public and not related, and so
28 that's kind of your breadth overall, and keep in mind that someone
29 could be considered public in one share category and maybe not
30 public -- Sorry. Never mind. That's -- They are public no matter
31 what.

32
33 When we're looking at it, where the shares are holding may differ
34 by the different share categories. When you're looking at what
35 the impact is of how much of those shares overall would need to
36 have some sort of movement, that would be the 7 percent of overall
37 shares, and that assumption is that all of those -- The number of
38 accounts, and the shares held in those public-related accounts,
39 would probably get moved to a permitted account. We would have to
40 probably dig in more, to make sure that all related accounts are
41 related to a permitted account, and that's another level of detail
42 that takes significantly more analysis, but the general feel, as
43 we've been looking through it, is that most of those are related
44 to a permitted account.

45
46 **CHAIRMAN FRAZER:** Go ahead, Dale.

47
48 **MR. DIAZ:** Just to make sure -- I know you answered this right

1 there, but I want to make sure that I understand it. We would be
2 impacting 7 percent, at the end of the day, or 26 percent, at the
3 end of the day?

4
5 **DR. STEPHEN:** You would be impacting 26 percent of the accounts
6 that hold 7 percent of the overall shares.

7
8 **MR. DIAZ:** Thank you very much.

9
10 **CHAIRMAN FRAZER:** Mr. Gill.

11
12 **MR. GILL:** Thank you, Mr. Chairman, and thank you, Jessica, for
13 your slides. I have two comments. One is that I noticed, on the
14 graphs that you provided, the end date varies from 2020 to 2022,
15 and so it's difficult, for those data bits that are changing, to
16 see whether they're continuing into the current, and is there a
17 reason for that? Could you talk me through that a little bit?

18
19 **DR. STEPHEN:** Yes, and we're still having a little bit of trouble
20 connecting some of the collective permit data that I need in our
21 permit system to our IFQ, to complete this analysis, and so this
22 was the kind of last snapshot of the area that I did to make this
23 analysis. I will say that undertaking this type of analysis is
24 really complicated, and we wanted to make sure that we had clear
25 information that were confident in that we were presenting. We
26 can eventually connect to that permit system, and bring those in,
27 and we're just still having a little bit of trouble with connection
28 issues.

29
30 **MR. GILL:** My second question, if I might, Mr. Chairman, is I note,
31 on this slide and the next slide, that, in the main, since 2014,
32 or thereabouts, the not related accounts are relatively constant,
33 and so all the change, relative to the permit accounts, is all on
34 the related accounts, and so what we've seen is that they appear
35 to be, at least at this point in time, steadying out, in terms of
36 the not related accounts, both on shares and impact on the
37 resource, you know, how much fish they can catch, and those slides
38 have been very helpful in illuminating that point, and so thank
39 you.

40
41 **CHAIRMAN FRAZER:** I just want to follow-up, real quick, on Dale's
42 question, right, and so, I think, in order to get to where you
43 want to go, Dale, we need to -- We see percentages over here,
44 right, but just ballpark order of magnitude, you know, of number
45 of accounts that that 7 percent would kind of relate to, and are
46 we 1,500 accounts?

47
48 **DR. STEPHEN:** No, and I probably need to go back into the data to

1 dig out the exact number, and I think the impact is really going
2 to be when you look at those accounts by the different share
3 categories, and so this type of analysis that you see here would
4 probably be beneficial to break down by share category, to get a
5 feel for what the impact is, and the impact is stronger in some
6 share categories versus other share categories.

7
8 **CHAIRMAN FRAZER:** Okay. Thanks. Dale.

9
10 **MR. DIAZ:** I just want to get your thoughts on this, Dr. Stephen,
11 and so there is an uptick in the number of participants over time,
12 and that's probably not what we thought we were going to get at
13 the beginning, and I've brought this up before, but it seems like
14 a lot of charter/for-hire people have been dual-permitted, and
15 it's a business strategy now, for a lot of charter boat folks, to
16 own some shares so that they can work their boat when they don't
17 have charters. That's a positive, to me, and how big of an impact
18 do you think that is in the growth that we're having, and was that
19 anticipated, do you think, when we started the program?

20
21 **DR. STEPHEN:** So, based on when we were doing some analysis for
22 SEFHIER, we roughly have, I think, around a hundred, or maybe 150,
23 vessels that are dually-permitted, commercial and for-hire, and so
24 that definitely does play a role within that. We've always had
25 dually-permitted vessels. Where the challenge lies, just by being
26 dually-permitted, is it doesn't explain to us where they're doing
27 the majority of their participation.

28
29 Are they the majority for-hire vessel, that is occasionally
30 commercial fishing, or are they the majority a commercial
31 fisherman, that is occasionally for-hire?

32
33 one of the things that we were hoping to get out of having logbooks,
34 out of the SEFHIER, is to be able to look at what that activity
35 level is, and start to quantify that, and that was also some of
36 the reasons behind those declarations, so that we could start to
37 see how many trips were going in each direction, and so that's
38 analysis that we can still undertake, to provide more information
39 within it.

40
41 Overall, we have roughly 800 reef fish permits, and I'm going off
42 the top of my head, and so don't quote me on that, and we've seen
43 that, you know, generally, there's a decrease in reef fish permit
44 holders over time, because it's a limited-access permit program,
45 but we typically only lose maybe five to ten permits a year.

46
47 **CHAIRMAN FRAZER:** Mr. Strelcheck.

1 **MR. STRELCHECK:** I guess a couple of questions, and then I wanted
2 to go back to Slide 14, and you may have said this, Jessica, but
3 I want to put a little finer point on it, and so, with the related
4 accounts, right, there's no definition of what a related account
5 is, and it's kind of what we have defined it as within the system,
6 based on how we operate the system, and so, just to make sure the
7 council is clear, if my wife and I, you know, hypothetically, had
8 accounts that were separate, right, and she had her account, and
9 I had my account, 100 percent shareholdings, and those would be
10 unrelated accounts, based on your definition, correct?

11
12 **DR. STEPHEN:** That's correct. We don't look at familial
13 association.

14
15 **MR. STRELCHECK:** The same would be true if like Dale and I were
16 business partners, right, and there's no direct connection with a
17 specific business in the system, right, and, if we have separate
18 accounts, and my name is not on his account, and his isn't on mine,
19 and those would be unrelated accounts?

20
21 **DR. STEPHEN:** Yes, that is correct.

22
23 **MR. STRELCHECK:** Okay, and so I say this because I think what I
24 want to emphasize is we are trying to hone-in on what we think is
25 kind of the proportion of accounts that are unrelated and public,
26 right, but it's not an exact science, and there's some uncertainty
27 around it, and I think it gets us at least a good estimation of a
28 starting point, but there's a lot more complex relationships,
29 within the system, that we probably aren't tracking at this point
30 and understand.

31
32 If you can go to Slide 14, real quick, and so, when I was going
33 through this presentation, it struck me, obviously, with the
34 graphic on the left, and how the shareholders are consolidating,
35 but the amount of allocation holders is increasing over time, and
36 we see an expected jump when we get into the grouper-tilefish
37 program in 2010, but then there's this gradual incline from there
38 forward, and have you looked at kind of what is driving that? Is
39 that allocation holders for the west coast of Florida that might
40 have been cut out of the initial allocation for the red snapper
41 program, and that's just demand for red snapper allocation in the
42 grouper-tilefish fishery?

43
44 **DR. STEPHEN:** So I have not done that analysis, to date. Our
45 initial thoughts, with that gradual increase, because you notice
46 it occurs after 2012, where public participation opened up, and
47 our initial thought was that it was more a separation of assets,
48 but we can definitely dig into it, I think, a little bit more,

1 trying to decide where their location is.

2
3 There are some challenges with that, if someone has a different
4 mailing address than where they're located, and we've seen
5 challenges, over time, when someone has switched locations, in
6 figuring out what's going on, but we can definitely dig into that
7 more.

8
9 Just one other point, back to the related accounts, and, early on,
10 in 2017, or 2018, I tried to also look at relatedness based on the
11 transfer reason, and so one of the transfer reasons for shares and
12 allocation is related account, and I noticed that some of the
13 people who marked that off -- I could not find a similar entity
14 between the two, and so that might go more to explain that sort of
15 business association, or familial association, that's going
16 through with that. We could add that back into the analysis, and
17 it is another kind of layer of complexity, and we'll need a little
18 bit more time to build that analysis in.

19
20 **CHAIRMAN FRAZER:** Mr. Dugas.

21
22 **MR. DUGAS:** Thank you, Mr. Chair. I was going to wait until the
23 end of the presentation, but, following Andy's comments, on page
24 13, my question -- Or could you maybe go into a little explanation
25 of, on the left graph, and it looks like 2009 to 2010, and there's
26 a quick uptick in the vessels line.

27
28 **DR. STEPHEN:** That uptick that we see is when grouper-tilefish
29 came onboard, and we calculate these values at the end of the year,
30 and so there was an entire year of 2010, and what we saw is, when
31 the grouper-tilefish program came onboard, there was a lot of
32 interplay immediately between red snapper and grouper-tilefish,
33 and so remember they have the same account, and there's not a
34 hurdle of having to obtain an account, and then have to figure out
35 how to do a transfer, in order to obtain red snapper allocation to
36 harvest. Once those two programs were together, that barrier to
37 do that was very, very minimized.

38
39 **CHAIRMAN FRAZER:** All right. I think we don't have any more
40 questions right now, Jessica.

41
42 **DR. STEPHEN:** All right, and so, to summarize everything you've
43 seen in this group of slides, there are patterns of change and
44 they do differ between the two programs. Both programs did have
45 an expected decrease in shareholders, with a slightly unexpected
46 increase in dealers. The vessels have increased more within red
47 snapper, and so a higher amount of increase in that, compared to
48 the pre-IFQ levels, and we're approaching those values again, but

1 it has continued to decrease in grouper-tilefish, and so that's
2 one of those differences between the programs.

3
4 When we look at overall allocation holders, we see a greater
5 increase in red snapper, compared to grouper-tilefish, and that
6 increases at a steeper rate, and so we have more allocation holders
7 without shares, and so 50 percent of the red snapper IFQ allocation
8 holders do not have shares, compared to roughly 25 percent in the
9 grouper-tilefish.

10
11 We're also looking at an increase in the number of related accounts
12 due to business practices, and, again, those practices can be
13 creating your own company for each vessel, maybe separating your
14 assets, or working with different partners that create these
15 related accounts. Overall, 41 percent of the accounts are related
16 to another account.

17
18 Likewise, we saw that the public accounts have had an increasing
19 trend, and that still exists, even adjusting for the related
20 accounts within it, and so 20 percent of all accounts were
21 unrelated public accounts, and then 26 percent of the accounts
22 holding shares were unrelated public accounts.

23
24 The percentage of overall public accounts holding shares also
25 followed a similar pattern of increasing over time, with 42 percent
26 of the account that were considered public, and, again, no permit,
27 and then, when we do the adjustment, that 25 percent are unrelated
28 to other accounts.

29
30 Shares are still being primarily held in permitted accounts, with
31 76 percent of the accounts holding shares having a permit, but we
32 did see that increase, in 2015, in the amount of shares being held
33 by the public, and, again, even adjusting for related accounts, we
34 have about 7 percent of the shares held by unrelated public
35 accounts. Go ahead, Susan.

36
37 **MS. BOGGS:** Back on slide 20, the greater increase in the red
38 snapper IFQ allocation holders and grouper-tilefish, and is that
39 due to bycatch, by chance? Do we know why that is?

40
41 **DR. STEPHEN:** There's probably a lot of reasons that are playing
42 into it. Remember the red snapper stock has kind of expanded, and
43 it's being encountered in more cases, which is the desire then for
44 more access, and we haven't dug into the actual details between
45 the two, but, when you look at the grouper-tilefish fishery, it
46 hasn't had that degree of dramatic change in the stock size, or
47 expansion of the stock, that we see in red snapper.

1 All right, and our next segment is looking at overall program
2 activity over time, and so, when we look at program activity, we
3 tend to look at what people are doing within the program, and the
4 number one activity, of course, is landings, and so what this graph
5 shows you is the number of landings, and we've broken this up,
6 again, by those who are making landings with shares and those who
7 are making landings without shares.

8
9 Keep in mind that those accounts that are making landings with
10 shares could still equate to a very small percentage of overall
11 pounds, and it does not mean all the landings are strictly coming
12 from the shares, but it's just that they have some type of share
13 associated with their account.

14
15 What we've seen over time, if you look at the blue color, is that
16 the landings from accounts without shares has been increasing over
17 time, and so, in 2020, we had about 30 percent of the accounts
18 having landings without having shares. We've noticed that these
19 increases of landings without shares did uptick after public
20 participation for each program, and a reminder that that was 2012
21 for red snapper and 2015 for grouper-tilefish.

22
23 We can also do a similar activity and look at the percentage of
24 landings by your share category, as well as your related status,
25 and so bringing back into play this kind of related account concept
26 within it, and what you see here is that the accounts that were
27 landing without shares, but were related, are in that teal color,
28 and then what we see is the true picture of the amount -- The
29 percentage of accounts that did not have shares, or landings, and
30 were not related, has moved to 27 percent.

31
32 Keep in mind that sometimes this is a business choice, or a
33 decision. When you move to separate your assets between accounts,
34 and so you might hold your shares in one account, and in another
35 account hold your vessel and your permit, and you do lose that
36 flexibility to have the 10 percent overage. That only occurs when
37 your vessel is associated with an account that holds shares in
38 that category.

39
40 That was the number of accounts, and what I wanted to do is a
41 similar process that we're looking at how much of the actual
42 landings, and not just the number of accounts, that are playing
43 into those with shares, without shares that are related, and
44 without shares that are not related, and so, once again, it's the
45 same color pattern, and you see that 63 percent of the landings do
46 come from accounts that have shares, and, when you look at those
47 without shares, you can see that 24 percent of the overall landings
48 do come from accounts without shares, but they're in some way

1 related to an account that has shares, and then we have the 14
2 percent of accounts making landings that do not have shares, and
3 they are not related to another account.

4
5 If we look at this, we do see a trend, and pattern, over time,
6 with roughly 38 percent of those landings coming from accounts
7 without shares, but the adjustment to related accounts does knock
8 that down to about 14 percent of all landings.

9
10 The conclusions, from looking at these activity slides, is that
11 there has been changes in the number of accounts that are landing
12 IFQ species, and we went from nearly half, or 47 percent, of
13 accounts landing IFQ species that do not have shares at this point
14 in time. When we adjust for related accounts, that moves it down
15 to 27 percent of the accounts.

16
17 Also, when we're looking at the total amount of landings, we have
18 roughly 63 percent of the landings coming from accounts with
19 shares, and that additional 24 percent are from related accounts
20 without shares. Again, adjusting for that, we move from 24 to 14
21 percent, and I will take any questions on these slides.

22
23 **CHAIRMAN FRAZER:** I am not seeing any hands, Jessica.

24
25 **DR. STEPHEN:** All right, and so all of this information is in-
26 depth information, and our suggestion is for consideration, when
27 you're looking at taking any actions to limit shares, to consider
28 the different roles that are played within the IFQ program and
29 realize that those roles may differ by different program or share
30 category within it, and so think about impacts that might occur to
31 any decisions made in relation to vertical integration, and, again,
32 it's participants who are typically both a dealer and a fisherman.

33
34 How does that affect things when we look at the share size across
35 the program? Again, someone can be a small shareholder in one and
36 a large shareholder in another one, and what the impact is may
37 differ, even for an individual, by share category, with choices
38 that are being made.

39
40 Keep in mind the related accounts and how that plays into what
41 activity may need to be moved, particularly if we go to a permit
42 or share ownership, and then the other idea is to remember to keep
43 all these share limitations in mind with some of the other goals
44 and objectives that were put forward. A lot of times, this would
45 be the stability of the program, and that was Goal Number 3, or 4,
46 in order to keep the stability within it, and you might think about
47 how this would impact reducing discards or reducing the cost per
48 unit harvest. I guess I would ask whether we would want to take

1 a physical break at this point in time or continue on.

2
3 **CHAIRMAN FRAZER:** I would defer to our chair, Mr. Anson.

4
5 **MR. ANSON:** I would say let's continue on.

6
7 **DR. STEPHEN:** Okay. the next topic that we're going to talk about
8 is the goal and objective that related to what's called an
9 allocation bank, or what you might typically hear of as a quota
10 bank.

11
12 The number-one thought, when you're looking at an allocation bank,
13 is how are you going to supply that allocation to the bank, and
14 the different options that are currently on the table that could
15 be available is we do have the shares that have been held by NMFS
16 since 2018, and a reminder that, again, we took those shares back
17 from inactivated accounts, and you can have a methodology where
18 you take a certain percentage off the top of a quota, or you could
19 reclaim, or revoke, shares from accounts that are not active, and
20 this is a little bit different than inactivated accounts that we
21 had before. You could also think about any quota increases beyond
22 a certain limit supplying allocation to the bank, or you can look
23 at deceased shareholders.

24
25 Here is where we're going to get a little bit more into the topic
26 of conversation of deceased shareholders. The one key thing to
27 note is that IFQ typically does not know that someone is deceased,
28 unless they submit paperwork to us, and so we're not out there
29 looking for deceased shareholders, and it's typically that someone
30 has contacted us that so-and-so has died, and I need access to the
31 account, and we do require a lot of documentation for access to
32 that.

33
34 Some of the examples of documentation may be a copy of the court
35 order that appointed the representative to the estate, or some
36 notarized statements requesting access to that, and all of those
37 legal documentations do go through our General Counsel before we
38 would provide access, and that's to ensure that the right person
39 has access to the account and someone is not just trying to call
40 us up to gain access.

41
42 When a deceased shareholder is only a partial owner of an account,
43 and so, for an example, if you have two names on an account, and
44 one of the people who is in that account has died, access still
45 exists to the other joint owner of the account, and so, in those
46 cases, typically what we see is that the other partial owner in
47 that shareholder account will either create a new account, solely
48 in their name, or do some distribution of those assets, because

1 they still have the ability to access the account.

2
3 One thing to keep in mind though is, for all of our accounts, as
4 I mentioned before, we have a citizenship requirement under
5 Magnuson, and that means that, every two years, you must reaffirm
6 that you are a U.S. citizen, and it also allows us to gather up-
7 to-date information to contact people and to validate that people
8 are still active within the system. If you do not renew your
9 citizenship, you are what we call a suspended account, and so you
10 cannot log-in and do any activity within your account. You must
11 submit that paperwork to us, and then you gain access back again.

12
13 For businesses, it works a little bit differently. With
14 businesses, if you had a shareholder who died who was a part owner
15 of the business, they must supply us with the different changes in
16 percentages, now that that deceased shareholder in the business is
17 no longer owning a portion of it. Again, this has helped to be
18 captured because of the citizenship requirement. I will note that,
19 if you have a permit, you actually supply that to us every year,
20 as it's part of the permit application, and so the two-year mark
21 is more gathering information for those accounts that we deem
22 public. Yes.

23
24 **DR. OVERTON:** A question for you, Jessica. What percentage of the
25 shares does NMFS hold?

26
27 **DR. STEPHEN:** I will have that in the next slide.

28
29 **DR. OVERTON:** Okay.

30
31 **CHAIRMAN FRAZER:** Mr. Anson.

32
33 **MR. ANSON:** For businesses, when they indicate the percentage of
34 ownership, if a person has 1 percent of a share, or a business,
35 they would still have access to an account?

36
37 **DR. STEPHEN:** Yes, that is correct. So how did deceased
38 shareholders kind of change before we had public participation and
39 after public participation? Before public participation, remember
40 that you needed a permit in order to obtain an account, and so,
41 typically, what happened when a representative of the estate took
42 over the account, they had to divest it, because they could not
43 create an account in their name without also having a permit.

44
45 If they wished to retain those shares, they would have to start
46 with transferring that permit to their own name, or the name of
47 whoever they were leaving those assets to, and then open the IFQ
48 account, in relation to that, and then transfer the shares into

1 it, and so, prior to public participation, it really did kind of
2 keep a cap on what was happening with those deceased shareholder
3 accounts. After public participation, the only requirement to
4 open an IFQ account was being a U.S. citizen or a permanent
5 resident alien. In that case, a representative of the estate could
6 create an account in their name, or someone else's name. Once
7 they legitimately had gained access to the account, they could
8 then transfer those shares over to that new account, that may or
9 may not have held the permit.

10
11 The kind of last point here, as I mentioned before, is IFQ customer
12 service staff is not always notified about deceased shareholders,
13 and what happens is we do have that suspended account, and that
14 kind of helps to start triggering things, and the other key note
15 is that we cannot, administratively, close any account that holds
16 shares, and so there could be accounts out there from deceased
17 shareholders who have not contacted us, that are in a suspended
18 status, and we can not redistribute, or close, those shares, under
19 our current regulations. Go ahead, Susan.

20
21 **MS. BOGGS:** So, and I was trying to do kind of a pause, but I was
22 curious what the definition of not active accounts, versus -- Just
23 not active accounts, suspended accounts, but not active.

24
25 **DR. STEPHEN:** So a suspended account status is a status for a point
26 in time, and it's used for a variety of different mechanisms, and
27 I will get into the not active accounts in the new few slides.

28
29 The next portion that I want to go over are the question here of
30 how much does NMFS currently hold, and so these were the shares
31 that were reclaimed back in 36A, and these were from accounts that
32 were never accessed, and so, to clarify for members who weren't on
33 the council at that point in time, we created accounts for everyone
34 at the start of each program. You had to then obtain your user
35 sign-on and password to go into that account and gain access to
36 it.

37
38 We had a number of accounts, over those years, that no one had
39 actually used their password and the user sign-on, in order to get
40 into the accounts. When the council was talking about it, we did
41 see an uptick, where some people realized that they had never
42 accessed it, and then went into their account and so, if you had
43 never entered anything into the system that was what we were
44 terming an account that was never activated, and those were the
45 shares that were reclaimed back by NOAA.

46
47 What you see here is I show the share percentage that NOAA holds,
48 and then I show the 2024 quota, and what that gives to you is

1 something that's a little bit more understandable, which is what
2 we call the equivalent pounds. The equivalent pounds, is taking
3 that share percentage, times the quota at that point in time, to
4 tell you roughly how many pounds that equates out to.

5
6 By far, red snapper have the largest amount of equivalent pounds,
7 and that goes by the larger quota that's involved with it as well
8 as the percentage of shares that were reclaimed by the agency.
9 Then we have some as small as the gag and the tilefish and deepwater
10 grouper, which are all under 500 pounds, and so keep in mind that
11 this alone is not enough to seed an allocation bank.

12
13 When you're also looking at how you might think about a quota or
14 allocation bank, you might want to consider taking a percentage
15 off the top of a quota, and what we did here is just illustrate
16 three different percentages for each of the different share
17 categories, and so looking at what's 1 percent, 3 percent, and 5
18 percent off the top of the quota. Keep in mind, when you're taking
19 it off the top of a quota, you take it off initially, and then
20 everyone's shares would apply to that reduced quota and not to the
21 overall quota for the system, because you've taken it off the top.

22
23 When you're looking at these overall, obviously, the share
24 categories that have larger overall quotas will equate to more
25 pounds available at the different percentages overall, and you can
26 see just kind of the different impacts that you would have and how
27 you would go forward with using it.

28
29 Now we get to the inactive accounts, and so, in our annual reports
30 each year, we look at the activity within each individual account,
31 and we've deemed, in those annual reports, an account inactive if
32 they had no landings and no allocation transfers and no share
33 transfers, and so they, in essence, did not have any activity
34 within that system for that year, and we do quantify that by each
35 year.

36
37 Keep in mind there can be circumstances where someone would be
38 inactive for one year and not for another year, and, for example,
39 if your boat got damaged and went into dry dock, you probably might
40 not have any landings. If you did not have any shares, you would
41 probably not be purchasing allocation, and you would look inactive
42 at that point in time, due to just different circumstances. Once
43 your boat was fixed, you would be back out there, and you would
44 probably have activity again as you were purchasing allocation to
45 go fishing.

46
47 This information is taken directly from our annual reports that we
48 generate, and a reminder that, in our annual reports, we not only

1 do the current year, but we show the time series back in time, and
2 so they're a good source of knowledge and information to look at
3 trends over time.

4
5 We typically have a low number of inactive accounts, and it's a
6 little bit higher in some share categories than in others, and so,
7 in our example of red snapper, we only had twenty-six inactive
8 accounts. Keep in mind that red snapper typically lands 99 percent
9 of your quota. When you're looking at gag, we had about 200
10 accounts that were inactive. The column next to that shows what
11 amount of pounds were in those inactive accounts. Keep in mind
12 that not each account is equal right, and some people have more,
13 and some people have less, within it.

14
15 I've put in the five-year average for both the number of accounts
16 and the ranges of pounds that we've seen, so we're not just
17 concentrating on the last snapshot of the information. What we've
18 typically seen, over the last five years, is a decrease in the
19 overall number of inactive accounts, as well as a decrease in the
20 amount of pounds within those accounts, and we feel that might be
21 largely driven by the different conversations that are occurring
22 in council meetings, making people aware of different ways in which
23 they could sell their allocation or become active within it. Each
24 one of those methods kind of have limitations, and so what I wanted
25 to do was --

26
27 **CHAIRMAN FRAZER:** Hold on. Sorry about that. Mr. Strelcheck.

28
29 **MR. STRELCHECK:** If you can go back that last slide, and I should
30 have noticed this when you were putting together your presentation,
31 and so the poundage, especially for red grouper and gag, right,
32 really surprised me, and, I mean, those are enormous, in terms of
33 inactive accounts, but, since you're using a five-year average,
34 the reason why they're so large is because the quotas were
35 considerably larger several years back, and so the actual inactive
36 accounts is much closer to what you're listing in that third
37 column.

38
39 **DR. STEPHEN:** Correct.

40
41 **MR. STRELCHECK:** All right. Thank you.

42
43 **DR. OVERTON:** You mentioned that these were low numbers of inactive
44 accounts, and like, for example, how many active accounts are there
45 for red snapper, so I can put it into perspective?

46
47 **DR. STEPHEN:** I don't have that right at my fingertips, but I have
48 it in the annual report, and so, at a break, I can probably give

1 that to you.

2
3 **DR. OVERTON:** Okay. Thank you.

4
5 **DR. STEPHEN:** Or Assane has it open.

6
7 **DR. DIAGNE:** I have, yes.

8
9 **DR. STEPHEN:** While Assane is looking for that, here is an example
10 of how you might do a combination of some of these different
11 varieties, in order to create an allocation bank, and so I just
12 preferentially chose the NMFS shares that are held, since we do
13 want to redistribute those, and looking also at those inactive
14 accounts, and then just taking the 1 percent of the quota, and so
15 this is just an example of how we've done things.

16
17 We did a little tricky math in here, because I did take the 1
18 percent off the quota and then kind of adjusted those inactive
19 accounts, for thinking that we would have less quota, which means
20 there would be less inactive accounts remaining within those
21 accounts, and this just gives you an idea of what your potential
22 could be, sort of using that lowest percentage off the top, and,
23 for red snapper, that might equate to around 87,000 pounds. For
24 gag grouper, with that lower quota, that might be 37,000 pounds,
25 and keep in mind that I don't expect that gag number to remain the
26 way it is, based on the changes that we're doing within the gag
27 quota, and my guess is that most of the gag quota will end up being
28 landed.

29
30 Assane did bring it up, and so, overall, we have around -- That's
31 the shareholder one. We want the allocation one. Okay, and so,
32 overall, we had around 625 allocation holders in 2021, and so, if
33 you take that number that we have of twenty-six that were inactive,
34 and so a small proportion. That might change, depending on what
35 share category you're looking at, and so shallow-water grouper
36 doesn't typically land all the quota, and we would expect to see
37 more accounts with inactivity, potentially, with it, and those
38 pounds within it as well.

39
40 Then the other table that I wanted to show you is that it's kind
41 of hard to think about what do these pounds mean, what's a value
42 to the industry and to the fishery, and so I just took the overall
43 average price per pound, and this was the average allocation price
44 per pound, that we've had from the reports, and applied it to that
45 equivalent pounds, for each of the percentage off the top, to give
46 you a rough idea of what the value of those are.

47
48 Keep in mind the value differs, based really on that allocation

1 price and how it differs between the different share categories,
2 as well as the total amount of pounds available.

3
4 When we get down to thinking about allocation bank decisions, some
5 questions that the council will need to consider if they want to
6 go down this pathway is should it be a standalone amendment, how
7 much of an allocation bank is needed for each share category, and
8 do you need it for all of them, or do you want to concentrate on
9 one or two share categories, and what types of actions would the
10 council want to consider within an allocation bank?

11
12 We, obviously, went through how do you supply allocation to the
13 bank, and those are a lot of decisions in front of you, and there
14 might be additional decisions about who is eligible to apply to
15 this, and how would you want to do the allocation distribution
16 from the bank, and would you want to do it in a set incremental
17 amount of pounds, or would you want to do it as first-come-first-
18 serve, and what types of criteria would you want to think about?

19
20 Would you want to put in any transfer limitations that, if you
21 received allocation from the bank, are there any limitations that
22 you want to put on it? Are there additional thoughts that would
23 need to be applied when thinking about an allocation bank? I will
24 pause here for any additional allocation bank questions.

25
26 **CHAIRMAN FRAZER:** Mr. Gill.

27
28 **MR. GILL:** Thank you, Mr. Chairman. Relative to inactive accounts,
29 do you the data that defines when an inactive account is over a
30 period of years, say two years or three years, and the same account
31 inactive, and so, as you mentioned, the one-year snapshot --
32 There's a lot of reasons that might occur, and so, from my
33 perspective, utilizing that as a basis for making decisions is not
34 very strong. However, if we see Account X inactive for five years,
35 or some arbitrary number, that might change that equation, and do
36 you have that data that you can provide?

37
38 **DR. STEPHEN:** So I don't have it on-hand, but we can easily generate
39 it. Because we do that snapshot every year, we would then take
40 all those snapshots and combine it together and tell you how many
41 accounts are consistently inactive.

42
43 **CHAIRMAN FRAZER:** Captain Walker and then Ms. Boggs.

44
45 **MR. WALKER:** An inactive account, and maybe you went over this and
46 I didn't catch it, but would that include my vessel that we talked
47 about yesterday that I can't get out of the system that's still
48 there? It doesn't hold any shares currently, and it may have at

1 one time, but I would like to remove that from the system, but
2 it's still there, and is that figured in as an inactive account?

3
4 **DR. STEPHEN:** That's not figured in as an inactive account, and so
5 look kind of at the shareholder level, when we're looking at
6 inactive accounts, and not necessarily at that vessel level.

7
8 **CHAIRMAN FRAZER:** Susan.

9
10 **MS. BOGGS:** So I guess I would like to pause and ask, at this point
11 -- I mean, to me, we're kind of putting the cart before the horse.
12 We're talking about allocation banks, but we haven't decided what
13 we've got to fix with the current program. I mean, permitted or
14 not permitted, and I don't -- I just feel like we're way ahead of
15 the program, and where we need to, and, I mean, I don't mind having
16 this conversation, but there's a lot of decisions that need to be
17 made before we have this discussion.

18
19 I have gone back, and I have read about this overcapitalization,
20 and the whole point of this IFQ program -- I am not opposed to new
21 entrants, because, I mean, you have people that retire, and they
22 pass away, and, I mean, they just get out of the business, but I
23 just feel like there's some questions that we need to answer, and
24 discuss, before we start making these decisions, and I just felt
25 like I needed to say that, because I think we're way ahead of where
26 we need to be. Thank you.

27
28 **CHAIRMAN FRAZER:** Yes, and I understand the concern, and I think,
29 again, when I looked at the presentation that Jessica prepared,
30 right, it's kind of laying out the full suite of things, and all
31 of those objectives are related, in one way or another, and so I
32 think, you know, to -- I think, at the end, the intent is to circle
33 back on that first objective, right, and decide what the next
34 appropriate first step might be, but, to you point, each one of
35 those decisions potentially has implications down the road, and I
36 think this is the purpose of the presentation right now, is to lay
37 all of that out, so you're not working necessarily in a vacuum
38 when we get to the end. Susan.

39
40 **MS. BOGGS:** Well, and so I went back, and I looked at Goal Number
41 1, and it's new entrants, new participants, but, again, if that's
42 Goal Number 1, we have a lot of things that we need to look at
43 before we enter into this goal, and so that's it. Thank you.

44
45 **CHAIRMAN FRAZER:** Yes, and you're exactly right, and I get the
46 concern. Mr. Anson, and then Mr. Gill.

47
48 **MR. ANSON:** Mr. Chair, I have several questions, and I think

1 they're quick, but Dr. Stephen, just kind of give some context to
2 me, and I want to make sure, when we talk about the allocation
3 bank, and you gave an example of the 1 percent off the top, and
4 the amount of pounds that would relate to currently, as the ACLs
5 are for the various share programs, and, on Slide 25, on the
6 program activity amount landed, there's the notation of 38 percent
7 of landings come from accounts without shares, and so, basically,
8 that 38 percent of all the pounds that are issued are going through
9 accounts without shares, and am I reading that correct?

10
11 **DR. STEPHEN:** Yes, and so the 38 percent of all the landings are
12 coming from accounts without shares, which meant, in order to do
13 the landing, they had to purchase allocation and have it
14 transferred from another account.

15
16 **MR. ANSON:** Okay. Great, and then the second question is I heard,
17 from the commission meeting, at the LETC meeting, as well as a
18 little bit of comments yesterday, but how nimble is the system, as
19 we go forward? I mean, obviously, the specific request, we would
20 have to address at that time, but, relative to the allocation bank
21 and identifying, you know, those shares that are held back as part
22 of that allocation bank introduction, if you will, and those are
23 relatively easy, and do you think you have the flexibility in the
24 system to kind of identify those shares and be able to track those,
25 going forward, or do those kind of need some time for reprogramming
26 of the system?

27
28 **DR. STEPHEN:** So we would be tracking allocation, and not shares,
29 from the bank, right?

30
31 **MR. ANSON:** Yes.

32
33 **DR. STEPHEN:** So taking in mind that tracking allocation -- An
34 allocation bank would need a lot of thought of how to do it, but
35 there are different, I think, avenues in which we could try to
36 identify and track it. There is a really simplistic way. Say if
37 you wanted to have a limitation on an allocation bank, and you got
38 a hundred pounds from an allocation bank, you cannot transfer
39 anything out until you land a hundred pounds, and that's your most
40 simplistic way.

41
42 You could get into a very detailed way, and create another
43 allocation category that identifies it coming from that, and then
44 the strengths and weaknesses of each would probably need to be
45 discussed of what's the intent of the allocation bank, and what
46 you would want to gain from doing it, and that would be -- That
47 would require a lot more development, and a lot more manipulation,
48 of the database.

1
2 **MR. ANSON:** Okay, and just -- This might be for Andy, but, relative
3 to the example, again, for the allocation bank, you have the
4 dollars that would be potentially generated based on the lease
5 prices currently, but all that revenue -- I'm assuming that it
6 would go similar to how the folks pay for the 3 percent, the
7 dealers pay for the 3 percent, as far as using that mechanism, or
8 how does it get to the Treasury, and, as I understand it, it's
9 just to the Treasury, and it's not back to the agency for any of
10 the allocation bank revenue that would be generated, correct?

11
12 **DR. STEPHEN:** Because this is not a cost recovery, and that is the
13 only definition of where money comes directly back to the program,
14 that could be something we would really have to look into, if there
15 was revenue generated from this, where would it go, and would the
16 region, or would the program, get it back, and how would that work,
17 and those would be some of the questions that -- Working through
18 an allocation bank is somewhat complicated, and our recommendation
19 probably will be a stand-alone, so that we can dig into that.

20
21 **CHAIRMAN FRAZER:** Mr. Strelcheck.

22
23 **MR. STRELCHECK:** The information we've presented here, right, is
24 just kind of the net value, right, and it's not any sort of, you
25 know, value that comes back to the government, per se. I think
26 one of the important take-homes, from reviewing this presentation
27 for an allocation bank, is one -- You know, how many people are we
28 going to help, in terms of doing this, right, and, ultimately, at
29 the end of the day, there's not a lot of quota allocation readily
30 available, and so you have to come up with other means in order to
31 fund the allocation bank, right, and, even then -- I mean, even if
32 we're talking 5 percent of the quota off the top, you're still
33 talking a relatively small fraction of the number of trips that
34 are occurring in the fishery, right, and I'm not saying it's a bad
35 idea. I think it's certainly something worth entertaining and
36 considering.

37
38 I agree with Susan as well, right, and so we kind of set up the
39 presentation with some stopping points and questions, and what we
40 may want to do is kind of table the questions, here on the
41 allocation bank, until we get to the end and talk holistically
42 about how the council wants to proceed, what amendments, if any,
43 we want to develop, and what we want to focus on within those
44 amendments, and, in particular what actions and alternatives we
45 would want to pursue, and kind of look at it collectively across
46 what Jessica is presenting this morning.

47
48 **CHAIRMAN FRAZER:** Mr. Diaz.

1
2 **MR. DIAZ:** I'm going to ramble a little bit. I like the allocation
3 bank discussion. I think it's very valuable. You know, I don't
4 think we're going to move on allocation today, but, a lot of things
5 that we hear from people, this could help with.

6
7 Quite some time ago, Dr. Walter Keithly gave a presentation to the
8 council, and he did a study of the allocation system, the
9 shareholders system, and, basically, in a nutshell, what I got out
10 of the study is the large shareholders were pretty happy, the
11 medium shareholders were pretty happy, and not as happy as the
12 large shareholders, but the small shareholders didn't like the
13 program very much, and I think we hear that at the podium
14 sometimes, and the biggest complaints we hear from people is high
15 lease fees, not being able to access allocation, and then, you
16 know, we've talked, many times, how quota banks could help maybe
17 with discards. Discards is something I'm very concerned about,
18 especially in the longline fleet.

19
20 I think there's a lot of promise here, and I -- You know, in my
21 mind, this is something we need to explore more. If we ever did,
22 it would have to be a stand-alone document. I mean, just think
23 about how complicated it would be. I mean, it would be incredibly
24 complicated, and I'm sure that it would take us a long time to
25 work through this one document, if we ever did it, and so, anyway,
26 I'm optimistic that this is something that we should explore
27 further and take serious and see, you know, how we could set
28 something up like this, to get the maximum benefit for the fishery.
29 Thank you.

30
31 **CHAIRMAN FRAZER:** Mr. Gill.

32
33 **MR. GILL:** Thank you, Mr. Chairman. I just would like to remind
34 everybody that the allocation prices listed here are a snapshot in
35 time, and they change, and particularly gag has jumped, as a result
36 of our other things, and so, if we go this way, it would depend on
37 where we are in time, in terms of what the value is.

38
39 **CHAIRMAN FRAZER:** Dakus and then Mr. Diaz.

40
41 **MR. GEESLIN:** I'm getting to the point where I'm starting to feel
42 a little bit of paralysis by analysis, with all the numbers and
43 information, and that's not a knock on Dr. Stephen. This is
44 incredibly value, you know, data and information, and I can't
45 imagine what our new council members feel, and it's got to be
46 somewhat overwhelmingly, but, as I think, when we're setting here
47 talking about a quota bank, to me, the quota bank is functionally
48 dead.

1
2 I think there's some -- I think it's a great tool, a mechanism out
3 there to get shares to the folks, the fishermen, that need them,
4 but there's probably some ways that we can achieve Goal 1, and I'm
5 thinking hard about that redistribution, and so I'm trying to bring
6 myself back up to thinking about those overall big-picture goals,
7 without bogging down in a lot of this minutia and the innerworkings
8 of how to supply the quota bank, and so I keep circling back around
9 to, you know, redistributing those shares and some of the more
10 aggressive approaches to address these big-picture goals, but, Dr.
11 Stephen, I do appreciate the in-depth review and 101 that we got
12 yesterday, but I'm almost needing a break.

13
14 **CHAIRMAN FRAZER:** So, again, I appreciate that comments, right,
15 and it is a difficult thing. There's a lot of information. If
16 you look at it a really high, superficial layer, right, then people
17 always want more details, and it's a balancing act, and I think
18 what we were trying to do here, as I said to Ms. Boggs, and, I
19 mean, this talk is kind of broken up at places, and you're right
20 that it's pretty dense, and there probably needs to be some
21 discussion, and so my suggestion, to Mr. Anson actually, is that,
22 after we get through this one, that we probably do take a break,
23 and before we get into the adaptive catch shares discussion.

24
25 Dakus, I think, again, to your point, we've got to circle all the
26 way back, right, to Objective 1, and say is there something that
27 we can do here, but I think, if you just did that in isolation,
28 you would forget that there are all of these complexities out
29 there, and so that's the reason, and so I appreciate your comments.
30 Captain Walker.

31
32 **MR. WALKER:** I kind of agree with Dakus on that one. I am happy
33 to look at it, and I agree that we need some work on the IFQ
34 system, but, even at the best-case scenario, in these extremely -
35 - What would be an extremely complex situation, I don't see enough
36 value to an individual fisherman here, at the end of all these
37 numbers, that it's really going to make a difference in his
38 personal situation.

39
40 You know, there's nobody that's going to get a really -- Even in
41 the most -- You know, in the biggest benefit you could give them,
42 it doesn't come out to be, by my really rough math here, enough to
43 make a big difference in a commercial fisherman's life, in this
44 way, and that's just my particular view. Now, not to mention the
45 complexity of it all, and so I'm happy to listen to it, and I'm a
46 little bit skeptical of what can be done.

47
48 **CHAIRMAN FRAZER:** Mr. Strelcheck.

1
2 **MR. STRELCHECK:** To that point, I mean, 1, 3, and 5 percent are
3 simply examples here, right, and so we weren't defining, or
4 recommending, these, and so I would encourage the council to just
5 keep an open mind that there's certainly other ways that we might
6 be able to look at this. I'm not saying that those are the ways
7 we should proceed, but simply don't base your decision on what's
8 on the screen, because those are just examples.

9
10 **CHAIRMAN FRAZER:** All right. Mr. Williamson.

11
12 **MR. WILLIAMSON:** I would like to revisit the slide on deceased
13 shareholders, if you could put that back up there. As I understand
14 it, the share is a privilege that is given to the holder of the
15 share, and it doesn't create any ownership, or ownership interest,
16 or title, to that share to go out and catch that fish, and so my
17 question is we have a personal representative, the executor of the
18 estate, and he is selling the interest of the deceased shareholder,
19 and how is that?

20
21 **DR. STEPHEN:** I will say that, depending on what catch share
22 program in the country you looked at, some of them have had more
23 forethought in how to handle deceased shareholders, and have very
24 specific regulations and requirements, and I believe this topic
25 kind of came up as we were discussing how other catch share
26 programs handled it, and we have nothing in the regulation to
27 determine how to go through, and maybe I will let Mara -- If she
28 wants to add anything more to it, but this was the means that we
29 determined, in essence, kind of the first time we had a deceased
30 shareholder.

31
32 There is challenges, especially when a deceased shareholder is
33 part of a joint account, where the other joint owners were living
34 and active on the account, and then there's differences when the
35 deceased shareholder is the sole owner of the account. Mara, I
36 don't know if there's anything more that you want to add to that.

37
38 **MS. LEVY:** Just that, ultimately, the council can decide what the
39 council thinks is appropriate to do when someone dies, either with
40 a limited-access permit or a share, and the council has not done
41 so. There is nothing that the council has done to specify what
42 the agency is supposed to do, and so we just follow a practice by
43 which the representative of the estate of that person can then act
44 on behalf of the estate, because we have no other direction.

45
46 **MR. WILLIAMSON:** Well, it just seems, to me, that the shares should
47 be recovered, and the quota bank, the allocation bank, would be a
48 good -- It would be a good asset, a good way to fund it, but,

1 primarily, there is no title, or ownership interest, that can be
2 utilized by the executor of the estate, and so it should be
3 recovered, without going through probate.

4
5 **DR. STEPHEN:** So I guess I will reiterate what Mara said, and
6 that's kind of a council decision, and we can go down that route
7 if the council so desires. I think, as Mara mentioned, we have a
8 similar issue within permits, and there's no defined thing of what
9 happens with a permit with a deceased shareholder, and that
10 frequently co-occurs with the IFQ system, when someone is deceased,
11 considering how many of the shares are held by permitted
12 shareholders. Mara.

13
14 **MS. LEVY:** I mean, I will note that these limited-access privileges
15 are permits, right, under the Act, and so we treat limited-access
16 permits, Gulf reef fish commercial, charter/headboat, the same way
17 that we treat these shares, and they're all treated the same way,
18 because we don't have -- The council has not specified what to do
19 with these things once the person who holds them is deceased.

20
21 **CHAIRMAN FRAZER:** All right. My suggestion, Mr. Chair, is that we
22 take a twenty-minute break.

23
24 **MR. ANSON:** We can go ahead and take a twenty-minute break then.

25
26 **CHAIRMAN FRAZER:** Thank you, sir.

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

29
30 **CHAIRMAN FRAZER:** Again, we're just going to remind folks that
31 we've got a couple of kind of topical areas that we're going to
32 cover, and we have an adaptive catch share concept section and
33 then a section that has to do, conceptually, with some barriers,
34 and then, hopefully, as we close this out this morning, we can
35 have probably a more focused discussion on what the next steps
36 might be with regard to Objective 1, specifically, and so, with
37 that said, Dr. Stephen.

38
39 **DR. STEPHEN:** All right, and so now we're going to move into the
40 adaptive catch share concept, which you heard a little bit about
41 at a previous council meeting, and you might have heard some talk
42 about it back when you were looking at Amendments 41 and 42 for
43 the for-hire industry.

44
45 An adaptive catch share program happens within what we call cycles,
46 and the adaptive portion of it only occurs at the end of the cycle.
47 Within a cycle, the catch share program functions in a similar
48 manner to how it would in a traditional program, and so an adaptive

1 catch share program is made up of three components, the reclamation
2 period, a cycle length, and then a redistribution period.

3
4 I've done a little graphic here kind of to show you how that would
5 work, and so, within a cycle, you would still have annual
6 allocation that would be distributed based on shareholdings, and
7 you would have harvest occurring. Once you've completed a cycle,
8 there's a reclamation period where a proportion of the shares may
9 be reclaimed by the agency, and those would then be redistributed
10 based on looking at the landings, and so proportionally to the
11 landings that have been accumulated during that cycle, and then
12 those would be redistributed in the next set of the cycle, and so
13 the next cycle of the adaptive part would be the redistribution of
14 the reclaimed shares, in addition to the shares that were already
15 reclaimed by each shareholder, and then the allocation distributed
16 from each of those.

17
18 Harvest then occurs, and then, as many years as you have within
19 the cycle, you would have traditionally catch share management,
20 where you have annual allocation distributing and harvesting.

21
22 I want to dig a little bit into each one of these. Behind the
23 concept of an adaptive catch share program is that it can solve
24 many different issues, and it can be used for many different
25 mechanisms for going through it, and those are how you set up your
26 cycle length, your reclamation, and your redistributions, and so
27 changes in those are interactive, and you want to think about how
28 that would be used if you were going to go forward in this pathway.

29
30 One of the first questions to be asked is how much would you want
31 to reclaim each year, and the percentage that you should be
32 reclaiming should match what your program's goals and objectives
33 are, without kind of creating any further market instability or
34 barriers within the program, and so you want to make sure that
35 you're thinking about retaining a sufficient proportion of shares
36 that fishermen can plan their business for those next cycles that
37 are within that cycle time period.

38
39 The percentages that could be reclaimed can be very low, or they
40 could be very high. Typically, when you're thinking about the
41 concept of this, a low percentage provides more stability within
42 the program, but it does do that redistribution in a slower manner.
43 A high percentage would provide for rapid redistribution, but it
44 would frequently create instability, particularly in a program
45 that's already been in operation for sixteen years.

46
47 When you're thinking about the reclamation, you don't have to have
48 it set as either a standard low or a standard high. You could

1 have set amounts, or you could have incremental amounts, where
2 you're increasing, or decreasing, that percentage over time.
3 Depending on where you would want to apply this, and what stage a
4 program is in, it would change what these different selections
5 would be.

6
7 When you're thinking about the cycle length, you also want to think
8 about the stability of the program, and so how often should a cycle
9 occur? Should it occur every one year, every three years, five,
10 ten? When you think about it, a short cycle may magnify different
11 localized events that are occurring and the impacts on the
12 fishermen within the industry, and so, for an example, on a short,
13 one-year cycle, a red tide event, or a hurricane, or say some
14 personal health issues, or a vessel problem, could really impact
15 how that adaptive catch share is working.

16
17 Typically, short cycles are chosen when you want to have rapid
18 adoption to get to representative nature of the program moving
19 forward. If you're looking at longer cyclelength, and so multiple
20 years, you're going to have stability within the market during
21 that cycle length. The kind of other side of that is it takes
22 longer for that adaption to occur within the program, but you are
23 creating some stability within it.

24
25 Similar to the reclamation amount, your cycle length could either
26 be set or progressive, and so you could have it as every five
27 years, or you could have it say every five years, and then every
28 three years, and then every two years, and, again, the decisions
29 chosen for this should be matching what your goals and objectives
30 are for your program.

31
32 Then the last component of an adaptive catch share is really the
33 redistribution. Who should those shares be redistributed to, and
34 how should they be redistributed? Typically, what we are looking
35 for, if you're looking to use an adaptive catch share to move
36 shares, so that the shares are held by the people harvesting, we
37 would want to think about something such as proportionally based
38 on shareholder account landings, and so those with higher landings
39 would earn, so to speak, more shares, and it would distribute
40 shares to everyone that is actively harvesting.

41
42 You could also do it equally among all those that are landed, and
43 that will get to a slightly goal, or intent, when you're in there,
44 because it is going to be equally distributed, rather than
45 proportionally, and these would be discussions, or questions, if
46 the council so chose to go down this way, that they would have to
47 investigate in further detail, and really get to the nuances of
48 it, and so, again, this is a high-level overview.

1
2 What I wanted to show here, in this table, is that we would need
3 to think about any decisions in relation to adaptive catch share,
4 to kind of balance where the majority of the program is already,
5 the impacts to your market stability, and the ability to make
6 business decisions and how those impacts work on the
7 redistribution.

8
9 What I did quickly here is I took some of the concerns that we
10 were hearing when we were talking about the goals and objectives,
11 and so some of those concerns were distribution of shares to
12 reflect harvest activity, and another one was making sure that the
13 industry had stability, and a third one was access for new, or
14 replacement, entrants coming into the program.

15
16 How does that play with each different component within the
17 adaptive catch share? If you're looking at the reclamation
18 percentage, a high to medium reclamation percentage would more
19 quickly get you to the point where the shares are reflective active
20 harvest activity, but, if you want to also keep industry stability
21 in there, a reclamation percentage that is lower, or a set amount
22 of reclamation, would be more advantageous for industry stability.

23
24 If you look at where you're trying to get to your replacement
25 fishermen, perhaps something that is more of a medium and set
26 reclamation percentage, and so, as you can see right here with
27 just that example, depending on what goal and objective you're
28 looking at, you're going to have to weigh the differences in the
29 balance points between these different activities, to figure out
30 where you would want to set a reclamation percentage.

31
32 We can see a similar kind of progression on these different
33 concerns with the cycle length and the redistribution. Cycle
34 lengths that are shorter, and can be progressive, might help
35 reflect shares being held by the harvesting parties. Shorter
36 cycles that are set is where it helps for new entrants, but, when
37 you look at those in relation to the stability of the program,
38 shorter cycles are more disruptive to the stability, and you would
39 want longer cycles.

40
41 The same thing when you're looking at redistribution. Proportional
42 redistribution is advantageous for looking at how you're going to
43 have shares reflect harvest activity for replacement fisheries,
44 and it might not be as advantageous for industry stability, in
45 this case, where more equal distribution of those shares is
46 helpful.

47
48 Just a couple of considerations to think about as we're talking

1 about this. The HMS bluefin tuna program actually began their
2 version in an adaptive program in the bluefin tuna IBQ fishery. A
3 couple of things of note though. This is a bycatch fishery, and
4 not a targeted fishery. They do not have shares, because they
5 have tiers instead that relate to their allocation, and that is
6 attached to their permits, and so their program is fairly different
7 from our programs.

8
9 They just began the adaptive catch share in this year, and they're
10 looking at a three-year cycle, and so we won't really understand
11 the results of what they're doing until 2026, or 2027, when we can
12 look at the information.

13
14 They opted to go with a slightly different way of considering it.
15 They are doing reallocation based on the number of sets that are
16 being deployed per year, but they are limited to only one set per
17 day being applicable to the total number of sets per year.

18
19 When we're thinking about how we might want to do it with our
20 program, again, we're a targeted fishery, and we have shares that
21 are not related to the permits directly, such as the HMS, and so
22 we have different considerations. Things to think about with
23 adaptive catch shares is how would that affect the diversification
24 of the species harvested. Would it drive participants in the
25 program to be generalists or specialists? Where would be the
26 diversification across sectors? As mentioned earlier, we have
27 some duly-permitted for-hire and commercial fishermen. How would
28 that play into an adaptive catch share, and how would it work
29 within the economic stability of the program? Once again, this is
30 an amendment that would most likely require a separate amendment
31 for this action. I will stop there for any quick questions on
32 adaptive catch shares.

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

35
36 **MR. GILL:** Thank you, Mr. Chairman. So, to reiterate my
37 understanding from Dr. Ropicki's presentation, other than the
38 bluefin tuna, there is no current or, for that matter, past version
39 of the adaptive share concept, and is that correct?

40
41 **DR. STEPHEN:** That is correct.

42
43 **MR. GILL:** The reasons for that are that the consideration of those
44 that have considered that, if there are any, that the pros outweigh
45 the pros in their situation, that the concept is sufficiently new,
46 that consideration of it, on a thought basis, is not there, or
47 something else, and is there something there from which we may
48 learn why, if we did it, we would be the first, or at least the

1 most leading edge?

2
3 **DR. STEPHEN:** So I will start with the concept came up in Amendment
4 41 and 42, which is when we were looking at potential catch share
5 programs for the for-hire community, and so that's where kind of
6 the concept evolved from. It's been talked about among the
7 different catch share regions, and we get together and we talk
8 nationally about catch share programs, and it gained a lot of
9 interest.

10
11 The one concern, really, is that it's a fairly new concept, and
12 the applicability is applying it to a new program, versus an
13 already established program, and they have very different effects.
14 With that respect, what we're trying to do, in this cycle right
15 now, is we're trying to be able to write a proposal to have someone
16 model out what the effects of this would be, and that would then
17 give us more information of how we think it might play out, rather
18 than just kind of playing with the lightweight math that we've
19 looked at overall.

20
21 **CHAIRMAN FRAZER:** Okay. I don't see any more questions, Jessica.

22
23 **DR. STEPHEN:** The next slide is talking about the barriers
24 objective. When we're talking about the potential barriers, they
25 can be broken down into a variety of different categories, and
26 what we've done here is sort of summarize different things that we
27 have heard, through the customer service line from IFQ, discussions
28 at council meetings, and just discussions with fishermen in
29 general.

30
31 Some of the potential barriers could be the knowledge of the IFQ
32 markets. How do you know where to purchase allocation, or shares,
33 from? How do you actually do that exchange? Do you write a check?
34 You probably cannot do a credit card, considering it's mostly
35 person-to-person options, or do you do cash? We've learned that
36 a lot of transactions often rely on long-standing or existing
37 relationships, and so you can see how that would be a barrier to
38 someone coming in who might not have those relationships, and
39 people who are already involved in a relationship are comfortable
40 with that exchange of allocation, and they may not want to deviate
41 from where they're going.

42
43 There's typically a cost barrier, when we're thinking about IFQ
44 programs, and it's not just the cost of the shares or allocation,
45 but consider the cost of the permit, of the vessel, of the VMS
46 system, and the cost recovery fees within it. This is an industry
47 that does have a significant cost to it, in order to participate.

1 We've also heard information about the availability of allocation,
2 when it's available to bought and what the block size is that is
3 being sold, and so you can think about, at the beginning of the
4 year, there's often a lot of allocation transfers, of people who
5 have it might want to transfer it out and then be done with thinking
6 about it throughout the year, but where the need for allocation
7 might occur may not be in the beginning of the year, and it might
8 be later in the year, as allocation is used up and is more sparse,
9 and so when is the timing of the availability of the allocation,
10 and how does that impact someone's ability to participate in the
11 program?

12
13 How does the size of the allocation that's available? You could
14 have someone who might want to sell all of theirs at one large
15 time, and so a huge chunk of allocation, and make one transaction,
16 and then you might have other people that need smaller amounts of
17 it, and how are they able to obtain a smaller amount, which would
18 be more transactions, more cost to someone's time and effort of
19 transferring the allocation.

20
21 We've also looked into the ability to obtain loans, and so, in
22 some catch share programs, you do have banks that are willing to
23 do loans directly to a catch share fishery, and we have not seen
24 as much of that within ours. We do have the Fisheries Finance
25 Program, which does supply loans, but it does have some barriers
26 even to participating in that, and combining the loans, with
27 potentially the instability of where we think this IFQ program is
28 going, may make lenders less willing to apply a large amount of
29 money towards that loan, not sure that the value of the shares
30 would be retained.

31
32 That kind of leads into the other concept of, often, there is
33 perceived ideas about what the stability is in the program and
34 where we're going. As you will notice, every time we come up to
35 a council meeting, you will see, in those slides we had before,
36 that certain discussions at council meetings then drove activity,
37 or different changes within the program, and so that is a stability
38 influence to think about. Is it smarter for me to purchase shares,
39 when that quota may go down, or there might be different activities
40 that are being done to the program for the ownership of the shares,
41 or is it smarter for me to go and buy allocation? Those are the
42 different considerations that new entrants are trying to weigh and
43 decide what is most cost-effective for them.

44
45 There's a lot of misunderstanding about the cost recovery fee, not
46 only as its purpose, but who pays it and how we generate it.
47 That's one of the more easily attainable barriers that we can
48 supply more information and do more education with that, and then

1 there's barriers that relate to your labor relations.

2
3 There are times we've heard that the cost recovery fee, or even
4 the cost of allocation, is being passed on to the captain and crew,
5 rather than being held through the permit holder or the
6 shareholder, and there's also ideas about where we are with
7 infrastructure, and so how many -- How much reliance do you have
8 on a dealer, who is not only going to provide you with space for
9 your landings, but maybe dock space, or ice or fuel, and how does
10 that play into the different infrastructure changes that have
11 occurred in the Gulf, due to the number of hurricanes we've had
12 and the loss of dealership, or infrastructure, over time?

13
14 There is also the idea of vertical integration, and, again, another
15 reliance then on the dealer. Since the dealers might start to
16 become more vertically integrated, they are being more of a source
17 for providing the allocation than potentially the original intent
18 of the program, and keep in mind that dealer accounts, in and of
19 themselves, cannot hold shares or allocation, and they have to get
20 a shareholder account, in order to do that, and then the other one
21 is thinking about what's your reliance on non-IFQ species to
22 support your business.

23
24 Remember this is a reef fish fishery, and so you're going to
25 capture IFQ and non-IFQ reef fish together, and how do you make
26 that difference between what you're doing to encourage your
27 participation in the program and to be sustainable and have good
28 economic stability, and so I will stop there and ask if there are
29 any additional questions on barriers, or comments.

30
31 **CHAIRMAN FRAZER:** I am not seeing any.

32
33 **DR. STEPHEN:** All right. Now I kind of want to move into the next
34 steps, which is going to set us up for a discussion. When you're
35 thinking about next steps, I would encourage the council members
36 to think about your different potential amendments. Within this
37 presentation alone, we showed some things that relate to share
38 ownership modifications to the program, an allocation bank, as
39 well as the adaptive catch shares.

40
41 We also suggest that you want to consider seeing some more
42 information as we're developing things, in relation to Goal 2,
43 reducing discards, mostly because there was a strong overlap
44 initially between Goal 1 and Goal 2. There might be some tools
45 that you choose that apply to both of them, and then, finally,
46 what other information may be helpful to help inform different
47 changes in our goals and objectives, as we move forward.

1 I just set up this slide here so that you can see, potentially,
2 where we thought the three different types of amendments could
3 come through. If you were wanting to do an amendment that looked
4 at shares, and, particularly, if you think about limiting the share
5 ownership to certain types of things, such as having a permit, and
6 you could also incorporate your goals and objectives in that
7 amendment, and you could consider different limitations on how it
8 might affect things, such as deceased shareholders, or even
9 revocation of those inactive accounts.

10
11 There is additional topics that might fall under this that we have
12 not dug into in this presentation, which would be looking at share
13 or allocation or landing cap changes, and potentially some other
14 goals. As we mentioned earlier, the allocation bank concept would
15 probably require its own amendment, because it has a significant
16 amount of decision points that would need to be moved forward.

17
18 Similarly, an adaptive catch share would probably require its own
19 amendment, due to the complexity involved within it, and I think,
20 at this point, we're open for further discussion of potential
21 amendments or actions or any other questions that people have.

22
23 **CHAIRMAN FRAZER:** All right. Thank you, Dr. Stephen. Mr. Gill.

24
25 **MR. GILL:** Thank you, Mr. Chairman. Could you go back two slides,
26 please? I think it's 46. There. The next steps, and so a couple
27 of things. To Susan's point earlier, what's not here is that the
28 presentation that you provided is all about possible objectives,
29 and we have not yet decided, as a group, what we want the objectives
30 to be to accomplish Goal 1, and so, from my perspective, the next
31 step has to be just that.

32
33 For example, are there objectives that we have considered that we
34 don't want to pursue? Are there objectives that we want to add
35 that are not currently there, and we need to do that before we do
36 anything else, before we delve into the details of specific
37 possible objectives, and I guess my second point is to the second
38 bullet. My suggestion is that we're dealing with a complex,
39 perhaps controversial, issue, and we need to keep it simple, and
40 I'm a KISS guy anyway, and that we do not delve into Goal 2 until
41 Goal 1 is solidified to a better extent, that we have some idea of
42 where we're going. Thank you.

43
44 **CHAIRMAN FRAZER:** All right. Thank you, Mr. Gill. Ms. Boggs.

45
46 **MS. BOGGS:** So, to take that maybe a step further, and, Jessica,
47 I appreciate the presentation. I mean, you've done an excellent
48 job laying it out, but part of the -- Or one of the things that I

1 don't think we've answered is what went wrong from Amendment 26 to
2 today, and the -- I believe it was Amendment 26, when the IFQ was
3 developed. I say that -- I'm sorry?

4
5 **UNIDENTIFIED:** (The comment is not audible on the recording.)
6

7 **MS. BOGGS:** No, and I'm back to when the IFQ came onboard, and I'm
8 sorry. Because the big question seems to be, which was addressed
9 in Amendment 26, which I believe now we've gotten rid of, is what
10 do we want to do about permits, and I think, until you address
11 that issue, you can't address any issues going forward, I don't
12 think, and I may be wrong, because, when the IFQ was set up, in
13 the first five years, you had to have a permit, have shares and
14 allocation, and then the council decided, after five years of that
15 development, that you didn't have to have that, and that's where
16 I think we get wrapped around the axle.

17
18 So I'm just wondering, and do we need to go back to the beginning
19 and not redevelop the program, but what got us to where we are
20 today? Where did we get derailed, to where we're having these
21 problems? I understand the issue with the new entrants, but I
22 think the question it always comes back to is do you need to have
23 a permit to own shares, or do you not have to have a permit to own
24 shares, and there's a lot of complexity even to that issue, but
25 I'm just curious what other council members may think.
26

27 **CHAIRMAN FRAZER:** Mr. Strelcheck and then Mr. Gill and then Dr.
28 Diagne.
29

30 **MR. STRELCHECK:** I wanted to go back to Mr. Gill's comments about
31 the objectives, and I was a little confused by his comments,
32 although Jessica has kind of a more high-level summary of the
33 objectives in the first part of her presentation, and we did
34 develop Goal 1, with objectives, at the June council meeting, and
35 we approved those objectives.
36

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

39 **MR. GILL:** Well, number one, I wasn't at the June meeting, but,
40 number two, my understanding was that you developed the goals, but
41 not the objectives, and so is that incorrect?
42

43 **MR. STRELCHECK:** We developed the goals and objectives for Goal 1
44 and 2, and we did not develop the objectives for Goals 3 through
45 5.
46

47 **MR. GILL:** I stand corrected.
48

1 **CHAIRMAN FRAZER:** Dr. Diagne.

2
3 **DR. DIAGNE:** Thank you, Mr. Chair. Maybe, to Susan's question,
4 and not in terms of, you know, what went wrong, but what is the
5 root cause of how these programs evolved, and it really boils down
6 to one thing, and it's the decision that the council made at the
7 time, in Amendments 26 and 29, to open it up to public
8 participation after five years.

9
10 I mean, in talking to Jessica, we are the only region in the
11 country that allows such a thing. All other IFQ programs, you
12 need to have a commercial permit to participate in that, and so,
13 to the extent that, I mean, the council would want to look, in the
14 longer-term, to solve that issue, perhaps some consideration for
15 permit requirements could be reconsidered.

16
17 I mean, in the interim, it will not do a whole lot, but, just as
18 we had five years before we opened it up, maybe within five years
19 or so, then the accounts will begin to consolidate, and that would
20 eliminate a lot of, I guess, unintended consequences, including
21 how, for example, deceased shareholders accounts would be
22 addressed, and this issue of related accounts would be much, much
23 easier to deal with once we require permits and we have a smaller
24 universe of shareholders, and so that is one, I think, of the root
25 causes, and it may be there are others, but it seems, to me, that
26 is the main one that perhaps needs to be looked at.

27
28 **CHAIRMAN FRAZER:** Thank you, Dr. Diagne. Captain Walker.

29
30 **MR. WALKER:** I agree, and I think that the permit requirement --
31 I think it's time for that, and it's not going to solve all the
32 problems, but there is strings attached, or complications, for
33 everything we're talking about here, and I think it's time that we
34 explore, or get serious, about at least requiring a permit for
35 someone to own shares, and that's my opinion as a shareholder.

36
37 **CHAIRMAN FRAZER:** Thank you, Captain Walker. Ms. Boggs.

38
39 **MS. BOGGS:** Well, I appreciate Assane's comments and some
40 clarification, and I've given this a lot of thought, and I know
41 I'm probably ruffling some feathers in the back of the room there,
42 but there's so many stories and instances and issues and
43 relationships, and it just goes on and on and on, and I know I've
44 said this before, and I'm going to repeat it, but Wayne Werner
45 told us, during the Headboat Collaborative, that, whatever you do,
46 it has to hurt, and it has to hurt equally.

47
48 What I mean -- How I interpreted that is not everybody is going to

1 get what they want, and I sit here at the table all the time, and
2 I don't get what I want, or what I would like to see, and it's not
3 that I am trying to exclude someone, or include someone, that
4 should or shouldn't be, but we've had this same conversation since
5 before I came on the council. I mean, Amendment 36 -- Before we
6 disbanded it, it had been on the books for, what, ten or twelve
7 years, and it was all about permits, and that seems to be where we
8 come back to.

9
10 I have done a lot of reading, and a lot of research, coming into
11 this meeting, and everything that I come back to is when the
12 council, in Amendment 26 -- After five years, we allowed public
13 participation, and that seems to be, in my opinion, where a lot of
14 the angst comes in and where these problems began.

15
16 Now, I don't disagree that, if we can resolve that issue, one way
17 or the other, and put it to bed, that then maybe we look at ways
18 to redistribute shares and things like that, and, I mean, there's
19 going to have to be an avenue, but I think we have to start at
20 square-one, instead of starting where we want to be and work our
21 way backwards, because then that really gets complicated. Thank
22 you.

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

25
26 **MR. STRELCHECK:** I mean, all good comments around the table, and,
27 you know, I've given a lot of thought to this as well, and, you
28 know, to me, it's like doing a root cause analysis, right, and the
29 problem is it's not linear, right, and it's more of like a
30 spiderweb, and I think Jessica has really demonstrated that, and
31 explained that, to us, and that's why it's so difficult, because
32 what we think might be resolving a problem, perceived or real,
33 might ultimately not resolve it, or it might result in additional
34 unintended consequences, and the same is true of when we built the
35 program fifteen years ago, right, and what we know now today is
36 very different than what we knew back then.

37
38 You know, from my standpoint, having worked with my team, I think
39 there is a logical outgrowth that some updating new iteration of
40 36B and C here, right, should be kind of our first step in this
41 process, to really take a hard look at that and determine if that's
42 truly going to address some of the concerns, problems, and barriers
43 that are being identified for this program.

44
45 Beyond that, you know, I love the concept of an adaptive management
46 program, and I think it's going to be years in the making, and get
47 us really to a point where it's going to take a long period of
48 time, and so I think there's some work to be done, if we're going

1 to put in the time and effort that probably should be done outside
2 of the council process, before the council takes something up like
3 that, and then the allocation bank -- I think there's something
4 there that, you know, also is intriguing, and there's an
5 opportunity for us, and the question is, is that something that's
6 done in parallel with the allocation-type action, right, and
7 access-type action, or is that something that logically falls kind
8 of after we take the first step on an amendment, and so I would
9 ask, you know, the council, with regard to kind of where we're at,
10 you know, how do we want to proceed?

11
12 We've been talking about this for an extended period of time, and
13 I think, you know, now is the time to decide how we want to move
14 forward and what steps we want to take to move forward.

15
16 **CHAIRMAN FRAZER:** All right. So I will weigh-in here just a little
17 bit, to see if I can move us in the right direction. Up on the
18 screen right now is Goal 1, and, as Andy pointed out, you know,
19 there are a number of objectives that were identified in our June
20 meeting.

21
22 A lot of those objectives you would see, or could have seen, in
23 those past amendments that Andy alluded to of 36B and C, and part
24 of the problem with developing, or moving those amendments forward,
25 is that they were very complicated, and, as Susan pointed out,
26 there are a lot of connections in there, and we intended to try
27 to, as I said before, kind of eat the whole elephant in those
28 amendments, right, and my suggestion would be, based on the
29 conversation that I have heard, is to focus specifically on that
30 first objective in Goal 1.

31
32 It gets -- Maybe at least it will focus our discussion at this
33 point, to get to Dr. Diagne's point, you know, that what is the
34 root cause, and we've had this issue about permits as being a
35 requirement in 36B, and there's been a lot of discussion around
36 the table about it, to sort of what Captain Walker said, but I
37 think that provides us an opportunity, in the short-term, to wrap
38 our head about a single issue, that may be potentially a
39 fundamental issue moving forward, and so that's my suggestion,
40 maybe for right now, to focus the discussion even on that first
41 bullet point and talk about the pros and cons of requiring a permit
42 in this process, and so I will open the floor back up, but if you
43 can kind of focus the discussion there, and we'll see how
44 productive that is. Captain Walker.

45
46 **MR. WALKER:** I agree. I think that's a good place to start, and,
47 in discussions with shareholder people, I think there's probably
48 more support than you might think there. Having people that fish

1 be the ones that own the quota is a mostly popular topic, if you
2 go industry-wide, and so I say that, yes, let's pull that up, and
3 let's pick that issue, and let's -- I support it, and, you know,
4 let's start there, because it's related to the permit issue, kind
5 of, as well, but it's the same topic, and do you want fishermen to
6 own the shares, or what can we do about, you know, people that
7 don't fish that have shares, and so let's talk about that.

8
9 **CHAIRMAN FRAZER:** Let me ask a question, Ed. When I think about
10 that simple relationship of, if you're a fisherman, you should
11 have the shares, or that perspective, and, when I think about the
12 industry, the commercial industry, I think about it as a community,
13 right, and there's a layer of people that are involved in the --
14 That fish, whether they're a bandit boat or a longliner or
15 whatever, you know, but --

16
17 Then we have these relationships, right, and we have fish houses
18 and wholesalers and retailers that are a fundamental element of a
19 lot of our coastal communities, right, and so are we trying to
20 keep the fish in the active community, or are we trying to keep
21 the shares, or the fish, specifically with a fisherman, right,
22 recognizing that they all have -- There's a lot of overlap there,
23 and so, if we look at it that way, then what are the component
24 parts that we're most concerned about, and maybe -- What I saw in
25 the slides, and what I've heard, is that there is concern about
26 folks that are in that community, right, and so that would be the
27 public, you know, non-participant.

28
29 So I guess what I'm trying to ask is, is the fisherman himself, or
30 herself, the spot where we're anchoring, or are we looking at the
31 community, and could you define that?

32
33 **MR. WALKER:** In my view, it's absolutely the community, the fish
34 house, the fishermen, you know, the vessel owner, everybody. The
35 issue is, as I think most of us are aware, is outside interests
36 holding the shares, and, you know, the way things are going right
37 now -- You know, when people leave the fishery, they're taking
38 their shares with them, and, down the road, a good portion of the
39 shares are going to be on the couch somewhere, and that is not a
40 benefit to the overall commercial fishing community.

41
42 It's definitely a benefit to those individuals, and, you know, you
43 could argue it, but, I mean, that's what we're all talking about
44 here, and it almost seems, sometimes, like we're reluctant to talk
45 about it, and we tiptoe around it, and it's complicated, and we
46 kick the can down the road, but I think it's time, and I think
47 that's a good place to start, and it's not the fish house owner or
48 the fisherman or the boat owner, and that's all part of it -- You

1 know, as long as people that work in fishing, you know, are
2 involved in the ownership, then that's the way it should be, in my
3 opinion.

4
5 **CHAIRMAN FRAZER:** Ms. Boggs.

6
7 **MS. BOGGS:** So, in talking about the community, I'm going to kick
8 of address it maybe in a different way, because I too, in talking
9 to some of the fishermen -- A couple of examples, and, you know,
10 talking about deceased permit holders, or shareholders, and the
11 spouse inherits, and is trying to sell it to an active fisherman,
12 and not willing to just sit on it and reap the benefits, but, in
13 the process of selling, giving them the opportunity to earn the
14 income to purchase, and we've got that kind of a situation.

15
16 We've got a situation, in talking to some people, is one of the
17 family members was active in the fishery, and has retired, but
18 owns the shares, and is allowing them to lease the shares as they
19 build their business, so that they can buy them out, and so, I
20 mean, we're going to have all these obstacles, but, somehow, if we
21 tie it to a permit, and, you know, if you look at the history of
22 -- I'm kind of addressing what Ed was saying, is that I agree, and
23 I've heard examples of someone living in California that's a huge
24 shareholder, and all they're doing is just making a profit from
25 it.

26
27 I have an issue with that, but I think if, somehow you can tie
28 that they had a permit, and they're in the process of selling to
29 someone that is a permit holder, and I think we have to look at
30 all the different aspects, and that's what I'm saying, and, as
31 Andy said, it's like a spiderweb, but we're really going to have
32 to be careful, but a permit holder -- If they've got shares, and
33 they're trying to ease out of the fishery, if you will, be it
34 retirement or deceased or whatever, but I think we're going to
35 have to give some opportunity there for those people to divest,
36 maybe is the best way to say it, of shares and not just strip them
37 just because we all of a sudden say, hey, you have to have a
38 permit, but give them time, if they can prove that they were active
39 in the fishery and they're trying to work themselves out and
40 selling it to an active fisherman.

41
42 **CHAIRMAN FRAZER:** Ed.

43
44 **MR. WALKER:** Right, and, you know, I don't support taking anybody's
45 shares away, but, you know, you could consider that, you know, if
46 it came to the extremely complex topic of divestiture -- You know,
47 we're not talking about taking anybody's -- What he's got away,
48 and he can sell it. You know, if he's a big shareholder, he can

1 get a couple-of-million-dollar retirement package out of
2 commercial fishing, and we're not taking his stuff.

3
4 He's getting out, but he's getting something for it, and then the
5 shares go back, you know, into the fishery, and the man that had
6 the shares has a nice little bonus, and it's not like we're taking
7 your stuff and putting it back -- I wouldn't support that at all,
8 but it's not, you know, the end of the world for the guy either,
9 you know, and there's not a lot of million-dollar retirement
10 packages in fishing, and I can tell you that for sure.

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

13
14 **MR. DIAZ:** I think what we're talking about here leads back to the
15 question that I asked Jessica earlier, is that -- What I wrote
16 down is that, if we require a permit, it would affect 26 percent
17 of the accounts, and those accounts represent 7 percent of the
18 shares, and so that's what we're talking about impacting here, and
19 we have a document that's fairly well fleshed-out that we could
20 bring back to the council as a great starting point.

21
22 For new members, we had this document in pretty good shape, and I
23 know it's -- Anyway, we would revisit that document, and bring it
24 back in January, or something like that, and maybe start editing
25 and going through it.

26
27 **CHAIRMAN FRAZER:** I would agree that there are certainly some
28 materials in 36B and C that would start -- Or provide a basis for
29 moving forward. I'm not sure I would -- I'm just talking out loud
30 here, and I'm not sure that I would just want to bring that document
31 back in its current form, but maybe have the staff use it as a
32 start, right, given all the things that we're talking about here
33 today, and give kind of a fresh look, right, but what was
34 important, and why we went from Amendment 36 to 36A, B, and C, for
35 all these complications, and we kept cutting it down into
36 manageable bites, and, you know, I think we were -- We should learn
37 from that, right, and so I think we're -- I personally think we're
38 on the right track right now, with dealing with one specific
39 objective, and we can figure out how we're going to -- There's an
40 issue of tying the permit, you know, to the shares, or, you know,
41 somebody actually in the industry.

42
43 There's a need for a divestment plan, and then, ultimately, a
44 reinvestment, and I'm not sure, but, again, we can have a
45 discussion of if we need to put all of those things in the document,
46 and, ultimately, a reinvestment might fall out into another
47 document, but certainly maybe the first two. Anyway, Andy and
48 then Mara.

1
2 **MS. LEVY:** Andy has deferred to me. I mean, I was just going to
3 note that 36B did deal strictly with the permit requirement, right,
4 and so it dealt strictly with that, and it had a couple of actions,
5 because it dealt with divestment and how long to give people, and
6 it was in pretty good shape, and I think we were getting to a
7 public hearing draft, and so it probably needs to be updated, but
8 it dealt with that one specific issue, and it was supposed to be
9 the manageable chunk, right?

10
11 **CHAIRMAN FRAZER:** Yes, exactly right, and so I think Dale had a
12 good point, you know, and I was just trying to indicate that I
13 thought that's the right track. Just all I was saying is that,
14 you know, it has some cobwebs on it, right, and maybe we might
15 learn a little bit from this discussion to tidy it up a bit, but
16 we're not quite there yet, and so Andy.

17
18 **MR. STRELCHECK:** Yes, and I also agree, Mr. Chair, that we're on
19 the right track, and I agree with you that 36B -- We've done twenty
20 amendments since 36B, right, and that's how dated it is at this
21 point, and so, to me, we dust it off, and maybe bring back the
22 constructs of it for, you know, a fresh view, without necessarily
23 bringing back the actual detailed actions and alternatives at this
24 point for discussion.

25
26 I would add, and I appreciate the comments about keeping this
27 simple, and it seems like the Objective 3 is also something that
28 we could pull into this, whether it's a separate amendment or
29 something that's tied in with this initial first amendment, but I
30 feel like they're very relatable, especially when we're talking
31 about not redistributing NMFS-held quota, based on an allocation.

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

34
35 **MR. DIAZ:** So I agree with what you said a minute ago, and I think
36 it's something that we ought to seriously consider. Every time we
37 start to start something, I think we should tackle one issue, and
38 one amendment, and it might have multiple actions, because it just
39 has to, but we should tackle one issue, because I think that's one
40 of the other problems that we got into.

41
42 We were trying to tackle several issues inside of an amendment,
43 and these things are incredibly complicated, and, once you start
44 thinking about it, you know, what's the unintended consequences,
45 and it just goes off in too many different directions, and so I
46 think that's how we could proceed.

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

1
2 **DR. SWEETMAN:** Thank you, Mr. Chair, and so I like the discussion
3 around the table. I've been sitting here trying to think about
4 how do we move forward with this, and I like the idea of permits
5 that would be associated with shares, but I just have just a
6 general question, I guess, for further consideration, and that is
7 what would prevent someone who is not involved in the fishery from
8 just obtaining a permit, basically, a reef fish permit, and then
9 we're kind of in the status quo, and so maybe the reason why I'm
10 bringing this up is maybe that there's some additional
11 considerations that we would want to have, maybe something like
12 they need to land a certain amount of fish, or something like that,
13 in order to be active within this fishery, and that's just some
14 general thoughts, and I'm trying to think through this as we're
15 talking about it, but those are thoughts for consideration.

16
17 **CHAIRMAN FRAZER:** I think that's a good thought, C.J., and, again,
18 you want to try to close the loopholes, right, kind of the
19 unintended consequences, and so, even if you landed one pound of
20 fish, right, you at least have a commitment, but we can work those
21 details out later. Susan.

22
23 **MS. BOGGS:** Well, and so, thinking along C.J.'s lines, I had
24 thought about that, and I had thought about too an income
25 requirement, and I think maybe that had been looked at before, and
26 I don't know if it was in the original document or not when the
27 IFQ was developed, and, again, I'm not trying to complicate it,
28 but I understand what you're saying, and I agree, and I just -- I
29 don't know what that answer is, but I'm agreeing with you.

30
31 **CHAIRMAN FRAZER:** Mr. Williamson.

32
33 **MR. WILLIAMSON:** Isn't there a limited number of permits, reef
34 fish permits, and how many are available? It seems, to me, that
35 you've got another unintended limiting factor here.

36
37 **CHAIRMAN FRAZER:** Mr. Strelcheck.

38
39 **MR. STRELCHECK:** Troy brings up a good point, and I was going to
40 comment with regard to C.J.'s statement, and I would emphasize
41 that, if you look at Objective Number 1, that it doesn't refer to
42 accounts possessing a reef fish permit, and it actually is
43 emphasizing harvesting of IFQ species, right, and so that should
44 be our intent, based on our objective we've laid out.

45
46 **CHAIRMAN FRAZER:** I guess so can we answer Troy's question? Troy
47 asked, essentially -- I mean, because it's a limited-access
48 program, are there a limited number of permits, and how many are

1 available?

2
3 **MR. STRELCHECK:** I mean, I don't know how many total permits are
4 available, but, certainly, in terms of the issue of someone that
5 doesn't have a permit, that has to go out and seek, you know, a
6 permit to buy, right, there's a limited universe, and it will be
7 based on supply and demand for those permits and overall cost to
8 purchase them.

9
10 **CHAIRMAN FRAZER:** Dr. Stephen.

11
12 **DR. STEPHEN:** We did that from one of the older amendments, and
13 it's a little bit outdated, but, as I mentioned, there's not a lot
14 of permits that terminate over time, and so we have roughly around
15 845 overall reef fish permits, and about 528 were associated with
16 landings, and so there was around 300 latent permits, so to speak.

17
18 **CHAIRMAN FRAZER:** Okay, and so we've got a couple of people in the
19 queue. We've got Captain Walker, Susan Boggs, and Kevin Anson.

20
21 **MR. WALKER:** Well, you could consider that the permits are issued
22 to vessels and not individuals, and so there's a potential
23 elimination of people that don't have boats, by requiring a permit.
24 You know, yes, they can just go buy a boat too, if they want to,
25 but, at some point -- You've got to start somewhere.

26
27 If you go down and walk the commercial docks, and you talk to the
28 regular fishermen down there, the first thing they will tell you
29 is it's not right that a guy owns all the shares, and he doesn't
30 have a commercial permit, and they say I need you to go up there
31 and do something about that, and so, yes, there are strings
32 attached, but there are definitely strings attached, and
33 complications, to everything on this page, but, in my view, we
34 need to push something through, and then kind of deal with the
35 consequences, but the requirement of a vessel, owning a vessel to
36 have a permit, I think might answer a little bit of your question,
37 C.J.

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

40
41 **MS. BOGGS:** So, to comment to what Troy was asking, I mean, it is
42 a limited-access fishery, just like the charter/for-hire is, and,
43 I mean, there's a moratorium on the permits, but one of the main
44 objectives, as I recall, has been overcapitalization, and, from
45 what I see the issue being, it's not the problem with the permits,
46 but it's those that have the permits can't get the shares, or the
47 allocation, but I certainly don't want to see us open the permits
48 up, because then you've really got a problem, but there is a

1 moratorium, and it was intended to help with the
2 overcapitalization. Thank you. At least that's my understanding.

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

5
6 **MR. ANSON:** Captain Walker kind of talked about my comments, and
7 that was, you know, the issue of how do you determine, you know,
8 the active participant, I guess, or the harvesting that is
9 associated with that individual. You know, other programs, that
10 I recall in the country, they just had a difficult time in, you
11 know, how many days, and is it just one day that they have to be
12 out on a vessel, as far as an active harvester, and, you know, as
13 Captain Walker mentioned, you can have a vessel tied to it, but it
14 doesn't mean they don't hire a captain, and the captain goes out
15 for them, and so it's just -- You know, you kind of go down that
16 path, and it's difficult.

17
18 **CHAIRMAN FRAZER:** Okay. So I'm keeping a list of things that we
19 might consider, but I actually would like to go back and ask a
20 question, to keep this discussion going a little bit. Susan, you
21 mentioned the possibility of entertaining an income qualification,
22 or something, right, and can you expand on that a little bit, what
23 you're thinking?

24
25 **MS. BOGGS:** Well, so, I'm actually kind of thinking my way through
26 that, and I don't know what the answer is. I don't want to show
27 my hand too much, because I haven't fleshed it out, and I don't
28 want to say something that I might regret, but do you have to --
29 I mean, I'm just saying that you have to prove that \$5,000 of your
30 annual income comes from harvesting and selling the fish, and, I
31 mean, I don't know what that looks like, but I do know, in the
32 past, there has been discussions, and I know when we were -- I
33 believe, when we were talking about Amendment 41, there had to be
34 an income qualifier, and we never got that far down the road, and
35 I haven't really fleshed that out, which is to C.J.'s point about,
36 you know, how many pounds of fish have you landed, and is there an
37 -- Just ideas that we can maybe be thinking about, but I don't
38 have an answer. Thank you.

39
40 **CHAIRMAN FRAZER:** Yes, and I wasn't trying to pin you down
41 personally, and I'm just trying to think that through, in the
42 context of, you know, now we have a lot of vertically-integrated
43 kind of businesses here, and that really changes the game quite a
44 bit, right, and so, I mean, when somebody is looking at how they
45 make a living, they may have a pretty diverse portfolio of things,
46 and, even though it's a small percentage, it's essential for their
47 livelihood, right, and so --

1 **MS. BOGGS:** Well, and you bring up a good point, and I hadn't
2 thought about that, and that's why I'm saying that I don't want to
3 say something now that I might regret, until I think my way fully
4 through that, and I'm just trying to get some conversation started,
5 but you bring up a very good point, because you have anyone from
6 just the one that harvests the fish all the way to the ones that
7 integrate all the way across, and so thank you.

8
9 **CHAIRMAN FRAZER:** Mr. Strelcheck and then Captain Walker.

10
11 **MR. STRELCHECK:** We did away with income qualifiers a while back,
12 mostly because it was just complicated, with the inconsistent
13 information that we were receiving, to actually validate the income
14 requirements.

15
16 What I would suggest is, you know, I think along the lines of what
17 you're thinking, is that we would have some sort of participation
18 in the program, and I'm saying that generically, right, and so,
19 given all of the nuances and complexities of how people operate
20 within the program, we would have to very thoughtful, in terms of
21 what does that mean, how would people qualify, whether it's
22 harvesting of quota, selling of, you know, fish through a dealer,
23 but showing some active engagement, involvement, participation in
24 the program, to me, kind of goes along the lines of some of our
25 objectives that we've laid out, and we would want to, I think,
26 think about it from the standpoint of what is the information that
27 we could glean from the existing IFQ system that would be readily
28 available in order to make some of those decisions.

29
30 **CHAIRMAN FRAZER:** Ed.

31
32 **MR. WALKER:** Wow. That's almost word-for-word what I was just
33 about to say. You know, prove some participation in the fishery,
34 and not by your tax records, but, you know, share -- Not shares,
35 but, you know, fish sales, by species, are readily available, and
36 identifiable, in the system already, and I don't think it's outside
37 of consideration to expect somebody to have -- To actually catch
38 some part of their quota to stay a participant, and it's like an
39 income qualifier, but, as Andy was saying, it would be a lot
40 simpler, and you would just look in and say, you know, this
41 individual hasn't had a pound of sales, and, when I say that, it's
42 complicated.

43
44 I mean, what was the term we used? Related, or publicly related,
45 in your vertical system, because, you know, your fish house might
46 not have a permit, but their boats are catching it, and so, to my
47 view, all of those people in that system would be included, but,
48 you know, isn't there one guy in Massachusetts or something that

1 has -- That's sitting on a bunch of shares, and he doesn't have
2 any relation, and so, if he didn't have any sales, and he's just
3 a quota leaser, then that would be somebody that we could identify.

4
5 **CHAIRMAN FRAZER:** All right, and so, again, I'm going to try to
6 keep this moving here, but I do appreciate the discussion, right,
7 and so where I think we're landing, at this point, and I can say
8 something wrong, and it's totally okay, because I will get
9 corrected quickly, but, you know, I think what we're going to
10 suggest, or what I'm going to suggest, that we do is that we direct
11 the staff, all right, to begin the development of a plan amendment
12 that deals specifically with this issue in Objective 1, right, and
13 a little bit broader there, in the sense that we're trying to tie
14 shares to permits, right, and permits to activity, and that list
15 might get a little longer, the activity, like vessel ownership, or
16 landings, sales, whatever, and those criteria can be worked out.

17
18 They can model that largely on what we've done in 36B, right, and
19 then bring that back to us to see if it's a stand-alone document,
20 right, and I'm happy with that approach, but I think it puts some
21 pretty good guardrails on where we go, and I think it's doable. I
22 don't know how long that would take them to do, and I will ask Dr.
23 Simmons, and Dr. Diagne, to weigh-in on that, and, while they're
24 talking about it, I see that Troy has his hand up.

25
26 **MR. WILLIAMSON:** Well, again, we've talked for a long period of
27 time here, and we haven't -- We haven't come down to anything,
28 other than Goal 1, and the objectives, and now we're getting
29 something else, and perhaps it will be productive, and beneficial,
30 something else done to move this further along, and I keep being
31 reminded that, in order for us to really move this program, we've
32 got to have motions made, and so, in that regard, I have explained
33 my position about ownership of these shares, that there is no
34 ownership.

35
36 There is no title, and Captain Walker, in his -- I am not knocking
37 his conversation, but he comments that a shareholder could sell
38 out his shares and make a couple of million dollars. Well, there's
39 somebody that has paid a couple of million dollars for an asset
40 that has no title, no deed, no ownership, and so what's going to
41 happen, eventually, when it comes around to him to sell? I mean,
42 would you buy a house without a deed? Would you buy a car without
43 a title? No. None of us would do that, but that's what has
44 happened in this program, and so I will quit beating the horse
45 here and make a motion.

46
47 **I would move that, upon the death of a shareholder, irrespective**
48 **of any transfers to family members, corporate entities,**

1 partnerships, or third-parties, that the deceased shareholder's
2 shares be reclaimed for redistribution.

3
4 **CHAIRMAN FRAZER:** So we'll get the motion on the board. Again,
5 I'm --

6
7 **MR. WILLIAMSON:** Upon the death of a shareholder, irrespective of
8 any transfers to family members, corporate entities, partnerships,
9 or third-parties, that the deceased shareholder's shares be
10 reclaimed for redistribution.

11
12 **CHAIRMAN FRAZER:** Okay, and so we have a motion on the board, and,
13 before I ask for a second to the motion, again, what I'm really
14 asking the council to do, at this point, is to focus the discussion
15 on Goal 1 and Objective 1. I recognize that this is part of the
16 broader discussion, and it was clearly in Dr. Stephen's
17 presentation, and so -- It's not, Troy, that I don't want to
18 entertain this motion, and I certainly will allow you to put it on
19 the board here, but we will need a second, and then I'm sure that
20 we're going to have a fair amount of discussion about this, and is
21 this where we want to go with our activity at this point, and so
22 is there a second to this motion? J.D.

23
24 **MR. DUGAS:** Thank you, Mr. Chair, and I would like to make a
25 comment. I see this as --

26
27 **MS. BOGGS:** A point of order.

28
29 **CHAIRMAN FRAZER:** Sorry, J.D. We need a second before we have a
30 discussion on it. It's seconded by Mr. Dugas. J.D., go ahead.

31
32 **MR. DUGAS:** Thank you, Mr. Chair. I read this, and see this, as
33 in line with Bullet Point Number 3 under the objectives, and I
34 think there is a transcript, and I just wanted to point that out,
35 and, I mean, it's right in line, and that's one of the bullet
36 points that we're discussing, and so I think it's fair for us to
37 have this discussion.

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

40
41 **MR. GILL:** Thank you, Mr. Chairman, and I think that's just the
42 point, J.D., is that we're trying to focus on Objective Number 1,
43 and, by opening the door to Objective X, that's not Number 1, we're
44 not focusing on where we want to start to take that first step,
45 and so I think this takes us way off the path of where we're trying
46 to go and to focus on something that we can deal with, and is
47 deemed important by the council, and, yes, we have four other
48 objectives that we've got to get to, but we've got to take the

1 first step, and we've been talking, for the last half-hour or hour,
2 on starting on Objective 1, and so I don't think this is consistent
3 with our prior conversation or the intent of the Chair.

4
5 **CHAIRMAN FRAZER:** To that point, J.D.?

6
7 **MR. DUGAS:** Thank you, Mr. Chair, and so, Mr. Gill, do you recommend
8 that we hold off on this motion and bring it back up when we get
9 to Bullet Point Number 3?

10
11 **MR. GILL:** I'm fine with that. I think the motion ought to be
12 addressing Objective Number 1. We deal with that in whatever
13 fashion we deal with that, and, as we move down through the
14 objectives, we can deal with questions like this on each of the
15 other objectives.

16
17 **CHAIRMAN FRAZER:** Captain Walker and then Andy.

18
19 **MR. WALKER:** I speak against the motion. You know, if an individual
20 is a shareholder, and his kids fish with him, and he dies, and his
21 kids want to keep fishing, I think his kids should be allowed to
22 keep fishing and maintain those shares.

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

25
26 **MR. STRELCHECK:** I am neutral on the motion, but I do feel like
27 it's more written as an alternative within an action that would be
28 in an amendment, and what we need to be doing is focusing on
29 directing staff to develop an amendment of whatever actions would
30 be included within an amendment, and whether this would be included
31 or not is to be determined.

32
33 I do want to comment on the narrow scope of Objective 1, and, the
34 more I think about this, the -- The challenge we've had, around
35 this table, is that, if we add too much, it gets too complicated,
36 and we get bogged down. What we're doing then is trying to keep
37 it simple, and I hear that, and I think that's good, in terms of
38 process, but, at the end of the day, I'm sure it's really then
39 addressing some of the key major issues that we really are hearing
40 from the industry about that's affecting the IFQ program, and I
41 think Dale said it best.

42
43 I mean, he noted, you know, two things, high lease fees and the
44 inability to access allocation, and so we can go down the path of
45 Objective 1, but I really do encourage the council to think about
46 those barriers, or those challenges, because I feel like we need
47 to put those upfront as some of the things that we're working with
48 this program, and really be thoughtful, in terms of addressing

1 those.

2
3 **CHAIRMAN FRAZER:** So, again, one of the -- To your point, Andy,
4 what I heard Dr. Diagne say is, you know, if you went back and
5 looked at the root cause of the problem, that had to do with
6 permits and public participation, and that led to the leasing
7 issue, and so I don't think there's a simple answer to any of this,
8 right, and what I do know is that we've been paralyzed, for a
9 decade, in making any movement, right, and so it is my intent to
10 direct this discussion, at least -- What goes in there, that's the
11 purview of the council, and I'm just trying to put enough
12 constraint around what we do that we can actually do something,
13 and, in that process, it may fall out that these are the logical
14 next steps, right, and I just wanted to explain what I'm doing
15 here. Ms. Boggs.

16
17 **MS. BOGGS:** I think you had a queue going.

18
19 **CHAIRMAN FRAZER:** I did, but some people dropped out.

20
21 **MS. BOGGS:** Well, kind of to respond to Andy, and I clearly
22 understand your point, Andy, but my thought, in a quick thought
23 process, is, if we address this permit issue, and then, when I
24 looked back at 36B, and not that it's going to look like that, and
25 then the second alternative was the divestment of shares, and so
26 then does that become, once you've addressed the issue of permits,
27 whatever road this council decides to go down, and it may look
28 like it does now, and we decide to take no action, and then we'll
29 be right back where we are, and then we've got to figure out where
30 to get shares, but, if you have a situation where you have some
31 permits that become available, and we start divesting of shares,
32 maybe you gain a few more shares to go with the shares that the
33 agency currently holds, and, if that's still not enough to give a
34 hand up to someone, to help them get started, then do we go and
35 look at 1 percent every year of a -- I think it's going to evolve
36 over time, and we may agree to disagree on this, but I still feel
37 like this permit issue is probably what's going to get us started
38 down that path, and then we may see some shares come back into the
39 fold, if you will.

40
41 **CHAIRMAN FRAZER:** All right, and so I just want to, again, remind
42 folks that we have a motion on the board, and we're trying to keep
43 the discussion focused on the motion, and so is there any further
44 discussion related to this motion? Kevin Anson.

45
46 **MR. ANSON:** Just Bob had mentioned about aligning with the
47 objectives in Goal 1, and, in the June meeting, which Bob wasn't
48 there, but we had a pretty lengthy motion, where we identified the

1 objectives under the goals, and, under Goal 5, where it's reduce
2 cost per unit harvest, under that, in the summary, it says that
3 staff develop an additional objective under Goal 1 to address the
4 inheritability of shares and their ownership in perpetuity. That
5 proposed objective is as follows: To recover and redistribute IFQ
6 shares and allocation held previously by a deceased shareholder to
7 accounts of fishermen currently harvesting IFQ species. It has -
8 - That motion passed in June, and so it is a goal, as we've
9 previously discussed.

10
11 As Mara probably would say, what the council has done before, as
12 long as it has not gone on to the Secretary, we can, you know,
13 redeliberate and talk about and change our minds, but, as of the
14 June meeting at least, that was a desired objective within Goal 1.

15
16 **CHAIRMAN FRAZER:** Yes, and I recall that, Kevin, and thanks for
17 bringing that up, but I guess, again, it's not precluding us from
18 addressing all of those things, and I'm just suggesting that we
19 take smaller bites. Mr. Diaz.

20
21 **MR. DIAZ:** Based on what Kevin just said, I think we've already
22 passed -- It's not an exact verbiage that Mr. Williamson has, but
23 we've already, for all intents and purposes, said this is an
24 objective, and I agree with tackling this objective, but I also
25 agree with the discussion that was going on first, that we tackle
26 the permit thing first and work our way through those objectives.
27 I'm undecided how I'm going to vote on the motion, but I think
28 we've already, for all intents and purposes, passed this.

29
30 **CHAIRMAN FRAZER:** So we can -- In my view, and I'm open to some
31 correction, but, I mean, there are a couple of things, and we can
32 certainly vote on this, right, or, recognizing that it's already
33 a directive in the June meeting, we could simply withdraw it and
34 deal with this issue when we get there, right, to keep us focused,
35 and so those are I see two options there, and I will not make that
36 decision, and I will leave it up to Mr. Williamson and the
37 seconder, whether they want to keep it on the table for now or
38 withdraw it. Ms. Levy.

39
40 **MS. LEVY:** Well, I mean, just to point out that the objective is
41 to look at this issue, right, and look at potential options for
42 what you want to do. This is an option, right, and so they're not
43 exactly the same. One is we're going to look at this as an issue,
44 and come up with potential ways to address this, and this is an
45 action, and a decision point, and so, to Andy's point, if you were
46 going to go down this road, it wouldn't just be vote on this motion
47 and this happens, and you would have to develop a document, with
48 an action and alternatives, that might include this.

1
2 **CHAIRMAN FRAZER:** Ms. Boggs.

3
4 **MS. BOGGS:** Well, I don't want to get lost in the shuffle, but,
5 whenever you decide to call for the vote, and I maybe should just
6 say call the question, but could we practice with our little
7 clickers?

8
9 **CHAIRMAN FRAZER:** If that's your pleasure, Ms. Boggs. All right,
10 and so any other input? I will call for the vote here. Mr. Dugas.

11
12 **MR. DUGAS:** Thank you, Mr. Chair. I'm going to direct my question
13 to Mr. Williamson. Not remembering what was passed in June, it's
14 pretty much in line, the same as the motion on the board, and it's
15 already captured, and would you consider retracting the motion?

16
17 **MR. WILLIAMSON:** Well, I -- Mara said it succinctly, that what we
18 did in June was to discuss this directive, and, based on Bullet
19 Point 3, I crafted this motion, and I think I've stated my position
20 pretty well, but, you know, the ownership is the issue, and we're
21 trying to recover shares for new entrants and redistribution for
22 maybe folks that have been in the fishery for a period of time
23 and, for whatever reason, wanted more shares, and, you know, we
24 can -- We need to quit talking so much, and we need to make some
25 decisions, and this is a fairly simple decision, and it has far-
26 reaching complications, and things that we're not really thinking
27 about, but it's -- In my opinion, it's part of what Magnuson has
28 as a directive, and so let's get it up or down. Let's vote it.

29
30 **CHAIRMAN FRAZER:** Okay. Again, I'm not going to hold up the vote,
31 and I will have one last comment before we vote, right, and I think
32 it's important to consider what was done in June, and, to Mara's
33 point, it was certainly brought up as an issue to discuss under
34 the topic of redistribution, right, and this is a specific action
35 item under that topic, without full exploration of the options.
36 Furthermore, it's the third bullet point in the objectives under
37 Goal 1, and the discussion, to this date, or to the time of this
38 meeting, has been focused on the first bullet point, and I'm trying
39 to keep a logical flow, and that's my opinion, right, but I will
40 open the vote. Rick.

41
42 **MR. RICK BURRIS:** Can I ask one question, before we go to the vote?
43 Administratively, how would this be processed, if this motion were
44 to pass?

45
46 **CHAIRMAN FRAZER:** Andy Strelcheck.

47
48 **MR. STRELCHECK:** That is a great question, because, right now, we

1 don't have the details, and we would have to work on an amendment
2 and clarify this and put it in rulemaking, to make sure the
3 language and direction of the agency is explicit, in terms of how
4 we would actually act upon this.

5
6 **CHAIRMAN FRAZER:** To that point, Mr. Diaz?

7
8 **MR. DIAZ:** Right, and I guess that confuses me a little bit.
9 Generally, when we start an amendment, the motion says to get staff
10 to start an amendment. I mean, I'm not considering that we're
11 voting on this to start an amendment to put ahead of what we've
12 been talking about with working on the first objective, and so,
13 based on what you just said, Andy, do you still think that the
14 staff would start working on a document, based on this motion?

15
16 **MR. STRELCHECK:** It has to be incorporated somewhere, and so I
17 view this as a preferred alternative, right, and so we would have
18 to have an action with alternatives, and this would be one of the
19 alternatives. Where we house it, whether it's the amendment we're
20 talking about with Objective 1, versus some separate action, but,
21 ultimately, it has to be some sort of amendment that's worked on
22 by council staff and my staff.

23
24 **MR. DIAZ:** Thank you.

25
26 **CHAIRMAN FRAZER:** All right. I think everybody knows my
27 preference, and where I stand on this procedurally, and so I will
28 open the vote. Do we have the clickers? Everybody has one.
29

B6.1 Upon the death of the share holder irrespective of any transfers to family members, corporate entities, partnerships, or third parties, that the deceased shareholders shares be reclaimed for redistribution.

First Name	Last Name			
Kevin	Anson	Yes		
Susan	Boggs		No	
Billy	Broussard		No	
Kesley	Banks	Yes		
JD	Dugas	Yes		
Anthony	Overton		No	
Tom	Frazer			Abstain
Dakus	Geeslin	Yes		
Bob	Gill		No	
Michael	McDermott		No	
Chris	Schieble		No	
Troy	Williamson	Yes		
Rick	Burris		No	
Ed	Walker		No	
CJ	Sweetman		No	
Andy	Strelcheck		No	
Dale	Diaz		No	
		Yes (5)	No (11)	Abstain (1)

CHAIRMAN FRAZER: All right, and so it's eleven no, five yes, and one abstention. The motion fails.

That brings us back to the appropriate next step, and we'll probably a similar -- Or at least a motion with regard to our path forward. Mr. Gill.

MR. GILL: Thank you, Mr. Chairman. I think your prior comments to this motion, about starting a document to achieve Objective 1, was correct, and I'm prepared to do that, but where I didn't follow you was, and perhaps to Andy's comments, is where you expanded that above and beyond Objective 1, and so could -- If I misunderstood, wonderful, but I would like to incorporate that thought, if I understood it.

CHAIRMAN FRAZER: Well, again, I think what I've heard, around the table, is an interest, and a recognition, of focusing on the permit requirements, right, and so I was suggesting that we focus the development of this amendment specifically on the first objective, right, but there are details, and potential action items, in there that involve things like activity, vessel ownership, or whatever, and possibly a divestment strategy, and so there may be two, but

1 that may be too complicated, right, but, in any case, that's where
2 I would like to constrain the development of that amendment at
3 this time. Mr. Gill.

4
5 **MR. GILL:** Thank you, Mr. Chairman. Well, I will make a motion,
6 so we can start that discussion and see if folks want to limit it
7 or expand it. **I move that we direct staff to initiate a plan**
8 **amendment to limit share ownership (maintaining and obtaining**
9 **shares) to accounts harvesting IFQ species.** That is, effectively,
10 Objective 1 under Goal 1.

11
12 **CHAIRMAN FRAZER:** Okay, and so we've got a motion on the board to
13 direct staff to initiate a plan amendment to limit share ownership
14 (maintaining and obtaining shares) to accounts harvesting IFQ
15 species. We have a second by Captain Walker. I will open the
16 floor to discussion. Ms. Boggs.

17
18 **MS. BOGGS:** Do we need to put "FMP" in it, to include an "FMP plan
19 amendment", as opposed to CMP, and, I mean, does it matter? Never
20 mind. I understood. Never mind. I'm thinking in my --

21
22 **CHAIRMAN FRAZER:** All right. Is there any further discussion on
23 this motion? Mr. Williamson.

24
25 **MR. WILLIAMSON:** I thought we had a share cap for red snapper.

26
27 **CHAIRMAN FRAZER:** We do.

28
29 **MR. WILLIAMSON:** Is this duplicative of that?

30
31 **CHAIRMAN FRAZER:** I don't believe that it is. Is there any further
32 discussion on the motion? Ms. Levy.

33
34 **MS. LEVY:** Well, just kind of a similar comment to the other
35 motion, is it's very narrow, right, and so it's like it's directing
36 a specific action, rather than looking at alternatives to address
37 share ownership and permit interaction, and it's just very
38 specific, and so, you know, I'm just -- We may have to broaden it
39 to look at a couple of other options that may address the same
40 issue, in order to be able to do a comparative analysis.

41
42 **CHAIRMAN FRAZER:** Okay, and so I was just suggesting to Bob that
43 maybe, to your point, Mara, that you could direct staff to initiate
44 a plan amendment to address the issues related to share ownership.
45 That gives a fair amount of latitude to develop the document with
46 potentially some alternatives.

47
48 Bob, are you good with that change? Mr. Gill.

1
2 **MR. GILL:** Thank you, Mr. Chairman. **Yes, I'm good with that**
3 **change.** To the thoughts on expanding this, I think one of the
4 problems that we've had since 2012 is we get wrapped around the
5 axle because of the complications, and I understand what Andy is
6 saying, that we have other important issues to address, and I'm
7 fully in accord with that, but I think we need to start simple.

8
9 Start delving into it, and, as the cobweb metaphor suggests, it's
10 going to get complicated as heck just on the simple one, and so I
11 think that expanding it too far will get us in the same mire we've
12 been in, and have not been able to get out, and that's why I think
13 this approach is the correct one.

14
15 **CHAIRMAN FRAZER:** Captain Walker, as the seconder, are you okay
16 with the change?

17
18 **MR. WALKER:** Yes. I don't know. I guess it's because it's a plan
19 amendment, but it's really what we're already talking about here,
20 but I guess the amendment starts us talking about the issues
21 related to share ownership, which I think is what we're already
22 doing here, but, I mean, I support it, and I don't think it really
23 goes far enough, but I maintain my second to the motion.

24
25 **CHAIRMAN FRAZER:** Dakus.

26
27 **MR. GEESLIN:** Thank you, Mr. Chair. Just a question of process,
28 and so, assuming we pass this, this initiates a plan amendment,
29 and staff comes back with alternatives, and is that correct? Okay.
30 I'm kind of with Captain Walker, and this doesn't really get us
31 specific enough to what we've been discussing for the last hour or
32 so, as far as a permit requirement.

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

35
36 **MS. LEVY:** Well, that's kind of interesting, and I think that goes
37 to the point, and you mentioned a permit requirement, right, and
38 so, in 30B -- In 36B, it was accounts had to be associated with a
39 permit, which is different than what the prior motion says, which
40 says that ownership is associated with harvesting IFQ species, and
41 so those are potentially two different types of alternatives,
42 right, and so I think that was at least my issue with the prior
43 one, is that it was focused on one thing, and it was not exactly
44 the thing that you mentioned, which was the permit association.

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

47
48 **MR. STRELCHECK:** I am going to support the motion. You know, we

1 need to start somewhere, and I appreciate, Mr. Chair, your
2 leadership to try to get us at least moving in a forward direction.
3 I will add the caveat though that I think we, as a council, given
4 we've been stalled out on IFQ issues, need to put together a plan,
5 with regard to a timeline and how we're going to work through this
6 particular action.

7
8 As this progresses, as someone mentioned, in terms of discussion,
9 what are the next actions that we should begin working on, and
10 when should we begin working on those, and I think the IFQ
11 participants have been in an area of uncertainty for quite some
12 time, and so, the more we can lay out a cohesive plan of action,
13 I think the better, and so I would ask that, you know, we work
14 with staff to begin development of that, to bring back maybe at
15 the January meeting, as kind of a general timeline for working on
16 these actions.

17
18 **CHAIRMAN FRAZER:** All right. Thank you, Mr. Strelcheck. I agree
19 that we need some clarity about what the path looks like, and some
20 potential actions moving forward, and that will be important. I
21 did ask a question earlier to staff about how long it might take,
22 assuming that a motion like this moved forward, and when would you
23 be able to bring something back to this council, Dr. Diagne?

24
25 **DR. DIAGNE:** Mr. Chair, if we rely on some of the alternatives and
26 options developed in 30B, which would be just a starting point,
27 and we need to look at this, I guess, differently, and bring a
28 suite of options, and we could bring something to begin discussions
29 in January, with the understanding that those may not be all fully-
30 fleshed-out alternatives. Some of those could just be options for
31 your consideration. We will certainly bring a draft purpose and
32 need and approaches that would subsequently be used to develop
33 actions and alternatives.

34
35 **CHAIRMAN FRAZER:** Right, and certainly, in reviewing that material,
36 and having the record of this discussion, right, you could
37 supplement, or augment, that, or take away as needed, and so
38 there's enough information here to guide you in those efforts,
39 right? Okay. So I think we'll get some specificity, is what I'm
40 saying, in January. All right, and is there any further
41 discussion? Ms. Boggs.

42
43 **MS. BOGGS:** I have a question, and you're going to think it's a
44 joke, but I'm asking this in all seriousness, and, you know, in
45 looking at the action guide on some items, and in talking
46 specifically about 36B and 36C, that have been around forever, and
47 we ultimately said we're not going to work with them anymore, and
48 now we're coming back, and, I mean, can this council -- Can we put

1 a timeline on ourselves, and if, in a year, we just don't gain any
2 traction on this, we agree to go in another direction, or, I mean,
3 have you just got to let it ride? I know that's far-fetched, but,
4 I mean, I just don't want to see us get into another situation
5 where, ten years down the road, we're still talking about Amendment
6 93, and so it's just a question.

7
8 **CHAIRMAN FRAZER:** Yes, and I appreciate the question, and, again,
9 the rationale for trying to focus us as much as we possibly can,
10 so that we can bring it in for a landing, right, and so, anyway,
11 Mr. Schieble.

12
13 **MR. SCHIEBLE:** Just as a reminder for me, can staff pull up the
14 36B actions, to see if Bob's motion here is already covered in
15 there? I can't remember all the stuff we had before, but it seems
16 to me like we're rehashing that, when we could just simply break
17 it apart. We have 36, and then it turned into A, B, and C, and
18 maybe we need D, E, and F.

19
20 **CHAIRMAN FRAZER:** 36B dealt with the permit issue very
21 specifically, right, and 36C was more inclusive of things, right,
22 and so what I was asking Dr. Diagne is, so we have that permit
23 issue, that we're concerned about, as part of that historical
24 material. That will serve as the basis for this new amendment.

25
26 There may be some things that are added to it, right, and so I
27 guess what I'm asking -- What I was trying to avoid, Chris, was
28 not bringing that document up again, right, because I'm trying to
29 -- We're going to use it as a reference, in my mind, right, but,
30 based on this discussion, there is some cleaning-up to do, and I'm
31 trying to not start to develop that document by committee here,
32 right, and I'm trying to let staff have a whack at it, so they can
33 capture all of these comments in a more efficient way. Go ahead,
34 Chris.

35
36 **MR. SCHIEBLE:** So, to that point, I appreciate you wanting to have
37 a clean slate with this, but I also heard what Mara said earlier,
38 and what Mr. Diaz said earlier, about 36B probably just had a
39 little too much meat on it in order for us to get it passed, and
40 Mara stated that we were very close to a public hearing draft with
41 it, but we just couldn't get past a couple of preferred
42 alternatives at the end, and so maybe it's a good template to start
43 with, I guess is what I'm getting at.

44
45 **CHAIRMAN FRAZER:** Thank you, and it is a good template, and I think
46 that's where Dr. Diagne will start, but you want to see it, and is
47 that your point?

1 **MR. SCHIEBLE:** What I was asking for is if they could just see if
2 -- I can't remember exactly how it was worded, but if this is
3 already in there and we can use what was in there.

4
5 **CHAIRMAN FRAZER:** Ms. Levy.

6
7 **MS. LEVY:** So it essentially had three actions, but it all went to
8 whether you were going to require accounts be associated with a
9 permit, right, and so that was the first -- You were going to
10 require that accounts have permits associated with them, and there
11 were a number of dates that we had in there for alternatives, if
12 you had an account after this date, or after this date, or after
13 this date, and so then the next actions dealt with either
14 divestment, if you had an account that was now going to be required
15 to have a permit, or there were some actions that would allow some
16 accounts to be permit exempt and what that meant.

17
18 Those were the actions in there, and it did not deal with the idea
19 that you were going to maintain shares if you have landed IFQ
20 species, and it was strictly a permit-account relationship that
21 was getting at that in an indirect way, and I think that's right,
22 but, if I'm wrong, Jessica can correct me.

23
24 **MR. SCHIEBLE:** That answered my question. That's fine.

25
26 **CHAIRMAN FRAZER:** Okay. All right, and so is there any further
27 discussion of this motion? Okay. We're going to use our clickers.

B6.2 To direct staff to initiate a plan amendment to address the issues relating to share ownership (maintaining and obtaining shares) of IFQ species.

First Name	Last Name			
Kevin	Anson			Abstain
Susan	Boggs	Yes		
Billy	Broussard	Yes		
Kesley	Banks	Yes		
JD	Dugas	Yes		
Anthony	Overton	Yes		
Tom	Frazer			Abstain
Dakus	Geeslin	Yes		
Bob	Gill	Yes		
Michael	McDermott	Yes		
Chris	Schieble	Yes		
Troy	Williamson	Yes		
Rick	Burris		Absent	
Ed	Walker	Yes		
CJ	Sweetman	Yes		
Andy	Strelcheck	Yes		
Dale	Diaz	Yes		
		Yes (14)	No (0)	Abstain (2)

CHAIRMAN FRAZER: All right, and so we've got fourteen yes, zero no, and two abstentions and one absent, and so the motion carries. All right, and so, Mr. Chair -- Go ahead.

MR. ANSON: Before you pass it over for me for break, we do have a little bit of time left in the agenda, and I just want revisit what Mr. Strelcheck had said earlier and just to get some clarification, and it might prompt some additional discussion, and it might not, but, Andy, earlier, during this session today, you had mentioned about it could potentially be worthwhile, and I thought I heard you say there wouldn't be too much for the council to take on concurrent with this amendment, but -- That is the redistribution of those shares that NMFS has currently had, you know, pulled back.

I know it was a little bit of shares, but maybe, in light of just trying to get them back out, and I think that was also covered in 36C, or some other document, and there's been already some work done to that, but I just wanted to bring that up again, if there might be a willingness amongst council members to bring that up also for an amendment or some sort of action.

CHAIRMAN FRAZER: Mr. Strelcheck.

1
2 **MR. STRELCHECK:** Thanks for that, Kevin, and, based on what I said
3 earlier, I don't think what we just passed is really sufficient,
4 right, and we still have a lot of challenges with this program,
5 and concerns with this program, with regard to access to
6 allocation, and the high price of allocation, right, and so, to
7 me, you know, require permits and landing requirements may help,
8 and it may not, and so, if we were to pursue redistributing the
9 NMFS portion of the shares, or maybe even that deceased provision,
10 it seems like that could be added.

11
12 The devil is always in the details, right, and so I'm also trying
13 to listen here to our chair, who is trying to guide the process,
14 and, the more we add to amendments, or put more on our plate, the
15 more it's likely to slow things down, but I am certainly open to
16 trying to do more and trying to move forward with some actions
17 faster than maybe the path we're on.

18
19 **CHAIRMAN FRAZER:** Just to clarify, I'm not opposed to pursuing any
20 of these actions, and I just would like those actions to be more
21 self-contained, right, and so, again, I also don't want to burden
22 the staff with the development of three or four different
23 amendments at one time, when we're still trying to pull some
24 through, but I think it's a valid question, Kevin, and I
25 appreciated Andy's answer. Captain Walker.

26
27 **MR. WALKER:** Just some rough math, and, if you were take a little
28 less than 6,000 pounds of NMFS quota and distribute it to the
29 three-hundred-or-so boats that are quota-challenged, if you will,
30 it comes out to twenty pounds each.

31
32 **CHAIRMAN FRAZER:** Mr. Gill and then Mr. Strelcheck.

33
34 **MR. GILL:** Thank you, Mr. Chairman, and so, Kevin, I think your
35 question is a good one, but, given our history, and the morass we
36 seem to enjoy staying in, my suggestion is we reconsider that
37 question in January, after we get the presentation from staff, and
38 see where that conversation goes.

39
40 If we're mired-down right at the outset, before we even get going,
41 then perhaps we need to delay adding to the mess. If we proceed,
42 and it looks like we've got solidity to the question, then perhaps
43 adding on -- I could support that then, but that would be my
44 recommendation.

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

47
48 **MR. STRELCHECK:** Just a comment to Ed's point, and, I mean, agree,

1 right, and it's a small amount of quota, but it's not doing anyone
2 any good by us having it in our accounts, right, and, to me, I
3 would rather push it back out to the fishery, and make sure it's
4 utilized, and the question then becomes how do you distribute such
5 a small amount of quota, right, and that's where I think it could
6 become complicated.

7
8 Yes, and I think, maybe between now and Full Council, we can give
9 some thought to this, and I, you know, go back to my comments about
10 having more rigorous timelines that we can lay out, in terms of
11 how we're moving through amendments and actions, and I know those
12 aren't always predictable, but being able to go from scoping all
13 the way to final rulemaking, and, you know, how long is that going
14 to take for this particular objective, and then are there other
15 things that we want to add to it, whether we talk about it in
16 January or talk about it later in this meeting.

17
18 **CHAIRMAN FRAZER:** Okay. I think there was some good and necessary
19 discussion, Kevin, there, and so is there any further discussion
20 on this topic of IFQ this morning? Okay. I'm not seeing any,
21 and, Kevin, I will turn it over to you.

22
23 **MR. ANSON:** Thank you, Dr. Frazer, for getting us through the
24 agenda on time, with a little bit extra to spare, and so we will
25 go ahead and break for lunch, and we will return at the scheduled
26 time of 1:30.

27
28 (Whereupon, the meeting recessed for lunch on October 24, 2023.)
29

30 - - -

31
32 October 24, 2023

33
34 TUESDAY AFTERNOON SESSION

35 - - -
36
37

38 The Reef Fish Management Committee of the Gulf of Mexico Fishery
39 Management Council reconvened at The Embassy Suites in Panama City,
40 Florida on Tuesday afternoon, October 24, 2023, and was called to
41 order by Chairman Tom Frazer.

42
43 **CHAIRMAN FRAZER:** So we will pick up with the Reef Fish Committee,
44 and we'll dive into the Modifications to Recreational and
45 Commercial Greater Amberjack Management Measures, and this is a
46 final-action item, and so Dr. Hollensead will revisit the action
47 guide and go over the document. Dr. Hollensead.

1 **FINAL ACTION: MODIFICATIONS TO RECREATIONAL AND COMMERCIAL**
2 **GREATER AMBERJACK MANAGEMENT MEASURES**

3
4 **DR. LISA HOLLENSEAD:** Thank you, Mr. Chair. The need for this
5 framework action is to maintain recreational and commercial access
6 to the greater amberjack component of the reef fish fishery, given
7 the substantial catch limit decreases under Amendment 54, and then
8 also remaining consistent with the objectives of the greater
9 amberjack rebuilding plan.

10
11 This framework can be considered for final action, and the
12 committee may recommend the document for transmittal, if desired.
13 There is two actions in this document, the first action dealing
14 with the recreational season and Action 2 is the commercial trip
15 limit. Since this document is ready for final action, we took it
16 out for public comment, and so, at this moment, I will pass it
17 over to Emily to provide the comment summary for the committee's
18 consideration.

19
20 **PUBLIC COMMENTS RECEIVED**

21
22 **MS. EMILY MUEHLSTEIN:** Okay. Thank you, Dr. Hollensead. We
23 received 105 views of our public hearing video. Since this is a
24 framework, we typically handle that by making a public hearing
25 video and then putting it across all of our social channels that
26 we are accepting comment. We only received seven comments, and I
27 will sort of go through them action-specific and kind of lump them,
28 hopefully so they make some sense.

29
30 On Action 1, which deals with the recreational season, we heard
31 support for a new alternative that would open the recreational
32 greater amberjack season from October 1 through November 30, and
33 so bump it a little bit later than what's being considered in the
34 document, and this, it was reasoned, would allow for overlap with
35 the gag season, so you could simultaneously catch greater amberjack
36 and gag at the same time. We also heard that constantly modifying
37 the recreational season is very frustrating.

38
39 For Action 2, which deals with the commercial limit, we heard
40 support for Alternative 3, which would create a seven-fish trip
41 limit, and the rationale was that this would maximize the season
42 length and the ease of compliance while the stock rebuilds. We
43 also heard that reductions to the commercial season and trip limit
44 for greater amberjack will adversely impact reef fish fishermen
45 that don't own quota.

46
47 We also heard some general comment that was related to greater
48 amberjack, and we did hear that there is no local decline in

1 amberjack, and we heard that there is a five-per-person jack
2 complex limit, and that's negatively impacting the greater
3 amberjack population, that fishermen and game wardens both
4 struggle to identify the difference, and closing lesser amberjack
5 for a few years, to see what happens with greater amberjack, won't
6 hurt.

7
8 We also heard that the jacks complex should not be included in
9 management measures that are designed to protect greater
10 amberjack. We heard that we should not restrict access to a
11 species with no biological reason for reduced harvest and little
12 evidence of its impact on greater amberjack. We also heard that
13 almaco jack is distinctly different from the greater amberjack,
14 and there is no reason for misidentification, and so, if you
15 remember, that was a conversation that we had a number of council
16 meetings ago, and those thoughts were just sort of rehashed there.

17
18 We also heard that this framework does not address the recreational
19 dead discards that are one of the greatest challenges that we face
20 with the greater amberjack stock rebuilding, and, finally, we just
21 got some general comment that noted that the council seems to be
22 managing towards having one species open at a time, and this might
23 actually increase discards and cause effort shifting in the
24 fishery, and so that's it.

25
26 **CHAIRMAN FRAZER:** C.J.

27
28 **DR. SWEETMAN:** Thank you, Mr. Chair. Emily, a question for you,
29 and so the public comment support for a new alternative to kind of
30 align the season with gag, and so that option that was on there,
31 October 1 to November 30, that's not the gag season that's on the
32 books, and was there any further justification for that? Okay.
33 Thanks.

34
35 **CHAIRMAN FRAZER:** Okay. Lisa, do you want to go through the action
36 items in the document?

37 38 COMMITTEE DISCUSSION

39
40 **DR. HOLLENSSEAD:** Yes, sir. We can do that. Bernie, if you wouldn't
41 mind pulling up the document, please, and going to the purpose and
42 need. I had mentioned before that this document is ready for final
43 action consideration, and so I'll just go through the purpose and
44 need first, and then we'll move on to the action alternatives.

45
46 The purpose and need is here, and I actually read the need in the
47 beginning for the action guide, and the purpose of the framework
48 is to modify the greater amberjack recreational fixed closed season

1 and commercial trip limit to extend the fishing season durations.
2 Additionally, a modification of the recreational season is needed
3 to reduce the likelihood of exceeding the ACL and eliminate harvest
4 during the spawning period. At this point, I will take any
5 questions that anybody has.

6
7 **CHAIRMAN FRAZER:** I am not seeing any questions.

8
9 **DR. HOLLENSEAD:** Bernie, could you please then scroll down to
10 Action 1? Action 1 deals with modifying the recreational fixed
11 closed season for greater amberjack, and there are three
12 alternatives laid out here. The council had selected Number 2 as
13 the preferred, which would open the recreational season for the
14 two months of September and October.

15
16 **CHAIRMAN FRAZER:** Okay. Any questions, or discussion, with regard
17 to Action Item 1? I am not seeing any.

18
19 **DR. HOLLENSEAD:** Then, Bernie, on to Action 2, please, ma'am.
20 Action 2 would modify the greater amberjack commercial trip limit.
21 As many of you may recall, there had been some express desire to
22 have the commercial trip limit set up in number of fish, versus
23 pounds, and it's easier to count out on the water than to estimate
24 pounds, and so these are the four alternatives here for
25 consideration. Earlier, the council had selected Preferred
26 Alternative 3, a commercial trip limit of approximately seven fish,
27 or, excuse me, is a seven-fish, as the preferred.

28
29 **CHAIRMAN FRAZER:** All right. Any discussion on the second action
30 item in the document? Okay. I am not seeing any, and so the two
31 action items result in some fairly minor modifications to the
32 codified text, should we choose to move this forward, and so, if
33 the council chooses, we can pull up the codified text. Do you
34 want to do that now?

35
36 **DR. HOLLENSEAD:** Mr. Chair, we did have some comments from the
37 Reef Fish AP, and however you want to --

38
39 **CHAIRMAN FRAZER:** Either way, and why don't we go through the
40 codified text, and then we can have Captain Hubbard come on up.

41
42 **DR. HOLLENSEAD:** Sounds good. Thank you.

43
44 **PROPOSED CODIFIED TEXT**

45
46 **CHAIRMAN FRAZER:** Bernie, if you just keep scrolling down, and
47 there are two changes. One has to do with the open and closed
48 seasons, and they're exactly as it states in the document, and so

1 that's the first one, and then the second one has to do with
2 commercial trip limits, and, again, that specifies the number of
3 fish for the commercial catch limit, and so at seven fish. Any
4 questions on the codified text? Okay. I am not seeing any
5 questions, and so, Captain Hubbard, if you're so willing, if you
6 could give us a little insight from the Reef Fish AP.

8 REEF FISH AP COMMENTS

10 **MR. HUBBARD:** Yes, and I would be more than willing. As the AP,
11 we supported -- We voted to support, and made a motion to support,
12 the current preferred, in I believe it's Action 1, to modify the
13 recreational season so that it is open September 1 through October
14 31, to match with the gag grouper recreational season, and I
15 believe the public comment -- Originally, when that public comment
16 video went out, they were proposing that -- You guys were still
17 talking about potentially having -- I believe even the preferred
18 alternative was an October 1 opening, and so to clarify that
19 earlier conversation.

21 Also, another motion was made by the Reef Fish AP to recommend the
22 council explore eastern Gulf versus western Gulf management for
23 the recreational sector for greater amberjack, and I believe that's
24 already on the council worklist, but it was just reiterated through
25 a motion at the AP.

27 Then, also, a big conversation, and kind of a negative thing, arose
28 during the AP's discussion. The AP made a motion that the Reef
29 Fish -- I'm going to read it, and so, that way, I can make sure
30 that I fully reiterate it, but we request the council requested -
31 - So we request the council requests an emergency rule to reduce
32 the commercial trip limit of Gulf greater amberjack to seven fish
33 by January 2024. This will reduce the likelihood of exceeding the
34 ACT and extend the fishing season. It will reduce regulatory
35 discards, and it will increase the probability of having a
36 continual commercial fishing opportunity, and it will continue to
37 allow for the availability of fishery-dependent sampling of
38 commercial harvest.

40 That motion seems very wordy and long-winded, and there's a lot of
41 reasons why. The main reason why is, during the discussion of
42 commercial trip limits in amberjacks, it was brought to light that,
43 most likely, even if you were to go final today as a council, the
44 rulemaking would not be in place by January 1.

46 There is a huge problem that is tied into that that faces you as
47 a council, and the main issue is there was a 145 percent landing
48 last year of commercial amberjack, and so there's a 45 percent

1 payback, and so, if that fishery isn't reduced, and that trip limit
2 isn't in place by January 1, and that fishery opens with that
3 higher trip limit that's on the books currently, most likely derby
4 fishing will occur, like it did this past year. By the time the
5 fishery is closed, we'll probably have another overage, because of
6 that payback that's already on that super-small quota.

7
8 If you have another overage on top of the one we have now, most
9 likely we're facing down the barrel of no commercial harvest of
10 amberjack in 2025, and so that conversation happened at the AP,
11 and it freaked a lot of people out, and we started discussing how
12 we need to make an emergency rule. The conversation further went
13 on, and it was told that, well, you can't make an emergency rule
14 unless it qualifies as an economic emergency.

15
16 Well, to me, and to the AP, it was very clear that we felt losing
17 out on the ability to harvest a species, and totally losing the
18 fishery-dependent sampling of the species from commercial boats,
19 qualifies as an emergency, and so then we started discussing making
20 an emergency rule, and, unfortunately, it was brought to our
21 attention, by someone who was listening to the council meeting
22 from the Southeast Regional Office -- They said that, because of
23 holiday breaks, Christmas vacation, Thanksgiving vacation, that
24 there would be -- Even if we were able to make it an emergency
25 rule, and even if it qualified as an emergency, because apparently
26 losing fisheries-dependent data for a year isn't an emergency,
27 but, even if we were able to, because of vacations, there is no
28 way that even an emergency rule could get done in time.

29
30 The person from the Southeast Regional Office made it clear that
31 there's really no shot, and we're starting down the barrel of that
32 issue, and not being able to get the rulemaking done in time, and
33 so that was the major concern and conversation that surrounded
34 amberjack, and I think that pretty much sums up what the AP
35 discussed.

36
37 **CHAIRMAN FRAZER:** All right. Thank you, Captain Hubbard. Dr.
38 Sweetman.

39
40 **DR. SWEETMAN:** Thanks, Mr. Chair, and thanks, Dylan. With this
41 motion that the Reef Fish AP made, I guess I have a question for
42 Andy here, and so we kind of went through an emergency rule for
43 Gulf greater amberjack on the recreational side, and I'm curious
44 the differences between justification in this request here from
45 the AP and, quite frankly, the feasibility, from what Dylan was
46 mentioning there in his talk.

47
48 **CHAIRMAN FRAZER:** Mr. Strelcheck.

1
2 **MR. STRELCHECK:** Can you put up on the board again the AP's specific
3 recommendation? I mean, it's hard to weigh-in on the fly here, in
4 terms of differences, right, and so the justification, the way I
5 was understanding it, was from an economic standpoint, right, and
6 a lot of this would come down to timing and whether we could even
7 pull off an emergency rulemaking between now and January 1. I
8 think that would be probably the first key consideration as to
9 whether or not we could proceed, and then, from the legal
10 standpoint, we would want to talk to Mara about the justification
11 for an emergency rule, and whether this would even qualify we
12 proceeded with it.

13
14 **CHAIRMAN FRAZER:** Maybe we can ask Mara about the legal
15 justification for such an emergency rule.

16
17 **MS. LEVY:** Well, I mean, I don't know, because I haven't -- So
18 emergency -- Let's see. Recent unforeseen events and recently
19 discovered circumstances, and I don't know if this is unforeseen
20 and recently discovered. I mean, maybe the quota overage is
21 discovered, and unforeseen -- I don't know about that, and I feel
22 like it's something that we need to look at the criteria, and maybe
23 talk about whether there was a justification, and then, again, in
24 terms of implementing it, right, I mean, the council can make a
25 motion, and NMFS still has to go through the process of getting it
26 on the books, and that doesn't happen overnight, even if it's an
27 emergency, and so I don't know how that would play out.

28
29 I mean, the other criteria is presents serious conservation or
30 management problems in the fishery. Maybe, right, because, if
31 we're allowing too much harvest, and can be addressed through
32 emergency regulations for which the immediate benefits outweigh
33 the value of advance notice, public comment, and deliberative
34 consideration, and so the justification -- You have to meet those
35 three criteria, and then the justification can be ecological,
36 economic, or social, or public health, and so there's a number of
37 ways that you could do this, whether you're linking it to
38 overfishing or stock status or economics, but we would have to
39 articulate all of that, and so I think -- I guess my point is I
40 would have to think about it, and we would have to prepare whatever
41 documents we need, and, again, what kind of NEPA analysis does the
42 agency need to do.

43
44 You know, when we did the greater amberjack for rec, we had an EA,
45 and we did the analysis, and then, you know, we published the
46 regulations, and so it wasn't just like it got requested and it
47 was done, and so I think there are a lot of things to think through,
48 and so maybe we can do that and circle back to this.

1
2 **CHAIRMAN FRAZER:** Dylan, do you want to elaborate a little bit
3 more?
4

5 **MR. HUBBARD:** Yes, please. Thank you. So, to your point, that
6 was kind of some of the discussion that we brought up, some of the
7 ways that we could, or that the council could, justify, or SERO
8 could justify the need for the emergency rule, and I think the
9 management challenge was brought up by one of the issues that you
10 said, and that's essentially what happened last year, is the
11 fishery opened on January 1, and everybody went out there, and I
12 believe the commercial trip limit right now is either 1,000 or
13 1,500 pounds, and everybody went out there and caught those trip
14 limits and couldn't close the fishery down in time, and there was
15 a 45 percent overage last year, and so that was the major concern
16 of the Reef Fish AP, is, with that 45 percent overage that has to
17 be paid back this year, the quota is so small.
18

19 I mean, essentially, we would have to be talking about a closure
20 before the season opens, in order to -- So that was our management
21 concern, of the ability to prevent an overage, and then, as far as
22 economic concerns, the major economic concern there is a prevention
23 of the fishery, because, if it's a seven-fish trip limit, it
24 becomes a bycatch fishery, and it allows for that fishery to remain
25 open longer through the year, which provides a more stable market,
26 and then it also prevents regulatory discards.
27

28 Then, from an environmental standpoint, reducing regulatory
29 discards I think is, to me, the best reason to keep the fishery as
30 a discard fishery, and so I think the concerns, and the
31 justifications, are there, but, like you said, it needs to be
32 talked about, and thought about, and so I hear where you're coming
33 from, but that was our thoughts and conversation as an AP.
34

35 **CHAIRMAN FRAZER:** Thank you, Captain Hubbard. Ms. Levy.
36

37 **MS. LEVY:** Right, and I think we can talk about that, but I think
38 you also have to weigh the -- Like the outweighing the advance
39 notice and public comment, right, because you have an action before
40 you, that you're potentially taking final action on, that's going
41 to go through notice and comment and rulemaking, and you're jumping
42 ahead of that with an emergency rule that just cuts that out of
43 the process, and so I'm not saying that it can't be done, and
44 clearly we have the ability to do emergency rules, and we have
45 guidelines that talk about when it's appropriate to do that, but
46 you do kind of need to weigh that taking out the public
47 participation part, versus the need to do it, and so I guess I
48 would just encourage discussion about that, if you're thinking of

1 moving forward with requesting something like this.

2
3 **CHAIRMAN FRAZER:** Okay, and so we've got two issues to deal with
4 here, and one is do we want to move this document forward, and the
5 second one is do we want to have a more in-depth discussion about
6 the potential to request this emergency rule, and so why don't we
7 focus on the first one at this point, and say, all right, and so,
8 really, what we're looking for is a motion to go final with this
9 framework action. I will open the floor and see if there's a --
10 Mr. Gill.

11
12 **MR. GILL:** Thank you, Mr. Chairman. I move that we recommend to
13 council to forward to this action to the Secretary and use the
14 standard verbiage.

15
16 **CHAIRMAN FRAZER:** Okay, and we'll get that motion up on the board.
17 Then, in the interim, it's been seconded by Dr. Sweetman, and so
18 I will go ahead and read it into the record. The motion is to
19 recommend the council approve the Framework Action: Modifications
20 to Recreational and Commercial Greater Amberjack Management
21 Measures and that it be forwarded to the Secretary of Commerce for
22 review and implementation and deem the codified text as necessary
23 and appropriate, giving staff editorial license to make the
24 necessary changes in the document. The council chair is given the
25 authority to deem any changes to the codified text as necessary
26 and appropriate. Is there any further discussion of the motion?
27 I am not seeing any, and I'm going assume that we don't need the
28 clickers for this, and is there any opposition to this motion?
29 Seeing no opposition, the motion carries.

30
31 All right, and so is there any interest in furthering the
32 discussion of the proposed emergency rule? Captain Walker.

33
34 **MR. WALKER:** I would like to see us -- To see if we can get that
35 done. It's kind of a big deal, and it could be the difference
36 between opening amberjack at all or not, and so I think we should
37 explore if it's possible to do in time or not.

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

40
41 **MR. GILL:** Thank you, Mr. Chairman, and so I think the
42 consideration of this will not be accomplished today, and so I
43 would like to request Mara to research the legality of doing such,
44 and we have that discussion at Full Council, about whether we move
45 forward.

46
47 If we reject it now, then we don't have that option at Full Council,
48 but there's legal issues, and those kinds of considerations, and

1 I think that discussion should be a Full Council discussion.

2
3 **CHAIRMAN FRAZER:** All right. Ms. Levy.

4
5 **MS. LEVY:** Well, I guess I would encourage the council to look at
6 the guidelines, and the criteria, that NMFS has published, because
7 it's not really a legal question, right, and NMFS has laid out
8 what these criteria are. If you can create a record that says
9 that you've met these criteria, and you have a justification, then
10 okay.

11
12 To me, the biggest sticking point, that needs a lot of thought, is
13 results from recent unforeseen events, or recently discovered
14 circumstances, and, I mean, this -- We knew the catch limits were
15 decreasing, and we knew we had this higher trip limit. Yes, it
16 didn't get closed in time, but, I mean, I guess we would need to
17 explain how that is an unforeseen event that rises to the level of
18 meeting this criteria, but, again, the guidelines are out there,
19 and so I would encourage you to look at those and try to build the
20 record to justify any request that you want to make.

21
22 **CHAIRMAN FRAZER:** Thanks, Mara. Ms. Boggs.

23
24 **MS. BOGGS:** Well, if C.J.'s comment is to Mara's point, and mine
25 kind of plays into this, but not exactly.

26
27 **CHAIRMAN FRAZER:** Dr. Sweetman.

28
29 **DR. SWEETMAN:** Thank you, Mr. Chair. It is to this point, and so,
30 Mara, I'm looking at some of the guidelines and justification that
31 requires an emergency action, and so, obviously, seeing what you
32 highlighted, the recent and unforeseen events, and another one is
33 presents serious conservation or management problems in the
34 fishery, and then a third one is can be addressed through emergency
35 regulations where immediate benefits can outweigh the value of
36 yada, yada, yada. I am just curious, and do we need to -- In order
37 to qualify for an emergency action, does it need to meet all three
38 of those criteria?

39
40 **MS. LEVY:** All three and then at least one justification that's
41 listed below it, but, yes, all three criteria.

42
43 **CHAIRMAN FRAZER:** Dr. Froeschke.

44
45 **DR. JOHN FROESCHKE:** So, last year, when the commercial season
46 opened, I don't believe that Amendment 54 was in effect, and so,
47 when it went into place later that year, it dramatically reduced
48 the commercial ACL, and so, when we actually got the landings for

1 that season, we were way over, which we did not anticipate that
2 until just -- I don't know when we saw those landings, but it
3 hasn't been very long that that information became available, and
4 certainly not enough time that we were able to prepare a management
5 action or something, and so, to me, that does seem to be
6 unanticipated information.

7
8 **CHAIRMAN FRAZER:** Thanks, John. Mr. Diaz.

9
10 **MR. DIAZ:** So, based on what John just said -- I mean, one of the
11 things that Mara said we should speak to is justification for
12 waving the public comment section, and so, being as we just got
13 those numbers recently -- I mean, I didn't realize we were that
14 far over, and that commercial ACL is set to be about 101,000
15 pounds, and the ACT is 93,930, and so, I mean, you take 45 percent
16 off of that, and, I mean, we're looking at trying to constrain
17 these guys to 50,000 pounds of fish, and I think that's going to
18 be extremely difficult to do, and I think, because that information
19 came in so late, it warrants waiving those public hearings, and
20 other inputs that we would get from fishermen, to push this
21 forward, if it's possible.

22
23 **CHAIRMAN FRAZER:** Let me ask Mara another question, since we have
24 public comment tomorrow. I mean, could that satisfy the public
25 comment part of that?

26
27 **MS. LEVY:** Well, not really, because it's really going towards the
28 requirements under the Administrative Procedure Act to go through
29 the normal rulemaking process, right, and so, when we do these
30 types of things, and we implement them immediately, we're waiving
31 notice and public comment under the APA, and, I mean, the agency
32 would use the rationale that you talk about to do that in the
33 rulemaking, but that -- We're talking about sort of the
34 Administrative Procedure Act notice and comment.

35
36 **CHAIRMAN FRAZER:** Thank you. All right. Ms. Boggs.

37
38 **MS. BOGGS:** So I have a couple of questions, and it's kind of a
39 twist on things, I suppose. We talk about the discards that we
40 have during the time that the fishery is closed, and so would it
41 be not better to, even though we're going to have a cut, allow
42 them to catch these fish, so we don't have all these dead discards,
43 and like it's incidental, is what I'm being told, and what I hear
44 from the commercial fleet, but the next question I have, which
45 doesn't really pertain to the conversation that was just being
46 had, but, when we've discussed it in the past, and I think staff
47 is maybe working on a tool, but I had asked the question
48 specifically about closures during spawn, and, again, it makes me

1 wonder, and the response was we don't know why we close it during
2 the spawn, because we didn't -- Because we opened it in May for
3 the recreational sector, and that made me question it, and so why
4 do we open it for one and we don't for the other?

5
6 If it's incidental catch, and, I mean, if you catch them, why not
7 keep them, as opposed to releasing them dead, because you're still
8 going to have to account for the dead discards, and am I not
9 correct? I guess I'm trying to find a balance here. Do you really
10 want to just close it down or allow them to catch what's out there
11 to be caught, as opposed to just closing it down completely and
12 allowing these fish to -- If it's incidental catch, then you would
13 think there might be a way that they could try not to encounter
14 them.

15
16 I'm not explaining myself well, because it's complicated, but, to
17 me, there's a happy medium here in just completely closing the
18 fishery, and, yes, it looks like they've overfished by 34.9
19 percent, but there's still fish out there to be caught, and, if
20 you close the fishery, and you're allowing the discards, then what
21 have you accomplished? You're throwing money away, I guess, in
22 essence, and so I'm trying to find the balance in what's fair to
23 the fishermen, and what's fair to the fish, and I would be curious
24 to hear, at public comment tomorrow, what the fishermen would like.

25
26 **CHAIRMAN FRAZER:** I just want to make sure, Susan, that I am
27 understanding, and so the way that I read the motion is they're
28 not proposing to close the fishery, and what they're proposing is
29 to quickly enact the trip limit.

30
31 **MS. BOGGS:** I'm sorry, and I kind of -- Because my thought process,
32 going in, was about the closing for the spawn, because we've had
33 this discussion, and what does that actually accomplish, and so I
34 do apologize, and I understand this, yes.

35
36 **CHAIRMAN FRAZER:** Okay, and so I'm going to look to staff. Mr.
37 Strelcheck.

38
39 **MR. STRELCHECK:** My recommendation is we solicit some public input
40 tomorrow, right, and get some feedback on this idea, and then, in
41 the interim, we can look at, obviously, the emergency regulations
42 and determine what, if any, justification, there would be for
43 proceeding with an emergency rulemaking, and I can also talk with
44 the team about a timeline, and whether this would even be
45 practical, or feasible, if we decided to proceed, and then we come
46 back to this at Full Council.

47
48 **CHAIRMAN FRAZER:** I think that's an excellent recommendation, Andy.

1 Dr. Simmons.

2
3 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Would it also
4 be possible, Andy, to get some projections on how long we think
5 the season is really going to be, based on current conditions, and
6 like is it going to be two weeks, because I think, if it's going
7 to be that short, we probably should have that information earlier
8 than later, because of the way the fishery was shut down last time.

9
10 **CHAIRMAN FRAZER:** Andy.

11
12 **MR. STRELCHECK:** I guess I need to ask you to clarify your last
13 comment, but, yes, we can at least look at, you know, how long the
14 fishery would have operated, you know, going into next year, based
15 on last year's landings and the current trip limit in place, and,
16 in terms of your comment about the closure, are you referring to
17 the very sudden closure that we did over the summer?

18
19 **EXECUTIVE DIRECTOR SIMMONS:** Correct, and it was, I think, a same-
20 day closure, where people were out fishing and could potentially
21 be in violation, and we got many calls on that.

22
23 **MR. STRELCHECK:** Yes, and this is the challenge, or the nuance,
24 with the Amendment 54 going into place, right, and so we were, I
25 think, intending for it to be a five-day, or maybe even seven-day,
26 closure notice, and it ended up being closer to three days, right,
27 and so we did -- We have essentially adjusted some protocols, so
28 that we would prevent that from happening in the future, and give
29 more advance notice to anglers, but I certainly understand the
30 frustration surrounding that short closure notice.

31
32 **CHAIRMAN FRAZER:** Captain Walker.

33
34 **MR. WALKER:** Just to Carrie's point, if we had a -- If we
35 implemented a seven-fish limit -- You know, the thinking on that
36 is that it would be about 250 pounds a day, give or take, depending
37 on -- That's how we came up with that number. If we cut off half
38 of the allowed fish, because of the accountability measure, by my
39 math, you would get around 186 trips out of what's left of the
40 quota, and that could be wrong, and that's just quick on my paper
41 here, and it's not going to be a targeted fishery, like it was
42 last time. No commercial guy that I know is leaving the dock and
43 is going to blast out to the wreck to get seven amberjack.

44
45 The grouper guy may well encounter some amberjack while he's out
46 there, and throw some in the box, and that's the whole idea, but
47 I don't see them blowing out the quota, derby-style, with a seven-
48 fish limit, and I think it will stretch out quite a bit longer.

1
2 **CHAIRMAN FRAZER:** Dr. Simmons.

3
4 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, but, to that
5 point, Captain Walker, we don't have those management measures in
6 place currently, and so we have to base it on the current measures,
7 which is the 1,000-pound trip limit, and then I think it drops
8 down, when 75 percent of that is reached, to the 250, or something
9 like that, and so that's what we should be basing the projections
10 on, and, using that, and based on recent history, and the fifty-
11 thousand-pounds-ish, I think it's going to be a very, very, very
12 short season.

13
14 **MR. WALKER:** Yes, and you're right about that, for sure, and I
15 thought we were talking about the seven, and that's the issue that
16 we're trying to make the emergency apparent, and I agree.

17
18 **CHAIRMAN FRAZER:** Okay. It looks like we've got some tasks to
19 take care of prior to Full Council, and, you know, we'll certainly
20 get some feedback in the public comment period tomorrow, and we'll
21 do -- We'll have Andy's group do a little interim analysis, to see
22 what can be done with regard to the emergency rule, and then we'll
23 also try to get some projections, and then we can discuss it, if
24 it's okay, in Full Council. All right. So that will be the plan.

25
26 We will move on to Agenda Item Number VIII, which is the Snapper
27 Grouper Amendment 44 and Reef Fish Amendment 55, Catch Level
28 Adjustments and Allocations for Southeastern U.S. Yellowtail
29 Snapper, and so Ms. Somerset will go ahead and take us through the
30 action guide, as well as a presentation.

31
32 **DRAFT: SNAPPER GROUPE AMENDMENT 44/REEF FISH AMENDMENT 55:**
33 **CATCH LEVEL ADJUSTMENTS AND ALLOCATIONS FOR SOUTHEASTERN U.S.**
34 **YELLOWTAIL SNAPPER**
35

36 **MS. CARLY SOMERSET:** Thank you, Mr. Chair, and so, for the action
37 guide, I'm just going to review the proposed management
38 alternatives through -- Well, through a presentation, because we
39 reviewed that pretty extensively last time, at the last meeting,
40 and so the South Atlantic Council saw it at their September 2023
41 meeting, and they included a motion to reevaluate -- Or direct to
42 staff to reevaluate catch advice, based on the most recent SEDAR
43 64 interim analysis, and that was to incorporate the -- Request to
44 incorporate the State Reef Fish Survey data from Florida, once
45 they're available.

46
47 I will be presenting -- I will be giving you a presentation on
48 that and then just looking for reviewing that information, and

1 feel free to ask any questions and then provide some feedback as
2 to next steps. Bernie, if you could pull up the presentation for
3 me, please.

4
5 All right, and so, again, this is a joint amendment with the South
6 Atlantic to modify catch levels and allocations, and it includes
7 jurisdictional allocation, but, also, the South Atlantic has
8 sector allocations for yellowtail. You all saw this at the August
9 meeting, and then, like I said, the South Atlantic Council saw it
10 at their September meeting.

11
12 The current, the most current, draft document is in the briefing
13 book as background, and I'm going to go through this presentation,
14 but we can certainly bring that up, if needed, and I just wanted
15 to focus on more of the discussion, based on the discussion from
16 the last few meetings and the directions to staff at the South
17 Atlantic meeting.

18
19 All right, and so, at our last meeting in August, Dr. Howell gave
20 a presentation on the MRIP-FES pilot study, which showed that
21 there's a forward-telescoping recall bias in the FES survey, and
22 potentially up to a 39 percent overestimation of effort for private
23 vessels and 32 percent for shore, and so a more comprehensive study
24 is planned in 2024, a peer review in 2025, and then hopefully
25 available for use in 2026.

26
27 Both this council and the South Atlantic Council -- You know,
28 you've all discussed the implications of this potential
29 overestimation for making management decisions for multiple
30 species, which includes yellowtail, most notably for the decisions
31 regarding the jurisdictional allocations and then sector
32 allocations in the South Atlantic.

33
34 With all that in mind, there are some possible implications that
35 include catch levels potentially skewed, which may affect the
36 jurisdictional allocation, and then, on top of that, like I said,
37 the South Atlantic is also considering changing their sector
38 allocations, and so, based on the result of the pilot study, it's
39 unsure, currently, whether this is simply a scaling issue or it
40 could have a larger impact, and so consideration has been given to
41 potential implications as part of the exposure analysis, which you
42 all saw yesterday and discussed.

43
44 Using that same analysis that Dr. Froeschke detailed, yellowtail,
45 and this was in the materials that he brought up that showed
46 yellowtail possibly being in the highest tier, with the most
47 exposure, for several reasons, and so it's a popular recreational
48 fishery, over here and in the South Atlantic, and the impacts from

1 the pilot study could be mitigated with the use of SRFS, but those
2 haven't been integrated yet, and they're not currently part of the
3 planned management changes in the current amendment that we've
4 been working on.

5
6 Then yellowtail, the stock, is also considered one stock in the
7 southeastern region, and so that, you know, leads to more complex
8 management strategies that we have to discuss, and then it has to
9 go to the South Atlantic, back and forth, and then, as the
10 amendment currently stands, it's, you know, uncertain whether the
11 FES units would result in additional management restrictions,
12 because there is already some potential for early closures in the
13 South Atlantic, based on the current analysis that we have in the
14 document.

15
16 All right, and so we'll get into the recommendations. I want to
17 focus on these, the ones that have been made most recently, and
18 then I will also bring up the Reef Fish AP recommendations, and
19 Captain Hubbard is -- You know, if he needs to come up as well,
20 then he can.

21
22 I think this council, and the South Atlantic, and the Reef Fish AP
23 have all noted concerns over altering yellowtail allocations, in
24 light of this FES pilot study results, and then, when the South
25 Atlantic discussed the amendment, they had several
26 recommendations, or, you know, direction to the South Atlantic
27 staff, and then some requests for this council. To provide some
28 context regarding the pilot study, they made a motion, when
29 discussing each amendment, to consider that amendment's dependency
30 on FES data, any MSA or federal deadlines required to complete the
31 amendment, and then if the council is interested in moving forward,
32 discussing a timeline or reprioritization of the document until
33 further discussion on the FES bias evaluation can be completed.

34
35 That was all very similar to our exposure analysis that John went
36 over yesterday, considering the pilot study's implications and,
37 you know, management decisions for each amendment, and so, in light
38 of all of that, the pilot study -- The South Atlantic Council
39 requested a reevaluation of catch limits and then requested an
40 update on the assessment by FWC to incorporate their SRFS data for
41 both coasts, and they also requested, because this is a joint
42 amendment, that this council consider taking the same action, and
43 there was also a letter written to Mr. Anson, clarifying the South
44 Atlantic Council's motion and providing some rationale, and that's
45 in the background meeting materials as well.

46
47 All right, and so the South Atlantic letter, the complete letter,
48 is in the materials, but this is just a -- You know, I will

1 summarize a bit of its intent, and some of the rationale, and so
2 the South Atlantic's direction to staff was to ask the South
3 Atlantic SSC to consider withdrawing the yellowtail snapper
4 stock's acceptable biological catch and prioritize a new
5 assessment for the stock, in light of the MRIP-FES pilot study and
6 Florida State Reef Fish Survey. Because this is a joint amendment,
7 ask the Gulf Council to consider consulting the Gulf SSC to take
8 the same action.

9
10 The intent of the direction was to request that the SSC reconsider
11 the catch advice and prioritize a new yellowtail assessment that
12 includes SRFS data, in light of the FES pilot study results, and
13 so, based on the results of the pilot study constituting new
14 information that may have a substantial impact on management
15 decisions, and, again, not only is there the jurisdictional
16 allocation to consider, but also the sector allocations on the
17 South Atlantic side.

18
19 To this point, FWC has indicated that they are willing and able to
20 update SEDAR 64 to incorporate SRFS data, and so this would be a
21 similar approach to what's been done with gag. Also, at the recent
22 mutton snapper workshop, a comparison of FES data to SRFS
23 determined that there could be a consistent bias with the pilot
24 study findings, and so perhaps this might occur with yellowtail,
25 and I think Dr. Sweetman said yesterday that a comparison of SRFS
26 is similar to CHTS and not FES.

27
28 All right, and so, moving on to the Reef Fish AP recommendations,
29 they also discussed this at-length, and they heard everything that
30 I'm telling you, and some points from their discussion, and Captain
31 Hubbard can add to this, if needed, but fishermen have been
32 observing a larger average size and range expansion. They would
33 like the Gulf quota to remain as high as possible, to prevent any
34 closures, and that there is an impact of FES on recreational
35 landings, and therefore the jurisdictional allocation, and their
36 motion was to recommend that the council pause work on Reef Fish
37 Amendment 55 until completion of the updated FES recreational
38 effort calibrations.

39
40 All right, and so, again, yesterday, during the FES exposure
41 analysis discussion, Dr. Froeschke mentioned the draft list of
42 amendments that had a rank and exposure level by amendment, and
43 that's certainly not set in stone, but, you know, it gave you an
44 idea of the level of exposure, and Dr. Sweetman also mentioned the
45 possibilities of using SRFS data, and what that could do to the
46 exposure level, and I think John mentioned that it could, you know,
47 shift it from a Tier 4 down to a lower level, potentially, and,
48 again, they've indicated that they can update the assessment, and

1 so this would essentially be like a reprioritization of work effort
2 on this until the assessment is updated.

3
4 What I have here is a proposed timeline with the SRFS data, and,
5 in order to have three full years of data, SRFS would have to be
6 collected through the end of this year, and SEDAR just had a
7 Steering committee meeting, and so a yellowtail operational
8 assessment was added for late spring or early summer of 2024, and
9 that would include the SRFS data, and then completion in the fall
10 of 2024, although this may impact the timing for the hogfish
11 assessment.

12
13 Then the calibration factors would have to go through a review,
14 because they would encompass the South Atlantic as well as the
15 Gulf, but the model that was used for gag has already been reviewed
16 by OST, and so they've been briefed about this possibility and
17 anticipate SRFS-calibrated landings by spring or early summer of
18 next year. Then, around September, the councils' SSCs could review
19 it.

20
21 A few things to consider, prior to discussion, and the assessment
22 for SEDAR 64 update by FWC, the interim analysis, and that's the
23 most recent, and I believe the terminal year was 2020, and, you
24 know, the stock is -- It's indicated that it's healthy. It's not
25 overfished, and it's not undergoing overfishing, and so, if the
26 councils pause, deprioritize for a time, it will allow some time
27 to incorporate SRFS data into a new stock assessment.

28
29 Then some rationale for this is it could better inform the catch
30 limits and allocation decisions, depending on how the assessment
31 shakes out with the SRFS data, and it is -- Yellowtail is primarily
32 a Florida fishery.

33
34 This is just to show some recent yellowtail landings estimates,
35 and so I pulled the 2019-2020 up to now, and, obviously, we're
36 still in the 2023 fishing season, but you can just see that the
37 percent ACL -- In the Gulf, we're well below that. In the South
38 Atlantic, not as much, but they're still below the ACL, and we
39 have a stock. They split theirs out, but I just wanted to show
40 these.

41
42 I also looked at -- I just pulled some of the data we have from
43 2012, because this is still in MRFSS, and looking at the MRFSS
44 landings from 2012 to now, comparing that to our current ABC, and
45 we're, you know, well below that, with the South Atlantic and the
46 Gulf's landings combined. I believe that's all I have for right
47 now, and I'm just looking for feedback on next steps. Thanks.

1 **CHAIRMAN FRAZER:** Okay. Thank you, Carly. Ms. Levy.

2
3 **MS. LEVY:** So just a question, and so the landings -- I know why
4 you have it in MRFSS, and comparing it to the current catch limit,
5 but what I would be interested in seeing is -- The new ABC
6 recommendations that we're supposed to be acting on are using an
7 assessment that used MRIP-FES, right, and so how do the most recent
8 landings, in FES, compare to the recommended ABC that we would be
9 putting on pause, right, because it's lower than what's on the
10 books, and so that's part of the -- The stock might not be
11 undergoing overfishing or overfished, but we have an ABC
12 recommendation that's lower than the current catch limit, and so
13 putting it on pause has some implications regarding the
14 requirements of the Magnuson Act, and so I think it's important to
15 know where the landings fall, as compared to the recommended ABC.

16
17 **MS. SOMERSET:** Right, and that's a good point, and I looked at
18 those, and I think it's in Table -- I did look at the landings,
19 and then also the projected -- They're not expected to exceed the
20 new ABC, and it's a 2023 -- It's a decreasing yield stream, from
21 2027 on, in FES, and that's -- The FES is closer, but still not
22 expected to exceed it, to the ABC. Does that answer your question?
23 When you shift from MRFSS to FES.

24
25 **MS. LEVY:** Yes, and I didn't know -- Like it looked to me, and
26 maybe I'm missing it in the document, but there were tables with
27 landings, right, in FES, but it looked like it was divided between
28 Gulf and South Atlantic, and like I didn't see where it had total
29 landings compared to like -- I didn't go through and add them all
30 together, and so, yes, I was interested in total, as compared to
31 the recommended ABC. What you're saying is total landings, in
32 FES, over the past couple of years, have not reached the
33 recommended ABC that we're considering.

34
35 **MS. SOMERSET:** Right, and it looks like they've gotten close.
36 Right now, in MRFSS, it doesn't even -- I think one year was a
37 million pounds away from the ABC, but I can combine those and get
38 them for you in FES. I know what tables you're talking about, and
39 it's split still, and so, yes, you want to see it combined.

40
41 **MS. LEVY:** I just think it's an important part of the discussion,
42 because, to the extent that the South Atlantic is either going
43 back to the SSC, or trying to put a pause on this, and the Gulf is
44 considering doing the same thing, then, again, we have a situation
45 where we have an ABC recommendation that's lower than the catch
46 limits, which is not consistent with the requirements of the
47 Magnuson Act, and so, if you're going to come up with some sort of
48 rationale for slowing this down, I think one important thing might

1 be what we know prior landings have been, compared to the
2 recommendation, and what we expect moving forward, right, and, if
3 we had a history where we were, the last five years, exceeding --
4 If our catches were actually exceeding the ABC recommendation, I
5 think we would have a really hard time saying we're not going to
6 do anything for another year-and-a-half on this, but maybe that's
7 not the case here, and we can use that to further bolster the idea
8 as to why you would want to slow it down.

9
10 **CHAIRMAN FRAZER:** Thanks, Ms. Levy, and, Carly, I think maybe we
11 can work on grabbing that information from the document, maybe,
12 and we can present it at Full Council, but I think we all understand
13 the point.

14
15 **MS. SOMERSET:** Sounds good.

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

18
19 **DR. SWEETMAN:** Thank you, Mr. Chair, and so that certainly would
20 be nice. I mean, I did the math myself, and we were not up against
21 the new recommended ABC, and certainly we would like to see that
22 information at Full Council, but, in light of that, considering
23 doing the math, that we weren't over that, a lot of the
24 justification that we have here -- This is just seems like a prime
25 candidate for us to just put a pause and try and update this with
26 some of the best information that we can, with the State Reef Fish
27 Survey.

28
29 This is a Florida fishery, and we have great coverage on this
30 fishery with our survey, and so, with that, I'm prepared to offer
31 up a motion, and, Bernie, I sent that over to you. We can, of
32 course, continue discussions in Full Council, obviously, but I
33 would like to talk about this now.

34
35 **Okay, and so motion is to recommend that the Gulf Council move**
36 **Snapper Grouper Amendment 44/Reef Fish Amendment 55 to Priority**
37 **Level C and continue work on this document after completion of the**
38 **updated SEDAR 64 operational assessment that incorporates**
39 **calibrated State Reef Fish Survey recreational landings estimates**
40 **and request that the South Atlantic Council also consider the same.**
41 **I'm happy to provide justification.**

42
43 **CHAIRMAN FRAZER:** Okay. Thank you, C.J. We need a second for
44 that motion. It's seconded by Captain Walker. C.J., if you want
45 to give a little bit more explanation.

46
47 **DR. SWEETMAN:** Yes, mostly certainly. Okay, and so this fishery
48 is not overfished, not undergoing overfishing, and it's a Florida

1 fishery, and landings -- The ACL, you know in both the Gulf and
2 the sector ACLs in the South Atlantic, are below that level.
3 Current catch levels -- You know, as I said, we'll see that table
4 later on, in Full Council, and it sounds like, by doing the math,
5 we're still below that with the recommended new ABC.

6
7 We do have this new FES information that suggests that, moving
8 forward with the current -- Implementing the current catch advice
9 in the FES unit of management could potentially be problematic, as
10 we're dealing with allocation issues between the various councils,
11 and I will leave it at that. I mean, I think that is plenty of
12 justification for -- I think this is just a prime example for
13 navigating some of these issues that we have that are associated
14 with the pilot study, how the council could potentially move
15 forward, in light of those issues, and I think this is a perfect
16 alternative survey, state survey, that we can utilize to help
17 manage this fishery and set this up.

18
19 **CHAIRMAN FRAZER:** All right. Any further discussion? Dr.
20 Froeschke.

21
22 **DR. FROESCHKE:** If it's helpful, Carly just sent the table to
23 Meetings about the recent landings for the Gulf and South Atlantic
24 combined, if you want to look at those.

25
26 **CHAIRMAN FRAZER:** Yes, and why don't we go ahead and pull those
27 up. In the meantime, Mr. Strelcheck.

28
29 **MR. STRELCHECK:** Thanks, Mr. Chair. Just to, I guess, further add
30 to the rationale, and so C.J. indicated that it's not undergoing
31 overfishing or overfished, right, and so that doesn't trigger the
32 Magnuson Act timeline for rebuilding stocks or ending overfishing
33 immediately.

34
35 I would note, you know, that it would be good, obviously, to
36 validate the landings, but it sounds like they're coming up, and
37 we do want to emphasize, right now, the best scientific information
38 available is the current assessment, with FES, until changed,
39 right, and that, based on the SEDAR Steering Committee
40 conversation, my understanding is that SRFS would be calibrated
41 for yellowtail snapper sometime this spring, and then incorporated
42 into an assessment and completed by fall of next year, and so we're
43 talking about a year from now before we would have new management
44 advice.

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

47
48 **DR. FROESCHKE:** Just while Carly is getting the landings tables

1 up, a question related to that, and so, at the South Atlantic,
2 they passed a motion to have their SSC reexamine it, and so, given
3 you're stating that it's the best information available and all
4 that, what are their options? What is the range of options that
5 the SSC might do with the information?

6
7 **CHAIRMAN FRAZER:** Andy.

8
9 **MR. STRELCHECK:** The South Atlantic Council explicitly was asking
10 the SSC to rescind their ABC advice, and the reason for that is
11 what Mara mentioned earlier, that we have a catch limit that
12 currently is in place that exceeds the ABC that's been recommended
13 based on the new stock assessment.

14
15 **DR. FROESCHKE:** All right, but just, if they rescind it, they would
16 have to replace it with something, and is that correct?

17
18 **MR. STRELCHECK:** Right, and the request pertained to them
19 rescinding it and replacing it, ultimately, with whatever came out
20 of this new yellowtail snapper SRFs run.

21
22 **CHAIRMAN FRAZER:** We've got a couple of people in the queue, and
23 I just want to comment on that a little bit, you know, and so I
24 think -- I understand the agency's position that the FES data is
25 considered BSIA, but I think it's probably bad form to go back to
26 the SSC and ask them to rescind an analysis, because they don't
27 have any other information to do that, and that's why I actually
28 quite like the way that C.J. worded this motion. It takes the
29 burden off the SSC, and, you know, we don't have to open that can
30 of worms, necessarily. Anyways, thanks for wording it that way,
31 C.J. Mr. Griner.

32
33 **MR. TIM GRINER:** Thanks, Mr. Chairman. So I think, at this point,
34 the South Atlantic is not going to consider going back to our SSC.
35 We don't want to go down that road right now, and so exactly as
36 C.J. put it to you, and I think what our intention would be is to
37 get this Florida wildlife data, and see what shakes out of that,
38 but we are not going to go back to the SSC at this point. Thank
39 you.

40
41 **CHAIRMAN FRAZER:** Thanks, Tim, for clarifying that. All right.
42 Is there any further discussion on this motion? Again, I'm going
43 to gamble here. **Is there any opposition to this motion? I am not**
44 **seeing any, and the motion carries.**

45
46 All right. The next item in the agenda is an Update on the 2023
47 Recreational Gag Fishing Season Closure, and that's Tab B, Number
48 9 in your briefing materials, and, Mr. Strelcheck, if you can guide

1 that discussion.

2
3 **UPDATE ON 2023 RECREATIONAL GAG FISHING SEASON CLOSURE**
4

5 **MR. STRELCHECK:** Thank you, Mr. Chair. I don't have a
6 presentation, and I was asked to talk about the recent gag
7 recreational fishing closure. As you recall, you had requested an
8 interim rule to set the season as September 1 through I think it
9 was November 10, and we, as an agency, were reviewing some
10 preliminary landings data, some preliminary reports with regard to
11 catches and intercepts, as well as, obviously, considering other
12 factors, like weather events, and, based on the original
13 projections that we had provided the council, back when you were
14 doing the interim rule, we had concluded that the season could be
15 as short as the end of September, as long as kind of the middle of
16 November, and you selected that, you know, November 10 timeframe
17 to close the fishery.

18
19 We did not want to base any decision to close the fishery early,
20 before the season started, because there was quite a bit of
21 uncertainty with regard to whether effort would shift, as well as
22 whether we would have any sort of major storm events along the
23 West Florida Shelf. We did have Hurricane Idalia blow up the west
24 coast of Florida, but that was in late August, and then it did
25 have impacts, but not to a significant portion of the area fished
26 for gag.

27
28 Ultimately, we took that into consideration, as well as some
29 increased catch rates and information that we were getting from
30 some preliminary data, and we shortened the season to October 19,
31 and that essentially represents -- There's no single projection
32 that says that we should close on October 19, and that represents
33 kind of a mid-range between the September projections and the early
34 November projections, and I also had conversations with FWC,
35 because it's important for us, for a fishery that's primarily off
36 of the West Florida Shelf, that there would be compatible
37 regulations, and the State of Florida presented it to their
38 commission and went consistent as well with that decision.

39
40 I hope that I'm wrong, right, with that projection, and,
41 ultimately, we didn't catch as much gag as maybe the quota allows,
42 and that will dictate, obviously, future decisions about the gag
43 season, but, ultimately, at the end of the day, we had to weigh a
44 number of factors, and we did try to give about three weeks'
45 notice, in terms of that closure, and I know it caught a number of
46 people by surprise, but we were trying to kind of weigh in-season
47 factors with also giving advance notice as to when we would be
48 closing gag, and so that's the broader rationale with regard to

1 how we reached our decision, and so I will take any questions.

2
3 **CHAIRMAN FRAZER:** All right. Thanks, Andy. I've got a real quick
4 question for you, and I know we've got a number here, but so, I
5 mean, all of this is currently in FES, right, and so we won't
6 really be able to fully evaluate how close you hit the mark, or if
7 we hit the mark, until early spring?

8
9 **MR. STRELCHECK:** Yes, and so Wave 5 would be available sometime in
10 late January, and so we might have it for the next council meeting.

11
12 **CHAIRMAN FRAZER:** All right. Thanks. Captain Walker.

13
14 **MR. WALKER:** Thank you, Mr. Strelcheck. I just had one question.
15 You said you based it on some information we had on catch rates,
16 and could you elaborate on what those were? Was it the FWC
17 intercepts, or what was that?

18
19 **MR. STRELCHECK:** So preliminary intercepts, but we also reached
20 out to our headboat program, and I recognize that the headboat
21 program represents a small fraction of the overall harvest, and we
22 were seeing two to threefold increases in headboat landings for
23 gag grouper for the month of September, relative to past years,
24 and so that was part of the consideration as well.

25
26 **CHAIRMAN FRAZER:** Okay. Any other questions for Mr. Strelcheck?
27 I am not seeing any, and thanks, Andy, for the update. The next
28 agenda item has to do with the SSC's discussions on recent gag
29 grouper research and implications for gag grouper management, and
30 that would be Dr. Barbieri. Ryan, I don't know if there's an
31 action guide item that we need to go over for that.

32
33 **SSC DISCUSSIONS ON RECENT GAG GROUPE RESEARCH AND IMPLICATIONS**
34 **FOR GAG GROUPE MANAGEMENT**

35
36 **MR. RINDONE:** Sure. Luiz is going to talk to you guys about
37 presentations that the SSC received from several researchers on
38 gag grouper, and these were presented to the SSC during its
39 September 2023 meeting. Dr. Sue Lowerre-Barbieri presented
40 reproductive resilience on protogynous gag grouper, Dr. Angela
41 Collins on effects of recreational catch and release angling on
42 the survival of gag and gear and strategies designed to reduce
43 barotrauma, and the SSC's Dr. Dave Chagaris presented on age-
44 specific mortality of gag from red tide on the West Florida Shelf,
45 and FWC's Bev Sauls presented on discard mortality of gag on the
46 West Florida Shelf.

47
48 These presentations were designed to inform the SSC and assist it

1 in providing recommendations to the council on keeping the
2 council's stated goals for the Gulf gag stock, as it relates to
3 this framework action that we've been working on, which is to
4 reduce fishing mortality on the males, constrain harvest to the
5 ACL, increase the probability of rebuilding the stock, avoid
6 increasing discards, and to reduce vulnerability of gag during the
7 spawning season to increase spawning success.

8
9 You guys should evaluate the information presented and consider
10 how it could be used to inform the council with regard to these
11 goals for gag and ask any questions, as appropriate, and then you
12 will also -- We have briefed the Reef Fish AP on this too, and so
13 Captain Hubbard can talk to you guys about what the Reef Fish AP
14 discussed with respect to this research.

15
16 **CHAIRMAN FRAZER:** All right. Thank you, Mr. Rindone, and I think
17 Dylan -- Ryan, do you want to have Dylan before Luiz or after Luiz?

18
19 **MR. RINDONE:** It's probably better to have Dylan go after Luiz, so
20 that the context is there for the AP's comments.

21
22 **CHAIRMAN FRAZER:** Okay. We'll do that, and so we'll get Luiz all
23 loaded up. Dr. Barbieri.

24
25 **DR. BARBIERI:** Thank you, Mr. Chairman. Good afternoon, everyone,
26 and thank you, Ryan, for that introduction there to the discussion.
27 This is going to be a little bit like drinking from a firehose.
28 It's a lot of information, and I will try to be brief and synthesize
29 for you the main take-aways from these talks.

30
31 I am not going to re-read the titles of those talks, right, because
32 Ryan just went through them for you, but, back at our September
33 meeting, the SSC received these presentations, and they were
34 focused on gag reproduction, understanding the reproductive
35 biology and the movement and ecology of gag, and there were two
36 talks that had to do with catch-and-release angling, barotrauma
37 survival, and discard mortality of gag on the West Florida Shelf,
38 and then also an update, a quick update talk, from our very own
39 SSC member, Dave Chagaris, on age-specific mortality of gag from
40 red tide, because we had received a presentation, late last year,
41 from Dr. Chagaris, and he came this time to sort of give us an
42 update on what had happened since then.

43
44 As Ryan pointed out, the SSC discussion on the topics covered by
45 these talks were really guided by the council's goals for gag, and
46 so listed here are the factors that you have identified as
47 important to the success of rebuilding the Gulf gag stock, and so
48 reduce fishing mortality on male gag, constrain future harvest to

1 the ACL, increase the probability of rebuilding the stock, avoid
2 increasing discards, and reduce the vulnerability of gag during
3 spawning to increase spawning success, and so these discussions
4 were guided by these principles.

5
6 The first talk addressed reproductive resilience in the
7 protogynous gag grouper, and this was Dr. Sue Lowerre-Barbieri,
8 who is with the University of Florida and FWRI, a cooperative
9 program, and this study summarized the results of two completed
10 studies that spanned the time period of 2016 through 2021 that
11 sampled gag using video and hook-and-line gear, through chartered
12 fishermen.

13
14 This presentation covered both MPAs, and you can see a map there
15 on the right side of that slide, right, and the square towards the
16 top of that figure, marked "MS", is the Madison-Swanson MPA, and
17 then, further down, another square there is Steamboat Lumps, which
18 is the other MPA that was sampled, and then areas of the
19 seasonally-closed Edges, right there in the middle, and a high-
20 relief area known as the Sticky Grounds, marked as "SG" on that
21 chart.

22
23 This covered a lot of area, in terms of adult gag, but there was
24 also some preliminary sampling conducted in nearshore Tarpon
25 Springs areas, just to understand how younger, smaller gag that
26 live in that area relate then, are tied, into the full population
27 structure of gag in the region. The samples were collected through
28 this project, but they were actually supplemented with
29 reproductive samples that came from FWRI's fishery-independent
30 monitoring program and fisheries-independent monitoring program,
31 and so both of these monitoring programs, fisheries-dependent and
32 fisheries-independent, have sampling programs that span basically
33 the entire west coast of Florida.

34
35 By pooling samples collected through these research projects with
36 FIM and FDM samples, you really increase your sample size, and,
37 overall, there were almost 3,000 fish that were sampled for
38 reproductive analysis for this study.

39
40 Gag have complex life history and biology. For starters, they
41 start life as female, and then they transition to male later in
42 life, and so they are protogynous hermaphrodites, but, on top of
43 that, they have a very complex spatial ecology, and so, during
44 their life cycle, they are over multiple habitats, and, because of
45 that, they are subjected to different components of the fisheries
46 at those different stages of life in those different habitats.

47
48 Here, I have listed a few of those areas, and so, for nursery

1 habitat, it's primarily composed of inshore and estuarine seagrass
2 areas, right, in very shallow areas, where there is some fishery
3 there that is catching and releasing a lot of undersized gag, and
4 it's actually immature females that are caught in shallow areas,
5 and they are usually less than twenty meters, and this is on the
6 shelf, but in shallower parts of the shelf, and then you see that
7 spawning females are found in deeper water, right, ranging there
8 between sixty-five to 138 meters, and then, on top of that, no
9 males are found in areas shallower than forty-six meters.

10
11 If you look at that chart, the map there on the right that has a
12 whole bunch of dots there, and big dots denote areas where females
13 were sampled, and the blue dots indicate where males were
14 collected. You can see that the pink dots are really distributed
15 all over the West Florida Shelf, most of it, right, ranging from
16 shallow to deep, while the blue dots are really limited to just
17 those deeper areas.

18
19 Also, and this was something relatively new, but important for us
20 to find out, was that gag do not form, according to this research,
21 large spawning aggregations. The diagram there, the conceptual
22 model there, towards the bottom of that slide, tries to give you
23 a way, or a schematic, to address the connectivity between these
24 different life history stages of gag in different areas at
25 different times, and so, if we start going through that little
26 circle there, that is half pink and half blue, in the spawning
27 area, right, and you have males and females there, and that's going
28 to happen in late winter through spring, where males and females
29 are together for spawning, and, in this area, you also have females
30 transitioning into males, and, after spawning, larval dispersal
31 brings the fish, the young larval fish, into nursery habitats
32 inshore in those estuarine zones.

33
34 Now, notice that the larval dispersal arrows are marked in pink,
35 because those fish are very young, and they are all female, and
36 so, from the nursery habitats, as they start growing, they move
37 into shallow shelf waters, right, and they are still female at
38 that point. In the shallow areas, they have detected some level
39 of transition, and so, in the past, we had thought that the
40 transition happened only offshore, only on the spawning habitat,
41 but that's not the case. We have transition happening also on the
42 shallow areas, where young females are, and they are subjected
43 then to some fishery inshore, right, in that area.

44
45 Their ability to go from the shallow areas into those deeper
46 spawning areas rely on their ability to escape, right, between
47 this shallow habitat on the right-hand side of your figure there
48 and to cross that forty-six-meter vertical hatched line there and

1 escape, right, and recruit into the areas where the males actually
2 live, right, and so this gives you an idea that addressing
3 fisheries regulations on gag, that takes into account this complex
4 life history, involves protecting fish that are being fished in
5 keeper zones, the spawning and the males that are there, but also
6 allowing some level of escapement going from those shallow areas
7 into deeper areas.

8
9 In summary here, the results of these reproductive resilience
10 studies, and so research results show that male sex ratios ranged
11 from zero to 6 percent, and so there are actually very low male
12 sex ratios, right, and, in both studies, that was very consistent.
13 In both the MPAs sampled, the male sex ratio was approximately 5
14 percent male, indicating that, even though these MPAs were put in
15 place, they actually did not cause a recovery of the male sex
16 ratios, right, and so the MPAs that had been predicted to have
17 male sex ratios approximately equal to 15 percent, remain at low
18 levels of roughly 5 percent.

19
20 The study also identified a relatively high level of skip spawning,
21 from about a third to almost half of the females that were captured
22 that showed signs of skip spawning, and that is concerning, because
23 it might have something to do with the absence of enough males in
24 the area to trigger that spawning activity by females.

25
26 Males are also bigger, and bolder, than females, right, and this
27 is relevant, because, if you look at that inset there on the right
28 side of the figure, the graph on top, the bar graph, the pink bars
29 indicate female size composition, and the blue is the males, and
30 you can see that all of the males are there on the larger sizes,
31 but, because we know that fishing will impact the size composition
32 of the stock, and juvenesce the stock some, that juvenescence is
33 going to have a disproportionate impact on the males, relative to
34 the females.

35
36 As we look at the SEDAR 72 results, what did we find there? Well,
37 consistent with what this research found, the SEDAR 72 assessment
38 also predicted less than 2 percent male sex ratios for gag, and,
39 when you look at what would be the expected, the ideal, sex ratio
40 that we should be rebuilding this stock towards, which, in our
41 case, based on the reference points that we chose, would be an SPR
42 of 40 percent, the model indicates a 20 percent proportion of males
43 at that stock level, at that biomass at FSPR 40 percent, and so
44 that gives us an idea that what we have now is quite a bit below
45 where we should be, and it gives us a target for rebuilding the
46 stock.

47
48 Looking at historic papers, that Hood and Schlieder paper that

1 came out in 1992, by sampling fish in the late 1970s and early
2 1980s, that paper identified a 17 percent sex ratio for males,
3 which gives us, again, an empirical idea of what that sex ratio
4 should be.

5
6 The next presentation we received was on the effects of
7 recreational catch-and-release angling on the survival of gag and
8 gear and strategies designed to reduce barotrauma, and this was by
9 Dr. Angela Collins, who is also with UF, and she conducted this
10 research actually when she was at FWRI, back during the period of
11 2014 through 2017, and the idea here was to conduct this
12 cooperative research project and evaluate -- You know, quantify
13 what catch-and-release mortality was and evaluate the
14 effectiveness of using these barotrauma-mitigation practices, like
15 venting and descending, but only when barotrauma was identified
16 and mitigation practices were needed.

17
18 They sampled a total of ninety gag with acoustic tags, with a size
19 range of seventeen to thirty-two inches total length, but all in
20 depths up to forty meters, and so relatively shallow relative to
21 the entire distribution of the stock.

22
23 The main take-aways from this study were the gag tagged by the
24 study show high site fidelity, you know, with a size range of
25 seventeen to thirty-two inches total length, and so, within that
26 size range, they seem to be showing very high site fidelity in the
27 area. Barotrauma did not seem to be related to fish size, right,
28 but it increased with depth, and so, for those depth bins there
29 that Angela looked at, you know, less than twenty meters, twenty
30 to thirty, and then greater than thirty meters, barotrauma
31 increased with depth, but, inside that forty-meter isobath,
32 discard mortality of gag was relatively low, less than 10 percent.

33
34 Then, finally, if properly applied, both of these methods, venting
35 or descending, are effective in decreasing the effects of
36 barotrauma, and so, basically, in those shallow areas, catch-and-
37 release fishing has relatively low mortality rates, but those
38 mortality rates do tend to increase with depth.

39
40 The next study, the next presentation we received, was on discard
41 mortality of gag on the West Florida Shelf, and this was presented
42 by Bev Sauls, who is also with FWC-FWRI, and she conducted this
43 study during 2009 to 2012, and it covered the entire west coast of
44 Florida.

45
46 Vessels selected for this were for-hire vessels greater than, more
47 than, 160 who engaged to participate and do research, and they
48 observed samples, observed trips, year-round along the shelf, and

1 so they were observing fishes there caught and then, by observing
2 that, also assessing, along with discards, the discard condition
3 of the fish, in terms of severity of the hook injury and barotrauma
4 and whether the fish were vented or unvented, and then those fish
5 were marked with dart tags and released.

6
7 Because this study had such a broad geographic range, and it
8 happened year-round with such a large number of vessels, under
9 multiple different conditions, the data was very complex to be
10 analyzed, and so Bev actually developed a fairly complex and
11 innovative mark-recapture model that helped her assess and get to
12 the bottom, you know, results of this study.

13
14 The main take-aways from this study were the majority of gag were
15 caught in less than thirty meters, right, and they were submerged
16 without venting, because they didn't show signs of barotrauma, and
17 so they were released in good condition, and they were expected to
18 have better survival. In contrast, the gag that were not released
19 in good condition, and those were caught in deeper depths, deeper
20 areas, and those were -- Actually, they had to be more frequently
21 vented, and so it was clear, in that case, that, not surprisingly,
22 discard mortality increased significantly with depth.

23
24 Now, looking into the future, right, this program at FWC, both the
25 State Reef Fish Survey and the at-sea observer program, are now
26 funded into the future, and that will give us the opportunity to
27 evaluate the impacts of changing fishing regulations, using the
28 data for that, as well as support stock assessments.

29
30 The last presentation that we received was by Dr. Dave Chagaris,
31 who is with the University of Florida, but also a member of our
32 SSC, and he gave us that brief update presentation on age-specific
33 mortality of gag from red tide on the West Florida Shelf.

34
35 The red tide -- The bottom line was the red tide mortality has not
36 been a major concern for gag since late 2021, which was the last
37 time that we had received a report from Dave, and, although some
38 red tide mortality was detected in 2022, the impact was higher on
39 the younger ages, and it was not really detectable yet on fish
40 that were joining the fishery, but, in general, no major concerns
41 for 2022 and 2023, as far as red tide impacts are concerned.

42
43 Future work, and I will go through this fast, from Dave is that he
44 is now funded, through a NOAA RESTORE funding -- From the NOAA
45 RESTORE science program funding initiative from now, October of
46 2023, and going through 2028, where he's going to be improving and
47 helping operationalize the West Florida Shelf ecosystem model, to
48 then more directly be able to contribute into the assessment and

1 management advice that is reviewed by the SSC.

2
3 The main take-aways from all these talks, right, just a summary
4 for you, is, first, male sex ratios are low for gag, and less than
5 2 percent were identified by SEDAR 72, and, you know, if we take
6 into account that, on average, it takes a decade to make a male,
7 you can imagine the challenge here that we are facing, right, and
8 that observed high level, 30 to 40 percent, of skip spawning is
9 concerning, and it may be related to these depressed sex ratios,
10 and it may not, but they are concerned, because it's such a large
11 part of the population that doesn't seem to be engaging in
12 reproduction.

13
14 Also, sex ratios did not recover to those expected levels in either
15 of the MPAs, right, and so this may be because transition occurs
16 both in shallow and in deeper water, and so protecting fish in
17 deeper water is important, and also allowing enough escapement of
18 young fish from shallow to deeper waters to survive as males might
19 be important as well, and so that brought this question of could
20 intense fishing effort in shallow, nearshore waters be preventing
21 enough escapement to the spawning population, and that is something
22 that we need to think about.

23
24 In terms of catch-and-release mortality, inside of forty meters,
25 the gag discard mortality seems to be low, probably less than 10
26 percent, but we know that that mortality increases significantly
27 with depth, right, being, in some situations, even greater than 35
28 percent in deeper water, and, from the red tide update,
29 fortunately, red tide has not been a major concern since late 2021,
30 but it is an issue that we need to continue monitoring, because it
31 could come up from time to time, and we need to stay on top of
32 that, and that, Mr. Chairman, completes my presentation.

33
34 **CHAIRMAN FRAZER:** We'll go into discussion on the related material
35 after a short break, but I wanted Captain Hubbard to come up and
36 give the AP overview of their thoughts on this.

37
38 **REEF FISH AP COMMENTS**
39

40 **MR. HUBBARD:** Thank you. One of the big things that the AP
41 discussed on gags was, and specifically on discards on gags, was
42 the Return 'Em Right program and how important that it is to
43 reducing discard mortality and deducing the burden on these male
44 gags in deeper water and helping to continue to improve that
45 discard mortality rate that we're looking at on those deepwater
46 gags, and so just basically an emphasis on proliferating that
47 program further and trying to do the best job we can at outreach
48 and education on that program.

1
2 Also, a big discussion at the Reef Fish AP was the issue that we
3 have, in the council process in general, of how, in this gag
4 grouper stock assessment that we're facing management advice on,
5 and these short seasons, the terminal year is 2019, and so the lag
6 assigned to management, and it was cool to see all the research,
7 and a lot of discussion happened around the AP table in regard to
8 the research, but even that, the interim analysis happening every
9 year, it's not really as we would all hope, right, and so one of
10 the cool things, that I believe Ryan brought up in the discussion,
11 was how FWC is doing a lot of research around using AI to improve
12 the going through the video, instead of having someone sit there
13 and watch all the video, and using AI to actually analyze it
14 quicker, so we can get these IAs turned around a lot faster and
15 have a better pulse on the fishery, which was something the Reef
16 Fish AP was excited about.

17
18 Then, as Dr. Barbieri finished his presentation about the red tide
19 issue, that was a big concern, and, so often, sportsmen, sportsmen
20 and women, and the council is dealing with the outcomes of water
21 quality issues, especially when it's in regard to this stock, and
22 Dr. Barbieri did a great job outlining the life history and how
23 this fishery is so tied to the estuary, and, along Florida's
24 central and southwest coasts, these water quality events are
25 severely hindering that stock's ability to proliferate and bounce
26 back, and so it was definitely a concern that the AP discussed as
27 well, was the water quality issues. Thank you.

28
29 **CHAIRMAN FRAZER:** All right. Thank you, Captain Hubbard. I think
30 what I would like to do, to keep us on schedule, Mr. Chair, is to
31 take a short break, and then we'll pick up with related gag
32 discussion.

33
34 **MR. ANSON:** We have fifteen minutes.

35
36 (Whereupon, a brief recess was taken.)

37
38 **CHAIRMAN FRAZER:** We are going to pick right back up with gag, and
39 we're going to move into the agenda item having to do with the
40 SSC's discussions on the 2023 Gulf Gag Grouper Health Check, or
41 the interim analysis, and I will go ahead and let Mr. Rindone walk
42 us through the action guide.

43
44 **SSC DISCUSSIONS ON 2023 GAG GROUPEER HEALTH CHECK**

45
46 **MR. RINDONE:** Thank you, sir. We haven't shed Dr. Barbieri just
47 yet, and so he's going to review a presentation on the SSC's review
48 of the Science Center's 2023 gag grouper interim analysis, which

1 used video data through 2021 and recruitment data through 2022.
2 These data were prepared to help inform the SSC about the condition
3 of the gag stock, for which catch limits were greatly reduced
4 following the SEDAR 72 stock assessment, which found gag to be
5 overfished and undergoing overfishing as of 2019.

6
7 This interim was provided as a health check, in part because the
8 catch limits for gag were just modified in Reef Fish Amendment 56,
9 which has not yet been implemented, and also because, and this is
10 implicit in the scope of work, but also because the video data
11 only go through 2021, which is only two years of additional
12 information, and, for doing a revision to catch advice, three years
13 of data are typically preferred, and so you guys should review the
14 information that's been presented, and also review the summary of
15 comments about this IA from the Reef Fish Advisory Panel, and so,
16 Luiz.

17
18 **DR. BARBIERI:** Thank you, Mr. Rindone, for that introduction. Here
19 I am back again. As Ryan just mentioned, gag was last assessed in
20 SEDAR 72, with data through 2019, and it was in an unhealthy
21 condition. You know everything about Amendment 56 there, and so
22 I don't need to repeat all of that.

23
24 This interim analysis provides a health check, as Ryan pointed
25 out, and it's based on the same indices that were used in SEDAR
26 72, and this is a combination of the Panama City video index, which
27 covers shallow water, and an age range from zero to three years
28 old, and then the Pascagoula survey, which covers deeper water,
29 and that's also a video survey, and older ages, from ages three-
30 plus. Then the FWRI seagrass survey, with seining on the seagrass
31 beds, is an age-zero-plus survey, and so the video surveys were
32 updated through 2021, because there was a data processing lag, and
33 we can talk a little bit more about that later. The age-zero
34 index, because it doesn't rely on having to read the videos, was
35 updated through 2022.

36
37 Just to give you an overview here of the Panama City survey, the
38 map there, that you have on the left side of the screen, that's
39 the Big Bend and the Panhandle of Florida, and you see there the
40 shallow area that are sampled by the Panama City video survey,
41 ages zero to three, and the graph on the right is the trajectory
42 of those values, the index values, that were used. In red, the
43 line in red, is SEDAR 72, and then this interim analysis is updated
44 through 2021, and the bottom line is that the index has been
45 primarily under the average, right, and there was that peak in
46 2019, that was a bit above the average, but there hasn't been
47 really any major increases in the recent past.

1 Then here is the same thing for the Pascagoula survey, which is
2 that video survey that covers the deeper areas, and you can see
3 there, on that map, on the left side, the dots indicate the
4 different areas sampled, and then the graph on the right is a
5 trajectory of this index over time, over the entire time series of
6 data there, through 2021, and, again, this has had, you know, a
7 lot of variability, a lot of uncertainty over time, but, recently,
8 we don't really see any signs of a major pulse of fish coming
9 through, and this would be for ages-three-plus.

10
11 Then here is the FWRI age-zero survey, and you can see there the
12 graph on the left that summarizes all the areas that were sampled,
13 and then this index actually is weighted by the amount of seagrass
14 coverage in each one of those areas, and it so it properly reflects
15 the availability of gag juvenile habitat.

16
17 You can see the graph on the right then is that index that was
18 standardized for SEDAR 72, and then the interim analysis update,
19 that was just produced, going through 2022, and it has a few
20 points, over the last ten years or so, where it is above the mean,
21 but, by and large, it's been fluctuating, really, around the mean.

22
23 Here, the Science Center provided not just this analysis, but they
24 provided this table that really helped us visualize what changes
25 these indices have gone through since the year 2019, which was the
26 last year of the stock assessment in SEDAR 72, and so the idea in
27 here is to give you this health check, an idea of what has happened
28 since 2019, which was the last year that was analyzed for SEDAR
29 72, and so you can see the PC index, the percent difference from
30 2019, right, the Panama City, which is age-zero to three, and, by
31 and large, it shows, on average, a decrease over time.

32
33 The SEAMAP index, which is ages-three-plus, in deeper water, has
34 remained also, by and large, just minor variability there, with
35 some increases and decreases, but no particularly net gain. Then,
36 for the age-zero index, for the FWRI, where we have four years of
37 data, again, the percent difference from 2019 -- There is a little
38 gain there in 2020, but, over the last couple of years, it has
39 been basically decreasing, and so that kind of summarizes for you
40 the general condition of the gag stock since 2019. The SSC
41 discussion and recommendation --

42
43 **MR. RINDONE:** Luiz?

44
45 **DR. BARBIERI:** Yes.

46
47 **MR. RINDONE:** Can we go back to the last slide, real quick? I
48 just wanted to make a note of something.

1
2 **DR. BARBIERI:** Sure.

3
4 **MR. RINDONE:** So just to note to the committee that these percent
5 differences are annual comparisons, and they're not cumulative,
6 and so, when you're looking at the percent change from 2019, that's
7 2020 compared to 2019, and 2021 compared to 2019, and it's not
8 cumulative through the years, and that was all.

9
10 **DR. BARBIERI:** Very good point. Thank you, Ryan. Then, in terms
11 of SSC recommendations, right, the SSC accepted this analysis as
12 being conducted using robust methodology, and it's consistent with
13 the best scientific information available.

14
15 There weren't really any signs there that made us change our
16 assessment of the condition of the stock, and so the SSC encouraged
17 the council to continue monitoring the gag stock, you know, keeping
18 a finger on the pulse of what might be happening with this stock,
19 but you may remember, during the introduction, that Ryan mentioned
20 that the GFISHER video index, which has a broader coverage over
21 the West Florida Shelf, could not be used for this analysis,
22 because of the delay in the video readings and the fact that this
23 index had not made it into the last assessment, and so, for this
24 health check, it was not included, and the SSC felt that, for the
25 next one, we wanted to point out that, ideally, we would have the
26 GFISHER video index included when that analysis is done.

27
28 Then, again, we encourage you, as a council, to work with FWC, and
29 the Southeast Fisheries Science Center, in addressing this timing
30 for the next interim analysis for gag, and perhaps for some other
31 species that are covered by the GFISHER video survey as well,
32 because, right now, we are kind of dealing with basically a backlog
33 of videos to be read.

34
35 It's a lot of work, and it's a very time-consuming process,
36 training people and getting all of that done, and so, at some
37 point, I think we're going to have to have a broader conversation
38 on where we are in our ability to produce these interim analysis
39 results in a timely manner if the GFISHER video index is going
40 through those processing issues. That, Mr. Chairman, completes my
41 presentation.

42
43 **CHAIRMAN FRAZER:** Thank you, Dr. Barbieri. We've got to have a
44 quick input, some input, from the Reef Fish AP, and Captain
45 Hubbard, but, Luiz, if you could hang on the line, we'll just
46 follow up with a general discussion after that.

47
48 **REEF FISH AP COMMENTS**

1
2 **MR. HUBBARD:** It's good to see you guys again. The Reef Fish AP
3 members felt that the next interim analysis should also review the
4 Florida Fish and Wildlife Research Institute's trap camera video
5 index data as well, and then, also, some AP members also thought
6 that it would be a good idea that any future interim analysis
7 consider modifications to catch advice as well, and this speaks to
8 what I talked about in the last section there, about how the
9 science is lagging behind what we're seeing on the water, and we're
10 starting to see some of that recruitment proliferate, and fish,
11 and so the feeling was trying to incorporate some of that catch
12 level modification in these interim analyses would be valuable to
13 the fleet, as we continue to hopefully get those interim analyses
14 every year, and the fleet, and the AP, appreciated that the council
15 has that done every year, and so thank you.

16
17 **CHAIRMAN FRAZER:** All right. Thank you, Captain Hubbard. Before
18 we jump into our next agenda item, I just wanted to ask if there
19 are any questions related to the interim analysis. Mr. Strelcheck.

20
21 **MR. STRELCHECK:** A question for Clay, and so I know -- You know,
22 it was pointed out that the video index wasn't able to be updated,
23 and I'm also aware, with a lot of our fishery-independent surveys
24 for white ships, you're working on artificial intelligence to
25 identify and read videos more quickly, and is that something that
26 may be available, or accessible, in the future for surveys such as
27 this?

28
29 **DR. PORCH:** Thank you for the question. We're making great
30 progress on automated image analysis, and there's a lot of partners
31 involved in it, and we're working with FWRI, and many others, to
32 perfect that, and, in fact, we've got code now that can count red
33 snapper really well from videos, and it's like 98 percent accuracy,
34 or something like that, and we're working on the other species,
35 and so the training is coming along pretty well, and we're hoping
36 to be able to be fully operational within a couple or three years,
37 and so it will improve things greatly, because, as you can imagine,
38 it's a very time-consuming process now, where somebody has to sit
39 down and read all those videos, and then enumerate the different
40 fish species, and that's why it takes many months afterwards, and
41 so, yes, I would expect, you know, a couple of years from now, we
42 won't be having the same conversation about this, you know, nine,
43 or more, month delay from the time we collect the data, and, yes,
44 we are also reevaluating different platforms that we can deploy
45 the gear from, so we're not as dependent on large -- On the large
46 white ships.

47
48 One of the things that we're doing now is actually purchasing a

1 smaller vessel, in the 100 to 120-foot range, and probably an oil
2 rig tender, or maybe a shrimp vessel, that we can retrofit to do
3 a lot of our surveys, which would include video surveys, and so,
4 yes, we're positioning ourselves to not have these kind of delays
5 in the future. Thank you.

6
7 **CHAIRMAN FRAZER:** All right. Thank you, Clay. Mr. Anson.

8
9 **MR. ANSON:** Thank you, Mr. Chair. Clay, does that AI technology,
10 and the software -- Is that something that you will be sharing
11 with Florida? You said it was trap video, and that's just a
12 Florida-centric survey, is it not?

13
14 **CHAIRMAN FRAZER:** Clay.

15
16 **DR. PORCH:** I mean, Dr. Barbieri can elaborate, but that's all
17 part of that GFISHER framework that you were hearing about, and so
18 we're hoping that, as this matures, we'll have this GFISHER
19 framework extending all the way through the Gulf of Mexico, and
20 we're also working, as part of an IRA-funded initiative, on using
21 acoustic cameras, where the water is dirty, and so, that way, you
22 can see fish in the clear water, but also count fish in the dirtier
23 water, and calibrate all of that, and so, like I said, in 2026, or
24 2027, we should be in a good place.

25
26 **CHAIRMAN FRAZER:** Mr. Diaz.

27
28 **MR. DIAZ:** So a question for Dr. Porch. Dr. Porch, are we in the
29 position where you all could crank out an interim analysis on a
30 yearly basis, being as this stock is in such bad shape, and we're
31 getting a lot of different feedback from fishermen, compared to
32 what our numbers show?

33
34 **DR. PORCH:** Yes, and absolutely we can do an interim analysis.
35 It's a simple analysis. The time-consuming part is just reading
36 the videos, which we intend to do anyway, and so that's where the
37 time lag is, and so we can do it every year until we get the
38 automated image analysis perfect for gag, we'll still have this
39 time lag that you've been seeing, and, for instance, I think the
40 last year in this was 2021, and, if we had delayed a little bit,
41 we could have gotten the 2022 data in there, but it's still going
42 to be about a year old, and we're trying to get closer to near
43 real-time information, but the interim analysis itself is easily
44 updated.

45
46 **CHAIRMAN FRAZER:** Go ahead, Dale.

47
48 **MR. DIAZ:** I would like to put that in the form of a motion then,

1 and I'm sorry, staff, that I did not send that. I would like to
2 direct staff to write a letter to the Southeast Fisheries Science
3 Center requesting yearly interim analysis on gag grouper, until
4 such time as we receive the next stock assessment.
5

6 **CHAIRMAN FRAZER:** Okay, and so is there a second to that motion?
7 It's seconded by Dr. Sweetman. Is there any further discussion of
8 the motion? I am not seeing any. Is there any opposition to that
9 motion? No opposition, and the motion carries.
10

11 **MR. RINDONE:** It's to direct staff to write a letter to the Science
12 Center requesting a yearly interim analyses on gag grouper until
13 the next stock assessment is received. Is that about it, Dale?
14

15 **CHAIRMAN FRAZER:** Sorry about that. Okay. Is there any other
16 discussion that's related to this particular agenda item? I am
17 not seeing any, and so that will move us right into Agenda Item
18 Number XII, which is Draft Options: Gag and Black Grouper
19 Management Measures. Mr. Rindone, if you want to take us through
20 the action guide and the presentation.
21

22 **DRAFT OPTIONS: GAG AND BLACK GROUPEr MANAGEMENT MEASURES**

23

24 **MR. RINDONE:** Can do. We're going to go through our revised
25 options for gag and black grouper, which include reducing the daily
26 bag limit for gag, establishing a recreational vessel limit for
27 gag and black grouper, and establishing a commercial spawning
28 season closure. Black grouper is included in this document due to
29 the possibility of misidentification of black grouper with gag.
30

31 You guys are also going to review a summary of comments and motions
32 about this framework action from the Reef Fish AP, and you should
33 consider the information presented and make recommendations to the
34 council about the types of management options that should be
35 further explored. As of right now, we plan to continue to develop
36 this document for final action in January, depending on what
37 happens here.
38

39 Mr. Chair, since we've gone through actions already at the last
40 meeting, I think it would -- It would be my recommendation to you
41 guys to have Dylan go now, and provide his feedback from the Reef
42 Fish AP, and then we can go through the actions and remaining
43 alternatives after that.
44

45 **CHAIRMAN FRAZER:** That sounds okay to me. Dylan.
46

47 **REEF FISH AP COMMENTS**

48

1 **MR. HUBBARD:** Well, I was not as prepared as I should have been,
2 and so bear with me.

3
4 **MR. RINDONE:** It will be noted in the record forever.

5
6 **MR. HUBBARD:** The Reef Fish AP made quite a few motions on this
7 topic, more so than most, and so we'll dive in here. The first
8 motion is the Reef Fish AP recommended removing black grouper from
9 consideration in this framework action, and that motion carried
10 unanimously.

11
12 The next motion that we talked about, and discussed pretty heavily,
13 was the Reef Fish AP recommended to remove further consideration
14 of a commercial spawning season closure from the document, for the
15 following reasons, and so we got on this trend, at the Reef Fish
16 AP, of making really lengthy, detailed motions, to try to help
17 capture the conversation really well for you guys, and so I
18 apologize in advance as I read these.

19
20 Basically, the reasons behind that was a spawning season closure
21 for the commercial fishery would not meet any of the council's
22 stated goals for the gag stock, including decreasing discards and
23 mortality on males. The commercial fleet has demonstrated an
24 ability, and willingness, to redirect fishing effort away from
25 known gag habitat during and outside the spawning season. A
26 closure would limit the availability of fishery-dependent data on
27 lengths and ages during the gag grouper spawning season, and so,
28 essentially, a lot of the discussion centered around how the
29 spawning season closures that exist aren't really spawning season
30 closures for gags.

31
32 The conversation came up about how we have that twenty-fathom
33 closure in the charter fleet in February and March, and it was
34 brought up, by one of the AP members, that that is not a spawning
35 season closure, and that is a discard prevention closure,
36 essentially trying to stop the recreational fleet from going into
37 deeper water to catch and release these fish, where the discard
38 mortality is higher, and that's the reasoning behind that February
39 and March closure, is what the discussion was.

40
41 As far as spawning closures for the commercial fleet, there's
42 already areas that are closed to protect the spawn, and they have
43 tried spawning closures in the past, and that hasn't helped, and
44 so that was a lot of the conversation around that, specifically,
45 from the AP.

46
47 The next motion was the Reef Fish AP recommends the council remove
48 consideration of the recreational bag limit from the document, for

1 the following reasons, and, again, we, as an AP, were looking at
2 that last page of the presentation, the presentation that you guys
3 are going to go over, where it kind of shows the different actions,
4 and then the different benefits, and, essentially, the reasons we
5 wouldn't want to see a recreational bag limit reduction was it's
6 not expected to decrease discards, it's not expected to appreciably
7 increase the recreational fishing season duration, and it's not
8 expected to result in additional protections for male gags.

9
10 Also, the Reef Fish AP recommended the council remove consideration
11 of the recreational vessel limit from the document. The vessel
12 limit would not decrease discards, and it would not result in
13 additional protection for male gags, and a vessel limit would
14 disproportionately negatively affect vessels that carry six or
15 more passengers, and it's predatory towards multi-passenger
16 vessels, essentially. I believe that is all we had, when it comes
17 to the gag grouper document.

18
19 **CHAIRMAN FRAZER:** Great. Thanks, Dylan. Any questions for Captain
20 Hubbard, before we get going here? All right. Dylan, you're off
21 the hook, man. Ryan, back to you.

22 23 **COMMITTEE DISCUSSION**

24
25 **MR. RINDONE:** Thank you, Captain Hubbard. We'll go ahead and bring
26 up the presentation, and that's probably the most efficient way to
27 go through it. As we stated, SEDAR 72 found gag to be overfished,
28 and Amendment 56 has been transmitted, and it establishes a
29 rebuilding plan for gag, and all the measures that we passed in
30 Amendment 56 are listed right there.

31
32 You guys had asked us, via a motion, to consider lowering the bag
33 limit for gag and black grouper and establishing a vessel limit.
34 You also asked us to evaluate spatial areas to protect spawning
35 gag, but, due to the amount of data that would need to be examined
36 in the process, we're going to be doing that in a separate
37 document, and any revisions to spatial areas obviously constitutes
38 a plan amendment.

39
40 For black grouper, it's currently being worked on in Amendment 58
41 to modify the shallow-water grouper complex ACLs, and the next
42 stock assessment for black grouper is expected to start in the
43 fall of 2025, with management advice available perhaps, you know,
44 a year or so later, and that assessment would be done by FWC.

45
46 For gag, the next operational assessment starts in the fall of
47 2025, and, right now away, it's expected to be completed in mid to
48 late 2026. The gag interim analysis, like Dr. Porch mentioned,

1 can be requested, and it's pretty quick to put together, and we're
2 happy to work with the Science Center, and with FWC, on timing of
3 the processing of the video data, to try to reduce that gap between
4 the terminal year of data and when those data can be reviewed.

5
6 These were the things that you guys said that you wanted to work
7 on in August of 2023 for gag and for black grouper, and Luiz had
8 mentioned those five points, and we reiterated them to the SSC,
9 and to the AP, and so just keeping those front and center for you
10 guys to think about, as far as whether any of these actions
11 actually do any of these things.

12
13 Our possible management alternatives are reducing the bag limit,
14 creating a vessel limit for the recreational vessels, and the
15 commercial spawning season closure. The current bag limit for gag
16 is two fish per person per day within the four-grouper aggregate.
17 Black grouper is four per person per day within the four-grouper
18 aggregate, and, generally speaking, having the bag limit, in this
19 example, going from two fish to one is not estimated to double the
20 fishing season duration, and that's because most fishermen don't
21 routinely catch the individual bag limit.

22
23 We updated the bag limit analysis, using data from 2020 through
24 2022, and this includes, for the headboats, the Southeast Region
25 Headboat Survey, MRIP-FES, the for-hire telephone survey -- I'm
26 sorry. MRIP's for-hire telephone survey for the for-hire
27 component, and shore mode was excluded from this, because almost
28 100 percent of fish caught from the -- Or almost 100 percent of
29 shore mode is coming in at less than one fish per person, and so
30 we were just trying to like make a cleaner graph for you guys, and
31 then SRFS represents the private vessels, at just under 5,000 trips
32 for gag, and just noting that black grouper was removed from the
33 bag limit action in August.

34
35 What you can see here is the black bar is the MRIP charter
36 component, and so about 85 to 90 percent of anglers on charter
37 trips are catching less than one gag per person, and then you have
38 about 10 percent or so catching one, and then the remainder
39 catching two. For the SRFS trips, it's a little less than 60
40 percent are catching less than one, and about 22 to 24 percent are
41 catching at least one, and then about -- Just under 20 percent are
42 catching two fish per person.

43
44 What does all this boil down to? Essentially, the only real effect
45 from going from two fish to one fish is about a 22 percent reduction
46 in the predicted landings for the private vessel fleet, and there's
47 no real change for shore or for headboats, and, you know, when
48 we're thinking about headboats, it's important to remember, with

1 this, that a headboat can carry forty to sixty passengers, and so,
2 if there's forty passengers, and thirty-nine gag landed, that's
3 still less than one fish per person, and so just kind of like keep
4 that in your head.

5
6 This slide here has a table that shows you the effects on the days
7 open, which is the right-most column, for reducing the bag limit
8 from two fish to one fish, and so the amount of increase that
9 you're looking at varies, depending on -- You know, it varies by
10 year, as we progress through the projections, but it goes from
11 about eight to fourteen days difference between having two fish,
12 or going to one fish, and so you get between an eight to a fourteen-
13 day increase, depending on the year, by having the bag limit
14 reduced to one fish. Any questions here, or comments?

15
16 **CHAIRMAN FRAZER:** I'm not seeing any.

17
18 **MR. RINDONE:** So revisiting our goals. Does reducing the
19 recreational bag limit reduce fishing mortality on males? Well,
20 no, because, where the males occur, there would still be allowable
21 fishing effort, and there would still be discards, and so we would
22 presume that fishing on males would still be just as possible under
23 a one-fish bag limit as under a two-fish bag limit.

24
25 Does it avoid exceeding the ACL? I have maybe here, because, if
26 we're thinking about this in terms of -- As we progress through
27 the projections, and the fishing season duration gets longer and
28 longer, it may come to pass, and perhaps it may even necessitate
29 a change in the recreational season start date again, that the
30 data would be available to evaluate where we are mid-season, before
31 a season closure would need to be announced, and so, by reducing
32 the bag limit from two fish to one fish, it might further increase
33 the recreational fishing season duration, such that that might be
34 a little bit more possible, but, again, there's no guarantees with
35 that, and so that's why it says maybe.

36
37 Reducing the recreational bag limit does not reduce overall fishing
38 mortality. Therefore, it does not improve the odds of rebuilding
39 the stock. It does not avoid increasing discards, because we still
40 have, presumably, the same amount of fishing effort that's going
41 on out there, but it's just that the retention limit has been
42 decreased, and, because the recreational sector is not open for
43 harvest during the spawning season, that was listed as not
44 applicable, and it -- Black grouper isn't included in this action,
45 and so it doesn't do anything to fix those ID issues. Are there
46 questions or comments?

47
48 Okay, and so vessel limit. We used the same data for this. We

1 used the Southeast Region Headboat Survey for the headboats, and
2 the MRIP for-hire telephone survey for the for-hire group. The
3 shore mode is excluded here, because, if you're fishing from shore,
4 you don't have a vessel, and SRFS for the private vessels.

5
6 The black bar, again, is the for-hire fleet, and the gray bar is
7 the private vessels, and the white bar is headboat, and so about
8 80 percent of the for-hire harvest per vessel is one gag, and then
9 you can see it's under about 10 percent for the remainder, all the
10 way up through the six-plus group. For the private vessels, a
11 little more than 60 percent, and we'll call it 65, just for
12 eyeballing it, are catching one gag or fewer per vessel, and then
13 about a little more than 10 percent each for two and three gag per
14 vessel, and then it tapers off from there, down to about 5 percent,
15 as we move towards the plus group.

16
17 For the headboats, about 45 to 50 percent are catching one gag per
18 vessel, and then it kind of tapers down towards five, and then it
19 jumps back about to about 20 percent of the six-plus group, and so
20 six-plus gag harvested per vessel, which, again, makes sense if
21 you have, you know, thirty-plus anglers on a vessel, and especially
22 during the gag season, and we would expect there to be some harvest
23 of gag there.

24
25 For black grouper, which is still included in the vessel limit
26 action, we have just charter and headboat here, and that's because
27 the other data for SRFS were all less than one gag per vessel, or
28 one gag or less per vessel, or sorry. One black grouper or less
29 per vessel. Excuse me.

30
31 90 percent of for-hire vessels were landed one black grouper or
32 fewer, and then that tapers off, and then about 95 percent of
33 headboats were landing one black grouper or fewer, and so not much
34 effect here for black grouper.

35
36 This is the predicted change in landings per trip for Gulf gag for
37 the proposed vessel limit changes, and so no limit is the top row
38 there, and then four fish, three fish, or two fish per trip are
39 shown in the successive rows down, and so the change in the for-
40 hire and -- Or the change in the headboat landings is the most
41 dramatic from status quo, followed by the for-hire vessels and
42 then the private vessels.

43
44 Then, for black grouper, there's really no change on the private
45 vessel side of things. There is a slight change on for-hire, and
46 there's a much more considerable change for the headboats, compared
47 to the other two fleets.

1 These next two slides are going to show you the change in the
2 estimated fishing season duration for the recreational fleets,
3 based on no action and then four, three, or two fish per vessel,
4 and the reason why we have four, three, or two fish per vessel is
5 because, at five fish, there really wasn't much effect, across-
6 the-board.

7
8 If we're looking at going to four fish per vessel, then you have
9 about anywhere from a seven to a ten-day difference in the
10 recreational fishing season duration, and keep in mind like this
11 has to include all the fleets, to see this. If you remove the
12 for-hire or the headboats from having to participate in this vessel
13 limit, then the amount by which the recreational fishing season
14 duration is extended is greatly reduced.

15
16 If we go to the next slide, we see three fish and two fish, and
17 so, for three fish here, you get anywhere from about a -- I think
18 it's like a thirteen to a nineteen-day increase, and then, for two
19 fish, you get anywhere from a nineteen to about a thirty-five-day
20 increase for 2028, by going all the way down to two fish per
21 vessel.

22
23 If we're evaluating, you know, what this action does with respect
24 to our stated goals, you know, does it reduce fishing mortality
25 males, and, again, no, because it doesn't impose any limitations
26 on where the fishing effort is actually occurring, and so the
27 probability of going out and fishing over the deeper-water habitat,
28 where the males are, is just as likely under this scenario as it
29 is under any other. Dale.

30
31 **MR. DIAZ:** I am going to -- For this, and we've had this chart
32 before, and so I'm talking for both of them, but I want you to
33 convince me of that, and so, if me and Mike go fishing, and we've
34 got a one-fish bag limit, we're only going to catch two fish. If
35 we've got a two-fish bag limit, we're going to catch four fish,
36 and so the likelihood of catching males -- It seems like it would
37 go down. I realize that we could still fish in deeper water, and
38 so, anyway, am I thinking about that wrong? We're saying no
39 benefit on reducing dead discards of males. Dr. Froeschke.

40
41 **DR. FROESCHKE:** On an individual trip, in that particular sense,
42 I think you are correct, that, you know, by catching four, you're
43 more likely to catch one male out of that. However, on a stock
44 for the season, the total portion of fishing mortality on the stock
45 is controlled by the ACL, or the ACT in this case, and so
46 presumably, if you're catching four per trip, you're going to have
47 fewer days to do it, and so the total number of gag removed from
48 the stock should be the same.

1
2 **MR. RINDONE:** Okay, and so the same reason for the maybe here for
3 avoid exceeding the ACL, and it's possible that, as the catch
4 limits increase, with the time and the projections period, that
5 any reduction in daily effort, or sorry, and not daily effort, but
6 daily removals, and so daily CPUE, could result in the ability for
7 some kind of mid-season evaluation before a season closure date is
8 announced.

9
10 Again, it doesn't reduce overall fishing mortality, like Dr.
11 Froeschke said, and we have a set ACL that we're saying can be
12 caught, and the season is open until that's caught, and so, whether
13 you catch one fish at a time or a hundred fish at a time, that's
14 still the total amount of fishing mortality that we expect to be
15 exacted upon the stock, and so it doesn't -- This will not improve
16 the odds of rebuilding the stock, and nor do we really expect it
17 to avoid increasing discards, because, if you're lowering the
18 retention limits, there is always, you know, the possibility of
19 like high-grading and things like that, and, you know, if people
20 decide that, you know, if I only get to keep one fish per person,
21 or two fish or three fish or four fish per vessel, you know,
22 there's always the possibility of things like, you know, deciding
23 to go out a little bit deeper, to try to get a little bit bigger
24 fish, and interacting with those fish -- You know, like Captain
25 Hubbard talked about with the Return 'Em Right program, and what
26 we've heard from past presentations about that, gag are no
27 exception to suffering the ill effects of barotrauma.

28
29 When they're harvested from waters beyond about forty meters, they
30 don't fare well, and so, again, the recreational season is not
31 open during the spawning season, and so that's not applicable, and
32 this really wouldn't do anything to resolve the black grouper
33 misidentification issues, and so, if anglers are still having
34 issues with that, then the vessel limit isn't probably going to
35 resolve that.

36
37 **DR. OVERTON:** I have a question for you, Ryan. How often are black
38 grouper mistaken for gag, and how often are gag grouper mistaken
39 for black?

40
41 **MR. RINDONE:** I think -- How many people are in the back? There's
42 probably about forty opinions on that, and so I would actually
43 look more over to C.J. on that, and so the State of Florida was
44 the one that had originally proposed the inclusion of black grouper
45 in this, for that purpose, and so I think C.J. is the best to
46 answer that.

47
48 **CHAIRMAN FRAZER:** C.J.

1
2 **DR. SWEETMAN:** Thank you, Mr. Chair. Good question. So,
3 obviously, looking into this in a little bit more detail, the
4 landings for black grouper in the Gulf really aren't that
5 substantial. It's about 30 percent, is what we get when we get
6 people that are submitting reports, that there is a 30 percent
7 identification error, but that's encompassing both the South
8 Atlantic and the Gulf.

9
10 When we start to kind of dive into the numbers a little bit, in
11 terms of how many blacks are landed in the Gulf, relative to gags,
12 it's miniscule, and so the relative amount is not significant, I
13 would say.

14
15 **CHAIRMAN FRAZER:** Captain Walker.

16
17 **MR. WALKER:** Thanks for the question, Dr. Overton. I would say
18 that it's a very insignificant amount, as a gag fisherman myself,
19 particularly where we are in west-central Florida, where we don't
20 have many blacks, but we have most of the gags in that area, but,
21 even outside of that, they don't look enough alike, like, you know,
22 some jack species or something, that there is really a legitimate
23 identification issue, and I don't think there's much, if any,
24 really, but that's my opinion.

25
26 **CHAIRMAN FRAZER:** C.J.

27
28 **DR. SWEETMAN:** I had a question for you, Ryan, and I'm just trying
29 to understand, and can we go back to Slide 18? I'm just trying to
30 understand something here. All right, and so I'm trying to
31 understand this. Under the anticipated closure date, no action,
32 a closure date of October 19, but the season we have is to November
33 9, and how does no action get us fewer days there? Is it because
34 the rule isn't fully implemented yet?

35
36 **MR. RINDONE:** So this is all based on SRFS data, and so the November
37 10 rule for the interim analysis was based on FES, and so, if we're
38 applying the daily CPUE rates, as estimated under each of these
39 scenarios, starting on September 1, the median estimate for that
40 closure date, under each of these scenarios -- So, for no vessel
41 limit, two fish per person, you get October 19, and we haven't
42 don't a pair-wise analysis on this for, you know, what does it
43 look like at four fish per vessel and one fish per person, and
44 just time constraints and the time to do all those analyses.

45
46 You can kind of figure, in your head, that, you know, the more
47 restrictive you make the retention limits, the longer the projected
48 fishing season duration would be, but these represent the medians

1 for the season duration projections under each of these individual
2 scenarios.

3
4 **CHAIRMAN FRAZER:** All right. Ryan, we'll pick back up.

5
6 **MR. RINDONE:** Okay. We can go past the -- Perfect. Thank you.
7 The last thing then for consideration for this document is the
8 commercial spawning season closure, and so gag and black grouper
9 are both managed under the grouper-tilefish IFQ program, which was
10 originally designed to allow commercial fishermen to fish when it
11 was best for them to do so.

12
13 In the previous system of trip limits, seasons, and size limits,
14 it was ineffective for fishermen, and there were increased
15 regulatory discards, and there's a note that, for gag, spawning
16 peaks in February and March, and, for black grouper, it peaks
17 January through March, and the only fishery-dependent monitoring
18 samples from the spawning season would be coming from the
19 commercial catch, because the recreational sector is closed during
20 the spawning season.

21
22 I showed this to you guys before, and I think this is a really
23 cool project, and it's run out of the University of South Florida,
24 and it's called the SHELF Egg project, and the chart there shows
25 you, in black, where peak spawning occurs for many different
26 species, and the gray is where the prominent spawning, and so, you
27 know, ramping up and coming down from peak spawning is occurring.

28
29 Here, we have highlighted the top bar there, and the top red
30 horizontal bar is black grouper, which you can see the peak
31 spawning there is January through March, and then the next one
32 down is gag, which is February and March, and so you guys are
33 probably going to see this more often in the future, when we talk
34 about spawning for other species too.

35
36 As far as closed seasons are concerned, you know, a note here about
37 how some of these closed seasons are working for us now, and the
38 Edges is a seasonally-closed area from January through April in
39 the eastern Gulf of Mexico, and research that was included in that
40 presented to the SSC, at its September meeting, showed that there
41 were zero percent male gag in this area, from over 140 fish that
42 were sampled, and so, at least based on this, it does not seem as
43 if this area is supporting a male population of gag.

44
45 The other thing that the SSC had heard a little bit about, and we
46 shared this with the Reef Fish AP also, was the possibility of
47 these stress-induced ovarian plugs, and this was something that I
48 didn't know about before, and these can form under severe stress

1 for mature female spawning fish, such as -- This stress can come
2 from things like fishing, environmental stress, predatory stress,
3 and, you know, there's not a -- It's not possibly to identify
4 exactly why these would have formed in an individual, but these
5 are the sorts of stressors that can form them, and they can prevent
6 a mature female from spawning for the rest of that spawning season,
7 and they're thought to eventually dissolve before the next spawning
8 season.

9
10 Just to gross you out a little bit, this is what they can look
11 like, and the pink mass there in the center is the female gonad,
12 and then the kind of brownish-gray necrotic tissue there to the
13 right -- That's what the plug looks like, and so, basically, you
14 know, just like a wine cork. It plugs up the ovaries, and it
15 precludes the release of eggs.

16
17 Would closing the spawning season have any effects here, and so
18 closing the spawning season closes fishing pressure on males for
19 a short amount of time, but it doesn't close it for the entire
20 amount of time, and, given the amount of the commercial quota for
21 gag, we would not expect it to reduce fishing mortality on males
22 overall.

23
24 We also don't expect it to help us avoid exceeding the ACL, because
25 gag are managed under the grouper-tilefish IFQ program, and so the
26 IFQ program acts as the accountability measure there, and we don't
27 expect the ACL to be exceeded anyway. Because it doesn't reduce
28 overall fishing mortality, it doesn't improve the odds of
29 rebuilding, and it's also not expected to avoid increasing
30 discards, because we expect commercial fishermen to fish if they
31 have the ability to catch something, and so that effort is still
32 expected to occur, and, if any of that effort is occurring in areas
33 where gag also occur, then there still remains that potential for
34 discards during the spawning season, and there certainly remains
35 the potential for it outside of the spawning season, regardless of
36 whether an individual has allocation to land gag in a given year
37 or not.

38
39 It would, obviously, reduce fishing pressure during the spawning
40 season, because harvest would be closed during that time, and it
41 doesn't, obviously, do anything to fix black grouper ID issues,
42 and so, if we bring all of this together with the next slide, you
43 guys can see how these measures stack up to your stated goals.
44 Mr. Chair.

45
46 **CHAIRMAN FRAZER:** All right. Thank you, Mr. Rindone. A couple of
47 things to consider here, right, and so we've got a draft document
48 that, if we continue to move forward with it, would be on track to

1 be a final action document in January, which would mean we would
2 have to look at the three action items and pick preferreds,
3 certainly by Full Council, and so that would be one thing.

4
5 We've heard this presentation, and seen this presentation, and
6 we've also heard from the AP about their concerns with some of the
7 action items, and so I expect that we'll hear more of that in
8 public comment as well, and so, at this point, we can consider
9 this informational, or we can bring it back up at Full Council,
10 after we get some public comment, but, really, a couple of things.

11
12 You know, if we decide to move forward with this, we're going to
13 have to pick preferreds for those action items that we wish to
14 keep in the document, or all of them, possibly, and there's a
15 possibility that you may not choose to put any of them in the
16 document, in which case we would probably be done with that, and
17 so I'm going to -- You know, think about where your preferreds
18 are, and where the discussion probably needs to go, and I need to
19 keep us on time, and we've got about thirty-five minutes or so
20 left, and we've got a number of state reports that we have to work
21 through, if that's okay with everybody. Does that sound all right
22 to you, Kevin? Okay, but maybe we can take a couple of -- If
23 anybody has any pressing questions, we can ask them now. Go ahead,
24 Dale.

25
26 **MR. DIAZ:** I mean, my question is for Andy, Mr. Strelcheck, and,
27 statutorily, I think we're supposed to produce a document that
28 guides us towards eliminating overfishing, and I'm not sure that
29 we're going to accomplish that, and am I thinking about that
30 correctly?

31
32 **CHAIRMAN FRAZER:** Go ahead, Andy.

33
34 **MR. STRELCHECK:** So you've already taken action and submitted to
35 the agency Amendment 56, and that would be the rebuilding plan and
36 setting the catch levels to recover the stock and end overfishing.

37
38 I view these management measures as helping us to further bolster
39 recovery, if we see them as valuable to bolster recovery, and what
40 I saw in the presentation is probably not worth spending a lot of
41 time on most of these management measures, and I do see value, I
42 think, in the recreational bag limit, and I know there was
43 opposition by the AP, but I think it would be worth actually
44 looking at a bag limit analysis, based on the 2023 season, as soon
45 as that data is available, just to see what catch rates look like
46 this year.

47
48 My concern, right now, is, if we don't do anything, we're

1 essentially leaving it in the hands of the agency, working with
2 the State of Florida, to set the fishing season starting on
3 September 1, and close when we project it's going to be met, and
4 that's, to me, not a very tenable place to be in, and it's something
5 that could be very risky, from a rebuilding standpoint, if we're
6 just relying simply on a shortened season.

7
8 **CHAIRMAN FRAZER:** Okay. Thanks, Andy. All right. Any other
9 pressing questions, or discussion, at this time? Mr. Strelcheck.

10
11 **MR. STRELCHECK:** I guess I just wanted to make one more comment,
12 and I appreciate Dr. Barbieri's presentation. I had a chance to
13 listen into the SSC meeting, and so my comments, with regard to
14 bolstering recovery of gag, I think also pertain to beyond,
15 obviously, what was just shared here, and, you know, there is two
16 take-aways that I saw from some of the work that was presented.

17
18 One was are we allowing sufficient escapement of the juveniles and
19 young adults into that offshore population, and is there things
20 that we may need to be considering more to protect them, or, by
21 reducing fishing mortality like we're doing, will that naturally
22 allow that additional escapement, than, once they get offshore,
23 right, what can we do to protect those fish that are transitioning
24 to males, and, ultimately, bolstering the male population
25 offshore, and the most striking thing was, one, we're not getting
26 back to the levels that Hood and others presented, in terms of
27 percentage of males in the MPAs, but, with our closed area, the
28 Edges, which is closed four months of the year, there is virtually
29 no males that are being found in that area, and why is that the
30 case? Is that because we're allowing fishing mortality for another
31 eight months of the year?

32
33 So I just -- I don't think we're going to get to any answers today,
34 but I really do think that we need to be considerate of the male
35 population, in particular, if we're going to help to cover this
36 population.

37
38 **CHAIRMAN FRAZER:** Captain Walker.

39
40 **MR. WALKER:** In regard to the escapement of the females to the
41 deeper water, I would suspect that being closed to the recreational
42 community for ten-and-a-half months would allow -- I can't quantify
43 it, but I think that's a pretty good head start on allowing
44 escapement in the catch, you know, other than dead discards.

45
46 **CHAIRMAN FRAZER:** All right. Any more questions or discussion?
47 If not, we will certainly pick this up in Full Council, again
48 thinking about the timeline and what's in the document, and at

1 least be thinking about if there are some preferreds at this point.
2 Okay? All right.

3
4 Thanks, Ryan, for all that work, and Luiz for all of your work as
5 well, and Captain Hubbard, and so we will move into Item XIII,
6 Agenda Item XIII, Review of Reef Fish and IFQ Program Landings and
7 State Program Landings for Red Snapper, and first on that list
8 would be the Reef Fish and IFQ Program Landings, and that will be
9 Tab B, Number 13(a) in your briefing materials, and SERO staff.
10 Go ahead, Peter.

11
12 **REVIEW OF REEF FISH AND IFQ PROGRAM LANDINGS AND STATE PROGRAM**
13 **LANDINGS FOR RED SNAPPER**
14 **REEF FISH AND IFQ PROGRAM LANDINGS**
15

16 **MR. HOOD:** Thank you, and I will try to go quick, because I know
17 it's getting towards the end of the day. Usually Ms. O'Donnell
18 presents this, but she's in an academic studies program right now,
19 and so you're going to have to put up with me going through this
20 stuff.

21
22 This is our typical caveats about what you're going to be seeing,
23 and so all the 2023 landings are preliminary. The recreational
24 2023 landings include MRIP, LA Creel, and SRFS headboat landings,
25 or, sorry, SRHS headboat landings, through June 30, or Wave 3, and
26 then Texas through the high-use season. Commercial landings are
27 available through August 31 of this year, and then all the ACLs
28 are based on the recommended catch limits in the currently-
29 monitored units.

30
31 Just to orient you, you know, particularly for those of you who
32 might be new on the council, all the figures that I show, for the
33 most part, are going to look like this, and, basically, if you
34 look at those dashed lines, down around the March and April period,
35 you'll see a black line, and that's the 2023 landings, and the
36 blue color is for 2022, the orange is 2021, and then we have a
37 yellow-dashed line, and that's 2017 to 2019, and that would be
38 pre-COVID, and then we have 2020 through 2022, which is the green-
39 dashed line.

40
41 This is red snapper for-hire landings, and red snapper, remember,
42 is an IFQ species, and so there's a second presentation, and I
43 will show what the commercial landings are there, but, basically,
44 you can see that, you know, what we had for landings, you know,
45 through Wave 3 is fairly similar to what we have in 2022.

46
47 One thing I forgot to mention about these slides is that I do have
48 notes at the bottom, and so, if you're curious about what ACLs

1 are, and that sort of thing, you'll be able to see those, and, on
2 some slides, I do have information on the closures, but here we
3 have gag, and, you know, for the landings information we have for
4 this year, it doesn't go to Wave 4, and that's when we started the
5 season, and so we really don't have anything to show for this year.

6
7 This is red grouper recreational landings, and you can see that
8 where we're at in Wave 3, or May and June, is similar to what we
9 had in 2022. In 2022, Wave 4 landings is like a million pounds,
10 and we did really exceed the ACL, and, because of that, and because
11 of our accountability measures, we have to manage to the ACT, and
12 we projected that it would hit the ACT in July, and so that's why
13 we did the July 21, 2023 closure.

14
15 This is gray triggerfish commercial landings, and you can see that
16 what we have here is very similar to what we've had in other years.
17 I would mention that, on September 1, that's when we went from the
18 sixteen fish trip limit to the twenty-five-fish trip limit, and so
19 I suspect that, when you see these landings again for 2023, you're
20 going to see an increase, but they are well below the ACT and the
21 ACL, which are denoted with those dotted lines.

22
23 This is gray triggerfish recreational landings, or what we have
24 through Wave 3 anyway, and landings are below what we've seen in
25 previous years, and so we probably will not run up against the ACL
26 in this case.

27
28 These are greater amberjack commercial landings, and you all were
29 just talking about those. I think, if you look at the January
30 landings, depending on the year, it basically ranges from about
31 23,000 pounds to 61,000 pounds, and so, you know, the possibility
32 of a projected closure, if we don't put in the seven-fish bag
33 limit, is -- You know, we would likely have to close it, but we
34 would have to do some projections to figure out when, but this
35 might be important to the discussions on Thursday.

36
37 This is greater amberjack recreational landings, and you can see
38 we're -- The ACL, and the ACT, there are pre-Amendment 54, but you
39 can see that, you know, we landed, in the 2022-2023 fishing year,
40 and this starts in August, that we landed a little over 200,000
41 pounds, and then we don't have any information for, you know, what
42 the 2023-2024 fishing year is yet, and hopefully we'll have those
43 soon.

44
45 This is gray snapper stock landings, and you've seen this slide
46 before, back in April, and I just use this to illustrate that this
47 is primarily a recreational fishery, and so I'm just going to show
48 recreational landings. You can see that, for 2023, that black

1 line was well below what was landed in 2021 and 2022, and so we're
2 below average there.

3
4 This is lane snapper, and, again, I just use this slide to
5 illustrate that it's primarily a recreational species, and this is
6 lane snapper recreational landings. You can see, this year, that
7 we're a little bit higher than what we saw in 2022, and we did
8 have a closure projected for -- Based on projections, which was
9 November 15, and, as soon as we get Wave 4 landings, I think we'll
10 take a look at it and see if we're going to need to do a closure
11 for this species, and I know that Dylan had talked about that in
12 one of his presentations for the AP.

13
14 This is mutton snapper, and it's primarily a commercial species,
15 and you can see that, for mutton snapper, we're a little bit above
16 -- Well, we're above average, and certainly we'll be keeping track
17 of this for the commercial sector. However, the -- You know, we're
18 just about halfway to this particular stock ACL, and so my thought
19 is that we probably will not hit that ACL, but certainly this is
20 a species that we'll be monitoring.

21
22 This is vermilion snapper stock landings, because, depending on
23 the year, it can be almost 50/50 for both the recreational and
24 commercial landings, and this is vermilion snapper commercial
25 landings. You can see that they're a little bit higher than what
26 we've seen in the past two years, and that black line is above the
27 2022 and 2021 fishing years. This is vermilion snapper
28 recreational landings, and you can see that they fall pretty much
29 in line with what they've been in previous years.

30
31 This is yellowtail snapper landings. This is commercial landings,
32 because, again, it's primarily a commercial fishery, and you can
33 see that, this year, we're a little bit above what we had in
34 previous years.

35
36 This is cubera snapper stock landings, and it's primarily a
37 recreational fishery, but, because the ACL is so low, and we catch
38 very few of them, I really couldn't get the recreational landings
39 slide to do much, and so I just wanted to show you what the
40 commercial landings were, and they seem to be pretty much in line
41 with what they've been in other years, and so I was curious as to
42 whether there was any sort of signal there, and it doesn't seem
43 like there is much there.

44
45 This is the jacks complex, and, again, it's primarily a
46 recreational complex, and the black line basically goes right over
47 the blue line, which is last year, and so it seems like they're
48 pretty much in line with, you know, what happened last year, but,

1 again, we'll have to wait and see what happens when we get the
2 later wave landings.

3
4 I will go through mid-water snapper. You know, this was the
5 subject of a lot of conversation over the last couple of years,
6 and it's primarily a commercial fishery, but I will try to break
7 it down between the different -- Between the commercial and
8 recreational fishery.

9
10 This is the commercial landings, and you can see that 2023, the
11 black line, is behaving very similar to 2022, and that 2021 fishing
12 year -- They went way over, and that was primarily, you know, the
13 butterfly fishery that was picking up wenchman.

14
15 This is just the commercial breakdown of the different species,
16 and you can see that, really, it's, you know, queen snapper, silk
17 snapper, and then wenchman are the main species. This is the
18 recreational breakdown, and, again, it's mostly queen snapper and
19 silk snapper, and I think that's the last slide. If we can, unless
20 there's any questions on any of these, then we can go to the IFQ
21 landings.

22
23 **CHAIRMAN FRAZER:** Okay. Any questions, before we move to the IFQ
24 presentation? I am not seeing any, Peter, and we'll go ahead.
25 We'll get that presentation loaded up and keep moving.

26
27 **MR. HOOD:** Okay, and so, again, you know, this is 2023 landings
28 that are preliminary, and we have commercial landings through
29 August 31 that I can present now, and I'm sure we have landings
30 through a later date, but we had to get things ready for the
31 briefing book.

32
33 This is red snapper, and, you know, you can see that, basically,
34 what's been happening this year is very similar to what happened
35 in 2021, but landings have been a little bit higher than what we
36 saw in 2022. This is red grouper, and you can see we're sort of
37 between 2021 and 2022, this particular year, but, again, it's
38 nothing abnormal there.

39
40 We have gag, and remember gag has -- We have greatly reduced the
41 ACL, and we did a withholding last year, and so, you know, what
42 was allocated was at the lower level that was consistent with the
43 interim rule, which is why, for 2023, the landings are a lot lower,
44 and then I just have one more slide, and this is the black grouper
45 IFQ landings, and I just put this in because, you know, we've heard
46 that, you know, some commercial fishermen who have shallow-water
47 grouper allocation are targeting black grouper, and, you know,
48 this slide seems to validate that particular observation, and so

1 it's just there for your interest, and I know you've also been
2 looking at the gag and black grouper framework action, and that is
3 it for me.

4
5 **CHAIRMAN FRAZER:** All right. Thanks, Peter. Any questions with
6 regard to the IFQ-related slides? Captain Walker.

7
8 **MR. WALKER:** Do you know what the current, most current, gag
9 landings are this year? I see it's close to filled.

10
11 **MR. HOOD:** I would have to pull it up, and Jessica might be able
12 to -- She might have the exact landings on that, but I could pull
13 it up, if I need to.

14
15 **MR. WALKER:** I can see, by the graph here, that it's approaching
16 the line.

17
18 **DR. STEPHEN:** For commercial gag, we have about 91 percent of the
19 quota landed, as of today.

20
21 **MR. WALKER:** So that's nearly closed, or pretty much, and so that
22 -- That has kind of taken care of that problem by itself, I think,
23 and I know a lot of the gag guys, and myself included, just have
24 moved away from where you're going to catch them, and so I think
25 that part of the program is doing what you hoped it would do.

26
27 **CHAIRMAN FRAZER:** Any additional questions? Okay. I am not seeing
28 any. Thanks, Peter. We're going to move right into the state red
29 snapper landings updates. First on the list is Florida, and that
30 will be Tab B, Number 13(b) in your briefing materials. Dr.
31 Sweetman.

32
33 **FLORIDA RED SNAPPER LANDINGS UPDATE**

34
35 **DR. SWEETMAN:** Thanks, Mr. Chair. I realize that we've only got
36 fifteen minutes here, and so let me try and fly through this. We
37 can go ahead and dive right in. Okay, and so just a quick reminder
38 about the Florida State Reef Fish Survey. It's an angler-based
39 survey, and it's not vessel-based, compared to some of the other
40 states, and it's required for all fishers, in the Gulf or the
41 Atlantic, targeting or harvesting thirteen species of reef fish
42 from private vessels. There is two components to it, a mail survey
43 and dockside interviews, and we also supplement our dockside
44 interviews with MRIP angler interviews.

45
46 Here's what Florida's fishing season was for Gulf red snapper, and
47 the summer component consisted of -- It opened on June 16 through
48 July 31, consecutive days, and then we had a fall weekend component

1 that consisted of -- Well, it's still ongoing for some parts of
2 it, but three-day weekends in September through November, plus
3 Labor Day and Thanksgiving.

4
5 Moving on to the next slide, here's where we're at relative to the
6 2023 ACL, and so this slide here is actually our preliminary
7 landings, and it puts us right around 44 percent of the quota.
8 However, we were provided with MRIP data from the previous wave
9 just last week, but this was after we had already submitted this
10 presentation, and, just to kind of update here, through August,
11 our preliminary landings estimates are roughly at 1.775 million
12 pounds, or about 81 percent of our quota.

13
14 Moving on to average weights, the 2023 data are kind of similar to
15 the long-term averages for both state charter, which is in blue,
16 and private rec, which is in orange. What we saw this year was
17 kind of an increase in the average weight of red snapper from state
18 charter, and kind of an opposite drop in the direction for average
19 weight of red snapper landed in the private rec fleet.

20
21 For fish length, it shows similar trends to what we saw relative
22 to the weight data, and I will just kind of highlight here red
23 snapper in state waters, and so looking at why the charter length
24 is a little bit smaller, and, you know, those red snapper typically
25 tend to be smaller than the fish that are targeted offshore of the
26 private recreational fishery, and so that's kind of why we're
27 seeing those differing trends there.

28
29 All right. This is a little bit different, and so, as I said, we
30 have angler trips, and it's an angler-based survey that we have,
31 and not a vessel-based survey, and this is the total number of
32 angler trips that were taken in the Gulf of Mexico for any of the
33 thirteen reef fish species that are included in the State Reef
34 Fish Survey for each month.

35
36 Finally, our CPUE estimates for red snapper, and, as I said, you
37 know, we operate at the angler level, and so the CPUE that you see
38 here is per angler trip and not per vessel trip, and we did offer
39 fall harvest opportunities in 2020 and 2022, and so that's why you
40 can see some landings later in the year for those years, but,
41 overall, CPUE for June of this year was roughly about one fish per
42 angler trip, and so not too bad, and I believe that concludes my
43 presentation, Mr. Chair.

44
45 **CHAIRMAN FRAZER:** All right. Any questions for C.J.? Mr.
46 Strelcheck.

47
48 **MR. STRELCHECK:** Thanks, C.J., for the presentation. I'm curious,

1 when you estimated the forty additional days in the fall, if were
2 basing that on kind of the amount of the available quota after
3 your summer fishing season and if that's in line with the 81
4 percent landings that you just reported through August.

5
6 **DR. SWEETMAN:** Can you repeat that again, Andy?

7
8 **MR. STRELCHECK:** So would you -- I remember you announcing the
9 fall season kind of later in the year, from what I recall, or at
10 least extending it, right, and so is the days extended kind of in
11 line with your original landings estimate for the summer fishing
12 season?

13
14 **DR. SWEETMAN:** I see what you're saying. Thanks, Andy. Yes. I
15 would say that, yes, it is. We did announce a part of the fall
16 component right of the bat initially, but we announced that kind
17 of September extension when some of the quota increase was actually
18 put in place during those effective dates, and so we obviously
19 hadn't planned for that to occur, or, well, we didn't know that it
20 was going to occur right at that timeframe, and so, once that was
21 announced, extra quota that was available, and that was kind of
22 how we did it there, and so, yes, I would say it does align with
23 what our projections were.

24
25 **CHAIRMAN FRAZER:** Okay. Any other questions for C.J.? All right.
26 Thanks, C.J. We will next move to Alabama, Tab B, Number 13(c),
27 and that will be Mr. Anson.

28
29 **ALABAMA RED SNAPPER LANDINGS UPDATE**

30
31 **MR. ANSON:** Thank you, Mr. Chair, and I will try to do the same
32 thing, and I will try to move through this pretty quickly. This
33 chart provided -- For this presentation, all the data in the slides
34 are through October 2, and we originally closed our season on Labor
35 Day weekend, that Monday of Labor Day, and then we took a pause,
36 similar to what Mississippi has done, to just kind of analyze the
37 data, and we did have some pounds remaining, and so we reopened on
38 September 29, continuing with four-day seasons, and then we closed
39 on October 16, but, this year, we were working with the calibrated
40 pounds that went with the amendment, and so we have not finalized
41 the numbers, and I did not provide them, but we are about 20,000,
42 15,000 or 20,000 pounds, over our quota, but we'll be finishing up
43 that in the next couple of weeks, with a final number.

44
45 This is a little interesting here, and you can see the blue line
46 is for private weight, private fish weight, and the orange line is
47 from our state charter, and we have similar numbers of fish for
48 our state charter, here in recent years at least, that we've been

1 weighing and measuring, but there was quite a few large fish that
2 we encountered at the dock, and some of those were associated with
3 sample weights that were quite high, and so that probably had an
4 impact, and we just need to look at it a little bit more closely,
5 and you'll see in the next slide why, but, generally, weights, at
6 least in the private sector, have been declining, but they're still
7 within kind of the range over the last seven years or so.

8
9 The lengths, you see the length increased, but not similar to what
10 you would expect for a nine-pound fish, and so we just need to
11 look at it, but, preliminarily at least, there was something going
12 on with the sample weight associated with those particularly large
13 fish, but, again, a similar trend for the private fish lengths.

14
15 You can see we had a little bit more overall vessel trips that
16 were made in both the state charter, and maybe not so much in the
17 private sector, but, overall, for both sectors, there was an
18 increase in the number of trips. If you look in the top-right
19 chart there, the mean anglers per vessel trip, that's been
20 consistent for both modes, and then also the mean harvest per
21 vessel trip, and harvest includes the discards that are reported,
22 and that's very consistent as well, and that's all I have.

23
24 **CHAIRMAN FRAZER:** Very efficient, Kevin. Thank you very much.
25 Any questions with regard to Alabama data? All right. I am not
26 seeing any. Thank you, Kevin. We'll move right along, and we'll
27 go to Mississippi, and that will be Tab B, Number 13(d), and, Rick
28 Burris, are you going to do that one?

29
30 **MISSISSIPPI RED SNAPPER LANDINGS UPDATE**

31
32 **MR. BURRIS:** Yes. Thank you, Mr. Chair.

33
34 **MR. RINDONE:** Mr. Chair, maybe we can have Louisiana go first,
35 while we try to find the file.

36
37 **CHAIRMAN FRAZER:** Don't deviate from the protocol, Ryan. There we
38 go. We've got it.

39
40 **MR. BURRIS:** Okay. Thank you. I will be brief, just like the
41 others. All right, and so this is looking at 2021 through 2023.
42 For 2021, we were open for a total of 119 days. For 2022, it was
43 187 days, and, if you recall, because of the calibration going
44 into effect, our harvest was reduced, and so we were open for
45 seventy-three days in 2023. We opened on May 26, closed on July
46 7, and then reopened on September 1, and closed again on September
47 30, and we were open for seven days a week.

1 Looking at average weights, and this is state for-hire and private
2 rec combined, for 2023, we had an average weight of about 5.6
3 pounds, and the average weight, going back over the years, is 6.19
4 pounds. The same trend with the average length. For 2023, the
5 average length was 20.6 inches, with an average length of about
6 21.5 inches.

7
8 Looking at some other metrics, the anglers per trip for this year
9 was 3.7, and that's about average across-the-board. Looking at
10 total vessel trips, we were, obviously, down, but we had 3,575
11 trips, as compared to an average of 4,623 trips, and then, for the
12 vessel CPUE, it was down as well, and our average is 4.4, and,
13 this year, it was a catch per unit effort of right at four, and
14 that's the presentation. Thanks.

15
16 **CHAIRMAN FRAZER:** All right. Thank you, Mr. Burris. Any questions
17 for Mississippi? All right. Seeing none, thank you, Rick. We
18 will move right into Louisiana, and that's Tab B, Number 13(e) and
19 Mr. Schieble.

20 21 **LOUISIANA RED SNAPPER LANDINGS UPDATE**

22
23 **MR. SCHIEBLE:** Thank you, Mr. Chair. We kicked off our season on
24 the Friday of Memorial Day weekend, with a seven-day fishing
25 season, and we had an allocation this year of 934,587 pounds. We
26 made a bag limit adjustment to four fish per angler on July 17,
27 and, currently, our season is still open, and we're still fishing.

28
29 This is just the quick comparison of the last three fishing years
30 to this year, with this year being the red line. As you can see,
31 the rate of harvest is very similar to what we had in 2020, which
32 was the COVID year, and a lot of people went fishing, and so we
33 had an accelerated rate of harvest early in the season, and it has
34 kind of plateaued, which is typical and similar to the other three
35 seasons.

36
37 This is the average weights for private recreational, which is the
38 orange-ish color, and then the state charter weights are the blue
39 color, and we had the lowest average weights that we've had since
40 the inception of LA Creel, which was in 2014, and hence the
41 timescale on the graphics.

42
43 These are the average lengths, and also a similar trend in decline
44 in average length, and the private rec is the same, the orange
45 color, and the state charter is the blue color, but it's fairly
46 relative. If you look over the course of time, it's about a two-
47 inch difference, and so, with that said, the next slide is one
48 that I like to throw in here every time, which are the age comps

1 for these different size fish over the same period of time, and so
2 private rec is the same color, the orange, and you can see that
3 the average age kind of vacillates back and forth, but it stays
4 fairly consistent over time, and I think that's important, when
5 you're looking at the overall fishery.

6
7 These are the catch effort estimates, and you can see that it's
8 the same color scheme here. The blue is the state charter, and
9 the orange is the private rec, and we had about -- Previously,
10 last year, we were at pretty close to five anglers per trip, and
11 that declined this year, down to about 4.3, and so just under four-
12 and-a-half, but there's more trips. On the bottom graphic there,
13 it shows you that the number of vessel trips went up, but the
14 number of anglers per trip is down, and so it's reflective of what
15 we're seeing in the landings as well.

16
17 This shows kind of a little history of seasons for us, and so,
18 right now, because of the increase in allocation from the most
19 recent bump, we're able to fish for our longest season so far, 152
20 days, but we can also see that, over time, we've had longer seasons
21 in the past, and it all depends on harvest rate, weather,
22 hurricanes, and the extent of the season as well, when you have
23 gaps in there, and so, this year, we were fortunate, and we haven't
24 had huge weather events, but, in the beginning of the year, we had
25 rough seas in June, I believe, and it kind of slowed down the
26 harvest rate a little bit. That should be the end, and I'm open
27 for any questions.

28
29 **CHAIRMAN FRAZER:** All right. Thank you, Chris. Any questions for
30 Louisiana? I am seeing any, and we'll come to the end of the road,
31 and we saved the best for the end of the road, Dakus. It's all
32 yours.

33 34 **TEXAS RED SNAPPER LANDINGS UPDATE**

35
36 **MR. GEESLIN:** Thank you, Mr. Chair. Last, but certainly not least,
37 and our state-water season, as you all know, we keep it open year-
38 round, or attempt to, and our state waters opened on January 1,
39 and they're still open today, fishing with a quota of 286,000
40 pounds, and we did run a pretty long federal season. It started
41 on June 1, and it ended on September 1, a ninety-two-day season.

42
43 The last bullet there, I got some information today, and so,
44 through October 20, we're at 91.2 percent of our quota, with
45 251,000 coming from the private rec, and we also have, of interest,
46 almost 9,500 pounds being fished and attributed to the private rec
47 landings from those Texas headboats that fish from January 1
48 through May 31, and that was a point of discussion back in I

1 believe our April council meeting.

2
3 Also of note is, as of September 1, our anglers that are fishing
4 in state waters, we passed the Descending Act for state waters, in
5 order to reduce discard mortality for those anglers fishing, and
6 so they've got to have -- As of September 1, anglers fishing in
7 state waters for reef fish must not only have a descending device,
8 or a venting tool, rigged and ready, but they must also use that
9 device, or tool, on fish intended for release that are exhibiting
10 signs of barotrauma.

11
12 You can see the trends in our landings estimates here. We're back
13 on track, after reduced landings last year, and the yellow line is
14 2023. In 2019, we see the overage, and so we're kind of back on
15 track and following the trends of 2021.

16
17 The average weights, while they're, you know, a little lower than
18 in previous years, they're up from last year. Average weights for
19 party trips are 7.8 pounds, and private trips are around six
20 pounds. Lengths are following that same trend, with larger fish
21 being caught on the partyboats and smaller fish being caught on
22 the private boats.

23
24 Anglers per trip, there's no surprise that partyboats average about
25 six anglers, and private trips are about four anglers, and vessel
26 trips per year are down just a little bit in the private boats,
27 but still about -- You know, it's within the long-term range there,
28 and partyboats -- We did see an increase of approximately 300
29 trips, up to approximately 1,200 trips per year, and that must be
30 it, and I'm open for questions.

31
32 **CHAIRMAN FRAZER:** All right. Thank you, Dakus. Any questions for
33 Texas? We've got one from Mr. Strelcheck.

34
35 **MR. STRELCHECK:** Dakus, with the vessel trips per year, I assume
36 those are red snapper vessel trips, or does that include all trips?

37
38 **MR. GEESLIN:** Those are red snapper vessel trips.

39
40 **MR. STRELCHECK:** Okay. I'm just thinking through this, and you
41 typically have pretty much a year-round season, when you look at
42 state waters and federal waters, and is that correct? I mean, I
43 know you've shortened the season a couple of years, but, primarily,
44 you have a 365-day season, correct?

45
46 **MR. GEESLIN:** In state waters, correct.

47
48 **MR. STRELCHECK:** I know there's a lot of wind off Texas, and so

1 you talked, earlier in the week, about fishable days, but 4,000
2 trips is really not a lot for an entire year, and, I mean, that's
3 like ten or eleven trips per day, and, now, if you factor in bad-
4 weather days -- I'm just surprised by that, and so I'm just curious
5 if we could get more information about the fishing effort
6 estimates.

7
8 **MR. GEESLIN:** Sure. Yes, I can go back to our team and provide
9 that to you, and just a point of clarity, and so those fishable
10 days -- Captain Walker asked about that the other day, and I looked
11 into that, and that's very rare, that we classify non-fishable
12 days, and those are essentially hurricane evacuations, ice storms,
13 very extreme weather events, and so those are very few and far
14 between.

15
16 **CHAIRMAN FRAZER:** All right. Thank you, Dakus, for answering all
17 those questions. We are at the end of our agenda, and we're right
18 at 5:00.

19
20 **MR. RINDONE:** We have one more.

21
22 **CHAIRMAN FRAZER:** Oh no. No, it's okay. You've got one?

23
24 **MR. RINDONE:** Under Other Business, you have the remainder of the
25 Reef Fish AP Comments.

26
27 **CHAIRMAN FRAZER:** Okay. I was almost going to get there.

28
29 **MR. RINDONE:** Okay. I didn't want you to forget.

30
31 **CHAIRMAN FRAZER:** I would not forget.

32
33 **MR. RINDONE:** Somebody else wouldn't let you forget either.

34
35 **CHAIRMAN FRAZER:** So we've got two Other Business items, right,
36 and I think we have enough time at least to accommodate the first
37 one, and I will talk to Mr. Dugas about how extensive his might
38 be, and so the first one would be the Remaining Reef Fish AP
39 Comments, and that will be Tab B, Item 4(c). Dylan, fire away.

40
41 **OTHER BUSINESS**
42 **REMAINING REEF FISH AP COMMENTS**
43

44 **MR. HUBBARD:** Nice try, Dr. Frazer. A few other things left on
45 the Reef Fish AP's docket that we haven't covered yet, one being
46 the MRIP-FES pilot study, and we had a similar presentation, and
47 a pretty long, lengthy discussion following that.

1 One of the big issues that I wanted to highlight from the Reef
2 Fish AP minutes there, or summary, was the fact that, when asked
3 about the funding for increased data resolution on the APAIS
4 survey, the funding has not been secured, and so increasing the
5 survey from a two-month wave to a one-month wave, trying to expand
6 the number of intercepts, is not funded, and so that, to me, is a
7 big problem, and we're talking a lot about waiting until the pilot
8 project is completed, and kind of hanging a lot of our hangers --
9 We're putting a lot of eggs in the basket of waiting until this
10 information is here, but it's not funded, and so that was a concern
11 that the Reef Fish AP had.

12
13 Also, another part that came up in that was the request for
14 mandatory reporting for private recreational anglers. The Reef
15 Fish AP made a motion to that effect, and I didn't bring my tablet
16 up here, and could we bring up the two motions in that summary
17 area?

18
19 The first one is the Reef Fish AP requests the Gulf Council delay
20 any changes in allocation between the commercial and recreational
21 sectors of any Gulf fishery resources subject to MRIP-FES until
22 such time as the pilot study has been completed and deemed
23 consistent with BSIA by the Gulf SSC and the council has empirical
24 support for the actual level of recreational effort in the Gulf.
25 Again, lengthy motions from the Reef Fish AP.

26
27 The next one refers to what I was just talking about, the mandatory
28 reporting, and so a more comprehensive private recreational data
29 collection program is needed, and the conversation surrounded how
30 that there's a level of observed interest from private recreational
31 anglers now.

32
33 Even in the last year, it seems more and more, especially with the
34 closure of gag grouper and the early seasonal closure. A lot of
35 people are -- There's an appetite becoming more and more apparent
36 that private recreational anglers have some buy-in to reporting.
37 If we scroll down a little bit, so we could have that motion on
38 the board here.

39
40 The Reef Fish AP requests that the council encourage the Gulf
41 states to begin development of a uniform, standardized, mandatory
42 reporting requirement for the Gulf private recreational anglers.
43 That was the intention there in the motion, and the conversation
44 around the table was something like how Tails 'n Scales is set up,
45 where you have an operational way for enforcement to see that a
46 hail-out has been done, and so that was the discussion around the
47 table there.

1 Moving down to Other Business in the Reef Fish AP, at the bottom
2 of the report, there was three motions that were made, and the
3 first was pertaining to any remaining federal for-hire
4 recreational red snapper ACT. In years past, we have not had our
5 federal for-hire recreational fleet hit the ACT for red snapper,
6 and so the conversation around the Reef Fish AP table was trying
7 to encourage the council to encourage NOAA to take determinate
8 action, using the 2023 data from Waves 1 through 4, for a timely
9 reopening of the federal for-hire component for red snapper if
10 there's enough of the federal for-hire ACT remaining to do so, and
11 so that was a motion that was made.

12
13 Also, following that motion, there was a discussion over mid-water
14 snapper, and mid-water snapper -- Again, I believe this is kind of
15 a reiterative motion, because I believe this is already on the
16 council's worklist, but there was a motion made by the Reef Fish
17 AP to remove wenchman snapper from the mid-water snapper complex,
18 which I think is already a motion that you guys have voted up, but
19 there was a strong consensus, around the AP table, to make the
20 motion and pass the motion anyway, to just further emphasize the
21 need for that to move forward at the council table, and that was
22 the intention behind passing that reiterative motion.

23
24 The final Other Business item for the day was the deepwater effort
25 shift. There was a long, lengthy discussion, at the end of the
26 meeting, about deepwater effort shifts that are occurring as these
27 shallow-water grouper complexes, as these other species have
28 regulatory changes, and we're seeing a big effort shift pushed to
29 deeper water, from all over the Gulf, from Texas to Louisiana to
30 south Florida, and the conversation around that was basically, a
31 lot of these deepwater species, we don't have a lot of information
32 about, and we don't have very much, if any, regulations on it, and
33 we're seeing a really big decrease in average size.

34
35 We're seeing a big decrease in numbers, and there was a lot of
36 concern, around the Reef Fish AP table, about these deepwater
37 species. We've seen, in the South Atlantic, these fisheries get
38 effort shifted to them, to the point of collapse, before the
39 council takes action, and so -- In the South Atlantic, you guys do
40 such a great job, but the conversation around the Reef Fish AP
41 table was basically being proactive in the Gulf, learning from
42 what we've seen in the South Atlantic.

43
44 The motion was the Reef Fish AP requests the council examine
45 recreational deepwater grouper, tilefish, and mid-water snapper
46 vessel landings and move forward on trying to be preventive in
47 some sort of regulation to slow, or abate, any sort of recreational
48 effort shift towards overfishing those species, and that's all I

1 have.

2
3 **CHAIRMAN FRAZER:** All right. Thank you, Captain Hubbard. Are
4 there any questions? We've got one from Mr. Strelcheck.

5
6 **MR. STRELCHECK:** First, thanks, Dylan, for being here and the great
7 presentations today. We've made you work hard today.

8
9 **MR. HUBBARD:** I appreciate it. Are you going to tell me about the
10 federal for-hire red snapper?

11
12 **MR. STRELCHECK:** I'm going to ask you a question, but I will first
13 tell you about it, and so we will have data probably the end of
14 this week, or early next week, to make our assessment as to whether
15 the catch target has been met or not and whether we can reopen.
16 Was there any discussion with regard to a preferred timeframe, if
17 we were able to reopen?

18
19 **MR. HUBBARD:** No discussion, as far as a preferred timeframe, but,
20 if you're asking my opinion, because there wasn't a discussion
21 from the AP, my opinion would be it's really hard to get consensus,
22 around the Gulf, on timeframes. I mean, I think we've talked a
23 million different ways about a start date for red snapper, and no
24 one can ever agree, and so it just kind of stays at June 1, and
25 our industry can't really come up with a consensus.

26
27 As far as added days, it's hard to make everybody happy, and it's
28 hard to make people happy in general, and a lot of people around
29 the Gulf -- Unlike central-west and southwest Florida, other parts
30 of the Gulf do things like deer hunting and duck hunting, and
31 football season is apparently a big thing, and so there's not a
32 lot of demand, I guess you could say, in other parts of the Gulf,
33 but I know, in my area, speaking for specifically central-west
34 Florida, we could use this ASAP. We just need a little bit of
35 notice, and we don't need much notice, but we just need a little
36 bit of notice, and we can put it out there to our people, and we
37 can book some trips in a time where we don't have any other species
38 open, and it would be super helpful.

39
40 **MR. STRELCHECK:** All right. Just a follow-up question then, in
41 terms of notice. Ten days, or two weeks, and what are you thinking,
42 in terms of --

43
44 **MR. HUBBARD:** Me specifically, in my business, I think two to three
45 weeks would be enough. The more notice, the merrier, but, in this
46 case, we don't have much time, and, the longer we wait, the more
47 we're going to get towards the holidays, and the tougher it gets,
48 and so I would say that two weeks would be a little bit of notice,

1 and three weeks would be enough notice, and four weeks would be
2 awesome, but then you start -- It depends on when we get that
3 notice, right? If we're talking at the end of this week, and it's
4 October 24, and so four weeks would be almost the end of November,
5 and that would be Thanksgiving week, and so maybe two-and-a-half
6 or three weeks, if we're being specific. Mid-November would be a
7 good time. Thank you.

8
9 **CHAIRMAN FRAZER:** All right. Thank you, Dylan. We've got another
10 one from Ms. Boggs.

11
12 **MS. BOGGS:** I was just going to tell Andy that I would concur with
13 Dylan on just that last part on red snapper.

14
15 **CHAIRMAN FRAZER:** All right. Well, we'll capture that for you,
16 Dylan. All right, and so the only remaining added Other Business
17 item came from Mr. Dugas, as it relates to participation, I guess
18 in SEDAR. Do you want to do it now, or do you want to do it in
19 Full Council?

20
21 **MR. DUGAS:** After talking to Kevin, the Chair, we decided to wait
22 until Full Council.

23
24 **CHAIRMAN FRAZER:** I appreciate that, and so then, Mr. Chair, that
25 brings us to the end of the Reef Fish Committee's agenda. Mr.
26 Hood.

27
28 **MR. HOOD:** I just wanted to thank staff for, you know, our little
29 soiree last night. I had a great time reminiscing about things
30 that were and, you know, speculating about things that may be with
31 a lot of people. My only regret is that I couldn't find whatever
32 time-space continuum, or whatever it would take, so that I could
33 be in multiple places at the same time and talk to everybody, but
34 I really appreciate it, and I just wanted to let Carrie and crew
35 know that it was -- I really appreciate that effort, and so thank
36 you.

37
38 **MR. ANSON:** You're welcome, and it is well-deserved, Peter, and
39 thank you for your years of service, and hopefully, whatever time-
40 space continuum you find after retirement, it's a good one for
41 you.

42
43 (Whereupon, the meeting adjourned on October 24, 2023.)
44
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