

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

283RD MEETING

FULL COUNCIL SESSION

Via Webinar

January 27-28, 2021

VOTING MEMBERS

Kevin Anson (designee for Scott Bannon).....Alabama
 Susan Boggs.....Alabama
 Leann Bosarge.....Mississippi
 Dale Diaz.....Mississippi
 Jonathan Dugas.....Louisiana
 Phil Dyskow.....Florida
 Tom Frazer.....Florida
 Martha Guyas (designee for Jessica McCawley).....Florida
 Robin Riechers.....Texas
 John Sanchez.....Florida
 Chris Schieble (designee for Patrick Banks).....Louisiana
 Bob Shipp.....Alabama
 Joe Spraggins.....Mississippi
 Andy Strelcheck.....NMFS
 Greg Stunz.....Texas
 Ed Swindell.....Louisiana
 Troy Williamson.....Texas

NON-VOTING MEMBERS

Dave Donaldson.....GSMFC
 Lt. Adam Peterson.....USCG

STAFF

Mary Levy.....NOAA General Counsel
 Bernadine Roy.....Office Manager
 Camilla Shireman.....Administrative & Communications Assistant
 Carrie Simmons.....Executive Director

OTHER PARTICIPANTS

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 Steven Atran.....FL
 Eric Brazier.....Shareholders Alliance
 Catherine Bruger.....Ocean Conservancy
 Rick Burris.....MS
 Chris Conklin.....SAFMC
 Blakely Ellis.....CCA, AL
 Tommy Elkins.....

1	Richard Fischer.....	LA
2	Brad Gentner.....	
3	Congressman Garrett Graves.....	LA
4	Jim Green.....	Destin, FL
5	Buddy Guindon.....	Galveston, TX
6	Ken Haddad.....	ASA, FL
7	Scott Hickman.....	Galveston, TX
8	Peter Hood.....	NMFS
9	Chris Horton.....	Congressional Sportsmen's Foundation
10	Dylan Hubbard.....	FL
11	Kyle Johnson.....	CCA, Ship Island, MS
12	Bill Kelly.....	FKCFA, FL
13	Bobby Kelly.....	
14	Gary Jarvis.....	Destin, FL
15	Ed Maccini.....	SOFA, FL
16	Matthew Pless.....	
17	Clay Porch.....	SEFSC
18	Chris Schieble.....	LA
19	Major Skena.....	LA
20	Duane Smith.....	NOAA
21	Casey Streeter.....	
22	Mark Tryon.....	Gulf Breeze, FL
23	Ed Walker.....	Tarpon Springs, FL
24	Bob Zales.....	Panama City, FL
25	Jim Zurbrick.....	Steinhatchee, FL

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TABLE OF MOTIONS

PAGE 92: Motion to strike the red drum abundance proposal from consideration in the 2021 plan. The motion carried on page 92.

PAGE 107: Motion to have the council contribute \$94,000 from the 2021 budget to the funding of the SERO permit software. The motion carried on page 114.

PAGE 126: Motion to remove the commercial sector from Action 4, Alternatives 2 and 3. The motion failed on page 130.

PAGE 130: Motion to remove the minimum size limit option for king mackerel from Amendment 33. The motion carried on page 131.

PAGE 131: Motion in Action 4 to make Alternative 2, Option 2a and Alternative 3, Option 3a and Sub-Option i the preferred. The motion carried on page 137.

PAGE 138: Motion in Action 5 to make Alternative 2 the preferred. The motion carried on page 139.

PAGE 141: Motion in Action 2 to make Alternative 3 the preferred. The motion carried on page 145.

PAGE 145: Motion in Action 1 to make Alternative 2 the preferred. The motion carried on page 146.

PAGE 147: Motion to approve Reef Fish Amendment 48/Red Drum 5: Status Determination Criteria and Optimum Yield for Reef Fish and Red Drum and that it be forwarded to the Secretary of Commerce for review and implementation, giving staff editorial license to make the necessary changes in the document. The motion carried on page 149.

PAGE 152: Motion in Action 1 to make Alternative 2 the preferred alternative. The motion carried on page 153.

PAGE 153: Motion to approve the Framework Action: Modification of Gray Triggerfish Catch Limits 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 155.

1 [PAGE 156](#): Motion to approve the Framework Action: Modification
2 of the Gulf of Mexico Lane Snapper Catch Limits and
3 Accountability Measures and that it be forwarded to the
4 Secretary of Commerce for review and implementation, and deem
5 the codified text as necessary and appropriate, giving staff
6 editorial license to make the necessary changes in the document.
7 The Council Chair is given the authority to deem any changes to
8 the codified text as necessary and appropriate. [The motion](#)
9 [carried on page 158](#).

10
11 [PAGE 159](#): Motion to request the SEFSC add two additional
12 analysis runs to the research track red snapper assessment that
13 would replace federal recreational survey data with state
14 recreational survey data with and without GRSC data. [The motion](#)
15 [carried on page 160](#).

16
17 [PAGE 161](#): Motion that any future increases to state-specific
18 ACLs in 2021 or 2022 would be calibrated based on adding this
19 language to existing Alternative 2 and the council agrees to
20 review the state-specific ACL allocations by 2022 or sooner.
21 [The motion carried on page 182](#).

22
23 [PAGE 183](#): Motion in Action 1 to add a new Alternative 4.
24 Alternative 4 is to add a series of options that would
25 incorporate an increase to the overfishing fishing limit (OFL)
26 and acceptable biological catch (ABC) based on the results of
27 the Interim Analysis as informed by the Great Red Snapper Count.
28 If the results of the review by the SSC result in a minimum of 0
29 percent or 25 percent increase in ABC, the newly added quota
30 would be incorporated into the state-specific ACLs using the
31 calibrations indicated in Alternative 2 for the 2021 and 2022
32 recreational fishing seasons. Regardless of the results of the
33 interim analysis, the state specific ACLs will be reviewed in
34 2022 or as soon as practicable. [The motion carried on page 189](#).

35
36 [PAGE 192](#): Motion in Action 1, Alternative 3, apply 23 percent
37 reduction to the quota currently allocated to each of the
38 states. Any future increases to state-specific ACLs in 2021 or
39 2022 would be calibrated based on Alternative 3. Alternative 3
40 is modify the state-specific red snapper private angling
41 component ACLs by establishing a state management ACL that is 23
42 percent below the private angling component quota and applying
43 the allocation percentages established in Amendment 50A of the
44 Reef Fish FMP. The resulting state ACLs are as follows: Alabama
45 864,450; Florida 1,473,357; Louisiana 628,499; Mississippi
46 116,694; Texas 204,131. [The motion carried on page 193](#).

47
48 [PAGE 193](#): Motion to direct staff to initiate an amendment to

1 adjust the OFL and ABC based on the results of the interim
2 analysis for red snapper (as informed by the GRSC) and SSC
3 recommendations. The private recreational ACLs should include,
4 but not be limited to, a range of alternatives that consider
5 reallocation based on state specific biomass estimates derived,
6 in part, from the GRSC and NOAA's socioeconomic data.
7 Allocation for the commercial and CFH sectors will also be
8 considered in this amendment. [The motion carried on page 200.](#)
9

10 [PAGE 200](#): Motion to direct staff to initiate a framework action
11 to adjust the OFL and ABC based on the results of the interim
12 analysis for red snapper (as informed by the GRSC) and SSC
13 recommendations. [The motion carried on page 202.](#)
14

15 [PAGE 203](#): Motion in Action 1 to make Alternative 2 the
16 preferred. [The motion failed on page 205.](#)
17

18 [PAGE 205](#): Motion to add a new alternative (Alternative 5) to
19 Action 1 in the Red Snapper Data Calibrations and Catch Limits
20 Framework Action that would reduce each state's quota by 11.819
21 percent for the 2021 private recreational red snapper season.
22 [The motion carried on page 211.](#)
23

24 [PAGE 216](#): Motion to direct staff to work on a plan amendment to
25 update rebuilding plan for greater amberjack and revise catch
26 limits and sector allocations based on the MRIP-FES data. [The](#)
27 [motion carried on page 216.](#)
28

29 [PAGE 217](#): Motion to include an option which holds the
30 commercial ACL in pounds at its current level. [The motion](#)
31 [carried on page 219.](#)
32

33 [PAGE 221](#): Motion to direct staff to begin a joint amendment
34 with the South Atlantic Fisheries Management Council to update
35 catch levels for yellowtail snapper based on the results of
36 SEDAR 64. [The motion carried on page 222.](#)
37

38 [PAGE 223](#): Motion to request a presentation on the process for
39 arriving at yearly red grouper average weight via MRIP and
40 include sample sizes per strata, PSEs, and other relevant data
41 for each year. [The motion carried on page 223.](#)
42

43 [PAGE 223](#): Motion in Action 1 to make Alternative 3 the
44 preferred. [The motion carried on page 224.](#)
45

46 [PAGE 224](#): Motion to include an option which holds the
47 commercial ACL in pounds at its current level. [The motion](#)
48 [carried on page 226.](#)

1
2 PAGE 227: Motion in Action 2 to make Alternative 3 the
3 preferred. The motion carried on page 227.
4

5 PAGE 227: Motion to take Amendment 53: Red Grouper Allocations
6 and Annual Catch Levels and Catch Targets to public hearing.
7 The motion carried on page 229.
8

9 - - -
10

1 The Full Council of the Gulf of Mexico Fishery Management
2 Council convened via webinar on Wednesday afternoon, January 27,
3 2021, and was called to order by Chairman Tom Frazer.

4
5 **CALL TO ORDER, ANNOUNCEMENTS, AND INTRODUCTIONS**
6

7 **CHAIRMAN TOM FRAZER:** I am going to call to order the Full
8 Council, and I will read the Chair's statement. Welcome to the
9 283rd meeting of the Gulf Council. My name is Tom Frazer, Chair
10 of the council. The Gulf Council is one of eight regional
11 councils established in 1976 by the Fishery Conservation and
12 Management Act, known today as the Magnuson-Stevens Act. The
13 council's purpose is to serve as a deliberative body to advise
14 the Secretary of Commerce on fishery management measures in the
15 federal waters of the Gulf of Mexico. These measures help
16 ensure that fishery resources in the Gulf are sustained, while
17 providing the best overall benefit to the nation.

18
19 The council has seventeen voting members, eleven of whom are
20 appointed by the Secretary of Commerce and include individuals
21 from a range of geographical areas in the Gulf of Mexico with
22 experience in various aspects of fisheries.

23
24 The membership also includes the five state fishery managers
25 from each Gulf state and the Regional Administrator from NOAA's
26 Southeast Fisheries Service, as well as several non-voting
27 members.

28
29 Public input is a vital part of the council's deliberative
30 process, and comments, both oral and written, are accepted and
31 considered by the council throughout the process. Anyone
32 wishing to speak during public comment should call the toll-free
33 phone number provided on our website and on the screen during
34 the public comment period of the meeting.

35
36 A digital recording is used for the public record, and,
37 therefore, for the purpose of voice identification, please
38 unmute your line when your name is called and state your first
39 and last name.

40
41 **MS. BERNADINE ROY:** Kevin Anson.

42
43 **MR. KEVIN ANSON:** Kevin Anson.

44
45 **MS. ROY:** Patrick Banks.

46
47 **MR. PATRICK BANKS:** Patrick Banks.
48

1 **MS. ROY:** Susan Boggs.
2
3 **MS. SUSAN BOGGS:** Susan Boggs.
4
5 **MS. ROY:** Leann Bosarge.
6
7 **MS. LEANN BOSARGE:** Leann Bosarge.
8
9 **MS. ROY:** Andy Strelcheck.
10
11 **MR. ANDY STRELCHECK:** Andy Strelcheck.
12
13 **MS. ROY:** Dale Diaz.
14
15 **MR. DALE DIAZ:** Dale Diaz.
16
17 **MS. ROY:** J.D. Dugas.
18
19 **MR. J.D. DUGAS:** J.D. Dugas.
20
21 **MS. ROY:** Phil Dyskow.
22
23 **MR. PHIL DYSKOW:** Phil Dyskow.
24
25 **MS. ROY:** Tom Frazer.
26
27 **CHAIRMAN FRAZER:** Tom Frazer.
28
29 **MS. ROY:** Martha Guyas.
30
31 **MS. MARTHA GUYAS:** Martha Guyas.
32
33 **MS. ROY:** Robin Riechers.
34
35 **MR. ROBIN RIECHERS:** Robin Riechers.
36
37 **MS. ROY:** John Sanchez.
38
39 **MR. JOHN SANCHEZ:** John Sanchez, Florida.
40
41 **MS. ROY:** Thank you. Bob Shipp.
42
43 **DR. BOB SHIPP:** Bob Shipp.
44
45 **MS. ROY:** Thank you. Joe Spraggins.
46
47 **GENERAL JOE SPRAGGINS:** Joe Spraggins.
48

1 **MS. ROY:** Thank you. Greg Stunz.

2
3 **DR. GREG STUNZ:** Greg Stunz.

4
5 **MS. ROY:** Thank you. Ed Swindell.

6
7 **MR. ED SWINDELL:** Ed Swindell.

8
9 **MS. ROY:** Thank you. Troy Williamson. Dave Donaldson.

10
11 **MR. DAVE DONALDSON:** Dave Donaldson.

12
13 **MS. ROY:** Thank you. Lieutenant Peterson.

14
15 **LT. ADAM PETERSON:** Adam Peterson.

16
17 **MS. ROY:** Thank you. Troy Williamson, again. Okay. Thank you.

18
19 **CHAIRMAN FRAZER:** Okay. Thank you, Bernie. Before we get
20 settled into the particulars of the meeting, with the Adoption
21 of the Agenda and the Approval of the Minutes, I am going to ask
22 Mr. Diaz, Chair of the council's Law Enforcement Committee, to
23 recognize Sergeant Dupre as the 2019 Law Enforcement Officer of
24 the Year. Mr. Diaz.

25
26 **PRESENTATION OF THE 2019 LAW ENFORCEMENT OFFICER OF THE YEAR**
27 **AWARD**

28
29 **MR. DIAZ:** Thank you, Mr. Chair. The council's Officer of the
30 Year Award acknowledges service above and beyond duty
31 requirements and recognizes distinguished service,
32 professionalism, and dedication to enforcing federal fishing
33 regulations in the Gulf of Mexico.

34
35 I am happy to announce that this year's recipient of the Gulf of
36 Mexico Fishery Management Council's 2019 Law Enforcement Officer
37 of the Year Award goes to Sergeant Scott Dupre of the Louisiana
38 Department of Wildlife and Fisheries.

39
40 Sergeant Dupre has led and assisted with numerous federal
41 fisheries cases throughout his career, and he has vast knowledge
42 of state and federal fishing regulations, and he has made cases
43 for shrimping violations, improper licenses and permits, and for
44 possession of undersized or out-of-season fish.

45
46 In 2019, Officer Dupree made a case in federal waters that cited
47 a captain for shrimping without a federal permit, not abiding by
48 federal shrimp trawl tow time regulations, and for violating the

1 Endangered Species Act by being in possession of a sea turtle
2 and two bottlenose dolphin skulls.

3
4 Sergeant Dupre is highly praised for his professionalism and for
5 his interview and investigative skills, his good rapport with
6 the public. His collaborative work with other agents make him
7 easy to work with and successful in his career. Captain Jeff
8 Boise of Louisiana's Law Enforcement Division said that Sergeant
9 Dupre's work ethic is above-average, and his incredible drive to
10 apprehend any violators separates him from his peers.

11
12 On behalf of the Gulf of Mexico Fishery Management Council, I
13 would like to congratulate Sergeant Scott Dupre on this well-
14 deserved accomplishment of being named as the Gulf of Mexico
15 Fishery Management Council Officer of the Year. Dr. Simmons has
16 a plaque that she would like to show, if Dr. Simmons could do
17 that, and then, when she gets done, I would like to invite
18 Officer Dupree, if he wishes to, to say a few words, and it's
19 strictly up to him if he would like to do that. Dr. Simmons.

20
21 **EXECUTIVE DIRECTOR CARRIE SIMMONS:** Thank you, Mr. Diaz.
22 Congratulations, Sergeant Dupre. Thank you so much for your
23 service and the team at Louisiana Wildlife Department. On
24 behalf of the Gulf Council, thank you very much.
25 Congratulations.

26
27 **MR. DIAZ:** Officer Dupre, like I said, it's strictly up to you,
28 but, if you would like to say a few words, we would love to hear
29 from you. If not, you can just let us know.

30
31 **SERGEANT SCOTT DUPRE:** Thank you, guys, for the recognition.
32 It's an honor and a privilege. I am pretty speechless right
33 now, and I don't know what else to say, but it's a huge honor to
34 be recognized as this Officer of the Year. I just can't thank
35 you guys enough.

36
37 **MR. DIAZ:** Sergeant Dupree, we really appreciate your service
38 and your work. Without law enforcement, nothing that we do
39 really works, and so we recognize that, and we recognize that
40 you are a leader in your field, and, when I saw that you made
41 that case for tow times, I mean, that takes people that are able
42 to get out there and not been seen while you're watching people,
43 to spend all the time dedicated to document that, and I know
44 you're a dedicated officer, and we appreciate it. Thank you
45 very much.

46
47 **SERGEANT DUPRE:** Thank you, and I look forward to many more
48 years of the hard work and dedication that it takes to continue

1 these cases.

2
3 **CHAIRMAN FRAZER:** All right. Thank you, Dale, and, again,
4 congratulations, Sergeant Dupre, but I think we have a couple of
5 other folks that might want to say a few words, and I would like
6 to recognize Patrick Banks from Louisiana.

7
8 **MR. BANKS:** I appreciate it, Mr. Chairman. I just wanted to
9 echo those comments. I appreciate Scott and everything he does
10 and your brothers and sisters in enforcement do for us. We as
11 biologists know that it takes a very good team effort, from our
12 standpoint, to be teamed up with you guys to make wildlife and
13 fisheries management happen, and I just greatly appreciate the
14 hard work you guys put in, and so congratulations from all of us
15 on the biological side of the agency.

16
17 **ADOPTION OF AGENDA AND APPROVAL OF MINUTES**

18
19 **CHAIRMAN FRAZER:** Thank you, Patrick, for taking the time to
20 provide those words, and, again, Dale, I appreciate the time to
21 recognize Sergeant Dupre for an award that was well earned, and
22 so, again, thanks to everybody, and we will now move on to the
23 core of our meeting here.

24
25 The first order of business would be the Adoption of the Agenda,
26 and that would be Tab A, Number 3 in your briefing materials.
27 Can I get a motion to adopt the agenda?

28
29 **MR. BANKS:** So moved, Mr. Chairman.

30
31 **CHAIRMAN FRAZER:** It's moved by Mr. Banks. Is there a second?

32
33 **MR. RIECHERS:** Second.

34
35 **CHAIRMAN FRAZER:** It's seconded by Mr. Riechers. Okay. So is
36 there any -- It looks like there's no other additions or
37 modifications to the agenda, and I am not seeing any. Is there
38 any opposition then to approving the agenda as written? Seeing
39 none, the agenda is approved.

40
41 The next order of business would be the Approval of the Minutes,
42 and that would be Tab A, Number 4. Can I get a motion to
43 approve those minutes?

44
45 **MR. RIECHERS:** So moved.

46
47 **CHAIRMAN FRAZER:** It's moved by Mr. Riechers. Is there a
48 second?

1
2 **MR. DIAZ:** Second.

3
4 **CHAIRMAN FRAZER:** It's seconded by Mr. Diaz. Okay. Any other
5 discussion about the minutes, any modifications or edits?
6 Seeing none, is there any opposition to approving the minutes as
7 written? Hearing no opposition, we will consider the minutes
8 approved. Thank you, folks.
9

10 We will go into -- We have a couple of presentations, and the
11 first presentation on the list is by Dr. Reinhardt, and it's an
12 update on the Deepwater Horizon Open Ocean Fish Restoration, and
13 so that would be Tab A, Number 7.
14

15 **PRESENTATIONS**
16 **DEEPWATER HORIZON OPEN OCEAN FISH RESTORATION**
17

18 **DR. JAMES REINHARDT:** Thank you very much. I do want to express
19 my gratitude for having the opportunity to speak with you all
20 again. I believe I was presenting at a council session about a
21 year ago, or around a year ago, and some of my other colleagues
22 I know have presented more recently at some of the sub-
23 committees as well, trying to continue to communicate to you all
24 about the Deepwater Horizon Restoration Projects.
25

26 I will just run over what I hope to provide to you today, and
27 I'm just going to take twenty minutes, hopefully, and provide
28 you with a presentation. First, I will provide just a little
29 bit of background and context for the fish and water column
30 invertebrate restoration, the stuff you guys are already
31 familiar with and aware of, just as a reminder.
32

33 Then I will get into providing just high-level overviews of the
34 restoration projects that are being conducted under the Open
35 Ocean TIG for restoration of fish and water column
36 invertebrates. I will be providing you just some key milestones
37 as they're coming up, and I want to highlight the work that
38 we've done to establish partnerships to implement these projects
39 and the work we're doing to engage with stakeholders, to make
40 sure we have successful projects.
41

42 The background, the injury, and I'm sure -- It's been ten years
43 now, but it's still probably pretty clear in many people's
44 memory the extent of the oil spill and the hundreds of species
45 that were injured, including important commercial and
46 recreational species like red snapper, bluefin tuna, spotted
47 seatrout, among others that were injured from the spill.
48

1 The spill was on our shores and at the deepest parts of the
2 ocean, impacting the entirety of the Gulf of Mexico ecosystem,
3 and so the injury has been characterized from the impacts to the
4 level of the individual organisms, including growth defects,
5 impacts to heart and cardiac function, as well as mortality, and
6 also documented at the community level, showing impacts to
7 things like community composition and diversity on our reefs.

8
9 I am going to provide a little fact sheet link in the chat
10 function there, and I know that not everybody can have that, but
11 I will just provide that to you, and our friends at Sea Grant in
12 the Gulf have done a tremendous job of putting materials
13 together to educate folks on things like injury.

14
15 Now comes our chance at conducting restoration for the injury to
16 the fish and water column invertebrates, and we have developed a
17 programmatic restoration plan that attempts to address this
18 broad range of injury by a number of mechanisms, a number of
19 different approaches to restoration.

20
21 We are interested in conducting restoration in these sort of
22 categories that I laid out here, wetlands and coastal and near-
23 shore habitats, and a lot of this work is being conducted on our
24 state shores. This is the work that's being done to develop and
25 create marshes that will help provide restoration to fish. Then
26 working in the deep, with the deepwater, focusing on community
27 restoration at mesophotic and deep benthic depths.

28
29 Fish and water column invertebrate restoration, that's sort of
30 the group, the restoration type, that I will be talking about
31 today, but we also expect restoration to occur because of
32 projects that are being conducted in Florida on nutrient
33 reduction and improving water quality in our coastal embayments,
34 as well as other restoration projects that are focused on doing
35 restoration for SAVs, oysters, and in our federal waters.

36
37 There is a lot of information on the internet that explains in
38 more detail what level of effort is being put in each one of
39 these restoration types, the amount of funding, but, just to
40 give you an order of magnitude, we anticipate that over \$400
41 billion will be spent on doing wetland, coastal, and nearshore
42 habitat restoration, and that restoration effort is being
43 largely led by the state TIGs, in cooperation with the federal
44 trustees as well, and up to -- Over \$400 million will be spent,
45 again, by state TIGs on improving and restoring water quality in
46 our coastal areas.

47
48 Hopefully, all these different types of restorations, conducted

1 together, are going to provide the restoration that we require
2 for that scale of injury to the fish and water column
3 invertebrates.

4
5 As a reminder, the one sort of restoration type that I am
6 talking about, the restoration for fish and water column
7 invertebrates, is largely focused on reducing mortality,
8 reducing direct sources of mortality, to fish in the water
9 column, and part of that goal is to increase the health of our
10 fisheries by making sure that we're reducing barriers and
11 providing methods so that we can reduce overall impacts to
12 fishery resources.

13
14 There is a total of \$400 million being spent in this restoration
15 type, and we have allocated close to -- Not quite \$80 million
16 with five restoration projects that have currently been funded
17 by the Open Ocean TIG. I am going to talk in more detail about
18 some of these projects, and I will just give you the overview
19 right now.

20
21 The first project to talk about is the Reduction of Post-Release
22 Mortality from Barotrauma Project. It's a fish descender
23 project, or the barotrauma project, that we have engaged with
24 the council and some of the sub-committees previously. The
25 project, we have a project called the Communication Networks and
26 Mapping Tools to Reduce Project, and so Phase 1 is sort of
27 design the project. The ongoing Oceanic Fish Restoration
28 Project works with the pelagic longline fishery, and it's a
29 funded project to help restore bluefin tuna by working on depth
30 optimization.

31
32 I will go to the next slide and get into a little bit more
33 detail on the projects, and so the Fish Descender Device Project
34 is a project that is intended to really work with anglers on
35 providing education and materials, so that best handling
36 practices can be more widely adopted within the reef fish
37 fishery.

38
39 This project also intends to lower barriers, and not just
40 educational barriers, but barriers to getting devices, by
41 providing devices and promoting their use within the fishery. I
42 will speak a little bit to timelines on this project, and we
43 anticipate that, by September of this year, we will start being
44 able to distribute devices in a constrained way, initially
45 working with charter boats and headboats to get devices out into
46 the fishery.

47
48 Another major component of this project is to monitor for the

1 changes in use of these devices within the fishery and make sure
2 that the handling practices and best methods are being adopted
3 within the fishery, and, lastly, we are interested in improving
4 the release mortality estimates for reef fish, so that we can
5 better assess whether or not our restoration project is having
6 the intended impact on the fishery.

7
8 An update on the Fish Descender Device Project is we're real
9 happy with the agreements that we have finalized recently with
10 some of our partners, and this includes Florida Sea Grant and
11 the Gulf States Marine Fisheries Commission, who are working
12 with us to implement this project.

13
14 We have been conducting outreach to state fisheries managers and
15 industry representatives and with the council and commission
16 committees, in order to continue to figure out the best ways to
17 implement this restoration project.

18
19 Recently, the commission put out an RFP for a couple of studies,
20 and one is a study to help us understand attitudes and opinions
21 about best release practices in the Gulf, and also an RFP that's
22 going to help us get better post-release mortality estimates.
23 We've received a number of proposals for those, and the
24 commission is in the process of evaluating those proposals.

25
26 We are also getting really into the weeds on figuring out what
27 the logistics are going to look like for providing and
28 distributing descending devices, and we want to make sure that
29 we are doing that in a way that allows us to put out the best
30 and the most recent educational materials on release practices,
31 to make sure that we have sufficient monitoring in place so that
32 we can understand the impact that the device distribution and
33 education is having within the fishery, to make sure that we
34 understand what those benefits are as we roll out the project,
35 and, of course, we have our -- We're making sure that those
36 education materials are put together and that our outreach and
37 communication plan, including things like branding and marketing
38 for a project, is put together.

39
40 A little bit more about the monitoring aspects, and so I think,
41 importantly, we have a multifaceted approach to monitoring for
42 the effectiveness of our restoration project, and we are -- Like
43 I mentioned, the commission is putting into -- It is reviewing
44 proposals for a survey that's going to help us understand
45 attitudes and opinions about fish descending devices, and also
46 best handling practices, across the Gulf. This will expand on
47 some research that has already been conducted on that matter,
48 and it's going to help us understand what are our perceived

1 barriers to the implementation of this project.

2
3 We also intend to integrate with existing monitoring frameworks,
4 and so, where possible, we're working with state -- We want to
5 work with states on their recreational fisheries monitoring
6 programs, so that we can ask appropriate questions that is going
7 to allow us to evaluate changes in prevalence of the use of fish
8 descending devices and handling practices, as well as thinking
9 how we can integrate with and ask questions for charter
10 logbooks, to understand the use and changes of use within the
11 charter sector.

12
13 We have an interest in enhancing observer coverage on headboats,
14 in order to get a more precise understanding of how these
15 practices are being implemented, and also to help validate our
16 other monitoring, and then, lastly, of course, the RFPs that
17 have been put out by the commission are going to -- They are
18 studies that are going to help us understand, in a more precise
19 way, release mortality estimates.

20
21 This is on to the next project. The Better Bycatch Reduction
22 Project is a voluntary restoration approach that wants to work
23 with commercial fishermen, shrimp trawl fishermen, in the Gulf
24 of Mexico to put new and innovative bycatch reduction devices in
25 broader use within the fishery, and so, again, the project team
26 is really focused on establishing strong partnerships, and, in
27 this case, agreements with Florida Sea Grant are currently being
28 finalized as our implementation partner for this project.

29
30 Following identification of BRD technology, there is a number of
31 steps to validate the effectiveness of those BRDs within the
32 Gulf of Mexico, and then the project -- We would like to
33 maximize that use within the fishery and make sure that the use
34 of those BRDs are being appropriately implemented throughout the
35 shrimp trawl fishery.

36
37 Again, I'm happy to say that we're in the final steps of
38 solidifying the partnership with Louisiana and Texas Sea Grant
39 for this project, and additional stages are largely going to be
40 focused on creating a strong communication strategy, and those
41 discussions with Sea Grant have already started, and that
42 engagement strategy includes establishing a stakeholder
43 workgroup, so that there's a system and pathway for ongoing
44 engagement with the shrimp trawl fishery.

45
46 We have a couple of phases that will include outreach to
47 identify new BRDs, bycatch reduction devices, and to initiate
48 testing with that, and that also accompanies some dockside

1 outreach that is going to not only help us learn about the BRDs,
2 innovative BRDs, that are currently in use within the fishery,
3 but to make sure that the BRDs that are in use are -- That we
4 can have some dockside outreach specialists to make sure that
5 those BRDs are in use or are being used effectively.

6
7 I will say there's a couple of COVID-related bumps in the road
8 related to that outreach, and largely that's been stalled
9 because of travel restrictions.

10
11 The third project that I will talk about is a project that is
12 communication networks and mapping tools, and we call this the
13 Hotspots Project. For this project, we have initiated a
14 partnership with NFWF, National Fish and Wildlife Foundation, to
15 implement this project. Now, this is a sort of Phase 1 project,
16 where we are determining the feasibility of implementing a
17 hotspot and communication map-type restoration project, where we
18 think near-real-time maps will help fishermen avoid areas of
19 high bycatch and hopefully direct them to areas of more
20 productive fishing.

21
22 This Phase 1 project is largely just an evaluation of options,
23 implementation options, and coordination with fishermen and
24 stakeholders, including state and federal fisheries managers, to
25 help us understand what's feasible. For this, NFWF is just
26 finalizing a request for proposals for project and communication
27 managers and liaisons to get this project off the ground, and so
28 it hit the street in February.

29
30 I just want to highlight some of the key things that we really
31 tried to focus on for the first year. A lot of it has been on
32 the partnership development and making sure we have strong teams
33 to help us implement these projects.

34
35 We are, again, for many of these projects, putting a substantial
36 emphasis on public engagement, and that's one of the reasons I
37 am grateful for the opportunity to present to you all and have
38 the public venue, and so that's important for me.

39
40 We are making sure that we are sort of sequencing this
41 implementation appropriately. Like I said, the Fish Descender
42 Device Project, we're not trying to do everything all at once.
43 We're going to make sure that, when we start initiating the
44 distribution of devices, that we're doing it in a way that's
45 actually manageable for the team, and we can learn from early
46 experiences to create a better restoration project.

47
48 Lastly, I just want to remind everybody that this is really --

1 It's been ten years since the spill, but we are still largely at
2 the beginning of restoration. Like I mentioned, there is over
3 \$320 million left to be allocated just out of the fish and water
4 column invertebrate restoration type, and so, while we have
5 these five projects approved for funding, we have initiated
6 implementation, and we have a whole lot of work and planning
7 ahead of us, and so I will just put a plug in that we will
8 likely have some ongoing strategic planning over the next year,
9 in order to help us understand best ways to direct resources
10 from the fish and water column invertebrate restoration type
11 moving forward.

12
13 I think the next slide is simply my closing slide, and this, of
14 course, is the plug to please go ahead and go to our Gulf spill
15 restoration website, and that not only provides the latest and
16 greatest information on what the NRDA trustees are doing, but
17 also you can really dig in there and find -- There is lots of
18 resources to communicate about what's been going on in
19 restoration planning, and so thank you, and I hope we have an
20 opportunity to address questions, and I can, obviously, fill in
21 information, where you need more, or provide a more general
22 overview. Thank you.

23
24 **CHAIRMAN FRAZER:** Great. Thank you, Jamie. I really appreciate
25 you taking the time out of your schedule to join us and provide
26 that presentation. I think everybody really appreciates all the
27 work that the trustees are doing, and all the stakeholders, and
28 it's a long and complicated process, right, but hopefully we'll
29 all benefit from the restoration efforts moving forward, but,
30 most of all, again, you mentioned it's been ten years, and
31 you're just at the beginning, and so I think people should
32 really value and appreciate the persistence of you and your team
33 to make sure that we get the best out of all of these
34 restoration dollars. I know that there are a few questions, and
35 I think John Sanchez has his hand up. We'll see if John is on.

36
37 **MR. SANCHEZ:** Yes. Thank you, Mr. Chairman. I had a quick
38 question for you, James. I'm curious to see if you have, at
39 some point -- If you don't have it with you, I understand, but,
40 if you could provide it, either to me personally or in the
41 future, but some landings results from the first open ocean
42 project, kind of like poundage, and maybe dollar value, for some
43 of these tunas and swordfish from that project.

44
45 **DR. REINHARDT:** John, thanks for asking that question. As you
46 know, that project is starting its fifth year, and so we
47 basically have four years' worth of data for that project now,
48 and so we have recently done a number of analyses that allow us

1 to present that information, and I will -- That should be
2 forthcoming in the next few months, that we'll be able to get
3 that onto our website and make that more broadly available to
4 the public on that.

5
6 The good news is that that information will be up on the
7 website, probably in a few months, and we've got four years'
8 worth of data, and two years was barely enough to do anything,
9 but now we're at four years, and so I'm happy to report that
10 that's coming soon.

11
12 **MR. SANCHEZ:** Thank you.

13
14 **CHAIRMAN FRAZER:** Okay. Thanks, John, for that question. Next
15 up is Ms. Guyas.

16
17 **MS. GUYAS:** Thanks, Mr. Chair, and thanks for the presentation.
18 I appreciate the update, and it looks like there's a lot of
19 really exciting things coming up ahead. My question is about
20 the post-release mortality descending device studies that are in
21 the works here, and so I know that the DESCEND Act was signed
22 into law just a couple of weeks ago, and I'm wondering how that
23 might affect some of the studies that are being planned here, if
24 that changes maybe some of the questions and how we approach, I
25 guess, looking at the changes in use of descending devices and
26 handling methods and that kind of stuff. I am just kind of
27 wondering what your thoughts are on that.

28
29 **DR. REINHARDT:** Well, I'm happy to take your suggestions, if you
30 have them, of specific ways to change it. I will say that we
31 don't have -- I think the commission is expecting final
32 proposals in the next few days, and so we'll -- We're going to
33 have to review and see what PIs turn in for those proposals and
34 what they think they're interested in monitoring.

35
36 I know that there's some language within the DESCEND Act that
37 directs the National Academies to do additional work on post-
38 release mortality, and my great hope is that we can remain
39 coordinated through that process, just as we remain coordinated
40 with other existing NOAA offices and programs that are
41 interested in evaluating post-release mortality and/or the
42 effectiveness of descending devices.

43
44 My promise is that we'll just do our darndest to be coordinated
45 with other offices and programs that are investing money into
46 post-release mortality work, and I think that we can ask PIs to
47 make sure that that's the work that they conduct as part of our
48 project, and that it's done in a framework that might be

1 adaptable and be used and can be synthesized with other research
2 of the same nature, so that we can draw broader conclusions for
3 that work. I think, for those studies, I think the -- Better
4 understanding of post-release mortality rates is still a
5 valuable thing for us to understand, and I don't know if I have
6 answered your question.

7
8 **MS. GUYAS:** I think that helps. Thank you. I appreciate it.

9
10 **CHAIRMAN FRAZER:** Great. Thank you, Ms. Guyas. Next is Ms.
11 Bosarge.

12
13 **MS. BOSARGE:** Jamie, thanks. That was an excellent
14 presentation, and you really took a broad item, a broad pool of
15 funds, a broad pool of different projects, and managed to really
16 hone-in kind of on some specific projects that will probably,
17 you know, have effects on the things that we manage here and our
18 fishermen, and I appreciate that. I appreciate you actually
19 getting into some details on that, and that's very helpful.
20 Thank you. It was excellent.

21
22 You mentioned the bycatch reduction devices for shrimp vessels,
23 and, of course, as an industry, we certainly would love to
24 improve any place we can, and, if there is a better design,
25 then, hey, we're all for it, and I'm excited that you all are
26 doing a great job of trying to include the fishermen on the
27 frontend, include the stakeholders and engage them in some
28 discussions and working groups, and that's excellent.

29
30 We're hard to get along with, and so good luck on that, but,
31 hey, I have faith in you, but, no, in all seriousness, we did
32 receive a presentation on that and one other project that
33 actually had to do with bar spacing on TEDs at the Shrimp AP
34 meeting, and the part that kind of alarmed me and worried me a
35 little bit was it was mentioned that some of the funding had
36 been cut, or reduced, for certain portions of some of these
37 projects for the shrimp fleet, and, unfortunately, it sounded
38 like that funding cut was going to come in the form of reduced
39 or eliminated testing on the actual commercial trawl vessels
40 after the design has been fleshed out and you have a final
41 product.

42
43 That is key. That is really where the rubber meets the road and
44 where you're going to find out if this thing is really going to
45 work or not, and not just testing on one boat here and one boat
46 there, but it has to be geographically in different parts of the
47 Gulf, because you encounter different things in different areas.

1 You may plug something up with jellyfish in one area, and you
2 may be plugging something up with derelict tires and crab traps
3 in a different area, and we need to see that. We need to see
4 what happens in different areas, and so I would encourage you to
5 -- If cuts have to be made, please don't make it on that final
6 step that is really key to getting something that will work in
7 the fishery, in day-to-day operations.

8
9 Then a general sentiment that came out of that AP meeting, and
10 this is not aimed at you, but I hope that you will carry this
11 back, this message back, up the chain, and so what you're trying
12 to do is restore fish populations and marine mammal populations,
13 right, and the fishermen are not the one that killed those fish
14 and turtles and dolphins. The oil industry is the one that
15 caused that damage, but it's on our backs to make sure that
16 those populations, the fishermen's backs, to get restored back
17 and undo the damage that somebody else did.

18
19 In a lot of ways, we feel like all this money is being spent to
20 put additional regulations, in sometimes punishing ways, on the
21 fishermen for something they didn't do and cause, and so I hope,
22 at some point in the future, the council will get to receive a
23 presentation on all the extra regulations and burdens that have
24 been put on the oil industry to make sure that they don't damage
25 the populations again.

26
27 Finally, my last comment would be I have always had a hard time
28 trying to even figure out where shrimp falls in those categories
29 that they created at the beginning, and I guess we're in the
30 water column fish and invertebrate section somewhere maybe.

31
32 **DR. REINHARDT:** I was going to say that, yes, you're in that,
33 and you're also in the coastal and nearshore habitats, because
34 of the tight habitat association that penaeid shrimp have with
35 those marshes.

36
37 **MS. BOSARGE:** Great, and so I am anxious to one day see the
38 increases and restoration of actual shrimp populations and the
39 money that's being spent there to restore those, rather than
40 simply the money that's being spent to put additional
41 regulations on the shrimp industry to restore other populations.

42
43 One idea, and one thing I have always pushed, with all of this
44 BP money, and I have said for years now that the billions of
45 dollars that we received to restore habitat and populations in
46 the Gulf of Mexico, that is probably the only time we'll ever
47 have that much money to try and address the dead zone in the
48 Gulf of Mexico and make that useable and productive year-round

1 habitat again.

2
3 I understand that, yes, we have some money that is going to, I'm
4 guessing, the coastal states to improve water quality and things
5 like that, but that's dealing with what's coming out of the fire
6 hose, and we need to go up there to where you turn the fire hose
7 on, and we really need to mitigate what's going into the water
8 and not study what's going into the water and the nutrient
9 runoff, but mitigate it, stop it, reduce it, and so, I wonder,
10 are there any efforts for that?

11
12 **DR. REINHARDT:** Well, you made three great points that I just
13 want to address, and I think they're all a little bit connected,
14 and so what I heard is, first of all, we understand that the
15 fishermen are certainly not the cause of this problem, and it's
16 not on them to bear any burden for no fault of their own, for
17 BP's mistake in spilling all of this oil. I think that's the
18 real importance of engagement and working with the fishing
19 communities for better bycatch reduction.

20
21 We all know the amazing amount of work that the fishery has done
22 over the last ten or twenty years to almost halve the amount of
23 bycatch, fish bycatch at least, that the trawlers pull up.
24 There has been amazing improvements, and, hopefully, with the
25 Better BRD Project, we can reduce that even by 10 more percent,
26 and we think that would be an amazing benefit.

27
28 Of course, you mentioned continuing to make sure that we are
29 working with the fishery as we kind of go from the concept and
30 the testing phase to actually being able to prove and test it in
31 the field, and it doesn't work the same way out of Beaumont that
32 it might out of Alabama, and so I agree with you that I think
33 that's really important.

34
35 As I tried to kind of demonstrate with one of the slides early
36 on, you know, we really have this multifaceted approach for
37 doing restoration across the entire ecosystem for the injury
38 that happened to fish, and so we have lots of money to do
39 habitat restoration, and that's going on in Louisiana, for
40 instance, and in Texas, and we have projects that are largely
41 led by USDA on addressing water quality issues.

42
43 For example, the USDA has a program that is operated through the
44 NRCS, where they are working with farmers, in a voluntary
45 fashion, just like we work with fishermen in a voluntary
46 fashion, and so those farmers will change their agriculture
47 practices, because they have less runoff of nutrients from their
48 farm that are impacting the coastal embayments in Florida, and

1 so we're asking for those farmers to help voluntarily make some
2 behavior changes that are going to help improve water quality.

3
4 It's the same thing we ask for from tourists who frequent the
5 beaches in the Panhandle of Florida, where we're asking people
6 to do a better job of protecting BRD nesting habitat, and we're
7 trying to put signage up there to help prevent that, or we're
8 changing the lights on their coastal homes, so that sea turtles
9 might be impacted less by those types of things, and so, again,
10 we're trying to work largely -- We're a non-regulatory program,
11 and so we're largely trying to work in a voluntary way, and
12 we're trying to create the right incentives for folks to want to
13 work with us, and so I really appreciate the opportunity to work
14 with the fishermen, and I know they have a lot to offer in this
15 area, and, obviously, we want to continue the dialogue to make
16 that restoration partnership better.

17
18 **CHAIRMAN FRAZER:** Okay. We have two more questions from Mr.
19 Sanchez and Mr. Anson, and, Jamie, I really appreciate you
20 taking the time. We're going to try to keep on schedule, and so
21 I'm going to ask these folks to try to keep their questions
22 fairly pointed, if possible. John.

23
24 **MR. SANCHEZ:** It must be my hand-up situation thing again, and
25 no questions. Thank you.

26
27 **CHAIRMAN FRAZER:** Okay. Kevin Anson.

28
29 **MR. ANSON:** Thank you, Tom, and thank you, Jamie, for the
30 presentation. Just a follow-up on a comment that Leann had
31 made, and it may not be a surprise to a lot of folks, but just,
32 because she made the comment about this particular instance and
33 the change in the ecosystem and the negative effects it had on
34 the resource and then the way that the management is set up that
35 it's on the backs of the fishermen to try to make up the
36 difference, if you will, and I just wanted to, in a broader
37 context, just wanted to lay it out there for the council, in
38 consideration as we go forward with our science and everything,
39 and our process, but the overall environment changes over the
40 decades, and those are just, more than likely, from human
41 impacts, cumulative human impacts, as well as climate change,
42 which are indirect human impacts, and that we are looking -- We
43 look at our time series of datasets, and some species,
44 obviously, are longer than others, but, as we have stocks that
45 have relatively long histories of catch, that the environment
46 maybe changed enough to where we're trying to manage to some
47 number that we may never be able to achieve, or that stock will
48 never be able to achieve, or vice versa. It might be improved

1 for a particular species, and there might be some additional
2 fish that are there that we're trying to reach to some other
3 point in the past, and so thank you. That's all.

4
5 **CHAIRMAN FRAZER:** All right. Thanks, Kevin. Jamie, again, like
6 everybody, I appreciate you taking the time out of your schedule
7 to come and share that update with us here and your kind of
8 focus on communicating and public engagement, and that's the key
9 to our work here, and so just keeping the lines of
10 communications open is good for everybody, and so I hope to have
11 you back here in the future, and I will look forward to that. I
12 think, with that, we'll let you off the hook, and maybe you can
13 get some work done today, and we'll move on. Next on our
14 schedule is an update on the SEFHIER program, and I think Peter
15 Hood is on the line for that one.

16
17 **UPDATE ON SOUTHEAST FOR-HIRE ELECTRONIC REPORTING (SEFHIER)**
18 **PROGRAM**
19

20 **MR. PETER HOOD:** I'm here. I am going to be giving this with
21 Rich Malinowski. We'll be talking about the Southeast For-Hire
22 Electronic Reporting Program, aka SEFHIER. I will be giving a
23 quick overview, and then Rich will be talking about the outreach
24 efforts, and I want to extend out a high-five, or whatever, to
25 Emily and Carly, because they have certainly been instrumental
26 in the outreach that's been going on.

27
28 New accounts setup, there will be some metrics associated with
29 those, and then some of the issues that have popped up, or
30 questions, and some resolution there. VMS type approvals, the
31 for-hire intercept surveys, and then we'll put some faces to
32 names, in terms of SEFHIER resources of folks who work over
33 here.

34
35 If you have looked through this presentation, you will see the
36 FAQs at the end, and those are really there for informational
37 purposes. It's just in case you're kind of curious about what
38 some of the more recent questions might have been and some of
39 the answers we've developed, and certainly, if anybody has a
40 specific question on any of those FAQs, we will try to answer
41 those.

42
43 Then I just want to do a shoutout for Rich, who is joining me on
44 this thing. Rich has been -- He was our lead on the development
45 of the for-hire electronic reporting amendment, and he was the
46 one who shepherded the rulemaking through the process, and then
47 he's been right down there in the trenches and working to get
48 this thing implemented, and so, particularly for nuts-and-bolts

1 questions, he will be able to answer those.

2
3 Just to remind you all that it's the electronic reporting
4 program for charter vessels and non-headboat survey vessels, and
5 then the affected charter/headboat permit holders are those with
6 Gulf reef fish permits and coastal migratory pelagic permits and
7 historical captain permits.

8
9 The Gulf requirement applies to all Gulf permit holders,
10 regardless of where they fish or what they're targeting, and,
11 basically, in other words, if you're down in the Keys, and you
12 have a South Atlantic permit and a Gulf permit, since the Gulf
13 permit requires a little bit more, you would need to follow the
14 requirements for the Gulf permit, even if you're fishing over in
15 the South Atlantic.

16
17 As you will recall, there is a Phase 1 and a Phase 2. Phase 1
18 is basically the logbook reporting and the trip declaration, and
19 then Phase 2 is having the VMS onboard the vessel. In terms of
20 electronic reporting, we, have two software programs that are
21 out there, VESL and eTRIPS, and those are the ones that the
22 fishermen need to select as they enter this program, and, at
23 this point, I'm going to turn it over to Rich.

24
25 **MR. RICH MALINOWSKI:** Thanks, Peter, and thank you, council, for
26 letting us present to you today, and so I'm going to give you a
27 quick update, to keep you on schedule. With the VMS type
28 approval, the VMS isn't effective yet, and we're looking at some
29 time later in the year, potentially, towards the end of the
30 year, and so, currently, we have nine VMS units that have been
31 type approved for the for-hire program.

32
33 Seven of those units have forms associated with them, and so the
34 fisherman, or permit holder, can submit, and it's an all-
35 inclusive system, and they can submit their forms and their VMS
36 tracks, currently, if they want to do that, off of one system.
37 Two of the units are simply pingers, and so they don't have any
38 forms associated with it.

39
40 One VMS unit that is a hybrid unit, and it's satellite and
41 cellular, and it can be switched back and forth, is being tested
42 currently, and that's the CLS Nemo unit, but one of the problems
43 that we're having, and it's sort of an obstacle, in terms of
44 getting this implemented, is there are no cellular-only units
45 that have been submitted for approval to-date.

46
47 We did a pilot program two years ago, and we got a report for
48 that, and we did seven cellular-based units, five of which would

1 still qualify for this program. Those five vendors, or
2 manufacturers, haven't submitted their units, or applications,
3 for approval yet, and some of the reasons for that, we think,
4 are the vendors need to update the system to meet the technical
5 specifications, and the vendors may not think that their cost to
6 update the unit is justifiable, and is there enough vessels in
7 the fleet to justify the development costs, and the third thing
8 is that's restricting us is NMFS can't really make the vendors
9 submit their applications. It's up to them to submit them.

10
11 When you're hearing that rumor that there is no cellular units,
12 that is correct, and here's the reason why, and hopefully this
13 will help you explain that to your constituents when they ask
14 those questions. There is a table on our for-hire electronic
15 reporting website page that has all the VMS units and has the
16 contact information and which regions are compatible with it.

17
18 Around December, we were very busy doing a lot of outreach, as
19 you can see. As Peter mentioned, Carly and Emily did a
20 tremendous job for us, keeping the cats in the line there and
21 keeping the meetings together and organizing them and such, and
22 we really appreciated that, and so here's just a list of them
23 that we had. You can see that, in the Gulf, we reached out to
24 just about 300 people on these webinars.

25
26 Here's what we've got coming up for future webinars, and so
27 we've been thinking -- Our staff and us have been discussing it,
28 and so NMFS staff will be conducting weekly webinars for
29 fishermen to call in and discuss any issues that they're having
30 with reporting, and so this is going to be every Tuesday, and we
31 figured we would do it for a month and see what kind of interest
32 we have for those few weeks, and, if we need to continue it,
33 we'll continue it, but this will be the time and opportunity for
34 people with issues, that they can't get ahold of us during the
35 day, and they're out fishing, and they get done at 5:00, and
36 usually nobody is answering the phones after 5:30 or so, and
37 they can call in and ask questions to us, and we'll definitely
38 be there, and they can learn from other folks asking questions,
39 too.

40
41 Here's a little update since the reporting requirements became
42 effective on January 5, and so this is as of last week, January
43 19, and so the VESL system, and this is the Bluefin Data
44 software app, they have 423 new accounts. Of those accounts,
45 204 are in the Gulf of Mexico, and you can see that the South
46 Atlantic had 159, and there is sixty dual-permitted vessels that
47 set up accounts with VESL.

1 eTRIPS, the other software vendor, has 467 new accounts, ninety
2 of which are Gulf and 316 South Atlantic and sixty-one dual-
3 permitted. Then VMS users, that are choosing to use their VMS
4 units to do their logbooks and trip declarations at this time,
5 there is fifteen of them, and I think that's went up recently
6 though, and you see that there is fifty-seven declarations
7 completed and forty logbooks.

8
9 You will see those numbers don't jibe, but some people are doing
10 test trip declarations and test logbooks, and so it's new, and
11 it's in the beginning, and we're all learning from it.

12
13 As of January 20, the total number of reports submitted, fishing
14 logbook reports, 590 trips, with 236 trip declarations, and so
15 that means the trip declarations are Gulf trips, because the
16 South Atlantic permits aren't required to have a trip
17 declaration, and so those ones are the Gulf, but, like I said,
18 some were test submissions, and it's incredible the number of
19 phone calls that we were getting in the beginning, but it's sort
20 of calmed down, I think. Trevor is our customer service person
21 now, and he says there's about fifteen to twenty calls per day
22 coming in, but, since December, it's been probably about 500
23 calls by now.

24
25 Here is the issues that we ran across when we tried to roll this
26 thing out, and were learning from it, and hopefully everybody is
27 trying to be patient, and we sure are. We have to be, and so,
28 in the beginning, the VESL accounts requests need to be manually
29 verified in our permits systems, which caused a delay in
30 establishing a permit holder's account.

31
32 When the fisherman goes to set up their account in VESL, there
33 is no mechanism for VESL to communicate with our PIMS, our
34 permits system, and so that was delayed, and we have to verify
35 that request, make sure it's the right person, make sure it's
36 some kind of personal identifiable information there, and it's
37 the right permit, and it's the right vessel, and so that took
38 some time, and, in the beginning, it held us back, and some
39 people were waiting for up to a week to get their account.
40 We've cleared that up, and we've got staff trained now, and we
41 took a day or two, and we all dedicated to getting the list
42 caught up, and so we're pretty much caught up with that now.

43
44 Another issue we had was the landing location, and the port list
45 was not updating automatically, and there is a delay before the
46 landing locations are showing up in the app, and so, after the
47 permit holder submitted their landing location request, and we
48 approve it, it goes into the system, but that system doesn't get

1 updated every minute, and it's not like a real-time system, and
2 so there was a delay in that, and the resolution for that was to
3 enter the location code, versus having a drop-down list, and so
4 the permit holder gets a location code sent back to them, and
5 that's the code they're going to be using, and so they can enter
6 this now without having to go find it on the list, which it
7 wasn't there yet.

8
9 The customer service line, it's a new phone line to us, and we
10 were having troubles with it, especially with this COVID
11 situation, and not a lot of people are allowed in the office,
12 and so a lot of dropped calls, and there were a lot of
13 voicemails malfunctioning, but now the staff all has work
14 cellphones, and we're receiving calls from the query now, and so
15 we should be all good to go with that.

16
17 Here's the headboat survey program, and I'm going to let Susan
18 take this one over. No, I'm just kidding, Susan, because Susan
19 Boggs had some issues with the trip reporting in the beginning.

20
21 The trip declaration wasn't working for a few hours, and VESL
22 resolved it by modifying the headboat form to include the trip
23 declaration, and it was repaired that afternoon, and so it was a
24 quick fix. The fishermen were creating new accounts when they
25 already had a headboat account, and so they didn't realize that
26 they had a headboat account, and so they were creating new
27 accounts, and so that's been resolved, and the forms are now
28 updated, and this is no longer possible, and so that's fixed,
29 but general VESL issues are captains -- This was brought up by -
30 - I think it was Dylan Hubbard's group that raised this
31 question, but captains want to fill in the report while they're
32 returning to the dock, which is a good request.

33
34 The resolution was that we modify the time of the ability to
35 report to one hour before the end of the trip, and so, if
36 they're coming in, they can now report while they're in motion,
37 up to an hour before, with VESL.

38
39 Another issue is auto-populating the return time, and that led
40 to ten-minute trips. The resolution was we modified the return
41 time to not auto-populate, and so it wouldn't take that
42 automatically into there, and you would be able to report your
43 trip.

44
45 I think this is the last of the rollout issues that we have, and
46 so, in the eTRIPS program, the stat zones, which are the zones,
47 which are ten-by-ten-mile, I think nautical mile, squares, and
48 we identify where you're fishing by these stat zones, and some

1 of them were missing from the eTRIPS app, and so we're resolving
2 that, and it's currently being resolved, and it's underway.

3
4 The fishermen were unsure how to use eTRIPS, and it was a
5 difficult website to figure out where to go to set up your
6 account and such, and so we asked them to make it a little bit
7 more user-friendly, and they did that for us. The trip
8 notification confusion, it says "track a trip", versus "trip
9 declaration", and so there is different wording, and so we're
10 making those changes to the trip notification, and we'll be
11 adding those landing location types as a type-in, versus the
12 drop-down box.

13
14 Quickly, I will just go over this, and so we've got the Gulf
15 for-hire intercept survey coming up, which is going to involve
16 all the Gulf states, and so Mike Larkin from our group is
17 heading up the intercept survey and working with the Gulf states
18 and MRIP to figure this out, and so there's going to be a total
19 of twenty-two questions, and ten questions will be just about
20 the site and the conditions and such, and then there will be
21 twelve questions directly asked to the captains.

22
23 The agents who will be out there, they're going to be state
24 folks, except in two cases, where it will be NOAA folks, and
25 they will be doing shift assignments in particular sites,
26 similar to the way it's set up now with MRIP.

27
28 We're going to interview the federally-permitted for-hire vessel
29 captains that are not in the headboat survey program, and these
30 agents will be completing a charter activity report, which is
31 basically going to be like an account management system, and
32 we'll be able to say, okay, for each vessel, here's the date
33 that I talked to the captain, here's what we said, here was some
34 issues and such, and so anybody can go into here and look, at
35 any time, and say, okay, well, he had this problem last time,
36 and is it resolved, is it now, does he still got to address it.

37
38 Here's the timeline for the intercept survey, and we're getting
39 there, and the next couple of steps here, as you'll see towards
40 the fourth dot there, we're going to be setting up the training
41 for the port agents, and we haven't determined it yet, and we're
42 going to be working with the states to see what works out best
43 for them, but hopefully sometime in early April we'll be rolling
44 this program out, and right now we're waiting on the Paperwork
45 Reduction Act to get approved, and we'll be able to go after
46 that.

47
48 Here's some quick things that fishermen need to do now. If

1 you're talking to them, you've got to make sure that their
2 information on the permit is correct, and that's very important.
3 Go to the website and look at the toolkits, if they didn't
4 receive one in the mail, which it seemed like there was an issue
5 with that.

6
7 They can attend the upcoming webinars, that Tuesday-evening
8 webinar, and they can watch the informational videos, and we
9 made informational videos, and the council did this, and they
10 were out on the vessel making videos, and we also have all of
11 our webinars recorded, and so they'll be able to watch them, if
12 they want to review them. The other thing they need to do is
13 make sure they submit their landing location requests for
14 approval. Then the other thing is they've got to select a
15 software to use and create a user account.

16
17 What to expect in the next few months, we're going to call it
18 compliance assistance, and so we're all on a learning curve
19 here, and we want to make sure that we're not being too strong
20 about things yet, and so we're going to be assisting folks with
21 compliance in the beginning here, and trying to make sure they
22 know what they're doing and how to do it properly, and so that's
23 the team that will be doing that.

24
25 We're going to have training webinars for the port agents and
26 samplers coming up, and that's to be determined, and then we're
27 working on data sharing agreements, and I know some of the state
28 folks are hoping to look at the data soon, but those agreements
29 are getting done, drafted, so we can get them out to the folks
30 who do want to look at the data, but, right now, all of the data
31 is not coming in in the right fashion, and so, even if you could
32 look at it, it wouldn't be inclusive, and so there's no big
33 hurry with that just yet, because we've got to get the VMS data
34 in there and some other means in there.

35
36 Here's our resources, and there's a page to go here, and this is
37 our toolkits, and you guys have seen this one before. Here's
38 some of the folks that have been working on this, so you get a
39 face with the name, and you can see Karla Gore, and she's pretty
40 much the lead on the project. Jenny is our -- She's a full-time
41 employee with us, and she was brought new to the team about six
42 months ago. You know Peter, and Rick DeVictor is in the South
43 Atlantic, and you know Jack McGovern.

44
45 These are newer people, and these are the ones we're hiring, and
46 we're going to have a total of thirteen people, and I think
47 we've hired ten contractors so far, and we're getting there.
48 We're almost there, and so you will see the compliance staff

1 there, and we're going to have three that are just working on
2 compliance and three or four that are going to be working on the
3 vessel monitoring systems and that type of thing.

4
5 Then we have our QA/QC folks, and we're going to have four
6 people over there, and we're working on that, and we have our
7 customer service, which is a front-liner answering the phones
8 and directing people where to go and who to talk to, and then,
9 of course, we've got the intercept survey and Mike Larkin there,
10 and so, hopefully -- When you talk on the phone, introduce
11 yourself to these people, and let them know who you are, and
12 we'll all try to do the best we can.

13
14 Just a reminder that here is the upcoming webinars, each Tuesday
15 at 6:00, same bat channel, and so stay tuned. I think that's
16 it, and so Peter mentioned that there's a frequently-asked
17 questions at the end of this, in case you wanted to take a look
18 at that and see the questions we're getting asked. Thank you,
19 once again, for your time, and I appreciate it. Back to you,
20 Mr. Chairman.

21
22 **CHAIRMAN FRAZER:** Thanks, Rich and Peter both, for the update.
23 It's an important one, and I realize that we're quickly
24 approaching our public testimony time, but, given the
25 importance, I think, of the update, we have a couple of
26 questions, and I would like to take the time to allow council
27 members to ask those questions, and we have five folks in line.
28 John Sanchez will be first.

29
30 **MR. SANCHEZ:** Thank you, Mr. Chair. I have a quick question.
31 You mentioned there were some issues with the cellular data
32 trackers and I just wanted to know if you could briefly, because
33 of time, elaborate on what those issues might be, because the
34 industry was looking forward to have cellular data trackers as
35 an option, for cost effectiveness and such, and so I would
36 definitely like to hear what the issues are. Thank you.

37
38 **MR. MALINOWSKI:** Sure, John. Basically, the biggest issue is
39 none of the cellular vendors have submitted their units for
40 approval, and we have our technical specs from our VMS group
41 that they have to meet, which they can meet very easily, and
42 it's not like it's difficult, and there is no hurdles to jump,
43 but they just need to update their systems to meet the data
44 elements. If there's going to be forms on them, they need to
45 get the forms up there, but they can just submit them to be
46 pingers, but they haven't chosen to do so, and we can't force
47 them to do it, and so that's what we're waiting on.

1 We don't want to roll this out until there are cellular units
2 available, but we're getting to that point that, in the next few
3 months -- It takes about four or five months to test these
4 units, or even sometimes up to six months, to test them, to make
5 sure they're working, the IT security and such, and so, if we
6 don't have any units submitted by May, I would say, it's going
7 to be difficult to get them approved before the end of the year,
8 when we're looking to roll this out. Does that answer your
9 question?

10
11 **MR. SANCHEZ:** Yes, that does. Thank you. I'm sure the industry
12 was listening in, and they will be letting the cellular folks
13 know. Thank you.

14
15 **MR. MALINOWSKI:** Thanks, John.

16
17 **CHAIRMAN FRAZER:** Ms. Boggs.

18
19 **MS. BOGGS:** Thank you, Mr. Chair, and John asked one of my
20 questions. One suggestion, Rich, is the weekly webinars you're
21 talking about doing in February. Since most of the charter boat
22 captains aren't thinking about fishing this time of year, and
23 they don't really get geared up until March, I would certainly
24 encourage you all to look at some meetings maybe at least the
25 first part of March, when a lot of these captains are back on
26 the water.

27
28 Then, just very quickly, I wanted to thank you, and Andrew with
29 Bluefin, and you all were very helpful the first few days of the
30 program, because we happened to fish both days, and everyone was
31 very responsive, and, to the best of my knowledge, all of our
32 issues have been resolved, and so thank you.

33
34 **MR. MALINOWSKI:** Thanks, Susan. We will definitely look at
35 extending these webinars, but we figured let's see what it looks
36 like in a month, but, yes, we can put it on our agenda to have
37 them sometime in March too, and that's a good idea.

38
39 **CHAIRMAN FRAZER:** Next we have Dave Donaldson.

40
41 **MR. DONALDSON:** Thank you, Mr. Chairman. Thanks, Peter and
42 Rich. As you know, Congress has allocated some funding for
43 this, for at least for the next couple of years, and, in talking
44 with some folks up in D.C., I have heard that there may be some
45 cuts in that funding, and I am just wondering what you guys have
46 heard, and, if that's true, what kind of impacts that's going to
47 have on the program.

1 **MR. MALINOWSKI:** I would like to defer that to Andy, because
2 he's the one that's usually finding out about that first. Andy,
3 are you still on the line?
4

5 **MR. STRELCHECK:** Thanks, Rich. Dave, you're correct. With the
6 congressional budget that we received this year, the program
7 budget was reduced by \$500,000, from \$2.7 million to \$2.2
8 million. We will be evaluating, obviously, what the
9 implications are to the program, based on that reduction. Given
10 that we're obviously in early implementation, we'll have to
11 adjust, obviously, kind of how we're able to spend on
12 contracting and disburse the funds to support the program.
13

14 We have pretty much been level-funded with our fisheries budget
15 for the last several years, and so we don't have extra money
16 laying around to kind of substitute for this, and we will be
17 working on some internal funding competitions within the agency,
18 to see if we can't get some temporary funds, but that's only
19 going to be a band-aid to a longer-term issue that we need to
20 solve with larger funding amounts.
21

22 **MR. DONALDSON:** Thanks, Andy. I appreciate that, and,
23 unfortunately, it's concerning, because, without adequate
24 funding, obviously, that jeopardizes us moving forward, but I
25 appreciate the information.
26

27 **CHAIRMAN FRAZER:** Okay. Next is Kevin Anson.
28

29 **MR. ANSON:** Thank you, Mr. Chair. Rich and Peter, good
30 presentation, and it's good to see that you were able to work
31 out some of these issues with technology fairly quickly, and
32 that's great to hear.
33

34 Rich, I am just taking this opportunity to follow-up on a
35 request that we had made, back probably in September of last
36 year, and we've got electronic reporting now for all of our
37 boats that bring red snapper back to Alabama, and we would still
38 like to continue that, but, obviously, we want to try to reduce
39 the reporting burden, to the extent that we can, amongst charter
40 boat captains, and so I'm just wondering if you can -- Is that
41 process still ongoing, because, again, we have some captains
42 that would be interested to know as to whether or not we would
43 be able to work that out and be able to receive information they
44 report via your platform, to comply with the reporting
45 requirement. Thank you.
46

47 **MR. MALINOWSKI:** Sure, Kevin. Thanks for the question. There
48 is a couple of different mechanisms that the states can use.

1 They can develop your Snapper Check to ask the same questions
2 that we ask in our for-hire survey, and it would be on the same
3 path, and we would approve that, because it would be submitted
4 through us and go onto the ACCSP system, and so that's one
5 method, which we haven't gone down that road yet.

6
7 The other method is, once we do get all your vessels reporting,
8 if you so choose, you will be able to use that data to
9 supplement for -- To overcome the Snapper Check, but you also
10 have -- In Snapper Check, you record a few species, whereas
11 we're recording everything they catch, and so I've got a feeling
12 that it's going to take some IT work on your folks' staff to get
13 up to snuff with what we're doing here, but, in the meantime,
14 we'll get you access to the data, but, right now, it's just not
15 quite ready. I would say, in the next few months, it should be
16 ready, and we will get you guys set up with those agreements
17 that Marie keeps asking about, but does that answer your
18 question?

19
20 **MR. ANSON:** Yes, and that was more pertaining to the lawyer side
21 of the issue, and that's to get the agreement signed, so that
22 the mechanism is in place for us to actually have those
23 discussions and to receive the data that you have collected, and
24 we receive it, and that's all we're really asking for right now,
25 and we don't want to send data to you, but we would just like to
26 tease, or get that information, out that would meet our needs
27 from you, and so we'll be looking out for the further
28 information. Thank you.

29
30 **MR. MALINOWSKI:** I know Karla, my associate there, she was going
31 to be working on that this week, trying to figure that out and
32 what we need to do, in terms of those confidentiality
33 agreements, and so we're working on it. Thank you.

34
35 **CHAIRMAN FRAZER:** Okay. We've got time for two more quick
36 questions, one from Leann, and then we'll follow it up then with
37 Andy Strelcheck. Ms. Bosarge.

38
39 **MS. BOSARGE:** Thank you, Mr. Chairman. If I remember, and it's
40 been a while since we implemented that document, that program,
41 but it seems like one of the sticking points was this whole idea
42 of the tracking device, and I think the way we mitigated that
43 was to say you could use VMS, if you already had one, because a
44 lot of dually-permitted did, or you could use an archived GPS,
45 which would track your -- It would ping every once in a while
46 and track your GPS coordinates, but then that would later be
47 uploaded, or transmitted, to NMFS at some later point in time,
48 and it's not real time, but it achieves the same goal, and it

1 tracks where you're at, so you can get an idea of effort.

2
3 I guess that cellular portion that you were talking about, that
4 you don't have any vendors that have stepped up to the plate
5 yet, that's the archived GPS thing, and I am wondering what kind
6 of Plan B are we coming up with, in case we need it, so that
7 those fishermen aren't pigeon-holed into having to get a VMS and
8 that we can stand good on our promise that you could use the
9 archived GPS, and I know that there are some devices on the
10 boats already that do collect archived GPS coordinates, and
11 sometimes computer plotters have that function in them, and I
12 think the hold-up, probably, from your vendors is that cellular
13 piece, you know, because that technology is rapidly advancing,
14 3G to 4G to 5G.

15
16 I heard something about 10G the other day, and so that's the
17 piece that I think is the issue, and so what back-up plan do we
18 have, so that these fishermen could have an archived GPS
19 functioning unit on the boat and transmit that to you in some
20 fashion other than cellular, if they needed to, to get their
21 program up and going?

22
23 **MR. MALINOWSKI:** Good question, Leann. Thank you. So we call
24 that a stow-and-forward unit, and so you're stowing the tracking
25 data that you're going to forward once you get into cellular
26 range. We really haven't thought -- We've thought about it, but
27 it's like, as we mentioned, if we don't have some approved, or
28 received, in the next few months, we probably can't roll it out
29 before the end of the year.

30
31 You're right that we would need to go back to the drawing table
32 and figure out some other options, but you've got to remember
33 that security and confidentiality issues of this is pretty high.
34 Fishermen don't want you to know their hot spots or release this
35 to the public, and so it's pretty critical, and that's where you
36 can't just use a LORAN system or a Garmin GPS, because it's not
37 really safe, in terms of confidentiality, and so there are -- We
38 should be talking about this, and we're going to convene,
39 probably, if we don't hear something within the next couple of
40 weeks about any of these vendors.

41
42 We'll sit down and think about this and how can we do this, and
43 get the lawyers and get the players that need to be involved,
44 our Headquarters VMS group, and say what can we do, because we
45 don't want to burden the public every time, and some people
46 can't use satellite, because they park underneath a metal roof,
47 and so, therefore, we do need options, and we're going to work
48 on that, for sure. Thanks for bringing that up.

1
2 **CHAIRMAN FRAZER:** Okay. We have one more question from Andy
3 Strelcheck.
4

5 **MR. STRELCHECK:** It's not a question, and so, first, to respond
6 to Leann's comment, thank you for that, Leann. Our fallback
7 option, at this point, is to delay Phase 2 implementation of the
8 program, and your point is well taken, in that we can only delay
9 that so much, and we did work with our Office of Law Enforcement
10 and did rulemaking so that these types of VMS or cellular units
11 can be certified to meet the security standards and data
12 collection requirements, and so there is a process in place for
13 type approval.
14

15 Now it's up to the vendors as to whether or not they feel like
16 it's to their economic benefit for their business to be able to
17 submit those units, and there's been a number of industry
18 members who have reached out to me to ask me specific questions
19 about this, and I certainly encourage them to talk to those
20 vendors specifically, that there is interest among the industry
21 to support this.
22

23 I think what we'll need to do is come back to you, no later than
24 the April council meeting, and give you a status update at that
25 point, to see if we've had any cellular units submitted for type
26 approval between this meeting and the next meeting, to let you
27 know the status of that and then what options would be available
28 as alternatives, if we need to pursue alternatives.
29

30 I wanted to end by first thanking Peter and Rich for the
31 presentation, and I think you heard Rich ask for patience, and I
32 just wanted to emphasize that, and we've been very grateful for
33 all of the phone calls and all of the information that's been
34 coming our way to help us improve the program, and we knew that
35 it wouldn't be a perfect rollout and that there were some things
36 that we needed to fix and resolve. It is a complex program.
37

38 One of the things that you may or may not have picked up on is
39 that about I will say a third of the total permit holders that
40 participate in this program now have signed up for reporting,
41 and that means two-thirds haven't, and there's a lot of reasons
42 why two-thirds haven't, but we are going to be doing an
43 extensive amount of outreach.
44

45 Some of the things that we would like to do is work more
46 directly with the states and the way that you communicate with
47 your fishermen and provide you some information about the
48 program, so that we can get those fishermen in touch with our

1 customer service department, working with us to set up accounts
2 as soon as possible. We don't want them to wait until spring
3 break or day-one of red snapper season to set this up.

4
5 We want everyone to be as prepared and ready as possible, once
6 they're ready to go fishing again, and so I just share that,
7 that we'll be working on some broader outreach strategies,
8 especially to reach out to that large contingent that hasn't
9 signed up for accounts yet. Thank you.

10
11 **CHAIRMAN FRAZER:** Okay. Thanks, Andy, for wrapping that up,
12 and, again, thanks to both Rich and Peter for the presentation,
13 and it's a timely and much needed update, and I'm glad that
14 people had an opportunity to get their questions in and get the
15 answers that they're looking for, and it's clear that we will
16 have additional questions and answers moving forward, but I
17 think that everybody is prepared for that.

18
19 We're a little bit behind, but that's okay, and I'm going to ask
20 Ms. Muehlstein if she will kind of walk us through the
21 transition as we move into the public comment period. Emily.

22
23 **MS. MUEHLSTEIN:** Sure. Those of you council members, we have
24 provided you with the call-in information that you need for
25 public testimony, and you can see on your screen, on the far-
26 right, that there should be information up, or it's not there
27 anymore, but Bernie had sent you that information, which is
28 different than the information that the general public is going
29 to need to submit testimony.

30
31 Right now, I will focus on instructing those of you who would
32 like to provide testimony to the council today. You can call in
33 to submit your public testimony, and the phone number for doing
34 that is (833)970-2435, and you will be given the conference ID,
35 which is 5748129, and Bernie will put that up on the screen, so
36 that you guys are able to do that and see that on your own.
37 With that, we are going to hang up on this line, and we'll meet
38 you over on the public testimony line, and, also, everybody can
39 stay on Adobe Connect, because we will continuing to be running
40 the session through the computer. If you don't wish to join the
41 audio to speak for any reason, you can simply listen in on your
42 computer. Thanks for your patience as we transition over.

43
44 **CHAIRMAN FRAZER:** All right, and so we'll give ten minutes for
45 the changeover, and so it's 2:45 right now, and we will start
46 promptly at 2:55.

47
48 (Whereupon, a brief recess was taken.)

1
2 **CHAIRMAN FRAZER:** Again, thank you for everybody's patience, and
3 so good afternoon, everyone. Public input is a vital part of
4 the council's deliberative process, and comments, both oral and
5 written, are accepted and considered by the council throughout
6 the process.

7
8 The Sustainable Fisheries Act requires that all statements
9 include a brief description of the background and interest of
10 the persons in the subject of the statement. All written
11 information shall include a statement of the source and date of
12 such information.

13
14 Oral or written communications provided to the council, its
15 members, or its staff that relate to matters within the
16 council's purview are public in nature. Please email any
17 written comments to the staff at gulfcouncil@gulfcouncil.org, as
18 all written comments will also be posted on the council's
19 website for viewing by council members and the public, and it
20 will be maintained by the council as part of the permanent
21 record.

22
23 Knowingly and willfully submitting false information to the
24 council is a violation of federal law. If you would like to
25 provide testimony, please dial the toll-free-operator-assisted
26 number at 1-(833)970-2435, as shown on the screen.

27
28 Please press *1 on your telephone now to be placed into the
29 speaker queue. The operator will come on the line and let you
30 know when it's your turn to speak. When your line is unmuted,
31 please introduce yourself by stating your first and last name
32 for the record and begin your testimony. Stay tuned after
33 speaking for any questions the council may have for you. You
34 will lose your place in the queue if you are not present when
35 called. To re-enter the queue, you must press *1. If you get
36 disconnected from the phone call, you will have to call back in
37 and press *1 to re-enter to queue.

38
39 You will have three minutes to comment. There will be a
40 countdown timer visible on the screen. We accept only one
41 registration per person, and I will now go to the operator for
42 our first speaker.

43
44 **PUBLIC COMMENT**

45
46 **OPERATOR:** Thank you, sir. We have your first one coming from
47 Gary Jarvis. Your line is now live. Please go ahead.

1 **MR. GARY JARVIS:** Thank you, everyone, council members, Dr.
2 Frazer, and staff. Most of you know who I am. I'm Captain Gary
3 Jarvis, and I wear many hats around here. I happen to be the
4 elected mayor of the luckiest fishing village in the world, and
5 I'm partners with my sons in a five-family seafood restaurant,
6 and I'm an IFQ shareholder, and my oldest son and I enjoy the
7 private angling sector aboard his twenty-six-foot SeaHunter.

8
9 In many respects, I can speak not for, but in relation with all
10 those shareholders basically represented by the Gulf Council,
11 the private angling sector, the charter/for-hire, commercial,
12 and the consumer, and so what I want to start with first, Dr.
13 Frazer, is I want to thank you for the hard work you have put in
14 to establish a -- To lead this council and to put them in a
15 position to find an avenue for common currency for Amendment 50.

16
17 We have one of the largest dry stack storage facilities in the
18 State of Florida here, and you've heard a chicken in every pot
19 and a car in every garage. Well, around here, seeing as how
20 we're surrounded by water on three sides, we virtually have a
21 boat in every backyard, and so we have a huge recreational
22 private angling sector, and so Amendment 50 is key.

23
24 We believe that state-by-state, the management is going to
25 better benefit them, and, without the common currency, Amendment
26 50 will fail and never live up to the requirements of the MSA,
27 and, more importantly, not just in this particular species of
28 red snapper, but I can see the states, and I think all of them
29 would probably want to move this way later on, but that is
30 manage the other major species that are important to the
31 recreational private anglers out to 200 miles in the EEZ, and so
32 I really thank you, Dr. Frazer, for working on it, and I want to
33 encourage the council members to continue on with the work
34 towards common currency, and that will enable and be the vehicle
35 for all the states to approve their management and their data
36 collection systems that will actually benefit them and their
37 anglers.

38
39 Of course, we have the largest charter/for-hire fishing fleet in
40 one port in North America, and so it's real important, as we're
41 talking about allocations in the upcoming days, and weeks and
42 months, is that we establish sector allocations to preserve a
43 level of historical access for our charter industry.
44 Appropriate discussions of allocation split or changes just
45 perfectly sets the table for this discussion.

46
47 We're fishing, the charter industry, in a LAPP, and we cannot
48 grow, and we're a finite group, and the preservation of the

1 historical access levels in the other major reef species is
2 actually equaling the preservation of our coastal community
3 heritage, and, in Destin, it's extremely important.

4
5 The commercial fishers, and fish houses, also are a part of
6 Americana, and here in Destin was, and is, the cornerstone of
7 our heritage. Destin was established by commercial net
8 fishermen from New England that moved here during the turn of
9 the century, but, also, the last thing I want to speak on is the
10 largest stakeholder group in the room, and they are important to
11 us here in Destin, which is the tourist community, and that is
12 the consumer.

13
14 As all these discussions of allocation needs and transfer of
15 allocation or reappropriation to other stakeholders are taken
16 into account, I just want to encourage this council to use
17 caution and hold the consumer in high regard and treat the
18 lifeblood of our economic community with respect and fairness.
19 I want to thank you all for your time and efforts in trying to
20 protect and enhance and manage our fisheries to abundance.

21
22 We would all be sad stewards and disappointed users of these
23 resources with no fish, and so, again, Mr. Chairman and council
24 members, I just want to thank you for all your efforts. I know
25 it's a tough job, and we are just going to try to continue to
26 participate and advocate for fairness, equality, and abundance.
27 Thank you very much.

28
29 **CHAIRMAN FRAZER:** Thank you, Captain Jarvis. Let's see if we
30 have any questions from the council. I am not seeing any, and
31 so, again, thank you for your comments, and we will move on to
32 our next speaker.

33
34 **OPERATOR:** The next speaker will be Mr. Bill Kelly. Your line
35 is now live. Please go ahead.

36
37 **MR. BILL KELLY:** Mr. Chairman and council members, my name is
38 Bill Kelly, and I'm the Executive Director of the Florida Keys
39 Commercial Fishermen's Association, and I'm also authorized to
40 speak on behalf of the king mackerel gillnet fishermen in the
41 Gulf of Mexico southern subzone.

42
43 I would like to thank Mr. Sanchez for putting our request before
44 you to examine an ITQ program in the gillnet fishery. After
45 lengthy discussions on the topic with stakeholders, they feel
46 that numerous factors impacting the fishery can be improved upon
47 and corrected with the implementation of an ITQ, factors such as
48 marketing, conflicts with other co-occurring fisheries, weather

1 conditions, variations in vessel size, and these are some
2 personal matters.

3
4 In the next several weeks, our fishermen will meet to prepare a
5 white paper on their preferreds for an ITQ structure, and I will
6 also be reaching out to Dr. Jessica Stephen, the LAPP Branch
7 Chief at NOAA's St. Pete office, and council staff for
8 additional information and guidance.

9
10 We will then submit the white paper to staff, and hopefully the
11 item can be placed on the April meeting agenda for additional
12 discussion and what we would hope to be a framework amendment,
13 with possible implementation for the 2022 season. I also am
14 pleased to hear that the council is continuing to move forward
15 with their discussions on allocation in the king mackerel
16 fishery. Thank you.

17
18 **CHAIRMAN FRAZER:** Thank you, Bill. I am not seeing any hands up
19 from the council members, and so, again, thank you for your
20 comments, and we will move on to our next speaker.

21
22 **OPERATOR:** Your next speaker would be Mr. Brad Gentner. Your
23 line is now live. Go ahead, please.

24
25 **MR. BRAD GENTNER:** I am a consulting economist, and I've been
26 involved with the MRFSS and the MRIP for twenty-one years now,
27 and I started working for the MRFSS shop, working for NMFS
28 itself, back in 1999, and I ran their economic data collection
29 programs until about 2007.

30
31 During that time, I have seen lots of changes in the survey,
32 including several extensive peer reviews, and, while it's
33 probably the best survey of its kind in the world, the survey
34 simply isn't appropriate for in-season quota monitoring,
35 particularly for offshore species with low intercept sample
36 sizes.

37
38 In fact, the first peer review of the survey called it fatally
39 flawed, mostly because of its uselessness for management of
40 species with short seasons whose quotas need to be monitored in
41 near real time.

42
43 Now MRIP is trying to address those issues, but still no one in
44 this room can argue now that it is appropriate for in-season
45 quota monitoring. On top of that, the newest changes are still
46 being calibrated, and so what are managers of offshore demersal
47 species, particularly long-lived, low-fecundity reef fishes, to
48 do about this?

1
2 One response is use surveys designed for in-season quota
3 monitoring, and that is exactly what the Gulf states have done
4 under state management, monitoring their harvests with an
5 appropriately-designed survey that has given them the confidence
6 to manage red snapper better. They address all the things that
7 the National Academy of Science review had requested, including
8 better precision targeted to reef fish fishermen and more timely
9 reporting.

10
11 Back in 2004, California, Oregon, and Washington did something
12 very similar. They saw the same problem with MRFSS that we see
13 currently in MRIP, and these states manage over a hundred
14 species of rockfish, and, due to overharvesting in the past,
15 they are facing very short seasons. In fact, Oregon and
16 Washington had already switched to survey methods independent of
17 NMFS and the MRFSS to manage their species in state waters,
18 because they knew that MRFSS was not working.

19
20 Managing a species with an in-season quota -- The requirements
21 in California, Oregon and Washington and the Pacific States
22 Marine Fisheries Commission said they needed to change the
23 program, and so the Pacific States asked the agency for the
24 flexibility to make survey design changes, and NMFS rejected
25 those, and so they fired NMFS, is what they did. They fired the
26 MRIP.

27
28 They sent a letter to Dr. Hogarth asking the agency for the same
29 funding they spent on the MRFSS, and they gave it to them. Was
30 there any calibration of the historic time series? No. Is
31 there currently any active calibration of the MRIP that is still
32 inappropriate for use in these in-season fisheries? No. Are we
33 still managing those species within the bounds of Magnuson?
34 Indeed they are, and so what are we doing here? Why is NMFS
35 deciding that their survey trumps the survey with a better
36 design?

37
38 NMFS can make this whole thing go away simply by saying that the
39 state surveys are the best available data for red snapper, or
40 they can closely review those surveys for their quality, to be
41 able to make that claim while they proceed with status quo
42 harvest levels for the coming season.

43
44 Confounding this manufactured crisis is an ongoing MRIP
45 recalibration, begging the question of why are we calibrating
46 the state surveys to a moving target, and the Great Red Snapper
47 Count is showing more biomass of red snapper than we have ever
48 thought possible.

1
2 If NMFS will not undertake whatever actions it needs to make
3 this happen, calling the state data the best available science,
4 it's high time to fire the MRIP in the Gulf. Have Congress give
5 the Gulf states the money and let the states run surveys that
6 are more appropriate for management, and let's give up this
7 fiction. Thank you.

8
9 **CHAIRMAN FRAZER:** Thank you, Mr. Gentner. I am not seeing any
10 questions coming from the council, and so, again, thank you for
11 those comments. Excuse me. Troy Williamson.

12
13 **MR. WILLIAMSON:** Thank you, Mr. Chair. Mr. Gentner, in your
14 opinion, are the five Gulf states' catch surveys better designed
15 for in-season monitoring than the MRIP program?

16
17 **MR. GENTNER:** Most certainly. They do it more quickly and at a
18 higher precision.

19
20 **MR. WILLIAMSON:** You have mentioned that the west coast broke
21 away from the MRIP program, and do you know what that cost them?

22
23 **MR. GENTNER:** I think -- I would have to go back and dig into
24 that more closely, and I know the original request of the
25 Pacific States was receiving about \$1.75 million, because the
26 states ran the survey, as many of the states do in the Gulf, the
27 MRIP survey that is, and they asked for an additional half-
28 million dollars to be able to bring all the estimation protocol
29 and administration of their own surveys in-house, which, in my
30 mind, is an incredible deal, and they've done an incredible job
31 with --

32
33 **UNIDENTIFIED:** Does Gentner get his check from CCA weekly or
34 monthly? Now his buddies are on the council.

35
36 **CHAIRMAN FRAZER:** Excuse me. If you are listening in and your
37 phone is not on mute, would you please mute your line? Mr.
38 Gentner, you can go ahead and finish up with the question.

39
40 **MR. GENTNER:** I was done. They receive about an additional
41 half-million a year to be able to pull the estimation capacity
42 and administrative capacity into the Pacific States.

43
44 **MR. WILLIAMSON:** One final question, Mr. Chair.

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

47
48 **MR. WILLIAMSON:** Mr. Gentner, after the revision of the

1 Magnuson-Stevens Act, was the west coast states required to
2 calibrate their management?

3
4 **MR. GENTNER:** To my knowledge, no. We would have to investigate
5 that more closely with the Pacific States, but, in speaking with
6 them recently, they have undergone no calibration exercises, and
7 there was no calibration of the historic time series. There was
8 a hard break in 2004 that said the new estimates are coming
9 directly from the Pacific States Marine Fisheries Commission,
10 and those new estimates have simply just been subbed into the
11 time series. There has been no active calibration since. There
12 was no calibration going backwards either.

13
14 **MR. WILLIAMSON:** Thank you, sir.

15
16 **CHAIRMAN FRAZER:** Brad, we've got a couple more questions.
17 First up is Greg Stunz.

18
19 **DR. STUNZ:** Thanks, Mr. Gentner. That was a very interesting
20 comment, and what I was wondering about -- I understand what you
21 said about there was no calibration, but do you know how did
22 they handle the time series, for assessment purposes, back in
23 time, or did they just go forward from when they started using
24 those state surveys?

25
26 **MR. GENTNER:** That's something you would have to investigate
27 with the Pacific States. Sorry if I cut you off there, Greg.

28
29 **DR. STUNZ:** Oh no, go ahead. That's fine.

30
31 **MR. GENTNER:** They didn't do a sort of grand exercise to change
32 the time series. In terms of a query, or in terms of additional
33 record, if they do any sort of calibration for the historic time
34 series for stock assessments, that would have to be a question
35 for NMFS, the council, or the commission.

36
37 **CHAIRMAN FRAZER:** Okay. It looks like we also have a question
38 from Andy Strelcheck.

39
40 **MR. STRELCHECK:** Thanks, Tom, and thanks, Brad, for your
41 testimony. It's not so much a question, but I just want to
42 reiterate a comment that I made during yesterday's meeting, and
43 it directly relates to Brad's comments, and I guess there's
44 several things.

45
46 One is this isn't an issue right now of whether the state
47 surveys or MRIP produce better estimates. We're trying to
48 reconcile the units of measure and how we're counting the fish

1 with how we're setting the quota levels and put them in a common
2 currency, not only a common currency for the Gulf-wide abundance
3 of red snapper, but also a common currency across states, since
4 we have five different state surveys that are operating.

5
6 In terms of the best survey methods, I certainly think the
7 agency would say we applaud the states' efforts, and we think
8 that what they have done has certainly improved timeliness of
9 data collection, but there is still more work to be done to
10 evaluate the accuracy of not only those surveys, but also MRIP,
11 and discern the differences between the two, and so I just
12 wanted to share that with you, in case you weren't listening
13 yesterday, and really the main reason why we need to calibrate.

14
15 **MR. GENTNER:** Am I allowed to address that, or is that comment
16 to stand?

17
18 **CHAIRMAN FRAZER:** Go ahead, Brad. I will give you an
19 opportunity.

20
21 **MR. GENTNER:** Sure. Thanks. I mean, I hear your point, but
22 that's not what the Pacific States are doing. They found
23 methods that worked better for them, and they decided that they
24 didn't need federal oversight for that, and that can be done
25 here, and that's my only point.

26
27 **CHAIRMAN FRAZER:** All right. Our next person in line for a
28 question is General Spraggins.

29
30 **GENERAL SPRAGGINS:** No, sir. I lowered my hand, and Dr. Stunz
31 answered mine.

32
33 **CHAIRMAN FRAZER:** Okay. We will move on to Ms. Bosarge.

34
35 **MS. BOSARGE:** Thanks. I think my question has been answered,
36 and I was wondering if they were using -- So they're using the
37 state survey data over there in the Pacific for monitoring, and
38 they are putting the state survey data into the assessment as
39 well, Brad, and is that what you said?

40
41 **MR. GENTNER:** Correct. That's the only source of data now, and
42 there is no MRIP conducted on the west coast, period.

43
44 **MS. BOSARGE:** Okay. Thank you.

45
46 **CHAIRMAN FRAZER:** Okay. It doesn't look like we have any more
47 questions. Mr. Gentner, thank you for your comments, and we
48 will move on to our next speaker.

1
2 **MR. GENTNER:** Thank you.

3
4 **OPERATOR:** Thank you, sir. Your next speaker will be Mr.
5 Richard Fischer. Your line is now live. Go ahead, please.

6
7 **MR. RICHARD FISCHER:** This is Richard Fischer, Executive
8 Director of the Louisiana Charter Boat Association, and I
9 appreciate you all giving me the opportunity to speak here this
10 afternoon.

11
12 I wanted to speak as it pertains to the presentation that was
13 just made on logbooks, and the part that really makes me a
14 little bit -- More than a little bit nervous is the fact that
15 there is no cellular units that have been applied for yet, and
16 the -- Kind of the sense that I got from that conversation is
17 that there's a very strong possibility that NOAA is going to
18 move forward with this program before the cellular units are
19 approved, and I think that would be a huge mistake, from a
20 public relations standpoint, apart from the fact that it would
21 really force a lot of our guys to spend a lot of money on units,
22 after a tough year, that they don't really have that money to
23 spare right now.

24
25 It's no secret that this is already an unpopular program, and if
26 there's even the inkling that this program is going to be made
27 mandatory with affixed devices and cellular units, that are much
28 cheaper and much less cumbersome and less bulky, are not going
29 to be approved for this system, that's not going to be news that
30 my fleet here in Louisiana is going to want to hear, and so I
31 would certainly implore NOAA Fisheries to please, by all means,
32 do everything necessary to make sure that a cellular unit is
33 available whenever these things become mandatory.

34
35 I would even make the argument that it's incumbent upon NOAA
36 Fisheries to ensure this. This is not a public/private
37 partnership situation, and this is a public entity, NOAA
38 Fisheries, making a decision for the fleet that the promise and
39 the commitment has been made for there to be cellular units, and
40 so, if we reach a point where it's not in the best business
41 decision for businesses to come on in with their cellular units,
42 that's -- I really hope that NOAA Fisheries will take it upon
43 themselves to solve that problem themselves and not put it on
44 the fleet to just say, well, you have fewer options now, and the
45 option you don't have many people would believe is the best
46 option, and so I just wanted to put that out there. I hope
47 that's something that you all give strong consideration to, and
48 I appreciate everything you all do, and thank you so much for

1 your time this afternoon.

2
3 **CHAIRMAN FRAZER:** Thank you, Mr. Fischer, for your comments. I
4 am not seeing any questions from the council, and so we will
5 move on to our next speaker.

6
7 **OPERATOR:** Thank you, sir. Your next speaker will be Mr. Steve
8 Thompson. Your line is now live, sir. Go ahead, please.
9 Again, Mr. Steve Thompson, your line is now live. Go ahead,
10 please. Dr. Frazer, there seems to be no response from Mr.
11 Thompson's line. I will go ahead and proceed to our next
12 speaker.

13
14 **CHAIRMAN FRAZER:** Yes, please.

15
16 **OPERATOR:** Mr. Kenneth Haddad, sir, your line is now live. Go
17 ahead, please.

18
19 **MR. KEN HADDAD:** Thank you. This is Ken Haddad with the
20 American Sportfishing Association. Mr. Chairman and council
21 members, thanks for allowing me to speak. First, we support
22 Amendments 48 and 53 as proposed out of committees.

23
24 For the red snapper framework, we really hope the council will
25 come up with a solution that all the states can accept. We have
26 a situation where a forced calibration to MRIP drastically
27 impacts two states. We have the Great Snapper Count, which
28 suggests that snapper populations have been significantly
29 underestimated.

30
31 The fishery managers really should be concerned at the optics of
32 this situation and work outside the box to find solutions. We
33 thank the Chairman for working to think out of the box, but it
34 seems that more thinking is needed, and we encourage you all to
35 find a solution that works for everyone.

36
37 King mackerel, with the new FES data, we would be concerned
38 about impacts to recreational fishing if a hard reallocation is
39 made. When looking at the new data, it appears the recreational
40 sector would have exceeded their quota two out of seven years,
41 not including 2019 and 2020, and with an average landings of
42 about 5.4 million pounds a year. This average, in my
43 calculations, and I could be off, is roughly about a million
44 pounds under the upcoming quota.

45
46 With that in mind, we need to keep in mind that the recreational
47 fishery does not fish king mackerel like bottom reef fish.
48 Timing of schools in an area, distance of schools from shore,

1 numbers of schools, significant amounts of catch and release,
2 and leaving fish in the water for greater encounters enters the
3 mix.

4
5 If allocation is the main thrust of making changes for king
6 mackerel, we feel the new FES data has significantly changed the
7 opportunities. If moving fish to the commercial sector is
8 pursued, we suggest that some alternative approaches, such as
9 intersector carryovers and annual loans, be discussed, while
10 taking into account how the recreational sector fishes for king
11 mackerel. Thank you, Mr. Chairman.

12
13 **CHAIRMAN FRAZER:** Thank you, Mr. Haddad. Let's see if we have
14 any questions. Phil Dyskow.

15
16 **MR. DYSKOW:** Thank you, Mr. Chair. Ken, I'm going to put you on
17 the spot a little, because you've got the background to answer
18 this intelligently, and I don't. It looks like what we have,
19 when we look specifically at red snapper, is a number of
20 options, none of which are going to be acceptable to the council
21 and to the states as a whole, and so, if we do nothing, and we
22 decide to punt on this and push it out into the future,
23 ultimately, it's going to be the lawyers and the politicians
24 that decide what the forward direction is going to be. Using
25 your years of experience in fishery management, what do you see
26 as an acceptable solution that we could agree to at this
27 meeting?

28
29 **MR. HADDAD:** You are putting me on the spot. I guess the way
30 all of us may be looking at the current alternatives is that the
31 worst-case scenario in each alternative is really a bad
32 scenario, and so, when I think about it, and I know the question
33 was asked in the council, or in the committee, as to, if you
34 went with Alternative 1, what would happen, and I guess the
35 legal ramifications come up quickly, and so, with that in mind,
36 are there ways to get around this?

37
38 Can some states loan fish to Mississippi and Alabama for the
39 short term? Can we start the season with a temporary allocation
40 that is modified later on the season, as we get the better
41 interim analysis done? Can there be an emergency rule done,
42 based on the interim analysis and a different process take
43 place?

44
45 I don't have an actual solution, and probably everyone that
46 comes up will get shot down somehow, but if -- To me, if
47 Alternative 1 is the last-resort alternative, it can go both
48 ways. NOAA would be maybe put in a position of having to take

1 the worst-case scenario, and that would be my only concern, but
2 I would rather see NOAA answer that kind of question. I hope
3 that helps, Mr. Dyskow.

4
5 **MR. DYSKOW:** Well, I was hoping you had a clever answer that I
6 lacked, but it sounds like we're all in the same boat, and so
7 thank you.

8
9 **CHAIRMAN FRAZER:** Okay. I am not seeing any other hands. Thank
10 you, Ken, for your comments. We will move on to our next
11 speaker.

12
13 **OPERATOR:** Thank you, sir. Your next speaker will be Mr. Jim
14 Zurbrick. Sir, your line is live. Go ahead, please.

15
16 **MR. JIM ZURBRICK:** Good afternoon, council members. Jim
17 Zurbrick from Steinhatchee, Florida. I actually wrote this
18 down, instead of getting up to that pulpit with a few notes, and
19 so here we go.

20
21 With all the years that I've been involved with the council,
22 other than the red snapper reallocation and recalibration grab
23 of the past, this red grouper Amendment 53 is the most
24 disturbing.

25
26 To issue any quota to a minimally-accountable sector is, in my
27 opinion, unwarranted and violates best resource use, is harmful
28 to the commercial sector, and hurts the non-fishing domestic
29 seafood consumer. The stock is showing signs of recovery,
30 mainly on the backs of the commercial sector. With an interim
31 assessment coming, the council should wait for those results.
32 It is my opinion that the stock is definitely showing some
33 recovery, at least in the short term. How can the council, at
34 this time, reward a recreational sector with an increase, when
35 this sector has almost always overfished?

36
37 The uncertainty in the recreational sector catch is much higher
38 than the commercial IFQ fishery, which is close to zero. This
39 recreational sector should not be rewarded with more fish when
40 the catch was exceeded during most of the years used for setting
41 Amendment 53. How can you give credit to a fishery that
42 overharvested, when the commercial sector had a hard TAC? Let's
43 also not forget the recreational discard percentage that is much
44 higher than commercials.

45
46 I would also ask that we have -- When this goes out to the
47 public, we have got to have some kind of a face-to-face public
48 hearing. This is a huge issue for the red grouper fishermen in

1 the Gulf of Mexico. Taking the huge cut they did, we're finally
2 catching upwards of 80 percent of our quota. If you take 14
3 percent away from what we have now, and we're going backwards.
4 It's kind of hard to believe that Congress passed the Young
5 Fishermen's Development Act, only to train young fishermen and
6 only to take away what it is they can catch.

7
8 Also, I disagree with the gentleman from Louisiana about the
9 VMS. The VMS is the size of a GPS. You can have the smallest
10 open fishing boats you've got, and there's not a space problem,
11 and so we've got to move forward and move past that, and we've
12 actually got to get to all the reporting on the charter side.
13 Thank you.

14
15 **CHAIRMAN FRAZER:** Thank you, Captain Zurbrick. Let's see if we
16 have any questions. I am not seeing any hands, and so, again,
17 thank you for your comments, and we will move on to our next
18 speaker.

19
20 **OPERATOR:** Thank you, sir. Your next speaker would be Mr.
21 Steven Atran. Sir, your line is now live. Go ahead, please.

22
23 **MR. STEVEN ATRAN:** Hello, council members. My name is Steven
24 Atran, and I am former staff on the council, and, when I was on
25 staff, I was the lead staff person for the amendment Reef Fish
26 48 and Red Drum 5, the status determination criteria. I want to
27 comment on that amendment today, and, specifically, on how it
28 pertains to unassessed stocks.

29
30 I don't have a problem with the preferred alternatives as they
31 apply to red drum or to assessed stocks, but unassessed stocks
32 do not -- It is not possible to calculate an SPR, and, if you
33 can't calculate an SPR, you have no way to measure the status of
34 the stock when the status determination criteria is SPR-based.

35
36 There are alternatives to SPR-based criteria, and they would be
37 based upon landings, average landings, over time. You were told
38 on Monday that the average landings approach could produce a
39 sustainable yield, but it would not be a maximum sustainable
40 yield.

41
42 The fact is that's also true for SPR-based criteria, and, in
43 reality, we can't calculate a true MSY for anything, no matter
44 how good the data is, and so everything -- Every stock
45 assessment we use uses a proxy, an approximation of SPR, or an
46 approximation of MSY, and even an SPR-based proxy is just an
47 approximation. It can produce a sustainable yield, but not
48 necessarily a maximum sustainable, and so that's not really a

1 good excuse not to use the landings-based criteria.

2
3 You were also told that the SPR-based criteria for the
4 unassessed stocks was only intended to be a placeholder and to
5 be modified when better data becomes available. The National
6 Standard Guidelines don't make any provision for a placeholder.
7 Even the temporary criteria needs to be measurable, and these
8 don't adhere to the National Standard Guidelines.

9
10 If you really don't want to use the landings-based alternatives,
11 and those alternatives were in earlier versions of the
12 amendment, there are a couple of other ways you could go. One
13 would be to make a determination that these stocks are not in
14 need of management and remove them from the FMP.

15
16 You actually did that back in 2012 as part of the Generic ACL
17 and AM Amendment, when you removed about a dozen or so stocks
18 from management. Of course, the stocks will continue to be
19 caught, and they will be bycatch while fishermen are targeting
20 other species.

21
22 The other way you could go, which really hasn't been considered
23 at all, is to declare these stocks to be ecosystem component
24 species, and then they could be managed to address ecosystem
25 issues, such as species diversity or reducing bycatch mortality.

26
27 In 2012, the council briefly considered that approach, but
28 rejected it, because the National Standard Guidelines, at that
29 time, had a criteria that was so restrictive that the General
30 Counsel advised that probably none of the stocks we were
31 interested in would qualify for that designation, but the
32 National Standard Guidelines were revised in 2016, and those
33 criteria were removed, in order to provide more flexibility in
34 the ecosystem component process. The guidelines now say that,
35 because the designation of ecosystem component species may be
36 done to accomplish several different goals, NMFS does not
37 believe it is appropriate to prescribe specific guidance on the
38 requirements for managing and monitoring the EC species.

39
40 The bottom line is you have three ways you can go that are
41 compliant with the National Standard Guidelines. You can use
42 some landings-based criteria that are measurable, even for
43 unassessed stocks, or you could declare that these stocks are
44 not in need of management and remove them, or you could declare
45 that they are ecosystem component stocks, and you could continue
46 to manage them to address ecosystem issues and objectives, but
47 going with -- When we're using SPR and non-measurable criteria
48 for these stocks, it's not in compliance with the Act, and it's

1 not in compliance with the guidelines, and it's just plain
2 wrong.

3
4 In fact, it's beyond wrong, and it's unethical, when you have so
5 many alternatives, and so my recommendation is that you not go
6 forward with this amendment in its current format and that you
7 address -- That you consider some of these alternative measures.
8 That's all.

9
10 **CHAIRMAN FRAZER:** Thank you, Mr. Atran. Let's see if there are
11 any questions. I am not seeing any, and so, again, thank you
12 for those comments, and we will move on to our next speaker.

13
14 **OPERATOR:** Thank you, sir. Your next speaker would be Mr. Buddy
15 Guindon. Sir, your line is now live. Go ahead please.

16
17 **MR. BUDDY GUINDON:** This is Buddy Guindon, commercial fisherman,
18 Galveston, Texas. We are heading down the road of Amendment 53,
19 which is Amendment 28 all over again. You are awarding a sector
20 that discards between two-and-a-half million and seven million
21 individual red grouper ever year.

22
23 You are unfairly penalizing commercial grouper fishermen, while
24 rewarding private anglers for overfishing, and you're actually
25 penalizing all fishermen, because the reallocation from the
26 commercial sector to the recreational sector actually reduces
27 the OFL, and so we all lose access, but commercial fishermen get
28 hit twice. How far is that, and how legal is that?

29
30 I hope that you will do the right thing with the actions and
31 focus on addressing the calibration problems first. There are a
32 lot of smart people on the SSC and at National Marine Fisheries
33 Service, and I am confident that they can figure out how to do
34 this. Don't let reallocation distract you from doing this.

35
36 I also was listening when eight of our council members voted for
37 something that was considered to be illegal by the staff
38 attorney, and I don't know what kind of precedent that sets,
39 when your attorney tells you that it's illegal and you move
40 forward with it anyway, and maybe this is something that
41 Congress needs to address, and maybe the individual
42 responsibility of these council members should be in question
43 here, as to why they would want to move forward with something
44 illegal, and that's all I have. Thank you for your time.

45
46 **CHAIRMAN FRAZER:** Thank you, Mr. Guindon. I am not seeing any
47 hands. Thank you again for your comments, and we will move to
48 our next speaker.

1
2 **OPERATOR:** Thank you, sir. Your next speaker will be Mr. Dylan
3 Hubbard. Sir, your line is now live. Go ahead, please.
4

5 **MR. DYLAN HUBBARD:** Thank you. First things first, I wanted to
6 congratulate the Interim RA, Andy Strelcheck. I am hoping that
7 you're able to keep that position full time, and it's always
8 great working with you, Andy. Also, I wanted to thank the
9 council for your work on the triggerfish and lane snapper
10 documents. I wanted to speak in favor of the current preferreds
11 in those documents and the committee motions, and I'm hoping
12 those hold true at the Full Council and both documents are
13 finalized as well.
14

15 For the triggerfish discussion in the next document, I would
16 like to reiterate, once again, that we fully support keeping the
17 status quo and not moving the opening date for these fish any
18 earlier. Also, I want to thank you, Dr. Frazer, for all of your
19 helpful and intelligent and thoughtful approach to this red
20 snapper issue. It's been such a challenge, but your approach
21 really helped spur the discussion and reach a conclusion, and we
22 support the current preferred alternative in the red snapper
23 document.
24

25 The mini-season for amberjack is big for many of us, recovering
26 from an incredibly tough year, and we're hoping to have a full
27 mini-season for amberjack, if the quota supports it, and the
28 opportunity for as much as possible advance notice would be huge
29 for our fleet.
30

31 The illegal charter issue continues to be a big problem in the
32 Gulf of Mexico, and, recently, at a meeting with NOAA OLE, FWC,
33 and the U.S. Coast Guard, we were told that the best way to kind
34 of keep an eye on what NOAA is doing about illegal charters is
35 to check the OLE report given at the council meeting. In the
36 briefing book, that OLE report is available, and, in reading
37 through the fines, there was three instances where boats were
38 caught fishing with improper permits. All three instances, put
39 together in total, the fine was only about \$5,300.
40

41 Our federal permits are up to around \$30,000, currently, and is
42 there any way -- How should we go about trying to raise those
43 fines and tie them to the current market value of our permits?
44 At the minimum, in reality, I feel it should be double.
45

46 For the cobia draft amendment, I would like to support moving to
47 the FWC bag limit and possession limits, with a minimum size
48 limit of thirty-six inches. The SEFHIER program is off to a

1 good start, and I support that program, and I've been working
2 really hard to work the bugs out, and I look forward to
3 continuing to work together to make it as successful as
4 possible.

5
6 I would also like to speak in favor of further development and
7 exploration of that white paper called the CFA plan that we were
8 unable to get to at this council meeting, and, on the red
9 grouper document, I would encourage the council to consider the
10 recent uptick in landings and the change in the overall
11 sentiment of the fishery, and commercial fishermen spoke, and
12 Mr. Zurbrick, who also commented to the uptick in red grouper,
13 and I am hopeful that the upcoming interim analysis will reflect
14 this positive change.

15
16 We've seen a big boom in recruitment, and this document is kind
17 of a no-win scenario for everyone, and so, if there's any way we
18 could wait and pick it up after the SSC reviews the IA, that
19 would be awesome, and that's all I've got for today. Thank you,
20 guys.

21
22 **CHAIRMAN FRAZER:** Okay. It looks like we've got a question from
23 Mr. Strelcheck.

24
25 **MR. STRELCHECK:** Hi, Dylan. Thanks again for providing public
26 testimony. I just wanted to follow-up on your comments about
27 illegal charters, and you had asked during the Q&A last night,
28 or provided the same input, and we will have someone from our
29 Office of Law Enforcement reach out to you.

30
31 I was provided information this morning that indicates that
32 there is three additional cases that have been referred from law
33 enforcement to General Counsel, and those fines for illegal
34 charters range anywhere from \$7,500 to \$24,000, and so they're
35 significantly higher than the ones you mentioned, and then we do
36 have other examples, but law enforcement is going to reach out
37 and talk to you more specifically about what they're doing and
38 steps that they're taking, and so I appreciate that input.

39
40 **MR. HUBBARD:** Mr. Chairman, would you mind if I responded?

41
42 **CHAIRMAN FRAZER:** Go ahead.

43
44 **MR. HUBBARD:** Thank you, Andy, and Manny Antonaras did reach out
45 to me already, and we talked a little bit, via text message, and
46 so I appreciate that, and I realize there is other things, and
47 this is just one snapshot from one quarter, but I just really
48 feel like -- I don't know if it's in the council process, or

1 where we need to go, and it's more of a question for everybody,
2 as to how do we go about getting those fines raised, because, if
3 the cost of a permit is \$30,000, and the biggest fine that we
4 have levied recently is \$24,000, it incentivizes more illegal
5 operations, if you can get caught and pay less than running
6 illegally. Plus, you not only have to have the permit, but the
7 SEFHIER program and the turtle gear, and you have to jump
8 through a lot of hoops to operate legally, and so it just
9 doesn't make sense to fine less than the permit cost.

10
11 **CHAIRMAN FRAZER:** Okay. It doesn't look like we have any more
12 questions. Dylan, thank you for your comments, and we'll go
13 ahead and move on to the next speaker.

14
15 **OPERATOR:** Thank you, sir. Your next speaker will be Mr.
16 Tristan Armer. Sir, your line is now live. Go ahead, please.

17
18 **MR. TRISTAN ARMER:** Hello. My name is Tristan Armer, and I'm a
19 recreational angler from Mississippi. Let me remind you all
20 that, four years ago, the recreational Gulf red snapper fishery
21 was in a crisis. The crisis was not a fishery crisis, as the
22 health of the fish stock was not the issue, but it was a
23 management crisis by the Gulf Council's inability to properly
24 account for recreational effort and catch.

25
26 The Gulf Council's chosen tool, MRIP, has always been a failure
27 for this. MRIP was never designed to be an in-season management
28 tool, and MRIP's failures have gone much further. MRIP grossly
29 failed to account for the true health and size of the red
30 snapper fishery. The Great Snapper Count has proven this. The
31 MRIP survey design is abysmal, and it did not get a lot of
32 positive responses, whether by telephone or card in the mail.

33
34 In response to the crisis, Mississippi developed Tails 'n
35 Scales, and Alabama developed Snapper Check, and this was done
36 to solve the Gulf Council's crisis. Both applications are
37 designed for in-season management of the fishery, and each has
38 created a known universe of recreational anglers, and both
39 applications have demonstrated significant compliance by the
40 angling public.

41
42 MDMR checked the bottleneck passes of Mississippi last summer
43 and found near 95 percent compliance with Tails 'n Scales.
44 Tails 'n Scales has become the new gold standard for
45 ascertaining in-season catch and effort data. Without
46 legitimate debate, Alabama and Mississippi created world-class
47 fishery management tools, but now the Gulf Council seeks to toss
48 out these improvements.

1
2 Forcing Mississippi and Alabama to convert its data to match
3 MRIP and not the other way around is unjustifiable. MRIP is not
4 worthy of being the reserve currency. If it was, its use
5 originally would not have created the crisis in the first
6 instance, and no statute, rule, regulation, and nothing in
7 National Standards 1 and 2 compels this Gulf Council to set MRIP
8 as the sole reserve currency.

9
10 The Gulf Council did not put the calibration ratios it seems to
11 use in Alternatives 2, 3, and 4 through the rulemaking process.
12 The calibration ratios being used in your framework were not
13 voted upon or accepted as the best science either. The Gulf
14 Council's failure to weigh Tails n' Scales data quality over
15 MRIP's is a gross mistake.

16
17 Yesterday, I heard at the meeting some representatives say that
18 Alabama and Mississippi needed to feel their share of the pain
19 for what they've done, and, with all due respect, that floors
20 me, and what tells me this Gulf Council has lost sight of the
21 forest for the trees is that the pain you think these anglers
22 deserve comes only because Mississippi and Alabama made a better
23 mousetrap to collect catch and effort data.

24
25 I ask you what reasonable and responsible body believes the
26 states who elevated catch and effort reporting deserve pain for
27 doing so. I think you need to go back and adjust these
28 calibration ratios, weighting Tails 'n Scales and Snapper Check
29 data heavier than MRIP. That's all I have to say today.

30
31 **CHAIRMAN FRAZER:** Thank you, Mr. Armer. I am not seeing any
32 questions from the council members, and so, again, thank you for
33 your comments, and we will move on to our next speaker.

34
35 **OPERATOR:** Thank you, sir. Your next speaker will be Mr.
36 Matthew Pless. Sir, your line is now live. Go ahead, please.

37
38 **MR. MATTHEW PLESS:** My name is Matthew Pless. Hello, Mr.
39 Chairman and the council. I have been a fisherman for twelve
40 years, and a captain for about nine, and I recently finally was
41 able to purchase my first commercial fishing grouper boat.

42
43 I agree with Jim that Amendment 53 should not be moved forward
44 upon until accurate stock assessment results are looked at.
45 There is a new study out, and I believe FWC -- I work very
46 closely with the biologists here at our dock, and I know they
47 have a new study coming out, and the information should be
48 coming out, I believe, rather soon.

1
2 I have a fleet of seven boats here at our dock, and there is
3 seven or eight at the marina just to the north of us, and about
4 fifteen going up further than that, and I know a lot of those
5 guys would love to speak today, but they're not able to, being
6 that they're out there fishing, and it's -- I know it's hard to
7 kind of realize that, and our field is very much weather
8 related, and I know our fishing has been very good lately, and
9 our numbers are up drastically from the last couple few years.

10
11 Everybody is taking advantage of that now, and I've spoken with
12 a few on the satellite phone, and they're really sad that they
13 couldn't speak on behalf of us, but I personally believe that
14 our stock is well on the rise, and it looks very promising to
15 the future. The weights of the fish are up, and the biomass
16 itself, and the schools are up, and they're even moving closer
17 back to shore, and, going forward, what I see an issue with is -
18 - I'm also a recreational angler, and I go out with friends
19 quite often on their personal watercrafts that dock directly
20 behind their own houses.

21
22 For instance, the other day, we went out and got twelve red
23 grouper, and they averaged about twelve pounds. Now, that's 144
24 pounds of fish that never get accounted for, and an average
25 twenty-inch fish is four pounds, and that's almost a 300 percent
26 increase of recreational people already taking more fish than
27 they should, or at least the weights aren't being added up
28 correctly, as far as what their actual yield is.

29
30 I mean, with the commercial guys, we update our pounds daily,
31 and you guys know exactly what we catch, and I don't think
32 there's accurate numbers, as far as the recreational side of
33 things go, and to award them more of our catch I think is just
34 the wrong decision, without real, accurate measurement.

35
36 I would love to have some other way that we could also try to
37 align a better schedule, and I know you can't predict the
38 weather, and you can predict an economic crisis, but a way that
39 maybe more localized-based meetings or some other way that more
40 fishermen can participate, because those guys are out there, and
41 we're out there nine months a year, and I think they could gauge
42 more of what the stock looks like than what you guys have passed
43 across the boating ramps. That was my comments. Thank you very
44 much. This was my first time speaking, and I look forward to
45 joining many more meetings, guys. Thank you for your time.

46
47 **CHAIRMAN FRAZER:** Okay. Thank you, Mr. Pless. We appreciate
48 the comments. Let's see if we have any hands from the council

1 members. I am not seeing any hands up, and so, again, thank you
2 for your comments, and we'll move on to our next speaker.

3
4 **MR. PLESS:** Thank you, sir.

5
6 **OPERATOR:** Thank you, sir. Your next speaker will be Mr. Mark
7 Tryon. Sir, your line is now live. Go ahead, please.

8
9 **MR. MARK TRYON:** My name is Mark Tryon, and I'm a commercial
10 fisherman from Gulf Breeze, Florida, and I'm primarily involved
11 in the red snapper fishery. This business that has come up
12 recently with the red grouper reallocation, I mean, being a
13 veteran of the red snapper reallocation wars, it reminds me of
14 the great Yogi Berra, when he said that it's déjà vu all over
15 again.

16
17 The bulk of these red grouper are caught off the Florida Gulf
18 coast, and, contrary to claims by our fishery people in Florida
19 that we have robust data, which we don't, and we have a
20 basically an accountable fishery on the recreational side with
21 red grouper, just like we do with red snapper.

22
23 We have estimated not real-time landings, based upon
24 extrapolated data from random telephone surveys. In this day
25 and age, this is not acceptable, and we can come up with a
26 better way of -- Perhaps what the gentleman said from
27 Mississippi and Alabama, and maybe that needs to be looked into,
28 and I am not that familiar with their system, but all I know is
29 ours is in need of an overhaul and improvement, and maybe some
30 sort of smartphone technology is the answer.

31
32 In addition, I would suggest some sort of outside group auditing
33 the accountability, or lack thereof, of the whole process of
34 this data collection which is being used to make all of these
35 decisions, and the term "common currency" comes up, and we're in
36 desperate need of that, and we need a good common currency.

37
38 Regarding the red grouper, again, it's an improving fishery, and
39 I think, based on historical data, we're nowhere near some of
40 the historical landings, and so we need to be careful what we do
41 here also, as far as managing the fishery. It's recovering, but
42 let's be conservative.

43
44 I know, up here, it's just a bycatch, with me up in the
45 Panhandle, and I only caught maybe fifty pounds of red grouper
46 last year, and I never caught a lot up here over by Pensacola,
47 but it's been something where maybe I could catch 500 to 1,000
48 pounds a year, during periods of good fishing, and that has,

1 obviously, not been the case, when I ran thirty-five trips and I
2 caught fifty pounds last year.

3
4 The limits and the seasons, in my opinion, are already generous
5 for the recreational sector on red grouper, especially compared
6 to other species, and so I'm not really sure, at this point,
7 why they even need any more fish.

8
9 Regarding the red snapper increase, hopefully you folks can give
10 us information for all sectors, so we can plan sooner rather
11 than later, and, on the commercial side, we're kind of worried
12 about, the longer you wait, that ends up being a fish dump for
13 us late in the season, which can create problems with a glut of
14 fish in the market, or perhaps not even being able to catch the
15 entire quota. Thank you for letting me speak.

16
17 **CHAIRMAN FRAZER:** Thank you, Mark, for the comments. I am not
18 seeing any hands at the moment, but, before we move on to our
19 next speaker, I would like to remind folks that, if they're on
20 the line and they would like to enter the queue to provide
21 comment, that they need to press *1 on their phone. Okay. We
22 will now move on to our next speaker.

23
24 **OPERATOR:** Thank you, sir. Your next speaker will be Mr. Casey
25 Streeter. Sir, your line is now live. Go ahead, please.

26
27 **MR. CASEY STREETER:** Hi, guys. Sorry. I'm in my truck, and I
28 hope you can hear me. I was just dropping fish off to a
29 restaurant right now. I'm Casey Streeter, and I own four
30 commercial bandit boats, and I own Island Seafood Market, and I
31 have twelve commercial grouper boats and one longline boat that
32 fish for us.

33
34 I want to speak out against Amendment 53, for a lot of reasons.
35 I think, first off, a terrible idea to increase this to an
36 unaccountable sector. I mean, you really just going to give a
37 sector fish that's going to catch whatever they want, and so
38 they're getting more, and they're just going to catch whatever
39 they want, and it really only hurts our commercial guys. I
40 mean, you see this disaster money come into our fishery this
41 last year, because of the pandemic, and I see money going into
42 this Young Fishermen's Act, and, I mean, nine of the boats that
43 fish for me are first-generation, non-shareholding fishermen,
44 and it only hurts them.

45
46 At my retail market, I see our American public come in, and
47 they're actually the American public's fish, and it's really
48 going to only increase the cost of the fish to them, because it

1 will go upstream, and, during this pandemic time, I really don't
2 think people want to see their fish go up in price, and so I'm
3 very against it. I think it's not well thought out, and
4 hopefully it gets shot down, and that's it. Thank you.

5
6 **CHAIRMAN FRAZER:** Thank you, Casey, for the comments. I am not
7 seeing any hands, and so we'll move on to our next speaker.

8
9 **OPERATOR:** Thank you, sir. Your next speaker will be Mr. Eric
10 Brazer. Sir, your line is now live. Go ahead, please.

11
12 **MR. ERIC BRAZER:** Thank you very much. I'm Eric Brazer, Deputy
13 Director of the Gulf of Mexico Reef Fish Shareholders' Alliance.
14 First off, I want to welcome Acting Regional Administrator
15 Strelcheck. Dr. Crabtree left some big shoes to fill, and we
16 look forward to working with you, continuing to work with you,
17 but in your new role.

18
19 Now on to the matters at hand. Let's tackle the easy ones
20 first, and, as always, please see our comment letter for more
21 information. First off, we really hope to see some movement on
22 commercial ELBs as soon as possible. It's been a few months
23 since we've heard anything, and so it would be great if we can
24 get an update, and, if there's anything that we can do, or need
25 to do, to jumpstart this process, let us know.

26
27 Also, with amberjack, we need to figure out what's going on with
28 amberjack, and I don't know what the solution is, and we don't
29 know at this point, but we've got to start somewhere, and so
30 let's start that process this week.

31
32 Third, we're looking forward to actually seeing how the Great
33 Red Snapper Count -- Those conclusions, and I know we're not the
34 only one, and I really do appreciate the amount of work that
35 went into this, and what's likely a huge task of synthesizing
36 all these data, but commercial fishermen's business plans are in
37 limbo right now, because we don't know what this means for 2021
38 quotas.

39
40 Fourth, IFQ carryover, and it's a big more complicated, and I
41 know it seems like a lot of work at this point, but, if it helps
42 out at least some of the commercial fishermen that need a little
43 bit of help, after coming off of one of the worst years, or
44 possibly the worst year, they have had on record, then I think
45 you should at least initiate the framework process and see where
46 it goes. I really don't see a downside to it at this point.
47 Fifth, I know you didn't get to it this week, but I really hope
48 that you will continue to explore sector separation for other

1 species.

2
3 In my remaining time, I'm going to tackle red grouper, and so it
4 should come as no surprise that we can't support the preferred
5 alternative that the committee chose. We've been talking about
6 this for years, first with red snapper and now with red grouper,
7 and I want to refer you to nearly every comment letter we have
8 submitted since I started working in the Gulf in 2013, and I
9 feel like a broken record up here, and you're probably tired of
10 hearing me say this, but you're penalizing half of the fishery
11 for not exceeding its quota, and you are rewarding the other
12 half for exceeding theirs, although it's no fault of their own.

13
14 As Leann said, we would like to get some of that fish back,
15 historically, especially now that we're starting to see some
16 strong signs of recruitment and quota utilizations going up, and
17 you will notice that red grouper was the only IFQ species with
18 landings last year that saw an increase in quota utilization,
19 and we hope that trend continues.

20
21 This is about a document that we feel has predetermined
22 outcomes, and how else should we interpret the fact that every
23 single one of the direct reallocation alternatives takes fish
24 away from the commercial sector?

25
26 Finally, we feel that this is advancing a document too
27 prematurely. If every council member understands the
28 calibration process, and I mean truly understands it, the
29 methodologies and the data discrepancies and the inputs and the
30 sources of uncertainty -- If you understand that enough to tell
31 a red grouper fisherman why his business needs to a take hit,
32 then I will be the first to stand down, but, if you don't fully
33 understand this, then I don't see how you can put the council's
34 seal of endorsement on Alternative 3 at this time, and I
35 apologize for going over. Thank you, Mr. Chair.

36
37 **CHAIRMAN FRAZER:** Thank you, Eric. Before I look for hands, I
38 just want to let you know that I think we're going to provide
39 that update that you were talking about with regard to the
40 commercial ELBs at the upcoming AP meeting, and so look forward
41 to that. I am not seeing any other hands, and so, again, thank
42 you for your comments, Eric, and we'll go ahead and move to our
43 next speaker.

44
45 **MR. BRAZER:** Thank you.

46
47 **OPERATOR:** Thank you, sir. Your next speaker would be Mr. Chris
48 Horton. Sir, your line is now live. Go ahead, please.

1
2 **MR. CHRIS HORTON:** Thank you very much. Thank you, Mr.
3 Chairman. My name is Chris Horton, and I'm the Senior Director
4 of Fisheries Policy for the Congressional Sportsmen's
5 Foundation, and I want to briefly comment on the state red
6 snapper calibrations.

7
8 I understand that we're bound by the Magnuson-Stevens Act, and
9 we absolutely support the principles of Magnuson to end
10 overfishing and rebuild stocks and ensure we have healthy and
11 abundant fisheries now and for future generations, but, however,
12 the Gulf red snapper situation is yet again kind of the poster
13 child for how sometimes a well-intended, and largely successful,
14 piece of legislation written by folks in Washington, D.C.
15 doesn't always work well on the ground in every case. There
16 needs to be some degree of commonsense injected into the
17 management process for fisheries that don't fit neatly in the
18 box.

19
20 We have known for some time that MRIP data in the Gulf
21 introduces some substantial uncertainty into the assessment
22 models, and, in order to get better, and more timely, data, the
23 states developed their own systems. For the States of Alabama
24 and Mississippi, as expected, MRIP was really wrong, yet we are
25 looking to penalize these two states for providing better data
26 than MRIP, when it comes to measuring their catch.

27
28 If you take a step back, federal fisheries management is largely
29 a theoretical exercise, based on a lot of assumptions, and
30 that's just the nature of trying to guess how many fish are in
31 the big pond known as the Gulf of Mexico. However, now we have
32 the Great Red Snapper Count, which not only tells us that the
33 modeling has been wrong, but the population estimate hasn't even
34 been in the same ballpark.

35
36 Now we're forcing the states to calibrate back to a theoretical
37 number that we know is wrong, and it simply doesn't make any
38 sense. We need to improve the model to get the science right,
39 and, granted, that's going to take more than a few months to
40 sort out, but, until it is, we shouldn't punish Alabama and
41 Mississippi simply because the federal system failed them the
42 most.

43
44 I think there's a way to move forward with Alternative 1, and
45 Kevin mentioned it yesterday. At least to me, it seems as
46 though Congress intended for the opportunity for commonsense to
47 prevail when they included National Standard 6 in the MSA. NS 6
48 says that conservation and management measures shall take into

1 account and allow for variations among, and contingencies in,
2 fisheries, fishery resources, and catch. There are other parts
3 of NS 6 that seem to apply to this situation as well.

4
5 The bottom line is that we've got it wrong, and we've got a
6 great opportunity in the Red Snapper Count to really get it
7 right. Fortunately, we got it wrong in a good way, because
8 we've got a lot more fish, and so let's get it right, and let's
9 not penalize a couple of states until we do. Thank you.

10
11 **CHAIRMAN FRAZER:** Thank you, Mr. Horton. I am not seeing any
12 hands from the council, and so, again, I appreciate those
13 comments, and we will move on to our next speaker. Wait, Chris.
14 Sorry, but sometimes there's a little delay on my computer, but
15 we've got a question from Dr. Shipp.

16
17 **DR. SHIPP:** Chris, what is the perception of the fishermen off
18 of Alabama and Mississippi, knowing the results of the Great Red
19 Snapper Count and then being cut in half? Most of them, are
20 they aware of what the situation is, or are they just
21 anticipating that, because of the Count, that suddenly
22 everything is going to be great?

23
24 **MR. HORTON:** Both. The ones that are actually aware of what's
25 going on, they think they're going to get more fish. A lot of
26 them though, the ones that I know and fish with, I've had to
27 make them aware that, hey, this is going on in the council, and
28 they aren't really even aware that they may half of the
29 opportunity, or even less, than they had in the last couple of
30 years. There's just really not a lot of awareness there right
31 now about what's about to happen.

32
33 **CHAIRMAN FRAZER:** Okay. Bob, any other questions?

34
35 **DR. SHIPP:** No. Thank you, Mr. Chairman.

36
37 **CHAIRMAN FRAZER:** All right. Chris, I'm not seeing any other
38 hands, and so, again, thank you for your comments, and we'll go
39 ahead and move on to our next speaker.

40
41 **OPERATOR:** Thank you, sir. Your next speaker is Catherine
42 Bruger. Ma'am, your line is now live. Go ahead, please.

43
44 **MS. CATHERINE BRUGER:** Thank you, Chair Frazer and members of
45 the council, for the opportunity to speak today. I would like
46 to also welcome Mr. Strelcheck to your position, and I look
47 forward to continuing to work with you.

1 I am Catherine Bruger, a St. Petersburg, Florida native and a
2 second-generation fishery biologist. I am here today on behalf
3 of Ocean Conservancy, as an advocate for fish policy, and to
4 ensure the Gulf-wide legacy of continued fishing and robust
5 fishing communities.

7 I would like to begin with Ocean Conservancy's continued support
8 of state management for private anglers and red snapper fishing.
9 This program has given us the opportunity to accelerate the pace
10 of data collection, -- in each state, and incorporate additional
11 data. These sound like great things, and, as scientists, we
12 always wish we had both more and more timely data.
13 Unfortunately, the conversion of this additional data is the
14 critical flaw to Amendment 50, which has resulted in private
15 angler ACL overages in both 2018 and 2019, which triggered
16 overfishing in 2019, and is now threatening the success of state
17 management altogether.

19 To speak to unfairness and inequity, charter captains'
20 electronic logbook data will need to be calibrated and validated
21 before it can be used for in-season management, a process they
22 are being told upfront could take up to four years if the
23 private angler component is held to an immediate application
24 standard, which has been ongoing for three years now and still
25 violates the MSA.

27 We support the motion to begin a new plan amendment that
28 incorporates data from the Great Red Snapper Count into
29 management advice, and we also support the inclusion of state
30 data into the next research track SEDAR process.

32 We too are eager to see the results of the Great Red Snapper
33 Count. However, due to timing, aligning the current framework
34 with the assessment is no longer feasible. We have patiently
35 supported the council's attempts to address these critical
36 calibration issues. However, state commissions are likely
37 already setting their seasons and will be done prior to the
38 April meeting. We urge the council to take final action on the
39 calibration rulemaking at this meeting to fix state management.
40 A vote against accountability is a vote against state
41 management.

43 Last, I would like to share a few thoughts on greater amberjack,
44 which, as you heard today, is failing to rebuild biomass,
45 remains overfished, is subject to ongoing overfishing, and has
46 already been through numerous rebuilding plans. The current
47 rebuilding plan assumes increases in rebuilding projections and
48 suggests increasing quotas over time. However, this strategy

1 has not worked for amberjack.

2
3 We recommend that the council pursue a constant catch approach
4 applied in tandem with interim stock assessments, which would
5 maintain catch at base levels until the stock shows real signs
6 of rebuilding progress. We see this approach as an opportunity
7 to adaptively modify the ACLs, while providing stability and
8 aiding a long-term recovery of the stock to guarantee access to
9 the fishery in the future. Thank you.

10
11 **CHAIRMAN FRAZER:** Thank you, Ms. Bruger. I am not seeing any
12 questions coming from the council. I will wait just a second,
13 to make sure that I don't have a delay. Okay. Thank you again
14 for those comments. We will go ahead and move on to our next
15 speaker.

16
17 **OPERATOR:** Thank you, sir. Your next speaker will be Mr. Scott
18 Hickman. Sir, your line is now live. Go ahead, please.

19
20 **MR. SCOTT HICKMAN:** Good afternoon, council, and thank you, Mr.
21 Chairman. It's been long time, no talk to the council.
22 Hopefully we'll be back in person sooner than later, and this is
23 Captain Scott Hickman from Galveston, Texas. I'm a thirty-year
24 charter/for-hire captain, IFQ shareholder, commercial fisherman,
25 current Chairman of the Flower Garden Banks National Marine
26 Sanctuary Council, and, on that note, the Flower Garden Banks
27 Sanctuary Advisory Council would like to really thank all the
28 hard work that staff and others and members of the council did
29 on working on your part of our sanctuary expansion, and we got
30 it to the finish line. We're really thrilled, and we're
31 protecting lots of habitat and thirteen new additional banks,
32 and we're protecting the Gulf and lots of fish. Thank you, all,
33 for all that.

34
35 From the charter boat side, on cobia, I would like to do what
36 Florida has done in the EEZ and go to a thirty-six-inch fork
37 cobia, one per angler, and I would like to see two per boat.
38 Cobia are in trouble, and it's my favorite fish, and I would
39 like my kids to be able to catch cobia in the Gulf of Mexico one
40 day.

41
42 The CFA white paper, I would like to see that plan moved forward
43 and really be looked at, and we see how good Amendment 40 has
44 worked in the charter boat fleet, and we would like to build
45 upon that.

46
47 I'm a new member of the Papas Restaurant Corporation Management
48 Team. The Papas Restaurants would like to make sure that

1 American red snapper, the increases that are coming from the
2 Fish Count that I was part of, Dr. Stunz's Great American Red
3 Snapper Count, that it be done carefully, that we would like to
4 see those fish sooner than later, and it puts a lot of heartache
5 on the commercial fishery, the markets, the restaurants,
6 everybody, getting big shots of fish late in the year, but,
7 also, don't overdo this increase.

8
9 We have got a really good rebuilding stock of fish in the Gulf.
10 In a lot of areas, it's very, very robust, but we want to make
11 sure that we don't get too big of an increase and jeopardize our
12 rebuilding timelines that we've been under and the process of
13 rebuilding this fishery, and that's about it. I really
14 appreciate you all's time, and it's good to talk to everybody,
15 and stay safe.

16
17 **CHAIRMAN FRAZER:** Thank you, Captain Hickman. Let's see if
18 we've got any comments or questions coming from the council. It
19 doesn't look like we do, and so, again, thank you for your
20 comments, and we'll move on to our next speaker.

21
22 **MR. HICKMAN:** Thank you.

23
24 **OPERATOR:** Thank you, sir. Your next question will be Mr. Jim
25 Green. Sir, your line is now live. Go ahead, please.

26
27 **MR. JIM GREEN:** Hello, council and staff. Jim Green, President
28 of the Destin Charter Boat Association. I'm also President of
29 the Charter Fishermen's Association. I will be speaking on
30 behalf of the DCBA today.

31
32 First, Andy, congrats on being named the Interim RA, and I hope
33 that becomes your permanent position soon. You've always had a
34 level-headed approach on issues, which is a great balance for
35 someone like me sometimes, but, in all seriousness, you're a
36 valuable asset to our Gulf fisheries. Thank you.

37
38 The DCBA would like to thank the council and the agency for the
39 SEFHIER program, and all the staff that is working on this
40 program have been extremely helpful, and the outreach has been
41 great, and it needs to continue. The issues that we were seeing
42 are being resolved, as we learn the new system and its
43 requirements, and we were happy to see this program partial
44 implementation, and we're excited about the benefits to fishery
45 management that we could see in the future because of SEFHIER.

46
47 Looking at the monitoring portion of the program, we feel it is
48 important to do what is possible to entice companies to

1 participate in the cellular option. Lower-cost units were part
2 of the buy-in on this plan, and, while I do not agree with Mr.
3 Fischer's assessment of it being wildly unpopular, I will agree
4 that the agency should make concessions to work towards their
5 acceptance.

6
7 I am not sure how we do it logistically, but using the web-based
8 app reporting requirements being implemented now, in conjunction
9 with the position monitoring that the pilot project tested,
10 could be a viable option to get the cellular units back in play,
11 and so please think outside of the box.

12
13 When it comes to the CFA plan, the DCBA wholeheartedly supports
14 fleshing out sector allocations for all four reef fish species.
15 Our support comes from our experience in fisheries management
16 and the fact we feel this should have been done when the
17 moratorium of our permits happened.

18
19 This is to secure our historical access to the fishery, and we
20 agree that a blend of time series is important to capture
21 historical with current, and it is our sincere hope that this
22 council will move forward with document creation and allow our
23 industry to work with the council and agency to provide -- To
24 bring a document to a place where our historical access is
25 preserved.

26
27 Gray triggerfish and lane snapper, the DCBA supports the
28 preferred alternatives selected in both documents, and please
29 take final action, and thank you for your hard work.

30
31 Also, the DCBA does not support moving the opening date of gray
32 triggerfish. The quota available, even with the increase, is
33 not enough to fill the open season dates in the spring and the
34 fall. We feel, when the stock rebounds enough, then we can look
35 at moving season dates into months with less anglers, when less
36 anglers are accessing the fishery. It's our feeling that those
37 months are where extrapolation beat us up on quota, and it's not
38 worth the possible loss in days when so few are available at
39 this time.

40
41 Concerning amberjack in the near future, the DCBA urges the
42 council and agency to maximize the remaining quota, and having
43 the whole month of May would be very beneficial to our anglers.
44 When it comes to cobia, the DCBA fully supports a push for
45 federal regulations to mirror that of the FWC, one fish per
46 person, two fish per vessel, and, while the FWC has a minimum
47 size limit of thirty-three, we would like to see a thirty-six-
48 inch fish.

1
2 This fishery has a good chance to rebound quickly if we have a
3 few years under these regulations. As you know, this is a
4 rapidly-growing specie, and this kind of reduction in harvest,
5 especially in regions that have habitat that allows a faster and
6 higher harvest rate, will greatly boost the stock's biomass. We
7 do not believe that it would take long for a noticeable
8 difference to be seen. Thank you so much.
9

10 **CHAIRMAN FRAZER:** Thank you, Captain Green, for your comments.
11 I am not seeing any hands from the council. I will wait just a
12 second. Okay. Not seeing any hands, again, thank you for your
13 comments, and we'll go ahead and move to our next speaker.
14

15 **MR. GREEN:** Thank you, sir.
16

17 **OPERATOR:** Thank you, sir. Your next comment comes from Mr.
18 Duane Smith. Sir, your line is now live. Go ahead.
19

20 **MR. DUANE SMITH:** Thank you much. Greeting, council members and
21 members of the public. I am actually one of the Enforcement
22 Section attorneys in the Southeast Region for NOAA, and so the
23 only reason I'm taking up your valuable public testimony time is
24 to respond to Mr. Hubbard and the questions that he raised,
25 because I think they're broader than the individual case.
26

27 For those who are unaware, the Enforcement Section tries very
28 hard to do our business transparently, and we send people like
29 me to these meetings, and it seemed too good of an opportunity
30 to pass up to not let you know what it is we do and how you can
31 see what we do.
32

33 To Mr. Hubbard, and anyone else who is interested, the best
34 place to find information about the enforcement section is on
35 our website. If you just Google "NOAA Enforcement Section", or
36 "NOAA General Counsel Enforcement Section", we have all of the
37 cases that we've done are there, and our penalty policy is
38 there, and it explains not only what our penalties are, but how
39 we come to the conclusion of what to assess, and so that's great
40 background.
41

42 All the cases that we do are reported there, and the penalty
43 schedule, the summary settlement schedules, and everything is
44 there for the public to see, and we like to be completely open
45 and transparent about that. In addition, I'm available to
46 answer any questions the council may have, or members of the
47 public may have, about what it is we do and how we do it, and so
48 I just wanted to put that plug out there, and then I will give

1 your time back to the public testimony. Thanks.

2
3 **CHAIRMAN FRAZER:** Thank you, Mr. Smith, for taking the time to
4 provide some clarity there. Okay. I am not seeing any hands,
5 and so we will go ahead and move to our next speaker, Captain
6 Bob Zales.

7
8 **OPERATOR:** Thank you, sir. Captain Bob Zales, your line is now
9 live. Go ahead, please.

10
11 **MR. BOB ZALES, II:** Okay. Bob Zales, II, representing the
12 Southern Offshore Fishing Association, the grouper longliners
13 and the National Association of Charter Boat Operators. First
14 off, on amberjack, I sent some information during the recent SSC
15 meeting, and we've got a serious problem with amberjack. I
16 mean, this fishery has been undergoing overfishing and
17 overfished now for, what, thirty years, and we're in our second
18 or third rebuilding plan, and nothing seems to be happening to
19 curtail the overfishing.

20
21 I have learned, from being involved with you all on this
22 process, if you've got a fishery that is undergoing overfishing,
23 you will never recover that fishery, and you've got to stop
24 overfishing in order to get there, and so something is going to
25 have to be done, regardless of how drastic, and I'm one of the
26 people, like a lot of them on this line, that have pushed to
27 keep amberjack open, but, at this point in time, if we don't do
28 something soon, we're not going to have a fishery, period.

29
30 On the red grouper, Amendment 53, I am going to be sending some
31 information to the rest of you all, and the current alternative
32 that you all selected is a complete no-win loss for everybody
33 alternative.

34
35 The commercial sector is going to lose quota. This past year,
36 in 2020, the information I saw, I think they landed 2.3 or 2.4
37 million pounds, and this alternative takes them to a maximum of
38 2.6, and so, when you look at what was done in 2019, versus what
39 was done in 2020, with the increase, and you're hearing from all
40 the commercial guys that we've heard from the past couple of
41 years about all the small fish that are in the fishery, and
42 obviously they have entered the fishery, and they still are, and
43 so I would predict, right now, if you do this, come next year,
44 or whenever this plan goes into effect, in 2021 or 2022, you
45 will see a closure in the commercial fishery.

46
47 The consumer will lose, and the small fishing families are going
48 to lose, and pretty much everybody loses. On the recreational

1 side, when you increase their quota, because they are going to
2 be considered undergoing overfishing their quota now, they are
3 going to lose days of fishing or bag limits or something. With
4 the recreational fishery, their discard mortality is much
5 greater than the commercial side, and so the fishery itself will
6 lose by doing this amendment, the way that you've got it done.

7
8 It benefits nobody, and I guess it complies with the perception
9 of complying with the Magnuson Act, but that's the only benefit
10 that you've got in this thing, because, when it comes to
11 reality, the social and economic impacts is nothing but a
12 negative situation.

13
14 Triggerfish, I agree with Jim Green. Cobia, I agree with Jim
15 Green, and, on the red snapper, the Great Red Snapper Count,
16 we've got to wait on the information coming out of the Science
17 Center to see where that's going to go, and we're hoping that
18 it's going to be the level that we're hearing it's going to be,
19 and the other part, when you're talking about the charter boat
20 electronic reporting, if you all will talk to Greg Stunz, the
21 iSnapper program -- When we played with that iSnapper program,
22 smart devices tracked us with GPS, no matter where we went.

23
24 If you've got a smartphone, and you are reporting, it will track
25 you, and even though you don't know it at the time. When you
26 get back into the beach, into cell range, it will log in where
27 you were thirty miles offshore, and so you can talk to them
28 about that, and that help with the electronic part of the thing,
29 and so, unless anybody has got any questions, I'm done.

30
31 **CHAIRMAN FRAZER:** Thank you, Captain Zales. It looks like we've
32 got a question from Mr. Dyskow.

33
34 **MR. DYSKOW:** Thank you for your testimony, Bob, and it's always
35 a pleasure to hear from you. We have heard a lot of negative
36 comments about the selected preferred on red grouper, and
37 realizing that this is a challenge, and we're going to have
38 address it again tomorrow, but nobody has told us what their
39 opinion would be of an alternative preferred, and do you have
40 any input on that?

41
42 **MR. ZALES:** During the SSC meeting, and I am going to be memory,
43 but there was a presentation provided from one of the girls from
44 the Center in Miami that, according to the computer model, the
45 way that they played with weights versus fish, numbers of fish
46 and so on and so forth, that the computer model suggested that
47 the allocation should be around 31 percent recreational and 69
48 percent commercial.

1
2 When I first saw that, I'm thinking, okay, well, you know, this
3 may be a compromise from the 24/76 or 26/74, whatever the
4 original was, to the 60/40, which is in the current alternative,
5 that this is kind of in between, and I am thinking, okay, and,
6 well, if we're dealing with all these fishery management issues,
7 and we're doing computer models of almost everything that's out
8 there, and a computer model is saying, okay, this is what the
9 allocation really should be, then maybe we should pay attention
10 to that, if we're paying attention to the computer models on the
11 rest of what we're doing, because it's kind of like --

12
13 I've been accused of doing this, and I do it all the time, but
14 fishery management by the Fisheries Service I have called
15 cafeteria-style management, where they pick and choose what they
16 want to do, and amberjack is a classic example. If you go back
17 to 2007 with red snapper, when it was declared undergoing
18 overfishing, what did they do? They shut it down. Charters
19 ended up with six days, private rec with two, and the commercial
20 lost a lot, but, within a year, that fishery was no longer
21 undergoing overfishing.

22
23 You have never done that with amberjack, and so I guess
24 amberjack is not an important species, because, like I said,
25 we're in our second or third ten-year rebuilding plan with
26 jacks, and so, if you're going to deal with computer models,
27 let's deal with them. If you're not, then let's do something
28 else, but let's be standard on what we do. Let's don't do it
29 one way with one fish and a different way with another fish.

30
31 **MR. DYSKOW:** Thank you, Bob.

32
33 **CHAIRMAN FRAZER:** Okay. It doesn't look like we have any more
34 questions from the council members, and so thank you, Captain
35 Zales, for your testimony, and we will move on to our next
36 speaker.

37
38 **OPERATOR:** Thank you, sir. Your next speaker would be Mr. Ed
39 Walker. Sir, your line is now live. Go ahead, please.

40
41 **MR. ED WALKER:** Thank you very much. I'm Ed Walker from Tarpon
42 Springs, and I know most of you guys. A couple of things that I
43 would like to comment on today. The first has been kind of an
44 important one to me for a while, and that's the cobia vessel
45 limit.

46
47 I think we kind of missed the boat the last go-round on this,
48 and the opportunity is still there for somebody to go out and

1 put sixteen cobia on a boat, and I'm seen these pictures of this
2 come up from time to time on social media, and it's really
3 unnecessary, especially on a charter boat.

4
5 If you've got six people on there, and you catch two or three
6 fifty-pound cobia, that's all you need. You don't need to put
7 sixteen on the boat, and people are seeing declines in other
8 places, and I think that's an easy way to go, to leave them at
9 two fish per day. I think that will make everybody happy, and
10 it will trim off the excessive meat pile option, and so I'm in
11 favor of the federal cobia vessel limits.

12
13 As far as sector separation goes, I am currently opposed to
14 sector separation, particularly for gag groupers, and maybe red
15 grouper as well. We've kind of been down this road before, on a
16 slightly different angle, with the IFQ for-hire idea that I was
17 on the panel for two years, and it was one of the most
18 vigorously debated issues that I've ever been involved with, but
19 we all tried to make it work, and based on essentially no
20 numbers, and it was just told to us by some of its proponents
21 that it was going to work out really good for us, and we needed
22 to go with it, and we're not really sure exactly how, but it's
23 going to be good, and it's going to be good.

24
25 We debated about it for a long time, and we got really into the
26 numbers, and we did a lot of work, and, at the very end, we got
27 the numbers from NMFS, some actual hard numbers on what it would
28 do to our seasons if we were to do that, and it was a disaster,
29 and we were looking at a nine-day grouper season instead of six
30 months, and a three-day triggerfish season, and all support went
31 out the window that day, even among the most ardent supporters
32 of that idea. When the hard numbers came out, nobody wanted
33 anything to do with that.

34
35 This is a slightly different issue, but it's not entirely
36 different, and so I remain opposed to this until, perhaps, we
37 see some real numbers, and my analogy for it is that you don't
38 go in and say I will buy this car without asking how much it
39 costs.

40
41 If it works out reasonable, or even a little bit less, where we
42 could have our own sector, I think that would be good, but, if
43 it's going to cut my gag grouper season from six months to four
44 days, or twenty days, or a month, I can't support that, and I
45 don't think that's unreasonable. Grouper is a Florida issue,
46 and I think trying to manage it Gulf-wide is just going to
47 present problems.

1 That's my opinion, and I'm opposed to sector separation as it is
2 now, and I could be -- If it was explored and demonstrated to me
3 where it could be beneficial to the charter guys here in west
4 Florida, I may support it, but, as it is now, I don't believe it
5 will, and I think it will be really bad for west Florida charter
6 guys, who are primarily the grouper guys. My time is up, and so
7 I've got more input that I will put into a letter. Thank you.

8
9 **CHAIRMAN FRAZER:** Thank you, Ed, for those comments. I am
10 making sure that we don't have any council hands up. I am not
11 seeing any, and so, again, thank you for your time, and we will
12 move on to our next speaker.

13
14 **OPERATOR:** Thank you, sir. Your next speaker will be Mr.
15 Blakely Ellis. Sir, your line is now live. Go ahead, please.

16
17 **MR. BLAKELY ELLIS:** Thank you, Mr. Chairman. I appreciate the
18 opportunity to speak to you all today. My name is Blakely
19 Ellis, and I'm the Executive Director for CCA Alabama, the
20 Coastal Conservation Association, and I am taking my time today
21 to ask you all to please delay final action on the calibration
22 of that data.

23
24 The results are going to be -- I mean, we all know what the
25 results are going to be, and it's going to be not great for
26 Mississippi and Alabama, and any final action that you all would
27 take before having this next chunk of information from the
28 Snapper Count to be included would be a mistake, and I really
29 don't think it would be fair, and I think, if at all possible,
30 just continue to delay that, so you can incorporate that into
31 this final decision.

32
33 Our anglers in Alabama, I can speak for them, because I am one,
34 and, by default, I'm kind of a clearinghouse for a lot of my
35 friends and my friends' friends on fishing licenses and
36 regulations, and I talk people through stuff and help them
37 understand it, and we have worked really hard to get to the
38 point that our anglers are comfortable with the reporting
39 requirements with our Snapper Check program, and they're
40 comfortable not feeling like, if they do give accurate numbers,
41 they are going to end up getting penalized after the fact and
42 getting those fish taken away, and so we've overcome that
43 objection.

44
45 We've gotten over the hill on the states shutting the season
46 down early, even though they had plans, but we keep telling them
47 that's the way it's going to be, but, at the same time, if
48 there's a hurricane, you get your days added back onto the end,

1 and so we're making progress with getting them up to speed, and
2 they're buying into it.

3
4 Most recently, the state has added in the reef fish endorsement,
5 and I believe it's \$10.00 a person, but I probably had fifteen
6 or twenty texts on Friday or Saturday or Sunday during snapper
7 season of friends asking, hey, I got my fishing license, and do
8 I have to get this reef fish endorsement, and I'm like, yes,
9 it's important, and that's what allows us to have this data
10 collection, and that's going to allow us to continue to move
11 towards state management, which is going to, ideally, end up
12 with us having better seasons and more enjoyable time on the
13 water.

14
15 It's going to be a really tough thing to try to explain to
16 people if this moves forward and our seasons end up getting cut
17 in half, especially with the anticipation that, if anything, we
18 might be on par, or level, but, in fact, we may be getting half
19 of that, while a couple of our other neighbors are going to be
20 gaining a small bit or keeping their same limit.

21
22 **CHAIRMAN FRAZER:** Okay. Thank you, Mr. Ellis, for those
23 comments. I am not seeing any hands from the council members,
24 and so we will move on to our next speaker.

25
26 **OPERATOR:** Thank you, sir. Your next speaker will be
27 Congressman Garret Graves. Sir, your line is now live. Go
28 ahead, please.

29
30 **CONGRESSMAN GARRET GRAVES:** Thank you. I just want to thank the
31 council members, and I appreciate the opportunity to join you
32 today. I want to talk primarily about red snapper and just to
33 take a step back. If we go back and look at what was going on
34 with red snapper management in the Gulf of Mexico just years
35 ago, a few years ago, you recall this conflict among the rec to
36 charter and the commercial and the states and the feds, and you
37 had inconsistent seasons, and look at the progress that's been
38 made over the last few years.

39
40 We have state management, and we have compatible state and
41 federal-water seasons, and we have some of the best measurement,
42 or management, of the fisheries that we have ever had in my home
43 state of Louisiana, and we charged ourselves additional dollars
44 to start the LA Creel program, and NOAA has, in recent years,
45 gone through and certified the management practices of all five
46 Gulf states, and we have now the best data collection, and we
47 have the best management that we've had, and we've had better, I
48 think, compatibility among the recreational, commercial, and

1 charter users.

2
3 The decision that was recently made, as was just discussed from
4 the previous speaker, it doesn't affect my home state of
5 Louisiana very much, and it really doesn't, but one thing that
6 we've got to all keep in mind is the way that we got to where we
7 are right now is by all five states working together, and I
8 don't think we should abandon that. I think the five states
9 need to continue working together, and the council.

10
11 If you look at the Modern Fish Act, legislation that I wrote and
12 we had the President sign into law, it requires that -- Section
13 201, it requires that the type of data and analysis on
14 recreational fishing, that it is some of the best data, that
15 it's consistent with National Standards.

16
17 I think this really arbitrary decision that was recently made
18 actually violates National Standards, and I think that it's not
19 the right direction that we need to be moving in, and it
20 completely ignores the Great Red Snapper Count that actually
21 indicates that there is greater stock in the Gulf of Mexico,
22 rather than less stock, as this recalibration indicates.

23
24 If we're going to be moving back into the MRIP system, or MRIP
25 for data purposes, that is regressing, and that's going
26 backwards, and I will say it again, that it's contrary to the
27 laws that we passed and requirements that the council and NMFS
28 are supposed to be following about using the best data. It
29 indicates that the certification of the five states' data was
30 wrong, and that's not the case. It's better data.

31
32 I understand the need for a common currency, and I support
33 moving in that direction. Senator Shelby has been fantastic in
34 helping us secure dollars recently, \$5 million and then another
35 \$2 million for data collection and data common currency
36 translations, and so I want to urge you all to pause, and I want
37 to urge you all to be thoughtful about the volatility over the
38 last several years and the great sport we're at right now, and,
39 lastly, just the Great Red Snapper Count and how those numbers
40 indicate that we need to be moving in a different direction than
41 is currently before the council, and I guess that's it.

42
43 **CHAIRMAN FRAZER:** Okay. Thank you, Congressman Graves, for your
44 comments. I am waiting here to make sure that we don't have any
45 council hands up. It looks like we've got a question from Mr.
46 Dugas from Louisiana.

47
48 **MR. DUGAS:** Yes. Thank you. Thank you, Congressman Graves. I

1 have a question for you. Back in September of 2020, there was a
2 letter written to Secretary Ross from you and your colleagues
3 urging us to prevent any action and to use the state harvest
4 data. My question is have you gotten any kind of response to
5 that letter?

6
7 **CONGRESSMAN GRAVES:** Thank you very much. I appreciate the
8 question, and, yes, we did ask, with a number of other Gulf
9 coast colleagues, that there not be any abrupt actions and that
10 we wait and see what the outcome of the Great Red Snapper Count
11 is.

12
13 I don't believe that we have seen a response, and I know that I
14 haven't personally seen one, but I can check with Justin
15 Davidson in our office and double-check to see if we did receive
16 anything. I did have a conversation with Chris Oliver on the
17 phone, from the Department of Commerce, talking through sort of
18 their position and concerns, but I don't recall seeing anything
19 in writing, and I will tell you what. I will double-check that
20 in just a few minutes, and, if we did receive a response, I will
21 make sure that we send it over to the council as soon as
22 possible.

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

25
26 **CHAIRMAN FRAZER:** It looks, Congressman, like we have a couple
27 of questions, and so, if you're willing to stay on the line and
28 field them, the next one would be from General Spraggins from
29 Mississippi.

30
31 **GENERAL SPRAGGINS:** Congressman, thank you so much for taking
32 the time to address this group, and I thank you so much for your
33 efforts of what you've done and for what you've done for the
34 fisheries in general for the Gulf of Mexico.

35
36 I know that our Congressman Palazzo supports your efforts, and I
37 know that he is a big supporter of what you're trying to bring
38 forth, and I thank you for stepping up and at least bringing the
39 truth about what we need to do with this and how we need to look
40 forward and not go back, and thank you, sir. I appreciate you
41 very much.

42
43 **CONGRESSMAN GRAVES:** Absolutely. Thank you. I actually spoke
44 to Congressman Palazzo just yesterday. Thank you.

45
46 **CHAIRMAN FRAZER:** Okay. Our next question comes from Dr. Stunz
47 from Texas.

1 **DR. STUNZ:** Thank you, Congressman, for taking the time, and I
2 appreciate -- I guess you recognize the magnitude of the
3 decisions that we're going to be making, and so I appreciate
4 everything that you have done for fisheries management in the
5 Gulf and taking the time to listen in on us today.

6
7 I guess my question is related to Mr. Dugas and his comment
8 about the letter that several of you wrote to Wilbur Ross this
9 last fall, and I just wanted to get clarification that I think
10 your office does support that we should make these state
11 programs the best available science, and I was hoping that you
12 might be able to comment on that.

13
14 **CONGRESSMAN GRAVES:** I'm not sure if it was just my phone or if
15 it was others as well, but you broke up right at the end, and so
16 I didn't hear exactly what the question was.

17
18 **DR. STUNZ:** Well, my question was clarity that your office is
19 supporting that we make the determination that these state
20 programs that have been implemented are the best available
21 science for managing the red snapper fishery.

22
23 **CONGRESSMAN GRAVES:** Great. Thank you. Yes, that absolutely is
24 our position. We commend the states, and, look, I will tell you
25 that I personally took a stick to, and, of course, I'm just
26 using an analogy here, to a couple of the states, and I wanted
27 to ensure that we were using the best science. I don't want
28 overfishing, and I want to ensure that our kids and grandkids
29 have the opportunity to fish, and I do believe that the state
30 data is more tailored, and I think it's more specific, and I
31 think it's better data, and I think the federal law that I wrote
32 and signed into law today requires that, as well as some of the
33 organic text of the Magnuson Act.

34
35 Just to show my commitment to the conservation of the species,
36 the President just signed into law a legislation that I wrote,
37 bipartisan legislation that I wrote with Congressman Huffman of
38 California, requiring descending devices, and we're now working
39 -- Just to be used on reef fish, and we're now working to ensure
40 that those devices are available. By some estimates, we believe
41 that it could improve stocks by up to 20 percent, over 500,000
42 fish per year increase in red snapper alone, and so we're
43 certainly committed to conservation.

44
45 I think that there are a lot of tools in our toolchest that we
46 need to be using, and I just urge you all to please make
47 informed decisions based on best science, and I think the states
48 have it.

1
2 **CHAIRMAN FRAZER:** Okay. I am not seeing any more questions from
3 the council. Congressman Graves, I really appreciate you taking
4 the time out of your schedule to hop on the line and talk with
5 us here this afternoon.

6
7 **CONGRESSMAN GRAVES:** You bet, and thank you for you all's
8 service.

9
10 **CHAIRMAN FRAZER:** Thank you, sir. We will move on now to our
11 next speaker.

12
13 **OPERATOR:** Thank you, sir. Your next speaker would be Mr. Ed
14 Maccini. Sir, your line is now live. Go ahead.

15
16 **MR. ED MACCINI:** I'm Ed Maccini, and I'm President of SOFA. I
17 represent the longline fishery on the west coast of Florida,
18 and, first of all, I am definitely opposed to the preferred
19 option in Amendment 53. I really don't understand how you can
20 reward a group that constantly exceeds their quota while
21 penalizing a group that works within the framework. That's
22 number one.

23
24 Number two, as far as the landings for the red grouper, a couple
25 of reasons. Number one, we're experiencing a changing of the
26 guard, and a lot of veteran fishermen, top guys, have retired,
27 and that's number one, or passed on, and so we have a lot of new
28 faces coming into the fishery, and it's a learning curve, and I
29 think they are catching on rather quickly, and there has
30 definitely been an uptick in the landings, if you look at what
31 we did in November and December, and I'm sure, once the January
32 numbers come out, you will definitely see that there is an
33 uptick.

34
35 The other thing is, as far as the landings being decreased, a
36 couple of things. first of all, in 2013, we used 400,000 hooks
37 for the year. In 2018, we used 1.6 million hooks, and the
38 reason for the increase is because of the shark population has
39 exploded, and then we're dealing with the porpoise issue as
40 well, and so the landings did go down, but, like I said, they
41 are definitely on the upswing, and I believe that it is going to
42 continue.

43
44 We have new blood coming into the fishery, and now, if you go
45 and take away fish, you're going to just deter those people
46 being interested in making a career out of commercial fishing,
47 and that's all I have to say. Thank you for your time.

1 **CHAIRMAN FRAZER:** Thank you, Mr. Maccini, for those comments. I
2 will wait just a second to see if we have any questions from the
3 council. I am not seeing any, and so I will remind folks,
4 again, that the queue looks like it's empty, but I will give an
5 opportunity to folks that might be hanging on the line. If you
6 want to provide testimony, you can press *1 on your phone. It
7 looks like we've got maybe one or two more folks willing to
8 join, and so we'll go to our next speaker.

9
10 **OPERATOR:** Thank you, sir. Your next speaker will be Mr. Bobby
11 Kelly. Sir, your line is now live. Go ahead, please.

12
13 **MR. BOBBY KELLY:** Good afternoon, council. I am just going to
14 touch on a few things real fast, and I will be brief, and we've
15 been doing boat work all day. The first thing I want to touch
16 on is triggerfish, and we are -- We have worked really hard, for
17 a long time, to try and get a March opener on the triggerfish
18 and let those guys run throughout the spring, and, with the
19 incoming quota increase that we expect, we hope that we get to
20 fish in the fall. It's real important for us to have these fish
21 on a fall basis, to allow the short, half-day trips for the
22 customers to retain a fish.

23
24 A bug that I need to put in the council's ear is, in the coming
25 actions, is the triggerfish commercial trip limit is sixteen
26 fish, and something needs to happen and alter the bag limit to
27 allow the commercial sector the opportunity to harvest their
28 fish according to the TAC going up, and I believe it's about a
29 60 percent increase in the quota going up. This year, I believe
30 the commercial sector -- We didn't actually catch all of the
31 triggerfish with the sixteen-fish trip limit, and so, guys, if
32 you would, just keep that in your minds moving forward for the
33 commercial sector, that we do have a shot to maybe increase the
34 trip limit to something relative that allows the harvest of
35 fish.

36
37 Next, we need the amberjack -- I would ask the council to put
38 out some information of whether we're going to have a May season
39 or not, and I've already got guys calling and booking, and we
40 believe -- I always tell them we do the best we can, but, if
41 something happens and we don't get the amberjacks in May, which
42 is fine, if that's what the resource dictates that it needs, you
43 know, these guys are going to cancel, and so, if you would, get
44 us out the information as quick as you can.

45
46 I am real excited to hear a lot of the feedback coming back with
47 cobia, and I personally support a one per person or two fish per
48 vessel bag limit on these fish. I mean, everybody will tell you

1 that the numbers are way down, and even my Texas guys, which
2 everything is better in Texas, but even they're saying the cobia
3 fishery is down, and so we need to do something for these fish,
4 to make sure that they're there for the next generation, and
5 it's just going to be one of those things.

6
7 I think that's going to be about it. I hear that Mr. Strelcheck
8 has done a wonderful job in Roy's place, and so keep up the good
9 work there, Andy. I appreciate it.

10
11 **CHAIRMAN FRAZER:** Thank you, Bobby, for the comments. I am
12 looking around to see if there are any hands. I am not seeing,
13 and so we'll go ahead. Again, thank you for your comments, and
14 we will move to our next speaker.

15
16 **OPERATOR:** Thank you, sir. Your next speaker will be Mr. Tommy
17 Elkins. Sir, your line is now live. Go ahead, please.

18
19 **MR. TOMMY ELKINS:** My name is Tommy Elkins, and I'm the Chairman
20 of the Board of CCA Mississippi, and I just wanted to let you
21 know that my phone and emails and social media have blown up,
22 pretty much, with the announcement that you are considering
23 going back to a system that was obviously broken. The states
24 abandoned that system and built a better one, and now we're
25 going to go back to the old system.

26
27 The Red Snapper Count came about after anglers and managers and
28 everybody pretty much lost faith in the federal stock
29 assessment, and it's showing that there is three-times the
30 number of fish out there than what the stock assessment is, and,
31 yet, you've got Alabama and Mississippi being asked to cut their
32 catch by more than half, and so the anglers are very upset, and
33 most of these are recreational anglers, but we also have quite a
34 large number of charter/for-hire captains in our ranks, and no
35 one that has called is happy about that reduction, and that's
36 really all I have to say. Thank you.

37
38 **CHAIRMAN FRAZER:** Thank you, Mr. Elkins, for those comments. I
39 am looking to see if we have any questions from the council. I
40 am not seeing any, and so we will move on -- Hold. Tommy, if
41 you would just hang on for a second, and it looks like we have a
42 question from General Joe Spraggins.

43
44 **GENERAL SPRAGGINS:** Yes, sir, and I would just like to ask you a
45 question, and thank you for coming on. What kind of -- If this
46 goes in as the Option 2 that we're looking at now, and it cuts
47 the Mississippi allocation down to 50,000, what kind of impact
48 is that going to be on our charter boats and our fishermen in

1 the State of Mississippi?

2
3 **MR. ELKINS:** General, I'm sorry, and I can't give numbers on
4 that, just mostly because I really wasn't prepared for it, but
5 it can't be good. You know, we've got a lot of people that come
6 down, and the thing to remember here also is that you're not
7 just impacting the charter captains, but you're impacting the
8 people from the hotels and the restaurants and at the shops
9 where their wives go when they're out fishing, and that's the
10 hugest thing that we've got going, is the economic impact that
11 fishing brings to the Mississippi Gulf coast.

12
13 Again, it's just not the fishermen, and that's a big part of it,
14 but that's not the biggest part of it. The biggest part of it
15 is all that surrounding economic development that comes in
16 around that while they're going out fishing and things, and so
17 it's going to be a terrible hit. It's a hit after a couple of
18 terrible years. In 2019, we had the spillway release, and then
19 we had 2020, and gosh knows everybody knows what that was like,
20 and I just don't know how much longer people can stand it.
21 Thank you.

22
23 **GENERAL SPRAGGINS:** I guess what I'm asking there is a question,
24 in a roundabout sense, and since we took the 2019 Bonnet Carre
25 hit in Mississippi and took a drastic hit from that to our
26 fishing and our estuaries, and then we took another hit, during
27 that same time, with having the green-blue algae that devastated
28 us, and then having COVID on top of this, and, just having this,
29 what it would really do detrimental to the State of Mississippi
30 and to our fishermen.

31
32 **MR. ELKINS:** It would be huge, is all I can say. I can't throw
33 a number at it, especially comparing it to the last two
34 devastating years, but it's three devastating years in a row if
35 we go with this, and who can stand that?

36
37 **GENERAL SPRAGGINS:** Thank you, sir.

38
39 **MR. ELKINS:** Thank you.

40
41 **CHAIRMAN FRAZER:** Okay. It looks like we have a question also
42 from Mr. Swindell from Louisiana.

43
44 **MR. SWINDELL:** Thank you, sir. What I really wanted to know is
45 you've got a narrow piece of water between Louisiana and
46 Mississippi, and I'm just wondering, and are you going into
47 Louisiana waters, by any chance, and catching fish that you're
48 taking back, and they're being counted in Mississippi? I was

1 just trying to get an idea of just how much real impact this is
2 going to have on you, if we could work it out some other way.
3 Thank you.

4
5 **MR. ELKINS:** Personally, when I do it, if I'm fishing Louisiana
6 waters, I get on their system, and I haven't done it in Alabama
7 in the last couple of years, but they have a system, and I would
8 go on their system, and well as do Tails 'n Scales. I don't --
9 When I do go into Louisiana waters, I would count them that way,
10 and that's just the way I think it's fair to do. The landing
11 numbers I don't think are exaggerated by that, and I can't speak
12 for how others may do it, but that's just the way that Tommy
13 Elkins, recreational angler, does it.

14
15 **MR. SWINDELL:** I don't know that it helps me any either, but
16 thank you, sir.

17
18 **MR. ELKINS:** Thank you.

19
20 **CHAIRMAN FRAZER:** General Spraggins, did you want to follow-up
21 with another question?

22
23 **GENERAL SPRAGGINS:** Yes, sir. Mr. Elkins, if you come out of
24 Mississippi and go into Louisiana waters, you have to come back
25 to Mississippi to land the boat, and you have to have our Tails
26 'n Scales, and that's the way it operates. If you land the fish
27 in Mississippi, it has to be under Mississippi's Tails 'n
28 Scales, correct?

29
30 **MR. ELKINS:** Yes, sir. I'm sorry. The way I said it exactly
31 didn't make sense, and so I fish out of Mississippi most of the
32 time, and I do Tails 'n Scales then. Sometimes I go stay in
33 Alabama. When I'm fishing out of Alabama, I do their program
34 then, and, if I go out of Point a la Hache or somewhere in
35 Louisiana, I would do theirs, and so I'm multitasking as we do
36 this, and I apology to the council for that, but sometimes it
37 can't be helped, and so I hope I cleared that up.

38
39 **GENERAL SPRAGGINS:** Okay. Thank you.

40
41 **MR. ELKINS:** Thank you.

42
43 **CHAIRMAN FRAZER:** Okay. I am going to wait just a second, to
44 make sure that we don't have any more questions coming from the
45 council. I am not seeing any, and so, again, thank you for your
46 comments, Mr. Elkins, and we'll move on to our next speaker.

47
48 **OPERATOR:** Thank you, sir. Your next speaker will be Mr. Kyle

1 Johnson. Sir, your line is now live. Go ahead, please.

2
3 **MR. KYLE JOHNSON:** Hi, and thank you for having me. My name is
4 Kyle Johnson, and I'm the Ship Island Chapter President for
5 Coastal Conservation Association in Mississippi, and there's not
6 much more that I can say, pertaining to what everyone else has
7 stated about not being for reducing Mississippi and Alabama's
8 snapper allocation, and I'm just going to go ahead and agree
9 with everything that everybody said, because that's what I was
10 going to say.

11
12 Pertaining to some of the questions that were just asked to Mr.
13 Elkins, I think I can really further clarify that, because, even
14 though I am a recreational angler, I am also a full-time charter
15 captain, a state for-hire charter captain, and the percentage of
16 anglers that are going to Louisiana waters, or even Alabama
17 waters, me personally, I think are smaller than you would think.

18
19 We actually have a very good fishery, with our fish havens, and
20 the Department of Marine Resources and General Spraggins have
21 done a good job of creating this great resource for us, and,
22 when you go out there, you go to these fisheries, and you're
23 only fifteen miles past the islands, and, depending on where you
24 launch, an island can only be seven miles from shore, and you've
25 got bay boats out there. You've got twenty-foot bay boats,
26 twenty-four-foot bay boats, and you've got guys that run out
27 there and get their snapper and then come in and get their
28 trout, and I don't think there's a lot of people that -- If
29 they're going to go do some offshore fishing during the summer,
30 the only reason they're going to go for snapper is because it's
31 just going to be add-on thing.

32
33 Like, for me, for instance, I will leave out of here, and, if
34 I'm going to go to Louisiana waters to catch snapper, then I'm
35 going to the Horseshoe Lumps or something to catch tuna, or
36 something, or out to the rigs, past there, and it's just maybe
37 something to add on, and I don't think there's a lot of
38 Mississippi anglers that want to go way out to get just snapper,
39 knowing that they don't have to go that far to get their
40 snapper, and so I just wanted to address that.

41
42 The economic impact I think is going to be huge, and I hear all
43 the time from other sectors about how it's going to affect
44 livelihoods, and, well, you know, sometimes I feel like it's not
45 -- People think that, just because you're a recreational angler,
46 that you're not affecting anyone's livelihood. Well, you're
47 affecting the marinas' livelihood, the guys selling gas, the
48 guys selling bait, the guys selling all kinds of stuff, and I

1 think those livelihoods are going to be affected.

2
3 It's going to be a massive economic impact here to cut it 50
4 percent. I mean, that's a big deal. There's guys who wait here
5 just to go snapper fishing, you know, and that's just going to -
6 - I just would really -- I am pleading with you all to please
7 consider holding off and researching the Great Snapper Recount
8 and just holding off on it, instead of just cutting our season
9 in half.

10
11 Like Tommy said, I've gotten a ton of phone calls, you know, and
12 I've been doing damage control here and trying to explain
13 everything to everybody, and, even when I'm explaining it, it's
14 kind of hard to make sense, knowing that we have one of the best
15 reporting systems in the Gulf, and we're being told we're going
16 back to a system that is not as good, and I would like to
17 commend General Spraggins and the DMR on their efforts in
18 collecting this data.

19
20 Also, like it was stated before, they're doing a great job in
21 checking these vessels. I mean, I get stopped all the time when
22 I went to go snapper fishing, and they're doing a great job, the
23 DMR and the Marine Patrol, at getting at these choke points
24 where these anglers are going, that you have to go past to go
25 through to these fish havens.

26
27 I mean, they're there. They're there, and they're waiting on
28 you, and they want to know your Tails 'n Scales number, and they
29 want to look at your fish, every time, and so I will just ask
30 you to please hold off on this decision and maybe wait for the
31 next round of data to look at, or something, and just please not
32 take away half of this quota. Thank you.

33
34 **CHAIRMAN FRAZER:** Mr. Johnson, we've got a question from Patrick
35 Banks.

36
37 **MR. BANKS:** Thank you, Mr. Johnson, for those comments, and I
38 certainly can understand where you are, in terms of worrying
39 about fish being taken away, and I can agree with that
40 statement, but what I want to try to clarify for you, and I have
41 heard this same statement multiple times over the course of the
42 public testimony here today, and I've even heard it here in
43 Louisiana from one of our own commissioners, and that is that --
44 With calibration, we're going back to a failed federal system
45 and not continuing the state systems that are better.

46
47 I just want to try to clarify that that's not what we're doing.
48 Calibration does not mean that we don't believe the state

1 systems are better or worse, and it's not a matter of whether
2 one system is better or worse, but it's a matter of how they
3 compare to each other. They have to be calibrated against each
4 other.

5
6 Your Snapper Check and the Tails 'n Scales and LA Creel, those
7 are all better systems for counting fish in the middle of a
8 season, absolutely, and I completely agree with that, and we
9 will continue those, but this is a matter of how the way we
10 count fish matches up to the way fish were given to us under the
11 old system, and so it's not an issue of whether it's better or
12 worse, but it's a matter of trying to calibrate between the two,
13 and so I'm just trying to -- Every time I hear those comments, I
14 want to try to maybe make that clarification, just so that folks
15 understand what the calibration means.

16
17 It's not that we're going back to a federal system, and it's not
18 that we're abandoning state counting systems that, in my
19 opinion, are clearly better for counting fish, but it's just
20 trying to understand the comparison or how those two sets of
21 data match up. Thank you.

22
23 **CHAIRMAN FRAZER:** Okay. Thank you, Mr. Banks, for providing
24 that clarification and taking the opportunity to try to make
25 sure that people understand the complexity that we're trying to
26 deal with, and, again, I would agree with you 100 percent.

27
28 I don't think anybody on this council is saying that any of the
29 state data collection programs are inferior to the MRIP program,
30 and they're two different things, and we're trying our very best
31 to make sure that they can talk to one another, so that we can
32 get the most out of this resource for anglers and other
33 stakeholders all across the Gulf of Mexico, and so, again, if
34 people have questions, and they want to, again, try to
35 understand the complexity of those issues, you can certainly
36 feel free to reach out to the council members or write a note to
37 the council, and we'll do our very best to try to get answers to
38 you.

39
40 With that said, I am not seeing any more speakers, and I think
41 that it's 5:30, and I think that we've had a full day today, and
42 so, again, I want to thank everybody for their time, all of the
43 people that were on the line for this public comment period, and
44 it's important to us, and we do take all of these comments very
45 seriously and into consideration as we think about how we're
46 going to make our decisions, and so, with that said, you guys
47 all have a good evening, and we will reconvene tomorrow at 9:00
48 a.m. in the morning.

1
2
3 (Whereupon, the meeting recessed on January 27, 2021.)
4

5 - - -
6

7 January 28, 2021
8

9 THURSDAY MORNING SESSION
10

11 - - -
12

13 The Full Council of the Gulf of Mexico Fishery Management
14 Council reconvened via webinar on Thursday morning, January 28,
15 2021, and was called to order by Chairman Tom Frazer.
16

17 **CHAIRMAN FRAZER:** Good morning, everybody. It's the last day of
18 the week for us, and so I'm sure that everybody is cheery about
19 that. We're going to -- On the agenda, we're going to start off
20 with the Committee Reports, except for we've had a request from
21 Major Skena to give the Louisiana Law Enforcement Update first,
22 because of a scheduling conflict, and so I think I would like to
23 give Major Skena that opportunity to take care of his
24 presentation, and then we'll roll into the committee reports.
25 As soon as we can get Major Skena on the line, we will let him
26 start.
27

28 **LOUISIANA LAW ENFORCEMENT UPDATE**
29

30 **MAJOR SKENA:** I am here. Good morning, everyone. Thank you for
31 adjusting the schedule for me, and I certainly appreciate it,
32 and it couldn't be avoided, and I'm glad that you guys were able
33 to work that out for me.
34

35 I also wanted to thank everyone at the council for honoring
36 Sergeant Scott Dupre yesterday. It was really cool for our
37 agency to be recognized. When hard work doesn't go unnoticed,
38 it's always a great thing, and Scott was extremely ecstatic
39 about the honor, and just seeing him and how he felt about it
40 was really good for the administrators, and we were really
41 happy, and I just wanted to make sure that we conveyed that to
42 you guys, that we certainly appreciate him being recognized, and
43 our agency as well.
44

45 With that, I will get started. I shouldn't take too much of
46 your time, and I will be able to answer -- Hopefully I can
47 answer any questions, if you have any.
48

1 I was asked to provide an update of our JEA program for 2020,
2 and that is the short presentation that you have in front of
3 you. The first slide is basically how many hours that we made
4 during the last JEA year, separated between commercial and
5 recreational. The big difference between this year and last
6 year is, obviously, the pandemic that went on, which you're
7 familiar with, and, probably more importantly, or probably that
8 has just as much effect, if not more, on the State of Louisiana
9 was our extremely active hurricane season.

10
11 I think our agency was required to respond to five different
12 storms, which severely impacted our JEA program and the amount
13 of hours that we actually had to spend to patrol, but, all in
14 all, with those two events, we still managed to put in a lot of
15 hours and make a lot of contacts, as you can see from that
16 slide.

17
18 The next slide is more toward the total contacts between
19 recreational and commercial, and, once again, these numbers are
20 lower than they were from last year, because of those two major
21 events, but still fairly significant, considering that, pretty
22 much March through September, we were engaged in either COVID
23 patrol or responding to all of those hurricanes.

24
25 As a matter of fact, one of our coastal regions in southwest
26 Louisiana, the Lake Charles area, was severely impacted, and a
27 number of personnel were displaced, and the region office was
28 damaged, and we had to vacate the premises for several weeks
29 before we could get that place online.

30
31 We had to patrol a lot of closed areas, as it relates to the
32 state's emergency operation plans at the Department of Wildlife
33 and Fisheries is required to be the lead agency for Emergency
34 Support 9, which is search and rescue, and you can imagine how
35 much time that took us from our normal wildlife duties, but, all
36 in all, I still think we made a significant impact on the
37 recreational and commercial offshore fishing industry.

38
39 The next slide will show you the amount of hours that we spent
40 on administrative issues related to the JEA program, whether it
41 be attending court or report writing and things of that nature,
42 and that number is, I believe, in parity where it normally is,
43 with the amount of patrol hours that we usually go through.

44
45 The next two slides, there's a lot of information there. Slides
46 6 and 7 really get into the meat-and-potatoes of the JEA
47 program, where it breaks down the actual number of vessels and
48 contacts made for the commercial and recreational side, and this

1 slide is the commercial aspect, and I would -- I think the
2 biggest thing that I would like to report in this area is that
3 our commercial compliance is up compared to last year,
4 especially in reef fish, which is where we wanted to make a
5 little bit more of an impact.

6
7 Last year, we felt like our compliance in the reef fish area was
8 lower than we expected, and we put a significant amount of
9 effort there, and we have seen compliance come up in that area.

10
11 The next slide, Slide 7, is the same breakdown, but on the
12 recreational side. The numbers here are pretty good, and we
13 have about the same amount of compliance as we had last year,
14 and we still believe there's a little bit of work to do inside
15 the reef fish area, and, of course, we will continue to work on
16 that, but, all in all, we believe that we are seeing fairly
17 decent compliance in our offshore waters, and, of course, we're
18 going to continue to make those patrols and document violations,
19 to ensure that we get the compliance that we're looking for.

20
21 The last slide is just one case that I wanted to highlight from
22 last year, and this case was called Operation Yellowtail, and
23 the department, especially administratively, are extremely proud
24 of this case. This was made prior to COVID and all of the
25 storms in southwest Louisiana, and we're excited about this
26 case, because it really highlights good old-fashioned game
27 warden work.

28
29 This case started out as a complaint that was suggesting that
30 IFQ violations were taking place, and it was from one of our
31 agents who maintains a lot of informants in the area, and, for
32 those of you that are not familiar with that type of work, it's
33 very difficult to maintain informants and to work with them, and
34 there are a lot of challenges associated with that type of work,
35 and I will spare you the details.

36
37 As I said, once again, the agents involved in this had their
38 work cut out for them. The initial complaint suggested that
39 this gentleman who had purchased allocation was turning off his
40 VMS and not reporting his trips and not reporting his landing
41 locations, in order to catch as much snapper as possible.

42
43 We set up on it, and we were able to observe several trips, and
44 we were close enough to actually count fish and see the over
45 limit, and we were able to document a lot of the violations that
46 were occurring.

47
48 It turns out that he had moved his registered VMS from one

1 vessel to another, and, through work with the U.S. Attorney's
2 Office, they are going to pursue some different charges, as far
3 as this subject removing his VMS, but we wound up charging him
4 recreationally, because he was -- His allocation did not apply
5 in this case, and so we put him fishing out of season and
6 extremely over the limit.

7
8 For the trips that we were actually able to observe and the fish
9 that we were actually able to photograph and put our hands on,
10 five subjects were cited in connection with this case, and
11 eighty-two snapper were seized.

12
13 As I said, we are extremely proud of this case, and this is one
14 of those cases that certainly resonates within the community,
15 the commercial and recreational community, and it's the type of
16 investigation that tends to change behavior, and, for those
17 reasons mentioned, next year, of course, these guys, these
18 agents, that participated in this investigation, I will
19 certainly nominate them for the Team of the Year Award. We're
20 just very proud of that case, and it's unfortunate that that
21 type of thing still goes on, but I guess, if it didn't, me and
22 about two-hundred-and-something other agents in Louisiana would
23 be without a job.

24
25 Anyway, I thank you for your time, and that is the end of the
26 report that I had prepared to explain how our JEA program is
27 going in Louisiana, and, if there are any questions, I will do
28 my best to answer them.

29
30 **CHAIRMAN FRAZER:** Okay. Thank you, Major Skena, for the update.
31 It was, as usual, very informative, and I think I speak on
32 behalf of the whole council when we say that we appreciate the
33 work that you and your team do on a day-to-day basis, and we're
34 certainly proud of Officer Dupre as well for receiving the Law
35 Enforcement Officer of the Year Award, and so congratulations,
36 again, to him and your group.

37
38 Let me see if we've got any hands up, at this point, from folks
39 on the council with any questions. I will wait just a second,
40 to make sure. I am not seeing any hands this morning, Major
41 Skena, and so we will let you get back to work, and I hope you
42 have a productive day, and, again, thank you for the
43 presentation.

44
45 **MAJOR SKENA:** Thank you very much for the kind words, sir, and
46 thank you for all that you guys do. I hope that the rest of
47 meeting goes well, and we look forward to working with you all
48 in the future. Have a great day.

1
2 **CHAIRMAN FRAZER:** All right. You too. Okay. We are going to
3 jump right into our committee reports, and we will start out
4 with the Administrative and Budget Committee Report, and that
5 would be Phil Dyskow. Phil, we'll get the report up, and, when
6 you're ready, go ahead and take it away.
7

8 **COMMITTEE REPORTS**
9 **ADMINISTRATIVE/BUDGET COMMITTEE REPORT**
10

11 **MR. DYSKOW:** Thank you, Tom. Before I begin, I would like to
12 request that we hold all questions until the end of the
13 presentation, in an effort to conserve time. The one exception
14 to that would be the motion that we have to vote on, and so
15 we'll be happy to take all questions, but I would appreciate it
16 if we hold them until the end of the report.
17

18 This is the Administrative/Budget Committee Report from January
19 25, 2021. The committee adopted the agenda as written and
20 approved the minutes of the October 2020 meeting as written.
21

22 In Tab G, Number 4, staff presented the meeting history for the
23 Reef Fish and Shrimp AP panels since the last appointment in
24 2018 and reminded the council the Standing and Special SSCs are
25 up for reappointment this spring.
26

27 However, the committee decided to maintain the standard timeline
28 for the appointment process. Thus, staff will readvertise for
29 appointments of both the Shrimp and Reef Fish Advisory Panels,
30 so that the council can review the applicants and make
31 preliminary selections at the April 2021 meeting. After fishery
32 violation background checks, final selections will be made
33 during the June 2021 meeting.
34

35 In Tab G, Number 5, staff presented the funded and approved 2020
36 budget alongside the actual costs recognized through the end of
37 the 2020 year. We were funded \$3,964,336, and we anticipate
38 that there will be approximately \$848,000 in unexpended funds to
39 carry forward at the end of 2020.
40

41 Most of the unspent funds were left in the travel category.
42 This was due, in part, to the COVID-19 pandemic, which curtailed
43 travel after early March and in part due to the allocation of 39
44 percent of the travel costs to the 2019 no-cost, as they were
45 related to activities approved on that budget.
46

47 Savings in equipment and supplies were also realized, due to
48 utilizing file compression and utilizing extended replacement

1 warranty options to increase the life of many network server
2 components, as well as the decision to lease our new phone
3 equipment, which decreased the frontend cost related to that
4 update.

5
6 Contractual cost savings included activities like training, the
7 council visioning exercise, and the office remodel that did not
8 occur in 2020. Further unspent funds may still be recognized
9 from the state liaison contracts, as the final activity reports
10 for 2020 are received throughout the end of the month. The
11 variance in meeting room costs was due to hosting most meetings
12 virtually, and the communications savings was due to charging
13 part of the virtual meeting costs out to 2015 through 2019 no-
14 cost activity.

15
16 The committee chair inquired about the consideration of funding
17 a portion of the shrimp electronic logbook, which is the ELB
18 program, with unspent 2020 funds.

19
20 In response to the October 2020 committee request for
21 information, staff presented an overview of the potential costs
22 associated with funding a Gulf-wide fishery-independent offshore
23 abundance study on red drum. The estimate was based on an
24 extrapolation of cost details from a west central Florida based
25 red drum spawning aggregations and abundance study, which was
26 conducted from 2012 to 2014 by Barbieri et al. in 2018.

27
28 The annual cost of funding a similar study was estimated to be
29 \$632,350 for each section of the Gulf studied. The Gulf would
30 either be separated into three or four regions, and the study
31 would need to run at least three years to obtain useful data.
32 As this would be a multiyear project, the total funding required
33 would be \$5.6 to \$7.5 million.

34
35 Discussion about the potential project included questions of the
36 feasibility of conducting partial studies, completing the study
37 using limited methods, and the main purpose of conducting this
38 type of study for management. **The committee recommends, and I**
39 **so move, to strike the red drum abundance proposal from**
40 **consideration in the 2021 plan.** Mr. Chairman.

41
42 **CHAIRMAN FRAZER:** Okay. Thank you, Mr. Dyskow. We have a
43 committee motion on the board. Is there any further discussion
44 of that motion? **Hearing none, or seeing no hands, is there any**
45 **opposition to the motion? Hearing none, the motion carries.**
46 Mr. Dyskow.

47
48 **MR. DYSKOW:** Thank you, Mr. Chair. In response to the October

1 2020 committee request for information, staff presented an
2 overview of the potential costs associated with conducting or
3 funding an independent stock assessment for gray triggerfish.

4
5 The last approved stock assessment ended in 2015 and indicated
6 that gray triggerfish was not overfished or undergoing
7 overfishing. However, the stock remains in a rebuilding plan.
8 An interim analysis was conducted in 2020, and the council is
9 scheduled to take final action to increase catch levels at this
10 meeting. The estimated cost for conducting a stock assessment
11 by an independent contractor was \$175,000 to \$205,000, based on
12 a NOAA contracted standard-track stock assessment for sandbar
13 sharks.

14
15 Some considerations are hiring a contractor would not relieve
16 all of the workload from the Southeast Fisheries Science Center,
17 and data providers would still need to obtain complete updated
18 indices, landings, discards and biological information.

19
20 Further, outstanding research questions remain for gray
21 triggerfish since the aborted SEDAR 62 assessment, including
22 improved age and growth studies. Since this information would
23 come from existing source data, any analysis, at present may not
24 result in better-informed management advice.

25
26 One committee member suggested that staff compile a list of
27 research priorities for gray triggerfish, with estimated costs,
28 and gather SSC feedback. After the meeting, staff contacted a
29 member of the SSC, who suggested an ageing validation study on
30 gray triggerfish could be conducted in the eastern Gulf (Alabama
31 and west Florida) for \$250,000 to \$275,000. Staff will continue
32 to work on this request and bring a list of research priorities
33 back to the committee at a later date.

34
35 At the end of the committee meeting, the chair requested staff
36 provide a dollar figure that could be contributed to the shrimp
37 ELB program for effort data collection from the unspent 2020
38 funds.

39
40 After the committee meeting, staff contacted Dr. Benny Gallaway
41 regarding the pilot project he is conducting for the shrimp
42 industry using P-Sea WindPlot. Based on the presentation
43 presented by Dr. Gallaway in November of 2020, the pilot program
44 expanded to one-third of the shrimp fleet, about 577 vessels
45 that are actively fishing, would cost one million dollars. If
46 the council would like to explore cost-sharing of an expanded
47 pilot program for the Shrimp ELB, that could be discussed at a
48 future date.

1
2 All of those vessels are anticipated to already have P-Sea
3 WindPlot software, based on the discussions they have had with
4 shrimpers. They will be providing the software update to those
5 fishermen and helping to install that update, as needed. If the
6 fishermen's hardware is too old, or not compatible with the P-
7 Sea WindPlot software or the update, then the fishermen will
8 need to get something newer that is compatible. The Shrimp AP
9 and council are slated to receive information on the pilot
10 program study in March and April, respectively. Staff can
11 continue to work with Dr. Gallaway to refine these values and
12 cost estimates moving forward.

13
14 Staff noted that approximately 40 percent of the anticipated
15 funding was received for the 2021 year, to date. A detailed
16 review of this subject was curtailed, in the interests of time.
17 The final activities and budget will be provided for the council
18 to approve once the final 2021 funding is known.

19
20 Mr. Strelcheck from the Southeast Regional Office requested
21 financial assistance from the Gulf Council to support a
22 modification of the permit software programs which cover the
23 Gulf, South Atlantic, and Atlantic HMS. He noted that the SERO
24 budget shortfall for this item is projected to be \$475,000.

25
26 The 2021 projected council budget currently includes \$94,000 in
27 the contracted services line in support of this activity. Based
28 on staff's analysis of the council's activities and anticipated
29 1 percent budget increase in 2021, the council could comfortably
30 provide \$94,000 to SERO at this time for these efforts.

31
32 Depending on when travel can resume, this could result in less
33 funding for other contractual projects that were discussed, such
34 as the gray triggerfish research and the shrimp ELB. A decision
35 would need to be made at this council meeting, before the funds
36 are distributed to the council by spring.

37
38 The Committee requested that staff bring to the Full Council
39 session information on the following subjects: a budget estimate
40 for a reduced gray triggerfish assessment; the dollar figure
41 that could be contributed to the shrimp electronic logbook book
42 effort program; and the dollar figure that could be contributed
43 to the SERO permit software. We have attempted to fulfill each
44 of those three requests by topic, as outlined in this report.
45 Mr. Chairman, that concludes my report.

46
47 **CHAIRMAN FRAZER:** Okay. Thank you, Mr. Dyskow. So are there
48 any questions from the council, based on the report or any other

1 business that is administrative or budget in nature? Ms.
2 Bosarge.

3
4 **MS. BOSARGE:** Thank you, Mr. Chairman. I just wanted to kind of
5 maybe elaborate on the figure that was in the presentation for
6 shrimp. That one million, yes, that is a number for one of the
7 years of the study, and remember this was a multiyear faceted
8 program that Dr. Gallaway had laid out to run, and, right now,
9 we're in the very --

10
11 Well, we're just finishing up the very first phase that was
12 funded by industry, at I think \$327,000, or somewhere in that
13 neighborhood, between \$325,000 and \$350,000, and that phase was
14 to get with the P-Sea WindPlot developer and actually modify the
15 software, so that it would record the same information as our
16 existing CELB program, that location data at ten-minute
17 intervals, in a way that would be compatible with the existing
18 software routines that NMFS uses to calculate shrimping effort.

19
20 Dr. Gallaway did that, and the industry has actually paid for
21 that software, so that it will be free when the time comes for
22 the shrimpers to download it onto their current P-Sea WindPlot
23 software, as an upgrade to it, and it will be free to them, and
24 then Dr. Gallaway actually took that and put it on two boats,
25 just to test the efficacy of the software, to make sure it
26 performed and functioned in the ten-minute intervals.

27
28 That's what has been done thus far, and that was four months'
29 worth of work, and that's what industry paid for. Now, what was
30 proposed by Dr. Gallaway next was an additional couple of years'
31 worth of work, but, this year, the 2021 year, the year we're in
32 right now, he actually took that and broke it out into two
33 sections, and so that was what I was proposing that we evaluate
34 for these carryover funds, and so that would not be the \$4
35 million that was mentioned in the report.

36
37 That would be \$327,000, and what he would do is now he will take
38 that software and actually put it on about between twenty-five
39 and fifty boats, and this is the actual offshore testing it
40 during actual commercial shrimping operations, to work out any
41 bugs that may be there between the different boats in Texas
42 versus Florida versus wherever, as well as ensuring that -- As
43 you well know, we have a large portion of our industry that is -
44 - That is Vietnamese, or Asian, because there are some other
45 than Vietnamese, but it's predominantly Vietnamese, and we want
46 to make sure that we pull them into this study, just to make
47 sure that their operations don't differ in some way that may
48 cause a glitch somehow.

1
2 We have to make sure that the computers and the Windows versions
3 that they're using on their computers, that everything jibes,
4 which it should, but so that's what the additional \$325,000
5 would be, is to actually get that software offshore, on about
6 twenty-five to fifty vessels, and have that data come in and
7 work through any kinks we have with the actual offshore
8 operation, and then to focus on the actual transmission of that
9 data to National Marine Fisheries. That would be an additional
10 four months, and that figure is the \$327,000, and so it's not
11 the full million.

12
13 **MR. DYSKOW:** Thank you, Leann. That's been very helpful,
14 because I was personally in the dark on exactly what the ask was
15 for, and, staff, do we have the information that we need to work
16 with Dr. Gallaway to refine the values, moving forward, to come
17 up with a number? I guess I'm asking this question of Carrie.

18
19 **CHAIRMAN FRAZER:** Go ahead, Carrie.

20
21 **EXECUTIVE DIRECTOR CARRIE SIMMONS:** Thank you, Mr. Chair. Yes,
22 I think we do. Yes, we need to continue working with him, and
23 we need to work with the Science Center as well and staff on
24 some of this. Thank you.

25
26 **MR. DYSKOW:** Once again, to clarify, Dr. Simmons, this is just
27 an ongoing request, and we're looking for more information, and
28 we haven't voted it up or down, and is that correct?

29
30 **CHAIRMAN FRAZER:** That's correct.

31
32 **MR. DYSKOW:** All right. Thank you.

33
34 **CHAIRMAN FRAZER:** Next on the list is Susan Boggs.

35
36 **MS. BOGGS:** Good morning. Thank you, Mr. Chair. I've got
37 several questions. The first thing it looks like maybe we need
38 to address is the funding to SERO if we want to fund that
39 \$94,000 for the permit software program.

40
41 The more overall general question that I have of anything that
42 this council chooses to fund is what happens if we start a
43 project and we can't finish it, or we supplement a project and
44 we send that money, and I'm not picking on the shrimpers, Leann,
45 but you were just talking about it, and so they need \$327,000 to
46 get to this point, or even SERO getting \$94,000 to get to this
47 point, and then what happens?

1 I mean, I understand money typically can be found, but I just
2 want to make sure, whatever this council decides, is that we're
3 spending our money effectively to get a means to an end that we
4 can -- You know, whatever we fund is able to carry on, and I
5 just was curious if anyone had any response to that. Thank you.

6
7 **CHAIRMAN FRAZER:** Susan, I think what I would like to do, if
8 it's okay, and I think let's work through a couple of questions.
9 We have three items, really, for consideration here, and so I'm
10 hoping, as part of this particular discussion, to kind of work
11 through the questions and then perhaps outline, or provide, a
12 path forward after that, if that's okay with you.

13
14 **MS. BOGGS:** Yes. Thank you.

15
16 **CHAIRMAN FRAZER:** So we'll go to Kevin Anson next.

17
18 **MR. ANSON:** Thank you, Mr. Chair. Good morning. I just wanted
19 confirmation, and I believe it will match up, but, in the
20 reference to the ageing validation study that's in the report
21 that staff received an estimate from an SSC member, that's the
22 bomb radiocarbon dating method, or utilizing that as part of
23 that study, and is that correct, or does that not include that?

24
25 **CHAIRMAN FRAZER:** I am going to ask Dr. Simmons to weigh-in on
26 that.

27
28 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. That is not
29 necessarily that method, but that's just validation of ageing
30 using the method most appropriate for gray triggerfish that this
31 particular researcher was proposing. That may include that
32 particular method or not.

33
34 **MR. ANSON:** Can I follow-up to that, Mr. Chair?

35
36 **CHAIRMAN FRAZER:** Go ahead, Kevin. Sure.

37
38 **MR. ANSON:** So I'm sure staff is fully aware, and we need to be
39 aware going forward, but, to the extent that those methods will
40 provide some sort of guarantee, or reasonableness, that they are
41 effective for gray triggerfish, obviously, we need to spend the
42 money on those methods that the SSC, or scientists in the field,
43 feel most confident that that would be appropriate for ageing,
44 and I know it's a no-brainer, but I just wanted to say that.
45 Thank you.

46
47 **CHAIRMAN FRAZER:** Thank you, Mr. Anson. Next is Ms. Guyas.

1 **MS. GUYAS:** I guess, at this point, I just wanted to weigh-in on
2 I guess some of these different priority ideas that we have
3 here, and so I was at the last triggerfish assessment, and I
4 know Susan was there, and this is the failed assessment that
5 isn't really talked about in this report, but I think it's
6 really important that we try to fill some of these data gaps, so
7 that we can have a useful assessment for this stock.

8
9 I mean, I'm glad that we're able to do these interim analyses,
10 and I think that's a huge help, but I think we need to have a
11 better picture of what's going on in this fishery, and so I
12 think that would be my number-one priority.

13
14 Certainly we're in a tough place with shrimp ELBs right now too,
15 and so I'm certainly still interested in exploring that option
16 as well, especially now that Leann has explained a little bit
17 more about what the ask of the council would be here, and so I
18 just wanted to weigh-in on that at this point. Thank you.

19
20 **CHAIRMAN FRAZER:** Thank you, Ms. Guyas. Mr. Riechers.

21
22 **MR. RIECHERS:** I will reiterate Martha's comments there, in some
23 respects, and certainly the gray triggerfish and the costs
24 associated with that, and, as Kevin said, really actually
25 determining what is the most priority items to pull out of that
26 suite of possible studies that we may want to do.

27
28 The other part is, on the shrimp ELBs, I hearken back to when
29 basically the ELB program was -- I won't say taken away, but
30 changed, and there were some sampling issues, and some other
31 issues there, and I thought, when we had Benny present that
32 before, or, Leann, when you presented it, I thought we were
33 going to try to get a more detailed -- Maybe it's there, and we
34 just haven't gotten it all, but that work with SERO and a more
35 detailed budget.

36
37 I would really like to get that back to us to support that we've
38 got to do that work, and, if it's an ELB-type approach again,
39 that's fine by me, and it was working before, and it's shame --
40 It seems like it's a shame now that we went away from it, even
41 though we thought we were making a technological leap.

42
43 The other part, and I'm going to go back to committee just a
44 little bit and reflect on some of Martha's comments at that
45 time, is, basically, the South Atlantic, apparently, did not
46 choose to fund the Permits Office software, and I fully
47 understand, being in an agency that's going through many of
48 these same issues with permit systems and license systems, where

1 software has just become outdated, and you're now having to
2 reinvest in new technology and update systems, and so I
3 understand the cost there.

4
5 I do share some of the precedent and the concerns about coming
6 to the council, and I realize it's a different time, because we
7 have some rollover money, but I guess -- I see Andy on the
8 screen behind me here, but I would ask, since this is funds that
9 come through National Marine Fisheries Service, in some sort of
10 grant format, to the councils, and, I mean, couldn't you have
11 just not -- Reduced the grant coming forward, instead of coming
12 now and asking? I mean, it seems to me there was a way to do
13 this without making it council business, but it's just curiosity
14 there.

15
16 **CHAIRMAN FRAZER:** Andy.

17
18 **MR. STRELCHECK:** Thanks, Chairman. Robin, I reached out to both
19 the Executive Director of the South Atlantic Council and Gulf
20 Council prior to the December meeting and discussed this
21 extensively with them. In terms of our conversation with Carrie
22 and John, they thought it would be a good thing to bring it
23 forward to the Full Council for discussion, and so that's why
24 we're talking about it with you.

25
26 The money that we're talking about, if you dedicated some
27 funding to the permit system, is money that is directly provided
28 in the Southeast Regional Office budget, but then is essentially
29 -- I will use the term "earmarked" to go directly back to the
30 councils, and so it's not coming from the line item in the
31 congressional budget that is specific to the council, and it's
32 actually fisheries-based funding that comes to the Fisheries
33 Service, and then it gets transferred out.

34
35 There is precedent, and there is allocations that are decided
36 and agreed upon through the CCC coordination process, and so
37 that's why I think it's important to be transparent about this
38 and have the conversation with the council, in order to discuss
39 any decision that you would like to make with regard to
40 supporting this or not. I guess, Robin, do you have any further
41 comments, or did you want to add a couple other thoughts on this
42 one?

43
44 **MR. RIECHERS:** No, and that -- I mean, you answered it. It is
45 coming through your office, but it's already earmarked to go to
46 councils, as opposed to some discretionary funds that you
47 typically would decide how to use, at least from what your
48 explanation was. Like I said, I may not have heard that right

1 in committee, and so, no, go ahead.

2
3 The only other thing that I might ask that you might share, when
4 you give your other remarks here, is we're talking about
5 \$94,000, and what is the entire Southeast Fisheries Regional
6 Office budget?

7
8 **MR. STRELCHECK:** Well, it's over \$30 million, but a lot of that
9 is going out to the councils and other grant programs, and so
10 it's considerably less than that, and that includes not just
11 fisheries, but Protected Resources, Habitat Conservation, and
12 our operations budget.

13
14 The comment that I wanted to add is I apologize, and I may have
15 misspoken. I noticed in the minutes that the projected
16 shortfall was listed at \$475,000. I believe I said that the
17 Phase 2 costs, which is what we're talking about for this
18 project, were estimated to range from \$500,000 to \$600,000, and,
19 right now, we're projecting a shortfall of about \$250,000 to
20 \$300,000, and so I would just ask that that be updated.

21
22 I also want to just point the council to information that I
23 shared with Carrie Simmons and that was distributed to council
24 members, which just provides more details with regard to the
25 project, the benefits of the project, and really the specifics
26 with regard to the software automation and what we're trying to
27 accomplish, so that you have a better sense of what this funding
28 would be going toward if you choose to support the funding.

29
30 **CHAIRMAN FRAZER:** Okay. Thanks, Andy. It looks like we have a
31 couple of other hands still, and we'll go to Clay.

32
33 **DR. CLAY PORCH:** Thank you. So two points. First, I didn't
34 really understand, and I don't remember from the conversation,
35 this budget estimate for a reduced gray triggerfish assessment.
36 Any way you cut it, there's not going to be any reduction on our
37 side, as far as the data provision goes, and so, no matter what
38 you do there, there will still be a slot for SEDAR that has to
39 be dedicated to that.

40
41 It might give us at the Science Center some relief, in the sense
42 that a lead analyst wouldn't be required, although they may
43 still have to provide some supporting role, and so I just didn't
44 understand exactly what that meant. However, I do support the
45 idea of funding a research program to do the bomb radiocarbon
46 dating for ageing for gray triggerfish.

47
48 Then the second point that I wanted to make has to do with the

1 various shrimp proposals that we've been talking about, and you
2 will recall, with the CELB, the cellular electronic logbook,
3 program we have, they stopped transmitting back in December, and
4 so we have to collect all of that information from the old 3G
5 units manually, until we can get a new system in place, which is
6 one of the things that LGL is trying to evaluate with the P-Sea
7 WindPlot procedure and allowing that to transmit.

8
9 In the meantime, we have the information being collected on
10 those 3G units. The problem is we need to retrieve it, and,
11 like the Regional Office, the Southeast Science Center received
12 some significant budget cuts this year, and so we're in a little
13 bit of a struggle to figure out how we're going to be able to
14 hire some folks to go out and help us retrieve those, and so I
15 think it would be really helpful if the council could at least
16 consider -- When they consider this contract as Leann described
17 for LGL, maybe adding a bit to facilitate the gathering of the
18 information from the 3G units. Thank you.

19
20 **CHAIRMAN FRAZER:** Thank you, Dr. Porch. We're going to go back
21 to Leann and then Dr. Simmons. Ms. Bosarge.

22
23 **MS. BOSARGE:** Thank you, Mr. Chairman. Dr. Porch, I think Benny
24 spoke to that, in one of his presentations anyway, and said that
25 they would be willing to talk to you about that and try and
26 figure out exactly what that would entail and what that cost
27 would look like, but they are more than willing to do that,
28 especially since they will be going out to some of these boats
29 anyway in that second phase, the next four-month phase that we
30 were just talking about.

31
32 The only thing that I wanted to address in my comments was
33 Susan's reservations about funding something that we couldn't
34 fund all of, and I completely understand that, Susan, and so I
35 will do my best to kind of explain my understanding of the
36 program and where we're at.

37
38 It's sort of similar to what we talked about in that red drum
39 presentation, where you have the Cadillac version and then you
40 have other versions that you could move to, and so what we need,
41 in order to get this project to a point where NMFS has the
42 possibility, if they have the funding, that they have the
43 possibility of actually logistically taking that program and
44 trying to scale it up to the one-third of the fleet that
45 currently has logbooks on it.

46
47 We have to do at least these next four months, and we've got to
48 get it on those twenty-five to fifty boats, and we need to

1 include the Vietnamese fleet in this and make sure that, on the
2 water, this thing functions for the fishermen like it's supposed
3 to, as well as for NMFS like it's supposed to, and work out that
4 transmission element of this, so that we have to do that, in
5 order to get it to a point where NMFS could take it and run with
6 it, hopefully.

7
8 Now, the rest of that money, that is more the Cadillac version,
9 and it would be nice, and there are some things in there that
10 probably need to be revisited, and so some of that is -- If you
11 remember, Kevin even brought up some comments last time about
12 the random sample that we have, that we've been using, for
13 putting these devices on the boat.

14
15 It's been in place for a long time, and it's a static sample,
16 and he wanted to go back and look at that sample and look at the
17 ports and look at the active vessels and where they're landing
18 and where they're ported out of and make sure that we really
19 have that sample representative of where it needs to be at this
20 point in time.

21
22 Part of money was for things like that. Would that be nice?
23 Most certainly. It would be wonderful, and we would love to do
24 that. Do we absolutely have to do that to continue getting the
25 data that we've been getting? No, we don't.

26
27 Hopefully, at some point in the future, we will have funding to
28 roll with the rest of those items that we wanted to address in
29 the rest of the program, I mean the rest of Benny Gallaway's
30 project, but it's not necessary that it has to happen in order
31 to at least keep what we have right now functioning and data
32 coming into NMFS the way they've been getting it, and so I hope
33 that explains it for you, Susan.

34
35 **CHAIRMAN FRAZER:** Thank you, Ms. Bosarge. I have a quick
36 question, before I go to Dr. Simmons. In the absence of getting
37 this program up and running, what is the plan to collect effort
38 data from the shrimp industry, and I guess I will direct that to
39 Dr. Porch.

40
41 **DR. PORCH:** Thank you, Chair. As I said, right now, we still
42 have all the old 3G units on the vessels, and we actually have
43 additional 3G units that could replace any that are starting to
44 malfunction. We have quite a few in storage, and so we can
45 maintain that program for quite a few years. The problem is
46 they just don't transmit anymore, because it's 3G, and they
47 stopped supporting that in December.

1 That means we have to manually download the information on a
2 thumb drive or something, and then we'll have the information
3 that we can run through the algorithm to estimate effort, and so
4 the program will continue with the existing software for the
5 foreseeable future.

6
7 We would like to move to something that can transmit
8 electronically, which would make this whole process cheaper and
9 more seamless, and that's where something like what Leann and
10 Benny Gallaway have been describing could come in, and it could
11 be one of the options that the shrimp fishery could use to
12 report the position information electronically.

13
14 I mean, there is several other options, as you all know, that
15 are available through the SEFHIER program and other electronic -
16 - The commercial electronic logbook software vendors, and so
17 there's many options out here, and P-Sea WindPlot seems to be
18 one of the ones that is best for the shrimp fishery, and so, if
19 they can get that software set up that it transmits information,
20 then it could be a substitute for what we have been doing with
21 the 3G units.

22
23 So, in direct answer to your question, our plan was to try and
24 have a combination of contractors and permanent employee port
25 samplers go to the vessels and collect information, or have the
26 shrimp fishermen download the information themselves and mail it
27 to us, or perhaps mail it to the Atlantic States Fisheries
28 Commission, and we may be able to set up an electronic link,
29 where they could upload it to a secure site, and that's all in
30 the works and in negotiations.

31
32 There is a way to get the information, to continue getting
33 effort information, and what we think right now is the most
34 viable way for this year is to have folks mail in things to us,
35 or we physically go and get the information, but, if we
36 physically have to go to all the vessels, that's a time
37 commitment, and, right now, we're not sure that we have the
38 funds to actually hire additional contractors to go do it.

39
40 That's why I was saying that, if the council considers funding
41 this sort of slimmed-down version of analyzing the P-Sea
42 WindPlot software and getting that able to transmit, then, since
43 people are going to be out on the vessels anyway, if we could
44 add a little bit to allow them to collect that information and
45 transmit it to us, and that would be extremely helpful. Then,
46 the vessels that are not part of the study, we'll try and cover
47 by other means.

1 **CHAIRMAN FRAZER:** Thank you, Dr. Porch. That was very helpful.
2 Dr. Simmons.

3
4 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. I think,
5 back to Mr. Strelcheck's point and Dr. Porch, we can fix the
6 report. Bernie, there is two sections, and he noted the SERO
7 budget shortfall for this item is projected to be -- You said
8 \$250,000 to \$300,000, and then I believe the bulleted item you
9 were referring to should say a budget estimate for gray
10 triggerfish research priority, and so we can fix that and
11 redistribute.

12
13 I wanted to let the council know that we did have a meeting of
14 the Council Coordinating Committee on Tuesday evening, and we
15 were informed of our final 2021 funding, and, obviously, we will
16 be bringing this back to you, but I wanted to let everyone know
17 that we do know that final number now, and it's going to be
18 \$3,999,000, compared to 2020, which was \$3,964,000, and so
19 that's about a \$35,000 increase more than 2021, and so that's
20 not quite a 1 percent increase across all items, but I wanted to
21 let you know that, and so thank you.

22
23 **CHAIRMAN FRAZER:** Okay. Thank you, Dr. Simmons. I think we
24 have a couple of things here that we probably should try to
25 resolve, and so we've got -- If we could pop down to the bottom
26 of that committee report.

27
28 I guess, if we would like to resolve the SERO budget request, we
29 should entertain a motion to do so, given that's the most time-
30 sensitive one, I guess, but you could argue that they're all
31 time sensitive in one way or another, and so is there an
32 appetite to move forward on any of these bulleted items from the
33 council? Ms. Bosarge.

34
35 **MS. BOSARGE:** Well, I mean, obviously, I'm in favor of moving
36 forward with shrimp, but, honestly, I think all three of those
37 are an excellent way to allocate our carryover funds. Yes, it
38 would be nice to make a decision on shrimp today, but I don't
39 expect that. I mean, I would assume that the rest of the
40 council would probably want to see that stuff in writing, and I
41 don't blame them one bit.

42
43 However, if we do move forward with SERO today, I mean, that's
44 going to take money off our budget, and I just want to make
45 sure, if we did move forward with the SERO permit request today,
46 that it doesn't somehow affect what we have left to play with
47 for gray trigger and for the shrimp ELB logbook effort, because
48 I think both of those are extremely important.

1
2 **CHAIRMAN FRAZER:** Thank you, Leann. Just to clarify for the
3 council, the SERO request is not coming from carry-forward, and
4 it would come out of our 2021 budget, and so the other two items
5 are eligible for those carry-forward dollars. I see Joe
6 Spraggins.

7
8 **GENERAL SPRAGGINS:** Mr. Chairman, thank you. I would like to
9 see the budget estimate for the gray triggerfish research
10 priority go forward, and I think that is a small amount of
11 money, and I think it's less than \$300,000 to carry, if I'm
12 correct, and is that right?

13
14 **CHAIRMAN FRAZER:** Dr. Simmons.

15
16 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. General
17 Spraggins, I really think we need to look into it in more detail
18 and bring it back to you. That's what we're estimating right
19 now. Thank you.

20
21 **GENERAL SPRAGGINS:** I would like to see that go forward, if
22 possible, because it is something that we need to look at, and
23 it's a small amount of money compared to -- You know, we do have
24 some left over, I think eight-hundred-plus-grand, and it would
25 just be a small -- Maybe a third of it or something to that
26 effect, but that's just my thoughts, if we could get some
27 support for that.

28
29 **CHAIRMAN FRAZER:** I think what we can do, General Spraggins, is
30 work with staff to get a better idea of the actual cost of the
31 triggerfish study, and we can bring that back at the next
32 council meeting, and so we'll make that request, and then I'm
33 going to ask a quick question for Dr. Simmons. When is the next
34 time that the Shrimp AP meets?

35
36 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. I believe we
37 have a meeting scheduled for March 24, or around then, and is
38 that correct, Bernie? That information will be going to the
39 council in April. It's in March.

40
41 **CHAIRMAN FRAZER:** Then I have a follow-up question, I guess, for
42 Ms. Bosarge. Are we in a position to benefit from the input
43 from the Shrimp AP at that March meeting before we actually make
44 this decision with regard to funding, in your opinion?

45
46 **MS. BOSARGE:** As far as timing, you're talking about?

47
48 **CHAIRMAN FRAZER:** Yes.

1
2 **MS. BOSARGE:** Yes, and, you know, at this point, Tom, I would
3 love to see it be seamless, and we're just finishing that first
4 four months, and roll right into the next four months, but that
5 is fine, if you want to get some input from the Shrimp AP, and
6 some of those members have actually been working with Dr.
7 Gallaway, and so I'm sure they would have some valuable feedback
8 on that. Then, at our April meeting, maybe we could make a
9 final decision, and I think you would have most of those dollars
10 in front of you at that point, all the information at your
11 fingertips, and I think that would be great.

12
13 **CHAIRMAN FRAZER:** Okay. I am going to suggest, based on the
14 comments thus far, that we get some additional information on
15 the triggerfish ageing study, and we'll get some benefit and
16 input from the Shrimp AP Committee, and we'll discuss these two
17 items in more detail and hopefully come to a resolution at our
18 April meeting, but still on the table, I guess, and it is time
19 sensitive, is the SERO request to essentially help with the
20 permit reporting software update, and so is there -- Again, I'm
21 going to reach out to the council members and ask if anybody
22 wants to make a motion in that regard.

23
24 **MS. BOGGS:** Tom, I will make the motion.

25
26 **CHAIRMAN FRAZER:** Okay.

27
28 **MS. BOGGS:** I'm sorry, and I didn't know if you were going to go
29 down a hands list or if you were asking specifically for the --

30
31 **CHAIRMAN FRAZER:** Let's go ahead through the list, and I will
32 come right back to you, but be prepared for that.

33
34 **MS. BOGGS:** Yes, sir.

35
36 **CHAIRMAN FRAZER:** Martha, I see your hand was up, and I
37 apologize for skipping over you.

38
39 **MS. GUYAS:** No, that's okay, and I was trying to get to the same
40 place you were just now with triggerfish and shrimp ELB, to get
41 more information on those, and so, if that's the plan, I am
42 onboard for that.

43
44 **CHAIRMAN FRAZER:** Thank you. Mr. Swindell.

45
46 **MR. SWINDELL:** Thank you, Mr. Chairman. I was just sitting here
47 listening to all this conversation about what to do next with
48 these leftover funds that would be the most efficient and best

1 use for the money that we have, and I'm just wondering, is there
2 not any way that any of these funds could be spent to help us
3 speed up the red snapper count assessment business that would
4 help our real big issue here with this red snapper count and the
5 funding for our issue there with Mississippi and Alabama,
6 particularly, and is there any way that -- Does anybody have an
7 idea of what can be done to increase the Red Snapper Count that
8 these funds could be used for? Thank you.

9
10 **CHAIRMAN FRAZER:** I am going to just take the liberty, I guess,
11 and speak on behalf of some of the folks that are involved here,
12 and I don't -- I mean, I don't think there's anything that we
13 could do to help speed up the production of the report, and
14 that's in the hands of the investigators, and I think that
15 they're working as hard as they can.

16
17 We have scheduled already and then allocated dollars for an
18 independent review of that report, and there are meetings
19 scheduled as well with the SSC and the Science Center to pursue
20 the interim assessment and include the results, or findings, of
21 the Great Red Snapper Count, if they're appropriate. Again, I
22 think Clay would agree with this, and I don't think that we're
23 going to be able to infuse any money that's going to speed this
24 process up, but I do appreciate the interest in time, Mr.
25 Swindell, in trying to do that. I am going to come back to Ms.
26 Boggs. If you wanted to make a motion, I will entertain one.

27
28 **MS. BOGGS:** Okay. Well, first, what I would like to say is I'm
29 completely onboard with, of course, the gray triggerfish and the
30 shrimp ELBs. With the ELBs, we're coming into -- We're not
31 coming into, but we're in the electronic age, and we have to
32 keep up with the technology, as painful as that may be, and so,
33 with that being said, I have actually been a part of the SERO
34 permits software.

35
36 The company that's working with them to build the software has
37 reached out to me, because I am a permit holder. In light of
38 some of the devastation that we've had in the past year, with
39 the hurricanes and such, and people worried about not getting
40 their permits renewed in time, and having to make exceptions for
41 those that are in limbo, and this would certainly help those
42 types of efforts.

43
44 It's not coming out of the carry-forward funding, and staff is
45 saying that they're comfortable to provide this funding. **With**
46 **that, I would make a motion that the Gulf Council contribute the**
47 **\$94,000 to the SERO permit software program.** Thank you.

1 **CHAIRMAN FRAZER:** Thank you, Ms. Boggs. We'll get that motion
2 up on the board, and, as we're doing that, I will ask if there's
3 a second for that motion. I just wanted to make sure that, in
4 the motion, it indicates that it's coming from the 2021 budget.

5
6 **MR. ANSON:** I will second for discussion.

7
8 **CHAIRMAN FRAZER:** Okay, and so it's seconded by Mr. Anson. Is
9 there any further discussion? I see Mr. Dyskow's hand is up.

10
11 **MR. DYSKOW:** Thank you, Mr. Chair. I would like, and perhaps
12 Carrie can do this, but a confirmation of what the other two
13 councils, the Southeast and the Mid-Atlantic, have decided in
14 regard to funding this. Have they agreed to provide funding, or
15 have they declined to?

16
17 **CHAIRMAN FRAZER:** Dr. Simmons and then perhaps Mr. Strelcheck as
18 well.

19
20 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. I don't
21 believe the South Atlantic Council has made a decision yet, and
22 I believe they're going to discuss this again in March, but I
23 will defer to Mr. Strelcheck. As far as the Mid-Atlantic
24 Council, I don't know that they have been asked to contribute.

25
26 **CHAIRMAN FRAZER:** Andy.

27
28 **MR. STRELCHECK:** We have not reached out to the Mid-Atlantic
29 Council to discuss funding this effort, and we did talk to the
30 South Atlantic Council at their December meeting. They
31 declined, at least at that point, to provide funding support,
32 and they had a number of other budgetary initiatives that they
33 wanted to focus on and support.

34
35 Like you guys, they discussed what they were going to use
36 carryover funds for, and they just opted not to support the
37 effort at that point. I don't know if this is on the March
38 agenda or not, and I still have to follow-up with John
39 Carmichael.

40
41 **CHAIRMAN FRAZER:** Thank you, Mr. Strelcheck. We've got three
42 hands up, and we'll go to Leann and then Martha and then Kevin.
43 Ms. Bosarge.

44
45 **MS. BOSARGE:** Andy, I'm trying to be proactive here, and so, if
46 we do approve this, as you upgrade that software program, and
47 I'm thinking back to the SEFHIER presentation that we had
48 yesterday about not having any cellular vendors yet, and so

1 their effort data, unless they are using a VMS, there is not a
2 mechanism really for them to transmit, unless they have the VMS.

3
4 Now, hopefully you will get some cellular providers, but it's
5 the same kind of issues that we see on the shrimp side too, in a
6 way, and so I say all of that to say, as you upgrade this
7 permits website, on that website, fishermen have the ability to
8 upload an attachment and submit it to NMFS, and that is one of
9 the issues with submitting things electronically, via email and
10 such to NMFS, is that what if it has -- What if it's
11 contaminated, and has a virus, and so look into that, and, if
12 there's any way to add extra capacity to that site, in case
13 either the for-hire fleet or the shrimp fleet needs to submit
14 their effort files electronically that way to NMFS, through a
15 portal of some sort, then it maybe will have in there in place,
16 so that that could happen. If you'll just entertain that notion
17 and look into it, I would appreciate it.

18
19 **CHAIRMAN FRAZER:** Mr. Strelcheck.

20
21 **MR. STRELCHECK:** Thanks, Leann, and certainly I will talk to our
22 permits team about that. Certainly I would love the opportunity
23 to come back to the council at a later meeting as well and
24 present to you on what we're doing with the permits system and
25 the upgrades that we're making and give a demonstration of the
26 improvements that we've made, and so we'll talk to Carrie and
27 the Chair about that at a future date.

28
29 **CHAIRMAN FRAZER:** Thank you. Ms. Guyas and then Kevin Anson.

30
31 **MS. GUYAS:** Thank you. I guess, just to follow-up on Phil's
32 question about the South Atlantic, my understanding from that
33 meeting is that was a hard no from the South Atlantic, and it
34 will not be back on their agenda, and I don't see why it would
35 be.

36
37 I am not going to support moving forward with this. I think
38 we've got some other priorities, and I certainly sympathize with
39 I think -- I'm still not exactly sure how this shortfall came
40 about, whether it was just unexpected costs or -- I am not going
41 to support this. Thanks.

42
43 **CHAIRMAN FRAZER:** Mr. Anson.

44
45 **MR. ANSON:** Thank you, Mr. Chair. I seconded just to have some
46 opportunity to ask a little more questions, at least for me, and
47 I'm not a member of the Admin/Budget Committee. I certainly
48 understand points of view on this, and Robin provided one, and

1 it's a precedent issue, and trying to figure out the mechanism
2 for the agency to budget this type of thing, but this is an
3 unforeseen thing, to some degree, and maintaining infrastructure
4 is always a need, but it's hard to know when you need to make
5 the break, and so trying to get that side of the house up-to-
6 speed, or make it a little bit more user-friendly, is something
7 that I'm sure that we would all like to see happen.

8
9 I'm also concerned, as Martha just said, about this and that we
10 do have a lot of pressing needs ourselves, and managing our side
11 of the house, so to speak, for things that we're responsible
12 for, and so I thought I heard Carrie give a rundown on the
13 actual budget, or at least a much clearer picture as to this
14 coming year's budget, and it sounded like it would be less than
15 the 1 percent, and so that, to me, would mean that that \$94,000
16 doesn't represent necessarily an overage, or an excess, of
17 money, and it would actually be less than that, and, Carrie, is
18 that correct? Am I understanding that correctly?

19
20 **CHAIRMAN FRAZER:** Dr. Simmons.

21
22 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Mr. Anson,
23 we did get our final funding number for 2021, and it is \$35,000
24 more than we got last year, but not a 1 percent increase, not
25 quite a 1 percent increase, across-the-board, like what was
26 presented previous during the committee. Well, actually, we
27 didn't get a chance to go through it, and so what was in the
28 briefing book.

29
30 **MR. ANSON:** Mr. Chair, if I can follow-up to that?

31
32 **CHAIRMAN FRAZER:** Yes, Kevin. Go ahead.

33
34 **MR. ANSON:** So this would then eat into those extra funds that
35 we are looking at for these other programs and needs, and so I'm
36 having a hard time with it, with everything that we know, but,
37 anyway, thank you.

38
39 **CHAIRMAN FRAZER:** I just want to clarify, again, that these
40 dollars are coming out of the 2021 budget, and I don't think
41 that they're eating into the carry-forward funds for those other
42 projects, but I think Beth is also on the line here. Beth, did
43 you want to say something?

44
45 **MS. BETH HAGER:** The \$94,000 represents approximately 2 percent
46 of our funding for the 2021 budget, if that's at all helpful for
47 folks.

1 **CHAIRMAN FRAZER:** Okay. Thank you, Beth. I will give one more
2 slot here to Andy, and then we'll vote this up or down.

3
4 **MR. STRELCHECK:** Thanks, Tom. I wanted to go back to Martha's
5 comment about the shortfall, and so we are trying to, like you
6 guys, take advantage of the pandemic and some of the savings
7 that we're receiving from travel and other expenses and put it
8 toward system improvements, not just for permits, but for our
9 IFQ program and several other areas.

10
11 Last year, we executed close to ninety-six-and-a-half percent of
12 our overall budget, and almost all of it was for our fisheries
13 management budget, and, this year, when we received our
14 congressional budget, unlike the council, which is receiving
15 about a \$35,000 increase, we are receiving, across our budget,
16 including all of our protected resources programs and habitat, a
17 \$533,000 decrease.

18
19 I realize that our budget isn't comparable to yours, and it's
20 considerably larger, but we aren't seeing increases in our
21 budget right now, and so that's in part why I am coming to the
22 council to ask for funding support, given some of the savings
23 that you've been able to realize with regard to the pandemic and
24 you will potentially continue to realize in 2021. I just want
25 to thank the council for the consideration of this, regardless
26 of how you vote on it, and so thank you very much.

27
28 **CHAIRMAN FRAZER:** Thank you, Mr. Strelcheck. We're going to
29 vote this up or down, but it looks like -- Leann, I will give
30 you the last shot at this.

31
32 **MS. BOSARGE:** Thank you, Mr. Chairman. I just thought we might
33 want to clarify, in that motion -- So our discussion thus far is
34 that we would contribute that \$94,000, and, so long as SERO is
35 able to find the rest of the money that they need, then they can
36 take our \$94,000 and implement that project, but, if they're not
37 able to get the rest of the money they need for that permit
38 software, then the \$94,000 comes back. The way it's read, it
39 just sounds like we're just going to send over \$94,000 and it's
40 done, and I just wanted to make sure -- If you think that's
41 understood in the motion, then I think we're okay and good to
42 go.

43
44 **CHAIRMAN FRAZER:** Well, if I can get a confirmation from Andy,
45 it will be part of the record. Andy.

46
47 **MR. STRELCHECK:** Yes, that is certainly my understanding. From
48 a mechanics standpoint, we would be transferring additional

1 funds to the council I would expect in either February or March,
2 and we would withhold the \$94,000, if you support this funding
3 support, and, obviously, if we couldn't use it, then we would
4 transfer that money to you in a third transfer at some later
5 date.

6
7 **CHAIRMAN FRAZER:** Thank you, Mr. Strelcheck. I have heard a
8 number of opinions on this motion, and so I'm going to ask Dr.
9 Simmons to go through a roll call vote. Real quick, Kevin
10 Anson, before we go to the vote.

11
12 **MR. ANSON:** Real quick, and I believe this was discussed at the
13 Admin Committee, but, in follow-up to Andy's comment just now, I
14 thought that there would be a relatively short timeline that
15 they would be able to determine, or I would assume so, if
16 they're not going to get any -- Bring this up at the South
17 Atlantic Council, that they would be able to figure this out
18 fairly quickly and that we would be able to get that money back
19 to the council sooner than later and not like in November and
20 have to spend it in November and December, and that's all I'm
21 trying to do, is just to confirm that it's a relatively short
22 window here that the agency would be able to determine that they
23 can utilize those funds or not and then be able to return them
24 back to the council if they did not.

25
26 **CHAIRMAN FRAZER:** Andy, real quick, and this will be --

27
28 **MR. STRELCHECK:** Thanks, Kevin, and I would have to confirm with
29 our operations team that would do the contracting action, and I
30 believe the contracting action has to be completed by April, and
31 I don't know what time in April, and so we would have a decision
32 around that time to transfer funds back, if we're unable to
33 spend the money.

34
35 **CHAIRMAN FRAZER:** Thank you, Andy. We'll go ahead and move
36 forward with a roll call vote. Dr. Simmons.

37
38 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Just keep in
39 mind, again, that the council can carry forward any money in
40 unspent funds in the five-year grant cycle, and so this would be
41 the second year, 2021, of our five-year grant cycle. Okay. Mr.
42 Strelcheck.

43
44 **MR. STRELCHECK:** Abstain.

45
46 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dugas.

47
48 **MR. DUGAS:** No.

1
2 EXECUTIVE DIRECTOR SIMMONS: Ms. Guyas.
3
4 MS. GUYAS: No.
5
6 EXECUTIVE DIRECTOR SIMMONS: Mr. Williamson.
7
8 MR. WILLIAMSON: No.
9
10 EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.
11
12 MR. SANCHEZ: Yes.
13
14 EXECUTIVE DIRECTOR SIMMONS: Ms. Boggs.
15
16 MS. BOGGS: Yes.
17
18 EXECUTIVE DIRECTOR SIMMONS: Mr. Swindell.
19
20 MR. SWINDELL: No.
21
22 EXECUTIVE DIRECTOR SIMMONS: Ms. Bosarge.
23
24 MS. BOSARGE: Yes.
25
26 EXECUTIVE DIRECTOR SIMMONS: Dr. Shipp.
27
28 DR. SHIPP: No.
29
30 EXECUTIVE DIRECTOR SIMMONS: Mr. Dyskow.
31
32 MR. DYSKOW: As the committee chair, I abstain.
33
34 EXECUTIVE DIRECTOR SIMMONS: Mr. Diaz.
35
36 MR. DIAZ: Yes.
37
38 EXECUTIVE DIRECTOR SIMMONS: Mr. Anson.
39
40 MR. ANSON: Yes.
41
42 EXECUTIVE DIRECTOR SIMMONS: Mr. Riechers.
43
44 MR. RIECHERS: No.
45
46 EXECUTIVE DIRECTOR SIMMONS: Mr. Banks.
47
48 MR. BANKS: No.

1
2 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Stunz.

3
4 **DR. STUNZ:** Yes.

5
6 **EXECUTIVE DIRECTOR SIMMONS:** General Spraggins.

7
8 **GENERAL SPRAGGINS:** I really don't know which way to go, but I
9 will go yes, because just for the fact of it could be possibly
10 to help out.

11
12 **EXECUTIVE DIRECTOR SIMMONS:** Do you want to vote?

13
14 **CHAIRMAN FRAZER:** Yes, I will. I mean, I recognize the varying
15 opinions on this, and I also recognize the difficult spot that
16 the Regional Office is in. My understanding is also that, if
17 the Regional Office is able to secure funding from Headquarters,
18 or some other venue, that they would do that, and they would
19 also return the \$94,000. I'm sure, at some point, we'll be in a
20 sticky spot too, and I would prefer to build some partnerships
21 here, and I so I will vote yes.

22
23 **EXECUTIVE DIRECTOR SIMMONS:** The motion carries eight to seven
24 with two abstentions. Mr. Chair.

25
26 **CHAIRMAN FRAZER:** Okay. Is there any additional business that
27 has to do with Admin or Budget? I am not hearing any, and we
28 will move -- Actually, let's take a ten-minute break right now,
29 and we'll come back at 10:30. Thank you.

30
31 (Whereupon, a brief recess was taken.)

32
33 **CHAIRMAN FRAZER:** Okay, and so we're starting to get folks back
34 on the line, and I just want to make sure that -- The next
35 committee report is Outreach and Education, and I'm just waiting
36 to ensure that Phil is on the line.

37
38 **MR. DYSKOW:** I am on the line.

39
40 **CHAIRMAN FRAZER:** Okay. Thank you, Phil, and so I will let you
41 take it away.

42
43 **OUTREACH AND EDUCATION COMMITTEE REPORT**

44
45 **MR. DYSKOW:** Thank you, Tom. This will be the Outreach and
46 Education Committee Report from January 25, 2021. Once again,
47 we're over an hour behind schedule, and so I would request that
48 we hold questions until the end of this report. The committee

1 adopted the agenda and approved the minutes of the October 22,
2 2019 meeting as written.

3
4 Staff provided an overview of communications analytics for 2020.
5 These analytics showed website use, email listserv, and blog
6 engagement areas are all tracking with previous years. The Fish
7 Rules mobile recreational app use has increased since previous
8 years.

9
10 YouTube views are slower this year, because the council has
11 taken less issues to public hearing than normal. Facebook
12 engagement has decreased, as staff efforts have focused more on
13 outreach for specific regulatory content and less on generic
14 positive content.

15
16 Council newsletter readership continues on a downward trend,
17 despite efforts to reinvigorate the platform. Staff suggested
18 it makes more sense to focus efforts on creating individual blog
19 articles that are more relevant and timelier than the quarterly
20 newsletter. These articles would be published in the Gulf
21 Currents blog, and a quarterly digest could be sent out to the
22 council's listserv for those who still wish to receive content
23 less frequently or on a quarterly basis.

24
25 The committee supported transitioning away from the newsletter
26 and suggested that staff put its efforts towards social media.
27 The committee said that short video clips are the future of
28 communications, and they suggested that staff put efforts
29 towards this as well.

30
31 Staff presented its 2021 Communications Improvement Plan
32 developed by the council staff communications team using the
33 council's communications analytics from recent years and
34 guidance from the Outreach and Education Technical Committee
35 from the October 2020 meeting.

36
37 The plan highlights planned improvements to the council blog,
38 listserv, social media, Something's Fishy, website, and public
39 comments. The plan also suggests new communication endeavors,
40 including production of more video content and development of
41 comprehensive communication SOPPs and procedures.

42
43 The committee suggested that analytics might be down in some
44 cases because controversy regarding current management is not as
45 great as it has been. Meaning, the council might be appeasing
46 fishermen and managing the fisheries well, reducing negative
47 interactions.

1 The committee supports staff efforts to take advantage of
2 fishery management, academic, and industry experts to create
3 videos, and anticipates that this will be a successful endeavor.
4

5 The committee noted that Facebook engagement has historically
6 been negative, and they speculated that distribution of positive
7 information could help mitigate that. The committee also
8 supports the idea of pursuing approval through the Paperwork
9 Reduction Act to broaden the types of questions asked by its
10 Something's Fishy tool. Further, the committee also supports
11 renaming the tool, so it doesn't mislead potential respondents
12 to question whether the tool is only asking for negative fishery
13 impacts or observations.
14

15 Finally, the committee supports the idea of creating a central
16 repository for comments that is searchable. This would ensure
17 that generic public comments that aren't specifically related to
18 amendments don't get buried. The committee stressed how
19 important it is to continuously engage with the public and use
20 analytics to guide constantly evolving outreach efforts.
21

22 Staff presented a new area of the council's website, where
23 information on stock assessments, the Something's Fishy tool,
24 infographics, and species hot sheets are shared. The committee
25 stressed the importance of hosting the species-specific hot
26 sheets.
27

28 The committee also emphasized that the recreational data
29 collection infographics are incredibly useful in explaining what
30 data each program is collecting. The committee also requested
31 that staff improve the website by archiving Scientific and
32 Statistical Committee meeting materials in the same manner that
33 council meeting materials are archived.
34

35 Staff presented a summary of responses gathered from council,
36 advisory panels, as well as the Scientific and Statistical
37 Committee members regarding the effectiveness of the Outreach
38 and Education Technical Committee and future projects that it
39 should consider.
40

41 Overall, results indicated the committee was effectively
42 improving awareness and understanding of council management
43 goals, strategies, activities, and processes, improving public
44 participation in the fishery management process, and improving
45 communications between the public and council. Survey
46 respondents suggested that council staff and the Outreach and
47 Education Committee increase communication efforts to
48 recreational anglers, find ways to reduce user conflicts amongst

1 sectors, increase communications about management issues, and
2 the history and future of fisheries management.

3
4 The committee asked staff to continue to work towards contacting
5 and educating the entire federal for-hire fleet on the new
6 electronic reporting requirements for the Southeast For-Hire
7 Electronic Reporting Program. It noted that many operators are
8 not engaged, because they have not yet started fishing this
9 year, and/or because they lease their permit from permit owners
10 who aren't engaged.

11
12 The committee also suggested that staff find ways to communicate
13 about the impact imports have on our fishery. It directed staff
14 to resources provided by the Southern Shrimp Alliance and
15 suggested that staff develop some ideas and present them to the
16 committee at a future meeting.

17
18 Staff announced that the Gulf and South Atlantic Councils are
19 working with the Fish Rules app developer to create Fish Rules
20 Commercial. The interface for this app will populate
21 regulations based on user permits. The app is in the final
22 stages of development and almost ready for beta-testing. It is
23 expected to be available after the first quarter of 2021.

24
25 Staff and the Outreach and Education Technical Committee
26 Chairman reviewed the remaining items on the Technical Committee
27 report, including for-hire electronic reporting outreach and the
28 NRDA Fish Descend Project. Mr. Chair, this concludes my report.

29
30 **CHAIRMAN FRAZER:** Thank you, Mr. Dyskow. Is there any further
31 discussion that needs to be brought up before the Outreach and
32 Education Committee? Okay. I am not seeing -- Kevin, is that
33 your hand up?

34
35 **MR. ANSON:** No.

36
37 **CHAIRMAN FRAZER:** Okay. Great. I'm just checking to make sure.
38 Okay. So, not seeing any hands, that will -- We will go ahead
39 and move on to the next committee report, and that will be Mr.
40 Riechers with the Mackerel Committee.

41 42 **MACKEREL COMMITTEE REPORT**

43
44 **MR. RIECHERS:** Thank you, Mr. Chairman. Please bear with me.
45 Much as Phil indicated, this is going to be a little bit of a
46 longer report, and so I will try to work through it and help,
47 hopefully, get us back on time a little bit.

1 The Mackerel Management Committee was held on January 25, 2021,
2 and the committee adopted the agenda, Tab C, Number 1, as
3 amended to include a discussion about the Gulf of Mexico king
4 mackerel commercial Southern Gillnet Zone, and approved the
5 minutes, Tab C, Number 2, of the October 2020 meeting as
6 written.

7
8 Next, we moved into Tab C, Number 4, the Coastal Migratory
9 Pelagic Landings Update. Mr. Peter Hood of the NMFS Southeast
10 Regional Office reviewed the recent landings for the Gulf
11 migratory groups of king mackerel, Spanish mackerel, and cobia,
12 with a disclaimer noting the difficulty of capturing
13 recreational data, due to sampling limitations during the COVID-
14 19 pandemic.

15
16 At the time of data retrieval, preliminary landings for
17 commercial Gulf king mackerel indicate that 48.4 percent of the
18 ACL, which is annual catch limit, has been landed for the
19 fishing year 2020/2021. Although some data remain outstanding,
20 the ACLs for all Gulf coastal migratory pelagic species were not
21 exceeded during the 2019/2020 fishing year.

22
23 We next moved to the agenda item, which was Tab C, Number 5, and
24 it is the Draft Document on Coastal Migratory Pelagics Amendment
25 32. Council staff presented Chapters 1 and 2 for Draft CMP
26 Amendment 32, which includes actions to modify catch limits,
27 possession limits, size limits, and language to the CMP
28 framework procedure.

29
30 The Gulf cobia stock is a single stock that includes both the
31 Gulf Zone and the Florida East Coast Zone, which I will refer to
32 from this point on as FLEC, on the east coast of Florida. The
33 results from the SEDAR 28 update stock assessment indicated that
34 the Gulf cobia stock is undergoing overfishing, but is not
35 overfished.

36
37 Action 1 would modify the Gulf cobia stock, which is, i.e., the
38 combined Gulf and FLEC Zones, catch limits and transition to
39 monitoring the annual catch limit using the Marine Recreational
40 Information Program Fishing Effort Survey. The committee did
41 not modify the alternatives included in this action, but had
42 questions regarding modifying catch limits as constant catch.

43
44 The option to calculate constant catch by averaging the 2021
45 through 2023 catch limits was discussed, but is not a viable
46 option, because it would exceed the acceptable biological catch
47 recommendation from the Scientific and Statistical Committee in
48 the first year of the projections.

1
2 Action 2 would modify the apportionment between the Gulf and
3 FLEC Zones to update each zone's annual catch limit based on the
4 selected Gulf cobia stock ACL. Action 1, currently, the Gulf
5 cobia stock ACL is divided as 64 percent Gulf Zone and 36
6 percent FLEC Zone. The Gulf Zone manages its ACL without sector
7 allocations, while the FLEC Zone has sector allocations, 92
8 percent to the recreational and 8 percent to commercial). The
9 alternatives included in this action recalculated the possible
10 apportionment between the Gulf and FLEC Zones based on recent
11 landings data and incorporate the transition to MRIP-FES.

12
13 The committee noted the small resulting change in percent
14 apportionment reflected in the calculations. Alternatives 3
15 through 5 would modify the apportionment to the FLEC as 37, 38,
16 and 41 percent, respectively.

17
18 Action 3 would update or establish annual catch targets, ACT,
19 for the Gulf and the FLEC Zones, based on the apportionment
20 selected in Action 2. CMP Amendment 18 established the Gulf
21 Zone cobia annual catch target to equal 90 percent of the zone's
22 annual catch limit, which was based on the council's ACL/ACT
23 control rule.

24
25 The FLEC Zone only has an ACT established for the recreational
26 sector, which is calculated as the ACL times one minus the
27 proportional standard error of the FLEC Zone recreational
28 landings, or 0.5, whichever is greater. The FLEC Zone
29 recreational ACT currently equals 83 percent of the FLEC Zone
30 ACL, reflecting a proportional standard error estimate of 17
31 percent, using MRIP's former Coastal Household Telephone Survey.
32 This PSE estimate is expected to be higher using MRIP-FES data,
33 reflecting less estimated precision in the latter data currency.

34
35 Alternative 2 would update the calculation of the Gulf Zone ACT
36 and FLEC Zone recreational ACT to be calculated using the Gulf
37 council's ACL/ACT Control Rule. Alternative 3 provides an
38 option to establish an ACT for the FLEC Zone commercial sector.

39
40 Action 4 would modify the Gulf cobia possession limit and/or
41 establish vessel/trip limits. The alternatives included in this
42 action seek to reduce fishing mortality on Gulf cobia and
43 constrain harvest to the ACL. Landings data from 2017 to 2019
44 report that the majority of both commercial and recreational
45 trips for both zones harvested less than one cobia per person.
46 Thus, the preliminary predicted reductions in harvest resulting
47 from this action are low.

1 The committee discussed having similar bag limits and vessel
2 limits to those enforced by the Florida Fish and Wildlife
3 Conservation Commission, which would be expected to streamline
4 enforcement and reduce the burden of compliance on fishermen.
5 Given the incidental nature of the fishery, the committee
6 suggested removing the commercial sector from consideration in
7 this action, but did not modify the alternatives.

8
9 Action 5 would modify the Gulf cobia minimum size limit. The
10 committee was reminded that Framework Amendment 7 increased the
11 minimum size limit from a thirty-three-inch fork length to a
12 thirty-six-inch for cobia landed in the Gulf Zone. The FLEC
13 Zone retained the thirty-three-inch fork length size limit.
14 This action took effect in March 2020. The reduction in fishing
15 mortality associated with the increased minimum size limit is
16 not being captured by the update stock assessment nor the
17 available data, which is the 2017 to 2019 data, used for the
18 analyses included in this action.

19
20 Alternative 2 would increase the minimum size limit in the FLEC
21 Zone to be equal to the Gulf Zone. Alternatives 2 through 4 are
22 expected to reduce fishing mortality, as anglers would be
23 expected to release cobia that would otherwise be retained.
24 Cobia that are released after capture are assumed to have a 5
25 percent discard mortality rate. Concern remains regarding the
26 discards of undersized cobia, especially to those brought
27 onboard by a gaff.

28
29 Alternatives 3 and 4 indirectly drive fishing efforts to target
30 larger cobia, which are more likely to be female as length
31 increases. Directly targeting larger cobia could result in a
32 negative effect on the spawning stock biomass, by removing
33 disproportionately more females from the spawning stock biomass.

34
35 The committee asked about the reasoning behind the FLEC Zone not
36 increasing the minimum size limit at the same time the action
37 was being taken for the Gulf Zone. Action in Framework
38 Amendment 7 was taken as a precaution to reduce fishing
39 mortality while the stock assessment was underway, although a
40 similar action was not enacted in the FLEC Zone during this
41 period.

42
43 Action 6 would modify the language outlining the
44 responsibilities of the Gulf and South Atlantic Councils for the
45 joint management of CMP species through the FMP's framework
46 procedure. The framework procedure lists the regulatory changes
47 that can be addressed via framework.

1
2 Alternative 2 would modify the language pertaining to the
3 responsibilities of each council. The CMP framework procedure
4 lists the South Atlantic Council as responsible for establishing
5 vessel trip limits, closed seasons or areas, and gear
6 restrictions for the east coast of Florida, including the
7 Atlantic side of the Florida Keys, or the FLEC Zone.

8
9 Discussion included in previous CMP amendments implied that the
10 South Atlantic Council had the authority to make management
11 changes that would affect its portion of the Gulf cobia stock.
12 However, the current CMP Framework Procedure language is not
13 consistent with this statement, especially as it relates to the
14 management of Gulf cobia in the FLEC Zone.

15
16 The changes to the language included in Alternative 2 would
17 clarify that the South Atlantic Council does not make management
18 changes that would affect the entire migratory group throughout
19 its range, such as modifying catch limits, zone boundaries and
20 apportionment. The committee discussed taking a deeper look at
21 the CMP Framework Procedure and will continue discussions during
22 Full Council. I will pause there for a moment, Mr. Chairman.

23
24 **CHAIRMAN FRAZER:** Thank you, Mr. Riechers. Is there an interest
25 in carrying on this conversation at this point? John, is your
26 question to this point, or is it for something later in the
27 committee report?

28
29 **MR. SANCHEZ:** No, Mr. Chair, and it's regarding king mackerel,
30 and in the interest of time, I am comfortable with Robin going
31 through his presentation, and I can get into what I have at the
32 tail-end.

33
34 **CHAIRMAN FRAZER:** Okay. Thank you, Mr. Sanchez.

35
36 **MR. RIECHERS:** Mr. Chair, then I will go ahead and move forward.

37
38 **CHAIRMAN FRAZER:** Go ahead, Robin.

39
40 **MR. RIECHERS:** Next on our agenda was a discussion regarding
41 Gulf of Mexico King Mackerel, Tab C, Number 6. Council staff
42 summarized the recent changes in the management of Gulf king
43 mackerel, the results from the SEDAR 38 update stock assessment,
44 which was done in 2020, and public comments received during
45 previous council meetings related to sector allocations and
46 minimum size limits.

47
48 The committee discussed moving forward with updating catch

1 limits based on the SSC's recommendations. In addition, the
2 committee would like to move forward with looking into sector
3 allocations for Gulf king mackerel, acknowledging that updating
4 catch limits to incorporate MRIP-FES would result in a de facto
5 increase to the commercial quota. Similarly, the committee
6 would like to examine size-specific discard mortality of
7 released undersized fish.

8
9 Although the transition to MRIP-FES results in a near doubling
10 in the recreational landings, the committee asked why this
11 increase was not as high as what is being reported for other
12 species that have also been transitioned to the MRIP-FES data
13 currency.

14
15 Council staff responded that calculations of recreational
16 fishing effort is estimated to have increased as a result of
17 using MRIP-FES, but this trend could be a result of king
18 mackerel being managed closer to F/FMSY, and also may be related
19 to periodic fluctuations in recruitment.

20
21 Next, the committee went on Other Business and it was regarding
22 the Gulf of Mexico king mackerel commercial gillnet discussion,
23 which we had added to the agenda under Other Business. Mr.
24 Sanchez spoke on behalf of the Florida Keys Commercial
25 Fisherman's Association, asking the Gulf Council to explore the
26 opportunity to create an individual fishing quota for the Gulf
27 king mackerel commercial Southern Gillnet Zone.

28
29 This request comes as a result of economic challenges from the
30 latest fishing season. The Florida Keys Commercial Fishermen's
31 Association expects this measure would address issues related to
32 market price and timing related to overlap between fishing
33 seasons for multiple species commercially targeted in the
34 Florida Keys. The Florida Keys Commercial Fishermen's
35 Association plans to write a white paper regarding this topic,
36 and expects to share it with the council. The committee
37 expressed interest in seeing the white paper. Mr. Chairman,
38 that concludes my report.

39
40 **CHAIRMAN FRAZER:** Thank you, Mr. Riechers, and I guess we'll go
41 straight into questions. John Sanchez.

42
43 **MR. SANCHEZ:** Thank you, Mr. Chair. Two points regarding the
44 committee report. One, as we proceed with the development of
45 Amendment 33, a quick question I want to ask the rest of the
46 members, and it would seem to me that, if we looked at analysis
47 regarding a potential change to the size limit in a future
48 document, it would help with the expediency and efficiency in

1 developing Amendment 33.

2
3 The rationale that I would offer for that is that the twenty-
4 four-inch size limit, 50 percent of the fish are mature, and
5 that's pretty much our historical standard that we use in many
6 fisheries, 50 percent above maturity, and it's been a long-
7 standing practice in mackerel to have that, and the fishery is
8 not undergoing overfishing, nor is it overfished, and I think,
9 if it's working, let's not mess with it, and, again, in the
10 interest of moving this document along into development, we can
11 certainly tackle that issue, if there's an interest, in a
12 separate document down the road.

13
14 That would be the first one. If you want to have discussion on
15 that, I think that would be appropriate, and then I will get
16 into the second comment regarding gillnet after we dispense with
17 this one. Thank you.

18
19 **CHAIRMAN FRAZER:** Mr. Sanchez, I just want to clarify if you're
20 making a motion or you're asking for some input from staff.

21
22 **MR. SANCHEZ:** I would ask for input from staff, and, if a motion
23 is needed, then I would happily do so.

24
25 **CHAIRMAN FRAZER:** All right. I am going to ask either Mr.
26 Rindone or Dr. Froeschke to weigh-in here. Ryan.

27
28 **MR. RYAN RINDONE:** Sure. I can weigh-in. As far as the length
29 at which 50 percent of the sexes combined population of king
30 mackerel is sexually mature, that's about -- That's just about
31 twenty-three inches, and so it's just a hair underneath the
32 twenty-four-inch fork length minimum size limit.

33
34 Mr. Sanchez is correct that it's standard practice, and the
35 council has typically tried to have the minimum size limit for a
36 stock be at or above whatever that length or age, as it equates
37 to length, is at which 50 percent of the population is estimated
38 to be sexually mature.

39
40 As far as splitting this out and doing -- Considering any change
41 to the minimum size limit or doing away with the minimum size
42 limit in a separate document, that's, of course, the council's
43 pleasure, and so, Mr. Sanchez, if there is other input you want
44 on my behalf, or other staff, please ask.

45
46 **CHAIRMAN FRAZER:** Okay. John, it looks like we have a couple of
47 other hands. Maybe I will just hold tight for a minute and see
48 if the hands are relative to your query a bit. Susan.

1
2 **MS. BOGGS:** Mine is not, and so, if you want to come back to me,
3 that's absolutely fine.

4
5 **CHAIRMAN FRAZER:** Okay. Mr. Strelcheck.

6
7 **MR. STRELCHECK:** Thanks, Tom. A general comment, probably
8 broadly to the council, but also to staff, regarding the cobia
9 amendment, and so we have a lot of alternatives in that
10 amendment that don't achieve very much in terms of harvest
11 reductions, and I know we heard, during the committee
12 discussion, the interest in aligning, potentially aligning,
13 limits to what the FWC does for cobia, but I would be curious to
14 hear from the council if there is interest in trying to reduce
15 the number of alternatives, especially for those that aren't
16 achieving much of a reduction, if the IPT has any thoughts and
17 perspective on the alternatives that may be removed, just to
18 simplify the amendment, if needed.

19
20 **CHAIRMAN FRAZER:** I think, Andy, we're going to try to deal with
21 the mackerel issue first, okay, and then we'll come back and
22 deal with any cobia-related questions, and so, to Mr. Sanchez's
23 point, is there any interest from the council in dealing with
24 the size, minimum size, issue, and, if so, are they interested
25 in putting it, perhaps, in a separate document? Okay. I am not
26 seeing a lot of --

27
28 **MS. BOSARGE:** My hand is up.

29
30 **CHAIRMAN FRAZER:** Ms. Bosarge. I'm sorry.

31
32 **MS. BOSARGE:** It's okay. So I was the one that brought that up
33 during committee, about -- It was in Natasha's presentation,
34 where the fishermen had -- I think commercial fishermen had
35 entertained the idea of getting rid of the minimum size limit to
36 reduce discards, and I am more than happy for that to be in a
37 separate document at a later point in time.

38
39 I was kind of surprised by it, and I mentioned that, because
40 it's not something that I had heard before, and it doesn't mean
41 that it's not a good idea, and it needs to be looked at, but I
42 don't think it's something that's pressing, and it doesn't have
43 to be in this document.

44
45 **CHAIRMAN FRAZER:** Okay. Thank you, Ms. Bosarge. Mr. Swindell,
46 is it to that point?

47
48 **MR. SWINDELL:** Just to the point, really, of looking at this

1 whole king mackerel assessment. As we've looked at it, all the
2 information we have for the eight years, my calculations show
3 that, over the entire eight-year period, that the commercial
4 fishermen did not exceed the resulting yearly quota, except for
5 a few times during that time, but, for the overall quota for the
6 eight-year period, they did not exceed it, and the recreational
7 only exceeded it by three-one-hundredths percent of the total
8 quota that was allowed for the eight years. To me, the fishery
9 is -- The size and everything is working well for the fishery.
10 Thank you.

11
12 **CHAIRMAN FRAZER:** Okay. Thank you, Mr. Swindell. All right.
13 Is there any more questions specific to the mackerel? I am not
14 seeing any, and so, given Ms. Bosarge's comments, I think one of
15 the things that we can do, and it's not an incredibly pressing
16 issue for the time being, but we can kick it around a little bit
17 here and think about how we might move forward with implementing
18 a minimum size limit, and perhaps open it up for discussion
19 during our next council meeting, in the Mackerel Committee.
20 Let's go to cobia, and so I guess -- Susan, was your question
21 related to cobia?

22
23 **MS. BOGGS:** Yes, and thank you, Mr. Chair. Tell me the timeline
24 on cobia. If we were to do -- When do we have to have decisions
25 made to have 2022 the effective year for those changes?

26
27 **CHAIRMAN FRAZER:** Dr. Simmons or Mr. Rindone. Susan, could you
28 repeat the question, please?

29
30 **MS. BOGGS:** Yes, sir, and I was just curious what is the
31 timeframe for the council to take action on cobia for it to be
32 effective for the 2022 fishing year, and, obviously, we can't
33 affect any change this year, and so I just wanted to see what
34 the timeline is to get it in place for 2022.

35
36 **MR. RINDONE:** We're, obviously, early in this year, and we know
37 that it takes about six months for -- It takes at least six
38 months for a management change to move through the approval
39 process with NMFS, following their protocols, and so, in terms
40 of having something in place for the 2022 fishing season, the
41 council should -- If that's the council's intent, it should
42 certainly endeavor to take final action on CMP Amendment 32
43 before the end of the year, and with sooner being better, under
44 the understanding that, after council staff transmits the
45 document to NMFS for implementation, NMFS will have to go
46 through their process, which may run into 2022 a little bit, but
47 it could also provide the opportunity for that management change
48 to take effect after the start of the 2022 fishing season,

1 hopefully without having allowed any further detrimental effect
2 on the stock. Does that answer your question?

3
4 **MS. BOGGS:** Yes, it does. Thank you.

5
6 **CHAIRMAN FRAZER:** Okay. I see, Leann, you have your hand up.

7
8 **MS. BOSARGE:** Back to trying to streamline the document, the
9 discussion on that, I did bring that up in committee, and, of
10 course, the motion did fail in committee, but about removing
11 commercial -- All the commercial language from that action,
12 where we're talking about bag limits and vessel limits, as far
13 as your bang for the buck.

14
15 You know, a lot of people wanted to see the analysis first.
16 Well, the analysis is actually in the document, and I'm sure
17 there is additional analysis that can be done, but the initial
18 analysis shows that the maximum you could get would be maybe an
19 8 percent reduction in the Gulf Zone, and so, with commercial
20 landings at 35,000 pounds, you're getting less than 3,000 pounds
21 of reduction in harvest out of a fishery that is landing
22 somewhere a million-and-a-half and three million pounds for the
23 whole stock.

24
25 I just don't see where it's really worth the effort to continue
26 to analyze something that, if implemented, would reduce harvest
27 by maybe 2,000 or 3,000 pounds, and so that's my two-cents, and
28 I think you could streamline the document by removing that from
29 it, and I am willing to make that motion again. **If you can pull**
30 **it up from committee, I will make that same motion again.** Thank
31 you.

32
33 **CHAIRMAN FRAZER:** Okay. We'll get it up on the board here,
34 Leann. Okay. This is the committee motion, and it was to
35 modify the Gulf cobia possession limit and/or establish a trip
36 limit, and that motion failed five to six in committee. Ms.
37 Bosarge, did you want to reintroduce the motion?

38
39 **MS. BOSARGE:** Yes, sir. Thank you. This would remove
40 commercial from that action, where we're discussing changing the
41 bag limits and adding a vessel trip limit. This is a bycatch
42 species for us, and so, when we do encounter it, we need to land
43 what we encounter.

44
45 You can't continue to have a fish house that's going to buy that
46 species and offload if there's no market, if it's coming in one
47 fish at a time, not to mention commercial landings in this
48 fishery have been hamstrung by the management, by the types of

1 regulations that we have put on them, and those regulations have
2 led to a 90 percent decrease in commercial landings since we
3 began managing them, 90 percent. I think we have reduced their
4 harvest enough at this point. Let them have their thirty-
5 something thousand pounds a year, and let's focus on the
6 elephant in the room.

7
8 **CHAIRMAN FRAZER:** Real quick, I want to make sure that the
9 motion -- We've had your rationale for the motion, and it's to
10 remove the commercial sector from Action 4 in the document, and
11 we did not get a second for that motion. I want to dispose of
12 that before we move along. Is there a second to this motion?

13
14 **MR. ANSON:** I will second for further discussion.

15
16 **CHAIRMAN FRAZER:** Second by Mr. Anson.

17
18 **MS. BOSARGE:** Mr. Chairman, the other thing I was going to say
19 is that there are other action items in this document that will
20 reduce the commercial harvest already, and we're looking at
21 changing size limits, minimum size limits, and that had an
22 effect the last time we did it, and it will have an effect
23 again, and so we do have items in here to address commercial
24 harvest, and I don't think we need this one.

25
26 **CHAIRMAN FRAZER:** Okay. Thank you, Ms. Bosarge. We've got a
27 number of hands. It looks like we've got John Sanchez.

28
29 **MR. SANCHEZ:** Mr. Chair, I would like for you to come back to me
30 once we get back on mackerel.

31
32 **CHAIRMAN FRAZER:** Okay. Mr. Strelcheck.

33
34 **MR. STRELCHECK:** Thanks, Chairman. Just to be crystal clear
35 with Leann's motion, Leann, you're not suggesting Alternative 1
36 in Action 4 to be modified, and you wouldn't be removing the
37 commercial limit of two fish at this point, and so you're just
38 suggesting that it be removed from the other alternatives in
39 Action 4, correct?

40
41 **MS. BOSARGE:** Yes, sir. The no action alternative would have to
42 stay the same.

43
44 **CHAIRMAN FRAZER:** Thank you. All right. Dr. Simmons.

45
46 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Not to this
47 motion, but just to talk a little bit about workload and just to
48 remind the council that we're going to get into some more of

1 this, I believe when we get to the Reef Fish Committee, but
2 cobia is a priority, Amendment 32, and I'm not sure that you
3 will see king mackerel in April, and so we'll be working with
4 the Regional Office staff on that, but we do have quite a bit to
5 do, and cobia is a priority for this committee. Thank you.

6
7 **CHAIRMAN FRAZER:** Thank you, Dr. Simmons. Is there any further
8 discussion on this motion specifically? Ms. Guyas.

9
10 **MS. GUYAS:** It's not to this motion.

11
12 **CHAIRMAN FRAZER:** Okay. So we'll hold hands right now. Mr.
13 Diaz.

14
15 **MR. DIAZ:** I just want to -- I'm a little confused. Earlier in
16 the report, we said there was no allocation between commercial
17 and recreational in the Gulf, and Leann referenced 30,000 pounds
18 a minute ago, and I'm not sure what she was referring to when
19 she said 30,000 pounds.

20
21 **CHAIRMAN FRAZER:** Ms. Bosarge, do you want to clarify?

22
23 **MS. BOSARGE:** That was our Gulf landings last year, and I think
24 it's 35,000 pounds, or maybe 37,000, and it's thirty-something
25 thousand pounds, is essentially what we're landing in the Gulf,
26 commercially.

27
28 **CHAIRMAN FRAZER:** Right. Did you want to follow-up to that, Mr.
29 Diaz?

30
31 **MR. DIAZ:** No, I'm good. Thank you, Mr. Chair.

32
33 **CHAIRMAN FRAZER:** Okay, and so it looks like we have a couple of
34 other hands up, but they're not related to this motion, and so
35 we will go ahead and vote this up or down, and I will start with
36 the simplest. **Is there any opposition to this motion?**

37
38 **MR. DIAZ:** Yes.

39
40 **MR. DYSKOW:** Aye.

41
42 **CHAIRMAN FRAZER:** Okay. There is two opposed. Okay. Sorry,
43 Dr. Simmons, but we're going to have to go through a roll call
44 vote.

45
46 **EXECUTIVE DIRECTOR SIMMONS:** Okay. Thank you, Mr. Chair. Ms.
47 Bosarge.

1 MS. BOSARGE: Yes.
2
3 EXECUTIVE DIRECTOR SIMMONS: Mr. Swindell.
4
5 MR. SWINDELL: No.
6
7 EXECUTIVE DIRECTOR SIMMONS: Mr. Strelcheck.
8
9 MR. STRELCHECK: Yes.
10
11 EXECUTIVE DIRECTOR SIMMONS: Dr. Stunz.
12
13 DR. STUNZ: No.
14
15 EXECUTIVE DIRECTOR SIMMONS: Mr. Dyskow.
16
17 MR. DYSKOW: No.
18
19 EXECUTIVE DIRECTOR SIMMONS: General Spraggins.
20
21 GENERAL SPRAGGINS: No.
22
23 EXECUTIVE DIRECTOR SIMMONS: Mr. Williamson.
24
25 MR. WILLIAMSON: No.
26
27 EXECUTIVE DIRECTOR SIMMONS: Mr. Dugas.
28
29 MR. DUGAS: No.
30
31 EXECUTIVE DIRECTOR SIMMONS: Dr. Shipp.
32
33 DR. SHIPP: No.
34
35 EXECUTIVE DIRECTOR SIMMONS: Mr. Anson.
36
37 MR. ANSON: Yes.
38
39 EXECUTIVE DIRECTOR SIMMONS: Ms. Guyas.
40
41 MS. GUYAS: No.
42
43 EXECUTIVE DIRECTOR SIMMONS: Mr. Diaz.
44
45 MR. DIAZ: No.
46
47 EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.
48

1 **MR. SANCHEZ:** Yes.

2
3 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Riechers.

4
5 **MR. RIECHERS:** No.

6
7 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Boggs.

8
9 **MS. BOGGS:** No.

10
11 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Banks.

12
13 **MR. BANKS:** Yes.

14
15 **EXECUTIVE DIRECTOR SIMMONS:** The motion failed five to eleven
16 with one abstention.

17
18 **CHAIRMAN FRAZER:** Okay, and so we will move on with the
19 discussion as it relates to mackerel. Mr. Sanchez.

20
21 **MR. SANCHEZ:** Thank you. In the interest of clarity, for the
22 path forward for staff, I am going to make a motion to remove
23 the minimum size limit option appearing in the Amendment 33
24 scoping document from the development of Amendment 33. So,
25 basically, remove the minimum size limit option from Amendment
26 33, going forward.

27
28 **CHAIRMAN FRAZER:** Okay. Let's just take a second, and we'll let
29 staff get that motion on the board.

30
31 **MR. SANCHEZ:** We'll make it simple. To remove the minimum size
32 limit option from Amendment 33.

33
34 **CHAIRMAN FRAZER:** For king mackerel.

35
36 **MR. SANCHEZ:** Yes. Correct.

37
38 **CHAIRMAN FRAZER:** Okay. Is there a second to this motion?

39
40 **MS. BOSARGE:** I will second it.

41
42 **CHAIRMAN FRAZER:** It's seconded by Ms. Bosarge. Okay. John, do
43 you want to have a little additional discussion explaining the
44 motion?

45
46 **MR. SANCHEZ:** I think we've already done it, and, in the
47 interest of moving forward, I think you all know my rationale
48 already, and we can take this up in a future document. It seems

1 to be working, but thank you.

2
3 **CHAIRMAN FRAZER:** Okay. Ms. Guyas.

4
5 **MS. GUYAS:** It's not to this either. I wanted to go back to
6 cobia.

7
8 **CHAIRMAN FRAZER:** Okay. We'll go back to cobia after this. Is
9 there any further discussion on the motion on the board to
10 remove the minimum size limit option for king mackerel from
11 Amendment 33? **Seeing none, is there any opposition to this**
12 **motion? Seeing none, the motion carries.** Ms. Guyas.

13
14 **MS. GUYAS:** I guess, to Andy's, I guess, request to, I guess,
15 cut things out of this document and streamline it, I'm flipping
16 through the actions and alternatives, and I know the South
17 Atlantic hasn't seen this yet, and I don't -- There's not much
18 in here that I see that I feel like is unreasonable to be
19 analyzed, but I'm wondering -- Are we at a point where we could
20 choose a couple of preferreds, and maybe that signals to the
21 South Atlantic where we're going to go, and then we can cut
22 alternatives after they see it? Is that appropriate at this
23 time?

24
25 I mean, what I could do here is just offer a motion with a
26 possession limit and trip limit, since we kind of are all
27 talking about the same thing here with that one, and see where
28 it goes, if that helps move things along and simplifies things.
29 If it doesn't, and it's not time to do that, that's fine, but
30 I'm just trying to find some way to help here.

31
32 **CHAIRMAN FRAZER:** Again, I think it would be appropriate to
33 start nudging this along a bit, and so, if you want to make a
34 motion or two, that's good.

35
36 **MS. GUYAS:** Okay. All right. So I will make a motion, and I'm
37 sorry that I did not send this to staff, and so bear with me,
38 for Action 4. It's to select a preferred alternative and -- Let
39 me see if I can pick everything from the menu that we need here.
40 That would be Alternative 2 and Alternative 3, 3a, Sub-Option i,
41 and let's just stop there. I'm hoping here, if we do that, then
42 this whole action can be consolidated and split the Gulf and the
43 Florida East Coast and not have all these zillion sub-options
44 here.

45
46 Let me repeat it. In Action 4, that the preferred be
47 **Alternative 2, I guess Option 2a, and Alternative 3, Option 3(a)**
48 **Sub-Option i.** What this does is --

1
2 **CHAIRMAN FRAZER:** Okay. We're going to get that on the board.

3
4 **DR. SHIPP:** I would second the motion.

5
6 **CHAIRMAN FRAZER:** Okay, and so we'll have a second while they're
7 putting it up. So Martha is making the motion, and Dr. Shipp is
8 going to second the motion, and let's staff get it up on the
9 board before we have any further discussion.

10
11 **MR. RINDONE:** Bernie, it's Alternative 2, Option 2a, and
12 Alternative 3, Option 3a, Sub-Option i. Is that correct, Ms.
13 Guyas? You're only talking about the Gulf zone here?

14
15 **MS. GUYAS:** Yes, and I will let the South Atlantic do their
16 thing. I don't want to choose the preferred for them before
17 they've even seen this document. I would not like them to do
18 that for us.

19
20 **CHAIRMAN FRAZER:** We have the motion in Action 4 to Alternative
21 2, Option 2a, and Alternative 3, Option 3a, and Sub-Option i the
22 preferred. If you want to have a little more discussion,
23 Martha, go ahead.

24
25 **MS. GUYAS:** Sure. What this does is this will set the limits
26 similar to what we have for Florida state waters in the Gulf
27 right now. This is what everybody has been asking us to do, and
28 all the public testimony that we've heard about this is to move
29 forward with this option. That's really my rationale here, and
30 hopefully, if the South Atlantic goes the same way, we can
31 consolidate this action and get rid of some of these options and
32 sub-options and whatnot and just have one suite for the whole
33 stock.

34
35 **CHAIRMAN FRAZER:** I think I appreciate and understand the
36 rationale. Mr. Strelcheck.

37
38 **MR. STRELCHECK:** Thanks. I'm supportive of the motion. I know,
39 during committee, it was mentioned that some additional analyses
40 are needed, looking at landings data, at least historical
41 landings data.

42
43 If those trends continue, it looks like some years might require
44 seasonal closures and some might not, and so I would be
45 interested in staff bringing back to us, at the next meeting,
46 estimated reductions they think are need to achieve and prevent
47 the ACL from being exceeded on an annual basis and include in
48 that, obviously, the size limit change, which was just recently

1 taken into effect, so we have a better idea of the reductions
2 that we're gaining from these management measures and if there's
3 any implications for NOAA Fisheries having to close the fishery
4 late in the year because the ACL was still projected to be met.

5
6 **CHAIRMAN FRAZER:** Okay. Thank you, Mr. Strelcheck. We've got a
7 couple of other hands, and I will go to Mr. Banks and then Mr.
8 Diaz.

9
10 **MR. BANKS:** Thank you, Mr. Chairman. I am going to speak
11 against this motion, simply because of some of the things that
12 were just said about we just changed the size limit, which went
13 into effect just this past year, and we don't even have an idea
14 of how that has impacted things, and it's just not fair to make
15 these kinds of changes on the anglers without all of the
16 information, and, all the while, another portion of the fishing
17 community in the Florida East Coast Zone, or FLEC Zone, whatever
18 you call it, is not even operating under the same size limits
19 that we are.

20
21 We've already taken a step to press against our anglers and our
22 commercial guys with a reduced size limit, and the other area
23 where this stock occurs, in the FLEC Zone, has not taken the
24 same measures, and these measures only went into effect last
25 year, I think in March, and I think we just need to wait on
26 this, until we see the impact of those measures, and try to get
27 the South Atlantic to match our regulations, so that we can have
28 some consistency here. Thank you.

29
30 **CHAIRMAN FRAZER:** Thank you, Mr. Banks. Mr. Diaz.

31
32 **MR. DIAZ:** Patrick makes a good point, and I'm trying to figure
33 out how I'm going to vote on this, but we did hear a lot in
34 public testimony. I mean, fishermen know that this fishery is
35 in trouble. I do applaud Martha's efforts for trying to do
36 anything new can to streamline this document, but where we're at
37 now is we've got a document that's got six actions in it, and it
38 takes two councils to act on it, and I think -- I don't really
39 think we should pull a whole lot out of it until the South
40 Atlantic sees it, but I do think, when we see this document
41 again, we need to start taking some stuff out of it and try to
42 get to the point where we could move this document in a
43 reasonable timeframe. With six actions, there is no way in the
44 world we would move this document before 2022. We would be
45 lucky to finish it in 2022. Thank you.

46
47 **CHAIRMAN FRAZER:** Okay. Thank you, Mr. Diaz. Ms. Guyas.

1 **MS. GUYAS:** Just one more thing, just to follow-up, and I guess
2 Andy had talked about the analysis that we hopefully will be
3 getting with this document, and so, in my mind, I think it's
4 important for us to do what we can to avoid early closures, to
5 the extent that we can here.

6
7 This fishery has a lot of dynamics, where fish are being caught
8 in different places of the Gulf and Atlantic at different times
9 of the year, and so -- I don't know that we really fully
10 understand the dynamics of what is happening here and all those
11 movements and catches, and so I just feel like we need to do
12 what we can to avoid putting ourselves in a situation where this
13 fishery is closing early, because it's going to have -- It's
14 going to impact some areas more than others, and it's just going
15 to add additional complication to this, I think, and so it's a
16 highly migratory stock, or I guess a coastal migratory stock,
17 and so closures -- I think it's going to be tough, and so that's
18 just my last thing on that. Thanks.

19
20 **CHAIRMAN FRAZER:** Thank you. Ms. Bosarge and then Mr. Riechers.

21
22 **MS. BOSARGE:** If I could get staff to pull up paper page 25 in
23 the document, please.

24
25 **CHAIRMAN FRAZER:** Okay. We'll get that up.

26
27 **MS. BOSARGE:** Thank you. This actually shows the analysis for
28 some of these alternatives and the percent reduction in harvest.
29 You're going to have to maybe make it a little smaller, so you
30 can see both of those tables at the same time, please. All
31 right. There you go.

32
33 If you look, this has a disproportionate harmful impact on
34 commercial, the smallest tiny fraction of this entire fishery,
35 versus recreational, and this is what I was talking about, about
36 commercial doesn't need to be in this action. Your landings are
37 a million-and-a-half or two million pounds a year, and, by
38 implementing this, you're going to reduce commercial harvest by
39 either 8 percent or 31 percent, depending on if you want to look
40 at the Gulf Zone or the FLEC Zone. The recreational harvest,
41 none of those percentages down in that second table, Table
42 2.4.2, come up to that 8 percent or 31 percent.

43
44 You are disproportionately harming the part of this fishery who
45 has already had their harvest reduced by 90 percent, and how you
46 can consider that fair and equitable I do not know, and that's
47 why I asked you and pleaded with you to please just take
48 commercial out of this. You can reduce our harvest by

1 increasing that minimum size limit, plus, generally speaking, we
2 are going to reduce the quotas.

3
4 It's a stock ACL in the Gulf, and so, when recreational closes,
5 commercial will close too, but I can't vote for this, because
6 we've left commercial in here. If you want to look at it on a
7 state-by-state basis, it has the most harm to Louisiana
8 recreationally, and none of the other percentages come close to
9 what you're going to do to Louisiana, which I will grant you I
10 guess that's where most of the harvest is, but it's just
11 something to consider. If you take commercial out of these
12 options at some point, then I might one day be able to vote in
13 support of one of these alternatives.

14
15 **CHAIRMAN FRAZER:** Thank you, Ms. Bosarge. Mr. Riechers.

16
17 **MR. RIECHERS:** Patrick, I agree with some of your sentiments
18 there, and I think I'm going to vote in favor of the motion
19 though. What I heard Martha trying to do was just to go ahead
20 and signal, if we are going to make a change to the South
21 Atlantic, and I think, if I recall correctly from committee,
22 they will see this document in March, and is that correct, Ryan?
23 I think Martha was trying to signal to them -- We really don't
24 have much room to work here, in terms of, once you start getting
25 down to these low bag limits, you're almost down to one-fish bag
26 limits and trip limits.

27
28 I mean, that's really the only measures you have, including
29 other closures and minimum size limits and those sorts of
30 things, but, as far as bag limits go, we're just down at a point
31 now where we have very little room to work, and so, the way I
32 heard Martha phrase hers was signal to them where we might be
33 leaning, so that, as they look at it again, and we kind of force
34 -- Hopefully they will take that cue and bring the FLEC Zone
35 into the same kind of management measure.

36
37 It doesn't mean that we have to leave it at this preferred, if
38 in fact they don't do that, and so this is just a draft document
39 at this point, but I do agree with your sentiment, Patrick, that
40 they need to pick up and do their part, as we kind of maybe
41 assumed that they were going to do before, but did not do.

42
43 Now, there is that whole question of what they have the
44 authority to do as well that popped up in this discussion under
45 framework, and so I think we also have to bear in mind that
46 framework actions may be more difficult, in this case.

47
48 **CHAIRMAN FRAZER:** Okay. Thank you, Mr. Riechers. I think we've

1 had a lot of discussion, and I think we have enough information
2 to vote this up or down, and so, again, I think there is clearly
3 some nays to go with those yeas, and so, Dr. Simmons, a roll
4 call.

5
6 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. General
7 Spraggins.

8
9 **GENERAL SPRAGGINS:** No.

10
11 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Anson.

12
13 **MR. ANSON:** No.

14
15 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Sanchez.

16
17 **MR. SANCHEZ:** Yes.

18
19 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Shipp.

20
21 **DR. SHIPP:** Yes.

22
23 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Williamson.

24
25 **MR. WILLIAMSON:** Yes.

26
27 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Diaz.

28
29 **MR. DIAZ:** Yes.

30
31 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Bosarge.

32
33 **MS. BOSARGE:** No.

34
35 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dyskow.

36
37 **MR. DYSKOW:** Yes.

38
39 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Strelcheck.

40
41 **MR. STRELCHECK:** Yes.

42
43 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dugas.

44
45 **MR. DUGAS:** No.

46
47 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Swindell.

1 **MR. SWINDELL:** No.

2
3 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Boggs.

4
5 **MS. BOGGS:** Yes.

6
7 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Guyas.

8
9 **MS. GUYAS:** Yes.

10
11 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Banks.

12
13 **MR. BANKS:** No.

14
15 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Riechers.

16
17 **MR. RIECHERS:** Yes.

18
19 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Stunz.

20
21 **DR. STUNZ:** Yes.

22
23 **EXECUTIVE DIRECTOR SIMMONS:** The motion carries ten to six with
24 one abstention.

25
26 **CHAIRMAN FRAZER:** Okay, and so did you have any other motions in
27 mind, Ms. Guyas?

28
29 **MS. GUYAS:** Not right now. I am trying to flip through here.
30 Let's just go with that for now. I feel like that's the most
31 complicated one.

32
33 **CHAIRMAN FRAZER:** Okay. Ms. Boggs.

34
35 **MS. BOGGS:** Thank you, Mr. Chair. I am not looking to make a
36 motion, but I do want to try to discuss something real quick,
37 and it has to do -- I am like Martha, and I'm trying to flip
38 through my document, but, when we discussed the size limit, I
39 agree with what Patrick is saying, that the South Atlantic
40 should come up at least to the minimum size limit of the Gulf,
41 but there's not an option for that, and I believe it's the
42 action before this, but my pages are out of order, and do we
43 need to add something?

44
45 Otherwise, we keep it the same and change the South Atlantic, or
46 we increase sizes, and, at the very least, I agree that the
47 South Atlantic needs to at least come up to our minimum size
48 limit of thirty-six, but there's really not an option for that.

1
2 **CHAIRMAN FRAZER:** Ms. Boggs, we're going to pull this up in the
3 document, and we'll get a quick look, and I will let staff --

4
5 **MS. BOGGS:** Yes, sir. I'm sorry that I wasn't more prepared,
6 but this is a complicated document.

7
8 **CHAIRMAN FRAZER:** What we're looking at here, Ms. Boggs, is
9 Alternative 2, and it says retain the current recreational and
10 commercial minimum size limit of thirty-six inches fork length
11 in the Gulf Zone and increase the recreational and commercial
12 minimum size limit to thirty-six inches fork length in the FLEC
13 Zone, and so it does look like it's in there.

14
15 **MS. BOGGS:** Okay, and so I suppose that Alternative 1, no
16 action, would -- Okay. I misread it earlier. I apologize.
17 Thank you.

18
19 **CHAIRMAN FRAZER:** Okay. We're going to take a couple more
20 questions here, and then we're going to try to wrap this
21 committee report up. Mr. Banks.

22
23 **MR. BANKS:** Thank you, Mr. Chairman. **I would like to make a**
24 **motion.**

25
26 **CHAIRMAN FRAZER:** Okay.

27
28 **MR. BANKS:** **In Action 5, to make Alternative 2 the preferred.**
29 If I get a second, I will explain the reasoning. Thank you.

30
31 **CHAIRMAN FRAZER:** All right. We'll put it up on the board, but,
32 in the meantime, is there a second?

33
34 **MS. GUYAS:** Second.

35
36 **CHAIRMAN FRAZER:** Second by Ms. Guyas. While we're putting it
37 up on the board, it's, in Action 2, to make Alternative 5 the
38 preferred. Mr. Banks, if you want to elaborate.

39
40 **MR. BANKS:** Sure, and I understand what Martha is saying about
41 we wouldn't like for the South Atlantic to tell us how to handle
42 our business, and I agree with that, but, in this case, I think
43 that Robin and Martha both made good points about this is just
44 sort of a signal to the other council of the way we're leaning,
45 and, with Alternative 2, the percent savings, or percent
46 reduction, in the document indicates that it's like a 34 percent
47 savings if they would just match our size limit, and so I think
48 it makes sense for us to signal to them that we would like them

1 to move this way, and so I appreciate it.

2
3 **CHAIRMAN FRAZER:** Okay. Thank you, Patrick. Ms. Guyas.

4
5 **MS. GUYAS:** I think I'm going to support this. I do have -- Of
6 course, I don't want the South Atlantic to tell us what we can
7 do, and I assume they don't want us to do the same, but I think
8 they're going to have to do something here, given the way that
9 the numbers add up, and I am hesitant about us necessarily going
10 up higher than thirty-six inches in the Gulf, and so I think
11 Alternative 2 makes a lot of sense, and so I'm comfortable with
12 this. Thank you.

13
14 **CHAIRMAN FRAZER:** Okay. Is there any other discussion? **Seeing**
15 **none, is there any opposition to the motion? Hearing none and**
16 **seeing no hands, the motion carries.** Okay. Is there any other
17 business to come before -- Ms. Bosarge.

18
19 **MS. BOSARGE:** Just a question. Is it possible to change the
20 formatting on the document for that Action 4, so that at least,
21 if we want to choose a different bag limit, or a different
22 vessel limit, for commercial than we do for recreational, that
23 we have that option?

24
25 It's very rare that trip limits are the exact same for
26 recreational as they are for commercial, and so I would think
27 that we would at least want it where we have that option, and we
28 may choose to keep them exactly the same, but, if you have sub-
29 options for recreational and commercial, then you have that
30 ability, versus the way it's written now, where it's in the
31 alternative language and not the sub-option language, and so
32 that's just a question for staff.

33
34 **CHAIRMAN FRAZER:** Thank you, Ms. Bosarge. I will let Mr.
35 Rindone respond.

36
37 **MR. RINDONE:** If you guys wanted to address the recreational and
38 commercial fleets separately, then you would just split
39 Alternative 2 and Alternative 3 into two separate alternatives
40 each, with Alternative 2 addressing recreational daily
41 possession limit, and new Alternative 3 would be commercial
42 daily possession, and new Alternative 4 would be recreational
43 daily trip, and then Alternative 5 would be commercial daily
44 trip, or something to that effect, depending on what your
45 desires -- Or what your desire is for how you would want all of
46 that to look.

47
48 **MS. BOSARGE:** That would be helpful for me, certainly, because,

1 the way it's written now, where commercial is included in
2 everything, personally, I don't feel like I can support any
3 alternative, but, if you bust them out, at least I could have
4 meaningful conversation and try and do what I think would be the
5 best on the recreational side, and actually be able to vote for
6 something recreationally.

7
8 Right now, with them together, I can't. I have to vote no to
9 all of it, and I think that we should have two separate
10 alternatives, so that we can look at these two fleets, and these
11 two components, that fish on this stock and see what impact each
12 of these measures have, fleet-specific.

13
14 **CHAIRMAN FRAZER:** Okay, and so I think that direction is fairly
15 clear to staff, and, unless there is any opposition from the
16 council, I think staff has enough direction to do that and make
17 those changes in the document, and so I'm just going to wait
18 just a second. If anybody is opposed to that, just say so now.
19 Otherwise, I will direct staff to move in that direction. Okay.
20 Dr. Froeschke, did you want to -- I think it will be -- Okay.
21 Before we leave this committee, we will entertain one more
22 question or comment from John Sanchez and then Andy Strelcheck.
23 John.

24
25 **MR. SANCHEZ:** Thank you for circling back, Mr. Chair. As I
26 mentioned, I have two items under mackerel, and so we're leaving
27 cobia, and that was just I heard staff loud and clear that we're
28 going to be very busy, and the priority is cobia, at the next
29 meeting.

30
31 With that, both Tom, Mr. Chair, and Robin, Mr. Chair, I would
32 like to add -- If we could add, during Other Business in cobia,
33 just five minutes or whatever, but a brief discussion to see how
34 everybody responds to the white paper that Bill Kelly has
35 assured me that everybody will be in receipt of in advance of
36 the meeting. He's going to try to get it to everybody probably
37 at the end of March, well in advance of the April meeting, and,
38 by get it to everybody, probably get it to staff for
39 dissemination to everybody, and then if we could just have a
40 little talk on that during the tail-end of that cobia session in
41 April. Thank you.

42
43 **CHAIRMAN FRAZER:** Thank you, Mr. Sanchez. We will anticipate a
44 white paper from Mr. Kelly's group, and we will -- If we receive
45 that, we will plan on putting it on the agenda as a brief
46 discussion item. Mr. Strelcheck.

47
48 **MR. STRELCHECK:** Thanks, Chairman. In the same vein as the

1 Action 5 for cobia, which you wanted to share the council's
2 viewpoint on recommendations for the South Atlantic Council, and
3 I think it would be beneficial as well to select a preferred
4 under Action 2, which is the apportionment between the two
5 zones, given that the council will be meeting between now and
6 your next meeting.

7
8 From reviewing the alternatives, Alternative 5, there is
9 indications that there might be some bias, based on recently
10 regulatory changes, and Alternative 1 is not feasible.
11 Alternative 2 maintains the current apportionment, but it just
12 uses FES. To me, I think it centers around a recommendation of
13 either Alternatives 3 or 4 from this council, with regard to
14 apportionment between the two zones.

15
16 **CHAIRMAN FRAZER:** Okay. Are you willing to make that motion,
17 Andy, or are you looking for input from the council?

18
19 **MR. STRELCHECK:** Sure. I will move to make, under Action 2,
20 Alternative 3 the preferred alternative.

21
22 **CHAIRMAN FRAZER:** Okay, and so we're going to put that motion on
23 the board. As we're getting it up, is there a second to that
24 motion?

25
26 **MS. GUYAS:** I will second for discussion.

27
28 **CHAIRMAN FRAZER:** It's seconded by Ms. Guyas for discussion.
29 We'll get it on the board, Andy, and then we'll have just a
30 little bit more discussion, but I think you fleshed it out a bit
31 already. The motion on the board is, in Action -- Hold on.
32 We're not quite there. The motion on the board is, in Action 2,
33 to make Alternative 3 the preferred. We have a second by Ms.
34 Guyas. Andy, did you want to elaborate any more, or do you feel
35 like you've given enough?

36
37 **MR. STRELCHECK:** Alternative 3, just to elaborate a little bit
38 more, is just with the time series that was used to develop the
39 original apportionment, just updated with FES landings data.

40
41 **CHAIRMAN FRAZER:** Okay. Is there any further discussion of the
42 motion? Seeing none, is there any opposition to the motion?
43 Ms. Levy, before we get -- Okay. Let's hold off on the vote.
44 Mara, I didn't see your hand, and then I also see Patrick's
45 hand, and so we'll have a little bit more discussion. Ms. Levy.

46
47 **MS. MARA LEVY:** Thank you, and, I mean, just at some point, I
48 think it would be helpful to have a little bit more discussion

1 about why it's appropriate to keep the same time series and not
2 perhaps update it to include the more recent years, and I just
3 think it would be helpful to have more discussion about that.
4 If you want to think about that and have more discussion at
5 future council meetings, that's fine too.

6
7 **CHAIRMAN FRAZER:** Thank you, Ms. Levy. Mr. Banks.

8
9 **MR. BANKS:** Thank you, Mr. Chairman. I just wanted to try to
10 get some clarity, because I'm not reading in the document --
11 What I'm reading in the document doesn't help me as much as
12 maybe I am just not getting it, but the clarity between
13 Alternative 2 and Alternative 3, and can somebody help me
14 understand what is the difference there?

15
16 **CHAIRMAN FRAZER:** Mr. Rindone.

17
18 **MR. RINDONE:** I think Dr. Mendez-Ferrer should pick this one up.

19
20 **CHAIRMAN FRAZER:** Natasha.

21
22 **DR. NATASHA MENDEZ-FERRER:** In Action 2, Alternative 2, we
23 wouldn't be calculating -- We wouldn't be basing the
24 apportionment based on calculating average landings, and so the
25 way -- We would retain the apportionment as it is, the 64
26 percent and 36 percent, but then the ACL would be based on the
27 stock ACL that was selected in Action 1, and so, if you go to
28 Table 2.2.4, the reason why we don't have -- Why we didn't have
29 in the previous table like numbers is because, like I said, we
30 weren't calculating averages.

31
32 If you were to select, in Action 1, the ACL in Alternative 2,
33 which were recommended from the SSC for 2021 to 2023, then we
34 would use those numbers and then look at 64 percent of that ACL
35 in 2021, and that would be that 1,497,600 -- I can't even say
36 numbers in English right now, but they would be the numbers that
37 we have on the Gulf Zone ACL.

38
39 Similarly, then we would recalculate it, and so we wouldn't be
40 using average landings, and we would just be calculating the
41 percentage based on the ACL that was selected in Action 1, and
42 so that Alternative 2 is a little different, and it would be
43 like saying I don't want to -- I just want to retain the current
44 apportionment and then apply that the new catch limits. Does
45 that answer your question?

46
47 **MR. BANKS:** Not fully. It's not because you didn't answer it,
48 but it's just because I haven't been able to digest it enough,

1 but I appreciate the explanation.

2
3 **CHAIRMAN FRAZER:** Okay. Ms. Guyas.

4
5 **MS. GUYAS:** Just a question. I mean, I see, in the document,
6 that the council has agreed on 1998 to 2012, and I assume this
7 is when the councils did the mega-ACL accountability measure
8 amendment several years ago, but I was just wondering if there
9 was more information about why those specific years, other than
10 the councils just thought that that was fair, if anybody has the
11 history there.

12
13 **CHAIRMAN FRAZER:** I think we would have to go back and dig that
14 up, Martha.

15
16 **MS. GUYAS:** Okay. That's fine.

17
18 **CHAIRMAN FRAZER:** Okay. So we have a motion on the board. The
19 motion on the board is, in Action 2, to make Alternative 3 the
20 preferred. **Is there any opposition to this motion?**

21
22 **UNIDENTIFIED:** Yes.

23
24 **CHAIRMAN FRAZER:** Okay. One opposed. The motion carried with
25 one opposed.

26
27 **UNIDENTIFIED:** There's three opposed.

28
29 **MR. BANKS:** There is at least three opposed.

30
31 **CHAIRMAN FRAZER:** Okay. I'm sorry. Let's go ahead and have the
32 roll call vote. Dr. Simmons.

33
34 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Dr. Stunz.

35
36 **DR. STUNZ:** Yes.

37
38 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Diaz.

39
40 **MR. DIAZ:** Yes.

41
42 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Riechers.

43
44 **MR. RIECHERS:** Yes.

45
46 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Strelcheck.

47
48 **MR. STRELCHECK:** Yes.

1
2 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Shipp.
3
4 **DR. SHIPP:** Yes.
5
6 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Swindell.
7
8 **MR. SWINDELL:** No.
9
10 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Banks.
11
12 **MR. BANKS:** No.
13
14 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dyskow.
15
16 **MR. DYSKOW:** Yes.
17
18 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Williamson.
19
20 **MR. WILLIAMSON:** Yes.
21
22 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Bosarge.
23
24 **MS. BOSARGE:** Abstain.
25
26 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Guyas.
27
28 **MS. GUYAS:** Yes.
29
30 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Boggs.
31
32 **MS. BOGGS:** Yes.
33
34 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Anson.
35
36 **MR. ANSON:** Yes.
37
38 **EXECUTIVE DIRECTOR SIMMONS:** General Spraggins.
39
40 **GENERAL SPRAGGINS:** Yes.
41
42 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Sanchez.
43
44 **MR. SANCHEZ:** Yes.
45
46 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dugas.
47
48 **MR. DUGAS:** No.

1
2 **EXECUTIVE DIRECTOR SIMMONS:** The motion carries twelve to three
3 with two abstentions.
4

5 **CHAIRMAN FRAZER:** Okay. Is there any further discussion on this
6 particular document? Seeing none, is there any further
7 discussion -- Ms. Boggs.
8

9 **MS. BOGGS:** Well, based on what we just did, should we not pick
10 a preferred in Action 1, because this is related to what Action
11 1 is.
12

13 **CHAIRMAN FRAZER:** Bernie, would you put Action 1 up on the
14 board? Okay. Ms. Boggs, if you're interested in making a
15 motion, now would be the time.
16

17 **MS. BOGGS:** I would like to make a motion to make, in Action 1,
18 Alternative 2 the preferred.
19

20 **CHAIRMAN FRAZER:** Okay, and so we'll put that up on the board.
21 Is there a second to this motion?
22

23 **MR. RIECHERS:** Second.
24

25 **CHAIRMAN FRAZER:** It's seconded by Mr. Riechers. Susan, do you
26 want to -- We'll get it up, and then you can tell us a little
27 bit more about your rationale.
28

29 **MS. BOGGS:** Thank you.
30

31 **CHAIRMAN FRAZER:** The motion on the board reads: In Action 1, to
32 make Alternative 2 the preferred. Ms. Boggs.
33

34 **MS. BOGGS:** Well, my rationale for that is I would prefer to see
35 the constant catch, but the SSC is not recommending that,
36 because the stock is not currently overfishing, as it states on
37 paper page 11, and so, with that, I would go with the SSC
38 recommendation. Thank you.
39

40 **CHAIRMAN FRAZER:** All right. Is there any further discussion of
41 the motion? Mr. Riechers.
42

43 **MR. RIECHERS:** Just to clarify that there is that constant catch
44 scenario there, but it was basically you're giving up poundage,
45 and giving up the impact associated with that poundage, from a
46 value standpoint, because it takes a lower value, and so we
47 didn't get the normal average type of scenario that we would
48 look at, and so I think, Ms. Boggs, if the SSC were to go back

1 and revisit their discussion and come back with a constant catch
2 level that is more of an average of the 2021 to 2023, it may be
3 that you might want to think about that again, but I agree with
4 you that, given the current scenario, Alternative 2 is the one
5 that would provide the greatest benefits at this point, and so,
6 like I said, I just wanted to clarify that there is that
7 constant catch alternative there, but it is set at a lower
8 level, because of the SSC's indication that they didn't want to
9 look for that different average approach that we have used
10 somewhat in the past.

11
12 **CHAIRMAN FRAZER:** Okay. Thank you, Robin, for that
13 clarification. I am not seeing any other hands up at this
14 point. **Is there any opposition to this motion? Seeing no**
15 **opposition, the motion carries.**

16
17 I will take any last questions or comments as it relates to this
18 committee, and I don't see any. We will take a break until
19 1:00, and we'll pick up with the Sustainable Fisheries
20 Committee, and then we'll move into the Reef Fish Committee
21 Report, and so I am not seeing any hands. I will see everybody
22 at 1:00.

23
24 (Whereupon, the meeting recessed for lunch on January 28, 2021.)

25
26 - - -

27
28 January 28, 2021

29
30 THURSDAY AFTERNOON SESSION

31
32 - - -

33
34 The Full Council of the Gulf of Mexico Fishery Management
35 Council reconvened via webinar on Thursday afternoon, January
36 28, 2021, and was called to order by Chairman Tom Frazer.

37
38 **CHAIRMAN FRAZER:** Okay. Dale, if you want to go ahead and start
39 with the Sustainable Fisheries Committee, that would be great.

40
41 **SUSTAINABLE FISHERIES COMMITTEE REPORT**

42
43 **MR. DIAZ:** Thank you, Mr. Chairman. The Sustainable Fisheries
44 Committee met on January 25, 2021, and the committee requested
45 that an update on how red snapper dead discards were counted
46 against recreational and commercial ACLs be added in Other
47 Business. With that addition, the committee adopted the agenda
48 and approved the minutes of the November/December 2020 meeting

1 as written.

2
3 Tab E, Number 4, Final Action Amendment Reef Fish 48/Red Drum 5:
4 Status Determination Criteria and Optimum Yield for Reef Fish
5 and Red Drum, the council received a public hearing draft of the
6 amendment at its November/December 2020 meeting, but asked for
7 further clarification regarding Action 1, which would define the
8 maximum sustainable yield using the fishing mortality at the
9 spawning potential ratio as an MSY proxy.

10
11 National Standard 1 Guidelines require status determination
12 criteria for each managed stock. However, defining an MSY using
13 a proxy is particularly difficult for data-limited stocks.

14
15 Council staff outlined the pros and cons of this approach for
16 defining MSY and reviewed the historical decision process of the
17 council's Scientific and Statistical Committee. The SSC had
18 discussed using SPR as an MSY proxy for data-poor stocks at
19 several meetings and determined the approach was scientifically
20 sound. The SSC also noted that the MSY definition for data-poor
21 stocks could later be updated, should a stock assessment or more
22 data allow for a direct calculation of MSY.

23
24 The SSC had considered using historical landings data to
25 calculate MSY. However, many data-poor stocks have not been
26 updated/calibrated to the Marine Recreational Information
27 Program's Fishing Effort Survey, and there are no stock
28 assessments scheduled for these species to make these updates.
29 Given these considerations, the SSC ultimately recommended the
30 use of SPR proxies for defining MSY.

31
32 A technical guidance report to address reference points using a
33 tiered approach from a Council Coordination Committee subgroup
34 is in progress, but has not been made available at this date,
35 and therefore could not be incorporated into the document.

36
37 Council staff also reviewed all the preferred alternatives for
38 each action in the document. A committee member asked why
39 goliath grouper was managed under the South Atlantic Fishery
40 Management Council's jurisdiction. Council staff clarified that
41 goliath grouper is considered to be a single stock throughout
42 its range and that this document would define stock status
43 determination criteria in the Gulf of Mexico to be consistent
44 with what is defined in the South Atlantic.

45
46 After a review of the previously selected preferred
47 alternatives, the committee unanimously approved the following
48 motion. **The committee recommends, and I so move, to approve**

1 Reef Fish Amendment 48/Red Drum 5: Status Determination Criteria
2 and Optimum Yield for Reef Fish and Red Drum and that it be
3 forwarded to the Secretary of Commerce for review and
4 implementation, giving staff editorial license to make the
5 necessary changes in the document. Mr. Chair.

6
7 **CHAIRMAN FRAZER:** Thank you, Mr. Diaz. This is a final action
8 item. We have a committee motion on the board. Is there any
9 further discussion of the motion? I am not hearing any or
10 seeing any hands, and so we will go ahead and take a roll call
11 vote. Dr. Simmons.

12
13 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Mr. Banks.

14
15 **MR. BANKS:** Yes.

16
17 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Diaz.

18
19 **MR. DIAZ:** Yes.

20
21 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dugas.

22
23 **MR. DUGAS:** Yes.

24
25 **EXECUTIVE DIRECTOR SIMMONS:** General Spraggins.

26
27 **GENERAL SPRAGGINS:** Yes.

28
29 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Anson.

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

32
33 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Shipp.

34
35 **DR. SHIPP:** Yes.

36
37 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Swindell.

38
39 **MR. SWINDELL:** Yes.

40
41 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Boggs.

42
43 **MS. BOGGS:** Yes.

44
45 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Bosarge.

46
47 **MS. BOSARGE:** Yes.

1 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Stunz.

2
3 **DR. STUNZ:** Yes.

4
5 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dyskow.

6
7 **MR. DYSKOW:** Yes.

8
9 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Sanchez.

10
11 **MR. SANCHEZ:** Yes.

12
13 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Williamson.

14
15 **MR. WILLIAMSON:** Yes.

16
17 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Guyas.

18
19 **MS. GUYAS:** Yes.

20
21 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Strelcheck.

22
23 **MR. STRELCHECK:** Yes.

24
25 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Riechers.

26
27 **MR. RIECHERS:** Yes.

28
29 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Frazer.

30
31 **CHAIRMAN FRAZER:** Yes.

32
33 **EXECUTIVE DIRECTOR SIMMONS:** The motion carries unanimously.

34
35 **CHAIRMAN FRAZER:** Okay. Continue, Mr. Diaz.

36
37 **MR. DIAZ:** Tab E, Number 5, SSC Recommendations on Interim
38 Analyses Species and Timing, staff summarized the factors
39 considered in creating the draft interim analysis schedule,
40 including Southeast Fisheries Science Center workload, data
41 availability, and management needs.

42
43 Dr. Powers noted some concerns by the SSC, including the amount
44 of time needed to process samples from some representative
45 fishery-independent indices of abundance. He further clarified
46 that the interim analysis process considers recent landings
47 against a representative fishery-independent index of abundance
48 to generate catch advice for subsequent years.

1
2 The committee generally agreed that the council should try to
3 streamline the approval process for accepting and implementing
4 the results of an interim analysis. To that end, Mr.
5 Strelcheck, from the Southeast Regional Office, offered to
6 investigate how this process operates in other regions and will
7 present those findings at a future council meeting.

8
9 Lastly, a committee member thought that documents addressing the
10 results of an interim analysis should focus only on the results
11 of that analysis, to the extent possible, in an effort to
12 expedite decision-making.

13
14 Tab E, Number 6, Review of Standardized Bycatch Reporting
15 Methodology for the Gulf of Mexico and Joint Fishery Management
16 Plans, Mr. Peter Hood, from the Southeast Regional Office,
17 presented an introduction and requirements of a standardized
18 bycatch reporting methodology, SBRM, which was stipulated by a
19 National Marine Fisheries Service 2017 final rule and must be
20 incorporated into each fishery management plan.

21
22 The SBRM would establish consistent procedures for bycatch data
23 collection and reporting. The rule stipulates that the council
24 should consider characteristics of bycatch occurring in the
25 fishery, determine the feasibility of the data collection
26 approaches, estimate bycatch data uncertainty, and identify how
27 these data can be used to inform stock assessments.

28
29 Mr. Hood gave a progress timeline for document development to
30 meet the rule implementation deadline of February 21, 2022. The
31 committee inquired how state or other fishery agency information
32 would be vetted and included in the development of the SBRM.

33
34 Mr. Hood indicated that a number of potentially relevant data
35 streams, including those provided by state agencies, could be
36 identified during the characterization portion of the SBRM
37 development process and considered for inclusion. The committee
38 stated that focused examination should be given to aspects of a
39 fishery where uncertainty in bycatch estimates is particularly
40 high when considering any additional regulations associated with
41 the SBRM development.

42
43 Other Business, Update on Red Snapper Dead Discards Counted
44 Against Recreational and Commercial ACLs, The committee inquired
45 about the status of a request made during the October 2020
46 meeting relative to the inclusion of recreational and commercial
47 discards when accounting for the annual catch limits.
48 Specifically, in the eastern states. where federal surveys are

1 conducted, the committee inquired about how discards are tracked
2 against the recreational and commercial ACLs and how these
3 discards are considered during stock assessments.

4
5 Dr. Porch, of the Southeast Fisheries Science Center, indicated
6 that, for the recreational sector, B1 fish, which are fish that
7 were kept but not observed by the National Marine Fisheries
8 Service samplers, are combined with landed, or A, fish in the
9 assessment. Accordingly, the resulting ABC and ACL implicitly
10 includes the A plus B1 category, and monitoring should be
11 consistent with that.

12
13 He further noted that a category similar to B1 does not exist
14 for the commercial sector, because the observer is onboard
15 during the harvesting process. Dr. Porch also stated that he
16 would double check with his staff and provide more information
17 during Full Council.

18
19 Mr. Strelcheck confirmed that B1 fish, which are fish harvested
20 but not observed, are used to monitor against the ACL. He then
21 noted that B1 fish typically account for a very small amount of
22 the landed catch. Mr. Strelcheck also noted that release
23 mortality associated a proportion of B2 fish, or released fish,
24 are taken off the top when determining the ACL, and they are not
25 included in the ACL monitoring.

26
27 Subsequently, Dr. Porch confirmed that there is no equivalent to
28 B1 fish in the commercial fishery. All harvested fish on
29 observed trips are seen. Fish that are reported as discarded
30 dead are included with the overall discards, because they were
31 seen going over the side. Thus, for the commercial fishery, the
32 ACL and monitoring consider only landings.

33
34 The committee asked whether the update on discards would be
35 available by the next meeting. Dr. Simmons indicated that staff
36 is planning to provide this information during the April 2021
37 council meeting. Mr. Chair, this concludes my report.

38
39 **CHAIRMAN FRAZER:** Thank you, Mr. Diaz. Is there any other
40 business that needs to come before the Sustainable Fisheries
41 Committee or bears on this report? Okay. I will wait just a
42 second. I am not seeing any hands or hearing any voices, and
43 so, again, thank you, Mr. Diaz, for the report, and we will move
44 into the Reef Fish Committee Report. Ms. Guyas.

45 46 **REEF FISH COMMITTEE REPORT**

47
48 **MS. GUYAS:** All right. This is the report for Tab B. The

1 committee adopted the agenda. The minutes of the
2 November/December 2020 meeting were approved as written.

3
4 Review of Reef Fish Landings and IFQ Program Landings, only
5 commercial landings data were presented, because recreational
6 landings data are not available for 2020. Landings for 2020 are
7 considered preliminary and are cumulative by month. The
8 committee noted that, despite the COVID-19 pandemic, the price-
9 per-pound realized for IFQ species was similar to that observed
10 in 2019. The 2020 data are not yet adjusted for inflation.

11
12 Carryover of red grouper and red snapper was discussed, with
13 resistance expressed by the committee for carrying over red
14 grouper, in light of the stressed condition of that stock. A
15 committee member advocated for carrying over uncaught quota from
16 2020 to 2021 to shareholder accounts for red snapper. NOAA
17 General Counsel advised the committee to not lose sight of the
18 ongoing calibration work for the recreational sector and that
19 the calibration work may confound this issue.

20
21 A committee member thought that supporting the commercial red
22 snapper fishermen by allowing the carryover of uncaught 2020
23 quota to specific IFQ accounts in 2021 would go a long way to
24 support those fishermen. Another committee member countered
25 that many fisheries have foregone allocation every year, and yet
26 the council has not taken similar action to the same effect.

27
28 Final Action: Framework Action: Modification of Gray Triggerfish
29 Catch Limits, at its November 2020 meeting, the council moved to
30 split a framework action on vermilion snapper and gray
31 triggerfish catch levels and gray triggerfish recreational fixed
32 closed seasons into multiple documents. Council staff brought a
33 new draft framework action to modify gray triggerfish catch
34 levels before the committee for final action, and council staff
35 reviewed public comments on the document.

36
37 **The committee recommends, and I so move, in Action 1, to make**
38 **Alternative 2 the preferred alternative. Alternative 2 is**
39 **modify the ABC, ACLs, and ACTs for gray triggerfish based on the**
40 **results of the 2020 interim analysis, the recommendations of the**
41 **council's SSC, and Reef Fish Advisory Panel. Apply the ACL/ACT**
42 **control rule to determine the buffer between the ACL and ACT for**
43 **the recreational and commercial sectors, respectively. Mr.**
44 **Chair.**

45
46 **CHAIRMAN FRAZER:** Thank you, Ms. Guyas. We have a committee
47 motion on the board. Is there any further discussion of the
48 motion? **Seeing none, is there any opposition to the motion?**

1 **Seeing none, the motion carries.** Go ahead, Ms. Guyas.

2
3 **MS. GUYAS:** A committee member asked why there was such a large
4 buffer between the overfishing limit and acceptable biological
5 catch and inquired when the ABC could be reviewed again.
6 Council staff explained that the last completed stock assessment
7 provided high and low-recruitment scenarios to generate catch
8 advice for the rebuilding plan established in Amendment 46 to
9 the Reef Fish Fishery Management Plan. The resultant catch
10 recommendations considered lower recruitment, and set the ABC at
11 the fishing mortality rate required to rebuild the stock by
12 2025.

13
14 Council staff explained that the next interim analysis for gray
15 triggerfish is tentatively scheduled for 2023, based on the
16 SSC's recommendations. However, the Southeast Fisheries Science
17 Center indicated that analysis could be moved up to 2022.

18
19 **The committee recommends, and I so move, to approve the**
20 **Framework Action: Modification of Gray Triggerfish Catch Limits**
21 **and that it be forwarded to the Secretary of Commerce for review**
22 **and implementation and deem the codified text as necessary and**
23 **appropriate, giving staff editorial license to make the**
24 **necessary changes in the document. The Council Chair is given**
25 **the authority to deem any changes to the codified text as**
26 **necessary and appropriate.** Mr. Chair.

27
28 **CHAIRMAN FRAZER:** Thank you, Ms. Guyas. We have a final action
29 item. We will put the motion up on the board, but we have a
30 hand up from Mr. Banks.

31
32 **MR. BANKS:** Thank you, Mr. Chairman. Not that I necessarily
33 have an issue with the document, but what I have an issue with
34 is picking a preferred at the same meeting in which we go final
35 on something. It just doesn't seem to me that we give the
36 public enough opportunity to understand where we're going and be
37 able to chew on it to get the feedback we need before we take a
38 final action.

39
40 I am going to oppose this motion, not necessarily because I
41 oppose the document, but simply because I oppose this process of
42 not allowing the public to have ample time to understand the way
43 the council is going before we take final action. Thank you.

44
45 **CHAIRMAN FRAZER:** Mr. Banks, I just want to make sure that we're
46 all on the same page here. So, I mean, technically, the
47 document -- There was an opportunity and public comment period
48 yesterday, which is essentially a kind of public hearing

1 document, right, and so they did have that opportunity, and I
2 guess the concern is whether or not they had ample opportunity,
3 from your perspective.

4
5 **MR. BANKS:** That is correct, Mr. Chairman. I realize they did
6 have yesterday as their opportunity, but one day of an
7 opportunity to review it and chew on something before we make
8 something final seems to not be really in the spirit of what
9 we're trying to do.

10
11 I think this is a deliberative process, and the council is -- I
12 am not so sure that picking a preferred and then trying to let
13 the public chew on which way we're going and then going final
14 the very next day is really enough opportunity. Thank you.

15
16 **CHAIRMAN FRAZER:** Thank you, Mr. Banks, for your comments. Is
17 there any further discussion on the motion? Okay. It is a
18 final action item, and so we will take a roll call vote. Dr.
19 Simmons.

20
21 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Mr. Dyskow.

22
23 **MR. DYSKOW:** Yes.

24
25 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dugas.

26
27 **MR. DUGAS:** Yes.

28
29 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Sanchez.

30
31 **MR. SANCHEZ:** Yes.

32
33 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Guyas.

34
35 **MS. GUYAS:** Yes.

36
37 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Shipp.

38
39 **DR. SHIPP:** Yes.

40
41 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Banks.

42
43 **MR. BANKS:** No.

44
45 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Williamson.

46
47 **MR. WILLIAMSON:** Yes.

1 **EXECUTIVE DIRECTOR SIMMONS:** General Spraggins.

2
3 **GENERAL SPRAGGINS:** I agree with Patrick. I do believe that
4 it's a good document, but I agree with him about the amount of
5 time, and so I'm going to vote no.

6
7 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Bosarge.

8
9 **MS. BOSARGE:** Yes.

10
11 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Anson.

12
13 **MR. ANSON:** Yes.

14
15 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Riechers.

16
17 **MR. RIECHERS:** Yes.

18
19 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Diaz.

20
21 **MR. DIAZ:** Yes.

22
23 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Swindell.

24
25 **MR. SWINDELL:** I have to agree that I don't think that we have
26 given the public enough opportunity to really review and make
27 good comments. Thank you. My vote is no.

28
29 **EXECUTIVE DIRECTOR SIMMONS:** Thank you. Mr. Strelcheck.

30
31 **MR. STRELCHECK:** Yes.

32
33 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Stunz.

34
35 **DR. STUNZ:** Yes.

36
37 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Boggs.

38
39 **MS. BOGGS:** Yes.

40
41 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Frazer.

42
43 **CHAIRMAN FRAZER:** Yes.

44
45 **EXECUTIVE DIRECTOR SIMMONS:** The motion carries fourteen to
46 three.

47
48 **CHAIRMAN FRAZER:** Okay. Ms. Guyas.

1
2 **MS. GUYAS:** All right. Final Action: Framework Action:
3 Modification of the Gulf of Mexico Lane Snapper Catch Limits and
4 Accountability Measures, at its November/December 2020 meeting,
5 the committee selected preferred alternatives for the Framework
6 Action to Modify Gulf of Mexico Lane Snapper Catch Limits and
7 Accountability Measures.

8
9 Council staff reviewed these preferred alternatives and the
10 public comments received on this action since the previous
11 meeting. One Committee member reminded the committee that the
12 preferred alternative in Action 1 would nearly double the catch
13 limits for lane snapper, which is considered a data-poor
14 species. They noted, that while the stock appears healthy,
15 there is a possibility the council would need to revisit the
16 lane snapper catch limits, should future harvests indicate a
17 stock decline.

18
19 The committee also discussed that, while a portion of this
20 increase is associated with the increase in stock size, the
21 majority of the increase results from the use of MRIP-FES
22 recreational data in the update assessment.

23
24 **The committee recommends, and I so move, to approve the**
25 **Framework Action: Modification of the Gulf of Mexico Lane**
26 **Snapper Catch Limits and Accountability Measures and that it be**
27 **forwarded to the Secretary of Commerce for review and**
28 **implementation and deem the codified text as necessary and**
29 **appropriate, giving staff editorial license to make the**
30 **necessary changes in the document. The Council Chair is given**
31 **the authority to deem any changes to the codified text as**
32 **necessary and appropriate. Mr. Chair.**

33
34 **CHAIRMAN FRAZER:** Thank you, Ms. Guyas. Again, we have a final
35 action. This is a final action item. Excuse me. Is there any
36 further discussion of this motion? Seeing none, or hearing
37 none, we'll go ahead and take a roll call vote. Dr. Simmons.

38
39 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Mr. Diaz.

40
41 **MR. DIAZ:** Yes.

42
43 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dugas.

44
45 **MR. DUGAS:** Yes.

46
47 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Shipp.

1 DR. SHIPP: Yes.
2
3 EXECUTIVE DIRECTOR SIMMONS: Mr. Anson.
4
5 MR. ANSON: Yes.
6
7 EXECUTIVE DIRECTOR SIMMONS: Mr. Dyskow.
8
9 MR. DYSKOW: Yes.
10
11 EXECUTIVE DIRECTOR SIMMONS: Mr. Banks.
12
13 MR. BANKS: Yes.
14
15 EXECUTIVE DIRECTOR SIMMONS: General Spraggins.
16
17 GENERAL SPRAGGINS: Yes.
18
19 EXECUTIVE DIRECTOR SIMMONS: Ms. Bosarge.
20
21 MS. BOSARGE: Yes.
22
23 EXECUTIVE DIRECTOR SIMMONS: Mr. Williamson.
24
25 MR. WILLIAMSON: Yes.
26
27 EXECUTIVE DIRECTOR SIMMONS: Mr. Swindell.
28
29 MR. SWINDELL: In keeping with the same issue of not giving the
30 public time to address this properly, I say no. Thank you.
31
32 EXECUTIVE DIRECTOR SIMMONS: Ms. Guyas.
33
34 MS. GUYAS: Yes.
35
36 EXECUTIVE DIRECTOR SIMMONS: Mr. Riechers.
37
38 MR. RIECHERS: Yes.
39
40 EXECUTIVE DIRECTOR SIMMONS: Ms. Boggs.
41
42 MS. BOGGS: Yes.
43
44 EXECUTIVE DIRECTOR SIMMONS: Mr. Strelcheck.
45
46 MR. STRELCHECK: Yes.
47
48 EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.

1
2 **MR. SANCHEZ:** Yes.

3
4 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Stunz.

5
6 **DR. STUNZ:** Yes.

7
8 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Frazer.

9
10 **CHAIRMAN FRAZER:** Yes.

11
12 **EXECUTIVE DIRECTOR SIMMONS:** The motion carried sixteen to one.
13 Mr. Chair.

14
15 **CHAIRMAN FRAZER:** Thank you, Dr. Simmons. Ms. Guyas, back to
16 you.

17
18 **MS. GUYAS:** Final Action: Framework Action: Gulf of Mexico Red
19 Snapper Recreational Data Calibration and Recreational Catch
20 Limits, Dr. Joe Powers reviewed the summary results of the Great
21 Red Snapper Count presented to the SSC at its January 2021
22 webinar meeting.

23
24 The GRSC is a comprehensive and multifaceted study over a large
25 geographic area. However, many questions about the analyses
26 have not yet been answered, as the final project report is still
27 outstanding. The summary estimate of the coefficient of
28 variation about the total estimate of absolute abundance of 11
29 percent was queried, and the SSC would like more information
30 about how the CVs by strata were determined.

31
32 The SSC recommended an expedited review of the GRSC results by
33 an independent panel, including independent reviewers and this
34 review will take place from March 30 through April 2, 2021.
35 This review will determine the appropriateness of the GRSC as an
36 estimate of absolute red snapper abundance, and the SSC will
37 determine whether to use the GRSC in a survey-informed catch
38 analysis for providing management advice.

39
40 The SSC had noted that the effort to use GRSC data in an interim
41 analysis would be quite different from a typical interim
42 analysis, and, as such, ought not be labeled the same. Dr.
43 Powers noted that the final project report is needed for a
44 thorough review of the GRSC and anticipated many of the SSC's
45 questions being answered therein.

46
47 The committee questioned the timing of the independent review of
48 the GRSC and the immediate completion of the GRSC-informed catch

1 analysis using the same for management advice. Dr. Greg Stunz
2 clarified that the priority for the GRSC team was to ensure the
3 accuracy of the science of the GRSC, with accommodations for
4 generating management advice coming second to that effort.

5
6 Dr. Clay Porch clarified that the designation of best scientific
7 information available necessitates that the information be
8 available, and, without the full report, that designation is not
9 yet possible. The Southeast Fisheries Science Center is working
10 with the GRSC team on the data available to date and is working
11 to fill any gaps using other survey data as appropriate. The
12 SEFSC intends to have the GRSC-informed catch analysis available
13 for SSC review at the tail-end of the review of the GRSC at the
14 end of March 2021.

15
16 The committee discussed using the Gulf state-generated
17 recreational catch and effort data for the private angling
18 component in the GRSC-informed catch analysis, with runs both
19 including and not including the GRSC abundance data.

20
21 A committee member thought the state-generated data were more
22 accurate than those data generated by the Marine Recreational
23 Information Program, or MRIP, and would result in a more
24 accurate estimate of the condition of the red snapper stock than
25 using only MRIP-calibrated catch and effort data.

26
27 Dr. Porch clarified that a research track assessment would be
28 best equipped to consider the state-generated data and that the
29 proposed GRSC-informed catch analysis being prepared for the SSC
30 to review at the end of March 2021 is not designed for this sort
31 of effort. Further, considering these data in the GRSC-informed
32 catch analysis by the end of March 2021 will not be possible,
33 due to time constraints.

34
35 The committee questioned the continued use of the MRIP-generated
36 catch and effort data for generating management advice, noting
37 the greater precision being achieved by the state surveys.
38 State surveys are used to inform recreational catch and effort
39 in Washington, Oregon, and California. However, MRIP does not
40 operate in those states.

41
42 **The committee recommends, and I so move, to request the**
43 **Southeast Fisheries Science Center add two additional analysis**
44 **runs to the research track red snapper assessment that would**
45 **replace federal recreational survey data with state recreational**
46 **survey data with and without GRSC data. Mr. Chair.**

47
48 **CHAIRMAN FRAZER:** Thank you, Ms. Guyas. We have a committee

1 motion on the board. Is there any further discussion of the
2 motion? **Seeing no hands, or hearing nothing, is there any**
3 **opposition to the motion? Hearing none, the motion carries.**
4 Ms. Guyas.

5
6 **MS. GUYAS:** Public comment on the draft framework action was
7 reviewed. Staff then reviewed the action and alternatives in
8 the document. Dr. Frazer offered modifications to Alternatives
9 2 and 3 that would consider quota adjustments expected from the
10 completion of the GRSC-informed catch analysis on red snapper,
11 using data from the GRSC.

12
13 Dr. Frazer presented a table showing the proportion of red
14 snapper occurring off each Gulf state, according to the estimate
15 of absolute abundance from the GRSC. Noting the current state-
16 specific allocations and the calibration ratios generated by the
17 NOAA Office of Science and Technology, Dr. Frazer showed, using
18 the proportion of the total biomass, in numbers of fish,
19 occurring off each state as a guide, how the state-specific
20 catch limits might be modified based on an increase in the ABC.

21
22 The proposed modifications would conclude at the end of the 2022
23 fishing season, with the expectation that the catch limits would
24 be revisited by the council before that point. Dr. Frazer also
25 presented socioeconomic considerations for modifications to the
26 state-specific sector allocations for inclusion in a future plan
27 amendment.

28
29 The committee noted the work that went into determining the
30 current state-specific allocations for the private angling
31 component in Amendment 50A to the Reef Fish FMP. NOAA General
32 Counsel asked whether there would be any adjustment, in the
33 event that the GRSC-informed catch analysis for red snapper did
34 not result in an increase in the ABC of 25 percent.

35
36 Dr. Frazer clarified that, depending on which alternative is
37 selected as preferred, that alternative would take effect
38 regardless of any increase to the ABC from the GRSC-informed
39 catch analysis. SERO and NOAA General Counsel both clarified
40 that the language for the motion should state that the
41 modification would remain in place until changed, rather than
42 reverting back to the currently incompatible status quo of
43 Alternative 1.

44
45 Some Committee members expressed support for using the GRSC as a
46 tool for examining the state-specific allocations and for
47 modifying the ABC in the GRSC-informed catch analysis.
48 Acknowledgement of the uncertainty around the estimate of

1 absolute abundance was made known, and that the committee could
2 not know by how much the ABC might change as a result of the
3 results of the Great-Red-Snapper-Count-informed catch analysis.

4
5 SERO noted that some adjustment to the state catch limits would
6 need to occur, regardless of whether Alternative 2 or 3 is
7 selected as preferred. Committee members acknowledged an effort
8 to not purposefully inflict disproportionate catch limit
9 reductions to any one state, while also working towards becoming
10 compliant with the Magnuson-Stevens Fishery Conservation and
11 Management Act.

12
13 For the proposal for modifying Alternative 2, if no increase in
14 ABC results from the GRSC-informed catch analysis, then, under
15 this motion, Alternative 2 would be in effect until modified by
16 the council.

17
18 **The committee recommends, and I so move, in Action 1, to add a**
19 **series of options under Alternative 2 that would incorporate an**
20 **increase to the overfishing fishing limit and acceptable**
21 **biological catch based on the results of the interim analysis,**
22 **as informed by the Great Red Snapper Count. If the results of**
23 **the review by the SSC result in a minimum of zero or a 25**
24 **percent increase in ABC, the state-specific ACLs would be**
25 **calibrated based on Alternative 2 for the 2021 and 2022**
26 **recreational fishing seasons. Regardless of the results of the**
27 **interim analysis, the state specific ACLs will be reviewed in**
28 **2022, or as soon as practicable. Example: Option a is apply the**
29 **ratio calibration in Alternative 2, if the ABC is increased.**
30 **Option b is apply the ratio conversion in Alternative 2, if the**
31 **ABC is increased by 25 percent or more. Also, see the appendix**
32 **for revised alternatives. I don't know how you want to handle**
33 **that, Mr. Chair.**

34
35 **CHAIRMAN FRAZER:** Okay, and so we will go ahead and -- We have
36 the -- I lost my computer for a second. Let me log back in.
37 Okay, and so there's a couple of things that we can do. We can
38 go ahead to the appendix real quick.

39
40 Again, I think the intent of the motion, and the discussion in
41 committee, was to provide an opportunity to, if there's a quota
42 adjustment, enact this motion, or this approach, proactively,
43 and, after some discussion, based on what transpired in the
44 committee and in talking with the legal counsel, it might be
45 more appropriate, actually, to streamline this document and
46 eliminate Option b. That would capture the intent still to
47 apply the calibration ratios, and, if there's a quota
48 adjustment, apply those same calibration ratios moving forward.

1
2 I actually would make a motion, I guess, a substitute motion at
3 this time, that would remove Option 2b, or remove Option b, from
4 Alternative 2.

5
6 **MS. GUYAS:** So a point of order. Wouldn't we need to pass that
7 first motion first? Right now, we don't have an Option 2b in
8 Alternative 2.

9
10 **CHAIRMAN FRAZER:** We're going to actually copy this whole
11 motion, Martha, in.

12
13 **MS. GUYAS:** Okay.

14
15 **CHAIRMAN FRAZER:** Sorry. I just was trying to streamline it.
16 Let's get that up on the board, so everybody is clear on what
17 we're trying to do. Then what we would do is remove Option a
18 and b. We have a substitute motion now on the board, and I will
19 read it into the record here.

20
21 In Action 1, under Alternative 2 -- We're getting there. It's
22 not quite there yet. In Action 1, under Alternative 2, that
23 would incorporate an increase -- I think this is where we're
24 headed.

25
26 In Action 1, under Alternative 2, incorporate an increase to the
27 overfishing fishing limit (OFL) and acceptable biological catch
28 (ABC) based on the results of the interim analysis, as informed
29 by the Great Red Snapper Count. If the results of the review by
30 the SSC result in an increase of the ABC, the state-specific
31 ACLs would be calibrated based on Alternative 2 for the 2021 and
32 2022 recreational fishing seasons. Regardless of the results of
33 the interim analysis, the state specific ACLs will be reviewed
34 in 2022, or as soon as practicable.

35
36 Again, the intent here is to -- We have really two options in
37 this framework action. One is to apply the calibration ratios,
38 and that's what Alternative 2 is all about, and we would like
39 to, if we go with this motion, carry the application of those
40 calibration ratios forward to the 2022 season, if there is a
41 quota adjustment, and so, if I can get a second to that motion,
42 we can talk a little more. I see some hands are up, but we'll
43 wait to see if we can get a second.

44
45 **MR. STRELCHECK:** Tom, I will second it.

46
47 **CHAIRMAN FRAZER:** It's seconded by Andy Strelcheck. Kevin, your
48 hand is up?

1
2 **MR. ANSON:** Just it isn't what I had my hand up for, and I will
3 ask that question, but I guess, relative to this, I'm still
4 trying to digest what's on the screen here, and so how does --
5 Will be calibrated based on Alternative 2 for the 2021 and 2022
6 recreational fishing seasons. Regardless of the results of the
7 interim analysis, state-specific ACLs will be reviewed in 2022.
8 Okay. So is it an attempt to try to more cleanly describe what
9 was previous written for this alternative, Dr. Frazer, or is
10 there some other --

11
12 **CHAIRMAN FRAZER:** That's the intent, Kevin. The intent really
13 is just to clean this up and simplify it, because it's a
14 framework action and I didn't want to deviate radically from
15 where we were before. I mean, I think, again, the original
16 Alternative 2, the goal was to apply the calibration ratios to
17 each of the states' estimates, and, because we know that, moving
18 forward -- There is a subsequent motion down in the report that
19 would -- We're going to have to start an amendment if we want to
20 adjust these allocations in any way, and that amendment very
21 likely would take some time to complete.

22
23 This is an attempt to be compliant, so the states can actually
24 establish their fishing seasons, recognizing where they sit with
25 current situation, or current existing conditions, and, moving
26 forward, if there's a quota adjustment, then there's a path, or
27 a plan, moving forward, so we can act on that very quickly as
28 well. I will let you respond to that.

29
30 **MR. ANSON:** Thank you. Thank you for the clarification, and so,
31 to my original reason that I had my hand up, this -- I mean,
32 just procedurally, a point of order question, and this still
33 doesn't -- We will still incorporate this, and, if this is voted
34 up, this will now be included in the preferred motion for this
35 alternative later on? I mean, is this all one and the same, or
36 how does this change the previous vote in committee for
37 Alternative 2 being preferred? I mean, I guess it will be
38 addressed, or we can update it at that point in time, but that
39 was my question.

40
41 **CHAIRMAN FRAZER:** Yes, we can deal with that later, and this is
42 just to get the motion and kind of clean it up, right, and to
43 make sure that everybody is on the same page and that, as we
44 move forward, that we weren't going to necessarily cause
45 unnecessary problems moving forward, and so I think -- Mara, I
46 see your hand is up, and so if you want to jump in here.

47
48 **MS. LEVY:** Thank you. Just the thing I wanted to ask is, since

1 we're doing a substitute motion to clean up the language in the
2 committee report, and, when we were talking about this in
3 committee, we talked about we're using the limitation of the
4 2021 and 2022 fishing seasons, right, and so it just stands
5 until you change it, because, if for some reason we're delayed,
6 what's happening in 2023 would be unclear, and so I was just
7 asking whether we wanted to reflect that here.

8
9 **CHAIRMAN FRAZER:** Yes, we can certainly do that, and I would
10 take that, I guess, as a friendly amendment, and so, in the
11 middle of the substitute motion, where it reads "if the results
12 of the review of the SSC result in an increase of the ABC, the
13 state-specific ACLs would be calibrated based on Alternative 2
14 moving forward", or just a hard stop. Put a period after that,
15 and then go to the next sentence.

16
17 Again, the point is to make sure that we have a path forward,
18 right, and people understand where we're going, so there's not a
19 lot of uncertainty, moving forward, with how states would
20 initiate or implement their seasons. I guess I have modified it
21 slightly, and so, Andy, you seconded that motion, right?

22
23 **MR. STRELCHECK:** Yes, and I'm fine with the revision.

24
25 **CHAIRMAN FRAZER:** Okay. Let's go to Robin.

26
27 **MR. RIECHERS:** In this context, this appears to me now that
28 we're not adding options then, as in the previous substitute
29 motion, or the previous committee motion, and this appears to be
30 clarifying language that would go at the bottom of the -- Or
31 between Alternative -- If you scroll to page 14 in the document,
32 it would go in between Alternative 2 and 3 as clarifying
33 language to Alternative 2, and is that what we're basically
34 saying?

35
36 **CHAIRMAN FRAZER:** Well, I mean, we could do that, for sure, but
37 I guess what I would like to do is, after -- If approve this
38 motion, essentially, if you look at that appendix, we would just
39 adopt this substitute motion, and then I would opt to eliminate
40 the wording, or strike the other one.

41
42 **MR. RIECHERS:** So let's go ahead and look then at the appendix
43 then. So what is now underneath the box, you are basically
44 striking all of the language in yellow now and placing this new
45 language there?

46
47 **CHAIRMAN FRAZER:** I mean, we could certainly do that. The
48 reason for the language in the appendix that you're looking at -

1 - So I was trying to make it consistent with the language in
2 Alternative 3, so there was some parallel construction. Ryan,
3 if you wanted to weigh-in here, real quick.

4
5 **MR. RINDONE:** Sure. So the way that I understand what is being
6 presented here is that, for the highlighted language underneath
7 the table in Alternative 2, it would say something -- Instead of
8 having the language that's there, the two options, it would say
9 something to the effect of apply the ratio calibration in
10 Alternative 2 for any subsequent increase in the state-specific
11 ACLs for the private angling component for red snapper, which
12 would be language commensurate with that which now appears under
13 Alternative 3, which aims to do the same general thing.

14
15 **MR. RIECHERS:** Okay. Thank you.

16
17 **CHAIRMAN FRAZER:** Okay. Kevin.

18
19 **MR. ANSON:** I tried to look at how at least this fishing season
20 then would shape up with this substitute motion, if it were to
21 pass, and are we saying then that we're basically going to
22 continue with status quo with what has transpired, as far as the
23 state ACLs, as we've operated under the pilot EFP, as well as
24 what happened under Amendment 50 last year, or are we
25 automatically out of the box going to be applying these ratios
26 to that and then waiting to see what the results are and then
27 adding whatever the ABC increase is to those ACL state currency
28 equivalents are based on this table that's in Alternative 2 on
29 the screen right now?

30
31 **CHAIRMAN FRAZER:** The latter part of that is correct, right, and
32 so the intent here is to fulfill our obligation of the council
33 and make sure that we are in compliance with the Magnuson Act,
34 but also give each of the states some certainty, at least
35 minimum certainty, in what they can work with, and, if we are
36 fortunate enough to be able to get a quota adjustment and act on
37 that in the 2021 season, then we can adjust the quotas, applying
38 the same calibration ratios to the state-collected data. Andy.

39
40 **MR. STRELCHECK:** Thanks, Tom. Kevin, good question, because I
41 was thinking the same thing. I am viewing this as clarifying
42 language. I guess, mechanically, I am struggling to understand
43 how this is really fundamentally different than how this might
44 work in terms of us proceeding with two amendments, right, and
45 so you take action on this amendment, potentially at this
46 meeting, and this is now the calibration that is in effect.

47
48 You get the results of the Great Red Snapper Count, and you're

1 going to get another amendment before you, and you would, at
2 that point, apply the same calibration ratio, or a different
3 calibration ratio.

4
5 Even if you say this is kind of how you're going to proceed in
6 this amendment, it doesn't obligate the council to then keep
7 with that alternative and approach in a follow-on amendment, and
8 so that's where I am struggling, and I see this more as kind of
9 laying the groundwork for intent of how you want to proceed, but
10 it's not binding to any sort of subsequent action or follow-on.

11
12 **CHAIRMAN FRAZER:** So, again, to that point, Andy, I mean, it's a
13 framework and not an amendment, right, and so we certainly --
14 The intent, obviously, is to provide some certainty and some
15 stability, moving down the road, and we have a schedule to try
16 to incorporate the Great Red Snapper Count into an interim
17 analysis, and we expect to see that in April, but we may or may
18 not, and so I just wanted to make sure that we are in a
19 defensible position moving forward, with a plan, so the states
20 can start their seasons and take advantage of a quota
21 adjustment, if in fact it becomes available.

22
23 Like you said, this is just a framework action, and, if we get
24 new information in April, we can certainly do something
25 different, and there is nothing that precludes us from a council
26 to do that, but this just gives us a path forward and, again,
27 some certainty, in the event that we don't have a quota
28 adjustment or information in our April meeting. Dr. Stunz.

29
30 **DR. STUNZ:** Thanks, Tom. I think you might have just answered
31 my question in your last couple of sentences there, but I just
32 needed to get a little bit of clarity. If, for some reason,
33 there is not an adjustment upwards, what happens? Do we have to
34 go back to the drawing board? I'm just not clear. I mean,
35 we're all presuming that might happen, but what if it doesn't?
36 What's the default?

37
38 **CHAIRMAN FRAZER:** Sure. The default is that we will apply the
39 calibration ratios to the existing CHTS allocations that were in
40 the original Amendment 50, and the reason that I tried to share
41 the data in the spreadsheet the other day was to indicate that
42 it's a defensible path forward, in the sense that the proportion
43 of the fish off of each of the states' coast is more in line
44 with the state-collected data, right, that would be generated
45 during 2021, and it's more in line, in fact, than it is in
46 Alternative 3, and that's why we opted for the preferred. Ms.
47 Bosarge.

1 **MS. BOSARGE:** Thank you, Mr. Chairman. My question, I think, is
2 I guess for staff, or maybe for Andy. If we don't address how
3 the increase in quota will be doled out, let's say, or divvied
4 up, in this document, then that means we are punting it to the
5 document that we were trying to have be very streamlined to
6 implement the quota increase, and my question is so we'll get
7 that, hopefully -- Best-case scenario, we would get the
8 information on the possible quota increase at our April meeting.

9
10 Maybe staff would have a document outline ready for us, but, at
11 that point, you're going to have to have an action item to
12 actually implement the new OFL and ABC and ACLs, right, or OFLs
13 and ABCs, and then you're going to have to have an action item
14 that says how are you going to dole out the private angling
15 component ACL among the states, and so you're going to end up
16 with two actions in that document if you don't address it here
17 in this one.

18
19 Will that prevent us from doing that document as a framework,
20 where we could see it and pick preferreds and vote it up in one
21 meeting and go final with it, to get the recreational sector
22 allocation they need to add on to their 2021 season?

23
24 **CHAIRMAN FRAZER:** So, I mean, real quick, or, I guess, Andy, go
25 ahead.

26
27 **MR. STRELCHECK:** I guess I will look to Mara, but we commonly
28 modify annual catch limits and a variety of actions the council
29 works on, and you don't always come in and review the
30 allocations that underly those annual catch limits, and we just
31 specify it based on the allocations that are already on the
32 books, and so I see that as the path that we would take for the
33 Great Red Snapper Count, unless, of course, this body wants to
34 revisit the discussion of allocation in that particular action,
35 and, at that point, we could, obviously extend the timeframe for
36 implementation of that action.

37
38 **CHAIRMAN FRAZER:** Thank you, Andy. Ms. Guyas.

39
40 **MS. GUYAS:** I guess I have a number of questions about timing,
41 and I'm going to come back to most of them later, but, to me, I
42 think this motion -- I think I agree with Andy that this is
43 really just a clarification about we would be applying the
44 calibration with the, I guess, presumed quota increase.

45
46 My question is so let's pretend, in April, we have the interim
47 analysis in front of us, and can we, at that meeting, request an
48 emergency rule to increase the quota? I feel like we've done

1 this before, I'm thinking, I don't know, however many years ago
2 it was that we had a meeting in July in New Orleans, and we got
3 a stock assessment midway through the year, and we had an
4 emergency meeting to request an emergency rule so that we could
5 have an opening in the fall, I believe, and so is that a
6 possibility that's on the table for us?

7
8 Because, if it is, I feel like we need to do what we need to do
9 to tee ourselves up to be able to do that. That way, we're in a
10 good place, and we hopefully can get all these things moving on
11 the same track, and hopefully that makes people a little bit
12 more comfortable. I don't know if that's a question for Andy or
13 Mara.

14
15 **CHAIRMAN FRAZER:** I will let either one of them handle it.
16 Andy, I will give you the first shot.

17
18 **MR. STRELCHECK:** Thanks. I am channeling my attorney skills
19 here, and so Mara, I'm sure, will jump in, but I think that a
20 lot would depend on what the justification is for the emergency,
21 and I think there is potentially a path for us to do a quick
22 action, through the council possibly having a special meeting
23 between April and June, depending on, obviously, how much staff
24 could get done, and still be able to implement this in time for
25 probably the end of summer or early fall timeframe, without
26 having to do an emergency rulemaking. Mara, do you have further
27 thoughts on an emergency rule?

28
29 **MS. LEVY:** I think we would have to think about the
30 justification, but I also agree that we could put together a
31 document fairly quickly that just has a one action adjust the
32 catch levels based on the new catch advice, keeping the same
33 allocations, right, because we're not changing the -- Keeping
34 whatever is decided in this document about how you address
35 calibrations, and, moving forward, you could have a shell of
36 that potentially ready for whatever comes out of the SSC
37 meeting, or you could hold a special meeting, but I think I
38 would have to think a little bit more about the emergency rule
39 piece of it.

40
41 **CHAIRMAN FRAZER:** Okay. Phil.

42
43 **MR. DYSKOW:** Thank you, Mr. Chair. I thought I understood this
44 pretty well when we started, and it's now obvious to me that I
45 do not, and it sounds like we have been discussing options for
46 the April meeting to finalize all of this, and is that correct?

47
48 **CHAIRMAN FRAZER:** No. The intent, really, is to -- I think,

1 given where we are, right, that we are pressed for time, in
2 order to have a plan in place that will allow the states to set
3 their seasons in a way that we're confident, under the worst-
4 case scenario, that we don't get a quota adjustment, that we
5 will be able to manage this fishery in a sustainable way that's
6 compliant with Magnuson.

7
8 If, in fact, we are able to get a quota adjustment, then we will
9 be able to act on that, possibly in April, but, as has been
10 brought up in an earlier discussion, it's possible that that
11 will not go incredibly smoothly and may require, depending on
12 what path you take, additional public comment, and, if people
13 are wanting to change allocations, that's a much more
14 complicated document.

15
16 The goal here really is to say that we have two alternatives
17 that are plausible moving forward, and one is to simply move
18 forward with the calibration ratios as they exist, and the other
19 one is to apply the buffer, and I think what we've done, or what
20 I have tried to do, is demonstrate that, in all cases, if you're
21 aiming for equitability, and recognize that it's not optimal,
22 but the most equitable path is to Alternative 2, whether you
23 base that on the number of fish off the state's coast or whether
24 you base it solely on the economic value of the fishery or if
25 you do it in a way that weights both of them equally.

26
27 Again, what I am trying to do is fulfill our obligation as a
28 council, make sure that what we do and start is in the spirit of
29 being compliant with Magnuson and allows us a plan, moving
30 forward, in the event that we're not able to come to a decision
31 in April, either we can't come to a decision because we don't
32 have information that will allow us to have a quota increase, or
33 implement a quota increase, or if we are concerned about
34 allocation among the states.

35
36 Again, that's the intent here. This is -- Largely, we can --
37 Actually, if you wanted to, we can withdraw this substitute
38 motion and just use what's in the appendix as clarifying
39 language, if people would be willing to do that. Does that
40 help, Phil?

41
42 **MR. DYSKOW:** Well, it clarifies -- The explanation is very
43 clear, and I appreciate that. The outcome of this process is
44 not clear, because, if we go forward at this meeting without a
45 very important piece of information, and in fact that piece of
46 information is delayed, for implementing a plan, which may be
47 compliant, whatever that means, but it's devastating to at least
48 two states in the Gulf, then I don't think it's a good decision.

1
2 If we took no action at this meeting and just kicked the can
3 down the road, what's the worst that could happen? The worst
4 that could happen is we have more information at our April
5 meeting and can make a better-informed decision. Thank you.
6

7 **CHAIRMAN FRAZER:** To that point, I would say, in an ideal world,
8 that may be the case, but, if states are starting to fish in
9 May, right, and depending on the number of days they fish, if we
10 are able to take final action on a document in April, and, based
11 on what I just heard about the triggerfish, we would have to go
12 out again for public comment, potentially, and the timeframe for
13 implementing a framework action is several months, in the
14 absence of implementing an emergency rule, which there was a lot
15 of ifs and possibles coming from the legal side there.
16

17 We could potentially not have a quota adjustment, and states
18 could be fishing essentially under the current plan and be
19 overfishing, and so we will have not done our job as a council.
20 That's my opinion.
21

22 **MR. DYSKOW:** I'm appreciative of that, Tom, but I haven't heard
23 any of the five states pressuring us to come up with a decision
24 at this meeting because it will affect their season. It sounds
25 like the pressure is coming from NMFS, and so do we really need
26 to do this at this meeting?
27

28 **CHAIRMAN FRAZER:** Well, this is up to the council at this point,
29 and so what we're simply working on is alternatives right now,
30 and I think we can come back, down the road, and further down
31 the document. What I am trying to do is get at least, at this
32 juncture, an Alternative 2, a clarified Alternative 2, so we can
33 move forward.
34

35 **MR. DYSKOW:** Thank you.
36

37 **CHAIRMAN FRAZER:** Dr. Stunz.
38

39 **DR. STUNZ:** Mr. Chair, Phil kind of asked the question about --
40 Or proposed that are there any states, which I don't know, that
41 are going to be starting their season outside of what would be
42 normal, like say the June timeframe, and I think that's -- I
43 don't think that is happening, and I don't know, and that would
44 be a question, but then how -- Depending on what happens, if we
45 delay or not, how fast can the states act on something to get
46 those implemented?
47

48 I guess what I am not hearing, and maybe I'm just not hearing

1 it, is that there's this desire to act on this immediately by
2 the states. In other words, I'm getting the impression that,
3 once this all settles, it could be implemented pretty quickly,
4 and I don't know that, but that might be an important factor to
5 know, is, if this is really getting down to the wire, is it
6 pretty quick for the states to implement something?

7
8 **CHAIRMAN FRAZER:** I would like to hear some input from the
9 states, right, and so it's not so much the states' ability to
10 implement something in the short term, but it's actually our
11 ability to let the states know what they might do.

12
13 Let's say, for example, we have a good feel, in April, that this
14 is where we might like to go with a quota adjustment, and we
15 expect it to come, for example, and then we go, okay, that's
16 great, and let's go ahead then and move forward with this
17 framework action, right, and it's going to have to be a
18 framework action, because, if we change allocation, it's going
19 to be a plan amendment, and we'll never get it squared away in
20 time.

21
22 That would mean -- Currently, it's taking several months, and so
23 -- To get that going, and it's a bit of a leap, and so you don't
24 know how long to set your season, because you don't know what's
25 coming out of the Great Red Snapper Count and the interim
26 analysis. We don't know if it's a 25 percent increase in the
27 quota. If it's something like that, there's a high likelihood
28 that some of the states would exceed their quota, and, if it's
29 double, maybe not, but, again, as Dr. Porch indicated, it's a
30 little early.

31
32 It's premature to know what the magnitude of the adjustment
33 might be, and so I am just trying to do what, in my opinion -- I
34 realize that I am not speaking for the other sixteen council
35 members, and I am just trying to do what I think is the
36 responsible thing to do as a council. Martha.

37
38 **MS. GUYAS:** I'm glad that we're having this kind of discussion,
39 and I realize it's not necessarily germane to the motion, but,
40 since we've kind of all gone there. The NMFS side of the house
41 I think just said, if we have a special meeting for the Great
42 Red Snapper Count interim analysis, sometime between April and
43 June, we could expect that that, not through an emergency rule,
44 and just through I guess a framework, that would be implemented
45 probably the end of summer or early fall.

46
47 So I guess another question. If we moved this framework today,
48 when could we expect that to be on the books, so that states are

1 clear what they're working with for 2021, at least until we have
2 the Great Red Snapper Count stuff, and then, similarly, what if
3 we took action in April? When could we expect this framework to
4 hit the books? What is the difference? Then I can also address
5 your question, Tom, also, if you want.

6
7 **CHAIRMAN FRAZER:** First, let's look at Andy and get some timing.

8
9 **MR. STRELCHECK:** If Peter is on as well, certainly comment if
10 you think I'm incorrect, and so, if we took final action at this
11 meeting, I think we're looking at probably late May or early
12 June to get this rule implemented and in effect, and so it would
13 influence the start of the summer fishing season and into the
14 summer, before the Great Red Snapper Count results are
15 incorporated and any adjustments are made.

16
17 If we take action in April, you're looking at that kind of late-
18 summer timeframe, or early fall, potentially a month or two
19 sooner than when the Great Red Snapper Count adjustment would
20 occur.

21
22 **MS. GUYAS:** Okay, and so potentially we have those two things to
23 think about, I guess. Sorry.

24
25 **CHAIRMAN FRAZER:** No. Go ahead, Martha.

26
27 **MS. GUYAS:** I guess, if we move this today, then this would be
28 teed-up and ready to go whenever we have Great Red Snapper Count
29 information together. If we move this in April, then
30 potentially the Great Red Snapper Count quota increase and the
31 quota changes here kind of come out, hopefully, right around the
32 same time, and everybody knows all at once what's happening with
33 their quota for the year, albeit it is after when states would
34 normally have held their seasons. Okay.

35
36 So I guess let me just offer some perspective, I think, where
37 FWC is, in terms of what are we going to do for 2021, right,
38 given that we have all of these unknowns, and, obviously, that
39 would depend on what happens at this meeting and what happens at
40 the April meeting and, I guess, if we have some bonus meeting,
41 what happens at that, but I think, at this point, normally what
42 we would like to do with our commission is discuss what our
43 season is going to be at our February meeting.

44
45 Unfortunately, I don't think we're going to be able to set a
46 season in February, which I think there's going to be some
47 fishermen that are not going to be happy about that, but I think
48 what we can do is, given what we will know and not know at that

1 time, present them with an outlook of where we think we may go,
2 and we -- In our state, we do have the ability to set our season
3 in a pretty rapid way.

4
5 We don't have to do rulemaking, and we can basically just -- As
6 long as we announce it, we have the framework set up to do that,
7 and so, potentially, if we end up -- If we get a signal, I
8 guess, from what the council decides at the April meeting,
9 and/or May meeting, we can react to that, but I think we were
10 hoping to have a season during the summer, but I guess, if
11 there's still a lot of questions, that might be -- We might need
12 to change our plan a little bit, and I don't know if it would be
13 a delay, but we may need to hold back quota, depending on how
14 this transpires, and then have some sort of fall opening, and I
15 don't know, but I think that's how we're going to have to
16 approach this, is just -- Until some of these things are
17 settled, and we know exactly what quota we're working with,
18 we'll just have to have a goal, I guess, for the time being. I
19 don't know if that's helpful, but that's at least -- Based on
20 where we are right at this minute, I think that's how we're
21 going to have to approach this, but, as we get more answers, I
22 think the path will become clearer.

23
24 **CHAIRMAN FRAZER:** Okay. That's helpful, for me anyway, for
25 thinking about this right now. John.

26
27 **MR. SANCHEZ:** I appreciate the effort put into this substitute,
28 to try to get a path forward. I know it's a difficult decision,
29 but it appears, in my mind, to address something that we haven't
30 really addressed, which is the calibration issue, and we all, I
31 guess, are mindful of that's the elephant in the room that needs
32 to be addressed, and, also in my mind, I don't view promises to
33 deal with it in the future as making us compliant with our
34 requirement to be consistent with Magnuson.

35
36 I'm in support of this, and I think it needs to be done, and I'm
37 hoping like hell that, on the backside of it, that we do
38 everything that's possible to get the Great Red Snapper Count,
39 and hope like hell that the Great Red Snapper Count results come
40 on the backside in a timely manner, so these things line up and
41 every state can have the best season possible, but, all of that
42 aside, we still have to address this calibration issue, and just
43 moving down the road isn't getting us there, and so, at some
44 point, we're going to have to bite the bullet.

45
46 I kind of think we're here, given that we're now hearing about,
47 if we don't do it now, and we do it in April, it starts to get
48 real close to the season, and so I think here we are, and, as

1 unpleasant as this may be, it doesn't change us having to do it,
2 and we've got to do it, and so I'm in support of it. Thank you.

3
4 **CHAIRMAN FRAZER:** Thank you, Mr. Sanchez. Dr. Shipp.

5
6 **DR. SHIPP:** Thank you, Mr. Chairman. I would just kind of like
7 to remind the council members that we're in a really good
8 situation, in one sense, because, anything we do, the fate of
9 the stock is not going to be at the edge of a precipice, and
10 it's not like we have to take emergency action to save a
11 floundering stock, and so we need to take advantage of that and
12 realize that what we're discussing are procedural issues and not
13 really the health of the stock, and that's all I have.

14
15 **CHAIRMAN FRAZER:** Thank you, Dr. Shipp. Ms. Bosarge.

16
17 **MS. BOSARGE:** Thank you, Chairman. A couple of questions. So I
18 hear some discussion about letting all of this come out at the
19 same time and letting this calibration document and the Great
20 Red Snapper Count hopefully increase come out at the same time,
21 which means that states would open their seasons, and most of
22 them open in late May, and not June, but late May, and I think
23 Texas might be open now, and don't you all fish some now, Robin,
24 and not federal waters, but state waters, I think.

25
26 **MR. RIECHERS:** Yes, ma'am. We do.

27
28 **MS. BOSARGE:** Thank you, Robin. So they're going to be
29 essentially fishing on the hopes that they get more quota to
30 cover what they're spending, and they're spending money before
31 they get it, and I say that because I think, for some states,
32 once you implement the calibration, to get them back to the
33 quota that they would have right now if we chose no action in
34 this document, those quotas, the Great Red Snapper Count would
35 have to give them a 50 percent increase in quota.

36
37 It looks like we won't have that implemented to change the
38 quota, if we let it all roll out at the same time, until, Andy
39 said, late summer or early fall, and, well, that is August or
40 September, and so, if you open in late May, and you've got late
41 June, late July, and late August, and that's ninety days of
42 fishing.

43
44 That money will already have been spent, that quota, those fish.
45 The whole shebang will have already been caught, and so, if the
46 Great Red Snapper Count does not come out and give certain
47 states a doubling of quota, after the calibration goes into
48 effect and everything else, then we have overfished again.

1
2 Add to that the fact that I think, if you don't go ahead and
3 take action on this document, with the things that Tom is
4 proposing, where you spell out not only calibration, but spell
5 out how you're going to divvy up any increase in quota, then,
6 once you actually get the increase in quota, I don't think you
7 can implement it in time.

8
9 I think you're going to end up with a couple of actions in that
10 document, and we're going to go back to bickering on the same
11 things in this document that we bickered about before, and I
12 have already heard the states say that they are not going to
13 pick preferreds and take final action in the same meeting, but
14 that's what you would have to do to implement that quota
15 increase at that point. That's what we're going to have to do
16 if you want that quota as far as possible.

17
18 So do the states have an obligation -- When we handed them
19 management of -- When the council handed them management of red
20 snapper for the private sector, did that come with a
21 responsibility to manage to the standards of Magnuson, which
22 requires that you prevent overfishing? Do the states have to
23 manage to that requirement or no, for red snapper for private
24 anglers?

25
26 **CHAIRMAN FRAZER:** Leann, I guess, in my view, the OFLs and the
27 ABCs are still set by the SSC and the agency, and, as a
28 consequence, the state has been delegated, or given the
29 authority, to manage their fisheries, as long as they do not
30 exceed those quotas, and so we do in fact have an obligation to
31 manage in that way.

32
33 **MS. BOSARGE:** So, if we don't change their quotas in this
34 document, then it's the council that was responsible and not the
35 states, even though the states may vote to not send this to be
36 implemented today, and it's going to be the council's fault and
37 not the states that may vote to not send it, so that their
38 quotas don't get decreased?

39
40 **CHAIRMAN FRAZER:** I mean, my perspective, again, is that the --
41 It's the council's obligation and responsibility to inform the
42 states of what the quotas will be. In the absence of informing
43 them, they do not have something to manage to. They, arguably,
44 aren't, in my view, and I would seek legal counsel here, are not
45 obligated to manage to anything, and they won't know, but I also
46 see, in Amendment 50, that Amendment 50 says we should apply the
47 calibration ratios.

1 We have calibration ratios identified that are deemed the best
2 information available, right, and so we have all the pieces. We
3 have an ABC, and we have accepted calibration ratios, right, and
4 we have a framework action that will allow us to manage the
5 fishery within those constraints moving forward.

6
7 If we get to April, in the absence of an amendment, all we will
8 be able to do is to get new catch advice, right, and new ABC,
9 and we'll then have to adjust the quotas for the states, but we
10 will not have -- The only two mechanisms that we will have in
11 place are the two mechanisms that are in this document now, and
12 so -- I mean, to Mr. Sanchez's point, I mean -- Actually, at
13 some point, we just have to make a decision. Are we going to
14 implement the calibration ratios that are on the books, that are
15 deemed the best information available, or are we going to just
16 do an across-the-board cut of 23 percent, in order to remain
17 compliant?

18
19 All I'm trying to do is to point that out to people. We simply,
20 at this point, have two options, and, because of the timeframe
21 involved in the management process, we may or may not be able to
22 implement a quota adjustment in 2021, but we need to have a path
23 forward that would allow us to do that and carry it into 2022,
24 because, in the meantime, we will be working on a plan amendment
25 that's going to be much more contentious and drawn out, because
26 it is going to affect an allocation change, and, based on past
27 history, that will not happen very quickly, and so I'm trying to
28 insert some stability and certainty into each of the states'
29 management plans. Kevin Anson.

30
31 **MR. ANSON:** Thank you, Mr. Chair, and I said it the committee,
32 but I will say it again, and I appreciate the time that you have
33 taken to try to find that sweet spot and check all the boxes
34 that you feel like need to be checked for this situation, and so
35 I have a couple of comments.

36
37 One is to follow-up on Leann's question relative to whose fault
38 is it, and do the states have to follow the ACLs, have to follow
39 Magnuson, and I would say the answer to that is no. That's
40 partly why we got state management, is that we were dealing with
41 a situation that the states felt like access to the resource,
42 specifically for private recreational fishermen, was not
43 adequate, and so we had our battles and our arguments and
44 discussion for several years, and we ended up with state
45 management.

46
47 Part of why everybody signed off to that was that, compared to
48 the alternative, or what we had been fishing under, based on

1 NOAA's Gulf-wide ACL, and sector separation, the states
2 compromised and settled, and we ended up with the pounds that we
3 got, and the pounds that were given were based on either MRIP
4 data or state data. In Alabama's case, it was state data.

5
6 Again, that was what we used, and we used our habitat-based
7 assessment as the basis for calculating how many pounds the
8 private recreational fishermen would have, using the number of
9 pounds that we estimated to be off of Alabama at the time and
10 the management target of 0.1 that NOAA has identified is
11 appropriate for red snapper.

12
13 We added up all of the pounds that commercial landed in Alabama
14 and all the pounds that the federal for-hire landed in Alabama
15 and subtracted that total from the habitat-based assessment
16 total, and whatever was left over is what we put in our EFP, and
17 so that, to us, to our anglers, made sense, and so it happened
18 to work out that it gave us more days.

19
20 That's what we got from that arrangement, in 50, and everyone
21 got flexibility, to some degree, or to lot degree, depending on
22 how you look at it, and all the states got flexibility for their
23 fishermen, and they got what they felt like was adequate access
24 to the resource.

25
26 The Great Red Snapper Count underscores and puts in perspective
27 the picture of the stock as it relates to each state, and it
28 just highlights, and confirms, I guess is another word that you
29 could say, that Alabama's population is fairly robust. Again,
30 if you look at it per coastal mile, it's nearly two-times as
31 high per number of fish as it is for the next highest state, and
32 so we got into state management because, in the end, it was a
33 better system for us.

34
35 To answer the other question that came up regarding timing for
36 state seasons and setting seasons and such, ideally, for
37 Alabama's anglers, and I'm sure it applies to all the states'
38 anglers, the more in the future that you can tell when the
39 season will open, the better for everyone.

40
41 It's better for folks booking hotel rooms and condos and what
42 have you, making plans for vacation, taking time off, whatever,
43 but we've already been here, down this road, under NOAA
44 management, where we had to wait until the middle of April for
45 actions to be made, for NOAA to say, well, here's when the
46 season can start, based on how many pounds are available, and so
47 we can do it again, and we will plan, at this point in time, to
48 develop contingencies, because fisheries management is a lot of

ups and down in that, but we will plan for what we have available at the time.

If it's in April that we don't know, because we're waiting on the Great Red Snapper Count information to be included in the interim analysis, we will use that information in April, and we will go with it from there, based on what happens between now and then, but, again, to answer the question about any penalties and who is responsible, I guess, for finger-pointing, is the council voted in 50, and NOAA approved it, and that's what we're trying to maintain, is access to the resource which we feel is more appropriate, and, again, the data points to that, that it's appropriate, and so that's how we plan to address it. Thank you.

CHAIRMAN FRAZER: Just to be clear, Kevin, the council delegated the authority to the states, or the federal government did, but the federal government still sets the OFL and establishes the ABC, and the states have to manage their fishery, their allocation, with the confines, or the constraints, of that catch advice, and so, in that sense, I just want to make sure that we're all on the same page that we are responsible for managing these fisheries consistent with Magnuson in a sustainable way. Is that correct?

MR. ANSON: I would agree with you, and I will just make a response. My response to that is, and don't read into this too much, but my response to that is that we have to manage sustainably as long as we are participating in an FMP, and so there is an out for Alabama, and I'm not saying that that's seriously being considered, but, again, you go with the best information that you have is available, and how you look at the risk-reward situation is how you decide things and how you go forward. Thank you.

CHAIRMAN FRAZER: Sure. Just, again, these are difficult conversations, and I'm just going to air some things out, because I think it's important. We're using the best scientific information available to us, right, at this point, and we know that, when you look at the number of fish off of the Alabama coast, and I am not going to pick on Alabama just because they're Alabama, but I'm just working through an exercise here.

They have less than 10 percent of the fish, by numbers, off of their coast, and what you're asking for, right, is, in the absence of entertaining one of these alternatives, Alternative 2 or Alternative 3 and go with status quo, is that you're asking for approximately 26 percent, right, of the fish that are

1 available to all of the anglers in the Gulf of Mexico.

2
3 What I am striving for is an equitable solution, and I realize
4 that, if Alabama has fewer days on the water, that it will have
5 an economic impact, but it also -- There is a disproportionately
6 large number of anglers outside of Alabama that will be
7 negatively impacted, and, when you look at National Standard 1
8 and what you're doing in the best interests of the nation,
9 without purposely trying to hinder any individual state, I think
10 that you have to consider those folks as well and what the
11 impacts would be to millions of anglers in Louisiana and Florida
12 and Texas.

13
14 **MR. ANSON:** Can I respond?

15
16 **CHAIRMAN FRAZER:** Sure.

17
18 **MR. ANSON:** Well, I agree. I agree with you 100 percent, and
19 that is not -- You know, if there's anything that someone should
20 take away from how we perceive the fishery should be managed,
21 you can just take what we've done for the last three or four
22 years, or, actually, five or six or seven years, and we have
23 spent resources, and, at least initially, we got a little bit of
24 help off the ground from NOAA, at least in the first couple of
25 years, for our mandatory reporting program, but, concurrent with
26 that, we have been using monies to fund our habitat-based
27 assessment, and so we've got nearly ten years, continuous years,
28 of fishery-independent data that is of the same quality and
29 resolution that went into the Great Red Snapper Count.

30
31 Again, our whole premise for asking for the fish that we ask for
32 in Amendment 50 was based on that habitat-based number of fish
33 that was off of Alabama. We took off what the commercial
34 fishery lands in Alabama, what the federal for-hire fishery
35 lands in Alabama, and we have subtracted those pounds off of
36 that number, because, again, we're all trying to manage to a
37 sustainable level within our big pond, and so we took a slice of
38 that, and we tried to look at our fish in our backyard in that
39 pond.

40
41 We will still strive to do that, and we're not asking for any
42 more fish, and, again, I applaud your efforts to try to come up
43 with initial topics of discussion or ways to slice-and-dice the
44 access, and we would be more than willing and happy to talk
45 about that, and our intent is not to get more fish than, quote,
46 unquote, we can't support, because then our fishery goes down.
47 I mean, that's -- I mean, it's intuitive that you don't want to
48 harvest more fish than what the population can take.

1
2 Our point of view, or our angst, has always been that the --
3 What we get from the assessment and the science side of the
4 house, relative to what we see on the water, doesn't shake out,
5 and we just feel like we were left holding the bag, to some
6 degree, before 50, and we will be really holding the bag with
7 going forward with this, unless there is wholesale changes in
8 what the OFL and ABC comes back, and, again, you know, we're not
9 trying to say that we'll still maintain 26 percent of that
10 share, when 26 percent shows that that's nearly all of the red
11 snapper off of Alabama, because you will find out, real quick,
12 in a year or two of fishing, that that won't support that level
13 of fishing.

14
15 That's all we're trying to do, and that's the whole point that
16 we've been trying to make, is that we're trying to do this
17 sustainably, and we have data behind our decisions, and we've
18 been trying to work in the system that we have available to us,
19 so that we don't rock the boat so much and it affects our
20 neighbors, because we deal with the same issues. People may
21 talk a little differently, have a different accent, or look at
22 things generally differently, but we're all still trying to do
23 the same thing, at the end of the day. Thank you.

24
25 **CHAIRMAN FRAZER:** I agree, and so I don't want to belabor this,
26 and this is going to be a long discussion, and we're still just
27 trying to get Alternative 2 at this point, but clearly the
28 conversation that we just had, you and I, Kevin, suggests that,
29 unless there is wholesale changes that come as a consequence of
30 this interim analysis, Alabama is going to be in a hard spot,
31 right, and there is -- You're starting to talk about how we
32 might have to adjust allocations at that point, and those are
33 not simply straightforward decisions that are going to allow us
34 simply to move forward, and so that's what I am trying to do.

35
36 I know those discussions are coming, and they're going to be
37 hard, and they're going to take place over the next couple of
38 years, and that's why we have a plan amendment at the same time,
39 and so I'm going to move on. J.D.

40
41 **MR. DUGAS:** Thank you, Mr. Chairman. As far as the substitute
42 motion, I don't see a problem just adding it to the document at
43 this point, but, moving on from that, I'm going to put Kevin on
44 the spot, and maybe Mara or Andy, and I would like to go back to
45 Tuesday and revisit National Standard 6.

46
47 Kevin briefly talked about it, and there wasn't much discussion
48 on it, and I don't nearly have the knowledge to explain National

1 Standard 6 to the council, but I hear concerns from members
2 about being in violation of the MSA, and I thought that,
3 bringing this up, maybe Kevin could explain a little bit more,
4 and maybe we have some opportunity here, and that's it.

5
6 **CHAIRMAN FRAZER:** Okay. Thanks, J.D. Let's go to Andy, real
7 quick.

8
9 **MR. STRELCHECK:** I certainly appreciate the discussion, and I
10 think we've strayed quite a ways from the substitute motion, and
11 we've gotten into arguments about whether or not we should
12 proceed with the preferred alternative at this point, and so I
13 would recommend, Tom, that we vote up this substitute motion at
14 this point, and then we can start debate, once again, about
15 preferred alternatives, because I think what we're focused on is
16 really whether we're going to vote to calibrate or not during
17 this meeting.

18
19 With that said, Tom, I just sent you and Carrie a proposed
20 revision that I think simplifies this and gets to your intent,
21 and so I wanted to see if we could bring that up, or I can read
22 it, at least, from my computer right now. Let me just read what
23 I sent.

24
25 **Just to simplify what is stated, I wrote the substitute motion**
26 **could read: Any future increases to state-specific ACLs in 2021**
27 **or 2022 would be calibrated based on Alternative 2, and the**
28 **council agrees to review the state-specific ACL allocations by**
29 **2022 or sooner.**

30
31 To me, that just simplifies it, and it's straightforward, and I
32 think everyone understands the intent at that point, and this is
33 intended to address any future increases, and it puts a
34 timeframe around that.

35
36 **CHAIRMAN FRAZER:** Okay. We'll get it up on the board, Andy, and
37 I agree that that simplifies it and captures the intent, and we
38 will -- Since I was the originator of the substitute, and you
39 seconded it, I think we'll just replace the substitute motion
40 with this language, and we'll get a couple more comments, but
41 then we're going to vote it up or down.

42
43 The substitute motion now reads: Any future increases to state-
44 specific ACLs in 2021 or 2022 would be calibrated based on
45 Alternative 2, and the council agrees to review the state-
46 specific ACL allocations by 2022 or sooner. Let's go back and
47 let's see who is on the list.

1 We have a couple of people, and I was going to ask a quick
2 question of all of them, because I would just like to vote on
3 this, but, Phil, do you have a question that is specific to the
4 substitute motion?
5
6 **MR. DYSKOW:** I do, but I will defer until the vote.
7
8 **CHAIRMAN FRAZER:** Okay. Martha, same question.
9
10 **MS. GUYAS:** It's not to this motion, and so you can come back to
11 me.
12
13 **CHAIRMAN FRAZER:** John Sanchez.
14
15 **MR. SANCHEZ:** Not to the motion.
16
17 **CHAIRMAN FRAZER:** General Spraggins.
18
19 **GENERAL SPRAGGINS:** It's not the motion either. Thank you.
20
21 **CHAIRMAN FRAZER:** Okay, and so I think we've had all the
22 discussion that we need about this substitute motion. Is there
23 any opposition to the motion?
24
25 **MS. LEVY:** Tom, can I just clarify one thing?
26
27 **CHAIRMAN FRAZER:** Sure.
28
29 **MS. LEVY:** The substitute motion is basically to add this
30 language to Alternative 2, right?
31
32 **CHAIRMAN FRAZER:** Correct. Yes.
33
34 **MS. LEVY:** Okay. Thanks.
35
36 **CHAIRMAN FRAZER:** To existing Alternative 2. Patrick.
37
38 **MR. BANKS:** I was going to ask the same question that Mara did,
39 and so I was just trying to understand.
40
41 **CHAIRMAN FRAZER:** Okay. Got you. I think we're good to go at
42 this point. **Is there any opposition to this substitute motion?**
43
44 **MR. DYSKOW:** Yes.
45
46 **CHAIRMAN FRAZER:** Okay. **One opposed, and so the motion carries**
47 **with one opposed.** Let's see where we're at, Martha.
48

1 **MS. GUYAS:** I think we're about partway through page 5.

2
3 **CHAIRMAN FRAZER:** Okay. You can continue on. Thank you.

4
5 **MS. GUYAS:** Okay. The committee asked whether final action
6 could be taken at this meeting, including the proposed
7 modifications. NOAA General Counsel advised that, if the
8 council did not change the alternatives currently in the
9 document, and acknowledging that council and SERO staff would
10 still have to complete the National Environmental Policy Act
11 analyses for those alternatives, that the council could take
12 final action.

13
14 Dr. Frazer then detailed a proposal for Alternative 3 that would
15 apply the 23 percent buffer for all states, but would modify the
16 catch limits based on the ratio calibrations in Alternative 2,
17 in the event the Great-Red-Snapper-Count informed catch analysis
18 resulted in an increase in the ABC of either greater than zero
19 or 25 percent.

20
21 The ratio calibrations would be applied to any increase in the
22 ABC directed to the states and would only apply to the increase
23 above the status quo. If no increase in ABC results from the
24 GRSC-informed catch analysis, then, under this motion,
25 Alternative 3 would be in effect until modified by the council.

26
27 SERO expressed concern about whether the motion was tantamount
28 to reallocation, which would require a plan amendment. To
29 provide clarity for this hybrid approach, the aforementioned
30 proposal for Alternative 3 would manifest in a newly proposed
31 Alternative 4.

32
33 **The committee recommends, and I so move, in Action 1, to add a**
34 **new Alternative 4. Alternative 4 reads: To add a series of**
35 **options that would incorporate an increase to the overfishing**
36 **fishing limit and acceptable biological catch based on the**
37 **results of the interim analysis, as informed by the Great Red**
38 **Snapper Count. If the results of the review by the SSC result**
39 **in a minimum of zero percent or 25 percent increase in ABC, the**
40 **newly added quota would be incorporated into the state-specific**
41 **ACLs using the calibrations indicated in Alternative 2 for the**
42 **2021 and 2022 recreational fishing seasons. Regardless of the**
43 **results of the interim analysis, the state-specific ACLs will be**
44 **reviewed in 2022, or as soon as practicable. Example: Option a:**
45 **Apply the ratio calibration in Alternative 2 to any additional**
46 **quota if the ABC is increased. Option b: Apply the ratio**
47 **calibration in Alternative 2 to any additional quota if the ABC**
48 **is increased by 25 percent or more. Mr. Chair.**

1
2 **CHAIRMAN FRAZER:** Okay. We have a committee motion on the
3 board. Is there any additional discussion on the motion? Okay.
4 I have hands up. Mara.

5
6 **MS. LEVY:** Thank you. It comes after, I guess, you vote on this
7 motion in the committee report, but just to note that, if you do
8 add this alternative, we have -- It's brand new, and there is no
9 discussion and no analysis, and I don't think you could go final
10 on this document today if you want to look at going down this
11 hybrid approach. Thank you.

12
13 **CHAIRMAN FRAZER:** I appreciate that, and, again, the intent here
14 is to streamline things and provide a path forward that is going
15 to provide some certainty, and so, with that comment, or advice
16 from legal counsel, I would move to -- Well, I guess we could
17 vote this down. Let's go ahead and vote on this, and I am going
18 to suggest to all folks that we just vote it down, and so I will
19 listen to other discussion. Okay. I see -- Mara, did you want
20 to talk some more, or is your hand down?

21
22 **MS. LEVY:** My hand is down. Thank you.

23
24 **CHAIRMAN FRAZER:** Andy.

25
26 **MR. STRELCHECK:** My hand is down.

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

29
30 **MR. DYSKOW:** Thanks, Tom. I will defer, for the time being.

31
32 **CHAIRMAN FRAZER:** Okay. Thank you. Ms. Guyas.

33
34 **MS. GUYAS:** I am just going to take my hand down for now.
35 Thanks.

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

38
39 **MR. SANCHEZ:** I will stand down for now.

40
41 **CHAIRMAN FRAZER:** General Spraggins.

42
43 **GENERAL SPRAGGINS:** Thank you, Mr. Chairman. Real quick, if
44 you're saying that we want to vote this down because we don't
45 want to change these options, we just changed it for Option 2,
46 and so that means that we can't go final anyway with Option 2.

47
48 **CHAIRMAN FRAZER:** No, I disagree. Alternative 2 is just

1 clarifying, and it says that we would carry that forward in 2021
2 and 2022.

3
4 **GENERAL SPRAGGINS:** It's changing something. It's still
5 changing, and I'm confused. That is what has got me confused
6 here. You know, we changed one motion, and we say we can do it,
7 because we changed something, and, the next one, we say we can't
8 do it if we change it, and, I mean, my personal opinion is, if
9 we were able to change 2, why can't we change 3?

10
11 **CHAIRMAN FRAZER:** I am just suggesting here, in this motion,
12 because it borders on -- There is some questions of whether or
13 not it's tantamount to a reallocation and whether it would slow
14 this document down, and I am suggesting that, if our intent is
15 to move things forward in a streamlined, most effective and
16 efficient manner, that it doesn't have a place in this document.
17 The other -- I think the way that Alternative 2 was -- We were
18 seeking some clarification there, and that doesn't preclude us
19 from doing that. Mr. Dugas.

20
21 **MR. DUGAS:** Thank you, Mr. Chair. I am just wondering, on my
22 previous question, if we can get some clarification on NS 6 from
23 Kevin.

24
25 **CHAIRMAN FRAZER:** Okay. Let's have a quick -- Kevin, do you
26 want to talk about that answer to J.D.'s question?

27
28 **MR. ANSON:** I will be brief. Yes, and thank you, Mr. Chair. I
29 brought it up the other day, and, again, we're trying to thread
30 the needle, and I will bring that up again, Tom. I am just
31 wondering -- You know, this is all in context to the information
32 with the Great Red Snapper Count and the implications that it
33 holds relative to the science that we're using to make our
34 decisions to this date and, quite frankly, decisions going
35 forward.

36
37 In National Standard 6, the title of that is variations and
38 contingencies, and, in Section (b) of that, it just says that,
39 under Conservation and Management, each fishery exhibits unique
40 uncertainties. The phrase "conservation and management" implies
41 the wise use of fishery resources through a management regime
42 that includes some protection against these uncertainties. The
43 particular regime chosen must be flexible enough to allow timely
44 response to resource, industry, and other national and regional
45 needs. Continual data acquisition and analysis will help the
46 development of management measures to compensate for variations
47 and to reduce the need for substantial buffers. Flexibility in
48 the management regime and the regulatory process will aid in

1 responding to contingencies.

2
3 Then it just says one more thing down here, and it's just one
4 sentence. For Variations, in fishery management terms,
5 variations arise from biological, social, and economic
6 occurrences, as well as from fishing practices. Biological
7 uncertainties and lack of knowledge can hamper attempts to
8 estimate stock size and strength, stock location in time and
9 space, environmental/habitat changes, and ecological
10 interactions.

11
12 I just look at that -- You know, if someone wants to -- You
13 know, we deal with a lot of contingencies on the negative side
14 of things as we're managing fisheries, and, oftentimes, we'll
15 make decisions and put into the regulatory process using
16 information that's incomplete or may not necessarily have gone
17 through science, but yet we go forward with an action to
18 restrict harvest, or restrict access, without going through the
19 full process of review.

20
21 Here, we have the opposite. We have very good data, or at least
22 it shows very good data, on the condition of the stock relative
23 to what our known science says, and that's all for the delay and
24 such, and Congressman Graves brought it up a little bit
25 yesterday in his testimony, in that he offered a word of caution
26 to the council, and he certainly wanted enough time to really
27 digest the Great Red Snapper Count and to incorporate to its
28 fullest -- So that everyone is comfortable, but yet use that
29 information to help frame any future discussions on how to
30 manage this fishery, and so thank you.

31
32 **MR. DUGAS:** Thank you, Mr. Chair, and thank you, Kevin. I am
33 wondering where does NMFS stand on this? Andy, do you have any
34 input on NS 6 against the MSA or how it stands against it? Is
35 there a layer of protection somewhere maybe? I just want to get
36 your opinion on it.

37
38 **MR. STRELCHECK:** Well, J.D., I don't feel like I am fully
39 prepared to respond specifically to what was just discussed.
40 What I can say is that this issue of calibration has been before
41 the council now for a number of meetings. We also have known
42 for quite some time, and have indicated to the states as such,
43 that calibration was needed in order to set quotas and
44 comparable units to what the states are monitoring, and so this
45 is not unforeseen.

46
47 Certainly I want stability, and I want the same goals that Kevin
48 and all the states have laid out, in terms of state management,

1 and we want it to be successful, but we also don't know, right
2 now, exactly what the Great Red Snapper Count is going to mean
3 and what it's going to look like and what the magnitude of any
4 increases coming from that is and when those will be
5 implemented, and, until such time as that's known, we're
6 obligated to ensure that catch limits aren't exceeded and that
7 we prevent overfishing, based on what's currently in place for
8 management.

9
10 That is where my direction would be to the council, is that we
11 need to proceed to take final action at this meeting to address
12 the calibrations and that the Great Red Snapper Count and the
13 adjustments that come from that would soon follow, based on when
14 that information becomes available.

15
16 **CHAIRMAN FRAZER:** Thank you, Mr. Strelcheck. I am going to try
17 to move through this report a little bit, and so I'm going to
18 ask for this vote in the opposite way that I normally would.
19 **That is to say is there anybody in favor of this motion?**

20
21 **GENERAL SPRAGGINS:** Yes.

22
23 **MR. SWINDELL:** Yes.

24
25 **MR. WILLIAMSON:** Yes.

26
27 **MR. DYSKOW:** Yes.

28
29 **UNIDENTIFIED:** Yes.

30
31 **UNIDENTIFIED:** Roll call.

32
33 **CHAIRMAN FRAZER:** Okay. We will do a roll call vote. Dr.
34 Simmons.

35
36 **MS. BOSARGE:** Is this the one we want to vote down, Mr.
37 Chairman? Can you clarify that?

38
39 **CHAIRMAN FRAZER:** Yes, it is. The motion on the board is -- If
40 you vote no for this motion, we are voting essentially to remove
41 it from the document.

42
43 **EXECUTIVE DIRECTOR SIMMONS:** Not add it to the document. That's
44 correct, Mr. Chair.

45
46 **CHAIRMAN FRAZER:** Not add it to the document.

47
48 **EXECUTIVE DIRECTOR SIMMONS:** Yes would be to add this to the

1 document, and no would be not to add it to the document. It is
2 not currently in the framework action.

3
4 **CHAIRMAN FRAZER:** That is correct.

5
6 **EXECUTIVE DIRECTOR SIMMONS:** Thanks. Mr. Williamson.

7
8 **MR. WILLIAMSON:** Yes.

9
10 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Swindell.

11
12 **MR. SWINDELL:** Yes.

13
14 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Stunz.

15
16 **DR. STUNZ:** Yes.

17
18 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Strelcheck.

19
20 **MR. STRELCHECK:** No.

21
22 **EXECUTIVE DIRECTOR SIMMONS:** General Spraggins.

23
24 **GENERAL SPRAGGINS:** Yes.

25
26 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Shipp.

27
28 **DR. SHIPP:** Yes.

29
30 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Sanchez.

31
32 **MR. SANCHEZ:** No.

33
34 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Riechers.

35
36 **MR. RIECHERS:** No.

37
38 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Guyas.

39
40 **MS. GUYAS:** No.

41
42 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dyskow.

43
44 **MR. DYSKOW:** Yes.

45
46 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dugas.

47
48 **MR. DUGAS:** Yes.

1
2 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Diaz.

3
4 **MR. DIAZ:** Yes.

5
6 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Bosarge.

7
8 **MS. BOSARGE:** No.

9
10 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Boggs.

11
12 **MS. BOGGS:** Yes.

13
14 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Anson.

15
16 **MR. ANSON:** Yes.

17
18 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Banks.

19
20 **MR. BANKS:** No.

21
22 **EXECUTIVE DIRECTOR SIMMONS:** Ten in favor, six opposed, one
23 abstention. The motion carries, Mr. Chair.

24
25 **CHAIRMAN FRAZER:** Okay. Thank you. The alternative will stay
26 in the document. Let's take a ten-minute break, and then we'll
27 pick up. It's 3:05, and we will come back at 3:15.

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

30
31 **CHAIRMAN FRAZER:** Martha, I think, as soon as we get everybody
32 here, or at least close to everybody, and I do not want to work
33 through this document without everybody having had an
34 opportunity to listen. John, is your hand up at the beginning?

35
36 **MR. SANCHEZ:** Yes, sir.

37
38 **CHAIRMAN FRAZER:** Okay. While we're waiting for Martha, go
39 ahead. What's up?

40
41 **MR. SANCHEZ:** Basically, I just wanted to tell everyone that
42 it's not lost on me that -- As we work through these difficult
43 document, and these decisions that we're making today, I want to
44 remind everyone that it doesn't affect -- It affects more than
45 just the private recreational sector. We all operate under the
46 same ABC and OFL, and these decisions that affect not only the
47 private rec, but the commercial sector and the charter/for-hire,
48 have real-world consequences.

1
2 Just this week, during this meeting, we tried to carry over a
3 paltry amount of 70,000 pounds of commercial unused quota, and
4 it was voted down, and I get it. Given the predicament we're
5 in, and operating with tremendous overages, it probably wasn't
6 the time to do it, but I just want to make note that that wasn't
7 lost on me and that perhaps doing something to benefit a group
8 that underran their quota was not possible because we're
9 addressing these tremendous ongoing overages, and it's affecting
10 other people, and I just wanted to say I hope that we can do
11 these hard decisions and do the right thing to be doing, so that
12 we can get on with the business of the council and be fair to
13 all the sectors involved. Thank you.

14
15 **CHAIRMAN FRAZER:** Thank you, Mr. Sanchez. Ms. Guyas, if you
16 want to pick up where we left off in the report, that would be
17 great. Phil, did you have your hand up? I didn't mean to
18 exclude you.

19
20 **MR. DYSKOW:** Thank you, Tom. I did.

21
22 **CHAIRMAN FRAZER:** Okay. Go ahead.

23
24 **MR. DYSKOW:** I am sensitive to what John said, and I'm glad that
25 he brought that up, but my point is this. One of the reasons
26 that we're struggling with this is we're trying to expedite a
27 decision, and there is two critical elements that aren't being
28 addressed.

29
30 One would be calibration and whether or not we should proceed
31 with establishing state recreational catch data as the best
32 available science, and that's one. The other is we're operating
33 without a key understanding, or any understanding, of what the
34 results of the Great Red Snapper Count are going to mean to the
35 recreational allocation.

36
37 One of the reasons a lot of people are having difficulty going
38 forward with this is there is two elements that need to be
39 addressed before we can do this, and, if we're not going to be
40 able to address this, in my opinion, we can't go forward. Thank
41 you.

42
43 **CHAIRMAN FRAZER:** Thank you, Mr. Dyskow. Okay. So we will go
44 ahead and at least go forward with this committee report.
45 Martha. Sorry. One more. Greg has his hand up. Sorry, Greg.

46
47 **DR. STUNZ:** Thank you, Mr. Chairman, and I will be brief, but,
48 before we get too far away from it, I was intrigued by this

1 discussion of National Standard 6, and, Andy, I certainly agree
2 with not putting you on the spot here, and you need to look at
3 it, but I think we -- I'm happy to make the motion, if
4 necessary, but I think we need to have our counselor look at
5 that, because, not only in this situation, but in other
6 situations, that may be an avenue that we can pursue to
7 alleviate some of these problems that we seem to be always
8 having with just sort of logistical constraints of documents and
9 that sort of thing.

10
11 I would like to get some clarity about what does that really
12 mean to this particular situation, but also, just in general,
13 for us to be able to utilize that as a tool to better and more
14 timely manage our fisheries in a responsive manner, rather than
15 just getting bogged down in these documents meeting after
16 meeting and that sort of thing. Tom, I am happy to make that a
17 motion, or I don't know if that could be captured in the record,
18 and I will look to your guidance on how to proceed.

19
20 **CHAIRMAN FRAZER:** I don't think we need a formal motion. I
21 think we'll go ahead and plan for it, and we'll make it an
22 agenda item for our next council meeting, and we'll work with
23 legal counsel, or the appropriate individuals, to see what our
24 options might be with regard to National Standard 6, moving
25 forward. Okay. Andy.

26
27 **MR. STRELCHECK:** Just in response to Greg, I've certainly
28 thought a lot about the timing and how much that obviously
29 affects decisions by this body, some of which is, obviously, in
30 our control and how much we move forward with an action, versus
31 kick the can down the road.

32
33 I know, with some other councils, they have an annual
34 specifications process, and they have certain timing for when
35 they get stock assessment information or catch limit advice, and
36 then that's when they plug it into their council process and
37 make decisions, but certainly that's something that I think we
38 should look at and talk to the Science Center and talk to the
39 council staff and come back to the council about, to avoid some
40 of these kind of timing considerations that are fouling up some
41 of the decisions.

42
43 **CHAIRMAN FRAZER:** Okay. Thanks, Andy, for that input as well.
44 Let's go ahead and work through this committee report. Martha.

45
46 **MS. GUYAS:** All right. Thank you, Mr. Chair. We're sort of
47 near the top of page 6, if anybody is trying to follow along.
48 Okay. Dr. Frazer then proposed modifying Alternative 3 to state

1 that a 23 percent reduction would be applied to any increase in
2 the catch limits across all states.

3
4 NOAA General Counsel added that the council will need to address
5 more than just the private angling component when faced with any
6 increase in the ABC resulting from the Great-Red-Snapper-Count-
7 informed catch analysis. NOAA General Counsel added that the
8 previously proposed hybrid approach in the new Alternative 4
9 hasn't been viewed yet by the public, hasn't been analyzed, and,
10 therefore, would preclude the document from going final on
11 Thursday.

12
13 **The committee recommends, and I so move, in Action 1,**
14 **Alternative 3, apply 23 percent reduction to any quota increase**
15 **across each of the states. Alternative 3 reads: Modify the**
16 **state-specific red snapper private angling component ACLs by**
17 **establishing a state management ACL that is 23 percent below the**
18 **private angling component and applying the allocation**
19 **percentages established in Amendment 50A of the Reef Fish FMP.**
20 Then the resulting state ACLs are shown in the table in the
21 report. I won't read those. Mr. Chair.

22
23 **CHAIRMAN FRAZER:** Thank you. I guess I will -- We have a
24 committee motion on the board, and I think we all know where
25 this is going at this point, and so I will ask if there's any
26 discussion. I am not seeing any, and so -- Go ahead, Andy.

27
28 **MR. STRELCHECK:** Do we want to standardize the language that
29 goes in this motion to be similar to what we did for Alternative
30 2, except we're acknowledging that it would be increased on the
31 22 percent increase, or change?

32
33 **CHAIRMAN FRAZER:** Yes, and that's the intent, Andy, and I think
34 you're right, and so if you would -- I mean, clearly, we can
35 make that adjustment, and so let's go back and grab it. Grab
36 that whole substitute, Bernie, starting from "any future
37 increases". It's just clarification, and I think people
38 understand what we're trying to do here.

39
40 In Action 1, Alternative 3, apply a 23 percent reduction to any
41 quota increase, and we're going to have to massage this yet
42 again. **The motion here is, in Alternative 3, right, apply -- In**
43 **Action 1, Alternative 3, apply a 23 percent reduction to the**
44 **quota currently allocated to each of the states. Any future**
45 **increases to state-specific ACLs in 2021 or 2022 would be**
46 **calibrated based on --**

47
48 **MR. STRELCHECK:** You can just say based on Alternative 3.

1
2 **CHAIRMAN FRAZER:** Yes. Alternative 3. Then a hard stop. John
3 Sanchez.

4
5 **MR. SANCHEZ:** It must be me forgetting to take my hand down.

6
7 **CHAIRMAN FRAZER:** Okay. All right. So is there any further
8 discussion on the motion? **Seeing none, is there any opposition**
9 **to this motion? Seeing none, the motion carries.** Ms. Guyas.

10
11 **MS. GUYAS:** Dr. Frazer then proposed initiating a plan amendment
12 to modify the catch limits for red snapper based on the Great-
13 Red-Snapper-Count-informed catch analysis. The plan amendment
14 should also consider, amongst other alternatives, options for
15 reallocation of the private angling component ACLs between the
16 Gulf states, considering biomass estimates from the Great Red
17 Snapper Count, and also NOAA socioeconomic data.

18
19 The committee acknowledged the need for such a plan amendment,
20 but also recognized the considerable body of work that went into
21 the state-specific allocations under Amendment 50A to the Reef
22 Fish FMP. Dr. Stunz clarified that the GRSC was tasked with
23 providing a count of the number of red snapper in the Gulf, but
24 not the biomass in weight. The SEFSC would be expected to apply
25 the abundance in numbers to a weight estimation procedure to
26 generate a biomass estimate in weight.

27
28 **The committee recommends, and I so move, to direct staff to**
29 **initiate an amendment to adjust the OFL and ABC based on the**
30 **results of the interim analysis for red snapper, as informed by**
31 **the Great Red Snapper Count, and SSC recommendations. The**
32 **private recreational ACLs should include, but not be limited to,**
33 **a range of alternatives that consider reallocation based on**
34 **state specific biomass estimates derived, in part, from the**
35 **Great Red Snapper Count and NOAA's socioeconomic data.**
36 **Allocation for the commercial and CFH sectors will also be**
37 **considered in this amendment.** Mr. Chair.

38
39 **CHAIRMAN FRAZER:** Thank you, Ms. Guyas. We have a committee
40 motion on the board. Is there any further discussion on the
41 motion? Kevin Anson.

42
43 **MR. ANSON:** Thank you, Mr. Chair. I mean, if you have other
44 motions for this section of reef fish, do you want to offer them
45 before we go into the next section of the document, or wait
46 until the end of the report?

47
48 **CHAIRMAN FRAZER:** I am not quite -- Are you asking if we plan to

1 entertain new motions?

2
3 **MR. ANSON:** Yes, for this framework action, for this part of the
4 reef fish report. Do you want to wait until the very end, or do
5 you want to do it right before we go into greater amberjack?

6
7 **CHAIRMAN FRAZER:** I would prefer to do any motions that would
8 pertain to red snapper in this section of the document.

9
10 **MR. ANSON:** Okay. Thank you.

11
12 **CHAIRMAN FRAZER:** Okay. Patrick.

13
14 **MR. BANKS:** Thank you, Mr. Chairman. I just have a question.
15 The last part of this motion has me a little concerned. Are we
16 just simply talking about increasing also, or changing also, the
17 commercial and charter/for-hire sectors' quota, or are we
18 talking about reallocating among sectors with that statement?

19
20 **CHAIRMAN FRAZER:** No. I mean, again, I think that, given where
21 we are with this document, or the intent here -- I mean,
22 allocation is a very complex issue, right, and I think it's
23 going to take a long time to do this plan amendment, and so the
24 original intent of the motion was to include all of that, but,
25 Patrick, if you think, for example, that that complicates
26 things, feel free to voice your opinion.

27
28 **MR. BANKS:** Thank you, Mr. Chairman. I do have some concerns
29 that that will so complicate it that, if this interim analysis
30 adds more fish to the OFL, and then we're able to increase the
31 ACL for all the sectors, then we won't be able to implement that
32 in a quick fashion, because we've got this complicated plan
33 amendment that goes through reallocation amongst sectors and
34 things like that. I am not exactly sure how to solve the
35 problem, other than to make a substitute motion to remove that
36 last part. I'm sorry. To remove the last two sentences.

37
38 **CHAIRMAN FRAZER:** So let me read the motion. So you only want
39 the first sentence?

40
41 **MR. BANKS:** What I am trying to do, and I don't know if my
42 motion is capturing it, but what I'm trying to do is simply take
43 the revised OFL and ABC and apply those to what we have today,
44 and I am not trying to reallocate among states, and I'm not
45 trying to reallocate among sectors, none of that stuff.

46
47 **CHAIRMAN FRAZER:** Sure. Okay. I mean, so that essentially --
48 You understand, and I'm not trying to say this in a

1 condescending way at all, right, and so, if there's an increase
2 in the OFL and the ABC, then there will be a quota adjustment to
3 both the commercial and the for-hire sectors, right, and that
4 will just go straight across the board without any consideration
5 to how you actually might do that.

6
7 **MR. BANKS:** Right, and so that would be applied as per the
8 percentage breakdown between commercial and recreational as it
9 is today, as I appreciate it.

10
11 **CHAIRMAN FRAZER:** That's correct.

12
13 **MR. BANKS:** Then, within the recreational, that part of the
14 recreational would then be broken down as per Amendment 40, as I
15 appreciate it, and then the private rec will be further broken
16 down among the states, as per Amendment 50, as I appreciate it.

17
18 **CHAIRMAN FRAZER:** Yes.

19
20 **MR. BANKS:** I think that's all we're trying to do here with a
21 quick framework amendment, once we get that revised interim
22 analysis. I don't think what we're trying to do, or at least
23 not wanting to do immediately, is to rehash sector allocations
24 or state-by-state allocations, percentages, I mean.

25
26 **CHAIRMAN FRAZER:** I think we're early enough in the process
27 that, if you want to make that a substitute motion, then --

28
29 **MR. BANKS:** Yes, sir, I would. **I would, please.**

30
31 **CHAIRMAN FRAZER:** Okay. Patrick, that's how you want it to
32 read?

33
34 **MR. BANKS:** Yes.

35
36 **CHAIRMAN FRAZER:** Okay. Is there a second?

37
38 **MR. BANKS:** I would like some input, maybe from staff or Carrie
39 or somebody, based on what I just described, of does my motion
40 cover that?

41
42 **CHAIRMAN FRAZER:** Sure. Let's see if we can get a second to the
43 motion.

44
45 **GENERAL SPRAGGINS:** I will second it.

46
47 **CHAIRMAN FRAZER:** Seconded by General Spraggins. Dr. Simmons.

1 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. I was going
2 to ask the council, after this motion, if you wanted to consider
3 adding an action to the framework that we were just discussing
4 that would look at trying to streamline changing the catch
5 levels based on the results of the interim analysis, as informed
6 by the Great Red Snapper Count, to the framework action itself.
7 Then I believe the intent, during committee, of the motion above
8 was to have a larger effort that would look at everything in a
9 full plan amendment, and so that would be a question or a
10 suggestion for the council to consider. Thank you.

11
12 **CHAIRMAN FRAZER:** Dr. Stunz.

13
14 **DR. STUNZ:** This is to the substitute motion, the first one,
15 and, Patrick, I clearly see what you're trying to do here, and
16 like we don't want to complicate a short data need, and I'm not
17 real clear if this is even just a framework action to do what
18 you're trying to do, Patrick, but I feel pretty strongly that,
19 with all the changes happening, and all the new data coming
20 available and that sort of thing, we do need to move down the
21 road for all of these things to be reconsidered, as it is in the
22 original motion.

23
24 I would be in favor of this if we followed it back up with a
25 motion to -- Yes, let's take care of this sort of interim,
26 short-term data situation that we have, which I think is where
27 you're going, Patrick, and, if not, correct me. Then still have
28 this other one to really begin to look hard at much more
29 difficult allocation decisions, because, if we don't start that
30 soon -- That is, obviously, going to be a very complicated
31 thing, but I also don't want it to bog down Patrick's concerns,
32 and so I'm just trying to figure out a way for us to get both
33 here out of these motions.

34
35 **CHAIRMAN FRAZER:** I see -- We will circle back to those
36 comments, Greg, but I just want to make sure that I get some
37 input from both Martha and Robin. Ms. Guyas.

38
39 **MS. GUYAS:** I guess, similar to Greg, I think -- Patrick, if I
40 understand what you're trying to do here, I think, really, your
41 substitute would be directing staff to initiate a framework to
42 adjust the OFL and ABC based on the interim analysis. I also
43 agree with Greg that we do need a longer-term amendment to
44 grapple with some of these allocation issues, and I think it's
45 going to take a long time.

46
47 It probably will end up being informed by the full assessment
48 that is done, that comes in a couple years from now, and it's

1 going to be a long process, and I think this is what Tom has
2 been saying all along, that we're going to have to deal with
3 calibrations at some point in the short term, but we also may
4 need to be looking at reallocating across the states and across
5 the sectors, depending on what data streams are used, and we're
6 going to have to reckon with this question.

7
8 As far as Carrie's question of whether we put the -- I guess
9 have like a framework that covers recreational calibration and
10 then this quota increase, once again, I would advocate for this
11 quota increase -- Let's just do it by an emergency rule. If we
12 need to also have a framework to go along with that, for a
13 longer-term increase, then that's fine, and I guess Carrie's, I
14 guess, question raises another question for me, and that is, as
15 far as this calibration question goes, I guess calibration
16 versus buffer, what if we don't go final in April? What
17 consequences do we have there?

18
19 The next part of the Reef Fish report, I think that I'm about to
20 read, I think there was a discussion in committee about how, if
21 we don't move this forward, then that may hold up quota
22 increases from the Great Red Snapper Count, and so I think it
23 would be helpful for us to understand consequences of if we have
24 to push -- If we keep delaying this -- I guess that's a question
25 for Andy or Mara.

26
27 **CHAIRMAN FRAZER:** Andy, do you want to tackle that?

28
29 **MR. STRELCHECK:** Sorry. I was distracted by another thing I was
30 working on. What was the specific question?

31
32 **MS. GUYAS:** I guess what if we don't go final with calibration
33 versus buffer framework that we're discussing right now in
34 April, for any reason? There was a discussion in committee that
35 that potentially could hold up quota increases in other changes
36 to red snapper management, and I just would, I guess, like to
37 have a clear discussion about what are the consequences of
38 further delaying past April.

39
40 **MR. STRELCHECK:** Certainly Mara can weigh-in. I mean, I don't
41 see a path forward where we would increase any quotas, catch
42 levels, without calibration occurring first, and so that's first
43 and foremost, and I think that needs to be priority of the
44 council.

45
46 The other aspect, which I've talked about quite a bit, is
47 running the risk of overfishing at this point, and, essentially,
48 continuing to allow harvest based on one unit of measure that is

1 not consistent with how the quota should be set in and not
2 knowing, obviously, the results of the Great Red Snapper Count.

3
4 Obviously, if you get to April and May, you should have a lot
5 more certainly about what the Great Red Snapper Count will
6 entail and the path forward there, but there could be,
7 obviously, some things that affect, obviously, the timing of
8 that as well.

9
10 **MS. GUYAS:** Okay. Thanks. So I guess, just to circle back, my
11 preferred approach here -- If we're going to do this substitute,
12 again, I would say this needs to be a framework, and I think we
13 would need another motion to initiate the longer-term document
14 with allocations, and I would keep this framework separate from
15 the quota increase.

16
17 I guess, also, if we are concerned about not getting public
18 input and taking final action at the same meeting, I would hate
19 to slow down this quota increase in this whole thing and not
20 have any of this apply in 2021, potentially, because of that,
21 and so thanks.

22
23 **CHAIRMAN FRAZER:** Sure. Martha, I will let Robin talk, but then
24 I will circle back. Go ahead, Robin. Your hand has been up for
25 a bit.

26
27 **MR. RIECHERS:** Okay. Thank you, Tom. Patrick, I shared some of
28 your concerns in committee about rehashing Amendment 50 when
29 we've only really lived under it for one year, and the premise
30 for three, given the EFPs, and I will let Tom weigh-in on this,
31 but it seems to me that these are truly different motions, and
32 so I'm not certain that -- At least given the talk that we had
33 in committee regarding what Motion 1 was attempting to do,
34 versus what you're attempting to do in the substitute, and it's
35 kind of along the same lines of discussion that Martha just hit
36 on, and so I will let the Chair weigh-in on how he may choose to
37 deal with that, but I appreciate you recognizing the need that
38 we either need to put it in the current document, and be ready
39 to put it in the current document, or have a different framework
40 moving forward, so that it would move as fast as possible, and I
41 appreciate the motion from that perspective, certainly.

42
43 **CHAIRMAN FRAZER:** Thank you, Robin. I agree, and I think
44 they're two different motions, and I think both Dr. Simmons and
45 Ms. Guyas kind of hit it on the head. I think the substitute
46 motion really is to make sure that there's a framework in place
47 that will allow us to move forward in a timely manner, and I
48 think that we need that.

1
2 That is, in my mind, separate from the motion above, which is
3 intended to really do the heavy lift, and I do think that we
4 need to start that, because it's going to be a very long,
5 complex process, and so my suggestion, Patrick, might be to --
6 If you're willing, but it is to kind of withdraw this as a
7 substitute motion, and we can vote the other one up or down, and
8 then -- I guess try it again, as a new motion, to initiate a
9 framework action. I will let you respond, Patrick, if you wish.

10
11 **MR. BANKS:** I had raised my hand so that I could respond. Yes,
12 I'm fine with that. After we dispense with the main motion -- **I**
13 **will go ahead and withdraw my substitute.** After we dispense
14 with the main motion, I hope that the Chair will recognize me to
15 enter the new motion. Thank you.

16
17 **CHAIRMAN FRAZER:** Okay. You bet. Mr. Anson and then Ms. Levy.

18
19 **MR. ANSON:** Real brief, I agree with Martha's comments and
20 Robin's comments and Patrick's attempts here to separate the two
21 issues, and I think, for timing at least, for looking at any
22 reallocation decisions, it does take a long time, but having the
23 Great Red Snapper Count available opens up a few more options, I
24 think, to encompass a little bit more data and have some
25 confidence in that, and so it would be nice to start working
26 along identifying what those metrics would be and start that
27 conversation as soon as possible, and then we would have the
28 research track assessment done and completed in the next couple,
29 two or three, years, and maybe the timing of that would be a
30 good time to have that document already in place. Thank you.

31
32 **CHAIRMAN FRAZER:** Thank you, Kevin, for those comments. Ms.
33 Levy.

34
35 **MS. LEVY:** Thank you. Just briefly, I just wanted to touch on
36 the conversation related to picking preferreds and taking final
37 action at the same meeting. Just to note that, I mean, you do
38 have a framework procedure that was put in place, through an FMP
39 amendment, that is intended to try to streamline things, and
40 this also ties back into the National Standard 6 discussion,
41 because that National Standard is all about having a management
42 regime that responds to changes more quickly and building in
43 things for contingencies, and that's part of what the framework
44 does, is you have said these are the type of things we're going
45 to consider and use framework actions, and this is the process
46 we're going to follow, and it requires discussion at at least
47 one meeting.

1 I just think that maybe it would be helpful to think about that
2 a little bit, that you've set up this process, and there is
3 nothing stopping you from taking more than one meeting to do
4 this stuff, but, in terms of it being somehow inappropriate to
5 have a document with the alternatives fleshed out and picking a
6 preferred and taking final action, I mean, I think it's totally
7 within your discretion to do it, as long as there is enough
8 notice to the public as to the types of things you're going to
9 be considering. Thank you.

10
11 **CHAIRMAN FRAZER:** Thank you, Mara, for that insight. So I think
12 what we'll do is we have a motion on the board, and the
13 substitute motion has been withdrawn for the time being, and so
14 is there any opposition to the motion on the board, and I will
15 read it again, so everybody knows and is clear which one we're
16 voting on.

17
18 The motion is to direct staff to initiate an amendment to adjust
19 the OFL and ABC based on the results of the interim analysis for
20 red snapper, as informed by the Great Red Snapper Count and SSC
21 recommendations. The private recreational ACL should include,
22 but not be limited to, a range of alternatives that consider
23 reallocation based on state-specific biomass, the estimates
24 derived in part from the Great Red Snapper Count, and NOAA's
25 socioeconomic data. Allocation for the commercial and
26 charter/for-hire sectors will also be considered in this
27 amendment. **Is there any opposition to this motion? Seeing**
28 **none, the motion carries.** I recognize Mr. Banks.

29
30 **MR. BANKS:** Thank you, Mr. Chairman. I will resubmit the last
31 substitute motion as a full motion, please, but I need to add
32 the word "framework", I'm assuming, in front of "amendment".

33
34 **CHAIRMAN FRAZER:** Instead of. We have a motion on the board to
35 direct staff to initiate framework action to adjust the OFL and
36 ABC based on the results of the interim analysis for red
37 snapper, as informed by the Great Red Snapper Count and the SSC
38 recommendations. Is there a second for this motion?

39
40 **GENERAL SPRAGGINS:** I will second it for discussion.

41
42 **CHAIRMAN FRAZER:** It's seconded by General Spraggins. I think
43 we've had a fair amount of discussion, and I think this is a
44 necessary step, in order to keep us moving along, and it puts us
45 in the best possible position to expedite any changes that we
46 want to make, and so I can't imagine that there will be much
47 discussion, but I see Martha has her hand up.

1 **MS. GUYAS:** Just one more quick thing. I'm going to support the
2 motion, but, once again, I'm going to say we need to look at an
3 emergency rule here, and I don't think it's unprecedented. The
4 South Atlantic has done this, and we've kind of talked about
5 how, already, states kind of need to know what's going on.

6
7 I also would just bring up, because remember this is an increase
8 for everyone, and we've heard, in the past, from IFQ holders how
9 it's really hard for them when we dump a bunch of quota on them
10 in November or December, or late in the year, and so, if there's
11 a way we can find to get this through as an emergency rule, if
12 we need to have a companion framework for past the six months,
13 for 2022, I'm down with that, but I'm just putting the idea out
14 there again. Thank you.

15
16 **CHAIRMAN FRAZER:** Thank you, Martha. Ms. Levy.

17
18 **MS. LEVY:** How does this interact with the first sentence of the
19 motion that you just passed? Does it replace that, because the
20 first sentence of the motion you just passed talked about
21 initiating a plan amendment that included this as well as the
22 allocations, but I guess I'm assuming that this happens, and
23 then the first motion is sort of void?

24
25 **CHAIRMAN FRAZER:** I guess I'm not clear, and so I think, Mara,
26 the intent here is -- I mean, essentially, you're going to get
27 catch advice that's likely coming out of the interim analysis,
28 and this is just the framework that allows you implement the
29 catch advice in fairly short order.

30
31 **MS. LEVY:** Right, but I'm just saying that the first sentence of
32 the prior motion was the exact same sentence, right, except that
33 it said to initiate a plan amendment to adjust the OFL and ABC,
34 and I can't see it any more, because it's not on the board.

35
36 **CHAIRMAN FRAZER:** Hold on. We'll scroll up a bit, or down.
37 Okay. Keep going. So the difference between the two, Mara, in
38 my view, is this one actually considers reallocation, and the
39 motion that Patrick just made essentially is only dealing with
40 the catch advice, with the implementation of that catch advice,
41 without consideration of reallocation. That's why one is a
42 framework and one is an amendment.

43
44 **MS. BOSARGE:** Mr. Chairman, if I may.

45
46 **CHAIRMAN FRAZER:** Go ahead, Ms. Bosarge.

47
48 **MS. BOSARGE:** I think the issue might be that we accidentally

1 voted to pass that motion that created the amendment that had
2 both the Great Red Snapper Count increase, hopeful increase, in
3 quota and allocation all in one. We were supposed to vote it
4 down, and we didn't speak up, right?

5
6 If we wanted a document that didn't intermingle allocation and
7 the Great Red Snapper Count quota increase, we needed to vote
8 the motion right there down, and so we didn't. We voted to go
9 ahead and do an amendment that had both in it, and, if that's
10 the case, we could withdraw the motion on the board, and I will
11 make a motion to reconsider, and we can vote it down and then
12 move on.

13
14 **CHAIRMAN FRAZER:** No, Leann, I don't think that's necessary.
15 The motion that you see in front of you right now, that's
16 running in parallel to all of this other work, right? We
17 recognize that we need to create a plan amendment that's
18 ultimately going to consider any potential increases in quota,
19 because we're going to consider reallocation within the sector
20 and more broadly than that, among the sectors, potentially.
21 That is a multiyear type of an effort, but it's starting to be
22 informed by the new science that we have on the table.

23
24 The motion that Patrick has put in place is simply a framework
25 action that is enabling us to implement the catch advice that
26 will come -- That hopefully we will get in April, and that
27 allows us to move as expeditiously as possible with any quota
28 adjustment for the recreational, private rec, fishery. That is
29 why they're different.

30
31 So, Bernie, if you can scroll down to the motion, the most
32 recent motion, and so, again, the motion here on the table is to
33 direct staff to initiate a framework action to adjust the OFL
34 and ABC based on the results of the interim analysis for red
35 snapper, as informed by the Great Red Snapper Count and SSC
36 recommendations. **Is there any opposition to this motion?**
37 **Seeing none, the motion carries.** Okay, Ms. Guyas.

38
39 **MS. GUYAS:** The committee then considered selecting a preferred
40 alternative from those presented in the draft framework action.
41 The committee asked about the consequences of selecting
42 Alternative 1 as preferred, given that it is not compliant with
43 the Magnuson-Stevens Act. NOAA General Counsel noted that it
44 would make the approval of any future increases in catch limits
45 difficult for NMFS, since the Reef Fish FMP would not comply
46 with the Magnuson-Stevens Act. As such, neither NOAA General
47 Counsel nor SERO advised the selection of Alternative 1 as
48 preferred.

1 **The committee recommends, and I so move, in Action 1, to make**
2 **Alternative 2 the preferred.** I will just note here that the
3 Alternative 2 that was passed in this motion was the version
4 that was modified by the committee on Tuesday, which we have
5 now, I think, changed.

6
7 **CHAIRMAN FRAZER:** To that point, we can go back, if it's okay,
8 quickly, to the motion that was passed in regard to Alternative
9 2 and with the language that Andy provided. That's it. So,
10 essentially, the motion was modified to incorporate Alternative
11 2 in its existing form, as modified to add this sentence: Any
12 future increases to state-specific ACL in 2021 or 2022 would be
13 calibrated based on adding this language to existing Alternative
14 2.

15
16 The motion then on the board now, and this is just for
17 reference, is, in Action 1, to make Alternative 2 the preferred.
18 Is there any further discussion of this motion? Seeing none, is
19 there any opposition to the motion?

20
21 **UNIDENTIFIED:** Yes.

22
23 **UNIDENTIFIED:** Yes.

24
25 **UNIDENTIFIED:** Yes.

26
27 **UNIDENTIFIED:** Yes.

28
29 **UNIDENTIFIED:** Yes.

30
31 **CHAIRMAN FRAZER:** I hear five opposed. Are there any more?

32
33 **UNIDENTIFIED:** Yes.

34
35 **CHAIRMAN FRAZER:** Okay. We'll do a roll call vote. Dr.
36 Simmons.

37
38 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Mr. Sanchez.

39
40 **MR. SANCHEZ:** Yes.

41
42 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Stunz.

43
44 **DR. STUNZ:** No.

45
46 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Boggs.

47
48 **MS. BOGGS:** No.

1
2 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Banks.

3
4 **MR. BANKS:** Yes.

5
6 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Diaz.

7
8 **MR. DIAZ:** No.

9
10 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Shipp.

11
12 **DR. SHIPP:** No.

13
14 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Strelcheck.

15
16 **MR. STRELCHECK:** Yes.

17
18 **EXECUTIVE DIRECTOR SIMMONS:** General Spraggins.

19
20 **GENERAL SPRAGGINS:** Real quick, on the question, if I vote yes,
21 am I voting for it? If I vote no, I'm voting against this being
22 -- Option 2 being a preferred, and is that correct?

23
24 **CHAIRMAN FRAZER:** If you vote yes, you're voting for Alternative
25 2 to be the preferred.

26
27 **GENERAL SPRAGGINS:** All right. Then no.

28
29 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Riechers.

30
31 **MR. RIECHERS:** No.

32
33 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Guyas.

34
35 **MS. GUYAS:** Yes.

36
37 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dyskow.

38
39 **MR. DYSKOW:** No.

40
41 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Swindell.

42
43 **MR. SWINDELL:** Yes.

44
45 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dugas.

46
47 **MR. DUGAS:** No.

1 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Williamson.

2
3 **MR. WILLIAMSON:** No.

4
5 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Anson.

6
7 **MR. ANSON:** No.

8
9 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Bosarge.

10
11 **MS. BOSARGE:** Yes.

12
13 **CHAIRMAN FRAZER:** The motion fails ten to six. All right. Ms.
14 Guyas.

15
16 **MS. GUYAS:** Okay. I think that takes us to amberjack.

17
18 **MR. ANSON:** Mr. Chair.

19
20 **CHAIRMAN FRAZER:** Yes. Kevin.

21
22 **MR. ANSON:** I had asked about timing for a motion in red
23 snapper, and you said it would be good to do it now, before we
24 moved on.

25
26 **CHAIRMAN FRAZER:** Yes, that would be great.

27
28 **MR. ANSON:** I sent a motion to staff. It will be familiar to
29 everyone here on the phone call. It was the motion that I
30 offered originally in Reef Fish. It's slightly changed, to
31 update -- To get the pounds to match more closely to the
32 difference that was mentioned in other alternatives, is all.

33
34 Again, I'm just trying to come up with a way to somehow minimize
35 the pain, and so I have not added anything else relative to
36 maybe feathering in some sort of adjustment with the OFL and ABC
37 recommendation with the Great Red Snapper Count, and this is
38 just straight as it is right now, and so I know there were
39 issues that people had relative to meeting requirements in the
40 MSA or making sure that we didn't go overfishing, but I just
41 wanted to see if I can insert this into the document.

42
43 **CHAIRMAN FRAZER:** Okay. Is there a second to this motion?

44
45 **GENERAL SPRAGGINS:** I will second it for discussion.

46
47 **CHAIRMAN FRAZER:** It's seconded by General Spraggins. Okay.
48 The discussion will start. J.D.

1
2 **MR. DUGAS:** Thank you, Mr. Chair. I'm going to say to Kevin
3 that I understand what we are faced with across all five states,
4 and I appreciate your work on this, and I'm okay putting it in
5 the document, but, at the end of the day, I'm not okay moving
6 fish from Louisiana to another state, and I just wanted to make
7 that clear. Thank you.

8
9 **CHAIRMAN FRAZER:** Mr. Strelcheck.

10
11 **MR. STRELCHECK:** Thanks, Mr. Chairman. I am going to speak
12 against the motion, but for a different reason. As I discussed
13 in committee, we took a very hard look at what was required to
14 ensure the catch limit would not be exceeded if we took an
15 across-the-board reduction, and that estimate was 23 percent.
16 If we could have looked at a lesser reduction, then we would
17 have considered that, but this reduction, as proposed, would not
18 constrain catch levels to the annual catch limit, based on the
19 calibration factors that we have seen between the state surveys
20 and MRIP.

21
22 **CHAIRMAN FRAZER:** General Spraggins.

23
24 **GENERAL SPRAGGINS:** Mr. Chairman, thank you very much. I
25 understand what Andy is thinking, but my question is, if you
26 look at Option 2, it gives a number, and I think that's what
27 Kevin was trying to bring out. Option 2 gives you a number,
28 and, if you look at that number, it gives a number of pounds,
29 and, if you divide that by 23 percent, or whatever the Option 3
30 was, it goes a lot more pounds than that, and so I am not
31 understanding, and I'm not trying to disagree with NOAA or
32 anyone else on this, but I'm just trying to -- To me, it would
33 be a whole lot easier, if I was -- If something ever got passed,
34 for me, if I was one of the states that would be looking at it,
35 it would be less to have the 11.8 than it would be the 20, for
36 sure, and I don't think that either one of these will ever make
37 it, and that's not the point that I am getting at, but I do
38 think that this is fairer, across-the-board, than it is for the
39 20.3, or twenty-three-point-whatever the number was, and I can't
40 remember right now, but, anyway, I think it was looking at it
41 and trying to find a way to say that this makes it match up to
42 Option 2 more if it wasn't cut across-the-board, and that's just
43 my thoughts. Thank you.

44
45 **CHAIRMAN FRAZER:** Okay. Thank you, General Spraggins. Ms.
46 Levy.

47
48 **MS. LEVY:** Thank you. I think, to the extent any folks are

1 interested in adding this to the document, it would be helpful
2 to discuss how this would meet the purpose and need expressed in
3 the document, and it goes sort of to Andy's comments. I mean,
4 it would -- Supporting adding it, how it's going to meet the
5 purpose and need, by reducing the likelihood of exceeding the
6 angling component ACL and preventing overfishing.

7
8 **CHAIRMAN FRAZER:** Thank you, Ms. Levy. Mr. Banks.

9
10 **MR. BANKS:** The General brings up a good point, and so, in
11 Alternative 2, which are the NOAA calibrations, that brings --
12 In state currency, there is about 3.7 million pounds, from 4.26
13 million pounds, and so, if you implement those calibrations,
14 that cuts, overall, catch that we're allowed down from, again,
15 4.2 million pounds to 3.7 million pounds, in state currency, and
16 I do see what the General is saying, and Kevin's also brings it
17 down, in state currency, to 3.76 million pounds, and so the two
18 seem to match up, in terms of bringing the overall catch down,
19 in state currency, and so that's why I don't understand why it
20 wouldn't be the same thing.

21
22 **CHAIRMAN FRAZER:** Patrick, until we actually have an assessment
23 that is taking advantage of the state sampling programs, we're
24 required to use the calibration ratios and to convert them to
25 CHTS units, or currency, and so that's the reason. Go ahead,
26 Mr. Strelcheck.

27
28 **MR. STRELCHECK:** I wish we could have the math in front of you,
29 but I will try to explain it briefly. If all the states have
30 the same calibration factor, then what's proposed would be
31 correct. The problem is that not all the states have the same
32 calibration factor, and so, when you take Alabama's new catch
33 limit, as proposed here, and multiply it up, I will just say by
34 50 percent, or doubling it, essentially, you are allowing,
35 essentially, more harvest under this alternative than the 23
36 percent reduction, and, when you total all that up and convert
37 it back to what would be the MRIP-based ACL, you're going to
38 allow more harvest than the 23 percent reduction that's needed
39 to constrain it to the catch limit.

40
41 **CHAIRMAN FRAZER:** Andy, you said that much better than I could
42 have, and so thank you for that. I see Martha's -- Kevin Anson,
43 your hand is up.

44
45 **MR. ANSON:** Thank you, Mr. Chair. I just offered this as kind
46 of a continuation of my discussion during the Reef Fish
47 Committee, when you look at my comments and my thoughts on
48 National Standard 6, and, again, I'm just trying to get some

1 more flexibility, based on the information at hand and trying to
2 get a point where, again, we can try to ease the pain within a
3 flexible management process is all, and so that's what I was
4 attempting to do and why I offered this alternative.

5
6 **CHAIRMAN FRAZER:** Okay. Ms. Guyas.

7
8 **MS. GUYAS:** I was going to say the same thing as Andy. It's
9 because we don't have a state currency, and we have five, which
10 is why we are where we are in the first place.

11
12 **CHAIRMAN FRAZER:** Okay. Patrick.

13
14 **MR. BANKS:** In Alternative 2, the calibrations tell us that the
15 states should not catch more than 3.7 million pounds, total, if
16 you added those up. They're saying that that is what we should
17 be catching as our ACL, as opposed to the 4.269 million pounds,
18 because of the calibration ratio, and so, if you're telling us,
19 as a Gulf-wide harvest, we can only catch 3.7 million pounds
20 total, then I just don't understand why this doesn't work.

21
22 I am not saying that I would vote for this as the preferred,
23 because, like J.D., I'm not in favor of losing fish in
24 Louisiana. Our anglers don't deserve that, but I still don't
25 understand why the 23 percent -- 23 percent, I believe, there's
26 some kind of -- I believe there is some kind of the flaw in the
27 math if the total catch under Alternative 2 that you're saying
28 is acceptable is about 3.7 million pounds, yet the total catch
29 under this alternative of 3.7 million pounds you're telling me
30 is not acceptable, and that's not making sense to me.

31
32 **CHAIRMAN FRAZER:** Let me give you a quick try again, and I will
33 try to expand on what Andy said in a different way, and what
34 Martha said, also. I mean, on face value, if all the states had
35 the same calibration ratios, it would work, but it's like going
36 to a different country, and so let's say Alabama, Florida,
37 Louisiana, Mississippi, and Texas all decided they wanted to
38 take their dollars, and they all went to different countries.
39 One went to Canada and one went to South Africa and one went to
40 Australia and whatever.

41
42 The value of the dollar is different in each of those countries,
43 and so there's not a uniform conversion that makes that math
44 work easily, and so therein lies the problem, Patrick, and so
45 does that make sense to you?

46
47 **MR. BANKS:** Well, let me ask you this. So, based on Alternative
48 2, just like you explained, we all have different currencies,

1 and, if we instituted Alternative 2, those would be our new
2 catch levels. Okay? So we catch those fish, and we add them
3 up, and they add up about the same as what Kevin is showing as
4 the total in his. At the end of the day, the same number of
5 fish are caught in both alternatives.

6
7 I'm saying they got to it in a different fashion, and I
8 completely understand that, because of the difference in
9 currencies, but, at the end of the day, the overall Gulf ACL has
10 been put into state currency in both of them and has not
11 exceeded what you say is equal to the federal currency, the
12 4.26, and so, again, I guess I just need to sit down with Andy
13 and see their math, but I just am not understanding how even
14 with the currency change, we're going to catch 3.7 million
15 pounds, and so is Kevin's alternative.

16
17 **CHAIRMAN FRAZER:** Mara, do you have -- I'm sorry, Patrick, but I
18 think Mara is trying to break in here.

19
20 **MS. LEVY:** I think it might be helpful to look at Table 2.1.2 in
21 the document at some point, which shows the 23 percent buffer,
22 because the thing that's missing from Kevin's table is the
23 conversion back to MRIP for each state.

24
25 When you do the 23 percent, you're putting it in what we're
26 calling a state ACL, because that's what the states are going to
27 be monitoring to, but, when you turn it back into MRIP, you show
28 how it's equal to the current total private angling ACL, in
29 federal units, and that column is not in Kevin's table, and so
30 you don't get the piece of the puzzle just by looking at that.

31
32 **CHAIRMAN FRAZER:** That's exactly right. Martha.

33
34 **MS. GUYAS:** I think I'm good. I was just trying to further help
35 explain that that's not the kind of column that you can add up,
36 because you're adding grapes and apples and pineapples and
37 whatever, but I think you've made that point now.

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

40
41 **MS. BOSARGE:** Thank you. Yes, I think I get it. Once you apply
42 the conversion ratio to the Alabama currency there, you pretty
43 much double the pounds that they would have landed, because,
44 once you convert that, it pretty much doubles, and then you're
45 way over what you saw in Alternative 2, and so, essentially,
46 this motion -- If this was added to the document, and this
47 motion was picked as preferred and went final, this would allow
48 overfishing, and so I can't support this motion.

1
2 **CHAIRMAN FRAZER:** Okay. We are going to go ahead and vote this
3 up or down. We have the motion on the board, and I am assuming
4 this is going to require another roll call vote. Dr. Simmons.
5
6 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Mr. Dyskow.
7
8 **MR. DYSKOW:** No.
9
10 **EXECUTIVE DIRECTOR SIMMONS:** General Spraggins.
11
12 **GENERAL SPRAGGINS:** Yes.
13
14 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Strelcheck.
15
16 **MR. STRELCHECK:** No.
17
18 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Banks.
19
20 **MR. BANKS:** Yes.
21
22 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Riechers.
23
24 **MR. RIECHERS:** Yes.
25
26 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Guyas.
27
28 **MS. GUYAS:** No.
29
30 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Sanchez.
31
32 **MR. SANCHEZ:** No.
33
34 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Anson.
35
36 **MR. ANSON:** Yes.
37
38 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Bosarge.
39
40 **MS. BOSARGE:** No.
41
42 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Swindell.
43
44 **MR. SWINDELL:** Yes.
45
46 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Diaz.
47
48 **MR. DIAZ:** Yes.

1
2 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Shipp.

3
4 **DR. SHIPP:** Yes.

5
6 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Boggs.

7
8 **MS. BOGGS:** Yes.

9
10 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Stunz.

11
12 **DR. STUNZ:** Yes.

13
14 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dugas.

15
16 **MR. DUGAS:** Yes.

17
18 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Williamson.

19
20 **MR. WILLIAMSON:** Yes.

21
22 **EXECUTIVE DIRECTOR SIMMONS:** The motion carries eleven to five.

23
24 **CHAIRMAN FRAZER:** Okay. **The motion carries eleven to five.** Are
25 there any other motions related to the red snapper framework
26 action? Okay. Seeing none, Martha, do you want to pick up with
27 the committee report and the greater amberjack section?

28
29 **MR. STRELCHECK:** Tom.

30
31 **CHAIRMAN FRAZER:** Sorry. I don't see hands right now, and so it
32 looks like Andy and then Leann.

33
34 **MR. STRELCHECK:** I feel the need to comment, and I appreciate,
35 obviously, that we're in a tough spot, and no one likes the
36 alternatives before them, but keep in mind this has consequences
37 on staff having to now develop an alternative and stick it in an
38 amendment that is not something that feasibly we could approve
39 as an agency, and so I just wanted to indicate that right out of
40 the gate, that this is not a practical alternative, and I
41 thought I made that clear, and it's disappointing to have the
42 council voting up an alternative that ultimately we wouldn't be
43 able to approve as an agency.

44
45 **CHAIRMAN FRAZER:** Ms. Bosarge.

46
47 **MS. BOSARGE:** I just would like somebody to summarize the path
48 forward and what documents we expect to see and when those

1 documents are going to be implemented. I need to understand
2 exactly what we've just done at this meeting, because we said,
3 in November/December, that we really needed to take final action
4 on this document then, to get it implemented for June, and so I
5 don't see how we take final action in April and people start
6 fishing in late May on this quota and how we have made sure that
7 we have prevented overfishing, but I would at least like to know
8 how far away we're going to be.

9
10 **CHAIRMAN FRAZER:** Leann, I will take a stab at it, and I will
11 let the SERO guys follow up. Essentially, we have a framework
12 action that we have developed now with five alternatives in it,
13 and we will bring that framework action back to the council
14 meeting in April, potentially informed by the interim analysis,
15 and we may get some new catch advice.

16
17 At the same time, we will have another framework action that
18 would allow us to implement that catch advice, should we choose
19 to do to so, and we will need to pick a preferred in this
20 framework action with the five alternatives in the April
21 meeting, and, again, we'll get public input on that preferred at
22 that meeting, and, if we take final action, it will take several
23 months to -- Based on past history with routing framework
24 actions through the agency, you may not see that until mid-
25 summer, or later, and so the optimists amongst us might say we
26 could get it in late June or early July, but, in the absence of
27 a quota increase, and a failure on the part of the states to
28 constrain their seasons, it's quite possible that you could
29 undergo overfishing, and so it's a gamble. Martha, if you want
30 to go ahead and -- Patrick Banks and then General Spraggins.

31
32 **MR. BANKS:** I will try to give a little example of how we'll
33 accomplish this in Louisiana. In April, assuming we vote
34 calibration final and we know the interim analysis, which will
35 add fish to the bag, or fish to the ACL, and so we will know
36 those things at that time. Now, I understand where Andy is
37 coming from, that they won't be able to promulgate their rule
38 and finalize their rule in time, but we, as managers, will still
39 know the numbers.

40
41 We will know the numbers based on calibration, and then we will
42 know the numbers that are based on, hopefully, the addition from
43 the interim analysis. We can start our season and make that
44 season-opening decision with that knowledge in hand, and that's
45 the great thing about state management and flexibility of state
46 management, is, as things change, and fish get added to us, or
47 taken away, or calibration gets thrown in there, we can adjust
48 what we're doing very rapidly.

1
2 To say that we can't manage with these things happening in April
3 is certainly not true for Louisiana, because we can go in front
4 of our commission in the first part of May, and we can set that
5 season to open when we normally would, knowing that the very
6 least we would have would be the worst-case scenario in these
7 calibration options, and we can start our season knowing that,
8 and, once we get to that level, if we need to shut down the
9 season until we get the revised ACLs and things like that, then
10 that may be what we have to do, but we can certainly do it in a
11 flexible and responsible manner that, at least in Louisiana,
12 will not result in overfishing. Thank you.

13
14 **CHAIRMAN FRAZER:** Okay. Thank you, Patrick. General Spraggins.

15
16 **GENERAL SPRAGGINS:** Mr. Chairman, thank you, and I would just
17 like to echo what Patrick is saying. I can tell you, as the
18 Executive Director of the Department of Marine Resources in the
19 State of Mississippi, I am not deliberately going to try to do
20 anything to overfish a stock, and I can promise you that, and I
21 think that you can find that in every one of the state directors
22 that are here in the five states, and we are responsible for
23 what we do. We don't want to see our depletion any more than
24 you want to see it, or anyone else.

25
26 We are here, and we are here for a reason, and I think that's
27 why that we were given the authority to do this to start with by
28 Commerce, and I can promise you that I will echo what Patrick
29 said. We will go into our meeting, and I will brief the
30 commission, and I will tell them where we're at, but I can
31 promise you that I am going to look at the numbers, and I'm not
32 going to try to fish to 151,000 pounds, just because I think
33 it's there, until I know I have it.

34
35 Unless I know I have it, I'm not going to try to fish to it, and
36 we will work with that, and we will work with it to make sure
37 that we don't overfish, and I feel like that's the same for
38 every state director, and I would appreciate you all giving us
39 the ability to do that and show you and prove it to you.

40
41 **CHAIRMAN FRAZER:** Thank you, General Spraggins. Dr. Simmons.

42
43 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. It's going
44 to take a lot of effort for our staff to get these two framework
45 actions turned around. Keep in mind we have a huge SSC meeting
46 and work with the Science Center and Dr. Stunz's team to get
47 ready for this meeting at the end of March and the beginning of
48 April and then try to get this framework action together for the

1 council.

2
3 That being said, I would just ask for understanding and
4 flexibility for some of the other ongoing requests that we know
5 the council has, as far as agenda time and other things. We
6 will also try to prioritize cobia and greater amberjack, because
7 of the overfishing and, for amberjack, the overfished status.
8 Thank you.

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

11
12 **DR. STUNZ:** As far as the comment about overfishing, I just
13 wanted to reiterate that, with the new data coming out, we're
14 talking about here fifteen million pounds that we're fishing
15 when, in reality, there's probably more like 700 to 800 million
16 pounds, with a conservative estimate, that's really out there,
17 and so, in terms of if we just step back for a minute from all
18 these allocations and calibrations and all these discussions
19 that we're talking about, we're not in a situation where we're
20 going to overfish this fishery, unless something just really
21 crazy or drastic happens, and I don't hear any of that coming
22 out of the states, that it will kind of be status quo. It's
23 more that we get this solved on paper than really what's
24 happening out there on the water.

25
26 **CHAIRMAN FRAZER:** Thank you, Dr. Stunz. Ms. Bosarge.

27
28 **MS. BOSARGE:** Thanks for those comments, Patrick and Mr.
29 Spraggins. That makes me feel a little bit better, knowing that
30 I guess you all will be nimble enough to implement it even
31 though it's not written on paper yet.

32
33 I guess maybe I got a different picture of this whole scenario
34 when we were looking at the possibility of overfishing occurring
35 if we allowed those 67,000 pounds of commercial quota to be
36 carried over into 2021, and a lot of the feedback was, well, we
37 don't know what is happening with all of these calibrations, and
38 we may have overfishing occurring, or too much catch, and so we
39 couldn't carry anything forward for those poor guys that are
40 feeling some pain, because there might be overfishing.

41
42 When we took no action on this today, I had some hesitations,
43 but it sounds like maybe it will all jibe, and it will happen in
44 time, and I would like to, in that case, that everything comes
45 together in April, I would also like to revisit that carryover
46 of the 67,000 pounds for the commercial guys.

47
48 There is a lot of pain there, and we've talked about all the

1 pain that this document would cause to recreational fishermen,
2 and there is some real pain that that 67,000 pounds is going to
3 cause to commercial fishermen, and so I hope we will revisit
4 that once we know that we're not going to overfish, because we
5 have these calibrations in place.

6
7 **CHAIRMAN FRAZER:** Thank you, Leann. We are going to move
8 forward now, certainly, with the greater amberjack stock
9 assessment part of the report.

10
11 **MS. GUYAS:** All right. Review of SEDAR 70, Gulf of Mexico
12 Greater Amberjack Stock Assessment, Dr. Powers reviewed the
13 SEDAR 70 stock assessment of Gulf greater amberjack, which has a
14 terminal data year of 2018. The majority of harvest of greater
15 amberjack is by the recreational sector, specifically by the
16 charter/for-hire and private vessel fleets. Discards are also
17 primarily from the recreational fleets.

18
19 The stock has been overfished since about 1985, and spawning
20 stock biomass has been below SSB MSY since 1980. The stock has
21 been undergoing overfishing on and off since 1980, and SSB does
22 not appear to have yet been affected by previous management
23 actions to reduce fishing mortality and rebuild the stock.

24
25 The SSC found that SEDAR 70 represents the best scientific
26 information available. However, the SSC stated that it is
27 unclear what effect the historical recreational landings are
28 having on the model results. Additionally, a recent study
29 indicating that a large proportion of the stock is associated
30 with offshore oil rigs was not incorporated in the assessment.
31 The SSC recommended that this study be considered in a future
32 assessment.

33
34 Projections begin in 2022, with the OFL defined as the fishing
35 mortality at the MSY proxy of 30 percent of the spawning
36 potential ratio and the ABC at F rebuild to rebuild the stock by
37 2027. The SSC recommended that the OFLs and ABCs for 2022
38 through 2024 be, in millions of pounds, whole weight -- There
39 they are, and I'm not going to read all those.

40
41 A committee member asked what was driving the biomass down in
42 the early years from when the model begins. Dr. Powers
43 clarified that the estimates of early catches reflect a trend in
44 harvest leading to the biomass levels for when most of the
45 harvest data in the model are available. He added that the SSC
46 acknowledged the uncertainty in the data in this time period and
47 the effect that this has on estimates of stock productivity.

1 Council staff reviewed the results of the Something's Fishy
2 tool. Overall, the results indicated a generally positive
3 sentiment about greater amberjack abundance, but some fishermen
4 also expressed a negative sentiment regarding management
5 measures.

6
7 A committee member inquired why sector-specific sentiment
8 results indicated higher positive responses from the private
9 vessel fleet. Council staff indicated that those positive
10 comments were associated mostly with fish abundance. Another
11 committee member noted a regional variance in sentiment was also
12 present in the results, where fishermen in Louisiana expressed
13 an overall positive sentiment.

14
15 A committee member asked if it were possible to spatially
16 identify the areas where overfishing was occurring. The
17 Southeast Fisheries Science Center noted that SEDAR 70 is a
18 Gulf-wide assessment that examines fishing mortality throughout
19 the Gulf, but that regional fishing mortality differences may be
20 able to be identified. SERO added that addressing fishing
21 mortality spatially may not be possible, due to data
22 deficiencies.

23
24 Committee members suggested two documents, one to modify the
25 rebuilding plan and catch limits and another to modify the
26 sector allocations. Staff noted that changes to the sector
27 allocations, which are 73 percent recreational and 27 percent
28 commercial, are likely to modify the projections, meaning that
29 the catch limits would need to be modified again once the sector
30 allocations were modified.

31
32 NOAA General Counsel commented that, when using catch limits
33 established using the MRIP-FES data currency, not reallocating
34 between the sectors would be a de facto reallocation to the
35 commercial sector, since the additional catch and effort
36 estimated by MRIP-FES is attributable to the recreational
37 sector.

38
39 **The committee recommends, and I so move, to direct staff to work**
40 **on a plan amendment to update rebuilding plan for greater**
41 **amberjack and revise catch limits and sector allocations based**
42 **on the MRIP-FES data.** Mr. Chair.

43
44 **CHAIRMAN FRAZER:** Okay. Thank you, Ms. Guyas. We have a
45 committee motion on the board. Is there any further discussion
46 of the motion? **Seeing none, is there any opposition to the**
47 **motion? Seeing none, the motion carries.** Ms. Bosarge.

1
2 **MS. BOSARGE:** It wasn't in opposition to the motion. Are we
3 done with this motion?
4

5 **CHAIRMAN FRAZER:** Yes, we are.
6

7 **MS. BOSARGE:** Thank you. All right. So I would like, when we
8 bring back these allocations, sector allocations -- The quotas
9 are going to be reduced, and I know that, when we look at these
10 OFIs and ABCs, and, you know, here again, there was a larger
11 stock of AJs out there than we thought, and no fault of their
12 own, but one sector was allowed to fish on that larger stock for
13 a lot of years, when the commercial sector wasn't.
14

15 **I would like to see an allocation alternative that at least**
16 **holds the commercial quota steady.** In other words, whatever our
17 ACL is for commercial right now, it remains that, and see an
18 allocation based on that.
19

20 **CHAIRMAN FRAZER:** Leann, I think that's going to, actually, at
21 this point, require a motion. Are you prepared to make that
22 motion?
23

24 **MS. BOSARGE:** Yes, that was a motion.
25

26 **CHAIRMAN FRAZER:** Okay, and so let's put a motion on the board,
27 please.
28

29 **MS. BOSARGE:** The motion would be to include an option which
30 holds the commercial ACL at its current level.
31

32 **CHAIRMAN FRAZER:** Okay. For clarification, Leann, did you want
33 the commercial ACL held constant in pounds or percentage of the
34 allocation?
35

36 **MS. BOSARGE:** In pounds.
37

38 **CHAIRMAN FRAZER:** In pounds. Okay. We have a motion on the
39 board to at least put some specificity into the amendment, and
40 I'm sure the amendment will involve quite a bit, but is there a
41 second to this motion?
42

43 **MS. BOGGS:** I will second it.
44

45 **CHAIRMAN FRAZER:** Second by Ms. Boggs. It looks like there's a
46 number of hands up for discussion. J.D.
47

48 **MR. DUGAS:** Thank you, Mr. Chair. I had something else to bring
217

1 up, and it's not regarding to Leann's motion, and so I will
2 wait.

3
4 **CHAIRMAN FRAZER:** General Spraggins.

5
6 **GENERAL SPRAGGINS:** Yes, sir, Mr. Chairman. Thank you. I'm
7 about as confused as I can be out here today, and just one quick
8 question. This is in reference to greater amberjack only, and
9 is that correct, for Leann's motion?

10
11 **CHAIRMAN FRAZER:** That's correct.

12
13 **GENERAL SPRAGGINS:** Thank you.

14
15 **CHAIRMAN FRAZER:** Okay. I am looking for hands. Martha.

16
17 **MS. GUYAS:** Thanks, and so my question is for Leann. Leann,
18 would you want to just start out at the current level? I'm
19 assuming that, as quotas increase, since it looks like we have
20 an increasing yield stream, that you would want the pounds to go
21 up for commercial, or are you saying hold it steady for the
22 foreseeable future?

23
24 **MS. BOSARGE:** No, not for the foreseeable future. In other
25 words, the ACL that the commercial sector had last year, what
26 kind of allocation would that end up being, if we at least were
27 allowed to catch that same number of pounds again, Martha,
28 right, because that's kind of been the discussion before, the
29 hypothetical discussion that we had back in the day, before we
30 actually started getting into all these numbers, was that, well,
31 the recreational sector has been catching more fish the past
32 however many years, but it's okay, because, when you plug it
33 into the stock assessment, it's going to raise everything, and
34 the commercial still will have a different allocation, but
35 they'll have the same number of pounds, right?

36
37 That hasn't turned out that way thus far, and so, in order to
38 see what that allocation would look like, to at least, for right
39 now, keep us at the same number of pounds, what would that
40 allocation even look like? Run those numbers and at least
41 present it to us, so we can see what that would be.

42
43 **MS. GUYAS:** Okay, and so you would use the current pounds to
44 inform a potential new, I guess, percentage. Is that right, for
45 commercial?

46
47 **MS. BOSARGE:** Yes, the commercial ACL from last year. That's
48 right.

1
2 **MS. GUYAS:** Okay. Good deal. Okay. Thank you.
3

4 **CHAIRMAN FRAZER:** Mr. Diaz and then Mr. Anson.
5

6 **MR. DIAZ:** Thank you, Mr. Chair. I support what Leann is trying
7 to do in concept, and I basically feel the same way. I don't
8 think we're trying to go into this to reallocate this particular
9 stock, and I would like to see both sectors about where they
10 were had FES not occurred, but I am just wondering if there
11 wouldn't be a better way to do it, to just use the same years to
12 figure up the allocation of what is the current allocation, the
13 years that the current allocation uses, if it would be a better
14 way to do it. Thank you.
15

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

18 **MR. ANSON:** Thank you, Mr. Chair. I will support this motion,
19 and I will support Leann, because we need to see what the data
20 looks like, for one, but the FES data -- You had talked about it
21 during red grouper, and it's been talked about for other
22 species, particularly red snapper, and so there might be some
23 issues there that cause for increases let's say in red snapper
24 in states like Alabama that might also be an issue for other
25 species, because it's really about the effort.
26

27 I think the catch information is pretty consistent, or
28 standardized, as we went through the different entities who
29 conducted the survey and the changes in the survey, and those
30 were fairly standard, but certainly that effort component of
31 determining catch could cause some things to look strange, and
32 so it would be good to see the data, and it would be good to
33 look at what impacts that data might have on the sector
34 allocation, and so I will be in support of it. Thank you.
35

36 **CHAIRMAN FRAZER:** Thank you, Mr. Anson. **We have a motion on the**
37 **board, and the motion is to include an option which holds the**
38 **commercial ACL in pounds at its current level. Is there any**
39 **opposition to the motion? Hearing none, the motion carries.**
40 Mr. Dugas.
41

42 **MR. DUGAS:** Thank you, Mr. Chair. I just wanted to bring up a
43 point about amberjack discards, with some of the guys that I
44 interact with in the rec sector, and we -- Most of the discards
45 that are seeing happen during snapper season, and so I just
46 think it's a prime example of state management, and I would like
47 to lean towards amberjack going that way. We would reduce some
48 of the discards if we could fish amberjack starting in June with

1 the red snapper. Thank you.

2
3 **CHAIRMAN FRAZER:** Thank you, Mr. Dugas. We're going to try to
4 keep in time as best we can, and so I will take one more
5 question from Andy Strelcheck.

6
7 **MR. STRELCHECK:** Thanks, Tom. Just a comment. We have,
8 obviously, a tremendous amount on our plate, and amberjack is
9 undergoing overfishing, and Magnuson requires overfishing to end
10 immediately, and, obviously, that's not physically possible,
11 because it has to run through the council process, but certainly
12 I think it would be helpful to get some guidance and advice from
13 staff going forward, in terms of contents of this amendment and
14 what we can in the short term with regard to ending overfishing
15 as well as, obviously, dealing with the rebuilding plan and any
16 other management changes that would be required in the longer
17 term, and so I would just throw that out there, that this might
18 be something where we want to have a couple of separate actions
19 going forward.

20
21 **CHAIRMAN FRAZER:** Okay. Thank you, Andy. We're going to
22 continue to move forward with this committee report. Martha.

23
24 **MS. GUYAS:** All right. Thanks, Mr. Chair. White Paper, Sector
25 Separation for Four Reef Fish Species, this agenda item was not
26 reviewed, due to time constraints.

27
28 Review of SEDAR 64, Southeastern U.S. Yellowtail Snapper, Dr.
29 Powers reviewed the results of the SEDAR 64 stock assessment on
30 southeastern U.S. yellowtail snapper, which used a terminal data
31 year of 2017. Combined landings in the Gulf and South Atlantic
32 were made up of a more even mix of commercial and recreational
33 harvest, with most discards coming from the recreational fleets.

34
35 Generally, SSB has been increasing over the last twenty years,
36 and SSB in 2017 was above SSB MSY. Southeastern U.S. yellowtail
37 snapper is not overfished or undergoing overfishing as of 2017.
38 The SSCs requested projections based on average landings from
39 2017 through 2019, the most recent years for which landings data
40 were available.

41
42 The Gulf and South Atlantic SSCs used a P* of 37.5 percent for
43 determining the ABC and recommended the councils adjust the ACLs
44 and ACTs based on projections at 75 percent of F SPR 30 percent,
45 which is the MSY proxy for the stock. The SSCs recommended the
46 following values for the stock OFL and ABC for 2021 through
47 2025. I am not going to read those. They are in the Reef Fish
48 Committee report.

1
2 Due to time constraints, the committee was unable to consider
3 directing staff to initiate a joint document to implement the
4 new catch levels for yellowtail snapper.

5
6 Council staff reviewed the results of the Something's Fishy Tool
7 for yellowtail snapper. Most of the responses were received
8 from the southeastern Gulf. Generally, sentiment was more
9 positive in the northern Gulf, while sentiment was relatively
10 more varied in proximity to the Florida Keys. Generally,
11 comments were quite varied in sentiment, but some emergent
12 themes suggested that larger fish were observed in the northern
13 Gulf, that yellowtail snapper distribution appears to be
14 expanding northward, and several anglers reported catching
15 larger fish in deeper water.

16
17 The committee asked how the results of the Something's Fishy
18 Tool were being used during the stock assessment process.
19 Council staff indicated that the report is given to the stock
20 assessment analysts before conducting the assessment to allow
21 researchers to investigate any anomalies by referencing
22 fishermen observations. Additionally, the yellowtail snapper
23 version of the tool was promoted through partnering with the
24 Florida Fish and Wildlife Conservation Commission, which
25 bolstered responses and created more data with which to derive
26 more precise examinations.

27
28 Council staff indicated that continued standardization of data
29 collection methodologies will allow for additional analyses in
30 the future. The committee recommended restructuring the report
31 presentation by first presenting overall emergent themes
32 gathered from all comments before reviewing results to aid in
33 interpreting the tool's findings. Mr. Chair, I guess, if you
34 will allow me, I would like to offer a motion relative to
35 yellowtail before we leave this item.

36
37 **CHAIRMAN FRAZER:** Go ahead.

38
39 **MS. GUYAS:** I sent this to staff earlier, but I will go ahead
40 and read it. **That motion is to direct staff to begin a joint**
41 **amendment with the South Atlantic Fishery Management Council to**
42 **update catch levels for yellowtail snapper based on the results**
43 **of SEDAR 64.**

44
45 **CHAIRMAN FRAZER:** We will get that motion on the board.

46
47 **DR. SHIPP:** I will second it.

1 **CHAIRMAN FRAZER:** It's seconded by Dr. Shipp. Okay. My
2 understanding, Martha, is that the South Atlantic has already
3 begun some work on the document, right?
4

5 **MS. GUYAS:** They have at least passed a motion to start a
6 document with us. I don't know that they've actually seen one
7 yet, but this is one where we're going to have to work together,
8 and so look forward to that. The good news is it's all the same
9 fishermen, because they all live in the Keys, and so that's a
10 positive here.
11

12 **CHAIRMAN FRAZER:** Okay. Gotcha. Is there any further
13 discussion on the motion? **Seeing none, is there any opposition**
14 **to the motion? Seeing none, the motion carries.** Go ahead,
15 Martha.
16

17 **MS. GUYAS:** All right. Public Hearing Draft Amendment 53, Red
18 Grouper Allocations and Annual Catch Levels and Catch Target,
19 staff reviewed the actions and alternatives in Amendment 53 to
20 the Reef Fish FMP and discussed potential next steps. Staff
21 also noted that the Reef Fish Advisory Panel reviewed the
22 document in October 2020 and will be getting an update on the
23 document at its February 2021 meeting.
24

25 Dr. Powers reviewed the SSC's discussion at its January 2020
26 meeting and noted that they were tasked with discussing the
27 discrepancies in recreational landings between the stock
28 assessment and the ACL monitoring dataset. The main discrepancy
29 is that SEDAR 61 from 2020 used recreational landings in numbers
30 of fish, and the weights are estimated within the stock
31 assessment model. The model also assumes uncertainty in the
32 recreational landings, as well as in the commercial landings,
33 which means that predicted landings are not identical to input
34 landings.
35

36 A committee member commented that she listened to the Southeast
37 Fisheries Science Center presentation and resulting SSC
38 discussion. She stated that she sees a need for additional
39 discussion of the average weights used and how it is calculated
40 from MRIP in comparison with the length-weight procedure in the
41 stock assessment model to convert inputs in numbers to model
42 outputs in weight.
43

44 NOAA OST responded that a previously-shared presentation on this
45 methodology could be given again and that the issue is that they
46 are using data from MRIP's Access Point Angler Intercept Survey
47 for converting lengths to weights. SERO noted that the
48 Southeast Fisheries Science calculates a different average

1 weight than is used by the MRIP. Another committee member asked
2 if the input is in numbers of fish for other species and not
3 just red grouper. The Southeast Fisheries Science Center
4 responded that the input is typically in numbers of fish.

5
6 **The committee recommends, and I so move, to request a**
7 **presentation on the process for arriving at yearly red grouper**
8 **average weight via MRIP and include sample sizes per strata,**
9 **PSEs, and other relevant data for each year.**

10
11 **CHAIRMAN FRAZER:** Thank you, Ms. Guyas. We have a committee
12 motion on the board. We'll get it up and make sure that
13 everybody reads it. Okay, and so the motion is to request a
14 presentation on the process for arriving at yearly red grouper
15 average weight via MRIP and include samples sizes per strata,
16 PSEs, and other relevant data for each year. Is there any
17 further discussion of the motion? **Seeing none, is there any**
18 **opposition to the motion? Seeing none, the motion carries.** Ms.
19 Guyas.

20
21 **MS. GUYAS:** SERO asked about timing of Amendment 53. Staff
22 responded that public hearings via webinar could be completed
23 prior to the April 2021 council meeting and that the council
24 could likely take final action on the amendment then. SERO
25 added that, if the council took final action on the amendment as
26 late as the June 2021 council meeting, the proposed management
27 measures could still be in effect prior to 2022.

28
29 Staff also noted that the interim analysis for red grouper is
30 expected to be presented to the SSC in May 2021, but the results
31 of this analysis would not be considered in the current
32 amendment. A committee member asked if the sector allocations
33 in Action 1, Alternative 3 would be the closest to those in
34 Alternative 1, which uses the MRIP-FES data. Dr. Freeman
35 responded that Alternative 3 uses the same time series as
36 Alternative 1, in terms of determining the sector allocations.

37
38 **The committee recommends, and I so move, in Action 1, to make**
39 **Alternative 3 the preferred. Alternative 3 reads: Revise the**
40 **sector allocations of the total ACL between the recreational and**
41 **commercial sectors as the average landings using Fishing Effort**
42 **Survey adjusted MRIP data during the years 1986 through 2005,**
43 **based on the Southeast Fisheries Science Center ACL monitoring**
44 **datasets. The allocations for red grouper are 59.3 percent**
45 **commercial and 40.7 percent recreational. Revise the OFL and**
46 **ABC as recommended by the SSC based on SEDAR 61. Set the stock**
47 **ACL equal to the stock ABC.** Mr. Chair.

1 **CHAIRMAN FRAZER:** Again, thank you, Ms. Guyas. We have a
2 committee motion on the board. Is there any further discussion
3 of the motion? **Seeing none, is there any opposition to the**
4 **motion? Seeing none or hearing none, the motion carries.** Ms.
5 Guyas.

6
7 **MS. GUYAS:** The Committee discussed that, in Action 2 --

8
9 **CHAIRMAN FRAZER:** Martha, I'm sorry. I had a little delay.
10 Leann, did you have your hand up?

11
12 **MS. BOSARGE:** Yes. I would like to make that same motion again
13 for red grouper that I made for amberjack, if you could just
14 scroll back up to that amberjack section and maybe copy-and-
15 paste it. Here again, I will be trying to achieve the same
16 thing, just to maintain the commercial ACL, in pounds, at the
17 level that it has been at, which is what we had been talking
18 about before all this started, that we would hold steady, and it
19 would be fine, and it is not ending up that way, and I would
20 like to see -- Just at least see that in this document, see that
21 analysis, and see what that looks like. Just change -- You
22 don't have to change anything, because we didn't put a species
23 in there. Okay.

24
25 **CHAIRMAN FRAZER:** Okay, and so we have a motion on the board.
26 Is there a second to the motion?

27
28 **MR. ANSON:** I will second for discussion.

29
30 **CHAIRMAN FRAZER:** It's seconded by Mr. Anson. Any further
31 discussion? I am just going to speak on behalf of the staff. I
32 appreciate wholeheartedly, Leann, what you are attempting to do
33 here, and I just want to remind folks that we talked about
34 workload before, and this is a public hearing document, and it
35 will be quite a bit of work to put this in, and I just want
36 everybody to be aware of that. That's not saying yes or no to
37 it, but just be cognizant of people's time and the amount of
38 work that we're putting on people's shoulders, and so, Mr.
39 Strelcheck.

40
41 **MR. STRELCHECK:** Thanks, Tom. Just so that I'm clear, Leann, so
42 you're asking to include an option that includes the -- It holds
43 the commercial ACL constant, or at the current level, but
44 essentially produces a catch limit recommendation and a new
45 allocation from the assessment model, and so we would need the
46 Science Center to come up with an estimate of the new allocation
47 based on the commercial ACL being around 3.1 million pounds,
48 correct?

1
2 **MS. BOSARGE:** Yes, sir, that's correct, and they may have
3 already run some of those projections, and I'm not sure.
4

5 **CHAIRMAN FRAZER:** Staff is indicating that they have not run
6 those projections, Leann. Ms. Levy.
7

8 **MS. LEVY:** I'm okay. I was just going to ask the same thing,
9 that just make sure that this is going to require new
10 projections if you add this in here.
11

12 **CHAIRMAN FRAZER:** Yes. Dr. Simmons.
13

14 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. This
15 wouldn't be an option, right? This is a public hearing draft,
16 and so this would be a new alternative, and I am asking -- Maybe
17 Dr. Freeman can weigh-in, that you would want to consider this
18 in a public hearing draft, and is that correct, Ms. Bosarge?
19

20 **CHAIRMAN FRAZER:** Leann.
21

22 **MS. BOSARGE:** The next time that we see this document, yes, I
23 would hope that it would be in there. That's correct. I don't
24 know when the next time we're slated to see it is, but that's
25 what I was hoping for. I see Mr. John Walter's name up there,
26 and isn't he one of our Science Center personnel? Maybe he
27 could help with it.
28

29 **CHAIRMAN FRAZER:** Dr. Walter.
30

31 **DR. JOHN WALTER:** Thank you. Good afternoon, everyone. The
32 Science Center has run a set of projections that are almost
33 exactly that, and I think it's 3.18 million pounds for the
34 commercial sector, which is almost keeping that constant, and
35 then looking at the resulting ACL for recreational, and so it's
36 not a particularly difficult lift for us to do something like
37 that, I think, at least from the Science Center perspective.
38 Thanks.
39

40 **CHAIRMAN FRAZER:** Thank you, John. Dr. Froeschke.
41

42 **DR. JOHN FROESCHKE:** I guess my question is would we use the
43 current value and establish a percentage? Given that we expect
44 a yield stream for that, then you would change that commercial
45 ACL based on the yield stream, and maintaining the percentage as
46 calculated, from what the motion says, or would you hold the
47 commercial ACL constant in perpetuity and then change the
48 allocations on an annual basis as the stock rebuilds, or

1 increases?

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

4
5 **MS. BOSARGE:** No, John, we're not talking about changing
6 allocations every year. No, no, no.

7
8 **DR. FROESCHKE:** So we would have to take out the percentage.

9
10 **CHAIRMAN FRAZER:** Okay. Ms. Guyas.

11
12 **MS. GUYAS:** I appreciate what you're trying to do here, Leann,
13 and I supported it with AJ. I guess the struggle I am having
14 here with red grouper, and I'm looking at the table for Action
15 1, is, I mean, the thing is that both sectors probably need to
16 take a cut here, or at least that's the way the document is
17 structured, and now I realize that you have -- It looks like
18 recreational is getting an increase, because we're looking and
19 comparing MRIP, old MRIP, I guess CHTS, to FES, but, if you look
20 at FES in the current currency, versus what basically all the
21 other options are, other than Alternative 1, they're facing a
22 pretty steep cut as it is, and commercial also is facing a cut,
23 and so I don't know. It's kind of late in the game for this,
24 and, given that, I don't think I'm going to support adding this
25 to the document.

26
27 **CHAIRMAN FRAZER:** Thank you, Ms. Guyas. I am not seeing any
28 other hands at this point, and so we'll go ahead and vote on
29 this motion. Is there any -- I guess there is opposition.
30 We'll try it by nays. **All those opposed.**

31
32 **MS. GUYAS:** Nay.

33
34 **CHAIRMAN FRAZER:** One. Are there any others opposed? Okay.
35 **The motion passes with one in opposition.** Okay.

36
37 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Chair, this will slow us down
38 quite a bit. We'll have to do a lot of work. This won't go
39 back until the SSC probably until May.

40
41 **CHAIRMAN FRAZER:** I understand.

42
43 **EXECUTIVE DIRECTOR SIMMONS:** Then to the council in June.

44
45 **CHAIRMAN FRAZER:** Okay. All right. Ms. Guyas.

46
47 **MS. GUYAS:** All right. The committee discussed that, in Action
48 2, the commercial buffer in Alternative 3 accounts for multiuse

1 allocation, while still utilizing the ACL/ACT control rule for
2 the recreational sector.

3
4 **The committee recommends, and I so move, in Action 2, to make**
5 **Alternative 3 the preferred. Alternative 3 reads: Maintain the**
6 **current buffer between the ACL and ACT for the commercial sector**
7 **and apply the ACL/ACT control rule to revise the buffer between**
8 **the ACL and ACT for the recreational sector. The commercial**
9 **buffer is 5 percent, and the recreational buffer is 9 percent.**

10
11 **CHAIRMAN FRAZER:** Okay. We have a committee motion on the
12 board. Is there any further discussion of the motion? **Seeing**
13 **or hearing none, is there any opposition to the motion? Hearing**
14 **none, the motion carries.** Ms. Guyas.

15
16 **MS. GUYAS:** A committee member inquired if public hearings would
17 be held virtually or in-person. She noted that this document
18 deals with reallocation, an important issue, and that public
19 testimony has been limited during virtual meetings. Council
20 staff noted that, while a hybrid council meeting is planned for
21 April 2021, that any in-person meetings will be further explored
22 after the January 2021 meeting. She added that staff would plan
23 on holding two virtual public hearing webinars and could also
24 consider a mail-out.

25
26 The committee member indicated her support for a mail-out, while
27 another committee member expressed concern for that approach.
28 Council staff acknowledged the potential for bias if a mail-out
29 was sent to commercial permit holders. She suggested asking the
30 Gulf States to help contact private anglers via email and that
31 the Fish Rules recreational regulations mobile application could
32 push a notification to private anglers.

33
34 **The committee recommends, and I so move, to take Amendment 53:**
35 **Red Grouper Allocations and Annual Catch Levels and Catch**
36 **Targets to public hearing.** Mr. Chair.

37
38 **CHAIRMAN FRAZER:** Okay. We have a committee motion on the
39 board. Is there any further discussion of the motion? Dr.
40 Simmons.

41
42 **EXECUTIVE DIRECTOR SIMMONS:** Based on the motion, I think the
43 one before last, that passed, I think you probably would want to
44 see the document again before we take it to public hearing, and
45 is that correct?

46
47 **CHAIRMAN FRAZER:** There will be a change to the document, and so
48 I'm assuming that that would be the case, that folks on the

1 council would like to see it again. Martha.

2
3 **MS. GUYAS:** I guess is there a way that we could take it out to
4 public hearing with this new alternative added in there and then
5 bring it back to June? I mean, the thing is -- I guess what we
6 discussed at committee was, if we get past June, basically,
7 we're probably out of time to get this implemented in time for
8 2022, and so we're backed up another whole year, but maybe I
9 have that -- Maybe there is some wiggle room in the timeline
10 there, and so maybe Andy wants to weigh-in on that.

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

13
14 **MR. STRELCHECK:** I can't speak to, obviously, timing and council
15 staff workload, in terms of incorporating this, and I guess my
16 estimation, based on understanding the alternative and what we
17 currently have in the document, is this is going to fall within
18 the range of the existing alternatives, and so it's just a
19 matter of then incorporating in the time that it requires to
20 incorporate that. Ideally, I think it would be better to take
21 action in April, but that's a workload consideration that Carrie
22 and others have to weigh-in on.

23
24 **CHAIRMAN FRAZER:** Okay. Ms. Levy.

25
26 **MS. LEVY:** Just with respect to the timing, we do have the IFQ
27 program, and just recall that there is a provision in the
28 regulations that allows the agency to withhold IFQ, if there's
29 going to be an anticipated reduction, and, as long as we get
30 that implemented before the timeline, before the time we're
31 supposed to, and I think it's June of the next year, then we
32 could do that.

33
34 When I look at what it means to anticipate a quota reduction, it
35 would be, for me, if the council took final action on something
36 like this, and so, if you were to get this done, and you took
37 final action, and the agency wasn't able to get a final rule
38 done and implemented before 2022, we could potentially do that
39 quota withholding, in anticipation of this.

40
41 **CHAIRMAN FRAZER:** Thank you, Ms. Levy. All right. I am not
42 seeing any more hands. Dr. Froeschke, go ahead.

43
44 **DR. FROESCHKE:** Real quick, just how I'm thinking that we would
45 work through this process is we have a commercial ACL, and we
46 would need to work backwards to calculate the total OFL and then
47 figure out the recreational ACL as the difference, and we're
48 going to need to do that before we can figure out the effects

1 and all that, and so it likely would require a new
2 recommendation on OFL and ABC, if it's different from the range
3 that we already have. I think we will need to do all of that
4 before we can update Chapter 4 and the relevant discussion in
5 the document.

6
7 **CHAIRMAN FRAZER:** Okay. Thank you, John. There's a lot going
8 on here, folks. Mara.

9
10 **MS. LEVY:** I think that was just from before. Thanks.

11
12 **CHAIRMAN FRAZER:** Okay. I just want to, again, temper the
13 expectations here, and we can -- If we vote this motion up, then
14 realize that there's going to be some work to do, and it may or
15 may not lend itself to going immediately to a public hearing,
16 but this motion doesn't necessarily preclude that, and so let's
17 go ahead and vote it up or down. **Let me ask if anybody is**
18 **opposed to the motion. Seeing no opposition to the motion, the**
19 **motion carries.** Ms. Guyas.

20
21 **MS. GUYAS:** Remaining Items from SSC Summary Report, this agenda
22 item was not reviewed due to time constraints. Other Business,
23 no other business was discussed by the committee. Mr. Chair,
24 this concludes my report.

25
26 **CHAIRMAN FRAZER:** All right. Thank you, Ms. Guyas. Was there
27 any other business to come before the Reef Fish Committee? I am
28 not seeing any. Ms. Guyas. Sorry. I didn't realize that you
29 had another item.

30
31 **MS. GUYAS:** That's okay. I just wanted to, I guess, flag the
32 DESCEND Act. That went into law, I guess, just a couple of
33 weeks ago, and I think there are some directives that apply to
34 this council relative to reef fish, and so I was just going to
35 request that, at a future meeting, we get some sort of
36 presentation or have a discussion on that, and I'm not sure if -
37 - I think, from what I understand, the council might need to
38 take some action here, and I think there's a timeline associated
39 with it, and so I just wanted to flag that for everybody. If we
40 need a motion to bring that to a future meeting, I'm happy to
41 make it, but, if direction to staff is okay, then that works,
42 too. Thanks.

43
44 **CHAIRMAN FRAZER:** I think the direction to staff is clear, and I
45 will work with them to make sure that we can find an appropriate
46 time to put it on the agenda. General Spraggins.

47
48 **GENERAL SPRAGGINS:** I would just like to thank Martha. Martha,

1 thank you so much for all your hard work. I tell you what.
2 You've got to have one of the toughest jobs in this whole
3 committee group, and I thank you for staying with us and working
4 as hard as you do.

5
6 **CHAIRMAN FRAZER:** I echo those comments, Martha. You do an
7 amazing job, and it's a very, very difficult committee to run,
8 and you do an excellent job. I think everybody would say that,
9 and so thank you. Okay. So we will go ahead, and we have a
10 couple of liaison reports. Sorry. Andy, I didn't see your
11 hand.

12
13 **MR. STRELCHECK:** No worries. Thanks, Tom. I appreciate you
14 raising that, Martha, with regard to the DESCEND Act. We are
15 having some conversations internally within NOAA Fisheries right
16 now, and there's some requirements for us to work with the
17 National Academy of Sciences within the first sixty days, and
18 we're going to be evaluating the DESCEND Act, to determine if
19 rulemaking is needed, and we'll come back to the council soon to
20 discuss that.

21
22 We think that there is rulemaking needed to make clarification
23 around definitions of descending devices, and potentially
24 venting tools, and then the other kind of aspect of the DESCEND
25 Act is that it would go into effect one year after it's been
26 signed, and it would be in effect for four more years
27 thereafter.

28
29 **CHAIRMAN FRAZER:** Okay. Thanks, Andy, for adding that
30 information, and so there will certainly be some coordinating
31 between the council staff and your office as we think about how
32 we're going to put this on the agenda and how much time we're
33 going to allocate to it, given all that's on our plate.

34
35 We will now go to a couple of the supporting agencies reports,
36 and we'll see who might have something in the queue. I will
37 first ask if Mr. Conklin, if he's on, if he wants to provide
38 anything from the South Atlantic Council. I'm not sure that I
39 see Chris on at the moment, and so we will look forward to
40 chatting with folks from the South Atlantic Council at the next
41 meeting.

42
43 **SUPPORTING AGENCIES UPDATES**
44 **SOUTH ATLANTIC COUNCIL LIAISON**
45

46 **MR. CHRIS CONKLIN:** I'm here. Sorry.

47
48 **CHAIRMAN FRAZER:** No worries. It's good to hear from you. Go

1 ahead, Chris.

2
3 **MR. CONKLIN:** I don't have much to report, really. At our last
4 meeting, we approved Dolphin Wahoo Amendment 10 to go out to
5 scoping, and it's going to revise some catch levels for dolphin
6 and wahoo and modify the allocations between the sectors, which
7 is what you guys have been talking about here for the past
8 couple of hours, and modify some accountability measures on how
9 to pay back if a sector overfishes or whatnot.

10
11 Mahi is still a point of contention, and we're looking to have
12 another amendment probably coming down the pipe for dolphin
13 wahoo regarding getting rid of a loophole in the pelagic
14 longline gear type for general permit holders, and so we'll be
15 paying attention to that.

16
17 Anyway, the only thing really else is we had some stock
18 assessments come back, and red porgy came back as overfished and
19 still undergoing overfishing, and so we were just able to
20 finally lax up some rules on red porgy and get them opened up
21 during some times when they weren't, and now we're going to have
22 to pull the reins on that and take some pretty drastic measures
23 to try and get that fish -- I think it's been overfished and
24 undergoing overfishing for like twenty-five years or something,
25 and so evidently what we're doing is not working, and so there
26 is something else going on, obviously.

27
28 The king mackerel stock assessment came back, and you guys have
29 seen that, and it's looking pretty good, and our greater
30 amberjack came back contrary to yours, and you guys just talked
31 about yellowtail snapper, and so, as far as that amendment goes
32 that you all were asking about, we have not seen anything yet,
33 but we will at our next meeting, which comes up March 1, and
34 it's going to be hosted on the wonderful, beautiful internet, and
35 so that's about it. We've just been chugging along here, and so
36 I really enjoyed being with you all this week, and, if there are
37 any questions, I've got an open-door policy. Thank you.

38
39 **CHAIRMAN FRAZER:** All right. Thanks, Chris. We really
40 appreciate it. We've got a hand from General Spraggins.

41
42 **GENERAL SPRAGGINS:** I'm sorry. I thought it came down. I'm
43 sorry.

44
45 **CHAIRMAN FRAZER:** Okay. We're all good. Chris, thanks for that
46 report, and we'll catch up with you soon, and hopefully one day
47 it won't be on the internet.

1 **MR. CONKLIN:** For sure. We need to have another joint meeting.

2
3 **CHAIRMAN FRAZER:** That would be awesome. Next up would be
4 Lieutenant Scarpa with the NOAA Office of Law Enforcement, if
5 the Office of Law Enforcement has anything to add.

6
7 **NOAA OFFICE OF LAW ENFORCEMENT**

8
9 **LT. SCARPA:** Yes, I'm here. An update on our submitted report,
10 looking at the report statistics, the Southeast was pretty busy
11 during Quarter 4. Officers and special agents conducted
12 multiagency and multiday operations and daily patrols on land,
13 sea, and air in the Gulf of Mexico states across all of our
14 enforcement priorities.

15
16 They conducted both civil and criminal investigations and self-
17 generated investigations and referred investigations from our
18 JEA program, the Coast Guard observer program, the VMS program,
19 and the public, and they conducted federal fisheries training
20 for state partners and the observer program.

21
22 Looking at pages 4, 5, and 6 and investigations, OLE created a
23 total of 240 incidents, and, of those, 121 were in the Gulf of
24 Mexico across all law, regulations, and programs. Out of those
25 121, sixty-seven were related to the Magnuson Act. Just to
26 clarify what I mean by incidents, they are grouped by type,
27 incident, investigation incident, complaint incident, and patrol
28 incident, and so all of the incidents listed in that report
29 encompass all three of those and not just incidents related to
30 violations.

31
32 On page 7, it's a summary of the incidents from other agencies,
33 and Florida continues to refer the most, followed by Coast
34 Guard, and then Texas.

35
36 Moving on to operations and patrols, the most significant of
37 those, the most notable, is OLE participated in a TPWD-led
38 operation off the Texas coast, and we documented four red
39 snapper violations for harvesting red snapper during the area
40 closure, the federal area closure, in the EEZ off of Texas, and
41 that included some sea turtle state handling and equipment
42 violations. Of note during that -- What we're seeing is our
43 most significant violations for red snapper off of Texas are
44 possession of red snapper in the EEZ during those federal
45 closures, and most of those are occurring on recreational
46 vessels and shrimp boats that are keeping the fish when they get
47 caught in the nets.

1 Moving on, in Mobile, Alabama, EO participated in an IUU seafood
2 fraud taskforce with Mississippi. A state citation was issued
3 for that. Our 2021 lobster mini-season in the Keys, that was
4 cancelled, due to COVID-19. Our patrol operation in the lower
5 Keys, an additional one down in the Keys, was also cancelled due
6 to COVID.

7
8 I would like to give a shoutout to the Lone Star State for
9 stepping up their patrols in federal waters to include the
10 Flower Garden Banks National Marine Sanctuary and having our
11 agents and officers onboard their new patrol vessel, as well as
12 increasing the number of federal patrols to us, and so good job
13 to Texas there.

14
15 Also, some special recognition to Louisiana's Department of
16 Wildlife and Fisheries. They conducted a 272 nautical-mile day
17 patrol to the Flower Garden Banks on their forty-foot Metal
18 Shark, and so that was a long day for them, but I appreciate
19 them getting out there on an open boat, and, fortunately, there
20 were no violations, but it was a good patrol for such a long way
21 to go.

22
23 Lastly, a supervisory enforcement officer, and that would be me,
24 got onboard a U.S. Coast Guard A-60 helicopter, and we patrolled
25 out to the North Florida MPA off of Jacksonville, about sixty
26 miles off the coast, and I know that's out in the South
27 Atlantic, but the flight did include water on the west coast,
28 due to some intel the Coast Guard had, and so we flew out there,
29 and we actually made a couple of cases on two vessels that were
30 illegally fishing for red snapper species in the MPA, and I
31 followed-up the investigation.

32
33 Moving on to other OLE items, we have a new compliance liaison
34 position, Matt Wailea, and Matt was formerly our investigative
35 support technician, and, as our liaison, he will help bridge
36 that gap between industry and fishery management and law
37 enforcement, and so his goal will be to help industry understand
38 and be compliant with federal regulations, and so he's doing a
39 good job and has hit the ground running, and so I appreciate
40 Matt being here.

41
42 One other notable thing that -- After our conversation at the
43 charter fishing meeting in St. Pete the other week, SED is going
44 to be elevating their illegal charter to a higher priority, and
45 it's in the preliminary stages of convening a charter/SEFHIER
46 working group, and we're going to include OLE, the states, and
47 Coast Guard in that working group, and so we're just getting
48 started on that.

1
2 We'll be working directly with the Coast Guard and the states to
3 develop intelligence and coordinate operations and patrols and
4 share information on any illegal charters that are happening out
5 there.

6
7 Lastly, our staffing plan, just an update on where we're at with
8 that, and we've had a lot of changes, due to retirements and
9 promotions and transfers, and we've added some new billets, and
10 so, our current billets in the Gulf of Mexico and the Florida
11 Keys, we have a new Assistant Director, and that's Manny
12 Antonaras. He starts that role on February 1. Our Acting
13 Deputy Special Agent will be Jeffrey Raye, and he comes to us
14 from the Northeast Region, and so he'll be acting in that role
15 virtually.

16
17 We have a supervisory enforcement officer, assistant special
18 agent, eight special agents, and five officers in the Gulf of
19 Mexico area, including the Keys. We do have some vacant billets
20 in Corpus Christi, Texas and Galveston, Texas that are vacant
21 for the special agents, and, for our EOs, we have vacancies in
22 Key Largo, Fort Myers; St. Petersburg; Harlingen, Texas; and
23 League City.

24
25 We have a few EOs in the hiring process, one that's left the
26 training center, and he will graduate in March, and he's going
27 to be stationed in Houston, Texas. He's going to be our IUU
28 officer out there. We've got one in the process for Key West
29 and another one in the process for Niceville, Florida, and
30 another one transferring in from Alaska, and he'll be going to
31 Corpus Christi, Texas in April. That's all I had, if anyone has
32 any questions.

33
34 **CHAIRMAN FRAZER:** Thank you, Lieutenant Scarpa, for the update.
35 Are there any questions for NOAA Law Enforcement? I see, Joe,
36 your hand is up, and I just want to make sure it's not one of
37 those stuck hands, this late in the afternoon.

38
39 **GENERAL SPRAGGINS:** It must be.

40
41 **CHAIRMAN FRAZER:** All right. Well, again, thank you, Lieutenant
42 Scarpa, for the presentation, and, again, we certainly respect
43 all of the efforts of the law enforcement group out there, and
44 thank you for all the work that you do.

45
46 **LT. SCARPA:** Okay. Great. Thanks.

47
48 **CHAIRMAN FRAZER:** We're going to move forward, and I will see if

1 Dave Donaldson has anything to add from the Gulf States Marine
2 Fisheries Commission.

3
4 **GULF STATES MARINE FISHERIES COMMISSION**

5
6 **MR. DONALDSON:** Thank you, Mr. Chairman. I've got a couple of
7 brief items, and I won't keep everybody, since it's been a long
8 day. First, like the April council meeting, we were hoping to
9 do a hybrid meeting for our March commission meeting.
10 Unfortunately, we did a poll, and the majority of people were
11 still uncomfortable meeting in person, and so we're going
12 strictly virtual.

13
14 It's going to be similar to like we did in the October meeting,
15 and our committees and sub-committees will prior to the actual
16 meeting week, and then our TCC will meet on March 17, and then
17 our commission business meeting will meet on the 17th, and
18 possibly the 18th, depending on the agenda, and so we're hopeful
19 that, in October, we will be able to actually meet face-to-face,
20 but we'll keep you posted there.

21
22 The other issue is the CARES Act, and I'm pleased to report that
23 all of our state plans, Texas, Mississippi, Louisiana, and
24 Alabama, have been submitted, and Louisiana, Mississippi, and
25 Alabama have been approved, and we're waiting on final approval
26 with Texas, and we expect that any day now.

27
28 We have actually started to pay out some money to recipients,
29 and we've gone through several rounds with Louisiana, and we are
30 working the kinks out of that system, and then we're hopeful
31 that Mississippi and Alabama -- That we'll be sending out
32 payments in the near future for those fishermen and folks that
33 have been affected by COVID. Then, once Texas gets their plan
34 approved, we will plan on paying that out as well, and so that's
35 just kind of a quick update, and I will answer any questions.

36
37 **CHAIRMAN FRAZER:** Thanks, Dave. It's great to hear about the
38 CARES Act approvals and the fact that you're starting to pay out
39 some money to folks who probably really, really need it, and so
40 good news there. Does anybody have any questions for Dave? I
41 am not seeing any, Dave. You're off the hook.

42
43 **MR. DONALDSON:** All right.

44
45 **CHAIRMAN FRAZER:** Our last liaison report would be from the
46 Coast Guard, if Lieutenant Peterson is available.

47
48 **LT. PETERSON:** Yes, I'm here.

1
2 **CHAIRMAN FRAZER:** All right. The floor is yours.
3

4 **U.S. COAST GUARD**
5

6 **LT. PETERSON:** Thank you. I just wanted to say thank you. It's
7 my first time being part of the council, and it's been eye-
8 opening to see all the work behind the scenes that goes into
9 making sure the fish stocks are healthy, and so thank you for
10 that.
11

12 Fiscal year 2021 will be the first year that we have five fast-
13 response cutters in the Gulf of Mexico. These are one of the
14 most effective assets the Coast Guard has, and so we're looking
15 forward to seeing the data that we're able to collect and
16 analyze starting this year.
17

18 In Fiscal Year 2020, the Coast Guard was able to achieve a
19 nearly 70 percent interdiction rate for Mexican lanchas fishing
20 off the coast of Texas, and so this means that, where an asset
21 was in position to affect an interdiction, 70 percent of the
22 time we were able to actually interdict the lancha and seize the
23 gear and catch.
24

25 Also, in Fiscal Year 2020, the observed compliance rate among
26 the various fishing fleets was lowest among commercial reef
27 vessels, which is different than other years, but we suspect
28 that this is the result of not conducting a lot of inspections
29 on those boardings, or boardings of those vessels, and we
30 believe that the new vessels that we do have in the AOR will be
31 better able to target those fleets and provide better data for
32 Fiscal Year 2021.
33

34 Then we also just want to remind everyone that now is the time
35 to create a plan for the 2021 hurricane season. As the 2020
36 hurricane season demonstrated, hurricanes are unpredictable, and
37 they leave a path of destruction not only on the land, but on
38 the water as well, and so a way for fishermen to plan for the
39 hurricane season is to identify multiple safe havens, preferably
40 one that is west of their homeport and one that is east as well,
41 so that they have a plan in place to keep them and their vessel
42 safe. Thank you for your time, and that concludes the Coast
43 Guard update, pending any questions.
44

45 **CHAIRMAN FRAZER:** Thank you, Lieutenant Peterson, and it's
46 always good advice to make sure that you plan appropriately for
47 hurricane season around the Gulf of Mexico, and so are there any
48 questions for Lieutenant Peterson? Okay. I am not seeing any

1 questions. Lieutenant, thank you for your time and the update.
2 It's much appreciated. Is there any other business to come
3 before the council? I am not seeing any.

4
5 I realize that it's been an extremely long week, and a very -- A
6 lot of important discussion, and it's been difficult at times,
7 but I certainly want to say thank you to everybody for being
8 collegial and very respectful as part of the discussion and the
9 dialogue. That means a lot to me, and I think it reflects
10 positively on the council, and so thank you again for the way
11 that you handle your business, and I look forward to seeing you
12 guys in April. Take care. Thank you.

13
14 (Whereupon, the meeting adjourned on January 28, 2021.)

15
16 - - -
17