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TABLE OF MOTIONS

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PAGE 67: Motion to select Action 3D, Alternative 4 as the preferred alternative and apply it to all three FMPs. The motion carried on page 70.

PAGE 96: Motion to table the decision on the permits until the appropriate time when we get the information needed for this permit, Snapper Unit 2 (queen snapper and cardinal). The motion carried on page 97.

PAGE 105: Motion to develop an amendment for the Reef Fish FMP to revise the trigger for applying AMs. The motion carried on page 105.

PAGE 202: Motion to accept Todd Gedamke back on the SSC for another term and to accept Ruth Gomez as part of the Outreach and Education Committee for the council. The motion carried on page 202.

- - -

1                                   **CARIBBEAN FISHERY MANAGEMENT COUNCIL**  
2                                   **158<sup>TH</sup> REGULAR COUNCIL MEETING**  
3                                   **Marriott Frenchman's Reef**  
4                                   **St. Thomas, USVI**

5  
6                                   DECEMBER 13-14, 2016  
7

8   The Caribbean Fishery Management Council convened at the  
9   Marriott Frenchman's Reef, St. Thomas, USVI, Tuesday morning,  
10   December 13, 2016, and was called to order at 9:00 o'clock a.m.  
11   by Chairman Carlos Farchette.

12  
13                                   **CALL TO ORDER**  
14

15   **CARLOS FARCHETTE:**   Good morning, everyone.   It's 9:04 a.m. on  
16   December 13, 2016.   It's the 158<sup>th</sup> Caribbean Council Meeting at  
17   the Marriott Frenchmen's Reef, St. Thomas, U.S. Virgin Islands.  
18   I am going to start with a roll call on my left with Vivian.

19  
20   **VIVIAN RUIZ:**   Vivian Ruiz, council staff.

21  
22   **GRACIELA GARCIA-MOLINER:**    Graciela Garcia-Moliner, council  
23   staff.

24  
25   **BILL ARNOLD:**    Bill Arnold, NOAA Fisheries, Southeast Regional  
26   Office.

27  
28   **CARLOS VELAZQUEZ:**   Carlos Velazquez, council member, commercial  
29   sector.

30  
31   **TONY BLANCHARD:**   Tony Blanchard, St. Thomas/St. John, council.

32  
33   **RUTH GOMEZ:**   Ruth Gomez, DPNR, St. Thomas.

34  
35   **RICARDO LOPEZ:**    Ricardo Lopez, Puerto Rico, Department of  
36   Natural Resources.

37  
38   **MARCOS HANKE:**    Marcos Hanke, charter operator, Vice Chair,  
39   Puerto Rico.

40  
41   **CARLOS FARCHETTE:**   Carlos Farchette, Council Chair.

42  
43   **MIGUEL ROLON:**   Miguel Rolon, council staff.

44  
45   **DIANA MARTINO:**   Diana Martino, council staff.

46  
47   **ROY CRABTREE:**   Roy Crabtree, NOAA Fisheries.  
48

1 **IRIS LOWERY:** Iris Lowery, NOAA Office of General Counsel,  
2 Southeast Section.  
3  
4 **CLAY PORCH:** Clay Porch, NOAA Fisheries, Southeast Fisheries  
5 Science Center, sitting in for Bonnie Ponwith.  
6  
7 **TARA PRAY:** Lieutenant Tara Pray, U.S. Coast Guard.  
8  
9 **KATE QUIGLEY:** Kate Quigley, council staff.  
10  
11 **HOWARD FORBES:** Howard Forbes, DPNR Enforcement.  
12  
13 **LYNN RIOS:** Lynn Rios, NOAA Fisheries Enforcement.  
14  
15 **JEFF RADONSKI:** Jeff Radonski, NOAA Enforcement.  
16  
17 **MARIA LOPEZ:** Maria Lopez, NOAA Fisheries.  
18  
19 **JACK MCGOVERN:** Jack McGovern, NOAA Fisheries.  
20  
21 **MARIA DE LOS A. IRIZARRY:** María de los A. Irizarry, council  
22 staff.  
23  
24 **NELSON CRESPO:** Nelson Crespo, DAP Chair, Puerto Rico.  
25  
26 **ALIDA ORTIZ:** Alida Ortiz, Outreach and Education Advisory Panel  
27 Chairperson.  
28  
29 **RICHARD APPELDOORN:** Richard Appeldoorn, SSC Chair.  
30  
31 **EDWARD SCHUSTER:** Edward Schuster, DAP Chair, St. Croix.  
32  
33 **JULIAN MAGRAS:** Julian Magras, DAP Chair, St. Thomas/St. John.  
34  
35 **HELENA ANTOUN:** Helena Antoun, contractor.  
36  
37 **ERIN SCHNETTLER:** Erin Schnettler, NOAA Fisheries.  
38  
39 **YASMIN VELEZ:** Yasmin Velez, Pew Charitable Trusts.  
40  
41 **SARAH THOMAS:** Sarah Thomas, University of the Virgin Islands.  
42  
43 **ORIAN TZADIK:** Orian Tzadik, Pew Charitable Trusts.  
44  
45 **TERRY LEDEE:** Terry Ledee, commercial fisherman.  
46  
47 **JEFFERY ADKINS:** Jeff Adkins, Office of NOAA's Chief Economist.  
48

1 **JENNIFER CUDNEY:** Jennifer Cudney, Highly Migratory Species  
2 Management Division, NOAA.

3  
4 **ALEXA DAYTON:** Alexa Dayton, Gulf of Maine Research Institute  
5 and Marine Resource Education Program.

6  
7 **DEAN GREAUX:** Dean Greaux, DAP member, commercial fisherman.

8  
9 **CLAUDE BERRY:** Good morning, everyone. My name is Claude Berry,  
10 and I'm a member of the DAP.

11  
12 **TONY IAROCCI:** Tony Iarocci, commercial fisherman.

13  
14 **BRIAN MATIAS:** Brian Matias, commercial fisherman, Puerto Rico.

15  
16 **ADOPTION OF AGENDA**

17  
18 **CARLOS FARCHETTE:** Okay. Thank you, everyone, and welcome. We  
19 have Adoption of the Agenda.

20  
21 **MIGUEL ROLON:** Thank you, Mr. Chairman. With my ED Report, we  
22 will have a presentation on the new guidelines for NS-1, and  
23 that will give you information as to what is the new guidelines  
24 for fishery management plans and so forth. We believe that you  
25 should hear about this presentation first, so that, when you go  
26 into the island-based FMPs and the discussion, we will have a  
27 better picture of what will be required from you.

28  
29 **CARLOS FARCHETTE:** Someone needs to adopt the agenda. Are there  
30 any other changes to the agenda? Hearing none.

31  
32 **TONY BLANCHARD:** I am going to support the change by Miguel.

33  
34 **CARLOS FARCHETTE:** Motion to adopt the agenda, Blanchard moves.  
35 Somebody has to second.

36  
37 **MARCO HANKE:** Second.

38  
39 **CARLOS FARCHETTE:** All in favor say aye. All right. Moving on.  
40 Consideration of the 157<sup>th</sup> Council Meeting Verbatim Transcripts.  
41 Any corrections or additions to that transcription for the last  
42 meeting? That was held in Puerto Rico at the Vanderbilt Hotel.

43  
44 **CONSIDERATION OF 157<sup>TH</sup> COUNCIL MEETING VERBATIM TRANSCRIPTIONS**

45  
46 **RICARDO LOPEZ:** I have two corrections. One of the corrections  
47 is the name if Miguel Garcia. It should be "-- Garcia" instead  
48 of "Miguel Garcia". The next correction should be -- I think it

1 was page 138, and I believe the other one is on page 112, and  
2 that's from my memory. It's that "Fisheries Research Lab"  
3 instead of "Fisheries Resource Lab".  
4

5 **CARLOS FARCHETTE:** You did your homework. Thank you, Ricardo.  
6 Any other corrections or additions to the transcription?  
7 Hearing none, we need someone to move for the --  
8

9 **ROY CRABTREE:** So moved.

10  
11 **MARCOS HANKE:** Second.

12  
13 **CARLOS FARCHETTE:** Okay. It's moved by Roy Crabtree to accept  
14 the verbatim minutes as corrected. It's seconded by Marcos  
15 Hanke. All in favor, say aye. All right. Executive Director's  
16 Report, Miguel Rolon.  
17

#### 18 **EXECUTIVE DIRECTOR'S REPORT**

19  
20 **MIGUEL ROLON:** Thank you, Mr. Chairman. As I said before, we  
21 will have the presentation on NS-1 when I finish. The first  
22 thing that we have is that the budget for next year is, if you  
23 recall, we the eight councils asked for 10 percent, and we are  
24 getting 2.9 percent, but also we understand that there are some  
25 opportunities that will be discussed in February at the CCC  
26 meeting that may provide a little bit more funding for all the  
27 councils, but, in our case, we have made the adjustments to  
28 finish the year with enough money to carry forward to the next  
29 year, and we don't foresee any problems with our budget next  
30 year.  
31

32 If we receive any funding, the eight councils, that will be  
33 distributed according to the percentage that was agreed on a  
34 long time ago, and so the council will receive money if that  
35 happens next year.  
36

37 As you know, the new administration will be working on the  
38 budget. They are working on the budget as we speak, and so, so  
39 far, we don't have any official statement regarding how much the  
40 council will receive next year. Our budget is tied to the  
41 budget that is provided for the state commissions, and we both  
42 will be working to make sure that we have the notification of  
43 the budget on time for 2017.  
44

45 Also, during this meeting, we will have a presentation by Helena  
46 on the Facebook page. It is running. It's something that you  
47 approved some time ago, and that presentation will be tomorrow,  
48 but, so far, it's a success story with Facebook. We would like

1 to hear from you if you want to see it, please push "like", so  
2 we will know who is watching us on the internet.

3  
4 I also have what I call Graciela's Dream and this is a little  
5 bit of the -- Graciela came to me one day with an idea to see if  
6 we could put together a map of everything that we have in this  
7 area of the U.S. Caribbean regarding studies made, where the  
8 fishers are, how much they catch, using the statistics, and we  
9 have been working on a project that is giving us that  
10 opportunity to have that information.

11  
12 You will be able to have a map, and if you look at let's say  
13 Ponce, Puerto Rico, you will be able to see everything that we  
14 have on the books about Ponce regarding fisheries statistics.  
15 If you go to St. Thomas or St. Croix, and we will have the same  
16 information there. This information can be used by students or  
17 fishers, anybody who is interested in the field of fisheries in  
18 the U.S. Caribbean. Graciela, do you have an idea of the  
19 schedule of that project?

20  
21 **GRACIELA GARCIA-MOLINER:** The project should be finished by mid  
22 next year and available to the public as soon as it is reviewed,  
23 but the good thing is that people will be able to download the  
24 geodatabase, but they just won't be able to change it and upload  
25 it again, and so that's something that won't be available, and  
26 it will be very visual, so everyone can have access to the  
27 information easily, and so mid-2017 to late 2017, but it  
28 shouldn't go further than December of 2017.

29  
30 **MIGUEL ROLON:** So by December of next year, you will have a  
31 presentation to the council on the project and how to access the  
32 information.

33  
34 **GRACIELA GARCIA-MOLINER:** Yes, and we have a few slides, if you  
35 want to see it.

36  
37 **MIGUEL ROLON:** Okay.

38  
39 **GRACIELA GARCIA-MOLINER:** Basically, we started with the  
40 landings data for Puerto Rico, and this is through the Coral  
41 Reef Conservation Program grant to the council. The idea is to  
42 get all the information that we have on fisheries based to the  
43 highest level that we have.

44  
45 What you are seeing on the screen right now is the map of Puerto  
46 Rico, and you have all the towns that are around the coast.  
47 Every circle is a representation of the landing site, and so  
48 there will be a historical information on all the landings that



1 have been reported for Puerto Rico and the Virgin Islands  
2 through time.

3  
4 They will be color-coded, and so this is specifically for  
5 lobster for 1983, and Cabo Rojo, which showed the highest  
6 landings at the time, but you also have three or four other  
7 towns with the darker color that have also higher landings for  
8 that year.

9  
10 One thing that I want you to notice right away is that you can  
11 go year-by-year or you can go decade-by-decade, but the point of  
12 this is that one of the things to notice is that, for 1984, Cabo  
13 Rojo still had the highest landings of lobster, and this is just  
14 an example, but Lajas, which is the top third town landing  
15 lobsters, over 30,000 pounds per year, in 1984, it had no  
16 landings reported for lobster.

17  
18 That does not have anything to do with fisheries, per se. It  
19 has to do with the fact that, in 1984, a marine sanctuary was  
20 proposed for the area of La Parguera and Cabo Rojo. Therefore,  
21 the reporting just disappeared. It was a protest against the  
22 government. You, right away, lose 30,000 pounds from your total  
23 landings for that year.

24  
25 Then, if you can turn off 1984 and go to 1985, it is starting to  
26 come back, but it took about five or seven years for the same  
27 amount of landings that were reported back in 1983 to come back  
28 to the reports. Now, that information is not available, and so  
29 it's been lost, unless the fishers from the area have kept the  
30 logs from way back when, but, if that's not the case, then you  
31 have to account for four or five or six years without any  
32 landings.

33  
34 The idea is this is being done through the geographic mapping  
35 technology office in Puerto Rico. They are the representative  
36 of ArcGIS, and quite a number of students from the University of  
37 Puerto Rico Río Piedras were interns doing this project. The  
38 idea is that, once you have the information of the landings in a  
39 historical database, you also have the habitat information that  
40 we have from NOS and from other sources.

41  
42 The idea is that, even if you don't have a direct association  
43 between the species that are harvested in that area and the  
44 habitat, at least you will have a radius based on the horsepower  
45 of the boats at the time, et cetera, that you can use to  
46 determine where your species are coming from, because if you are  
47 landing, for example, goatfish and there are no seagrasses,  
48 fishes are coming from -- Those fish are coming from somewhere

1 else.

2  
3 That is one of the reasons why we wanted to do that. This is  
4 also available as a prototype for deepwater snappers, and so we  
5 are working on that, because that's a very interesting fishery.  
6 In 1983 to 1984, there is basically no queen snapper being  
7 landed in Puerto Rico. When we move into 1987 and 1988, you  
8 start seeing the landings being reported for the island. The  
9 project is going very well. We are assessing the information  
10 that is being collected. That goes then to Miami and back to  
11 being able to do something like this.

12  
13 **MIGUEL ROLON:** Graciela, on the schedule, when are we going to  
14 cover the U.S. Virgin Islands?

15  
16 **GRACIELA GARCIA-MOLINER:** We are dealing with Puerto Rico  
17 because it had a longer and more complex database. It has more  
18 species being reported over a longer period of time. It has  
19 more landing sites than the Virgin Islands. As soon as we are  
20 done with the assessment of the data for Puerto Rico, then we  
21 will move to the Virgin Islands, but those are mostly reported,  
22 except for very few species, as family groups, but we will be  
23 doing the exact same exercise of assessing the data, cleaning it  
24 up. By cleaning it up, it means that they go record-by-record,  
25 cell-by-cell, making sure that what is not a viable number,  
26 viable information, doesn't go into the reports, into changing  
27 the map.

28  
29 **MIGUEL ROLON:** But that will be included in the 2017 or that  
30 will be in --

31  
32 **GRACIELA GARCIA-MOLINER:** Yes.

33  
34 **MIGUEL ROLON:** So, by December, we will have Puerto Rico and the  
35 Virgin Islands?

36  
37 **GRACIELA GARCIA-MOLINER:** That is the plan.

38  
39 **MIGUEL ROLON:** Okay. Probably you will have to knock on the  
40 doors of Ruth's office and get more information, so we make sure  
41 that we have the right information.

42  
43 **GRACIELA GARCIA-MOLINER:** Yes, and we are working with the  
44 Science Center and getting the information that they sent over  
45 to the Science Center and back. We are going -- Right now, we  
46 are going through the process of getting the last four or so  
47 years, because it changed dramatically in 2010, the way that  
48 landings were reported and were processed.

1  
2 One of the other things that we're doing is that we're going  
3 through the historical landings sites, and so they might not  
4 show up in 2014 and 2015, but they will be there for you to  
5 determine what happened to that fishing center, to that landing  
6 site, et cetera.

7  
8 The other thing is that, if you touch in any one of them, it  
9 will give you the information of that landing site. It will  
10 tell you how much of the species is being landed and the gear  
11 that was used to actually land the fish, and you can already see  
12 some changes in the way that lobster was fished before, using  
13 fish traps or lobster pots, and it will make that difference  
14 between the two, to the diving that is taking place these days.

15  
16 **MIGUEL ROLON:** That will be available on the webpage?

17  
18 **GRACIELA GARCIA-MOLINER:** This will be available through a  
19 website like that, so that everyone will have access. There  
20 will be instructions on how to get there, but then you will be  
21 able to get access to all of that information. You can download  
22 it to your computer and use it if you are a student or you're a  
23 scientist or if you're a fisherman and you want to see what  
24 happened in your fishing association over every decade since we  
25 have data. You will be able to do that.

26  
27 In addition to that, whatever information we have on habitat,  
28 and we are concentrating on the near-shore habitats. Those are  
29 the maps that we have available from NOS, and the council had  
30 also worked on datamining, and so there are many maps that were  
31 -- Well, not many. A few maps that were on paper and are  
32 already available in digital format through one of the council  
33 websites, and so you can see the changes in the habitat  
34 alongside the changes in whatever was being landed around the  
35 islands. That information will also be available. We will have  
36 the demographics on any fishing census that was conducted,  
37 changes in the horsepower of the vessels that were used, et  
38 cetera.

39  
40 The last thing is that you will have information on the  
41 mesophotic reefs, everything that has been surveyed in the EEZ.  
42 You will be able to -- It's the same thing that you do for the  
43 fishing villages. Touching that area, you will be able to see  
44 the pictures of what habitat is in that area.

45  
46 **MIGUEL ROLON:** Thank you, Graciela, and we wanted to give you  
47 this update, because probably this is one of the most useful  
48 tools that we will have in the near future. Also, there will be

1 some consideration, because you need to maintain this. As the  
2 information keeps coming from the different projects, the  
3 different agencies, we have to update this information, and so  
4 it will require some money, some warm bodies, behind the  
5 computer.

6  
7 We envision that this is probably one of the best contributions  
8 the council can make at this time to spread out the information  
9 that we have that can be useful for anybody who is interested in  
10 the fisheries. Like I said, we are all part now of Graciela's  
11 dream. Thank you, Graciela.

12  
13 **GRACIELA GARCIA-MOLINER:** Can I say something? It's not really  
14 my dream. I mean, I think that we have received all of this  
15 information, and we have used it in many other ways, but I think  
16 that a visual presentation of what the history of fishing has  
17 been for the data that we've received from the fishermen, and  
18 this is just a little bit of -- We would like you to see what  
19 you have contributed over the period of time and how that has  
20 changed. I think that will, in the end, make a big difference  
21 in terms of the way we look at fisheries, and the island-based  
22 FMPs are just going to be prime to use this kind of information.

23  
24 **MIGUEL ROLON:** It's still your dream. It's not a nightmare.  
25 The other thing is that I have to make a --

26  
27 **CARLOS FARCHETTE:** Hold on one minute. Marcos.

28  
29 **MARCOS HANKE:** Graciela, during the period of time that you  
30 described, there is information about the gear type used on that  
31 fishery and if there is any change in those gears and bycatch  
32 information during that period of time?

33  
34 **GRACIELA GARCIA-MOLINER:** All of the information that has been  
35 provided, all the baitfish that were landed and all the bycatch,  
36 every single species that has ever been reported, it's going to  
37 be there. Now, that information, graphically, it's going to be  
38 a mess if you are going to plot one pound of fish somewhere, and  
39 so we are working on criteria for showing the top species that  
40 were landed in each fishing village.

41  
42 I mean, we're talking about seventy-eight or eighty-something  
43 sites around Puerto Rico, et cetera. You will see the changes  
44 in the gear for the main species that were landed, and so from  
45 traps to diving, for example, that will show up there, and you  
46 will be able to download all the information and then look at  
47 that one specific species that you want to look at, if it didn't  
48 make it, but, if you look at some of the landings sites, you

1 will see that they are responsible for 90 percent of the  
2 baitfish landed in Puerto Rico, and that will show up  
3 automatically.

4  
5 **MIGUEL ROLON:** But the project won't be finished until December,  
6 and so we have to wait. I would like to hold the discussion of  
7 this until we have the information, because we have a lot of  
8 other things here, and you can talk to Graciela and also, if you  
9 have any ideas of how to improve this, please talk to her during  
10 these two days.

11  
12 I have also two other announcements. Diana came up with this  
13 idea of during the -- We have a Seafood Sustainability Campaign,  
14 and Dr. Alida Ortiz will inform you about it tomorrow, and she  
15 has informed the council several times about the progress of  
16 this campaign.

17  
18 Diana had this idea of copying what they did in the U.S. Virgin  
19 Islands a few weeks ago. They had the Seafood Festival, and it  
20 was a success story, and we will try to do the same thing in  
21 Puerto Rico, taking note from the Fish Fry at the National  
22 Marine Fisheries Service in Silver Spring that is conducted  
23 every year, and there is interest by many groups in Puerto Rico  
24 to participate.

25  
26 What we would like to do is to promote the use of underutilized  
27 species, like Cedric, one of the members of the DAP in Puerto  
28 Rico, has been promoting, and also to inform the public that, by  
29 using sustainable species for seafood, you will be helping the  
30 fishers that depend on that fishery.

31  
32 Actually, we have a little film where one of the stars is Carlos  
33 in Naguabo, and they show the importance of involving the public  
34 with the fishers and involving the public in a way that they are  
35 aware and they understand the issues, so they can be more  
36 effective when they order seafood for their home or at the  
37 restaurants. That will take place probably in 2017. Diana is  
38 going to put together a group that will be sort of a steering  
39 committee, and those people are experts on seafood.

40  
41 We also will have Sea Grant, specifically Jeannette Ramos. She  
42 has been conducting meetings all around Puerto Rico, very  
43 effectively, on the use of the lionfish. The lionfish, as you  
44 know, have been invading Puerto Rico and the U.S. Virgin  
45 Islands, or actually the whole Caribbean, since Andrew. Now,  
46 that fish is \$4.50 a pound, and so it's being used, and  
47 Jeannette Ramos has been instrumental in that, in increasing the  
48 use of the lionfish, because she goes all around the island with

1 a presentation. She goes to universities.

2  
3 Diana and I went to a presentation that she made at the UPR  
4 Puerto Rico Carolina Campus, and they have all kinds of people  
5 there, but they have an interesting curriculum, where they mix  
6 film with music and culinary aspects of Puerto Rico culture, and  
7 they provide the preparation of lionfish different ways, and it  
8 was a success story.

9  
10 The last thing is that we will have the -- There are two things.  
11 In March, the three District Advisory Panels will meet, and  
12 that's something that Alida Ortiz suggested some time ago. We  
13 will be meeting in March at the Verdanza Hotel, and we will  
14 invite the fifteen members of each panel to attend. Actually,  
15 there are not fifteen, because there are twelve, and some of  
16 them are repetitive.

17  
18 We have two NGOs and one government official, and so they will  
19 be in Puerto Rico to have a presentation of the different  
20 aspects of the Magnuson Act, refresh their memories, and also we  
21 will discuss issues that are relevant to the council that needs  
22 the support or concurrence or the opinion of the three District  
23 Advisory Panels, and we hope that the meeting will be attended  
24 by as many as possible.

25  
26 Tonight, at 7:30, the fishermen -- There are some fishermen in  
27 Puerto Rico who were really concerned about the spiny lobster  
28 ACL. They believe that if we adopt the idea that was brought to  
29 us by Tony Iarocci to reexamine what they did in the Gulf, the  
30 same way they did in the Gulf and the South Atlantic, and they  
31 are examining the statistics that we collect for spiny lobster,  
32 that we might be able to have a better understanding of the  
33 lobster fishery and maybe increase the participation of the  
34 fishers that supply the information of landings of spiny  
35 lobster.

36  
37 That meeting will take place right here. It was by invitation,  
38 but it's a council meeting, and so anybody from the public is  
39 invited to participate, and we will be discussing exclusively  
40 the data on spiny lobster from Puerto Rico at this time. Now,  
41 Mr. Chairman, we have the presentation on the National Standard  
42 1. Ricardo, did you have a --

43  
44 **RICARDO LOPEZ:** The Nature Conservancy has a proposal, is  
45 working on a proposal, just to work on the idea of having these  
46 sustainable seafood sources and helping the different  
47 restaurants and fishermen to work in that way, and so I guess  
48 that, in your timeline, this 2017, we should be working with

1 that very soon.  
2  
3 **CARLOS FARCHETTE:** TNC is who organized and led the St. Croix  
4 Fish Fry.  
5  
6 **RICARDO LOPEZ:** Yes, and the committee that Diana is working on,  
7 we should have them, I guess.  
8  
9 **CARLOS FARCHETTE:** Marcos.  
10  
11 **MARCOS HANKE:** I just want to bring up the point that Tommy  
12 Forte is somebody that should be included in those efforts,  
13 because of his experience with the fishery and different sources  
14 of seafood and so on. I spoke to him, in many cases, about it,  
15 and I am also available, because I have some experience with  
16 that, on any effort. That is something that I think is very,  
17 very important.  
18  
19 **MIGUEL ROLON:** Also, Mr. Chairman, if I may, Helena is going to  
20 contact some of the fishermen's associations around Puerto Rico.  
21 Some of the fishermen's association directors have expressed  
22 interest in participating in something like this. That way,  
23 they can promote the fish that they sell in each one of the  
24 areas, and what we have tried to do is to see if we can provide  
25 the public with all the different flavors and all the different  
26 species that we have in each one of the areas.  
27  
28 It's kind of funny. The island is small, but, when you go to  
29 the west coast, the fish that are preferred in Cabo Rojo are not  
30 necessarily the same that are preferred in Fajardo, and that  
31 will be included, and now that Ricardo has said something, part  
32 of tonight's presentation, Ricardo, or the discussion is that we  
33 would like to hear from you tonight, or whenever possible  
34 tomorrow, is an update on the electronic reporting system that  
35 the Department of Natural Resources is working on.  
36  
37 We know that the budget has been approved and TNC, I guess, is  
38 the one who will be working on that, and so we would like to  
39 hear from you on what is the news regarding the electronic  
40 reporting.  
41  
42 **RICARDO LOPEZ:** Of course.  
43  
44 **CARLOS FARCHETTE:** Okay. Good idea, Marcos, to bring Tommy  
45 Forte in. Maybe we can have some tuna tartar from his  
46 longliners at the fish fry.  
47  
48 **MARCOS HANKE:** I want to make just one little comment. Right

1 now, in Fajardo, there is a restaurant using the blue runners  
2 and developing recipes and everything for the use of that fish.  
3 This is just one example, and they are doing an excellent job  
4 with it, of a fish that is underutilized in our area that could  
5 be introduced to the market.

6  
7 **RICARDO LOPEZ:** Marcos, what is the name of the restaurant in  
8 Fajardo?

9  
10 **MARCOS HANKE:** Varadero.

11  
12 **RICARDO LOPEZ:** Just blue runners and mahi and tunas?

13  
14 **MARCOS HANKE:** Just as an example of one fish that is  
15 underutilized, but now, with different recipes, because of the  
16 creative cuisine and so on, that opened the opportunity for many  
17 other species to be included, and this fish is being included on  
18 the menu.

19  
20 **CARLOS FARCHETTE:** All right. Moving on to NS-1, we have Erin

21  
22 **PRESENTATION ON NATIONAL STANDARD 1 GUIDELINE REVISIONS**

23  
24 **ERIN SCHNETTLER:** Thank you all for having me. I am, again,  
25 Erin Schnettler. I'm a fishery management specialist. I work  
26 at NOAA Fisheries Headquarters in Silver Spring, Maryland, and I  
27 am here today to give a short presentation on the new National  
28 Standard 1 Guidelines.

29  
30 We released the new final guidelines in mid-October of this  
31 year, and this effort has actually been underway for about four  
32 years now, and so we are excited to have finally finished this  
33 stage of the rulemaking. The guidelines are final, and we are  
34 ready to start implementing some of the provisions, as  
35 appropriate.

36  
37 This is a quick outline of the presentation that I will give  
38 today. I'm going to give a quick background and refresher on  
39 National Standard 1, how it fits into the Magnuson Act, review  
40 some of the reasons why we're revising the guidelines at this  
41 stage, and then really the bulk of the presentation will be on  
42 some of the major features of the final rule, particularly as  
43 they pertain to this council, and hopefully we will wrap up and  
44 leave time for questions.

45  
46 National Standard 1 is written in the Magnuson Act as the first  
47 National Standard of ten, and it establishes the requirement  
48 that all federal fisheries management measures prevent



1 overfishing and achieve optimum yield, and optimum yield is that  
2 goal of balancing economic and conservation needs to achieve the  
3 greatest benefit to the nation.

4  
5 Achieving optimum yield and preventing overfishing is not  
6 exactly easy or straightforward requirements. Because of that,  
7 we need to put together guidelines for how to actually go about  
8 preventing overfishing and achieving optimum yield, and that's  
9 what the National Standard 1 Guidelines are all about. They are  
10 kind of a nuts-and-bolts framework for how to go about  
11 preventing overfishing and achieving optimum yield from a  
12 national policy perspective.

13  
14 Achieving the two requirements of National Standard 1,  
15 preventing overfishing and achieving optimum yield, is a  
16 critical component to the Magnuson Act success, and, over the  
17 past forty years -- The Magnuson Act was introduced in 1976, and  
18 so this the fortieth anniversary year of the Magnuson Act, and  
19 we have seen some pretty substantial successes on both the  
20 conservation and economic side of fisheries management.

21  
22 As you can see from this infographic here, in the red box, it  
23 highlights some of the conservation successes that we've seen  
24 over the past forty years. Currently, 91 percent of federally-  
25 managed stocks are not subject to overfishing. 84 percent of  
26 stocks are not on the overfished list. Actually, as of this  
27 fall, we have rebuilt over forty stocks since 2000. On the  
28 other side of the coin, in the green box here, we also have seen  
29 some economic successes.

30  
31 In 2014, the recreational and commercial fishing industry  
32 generated over \$214 billion in sales and supports over 1.8  
33 million jobs, and so we're seeing both conservation and economic  
34 successes as a result of the management system that the Magnuson  
35 Act has put into place.

36  
37 However, we know that some of the conservation requirements that  
38 the Magnuson Act requires have real economic impacts, and  
39 particularly as a result of the last reauthorization, and so, as  
40 we have been crafting our management system over the past few  
41 years, we have realized that there are some tweaks that we could  
42 make to the system to make it a bit more efficient and work for  
43 everyone.

44  
45 That kind of brings us to why we're revising the National  
46 Standard 1 Guidelines at this stage. It all kind of starts with  
47 the 2007 Magnuson Act reauthorization, which, of course,  
48 introduced annual catch limits, which are required to prevent

1 overfishing every year, and the associated accountability  
2 measures, which are designed to mitigate any impacts of going  
3 over your annual catch limit.

4  
5 ACLs and AMs were a transformative system that was introduced  
6 into U.S. federal fisheries management. It was transformative  
7 in a lot of ways. It was transformative in terms of the fact  
8 that, once we started using ACLs, we started to see fisheries  
9 that had struggled to end overfishing and prevent overfishing  
10 start to succeed in that avenue, but it was also transformative  
11 from an administrative and process standpoint.

12  
13 It was a big burden to shift from whatever management system  
14 that was previously being used to the ACL framework, and so that  
15 was a big lift for a lot of councils and a lot of managers. As  
16 we went about implementing ACLs and AMs, we started to identify  
17 areas in that ACL framework where we could tweak and improve the  
18 system to make it more efficient, and that brings us to where we  
19 are today, the 2016 revisions to the National Standard 1  
20 Guidelines.

21  
22 The three objectives of these revisions were, one, just, in  
23 general, to improve and streamline the guidelines. We wanted to  
24 make sure that we were using consistent terminology, that we  
25 were removing duplicative guidance, and, just, in general,  
26 making it more user-friendly.

27  
28 The second objective is, as I was mentioning, is making sure  
29 that we're addressing some of the experiences we had  
30 implementing ACLs and AMs. Then the third objective is kind of  
31 in association with that second objective, in terms of -- It is  
32 really getting at making sure that we know that the Magnuson Act  
33 is flexible, in terms of the ACLs and AMs, and making sure that  
34 the guidelines are highlighting those flexibilities and making  
35 sure that we're utilizing the fullest extent of the  
36 flexibilities available in the Magnuson Act.

37  
38 The other thing I will mention at this stage is that the last  
39 time that we revised the guidelines, in 2009, we were  
40 implementing the ACL requirements that were introduced in 2007  
41 in the Magnuson Act reauthorization. What happened with those  
42 2009 revisions to the guidelines was that we were implementing  
43 requirements that all the councils had to make to their FMPs.  
44 We had to amend FMPs to introduce ACLs.

45  
46 This time around, in 2016, the revisions to the guidelines are  
47 not requirements. They do not require councils to make any  
48 changes to their FMPs. The things that I will talk about today

1 are simply optional tools available for managers if it will  
2 improve their management system.

3  
4 These are the five categories of major features that we'll talk  
5 about today as part of the final National Standard 1 Guidelines  
6 that were finalized. I will say that the revisions to the  
7 guidelines -- The guidelines, if you have taken a look at them,  
8 it's a pretty long document, and the revisions that we made were  
9 broad-sweeping. They covered a lot of ground.

10  
11 I have highlighted some categories that received a lot of public  
12 attention and may be of interest to this council in particular.  
13 However, the revisions are not limited to what we will talk  
14 about today. If you have any questions about other parts of the  
15 revisions or other aspects of National Standard 1 in general, I  
16 would be happy to take questions now or offline, or you can  
17 always send me an email.

18  
19 The first category of features of the final rule that we'll talk  
20 about is a new framework we put together for determining whether  
21 a stock requires federal management. What this framework is  
22 really addressing is the Magnuson Act requires that fish stocks  
23 that require conservation and management require federal  
24 management. When we say federal management, we mean that the  
25 stock needs to be put into an FMP and managed using ACLs and  
26 AMs.

27  
28 If a stock requires conservation and management, it's  
29 automatically put into that FMP and ACL and AM category. What  
30 we realized is that there was not a straightforward way to  
31 determine whether a stock requires conservation and management  
32 within the old guidelines, and we wanted to make this decision  
33 process a little bit more clear and straightforward.

34  
35 The new guidelines have a framework that is summarized in this  
36 decision tree here on the screen that helps managers answer the  
37 question, which is at the top of the tree, of does a fish stock  
38 require conservation and management.

39  
40 To briefly summarize this framework, if you look on -- If you  
41 answer the first question, which is, is the stock subject to  
42 overfishing or overfished or approaching one of those  
43 conditions, if the answer to that question is yes, and the stock  
44 is predominantly caught in federal waters, the guidelines are  
45 pretty clear that those types of stocks require conservation and  
46 management. They require federal management.

47  
48 If you don't find yourself in that first bin of stocks, or that

1 first category, then you look on the other side of this decision  
2 tree, and you will be in that blue box that says, based on the  
3 ten guideline factors and any other relevant factors, is  
4 conservation and management necessary?

5  
6 What that means is that, in the guidelines, there is a list of  
7 ten factors that you will compare your fish stock that you're  
8 analyzing against and ask yourself, based on these ten factors,  
9 does it require conservation and management?

10  
11 What do I mean by these ten factors? These are the list of  
12 factors that are in the guidelines themselves. They range from  
13 the first couple of factors address the stock's ecological role  
14 in the ecosystem. The middle factors address the stock's role  
15 in the industry and its economic purpose, and then the final  
16 factor, Factor Number 10, addresses the relationship between the  
17 federal management system and the state management system and  
18 making kind of that analysis. This is a summary of the new  
19 framework that we put into place for how to answer the question  
20 of does this stock need federal management.

21  
22 The second feature of the guidelines that we'll talk about is  
23 some of the provisions that we put into place to improve or add  
24 new tools to the toolbox of managing data-limited stocks. The  
25 stocks that are data-limited, one of the major challenges of  
26 those stocks can be setting your status determination criteria,  
27 and what that means is that, usually, when you set a status  
28 determination criteria to determine whether that stock is  
29 subject to overfishing or overfished, you need to start with an  
30 estimate of that stock's maximum sustainable yield, or at least  
31 a proxy of that stock's MSY.

32  
33 If data is not available to make such an estimate, we wanted to  
34 clarify, in these new, final guidelines, that you can use  
35 alternative approaches to setting your status determination  
36 criteria for overfishing and overfished. Some of those  
37 alternative approaches can include recent average catch, density  
38 estimates based on visual census surveys, things along those  
39 lines.

40  
41 We wanted to give more flexibility in terms of the approaches  
42 used to establish status determination criteria, but we also  
43 want to make clear that the Magnuson Act is clear that all  
44 federal fish stocks still require the reference points that  
45 we've been talking about, which include all of your annual catch  
46 limits and your ABC, your OY, things along those lines, and so  
47 we included some more flexibility in terms of establishing your  
48 SDCs and those related reference points, but those reference

1 points are still required.

2  
3 Along the lines of data-limited stocks, the other provision that  
4 we emphasized in the guidelines is further clarification of how  
5 stock complexes can be organized. In particular, historically,  
6 what has happened with stock complexes is that they're generally  
7 used to aggregate a multitude of data-limited stocks.

8  
9 When one of those stocks is assessed, that stock is typically  
10 removed from the complex and managed on its own, leaving all of  
11 the other data-limited stocks still in the complex, and so that  
12 doesn't exactly improve the management of the other data-limited  
13 stocks that are still left in that complex. It improves the  
14 management of the assessed stock, but it doesn't improve the  
15 management of the other stocks that are left.

16  
17 We emphasized that when a stock that is currently in a complex  
18 is assessed, that stock can become an indicator stock, and that  
19 stock can inform the management of the rest of the stock complex  
20 by representing the ACLs for the entire complex.

21  
22 The final provision that I will talk about with regards to data-  
23 limited stocks are some of the provisions that can advance  
24 ecosystem-based management in the context of data-limited  
25 stocks, and so we described in the guidelines a provision known  
26 as aggregate MSY, and so aggregate maximum sustainable yield.

27  
28 For a data-limited fishery, an estimate of your aggregate  
29 maximum sustainable yield for a stock complex can be made, and,  
30 based on that, you can estimate your OY for that stock. From  
31 that OY, if you have an indicator stock, you can base your ACL  
32 on that indicator stock, and, using those two tools, you can  
33 kind of simplify the reference points that you're using to  
34 manage that stock complex.

35  
36 The third feature of the final rule that we'll talk about is  
37 some provisions that we put into the guidelines to increase some  
38 flexibility in rebuilding plans. Traditionally, the Magnuson  
39 Act is pretty clear that stocks that are overfished need to be  
40 rebuilt in as soon a time as possible.

41  
42 Where possible, the Magnuson Act also says that those stocks  
43 should be rebuilt in ten years. As I'm sure you know, there's a  
44 lot of stocks that have a long life history and other  
45 characteristics, their biomass may be particularly low, and the  
46 stock cannot be rebuilt in ten years.

47  
48 For stocks in those types of situations, we need to calculate

1 the maximum time in which that stock can be rebuilt. In the  
2 previous guidelines, the 2009 guidelines, we only specified one  
3 type of calculation method to calculate your maximum time to  
4 rebuild, or your Tmax, and that calculation method was Tmin plus  
5 one generation time. Tmin means the time in which a stock can  
6 be rebuilt if the fishery is completely closed, with no fishing.

7  
8 The problem we run into with the original status quo calculation  
9 method is that, for certain fisheries, calculating generation  
10 time, if you don't have certain parameters, can be relatively  
11 difficult, and, if you don't have a lot of data on this stock,  
12 calculating generation time can yield highly-conservative or  
13 exaggerated values, and it can lead to difficulty in actually  
14 getting an accurate estimate of your Tmax.

15  
16 What we put in the final guidelines is two additional  
17 calculation methods to give councils and their SSCs more  
18 flexibility to choose a calculation method that best fits the  
19 available data for that stock, so that you have the most  
20 accurate estimate of your maximum time to rebuild.

21  
22 The fourth category of the final rule that we'll talk about is  
23 some provisions that we included in the guidelines to increase  
24 stability to fisheries. The first provision under this  
25 increasing stability to fisheries category is a provision that  
26 will help fisheries phase-in changes to their catch levels.

27  
28 What this is referring to is, historically, what has happened  
29 is, when managers get a new piece of information about a stock,  
30 either a stock assessment or new data, that shows that the catch  
31 levels for that fishery need to be either reduced or increased,  
32 managers typically make those changes to the catch levels that  
33 the assessment says that they should in lockstep with the  
34 assessment results. You get your results and you make all the  
35 changes all at once.

36  
37 If the fishery and the industry is not expecting those types of  
38 changes, that can have negative impacts on the industry,  
39 especially if you're not planning for it, and so what we did in  
40 the guidelines is describe what we're calling a phase-in ABC  
41 control rule that allows councils to establish a policy and a  
42 formula for gradually phasing-in changes to your ABC and your  
43 ACL, and so this is kind of graphically represented on this  
44 infographic.

45  
46 The key with this phase-in ABC control rule that we are  
47 describing is that, one, the phase-in has to occur within three  
48 years and, two, overfishing always has to be prevented. This

1 still does not change the Magnuson Act requirement that your  
2 ACLs must prevent overfishing, and so, if you have a situation  
3 where you get new data that shows that the stock is subject to  
4 overfishing and you need to reduce your catch levels, your  
5 reduction, if you're using a phase-in, would have to make all  
6 the reductions needed to end overfishing in the first year.  
7 Then, if there were additional reductions that need to be made,  
8 those could be phased-in over three years.

9  
10 If you get new information that indicates that your stock is  
11 subject to overfishing, it's over that OFL line, the Magnuson  
12 Act is clear that your annual catch limit has to be set in the  
13 next year to make sure that you're under that OFL line, and so  
14 you have to set your ACL either equal to or less than your OFL  
15 in that first year. Then, if your ABC control rule, or the  
16 council's policy is to reduce the ACL even further, to be  
17 precautionary, you could phase-in those further changes over the  
18 next two years.

19  
20 **CARLOS FARCHETTE:** But that's for subject to overfishing and not  
21 if it's overfished already. Then you don't have that phase-in  
22 change?

23  
24 **ERIN SCHNETTLER:** If you get a stock assessment that shows that  
25 it's both subject to overfishing and overfished, what I just  
26 described to Marcos would be the same situation. If you were  
27 just overfished, you would be in a different category.

28  
29 Then the second provision that we described in the guidelines to  
30 increase stability to fisheries is what we're calling a  
31 carryover of unused quota into the next year, and this is  
32 another type of new ABC control rule that we're calling a  
33 carryover ABC control rule.

34  
35 There are many different types of doing carryover, and carryover  
36 is not exactly new to federal fisheries management, but this is  
37 really explicitly clarifying a type of carryover, and so,  
38 traditionally, what we mean by carryover is, if a fishery does  
39 not catch its entire quota in one year, you can carry over a  
40 portion of that unused catch into the next year, to reduce  
41 incentives to go out and fish in unsafe conditions or try to  
42 fish up until the very last second and catch every last fish,  
43 because you're in a use-it-or-lose-it type of situation.

44  
45 Carryover is designed to reduce those types of incentives, and  
46 we had a court case that clarified that, when you're doing  
47 carryover, you cannot carry over an amount of your annual catch  
48 limit that exceeds your previously specified ABC, and so what an

1 ABC control rule would allow you to do is, if you were in a  
2 situation where you would want to carry over an amount that  
3 exceeds your previously specified ABC, you could have a pre-  
4 established carryover ABC control rule that would calculate the  
5 estimated increase in abundance that your stock has had, based  
6 on underharvest, in the next year and raise your ABC based on  
7 that calculated increased abundance.

8  
9 That kind of allows you that flexibility to still carry over if  
10 you know that you're underharvesting your fishery. Then the key  
11 with this provision as well, similar to the phase-in provision,  
12 is that you still have to make sure that you're preventing  
13 overfishing.

14  
15 We also got a lot of public comment on this provision, and we  
16 wanted to make sure that managers were clear on really the  
17 intent behind this provision. We included language in the final  
18 guidelines that clarifies that stocks that are in rebuilding  
19 plans, those stocks -- The Magnuson Act is pretty clear that the  
20 overriding goal of those stocks is to rebuild in as short a time  
21 as possible, and so it may not be appropriate to use a carryover  
22 for stocks that are in a rebuilding plan.

23  
24 We also wanted to be clear that the reason behind why you are  
25 experiencing an ACL underage is a key component of using a  
26 carryover, and so, for instance, if you are experiencing an  
27 underage because you closed the fishery too early, you thought  
28 that you were in danger of exceeding your ACL and you closed the  
29 fishery down and then all the data comes in and you actually  
30 didn't exceed your ACL, and so you have an underage, that's a  
31 perfect example of situations where you would want to use a  
32 carryover.

33  
34 On the other hand, if you're in a situation where the fishery is  
35 fishing the whole year and it's just not catching its ACL, that  
36 may indicate that the stock is in poorer condition than we  
37 think, and that may not be a situation in which you want to use  
38 a carryover, if you're utilizing the precautionary approach.

39  
40 The final feature of the guidelines that we'll talk about is a  
41 quick refresher on some of the provisions that we included in  
42 the guidelines to try to clarify optimum yield. Optimum yield  
43 is a relatively nebulous topic.

44  
45 Formally, it is defined as a long-term average that yields the  
46 greatest benefit to the nation, and so calculating and  
47 determining and specifying optimum yield, particularly when we  
48 have this existing ACL framework, can be unclear.



1  
2 One of the things we tried to address in the guidelines, and in  
3 the final guidelines, is the relationship between optimum yield  
4 and annual catch limits, and so we have a new paragraph in the  
5 ACL section of the guidelines that describes the relationship  
6 between OY and ACL and the fact that OY is a long-term average.

7  
8 Annual catch limits are an annual limit, and so they're not  
9 exactly comparable, but there can be a way in which you  
10 calculate annualized expression of your optimum yield that is an  
11 annual value that can be compared to your annual catch limit,  
12 and so you can see where your annual catch limit falls in  
13 comparison to your OY by using that annualized expression tool.

14  
15 The other provision that we put in the guidelines to clarify OY  
16 is just a statement that we wanted to acknowledge that,  
17 generally, when you're specifying OY, you start with your  
18 maximum sustainable yield and then you reduce your maximum  
19 sustainable yield based on the specific ecological, economic,  
20 and social factors of that fishery.

21  
22 Particularly with economic and social factors, getting  
23 quantitative data to actually determine how much you should  
24 reduce your maximum sustainable yield to get your OY is very  
25 tricky, and so we wanted to clarify that, when you don't have  
26 quantitative data for your ecological, economic, or social  
27 factors, you can describe OY qualitatively, based on the best  
28 available science, of course.

29  
30 That wraps up the features of the final rule that I wanted to  
31 talk about today. I will conclude by saying, again, that these  
32 are optional tools available to managers. They are designed to  
33 give additional flexibility and also increase stability to  
34 fisheries. They don't establish any new requirements to revise  
35 your FMPs, but we are looking forward to helping and supporting  
36 implementation of any of the features that I talked about today  
37 or any of the other ones that are in the guidelines, and so I  
38 would be happy to take any questions. Thank you.

39  
40 **CARLOS FARCHETTE:** Thank you, Erin. Any questions from the  
41 council members, first? Marcos.

42  
43 **MARCOS HANKE:** First, a comment. I think this is everything we  
44 do here. It's very pertinent, the presentation, and there are  
45 so many things that we need to talk or I need to read about it,  
46 to truly understand the implications of what you just presented.  
47 Some of them are very obvious.

48

1 When you present the stock indicator for us here, it's easier  
2 once you use a specific example of our area. For example, we  
3 spoke, in the past, about the red hind and the coney, that, once  
4 you are fishing for them, you catch both at the same time. We  
5 discussed the good and the bad things about using an indicator.

6  
7 How deep or how specific are those guidelines to use stock  
8 indicator species, specific species, once we have decided --  
9 That will be the function of the council to determine that? You  
10 are just opening the door for a possibility for discussion and  
11 based on science to implement that or is it very specific that  
12 we have a pathway that we have to follow?

13  
14 **ERIN SCHNETTLER:** I can try to answer that and then anyone from  
15 SERO can jump in. In general, the guidelines are not requiring  
16 the use of indicator stocks within stock complexes. Stock  
17 complexes can still be used as they were traditionally used.  
18 We're just recommending that indicator stocks are used to manage  
19 stock complexes, because the idea is that your indicator stock  
20 would be an assessed stock.

21  
22 Now, I know that, particularly for this council, an assessed  
23 stock is not exactly an easy thing to achieve, but the idea  
24 behind this recommendation is that an indicator stock would have  
25 an assessment that would make it easier for you to set an ACL  
26 and the other reference points that go along with that.

27  
28 We describe our recommendation for how to design a stock complex  
29 and an indicator stock. Particularly, we emphasize that you  
30 should consider any data that you have with regards to all the  
31 stocks within the complex and their productivity and  
32 vulnerability. Ideally, you should have stocks within the  
33 complex that have similar productivities and vulnerabilities and  
34 that the indicator stock is representative of those stocks in  
35 the complex, and so I hope that somewhat answers your question.

36  
37 **MARCOS HANKE:** One of the things that this definition, or the  
38 pathway that you guys are opening for consideration during  
39 management decisions on indicator stocks, do you have any  
40 guidelines about, for example, using this gear in a specific --  
41 For let's say bottom fishing for red hind and coney, or is it in  
42 general for the whole gear, everything that interacts with those  
43 animals, because there is an issue in there.

44  
45 **ERIN SCHNETTLER:** We do not mention gear specifically when we're  
46 talking about indicator stocks, and I am afraid that I'm just  
47 not familiar enough with the specifics of the fishery you're  
48 talking about to really expand upon it. I would be happy to

1 discuss it further though offline.

2

3 **CARLOS FARCHETTE:** Miguel.

4

5 **MIGUEL ROLON:** This is mostly for the council members, but the  
6 importance of her presentation is not to go into a discussion of  
7 the details of National Standard 1, and I encourage each council  
8 member to try to read these guidelines, as much as possible.

9

10 I have been around for a long time, and I still have to read the  
11 darned things, because it changes, and it's a long, big, thick  
12 document, but the important part here is that we have now  
13 flexibility that we didn't have before. That's a key part.

14

15 The other issue that we have, or not an issue, but something  
16 that we must do is to compare what you already have done with  
17 the SSC and the team that put together the mechanism that you  
18 use for determining whether a species belongs to a management  
19 unit or not. If you follow the presentation of the ten lines  
20 that she had about the determination of a species, whether it  
21 belongs to a fishery management plan or not, it should be, in a  
22 way, compared to what we have already, to make sure that we have  
23 it.

24

25 The other point I was going to make is guidelines are guidelines  
26 until somebody takes us to court, and then they become  
27 regulations. In the case of the CCC, working together with the  
28 National Marine Fisheries Service, and, actually, I would take  
29 this time to thank you and Alan and the group. This is  
30 excellent work, what you have done for all of this four or five  
31 years, and it hasn't been very easy.

32

33 This is the culmination of all that they have done with the  
34 councils, and so I encourage you to read it, and I believe that,  
35 when we discuss the plans within this meeting and further  
36 meetings, we will have to come back to this presentation and the  
37 tools that we have, and so, probably the next time that the SSC  
38 meets, very briefly, they should go and compare what we have  
39 now.

40

41 I am personally sure that we have everything that you have in  
42 your presentation, in other words that we have used the National  
43 Standard 1 in the best possible way, but we want to make sure  
44 that it's compatible. You have a component there about  
45 statistics that is very important, and the Center and the SSC  
46 have to really work together and make sure that we are at least  
47 on the same lines of the National Standard 1.

48

1 The last thing that I was going to say is that, guys, when a  
2 management plan is reviewed by the Secretary, the first thing  
3 they use is the National Standard 1, to make sure that we comply  
4 with the requirements of the Magnuson Act. Again, it's  
5 important that, when we discuss it, if you have any questions  
6 regarding what is the link between these actions and the  
7 National Standard 1, or any part of the National Standards, that  
8 is the time where you need to raise the question.

9  
10 We will include a little bit of this presentation at the March  
11 meeting for the members for the District Advisory Panels, and  
12 so, if Alan is in a good mood, I will ask him to see if you can  
13 come down here. If not, we're going to copy everything that you  
14 have here and repeat, as much as possible, what you said today  
15 at that meeting, because it's important that the DAP group, the  
16 same as the council, follows this and understands it.

17  
18 We might be able to prepare one-page or two for the council  
19 members and the DAPs that will summarize this, so that you will  
20 be able to have it. The Chair of the O&E AP is saying yes with  
21 her head, and so I'm sure she's been making notes. That way,  
22 you will be able to have that information in your hands every  
23 time. Also, we will publish this on our webpage. We already  
24 have the link, but we wanted to make it more visible.

25  
26 Also, this is something that Helena may -- We need to talk  
27 later, but it may be something that we can put together and load  
28 it up on our Facebook page. Thank you a lot.

29  
30 **CARLOS FARCHETTE:** Clay.

31  
32 **CLAY PORCH:** Thank you. To Marcos's question, I think it's  
33 fairly safe to say that both the proposed ABC control rule and  
34 most of the ways that have been proposed for using indicator  
35 species here in the Caribbean Council are consistent with the  
36 revised National Standard Guidelines. In fact, they take  
37 advantage of some of the new flexibilities.

38  
39 **CARLOS FARCHETTE:** Any more comments or questions from the  
40 council members? I have one from Tony Iarocci, and then I have  
41 to move forward.

42  
43 **TONY IAROCCI:** Thank you. That was a very, very, very, very  
44 important presentation. You covered a lot of very important  
45 issues, and I would like to focus on achieving optimum yield,  
46 from the National Standards and using the methods. The tweaks  
47 that you talked about, I think that should very much be  
48 considered for what we do in the Caribbean, number one.

1  
2 Providing flexibility to address the management issues is very,  
3 very important. An example is spiny lobster. We're looking at  
4 the ACL right now. It's very important to these fishermen down  
5 here. Alternative approaches to what works in New England or  
6 the Mid-Atlantic does not work here, and we have to look at this  
7 totally different.

8  
9 In the South Atlantic and the Gulf of Mexico, we have addressed  
10 this issue with the ACL. We've used different methods to  
11 address it, and we have to look at the alternative methods here  
12 to deal -- I want to focus on that and the spiny lobster  
13 fishery, and, I mean, that will apply to red hind and other  
14 fisheries too, but I really appreciate that input. That was a  
15 great presentation.

16  
17 **CARLOS FARCHETTE:** Rich.

18  
19 **RICHARD APPELDOORN:** Good morning. I just have two questions  
20 about the carryover. One, is the carryover only a one-year  
21 carryover? In other words, if you don't do it again, you can  
22 keep carrying it over from that one year or is it just it  
23 carries over to the next year and, if you don't use it then,  
24 that's it?

25  
26 **ERIN SCHNETTLER:** It is a one-year carryover. That's a good  
27 question. It's designed so that whatever portion of your ACL  
28 underage in the original year is meant to be carried over just  
29 into the next year. Whether you have an underage in that next  
30 year and you carry over again, that is going to be part of the  
31 way that the council designs and specifies a carryover ABC  
32 control rule, making sure that you're using the best available  
33 science to make sure that you're always preventing overfishing.

34  
35 **RICHARD APPELDOORN:** That answered both of my questions. Thank  
36 you.

37  
38 **CARLOS FARCHETTE:** Thanks, Rich. I know we have a lot of  
39 questions to discuss about this, but I think we're going to wait  
40 until we start working on our island-based plans and see how  
41 this thing works out, but do we have access to that PowerPoint?  
42 I don't think we have it in our briefing books.

43  
44 **ERIN SCHNETTLER:** Yes, and I will also just say, if you look on  
45 the NMFS National Standard 1 website -- If you are trying to  
46 read the guidelines and you're not, as I am, a fan of the FR, we  
47 also have a track-changes version of the guidelines that are a  
48 bit easier to read, if you're interested.

1  
2 **CARLOS FARCHETTE:** Thank you. Okay. Next on the agenda, we  
3 have the SSC Report by Dr. Appeldoorn.

4  
5 **SCIENTIFIC AND STATISTICAL COMMITTEE REPORT**  
6

7 **RICHARD APPELDOORN:** Good morning, everybody. The SSC has not  
8 met since the last council meeting, and so I will just be giving  
9 an update on kind of where we're at. Our next meeting will be  
10 in February, and these are the major items we will be looking  
11 at.

12  
13 First of all, we're going to try to have our final review of  
14 revisions to SEDAR 46, and I will have a separate slide on that,  
15 and I think Clay is also going to talk about SEDAR as well in  
16 more detail. We will then make our final recommendations on the  
17 stock complexes and our recommendations for indicator species  
18 for the island-based fishery management plans. We have already  
19 made a substantial start on that, and so that should be a fairly  
20 straightforward operation.

21  
22 However, when we get to looking at how we're going to use those  
23 indicator species, that is where things get a little bit more  
24 complicated, and so we'll start working on the recommendations  
25 for how we're going to apply the ABC control rules, and this  
26 will be with respect to Tier 4, which is the only one that has  
27 been accepted so far. I am not sure how far we will get on  
28 that, but that will certainly be a major topic for that meeting,  
29 and we may not finish it within the time allowed.

30  
31 In terms of SEDAR 46, there has been some changes to what we  
32 want to do, and so we're going to revisit the whole data-limited  
33 model toolkit and have a detailed review of the data-limited  
34 model approach, based on the experiences to date, and this is  
35 going to go from the very conceptual stages to their application  
36 for potential OFLs and, again, looking toward trying to apply a  
37 Tier 3 approach, as we had presented in the last meeting.

38  
39 The emphasis here is only going to be on one of the six species,  
40 and that's going to be the yellowtail snapper, largely because  
41 that had the -- It's the best-case scenario, because it had the  
42 largest database associated with it, and so that's going to be  
43 what is going to be presented to the SSC, in terms of how are  
44 these models working, what needs to go into them, what are we  
45 learning out of them, so the SSC can really get a grasp on what  
46 is going on, now that the Science Center has really gotten their  
47 hands dirty with these models and had a chance to assess how  
48 they're performing and what we can get out of them. From that,

1 we will then make a determination on what are we going to do  
2 with the other five species that are part of SEDAR 46.

3  
4 Looking ahead, the recommendation for SEDAR in 2017 would be to  
5 just look at spiny lobster for Puerto Rico, and so spiny lobster  
6 has already been looked at in SEDAR 46, and hopefully we will  
7 reach some conclusions regarding those stocks, but, given the  
8 limited time available between now and whenever a SEDAR could be  
9 arranged, we would have to have something very small in scale.

10  
11 We already have all of the life history issues, and we will have  
12 a lot of the methodological issues already taken care of, in  
13 terms of spiny lobster, because we will have done the  
14 assessments for St. Thomas and St. Croix, and so we would like  
15 to bring Puerto Rico up to that level as well. That would allow  
16 us to, first of all, compare how things are behaving across  
17 different platforms with these models. Secondly, it would allow  
18 us to assess changes in ACLs for all three regions, and  
19 obviously that's a topic of concern, in Puerto Rico in  
20 particular, but also in the other two jurisdictions.

21  
22 Lastly, with more time for planning, we are looking to, in 2018,  
23 to have a SEDAR workshop, and this would focus on things that go  
24 into those data-poor models, and so life history parameters and  
25 ecological and economic indicators that are used to make some  
26 assumptions that have to go into those models for them to be  
27 useful, and we want to get all the stakeholders involved, and  
28 our goal is obviously to have consensus on these future model  
29 inputs, so we can then start applying those models in a much  
30 more efficient manner in the future and more quickly be able to  
31 make our determinations. That is my report. Are there  
32 questions?

33  
34 **CARLOS FARCHETTE:** Thank you, Richard. Any questions for  
35 Richard? Miguel.

36  
37 **MIGUEL ROLON:** Richard, have you thought about what mechanism  
38 you are going to be using for involving the stakeholders?

39  
40 **RICHARD APPELDOORN:** Other than actually involving them in the  
41 workshop? No, we haven't gotten that far. It's part of the  
42 discussion.

43  
44 **MIGUEL ROLON:** So it will be just for the -- They will have  
45 representation at the workshop.

46  
47 **RICHARD APPELDOORN:** Yes, definitely.

48

1 **MIGUEL ROLON:** Mr. Chairman, I believe then, in that workshop,  
2 the three chairs of the DAPs should be there, and maybe some  
3 other people that the SSC may recommend, and we will have them  
4 there.

5  
6 **CARLOS FARCHETTE:** I have a question. You're saying that, after  
7 all this happened, I see a SEDAR in 2018 for spiny lobster.

8  
9 **RICHARD APPELDOORN:** 2017 for spiny lobster.

10  
11 **CARLOS FARCHETTE:** 2017 for spiny lobster, and so it takes them  
12 a couple of years to -- What I want to get at is are we going to  
13 be now, five years later, still dealing with the same ACLs we  
14 have on lobster? Are we stuck with that?

15  
16 **RICHARD APPELDOORN:** I hope not. Our hope is that, if we do the  
17 assessment in 2017 and it works, that the data are suitable for  
18 the model applications, that we can get an assessment that,  
19 coming out of that, would be a Tier 3 like adjustment to ACLs.

20  
21 If, for whatever reasons, the data is such that we don't think  
22 the models are giving us good information, we would have to take  
23 whatever information we have and see if there is a basis for  
24 adjusting up or down the ACL according to a Tier 4 type of  
25 assessment, but we're well aware that this is a species of  
26 concern for everybody, and so I don't think there would be a  
27 basis for holding off, but the reason for doing that is because  
28 we think we pretty much have everything in place to move forward  
29 with that quickly.

30  
31 There would just need to be the review of the Puerto Rican data  
32 for spiny lobster, but, in terms of life histories and the types  
33 of models that should be applicable for it, we would have  
34 already gone through that, looking at the other two island  
35 stocks for that species.

36  
37 **CARLOS FARCHETTE:** Okay. We've been discussing spiny lobster  
38 stocks in the USVI and Puerto Rico for a while, and all the  
39 fishers have been saying how healthy it is for at least four  
40 years now, and so --

41  
42 **MIGUEL ROLON:** That's one of the aspects that the fishers that  
43 were led by a discussion that was presented to you by Carlos and  
44 Tony Iarocci and others, and that's the main reason why we will  
45 have this afternoon meeting, and I encourage Graciela and Bill  
46 and obviously Richard will be there and Clay will be  
47 representing Bonnie Ponwith at the meeting.

48



1 We don't have that much time, and so we want to make sure that  
2 we go into the nitty-gritty of the discussion, because one of  
3 the problems with the perception of people about the spiny  
4 lobster is the problem is the perception collides with the law,  
5 when we talk about ACLs, and it's very difficult for people to  
6 understand when they are at sea or when they are at the dock,  
7 surrounded by good, nice spiny lobster, and yet you have a  
8 closure this year, December 10 through the 31, because of the  
9 information we have and so forth.

10  
11 The meeting this evening is one of the steps that the fishers  
12 are taking. This is a voluntary movement by the fishers to see  
13 if they can help clear up this issue and provide better data,  
14 through better mechanisms, that the Center and the SSC can  
15 accept and use for the ACLs, and that's what we want to stress  
16 this afternoon.

17  
18 The meeting is open to the public, but we want to keep the  
19 conversation between the fishers and the scientists. Tomorrow,  
20 we will have a presentation on whatever happens this evening and  
21 what recommendations they may have that the group will discuss  
22 this afternoon.

23  
24 **RICHARD APPELDOORN:** I would add to that that remember that,  
25 starting in the next SSC meeting and I would guess continuing  
26 into the one after that, we are going to be full-bore into  
27 looking at ABCs for all the plans, all the new plans coming up,  
28 which is going to force us to address spiny lobster in  
29 particular, and, since the new Tier 4 ABC control rules has been  
30 accepted, remember that has a two-part thing.

31  
32 If there is a rationale for thinking that we are not overfishing  
33 spiny lobster, which is part of the discussion that we're going  
34 to have later today, we can automatically go into that new rule,  
35 which I don't have it memorized in front of me, but I think it  
36 would automatically probably lead to an increase in the ACL,  
37 just because it's allowing more flexibility versus the other  
38 one, which is going to be more cautious, but, like I said, I  
39 don't have the rule in front of me, and so I'm not sure exactly  
40 how that would play out.

41  
42 **CARLOS FARCHETTE:** Roy.

43  
44 **ROY CRABTREE:** You know, we need to be careful about assuming  
45 that just because there is a short closure at the end of the  
46 year that we're saying that there is a problem or the stock is  
47 in bad shape.

48

1 If we have a catch limit and we set it at about what we think  
2 they're going to catch, then there are going to be some years  
3 where they may have a little left over at the end of the year,  
4 but there are going to be other years where they catch it and  
5 they have a short closure at the end of the year.

6  
7 The only way you would avoid closures all the time is if you set  
8 the catch limit way above what we think they're ever going to  
9 catch. If the catch limit is set anywhere in the vicinity of  
10 what they're probably going to catch, there are going to be some  
11 years where they catch a little more and they're going to have a  
12 short closure at the end of the year, but I don't think that  
13 means we're saying the stock is in bad shape or there is a  
14 problem. It's just the nature of how we're managing these  
15 fisheries, and I think that's something that the fishermen --  
16 Sometimes it isn't clicking, exactly.

17  
18 **RICHARD APPELDOORN:** But we do a running average to try and  
19 mitigate that problem.

20  
21 **ROY CRABTREE:** Right, and you might be able to smooth that out  
22 some. There might be other ways you could deal with the  
23 accountability measures. Up in Florida, they have it with spiny  
24 lobster, where, if you -- We have an annual catch target that is  
25 what we expect to catch. If they go over that, then it triggers  
26 a review and a whole host of things.

27  
28 It's just in the nature of these catch limits. If they're set  
29 somewhere in the general range of what is caught, you're going  
30 to, some years, have short closures and other years you might  
31 not. There might be something you could do with carryover, but  
32 that starts getting complicated.

33  
34 **CARLOS FARCHETTE:** You say the triggers are reviewed, and  
35 doesn't that trigger an accountability measure?

36  
37 **ROY CRABTREE:** It would if they went over multiple years,  
38 probably, but, the way we set it up initially, it triggered a  
39 review, and the hope was that we would have a stock assessment  
40 or something like that, but I think what we need to do now is  
41 let this run through these assessment schemes and then see how  
42 comfortable we are that we can get a meaningful catch level in  
43 place.

44  
45 Then I think we have a discussion with Clay and the folks at the  
46 Science Center about how to evaluate the risk level of setting  
47 the catch levels at certain things, but my point is just that  
48 the fact that you have a short closure at the end of the year

1 doesn't necessarily mean that you're saying the stock is in bad  
2 shape.

3  
4 If it becomes a problem, having the closure at the end of the  
5 year, because of Christmas and things, we have that other  
6 amendment in place that accounts for it differently. If you get  
7 into a situation where you're having closures year after year  
8 after year, then you might want to talk some about what they do  
9 in Florida, which is a spawning season closure or something like  
10 that, but I don't think we're at that point yet.

11  
12 **RICHARD APPELDOORN:** I think, Roy, you mentioned you were using  
13 targets, which are not ACLs. They're set below ACLs, and that's  
14 why you're not getting that automatic trigger into  
15 accountability measures.

16  
17 **ROY CRABTREE:** That's right. The trigger is not when you hit  
18 the annual catch limit. It's when you hit the annual catch  
19 target, which is set below the limit, and we haven't done that.  
20 Annual catch targets are viewed as a type of accountability  
21 mechanism.

22  
23 **CARLOS FARCHETTE:** Okay. I've got Marcos next, but I've got to  
24 -- I think that we need to do something, as a council, to fix  
25 the issues that we're having. I understand that, just because  
26 they go over a little bit, they're not overfishing and the stock  
27 is not in bad shape, but yet the fishermen are being prohibited  
28 from harvest when it may not be necessary, and I also want to  
29 include, and I have mentioned this on the record at other  
30 council meetings, the red hind for St. Thomas, something has to  
31 be done about that ACL and queen trigger for St. Thomas. I  
32 don't have anything for St. Croix right now, because I think the  
33 red hind still needs some more management on St. Croix. Marcos  
34 and then Blanchard.

35  
36 **MARCOS HANKE:** I just want to say that everybody now, little by  
37 little, are a little more outspoken about recognizing the  
38 problem and the socioeconomic effect that it's having, because  
39 of our lack of data and so on for those fisheries that are very  
40 important to us.

41  
42 I want to stress that we are losing the train of engaging the  
43 fishermen. We have been saying to the fishing community that  
44 they should engage and they should come to the plate and be  
45 available to produce better data for better management. Because  
46 of how slow the process has been, we are losing that, and that's  
47 something really bad for us to do a good job, and I want to  
48 highlight that, and please, everybody around the table, have

1 that in mind. Let's do something.

2

3 **CARLOS FARCHETTE:** Blanchard.

4

5 **TONY BLANCHARD:** Let me emphasize to Marcos that I've been  
6 trying to do something. The personal impact about this is this,  
7 and I'm talking about lobsters now. We are looking at a closure  
8 in Puerto Rico, which I was fighting to keep open somehow, to  
9 the end of this year, which they're probably in right now,  
10 correct?

11

12 Then we have, in Florida, that they increased the ACL on the  
13 lobsters, which they may never meet, and so explain to me how  
14 the lobster fishery is so good in Florida and in the Caribbean  
15 we are shutting them down. Yes, it is a mandate, but it makes  
16 no sense. You can't tell me that you would probably double  
17 their ACL that they ain't going to meet it and then we're  
18 closing down Puerto Rico because they overrun the ACL.

19

20 Maybe the fishery is that good that it needs a higher ACL, as  
21 well as the Virgin Islands, but one contradicts the other one if  
22 you have to put it in the broad scheme of things, but we're here  
23 trying to meet a mandate and we're missing the point.

24

25 Like I said, I'm going to push against the system, because, if  
26 it ain't working, it ain't working. It does not make  
27 commonsense that we are going to double theirs or whatever they  
28 give them and we're going to take from the other guys. Either  
29 fishery is that good or it ain't.

30

31 **CARLOS FARCHETTE:** Roy.

32

33 **ROY CRABTREE:** Remember a couple of things. One, in Florida,  
34 they don't fish all year. They have a three-month closure in  
35 the spawning season, where the traps are out of the water. They  
36 put them onshore, and they don't fish. The reality is that  
37 you're fishing the longer season down here than they are in  
38 Florida.

39

40 The other thing that I would point out is one of the things that  
41 happened in Florida is their fishery showed a big decline in  
42 2001 or so. The landings fell way off and stayed down for a  
43 number of years, and there was thought that this virus that was  
44 going around had affected the Florida fishery.

45

46 Now the catches have come back up, and so when they originally  
47 chose the period of years that they based the annual catch limit  
48 on, it had a lot of those low landing years in it, and, now that

1 the catches have come back up, what the scientists did was to  
2 pick a longer time series of years, and that brought the ACL up.

3  
4 Now, when we set the catch limit that they currently have, we  
5 didn't think they would catch that, and they ended up catching  
6 it and going over it, and so just because people are saying  
7 we're setting a catch limit higher than what they catch -- That  
8 may be so, but I am not convinced that that is the case or not.

9  
10 I'm not saying, Tony, that the catch limit for spiny lobster is  
11 set where it needs to be. It may well not, and it may be too  
12 low. I don't know. I think the best way is to get through this  
13 process and re-look at it, but that's the key thing with  
14 Florida, is they had a period of low landings in Florida that  
15 appears to have -- Whatever caused it appears to have changed,  
16 and the landings have gone back up, and so they picked a longer  
17 timeframe and that brought the landings back up.

18  
19 **CARLOS FARCHETTE:** Blanchard.

20  
21 **TONY BLANCHARD:** Okay, and so let me give you a comparison,  
22 probably which ain't the same, but I'm going to compare it to  
23 how we deal with it. Yes, we fish all year, but remember that  
24 the Virgin Islands, and I am not speaking for Puerto Rico,  
25 basically all the money is coming from the tourists. When the  
26 tourists stop coming in, we stop selling.

27  
28 In a way, that is our closure, because we are restricted on a  
29 market-driven industry, and so are forced to cut back, and so  
30 that's our seasonal closure, until the time when the tourists  
31 start to come back and we can afford to go back out and press it  
32 for the sales to catch back up.

33  
34 Yes, we don't have a time of the year where we pull the traps  
35 out of the water, but, basically, we are restricted by the way  
36 we do business. Now, like I said, it just don't make no sense  
37 to me that we're going to give somebody an increase and we're  
38 going to give somebody else a decrease on the same stock.

39  
40 Maybe I am missing something, and I agree with you that maybe we  
41 should see what these strategies show, but, to me, sitting down  
42 here, and I am a Puerto Rican fisherman, and I'm going to hear  
43 that Florida is getting an increase, and I'm now taking a  
44 reduction, I mean that would just fuel me. Put yourself in  
45 their shoes and tell me what you think they are feeling.

46  
47 **ROY CRABTREE:** I grant you that it is a problem, and it's  
48 something that we need to look at. If you want to ask your SSC

1 to look at what happened in Florida and explain to us why the  
2 science leads to different outcomes down here, I think that's a  
3 fair question.

4  
5 **CARLOS FARCHETTE:** Okay. I have Marcos, Nelson, Schuster, and  
6 then I need to take a break.

7  
8 **MARCOS HANKE:** Following up with what Tony just expressed, we  
9 have been discussing the lobster fishery as a whole. They are  
10 all interconnected from all of the Caribbean to Florida, and  
11 that's what we state, and everybody agrees with that. Then,  
12 once we manage that fishery under the jurisdictions that we  
13 have, we are assuming that one end of the scope is okay to  
14 increase and the area that the reproduce and have all the other  
15 different characteristics that you have from Florida, then you  
16 reduce those guys.

17  
18 When you brought up the point that Florida removed the traps  
19 out, that is true. You can measure that and everything, but you  
20 are not putting on the table too that we have a 3.5 carapace  
21 length and, in my opinion, that benefit to the resource is  
22 underestimated, and the benefit is point one. Point two is we  
23 are also restricted, not because you stated the three months  
24 that you take the traps out, but we have weather restrictions,  
25 because of the size of our boats, that is different than  
26 Florida, to the benefit of the resource.

27  
28 We have market-driven restrictions, and we have, like I said,  
29 the smaller boats and smaller fishing capacity to impact the  
30 resource over here. Basically, we have an artisanal approach to  
31 the fishery, and that's not taken into consideration.

32  
33 For somebody to come and look into what we have been doing, it's  
34 like let's protect the lobster in Puerto Rico for those little  
35 guys and give the opportunity for somebody else to do it for the  
36 same reasons, but not giving the same weight of balance on that  
37 discussion.

38  
39 Now we are in a position in which the fishermen are requesting  
40 fairness on pursuing science, and this is the third or fourth  
41 meeting that we have that request in place, and nothing happens.  
42 It has been basically before a PR of no, we want the fishermen  
43 to participate, but we are doing nothing, and I am ashamed of that.  
44 I am really worried with that.

45  
46 **CARLOS FARCHETTE:** Nelson.

47  
48 **NELSON CRESPO:** I have to support the words of Farchette and

1 Marcos. For example, the last month of November, in the first  
2 two weeks, we have to stop the fishermen to keep bringing  
3 lobsters, because the market is getting this close to collapse.  
4 The fishermen are obligated to reduce the price to three-dollars  
5 a pound because we have so many lobsters that it's incredible,  
6 and we have to do something about that.

7  
8 Also, the same situation occurred with the deepwater snapper.  
9 We have better fish, bigger fish, and the fishery is healthy,  
10 and we have to do something about that, too.

11  
12 **CARLOS FARCHETTE:** Okay. Schuster and then a follow-up with  
13 Blanchard. Then I have to take a break.

14  
15 **EDWARD SCHUSTER:** Some of the points that I wanted to get across  
16 were touched on by Marcos Hanke and Tony Blanchard, but it's  
17 true that we mentioned the fishermen -- Also, when we did the  
18 island-specific districts for DAPs, but it's a market-driven  
19 industry.

20  
21 We have a hurricane season, and we also have like a back-to-  
22 school, where people cut back here when the kids go to school.  
23 They cut back on their spending on seafood and so forth, and,  
24 also, there is a difference in culture. Both islands have a  
25 different festival. St. Croix is in December, the month of  
26 December, and St. Thomas is in April and May.

27  
28 You would not see the impact, when it comes to harvesting these  
29 products, but my concern is, and I can't remember right now in  
30 the database that I have in my head, but there was a study done  
31 here or done by the council where they did dying of the larvae  
32 when they caught them in these air conditioner filters or  
33 floaters, and they died, the larvae, and they showed a graph  
34 where they released this filter trap with a buoy and it was  
35 tracked all the way into the flats of Florida.

36  
37 It was known that a lot of the recruitment that happens in  
38 Florida comes from the Caribbean, and we started to think, well,  
39 where is our recruitment coming from, and it's coming from the  
40 eastern Caribbean islands, where there is no regulations going  
41 on up there.

42  
43 As I can remember too, there was one time that we were almost  
44 forced to try to change our carapace length to a three-inch  
45 carapace length, and we fought against it, to stick to the 3.5  
46 carapace length, and that's a great benefit to our fishery.

47  
48 If you give the lobster a chance to grow, and it was known, by a

1 study given here, that the lobsters spawn after a 3.0 carapace  
2 length, and these things are not being factored in. I mean, if  
3 we have a bigger carapace length, the lobsters are bigger here  
4 in the Caribbean, then where is the balance and the benefit that  
5 we get or rewarded?

6  
7 I mean, we didn't have a season closure, but we regulate it  
8 ourselves. Why catch it if you can't sell it? That's basically  
9 it, and so we regulated ourselves, on our own, plus the weather  
10 that we go through and the size of the boats that we fish, and  
11 so we're limited in where we can go and what do you do? You  
12 catch it just the same, you catch in for bragging rights? We  
13 don't do that.

14  
15 **CARLOS FARCHETTE:** Blanchard.

16  
17 **TONY BLANCHARD:** I am going to use statement that Clay made  
18 yesterday, and, if I misquote you, maybe you could correct me.  
19 Clay said that the Magnuson-Stevens Act was designed for big  
20 fisheries like Alaska. We're in St. Thomas, and we're an  
21 island, and let's wake up.

22  
23 **CARLOS FARCHETTE:** Okay. With that, let's take a break. Hold  
24 on. Richard.

25  
26 **RICHARD APPELDOORN:** If I could just make a quick comment.  
27 There has been some comparisons of, quote, the science here  
28 versus the science in Florida, and I would like to point out  
29 that the ACLs that were put into place initially were following  
30 the NS-1 guidance based on average catch. There was no  
31 assessments that went along with those to say whether those  
32 levels were actually at an MSY level or not.

33  
34 Where we were functionally, basically, left was let's put the  
35 level here and see how the stocks respond. If they respond in  
36 such a way that they look healthy, we can increase them. If  
37 they respond by going down, we would decrease them. Those  
38 changes do not take place overnight, and so now we have five  
39 years', in some cases six years', worth of data now. That's  
40 enough data to make those assessments, and that's what we will  
41 be doing, going into all the ACLs that we're going to have to  
42 revise for the new island plans.

43  
44 It's not that our science is different from what's been  
45 happening in Florida. We are just kind of behind in that, but  
46 now we're in a position to start looking at that.

47  
48 **CARLOS FARCHETTE:** Thanks, Richard. That's good news. Now



1 we're in a position to do something about it. I like to hear  
2 that. We're going to take a break for ten minutes.

3  
4 (Whereupon, a brief recess was taken.)

5  
6 **CARLOS FARCHETTE:** Okay. We're going to get back to work.  
7 Let's get back to business at hand. Next on the agenda is the  
8 SEDAR 2017 Update on Life History Workshop and Spiny Lobster.  
9 That's going to be done by Graciela.

10  
11 **SEDAR 2017 UPDATE ON LIFE HISTORY WORKSHOP AND SPINY LOBSTER**

12  
13 **GRACIELA GARCIA-MOLINER:** This is going to be very short,  
14 because Richard already covered most of what we needed to say,  
15 but we are in conversations regarding the 2018 early life  
16 history workshop.

17  
18 One of the main reasons for pushing it back in time or forward  
19 in time is that we are currently -- There is already work being  
20 done on collecting information on the life history of a number  
21 of species, and that won't be done until late 2017 or early  
22 2018.

23  
24 The species of concern include the hogfish, the queen trigger,  
25 the queen parrotfish, the stoplight, princess, redband, redband,  
26 the porgy, and then there is one more proposal out for  
27 additional species, but this includes, in some cases, the Virgin  
28 Islands and Puerto Rico, and some others are just Puerto Rico,  
29 but at least there will be local life history information  
30 available to upgrade the information that had been gathered  
31 through the SEDAR 46.

32  
33 We are in the planning stages. We will hold a call early next  
34 year to set up the workshop, see who to invite, who is going to  
35 participate, and what representation we are going to have. From  
36 the points that Richard made earlier, one of the main issues  
37 that we have is the insistence on ecological indicators and  
38 changes in the oceanography or in the environment that might  
39 cause changes in the recruitment for some of these species. That  
40 is the update on the life history workshop.

41  
42 As Richard said, we are hoping to -- Once the SSC finalizes  
43 reviewing the SEDAR 46, it should be fairly easy, quote,  
44 unquote, to plug in the spiny lobster data for Puerto Rico and  
45 have the same assessment done for the three islands, and so we  
46 are hoping that that's the case.

47  
48 We had a call the other day about the presentation to the SSC

1 with the Science Center, and it's just very timely to step back  
2 and look at the whole process again, from the concepts to the  
3 way that it was done, to the data that are available, and they  
4 will be presenting that at the SSC, and we are, in fact, setting  
5 aside, right now, two days, but it will be most likely two-and-  
6 a-half days to complete the SEDAR 46.

7  
8 Once that is done, then our spiny lobster species assessment  
9 will come in. It's been pushed back a little, but we are not  
10 losing sight of the two things that we wanted to do. It's just  
11 that we need to accommodate also the SEDAR schedule and how they  
12 can manage, because the Science Center is basically who does all  
13 the background work and all the data processing and all the  
14 assessments and the presentations to the reviewers, but we are  
15 in the schedule to do that.

16  
17 **CARLOS FARCHETTE:** I have a question. Did you mention the  
18 redband parrotfish?

19  
20 **GRACIELA GARCIA-MOLINER:** For the life history information, yes,  
21 but this is data that are being collected. I am not saying that  
22 these -- All the information that we can find will be brought  
23 into what they have done in SEDAR 46, which is the very thorough  
24 review of the literature that was available.

25  
26 These are information or data that are coming in from the local  
27 fisheries, and so there is some data from St. Croix that they  
28 are already processing at the Fisheries Lab. I don't know the  
29 numbers, if we are going to have a complete set of ages and  
30 lengths, et cetera, but that is in the works.

31  
32 **CARLOS FARCHETTE:** Okay. Correct me if I'm wrong here, but I  
33 think I remember, many moons ago, attending a -- I believe it  
34 was an SSC meeting where they had a peer review and assessment  
35 of redband parrotfish, and I think it was determined not to be  
36 overfished or undergoing overfishing.

37  
38 **GRACIELA GARCIA-MOLINER:** The issue with life history  
39 information is that they are actually participating with the  
40 local governments in actually collecting the fish and looking at  
41 the otoliths and looking at the size at age and looking at the  
42 gonadal stage.

43  
44 It's the life history, and hopefully we will get the complete  
45 set of years that you need to look at to see what's happening  
46 with the population, and so it's at that stage that they are  
47 doing this work. These are proposals that have been funded over  
48 time, and that's the information that we're getting.

1  
2 **CARLOS FARCHETTE:** Let me ask you then, would this life history  
3 information affect that determination by the peer review at any  
4 time? Could that happen?  
5

6 **GRACIELA GARCIA-MOLINER:** Remember now that, with the SEDAR 46,  
7 you're looking at a new methodology, at a new toolbox, that  
8 you're going to be using to determine how your fisheries are  
9 doing. I don't know what information we will have available  
10 when the time comes that that comes into the cycle of SEDAR  
11 again, and so it will really depend on what additional  
12 information we have obtained over time that could change  
13 anything that goes into the models.  
14

15 **CARLOS FARCHETTE:** Thank you. Any more questions for Graciela  
16 or comments? Hearing none, I will move forward. We have  
17 Accountability Measures Timing Update on Status Following  
18 Secretarial Submission. That will be Maria Lopez.  
19

20 **ACCOUNTABILITY MEASURE TIMING UPDATE ON STATUS FOLLOWING**  
21 **SECRETARIAL SUBMISSION**  
22

23 **MARIA LOPEZ:** Good morning, everybody. I just wanted to give  
24 you a quick update of where we are with this amendment that the  
25 council approved for submission to the Secretary during the last  
26 meeting.  
27

28 This is the Timing of Accountability Measure-Based Fishery  
29 Closures, and this was Amendment 8 to the Reef Fish Amendment  
30 and Amendment 7 to the Spiny Lobster FMP and Amendment 6, so we  
31 have a reference of where we were.  
32

33 Just a quick overview. The goal of the amendment to these  
34 fishery management plans was, to the extent practicable,  
35 minimize the socioeconomic impact that these closures from  
36 accountability measures have and while it will still constrain  
37 catch levels to the applicable ACLs and prevent overfishing, and  
38 so that was the general goal of this action.  
39

40 This amendment had two actions. Action 1 was the one that would  
41 modify the date for the application of those AM-based closures  
42 from the current date, what we currently do, which is close from  
43 December 31 backward into the year, for as many days as are  
44 necessary to achieve the reduction, the required reduction, in  
45 landings.  
46

47 This action and this amendment, what it did was change that date  
48 for the implementation of accountability measures so that they

1 will start on September 30 and go backward into the year, and so  
2 that will leave the Christmas holiday period open for harvesting  
3 for any species that will require an AM closure during a  
4 specific year.

5  
6 If, for any reason, there needs to be an additional reduction,  
7 because the time left in the year is not enough to cover, for  
8 example, all the way from September 30 all the way to January 1,  
9 then it will go in the opposite direction, and that means  
10 starting October 1 all the way to December 31. However, based  
11 on recent closures, I don't think that's something that will  
12 happen, but we have that in there, just in case.

13  
14 Then the second action was basically to specify a maximum time  
15 from implementation, and so from when this final rule is  
16 effective, and every two years after for revisiting and  
17 potentially revising the approach selected to set either the  
18 method or the date, this new date, for the AM closures. That  
19 means that you have two years. In two years, you have kind of  
20 like that requirement to go back, but, again, the council, at  
21 any time, can decide to revisit this. This is just stating like  
22 a maximum time.

23  
24 Where we are right now, as I mentioned before, during the past  
25 council meeting in August, the amendment was approved by the  
26 council for submission to the Secretary of Commerce, and, after  
27 that, the IPT and staff and the economists, they finalized the  
28 document. Then the council submitted the amendment on October  
29 13, 2016.

30  
31 Once the amendment is submitted, then NOAA Fisheries starts the  
32 process of getting everything that is necessary to prepare the  
33 regulations and to submit this to the Secretary so they can  
34 review it, and so we have been doing that. Right now, soon, we  
35 are expecting that the Notice of Availability of the amendment,  
36 which is basically it's published in the Federal Register, the  
37 amendment, for you to review and comment.

38  
39 That will be for sixty days and, during that time, there is also  
40 going to be a proposed rule, which will be implementing the new  
41 date, from September 30 backward, and that will have also a  
42 thirty-day period for you to make comments.

43  
44 Then, after that, if there are any comments, NMFS will respond  
45 to those comments in the final rule. The final rule will be  
46 expected to be effective at some point in early 2017. Right  
47 now, I don't have a specific date. We are still in the process  
48 of preparing the proposed rule.

1  
2 What this means, and with this I will conclude, is that if there  
3 are any closures, accountability-measure-based closures, that  
4 need to be implemented in 2017, once this final rule is  
5 effective, they will start basically on September 30, 2017, and  
6 go backward for the number of days needed to achieve that  
7 required reduction in landings, and so that will be the  
8 difference that we're hopefully planning to have implemented, so  
9 that it can take place if there are any AM closures in 2017.  
10 That's it.

11  
12 **CARLOS FARCHETTE:** Thank you. Any questions or comments?

13  
14 **BILL ARNOLD:** I just want to clarify the last bullet point on  
15 that slide, and that is that we would like for the September 30  
16 date to be implemented in 2017, but I can't promise that it will  
17 be for any or every AM-based closure that has to take place,  
18 because it will depend upon when we get this rule in place  
19 relative to how long that closure has to be.

20  
21 If we don't get the rule in place until September 25 and the  
22 closure is longer than five days, then we can't start the  
23 closure on September 30. That's an extreme example, but there  
24 are some potentially lengthy AM-based closures, at least for  
25 Puerto Rico's recreational sector, that, depending upon when we  
26 get this rule in place, could require more time than we have if  
27 we start on September 30.

28  
29 **CARLOS FARCHETTE:** Graciela.

30  
31 **GRACIELA GARCIA-MOLINER:** One more thing. This is something  
32 that the fishermen have been requesting for a long time, and  
33 it's a little bit late for -- This is one of the questions that  
34 we received at the council, whether this would really apply for  
35 next year, and that's something that, as Maria said, they are  
36 trying to write the rule. I mean, they do have to go through  
37 the process, and the dates are there, and so it will come,  
38 hopefully, in 2017, before the next closures, if there are any  
39 for next year.

40  
41 **MIGUEL ROLON:** The most important part is what Bill said to the  
42 council. This is something that has to follow the process.  
43 There is no guarantee. We hope that this will kick in during  
44 2017, but this is a for-your-information statement on our part,  
45 so people will know what we're talking about.

46  
47 **CARLOS FARCHETTE:** Okay. Any more questions for Maria? Hearing  
48 none, thank you. Next on the agenda is Island-Based Fishery

1 Management Plans. The hard work begins.

2  
3 **ISLAND-BASED FISHERY MANAGEMENT PLANS**  
4 **REVIEW OF PROPOSED ACTIONS AND ALTERNATIVES**  
5

6 **GRACIELA GARCIA-MOLINER:** Yes, this is hard work. You should  
7 have received a copy of the draft for each of the islands, one  
8 for St. Thomas/St. John, one for St. Croix, and one for Puerto  
9 Rico. What we are going to do is that we are going to start  
10 with St. Thomas, the actual draft that you have, and so you will  
11 see that it is explained at the beginning why -- The actions are  
12 all in here, and the alternatives that we have come up with so  
13 far.

14  
15 I just want to explain a little bit of the process. I mean,  
16 there isn't a team behind all of these, that you see all of  
17 these draft actions. There are people that have conversations  
18 over the period of time that we've been dealing with this, and  
19 not all of the alternatives might be in there, and that's one of  
20 the things that the council has to do, is take this to the  
21 public, to see what comments we receive regarding these actions.

22  
23 Let's go directly to Action 1, and it's been identified in the  
24 draft that you have what actions still need input from the SSC.  
25 Once that input is in there, then that will come back to the  
26 council. Then we'll go back and we'll look at the timeline that  
27 Bill has prepared for the FMPs. Some of the hard work will come  
28 when we talk about the selection of the years that need to be  
29 looked at in order to determine, in the end, the ACLs.

30  
31 **MIGUEL ROLON:** Because we are close to lunchtime, what would you  
32 like to do, you and Bill? Do you want the council to go through  
33 the whole presentation first and then go back to whatever is  
34 needed to be discussed or how do you want to play it?

35  
36 **GRACIELA GARCIA-MOLINER:** These drafts are really for you to  
37 become very familiar with the actions that are being developed,  
38 so that when we come back, mostly with the SSC input, to talk to  
39 you about making a decision on what the alternatives should be  
40 left in the documents, why yes and why not, that is what we  
41 want, really at the next meeting.

42  
43 We just want to go through the actions in a very general format.  
44 If you have read the draft, if you have any specific questions -  
45 - You will see that there is a lot to be determined in the  
46 tables, because they deal with the data that we need to look at  
47 in order to make a determination of ACLs.

1 **MIGUEL ROLON:** The question is, Graciela, this is for  
2 information purposes only. This is what we requested from the  
3 staff at the August meeting. You asked the staff to put  
4 together a document that will be taken to public hearings, that  
5 will be taken to the SSC for consultation, but the question is  
6 do you think that the staff covered everything that the council  
7 did or do you need anything from this meeting or we should wait  
8 until the following meetings to react to anything that is  
9 written here?

10  
11 **GRACIELA GARCIA-MOLINER:** The council members should be very  
12 familiar with the actions that are already set in here. The SSC  
13 will meet in February, the week of February 6, and they will be  
14 talking about the specifics that we need to deal with, and that  
15 is, for example, the determination of whether we're going to use  
16 indicator species, the determination of some stock complexes  
17 that we have dealt with, and then the nitty-gritty that we would  
18 like some input, and probably a little bit of discussion, is in  
19 terms of the year sequence that we need to look at if we're  
20 going to determine the ACL, in the end, the same way that we've  
21 done it in 2010 and 2011. Probably, if we can come back and  
22 just look at that section of the year sequence, that might be a  
23 -- Or we can do it right now.

24  
25 **MIGUEL ROLON:** Do what?

26  
27 **GRACIELA GARCIA-MOLINER:** Look at the year sequences, the  
28 actions the way that they've been set up. This is, more than  
29 anything else, familiarize yourself with the actions.

30  
31 **MIGUEL ROLON:** Yes, the most important thing is for the council  
32 to see what we have. You already have this document in your  
33 briefing book. The idea is that you make sure that everything  
34 that you thought about it in August is included here, but, when  
35 I looked through the document, I thought that the staff had done  
36 excellent work putting all of this together, and I believe that  
37 your reaction will really be needed the next time that we meet,  
38 but, at this time, it's just to force you to look at it, so  
39 that, when you go back home, you may be able to look further  
40 into it.

41  
42 **CARLOS FARCHETTE:** Isn't this something that we did in Puerto  
43 Rico with all the three DAPs, when we decided what species were  
44 going to be in here?

45  
46 **GRACIELA GARCIA-MOLINER:** Those are Action 1 and 2, and you have  
47 a process by which you can determine what species will be  
48 managed under the federal government. You have to follow

1 through, and, for those stocks, you have to determine what the  
2 OFL is, the MSY, et cetera, and so those -- One of the things  
3 that is in this document is the same way that you did things way  
4 back when, and so just catch data.

5  
6 The second part of that also includes looking at the SEDAR 46  
7 approach, and so you will have, in your ABC control rule, a way  
8 of dealing with it. Right now, you are at Tier 4, which is  
9 basically you are overfishing or you are not, and then you  
10 determine, from that, what scalar to use, but all that you  
11 requested has been put in the actions that are here.

12  
13 We don't have, at this stage, any data to show you regarding the  
14 specific years to be considered, except for those that were used  
15 before, and so prior to 2005 in the Virgin Islands, prior to all  
16 the closures, et cetera. Then there will be some discussion  
17 about the recent years, which are all ACL-based catch reports,  
18 and so that is also in there.

19  
20 **MIGUEL ROLON:** Can we just go through your presentation?

21  
22 **CARLOS FARCHETTE:** Bill, did you want to say something?

23  
24 **BILL ARNOLD:** Just real quickly, to get everybody reminded of  
25 what we're doing, at the last meeting, as Miguel mentioned,  
26 there was a request from the council to present all of the  
27 actions with a reasonable range of alternatives that we intend  
28 to include in these management plans, and that's what you will  
29 see today for the first time. You have not seen all five  
30 actions, four of which we have a reasonable list of alternatives  
31 included.

32  
33 Now, the essential fish habitat thing, we're still working with  
34 our habitat folks and getting that one figured out, but I think  
35 it's very important that the council get a good look at this, so  
36 they know what we're talking about, they know how the  
37 alternatives work, they know some history of these various  
38 alternatives, so that, in February, the SSC will meet and  
39 further develop particularly Actions 2 and 3.

40  
41 Then, after that, but before the next council meeting, the DAPs  
42 will meet, and they will be able to understand and comment on  
43 what these actions and alternatives are. There will be no  
44 preferred alternatives identified, but just what the range is.  
45 They can make whatever comments they want as to what they may  
46 prefer or not.

47  
48 Then the reason this is so important today is so that, when we



1 come back to that spring meeting, everybody is ready to go and  
2 make serious decisions, because what we're going to want at that  
3 spring meeting is not the final preferreds, but the tentative  
4 preferred alternatives that the council might choose for each of  
5 these actions, and then that will allow staff to develop  
6 analyses of those potential preferred alternatives and even to  
7 perhaps take them out for some level of scoping, and we've got a  
8 timeline for all of this that Graciela may wish to present.

9  
10 Then continue to step this process forward in a functional and  
11 progressive manner, which is what we want to do, rather than  
12 having levels of confusion that prevent us from continuing to  
13 make progress. If there is confusion on the part of the  
14 council, I would take responsibility for that, and that's what I  
15 am trying to avoid, and that's what we're trying to avoid.

16  
17 **GRACIELA GARCIA-MOLINER:** Okay. What we will do is we will go  
18 through the document. We will just go through the actions and  
19 the alternatives that are presented. There is some tables in  
20 the text.

21  
22 Action 1 is, as you had mentioned earlier, is the determination  
23 of the species to be included in the management. In this case,  
24 we are using the St. Thomas and St. John FMP. Remember that  
25 there is a difference between each of these FMPs. They do have  
26 a different list of species, but the actions themselves, in  
27 terms of what they state, are basically the same.

28  
29 You always see, for every action, that the first one is going to  
30 be an alternative of no action. No action is, in this case,  
31 your FMP will be composed of those species that are already in  
32 the fishery management units and they are already managed under  
33 the Spiny Lobster, the Reef Fish, and the Queen Conch FMP and  
34 the Coral and Reef-Associated Plants and Invertebrates. That is  
35 always going to be Alternative 1, no action.

36  
37 The second alternative, in this case, is that you will follow a  
38 step-wise application of the set of criteria that we have talked  
39 about in other meetings to select those species that will be  
40 under management. The evaluation includes that they are present  
41 in the EEZ, that they are of significant harvest, of ecological  
42 importance and significance, that they can be excluded if they  
43 do not occur in the EEZ. You have four criteria that you go in  
44 a step-wise manner to determine what the species are.

45  
46 I don't think we should go through the tables again, and so I am  
47 just going to jump to Alternative 3, which then states that,  
48 instead of following --

1  
2 **CARLOS FARCHETTE:** I have a quick question. Those species lists  
3 don't change, right? That's what we're going to decide our  
4 alternatives on, right?  
5  
6 **GRACIELA GARCIA-MOLINER:** This is what you are proposing. There  
7 might be some comments from the public at some stage during the  
8 public comment period that will indicate to the council that you  
9 should not or should include, but the way that you select the  
10 species should be Alternative 3 instead of Alternative 2.  
11  
12 **CARLOS FARCHETTE:** I've got you. So the public hearings could  
13 change some of this stuff. It depends on what they provide.  
14 Okay.  
15  
16 **GRACIELA GARCIA-MOLINER:** Okay. Alternative 3 is that they will  
17 be based on one of the two criteria, but not necessarily in a  
18 step-wise process. Those are the three alternatives that are  
19 considered under Action 1. This is how you could determine, how  
20 you could potentially determine, the species or you have already  
21 determined the species that you are going to manage or not.  
22 Moving on to Action 2, that's on page 13.  
23  
24 **CARLOS FARCHETTE:** Bill.  
25  
26 **BILL ARNOLD:** We've got three alternatives under Action 1. We  
27 have a list of species based upon Alternative 2. If the council  
28 chose that as their preferred alternative, and, depending upon  
29 public input, that would be the list of species to be managed  
30 for whichever island we're talking about. That doesn't have to  
31 be your preferred alternative.  
32  
33 If you chose a different preferred alternative, you would get a  
34 different list of species. I just want to make sure that we're  
35 clear on that, and so we're not presupposing what your preferred  
36 alternative is going to be, but you have been exposed to what  
37 the alternatives are and what the species list might look like  
38 under at least one, if not all, of those alternatives.  
39  
40 **CARLOS FARCHETTE:** Roy.  
41  
42 **ROY CRABTREE:** But Alternative 3 now does not have a list of  
43 species associated with it?  
44  
45 **BILL ARNOLD:** It does not, because that's a far more complex  
46 analysis, but we could do that, at the council's request. It  
47 would be similar, but not identical, to the species list under  
48 Alternative 2.

1  
2 **ROY CRABTREE:** How do we compare Alternatives 2 and 3 if we  
3 don't have a list of species for 3?  
4  
5 **BILL ARNOLD:** You could look at the list of species, but I would  
6 emphasize the process and not the outcome, and the process is  
7 what you would be choosing.  
8  
9 **GRACIELA GARCIA-MOLINER:** If you look at the criteria, the  
10 criteria are listed in exactly the same order, and so you would  
11 have to determine which criteria you are going to use to  
12 determine what your list of species is.  
13  
14 Alternative 2 actually gives you the step-wise process to do  
15 this, and the SSC has gone through the exercise of actually  
16 doing that. The DAPs have gone through the exercise of doing  
17 this, and it is not the preferred alternative yet, but, as Dr.  
18 Crabtree mentioned, that's one of the issues, how do you compare  
19 these.  
20  
21 What Bill is saying is look at the process. If you think that,  
22 if they do not occur in the EEZ, that the exclusion should be  
23 one of the criteria that you look at, then give the staff  
24 direction in terms of what you might choose. Otherwise, all  
25 possible combinations under this alternative would have to be  
26 looked at.  
27  
28 **CARLOS FARCHETTE:** But I think that we did use these criteria to  
29 determine that list of species, right? Okay. Marcos.  
30  
31 **MARCOS HANKE:** I have a question about Criterion B. That  
32 analysis of the expert, what about in the case that you have a  
33 stage in the life cycle that is very important for the species  
34 that is not in federal waters, but is critical for the species?  
35  
36 **GRACIELA GARCIA-MOLINER:** One of the issues has to do with the  
37 fact that we were looking at fisheries, per se, but the SSC  
38 actually considered what stage of the life history occurred  
39 where, and so there are some species that occur the other way  
40 around, that are mainly in the state waters, but they do use the  
41 EEZ, for example the shelf edge in the EEZ, to spawn.  
42  
43 Most of the juveniles will occur in the state waters, but the  
44 fishery for the adults would be in the EEZ, and so that  
45 information has been part of the process of selecting these  
46 species, because it's not only the SSC, but, before the SSC, a  
47 working group actually looked at all the information that was  
48 available to see how the process would move when we were

1 developing the step-wise approach. That is also taken into  
2 consideration.

3  
4 For Action 2, this action deals with establishing the stock or  
5 stock complexes, in this case in the St. Thomas and St. John  
6 FMP. Again, the Alternative Number 1 will be the no action, and  
7 so retain the stock complexes as they are right now for all of  
8 the FMPs that are in place. You do have the list of species for  
9 Alternative 2. One thing would be to just leave it at the  
10 species level and every single species that made it into the  
11 list will be looked at separately.

12  
13 The Alternative 3 would be to manage these species as individual  
14 stocks or stock complexes based on scientific analysis,  
15 including one or more of the following, and this is where the  
16 information that has already been presented to the SSC comes  
17 into place, and this is some of the cluster analysis that has  
18 been done by the Regional Office, the outcomes from the SEDAR,  
19 the Caribbean Data Evaluation Workshop of 2009, biological and  
20 life history similarities and vulnerabilities, and expert  
21 opinion from both the scientific and the fishing community.

22  
23 Another alternative that was included here was to, where there  
24 is a stock complex, select an indicator stock based on any of  
25 the following, and this is where we stopped, because we need the  
26 input from the SSC.

27  
28 The SSC has already received information on indicator species  
29 from the Science Center, and this is where the last meeting of  
30 the SSC stopped. This is where we are going into for the next  
31 meeting in February.

32  
33 **CARLOS FARCHETTE:** In that meeting in February, is that when  
34 we're going to decide a preferred alternative?

35  
36 **GRACIELA GARCIA-MOLINER:** Well, if the SSC determines that the  
37 use of an indicator species for one of these stock complexes is  
38 needed or it would be a good idea or it's one thing that they  
39 can propose to the council, they would also be proposing for  
40 which groups and what species would we be talking about.

41  
42 **CARLOS FARCHETTE:** So not all species will have an indicator  
43 species.

44  
45 **GRACIELA GARCIA-MOLINER:** Not necessarily. There are some,  
46 right now, that you have stock complexes that are only one  
47 species, and some others are three or four. Are there any other  
48 questions regarding Action 2? No? Then let's move on.

1  
2 The management reference points for stocks and stock complexes,  
3 this is where the hard work begins, and this is where most of it  
4 -- You will see that it's a note that says that it needs SSC  
5 input.

6  
7 For the time series, what we're talking about is that time  
8 period from the catch information that's available that could be  
9 used to determine basically how healthy the population is. You  
10 will have Alternative 1 that is no action, and so use the time  
11 series of landings used for the 2010 ACLs and for the 2011 ACLs.  
12 Those were two groups that were divided between the stocks that  
13 had problems, like the groupers and the snappers and the queen  
14 conch and the parrotfish, and all the other groups that didn't  
15 appear to be in any kind of problem.

16  
17 Alternative 2 would be to use the longest year sequence of  
18 reliable landings data available to set management reference  
19 points, as applicable.

20  
21 Alternative 3 is use the most recent X years, and so, for  
22 example, four years of 2013 to 2016 of available landings data  
23 to set the management reference points for a stock or stock  
24 complex. There is a note here that says that we could have sub-  
25 alternatives regarding the sequence of years. Again, we need  
26 the SSC input into these alternatives.

27  
28 Alternative 4 is use the longest time series of pre-Caribbean  
29 Sustainable Fisheries Act, and that's 2005, landings data that  
30 is considered to be consistently reliable to set these  
31 management reference points. For example, in St. Thomas,  
32 specifically, 2000 to 2005.

33  
34 Then Alternative 5 is use X time series of available landings  
35 for a specific stock or complex, and so you don't have to have  
36 the same alternative for all of the species or stock complexes.  
37 You can have different ways of approaching these reference  
38 points.

39  
40 **CARLOS FARCHETTE:** Bill.

41  
42 **BILL ARNOLD:** A good example of that is angelfish in the USVI.  
43 They were not included on the catch reports for up until halfway  
44 through 2011 or something, and so that alternative you might  
45 want to choose for some of these species that we've been saying  
46 every year is enhanced reporting. Even though they're way over  
47 their ACLs, we're not going to implement AMs, but, for other  
48 species, like snapper, you may feel like the most recent catch

1 data are inappropriate and you want to use a different time  
2 series, like the 2010, which, for St. Croix, was 1995 to 2005 or  
3 whatever, and that's why Graciela emphasized this.

4  
5 You don't have to choose one alternative that covers every  
6 single species or complex. You can tailor your year sequence to  
7 the needs of that specific complex or species.

8  
9 **GRACIELA GARCIA-MOLINER:** The same data that was available to  
10 2010 and to 2011, that's the same data that is still available  
11 for that time period, and so, as Bill is saying, things really  
12 didn't change until 2010 and 2011. That's when we have more  
13 species-based information for the Virgin Islands.

14  
15 Not only that, but it also changes the species-specific  
16 information that was being collected for Puerto Rico, and so  
17 there is definitely a break in the type of landings information  
18 that you are getting prior to 2010 and after 2010.

19  
20 **CARLOS FARCHETTE:** Year sequence, I am kind of concerned with  
21 this, because, if we use a year sequence that we already have an  
22 ACL for, you are actually restricted in your landings by that  
23 ACL, as opposed to, before we had ACLs, those landings would be  
24 pre -- I am a little confused as to what would work better for  
25 us.

26  
27 If you're already constrained by ACLs, your year sequence is  
28 going to show -- I am going to use an example of queen conch,  
29 where we have a quota. We know that, and this is my opinion  
30 only, and I speak for St. Croix, that the quota is being met.  
31 The only thing is they're not reporting that, and so you're  
32 using a lower landings. You are using 25,000 or 35,000 pounds  
33 of landings, when we know that they are already meeting that  
34 50,000, and so I'm kind of concerned of using the year sequence  
35 like that. Bill.

36  
37 **BILL ARNOLD:** It's the SSC's job to explore these various year  
38 sequences and try to identify the ones that best represent  
39 sustainable harvest. That's what they did in the 2010 and 2011  
40 Caribbean ACL Amendments. They said here is a sequence of years  
41 that best represents sustainable harvest, and they will bring  
42 those back as the fleshed-out alternatives for this with  
43 explanations, so you can make clear decisions as to what seems  
44 to be the most appropriate year sequence.

45  
46 Understanding that different year sequences give you different  
47 outcomes is important today. Trying to identify what those year  
48 sequences are or might be is totally unimportant for today.

1 That's not what we're trying to get at. That's why this SSC  
2 meeting is going to be so important.

3

4 **CARLOS FARCHETTE:** Thanks, Bill.

5

6 **GRACIELA GARCIA-MOLINER:** But it puts into perspective not only  
7 the council members, but also the DAPs, to think in terms of  
8 what has occurred in the fishery over whatever period of time  
9 that might be of significance in impacting the actual landings  
10 information that is being collected. These are the kinds of  
11 things that have to be in the back of everyone's minds when we  
12 look at the data for those years. Are there any other comments  
13 on the time series?

14

15 **CARLOS FARCHETTE:** Bill.

16

17 **BILL ARNOLD:** Remember these are the alternatives that we came  
18 up within each action as staff. You guys are more than welcome  
19 to comment and make suggestions as to how you want them tweaked.  
20 That's another part of -- You don't have to make them this time.  
21 You can make them at the next meeting. You can make them  
22 anytime between now and the next meeting. You're the council.  
23 You can make them anytime you want, but we're certainly open to  
24 suggestions and advice as to how you might want to tweak them,  
25 but I think this is, as I said earlier, a reasonable range of  
26 alternatives.

27

28 Iris may want to comment, but that's one our obligations under  
29 the National Environmental Policy Act, is to provide a  
30 reasonable range of alternative approaches to solving a specific  
31 problem. Then the public and the council and many, many people  
32 have input into what they feel is the best within that  
33 reasonable range of alternatives.

34

35 **GRACIELA GARCIA-MOLINER:** Okay. Let's move on to Action 3B.  
36 Following the same process that you dealt with in 2010 and 2011,  
37 once you have selected a timeframe to look at, then you have to  
38 establish maximum sustainable yield, in this case proxies, for  
39 these complexes.

40

41 Always the Alternative 1 is no action. The methods used in 2010  
42 and 2011 would be used for the species in the list now. This is  
43 a summary of the way things were done then, and so basically the  
44 commercial and recreational data were combined into a mean  
45 annual commercial landings for the year sequences that were  
46 selected way back when.

47

48 The issue with the commercial and the recreational catch in the

1 Virgin Islands is that we have information for the commercial  
2 sector, but we don't have really any information on the  
3 recreational sector, and so they have been considered as one,  
4 and so that's one issue that we still are dealing with. For  
5 most of the species, that was what we used. In terms of sea  
6 cucumbers and some other species, it would be the median that  
7 would be used.

8  
9 Alternative 2 then would establish the MSY proxy, as described  
10 by sub-alternatives below. A different one can be chosen for  
11 each different stock or stock complex, and so one of them is to  
12 use the median annual landings for the year sequence that you  
13 have selected in the previous action and the other one is to use  
14 the mean landings for that year sequence.

15  
16 Then Alternative 3 is the long-term yield at the maximum fishing  
17 mortality threshold. This would be the Tier 1 of the ABC  
18 control rule that was presented at the last council meeting,  
19 but, again, this is something that the SSC would have to look at  
20 and discuss at the next SSC meeting. I don't think we have come  
21 up with any other alternatives besides what is here. Are there  
22 any comments on these?

23  
24 **CARLOS FARCHETTE:** Didn't we do something, take some action,  
25 against the harvesting of sea cucumbers and sea urchins? Didn't  
26 we do something like an emergency stuff?

27  
28 **GRACIELA GARCIA-MOLINER:** No, what was done was that the  
29 reference that we had was the harvest from the state waters of  
30 Puerto Rico, and they had provided the Administrative Order that  
31 basically shut down the fishery. There should be some reporting  
32 on their enforcement regarding the illegal harvest still of sea  
33 cucumbers, but, as far as the EEZ, we didn't do an emergency  
34 closure.

35  
36 **CARLOS FARCHETTE:** I thought we did take a vote on that.

37  
38 **ROY CRABTREE:** We never asked for an emergency rule. We talked  
39 about it.

40  
41 **GRACIELA GARCIA-MOLINER:** Remember that you had testimony at the  
42 council meeting from harvesters of urchins and cucumbers in the  
43 EEZ, but you had no database for any of these, and the number  
44 one issue with the EEZ would be the depth at which they would be  
45 harvesting these, and, as far as I know, the only harvest and  
46 the only illegal harvest that is taking place is taking place in  
47 the state waters of Puerto Rico, but these were included.

48



1 I mean, they are included as part of the FMU, and this is where  
2 you will have to set all of these parameters, for example the  
3 same thing that you did for corals. The ACL for corals equals  
4 zero, and so there is no harvest whatsoever of corals. When the  
5 time comes, these are the restrictions that you can put on a  
6 fishery that might be of ecological significance, rather than  
7 economic significance.

8  
9 Continuing on with Action 3, and this is a long action. Anyhow,  
10 this is the OFL, the overfishing limit, for the stock complexes  
11 that you will see from Action 2. Again, the first alternative  
12 is no action. The OFL would be derived from the same methods  
13 that were used in 2010 and 2011. There are some species,  
14 species groups, that had problems, like the parrotfish, the  
15 grouper, the queen conch, and the snappers, and some others that  
16 didn't, but they will be set up the same way that they were done  
17 previously.

18  
19 Alternative 2 then, for each of them, the OFL would be the MSY  
20 proxy adjusted using the ORCS scalar. This was something that  
21 was used and discussed by the SSC way back when, when the ACLs  
22 of 2010 and 2011 were being discussed.

23  
24 Alternative 3 would be the OFL equals the MSY proxy. It would  
25 just be a straightforward equation. Alternative 4 is the OFL  
26 would be a scalar multiplied by the 75<sup>th</sup> percentile of reference  
27 period landings, where the scalar is equal or less than two,  
28 depending on the perceived degree of exploitation, life history,  
29 and ecological function.

30  
31 Each of these alternatives is making reference to the ABC  
32 control rule that you had seen at the last council meeting, and  
33 this would be directly related to that Tier 4a of the ABC  
34 control rule. Then, because you also had Tier b of the ABC  
35 control rule, the Alternative 5 then is that the OFL would be  
36 the scalar multiplied by the mean of recent landings, the most  
37 recent three years of available landings, where the scalar is  
38 less than one, depending on the perceived degree of  
39 exploitation, life history, and ecological function.

40  
41 Please note that all these have expert opinion in them, because  
42 that's the lowest tier that we have in the ABC control rule, and  
43 this is where not only is it the function of the SSC, but it's  
44 also a function of the DAP panels to provide any information  
45 that they can to this process.

46  
47 Alternative 6 is the OFL equals the yield at MFMT. Again, this  
48 goes back to the ABC control rule. This would be for when you

1 have a rich-data scenario. Alternative 7 is the OFL equals the  
2 catch MFMT, and this is the data-limited quantitative  
3 assessments that we are in the process of doing with SEDAR 46.  
4 That is seven alternatives for Action 3c.

5  
6 Really, what it does is that it takes into this action  
7 everything that you discussed at the last council meeting and  
8 that the SSC last discussed at their meeting, and so, other than  
9 that -- I mean, this is where the information, when it goes out  
10 to the public and to the scientists, if there is anything else  
11 that can be looked at --

12  
13 **CARLOS FARCHETTE:** I think, when it goes to public hearing, we  
14 need to make the Alternative 4 and 5 a little more simpler for  
15 the people, the public, that are going to come there, because I  
16 don't think they're going to understand what "scalar" means, and  
17 so somebody is going to have to explain that a little better for  
18 them, because even I get a little confused with this.

19  
20 **GRACIELA GARCIA-MOLINER:** Okay. When we did this way back in  
21 2010 and 2011, the council hosted quite a number of meetings, of  
22 information meetings, both informal and formal meetings, with  
23 different groups, both separately for each island and together  
24 for stakeholders, and so probably the process will need to  
25 include something like that also, but that is for the council to  
26 tell staff to do that. Again, these will be presented at the  
27 DAP meeting in March.

28  
29 **CARLOS FARCHETTE:** Maybe an example of what the 75<sup>th</sup> percentile  
30 of reference period landings is and the scalar equal to or less  
31 than two. That needs to have an example, so they can understand  
32 what's going on.

33  
34 **MIGUEL ROLON:** Graciela, do you intend to have the DAPs look at  
35 this at the March meeting in the timeline?

36  
37 **GRACIELA GARCIA-MOLINER:** We will show a timeline after this,  
38 but at least the information, the basic information, of the  
39 actions.

40  
41 **MIGUEL ROLON:** Because, if you want to have a response by the  
42 DAP at that meeting, then what we will do -- On the 29<sup>th</sup>, we have  
43 an orientation meeting, and so I was telling Diana here that, in  
44 order to be more effective with our money, we can add one more  
45 day so they can do this. Do you think that one day will be  
46 enough or do we need a day-and-a-half?

47  
48 **BILL ARNOLD:** We will simplify this, not only for me, but also

1 for the DAPs and the general public. We don't have to use terms  
2 that they're not going to understand. All we really have to do  
3 is say that we have an assessment approach that will produce  
4 certain outcomes and those outcomes will be applied in this way,  
5 and that will allow them -- Because I think one of the key  
6 inputs the DAPs are going to need to have is the year sequences.  
7 What are those year sequences and what are the implications to  
8 those year sequences, based upon their knowledge and experience  
9 of how the fisheries and the markets were operating at that  
10 time.

11  
12 These are strongly market-driven fisheries, and so you have to  
13 understand all the things we go through when we have a SEDAR and  
14 we do the data component of the SEDAR. We get the fishermen in  
15 there and they say, well, we started using this or we quit using  
16 this or all that, and that will influence which year sequence  
17 may be used for any species complex, and that would be a  
18 tremendous benefit, to get that kind of input from the DAPs.

19  
20 Other things are a little more rigorous and a little more  
21 science-driven, and the DAPs need to understand those, but they  
22 may have less input on those, and so it is a matter of  
23 organizing our approach and making sure it's clear and  
24 straightforward, not just for the fishermen and not just for the  
25 general public, but for a whole bunch of us.

26  
27 **MIGUEL ROLON:** Yes, and that's exactly my point. That's what I  
28 was debating here, because, every time that you see P\* and all  
29 of that, you have to hit the books to figure out what the hell  
30 we're talking about.

31  
32 I believe that your idea of having this simplified in a way that  
33 will make sense to people, not only for all of them, but for the  
34 council members also, so that you will be able to have a  
35 document that is more palatable to people, so we have a better  
36 input from the DAP and the people that we need to get input  
37 from. That will happen before March 29?

38  
39 **BILL ARNOLD:** It will happen before March 29, Miguel. We will  
40 be ready.

41  
42 **MIGUEL ROLON:** Will you be able to come to the March 29 meeting?  
43 Your boss is here, but --

44  
45 **BILL ARNOLD:** All my bosses are here. I've got a whole bunch of  
46 them. We will discuss that. I am not going to make any  
47 commitments right now.

48

1 **MIGUEL ROLON:** Just because this is very important. What the  
2 staff has done is to put together everything that the council  
3 has been discussing, and remember that we don't want to rehash  
4 every discussion every time that we meet.

5  
6 Otherwise, we will never move forward, but there are certain  
7 aspects of this discussion that we need to make sure that the  
8 group that provides advice to the council understands, so they  
9 can be more effective in providing that advice, including the  
10 SSC, because, in talking to Richard, some of these issues need  
11 to be discussed at the SSC level a little bit more, so that they  
12 are clearer as to what we want from them.

13  
14 **CARLOS FARCHETTE:** Bill.

15  
16 **BILL ARNOLD:** At the last meeting, we had a discussion as to how  
17 we should incorporate the ABC control rule. We discussed just  
18 incorporating Tier 4 or incorporating the entire ABC control  
19 rule. The council chose to have included the entire ABC control  
20 rule, so that, as the assessments move forward and some  
21 assessments become successful, we'll be ready to take advantage  
22 of the outcomes of those assessments and update our reference  
23 points and, ultimately, our ACLs, based on that.

24  
25 Some of what is contained in these alternatives are those  
26 higher-level Tier 1, Tier 2, Tier 3 determinations. They are  
27 not necessarily more complicated, but they have to be explained  
28 more carefully, because they are model-based outcomes, instead  
29 of just simple data-range outcomes.

30  
31 That is when you start getting MFMT and MSST and some of these  
32 acronyms that stand for extremely complex processes that,  
33 outside of the assessment community, are difficult for just  
34 about anybody to understand, because it's mathematical modeling,  
35 and it's sound science, and it produces really good outcomes,  
36 but it's not simple, and it's not supposed to be simple.

37  
38 Depending upon the emphasis that we place on the advantage that  
39 we take of Tier 1, Tier 2, and Tier 3, we will expend more or  
40 less effort on explaining those, and, if we determine that  
41 entire ABC control rule needed to be included, but that, within  
42 the context, the OFLs, which could be separate, because it's an  
43 ABC control rule and not an OFL control rule.

44  
45 If we separated out the OFLs, we could possibly simplify some of  
46 the approaches that we take while still getting the outcomes  
47 that we need, and then, as we move forward and we get assessment  
48 outcomes and we can start using these higher-level tiers, at

1 that point we start getting more into the details of those  
2 higher-level, more complex tiers of status determination  
3 approaches, and I hope that makes some sense.

4

5 **CARLOS FARCHETTE:** I've got Marcos to Bill.

6

7 **MARCOS HANKE:** Bill, a question. When you were saying about the  
8 sequence of years to be used for a species group or a species, I  
9 am understanding, and I want to make sure that the sequence of  
10 years can be different for each species or species group, right?  
11 That's the mechanism?

12

13 **BILL ARNOLD:** Ultimately, that's up to the council to choose, as  
14 you did for the 2010 and 2011 ACL Amendments, saying we are  
15 going to use 1988 to 2009 in the 2011 for lobster, but we're  
16 only going to use 1999 to 2005 for snapper in St. Croix, because  
17 a one-size-fits-all approach will not work in these.

18

19 That's why we went to separate fishery management plans, because  
20 of the differences, not just in the ecology, and there are some  
21 differences in the ecology, but the different approaches they  
22 take to fishing and the different emphasis they place on various  
23 species. That is different even amongst the recreational and  
24 commercial in Puerto Rico. I think it would be  
25 counterproductive not to take an approach like that, and that's  
26 exactly what we're trying to do, Marcos.

27

28 **CARLOS FARCHETTE:** Thanks, Bill.

29

30 **GRACIELA GARCIA-MOLINER:** We continue on to Action 3D. You  
31 thought you had finished, didn't you? The acceptable biological  
32 catch, the ABC control rule for the stock complexes in St.  
33 Thomas.

34

35 Alternative 1, again, is no action, retain the specifications of  
36 an ACL control rule by methods used during the 2010 and 2011 ACL  
37 Amendments, as applicable, where ABC was equal to the OFL for  
38 snapper, grouper, grunts, jacks, triggerfish, wrasses, spiny  
39 lobster, surgeonfish, angelfish, porgies, sea urchins, sea  
40 cucumbers, except for queen conch and parrotfish. I should have  
41 started there, for which the ABC would be specified by the SSC  
42 on an ad hoc basis. For those species not previously not  
43 managed in federal waters, no ABC control rule is established,  
44 so that was what was done before.

45

46 For Alternative 2, do not specify an ABC control rule. The ABC  
47 will be set by the council's SSC on an ad hoc basis for each  
48 stock or stock complex. Alternative 3 is, for stock complexes

1 in St. Thomas, adopt an ABC control rule where the buffer or no  
2 buffer between the OFL and the ABC will be a fixed level,  
3 consisting of the sub-alternatives that you have on the screen.  
4 ABC can be equal to the OFL or the extreme of ABC equals OFL  
5 times 0.75.

6  
7 Alternative 4 is, for stock complexes in St. Thomas, adopt the  
8 ABC control rule, as described in Table 1.3.4, and that is the  
9 ABC control rule that was presented to you by the SSC at the  
10 last council meeting. Any questions on the ABC?

11  
12 **CARLOS FARCHETTE:** Clay.

13  
14 **CLAY PORCH:** Just a couple of comments. One, just to make it  
15 clear that, with Alternative 1, it essentially implies that  
16 there is no need for a stock assessment, because you can't use  
17 it if it were adopted, because it's hard-coded what the ABC and  
18 the OFL is, and so that's okay for me, but, if you wanted to use  
19 the latest information from the stock assessment, you need  
20 something more flexible than that.

21  
22 Alternatives 2 and 3 and 4 would allow you to use information  
23 from the stock assessment to various levels. The thing that 4  
24 gives you is more consistency in the advice, because there is a  
25 prescribed pattern to follow, whereas, with something like  
26 Option 2, the ad hoc basis, the basis for the ABC could vary a  
27 lot for species that are even in a similar situation. It just  
28 may depend on who is in the room at the time, and so the ABC  
29 control rule, under Alternative 4, would mitigate against some  
30 of that, because there is a set pattern to follow.

31  
32 The other point I wanted to make about that is we have to  
33 consider all the actions kind of at the same time, because they  
34 affect each other. For instance, if you adopted Alternative 4  
35 under Action 3D, then many of the -- If you had also adopted  
36 most of the actions, actually, or the alternatives under 3a, b,  
37 and c, they would actually conflict with Alternative 4 in Action  
38 3D.

39  
40 There's a lot of actions and alternatives, but the point is some  
41 of the different actions, some of the alternatives conflict with  
42 one another, and so we have to be very careful. You couldn't  
43 just do it sequentially and pick one alternative in Action 3A  
44 and then go to 3D and pick something different. They interact.  
45 Does that make sense?

46  
47 **CARLOS FARCHETTE:** Roy.

48

1 **ROY CRABTREE:** I get that things interact, and so is the  
2 starting point for us to pick the ABC control rule first and  
3 then go back and look at the implications of that for the other  
4 actions, or is there some sort of sequence to all of this that  
5 makes logical sense?  
6

7 **CARLOS FARCHETTE:** Bill.  
8

9 **BILL ARNOLD:** We thought that we arranged these in a logical  
10 sequence, Roy. You identify the species you want to manage, you  
11 group them into appropriate complexes, and then you use these  
12 species contained within those complexes to develop your  
13 reference points.  
14

15 **ROY CRABTREE:** Yes, and I'm more looking at within Action 3  
16 itself. We would choose -- The sequence would be A, B, C, D, is  
17 what you're telling me.  
18

19 **BILL ARNOLD:** Yes, absolutely, and Clay mentioned there would be  
20 no need for assessments, and that's a point that we discussed on  
21 our call late last week with Shannon, that, when you use the  
22 data-limited toolbox, each of the different approaches may  
23 produce a different outcome, and they're not always sure exactly  
24 what that outcome is, if it's an OFL or an ABC or even ACL.  
25

26 It depends upon which buffers are contained within that model  
27 construct, and that's something that is important to keep in  
28 mind, because, even if we said ABC is going to equal OFL, we  
29 still have to determine what that OFL is, and that could be the  
30 product of an assessment, depending upon which model combination  
31 you used.  
32

33 **ROY CRABTREE:** Let me come at it a little different way then. I  
34 mean, I think, at the end of the day, with the ABC control rule,  
35 we're going to end up going with Alternative 4. That's the one  
36 that the SSC spent a lot of time on.  
37

38 If we did choose Alternative 4, does that mean that certain  
39 alternatives within 3C, 3B, and 3A aren't workable? If so, we  
40 need -- That implies, to me, that that's the starting point, is  
41 to pick the control rule, and then where does that lead you in  
42 the other ones. Am I right?  
43

44 **CLAY PORCH:** Yes, I agree with you, Roy. For instance, if you  
45 pick an action under 3A that specifies an exact year range for  
46 every species, then there are options in Alternative 4 of 3D  
47 which actually would use the assessment results to specify MSY.  
48 Those two things would conflict, because now you have one action

1 where you specified it based on a particular year range, and  
2 then you have another action that looked at all the data and  
3 specified it based on the stock assessment.

4  
5 Those kinds of things, we have to watch out for, and I agree  
6 with Roy that the easiest way would be to agree on what the ABC  
7 control rule is, because that includes a lot of the things that  
8 are in the previous actions.

9  
10 **ROY CRABTREE:** Where I'm trying to is are there some things that  
11 it would facilitate this if we made decisions at this meeting  
12 about it. Like would it help get this all going if we decided  
13 at this meeting that Alternative 4 is our preferred alternative  
14 for the ABC control rule?

15  
16 **CARLOS FARCHETTE:** Bill.

17  
18 **BILL ARNOLD:** I kind of alluded to this, and I thought this  
19 might be an SSC discussion that should be held, and I'm curious  
20 as to what Clay says about it, but the ABC control rule also  
21 includes some approaches to establishing the OFL, and my  
22 curiosity is could those OFL components that are contained in  
23 here be taken out, so that they are dealt with under separate  
24 alternatives?

25  
26 You derive, and I have spoken with Shannon about this quite a  
27 bit, but you derive an OFL separate from the ABC control rule  
28 and then that OFL is fed into the ABC control rule to determine  
29 what your ABC is. As it's set up now, you've got OFLs in here,  
30 but we have included those OFLs separately in Alternative 2, I  
31 guess, Alternative 3b, and that may alleviate this problem, by  
32 saying we're going to deal with the OFLs first and then we're  
33 going to deal with the ABC and then we're going to deal with the  
34 ACL, which is also a component of this.

35  
36 **ROY CRABTREE:** So was that a yes?

37  
38 **BILL ARNOLD:** What do you mean was it a yes?

39  
40 **ROY CRABTREE:** To my question about would it facilitate this if  
41 we chose the control rule preferred alternative at this meeting.  
42 I am trying to figure out how to get us --

43  
44 **BILL ARNOLD:** That's going to help. It's not going to solve the  
45 whole problem, but it would help, Roy, yes, but you don't need  
46 to choose -- I mean, legally, it may be -- Iris, please comment.  
47 It may be a little premature to finalize your preferred  
48 alternative.



1  
2 **ROY CRABTREE:** We're not talking about finalizing anything, but  
3 we're just talking about choosing a preferred right now to  
4 indicate the path that we're on. It's not a final, and we may  
5 change it later.  
6  
7 **BILL ARNOLD:** Okay. We're operating under that assumption.  
8  
9 **ROY CRABTREE:** Then I'm trying to get to, okay, if we did choose  
10 that as the preferred, then you could go back and determine,  
11 contingent on that choice, which ones of these other ones in 3C,  
12 3B, and 3A are not compatible with it, so that, the next time we  
13 looked at it, we could see how it all fits together, without  
14 getting totally confused and lost.  
15  
16 **GRACIELA GARCIA-MOLINER:** I think that that's already -- I mean,  
17 if you look at the --  
18  
19 **MIGUEL ROLON:** Graciela, wait. If it doesn't hurt, and it also  
20 gives an indication, especially to the public, of where we're  
21 going, I think we should do it. I mean, if everybody  
22 understands what the hell we're talking about, get the preferred  
23 alternative and make a motion by Roy and second by a council  
24 member. Then at least we'll give an indication. As Bill said,  
25 it's not solving the entire problem, but it will at least give  
26 us an idea of where we're going with this, rather than waiting  
27 for the April meeting to come up with all of this. I believe  
28 that that's Roy's idea. If it's something that can be done --  
29  
30 **ROY CRABTREE:** If I could, Mr. Chairman, maybe it would be a  
31 good thing for us to ponder over lunch and then discuss when we  
32 come back.  
33  
34 **CARLOS FARCHETTE:** We will ponder, because I like ABC equals  
35 OFL, but that's just me. Do we have some more here before we  
36 break for lunch?  
37  
38 **GRACIELA GARCIA-MOLINER:** You do have 3E, which deals with the  
39 optimum yield and the ACL. Again, the Alternative 1 is the OY  
40 and the ACL would be derived by the methods used in 2010 and  
41 2011. These were the OYs, as they were defined then, and so  
42 Alternative 2 is to determine the OY and the ACL based on the  
43 formula in one of these sub-alternatives. Basically, it's the  
44 same setup that we had before, but it includes an OY equals an  
45 ACL equals zero that was used for things like corals.  
46  
47 That deals with everything from MSY and OFL and OY and ACL and  
48 ABC, and that is what you were discussing just now. I can go,

1 very quickly, through the two other actions that we have, or we  
2 can stop here and go to lunch.

3  
4 **CARLOS FARCHETTE:** Yes, we're going to break for lunch, and then  
5 we will come back to the EFH. We will be back at 1:15.

6  
7 (Whereupon, the meeting recessed for lunch on December 13,  
8 2016.)

9  
10 - - -

11  
12 December 13, 2016

13  
14 TUESDAY AFTERNOON SESSION

15  
16 - - -

17  
18 The Caribbean Fishery Management Council reconvened at the  
19 Marriott Frenchman's Reef, St. Thomas, USVI, Tuesday afternoon,  
20 December 13, 2016, and was called to order by Chairman Carlos  
21 Farchette.

22  
23 **CARLOS FARCHETTE:** Okay. Welcome back. We're going to finish  
24 up this part of the IBFMP, but, before I go there, I want to  
25 thank the St. Thomas fishermen that showed up for this meeting.  
26 I really appreciate you all taking the time from a hard day's  
27 work of fishing to come and attend this, and I know that most of  
28 you are part of the Fisheries Advisory Committee, which it's  
29 real good to see you here, but to clearly -- Hearing about the  
30 federal waters that we're going to manage and also the species,  
31 which is also found in state waters and hopefully, eventually,  
32 we'll be looking at some compatibility, but there's a lot of  
33 information for you guys, and we'll give you websites for the  
34 Caribbean Council, so you can really come up to speed as to what  
35 we've been doing and where we're at, including some of this  
36 information here, but I really appreciate you all coming.

37  
38 **ROY CRABTREE:** Thinking about Action 3 and the control rules and  
39 some of the comments Clay made about how things need to be  
40 compatible with each other, it does seem to me that, in order to  
41 move this forward, we ought to go ahead and choose a preferred  
42 on the control rule.

43  
44 I think that Alternative 4 is the one that our SSC has spent a  
45 great deal of time working with the Science Center on  
46 developing, and we've seen a lot of presentations on that, and I  
47 think we have a pretty good record of the benefits of the  
48 control rule and where we ought to go with it.

1  
2 My worry is that the other alternatives in the document, it  
3 seems to me, don't really move us beyond where we are now, and  
4 so what I am going to do is go ahead and make a motion. Then,  
5 if the motion passes, we could ask staff to go through and  
6 figure out, working with Clay and the Center, figure out which  
7 one of the other alternatives are not compatible with this  
8 control rule and what we may need to remove. **I would like to**  
9 **make a motion to select Action 3D, Alternative 4 as our**  
10 **preferred alternative.**

11  
12 **TONY BLANCHARD:** First off, I would like to see what the  
13 alternative is on the screen. I am willing to go along with  
14 Roy's suggestion and second that motion, but with the  
15 understanding that if, when Clay comes back to the next meeting,  
16 if this does not look like it's laying out right, that we could  
17 strike it and go with another alternative.

18  
19 **ROY CRABTREE:** We're not taking any final action today, and so  
20 you choose the preferred alternative today and you can change it  
21 at the next meeting.

22  
23 **TONY BLANCHARD:** Okay, because, to be honest with you, I am kind  
24 of confused with what just went on here earlier, and I know I  
25 talked to some of the other guys, and they are probably just as  
26 confused as me. Then the question is this. If the layman walks  
27 off the street and walks into the meeting room and he's  
28 listening to the ABC and the OFL and everything else, he's got  
29 to be completely lost. I know I ain't the only one here that is  
30 basically confused, as well as maybe some of us ain't willing to  
31 admit that we are confused, but we are really confused.

32  
33 **CARLOS FARCHETTE:** Roy.

34  
35 **ROY CRABTREE:** It is confusing, but I think, by doing this,  
36 staff can go back and streamline some of the other parts of this  
37 action and maybe we can make it a little less confusing. I  
38 mean, you look at that control rule table, and it's technical,  
39 and so it's somewhat confusing.

40  
41 I think, to some extent, we have to rely on the advice we're  
42 getting from our SSC, but it does appear to me that, in the end,  
43 this is the control rule that we've invested so much time in,  
44 and so I think that's where we're going to go, and so we might  
45 as well go ahead and streamline the other actions, and maybe we  
46 don't even need some of these other alternatives in here, and it  
47 might make the whole document a little easier to deal with, and  
48 it might move us one step down the road towards actually getting

1 something done.  
2  
3 **CARLOS FARCHETTE:** Blanchard.  
4  
5 **TONY BLANCHARD:** I've just got another question. We wasn't  
6 supposed to be getting the feedback from the SSC as to which  
7 alternatives, as to what they prefer, to a certain degree?  
8  
9 **ROY CRABTREE:** They developed this control rule, and I think  
10 they're going to meet again before our next meeting, and they  
11 will look at all of this again, and so we will hear from them at  
12 their next meeting. I also want to be clear, Bill and Graciela,  
13 that this would apply across all three of the island FMPs,  
14 because the control rules, I think, are pretty much the same in  
15 all of them.  
16  
17 **GRACIELA GARCIA-MOLINER:** Yes.  
18  
19 **CARLOS FARCHETTE:** Tony wants to see it, the 3D.  
20  
21 **ROY CRABTREE:** It's a long thing, and some of the first tiers,  
22 Tier 1, I think that's stage-structured assessment. Anyway, we  
23 don't have any of those, and we're not likely to have any in the  
24 near future, and then I think Tier 2 and 3 are both more data-  
25 rich than what we have, and so it's really Tier 4, I think. Is  
26 that correct, Clay? Is it Tier 4 that we're really focusing on  
27 now?  
28  
29 **CLAY PORCH:** No, some of them will fall into the Tier 3.  
30  
31 **ROY CRABTREE:** Okay, and so Tiers 3 and 4 are really what we're  
32 talking about here.  
33  
34 **MIGUEL ROLON:** Roy, the language of the motion covers what you  
35 want to say with the control rule?  
36  
37 **ROY CRABTREE:** **Action 3D, Alternative 4 is the preferred**  
38 **alternative across all three FMPs.** I think that's clear. Isn't  
39 that clear, Graciela and Bill?  
40  
41 **BILL ARNOLD:** Yes.  
42  
43 **ROY CRABTREE:** So I think I'm good with that. As we said, it's  
44 not a final decision. When you come back in next time and hear  
45 the comments from everyone, you can change your mind, if you  
46 like.  
47  
48 **CARLOS FARCHETTE:** Miguel.

1  
2 **MIGUEL ROLON:** For the council, this is an opportunity here,  
3 where the scientists are giving us a better pathway to achieve  
4 what we want to achieve under the Act. Some of the things we  
5 have to believe by faith, because they are complex, as everybody  
6 has been saying, but I believe that this way, number one, you  
7 will give the public an indication of what you want to do, where  
8 you want to go, and you have ample opportunity then, between  
9 here and the next meeting, to get more information regarding  
10 this alternative and what the alternative will mean, in terms of  
11 the management of these areas.

12  
13 Actually, what Roy is doing is giving us an easier way to  
14 address these issues, and Clay is concurring with that, and so  
15 the Center will follow this, and the SSC, of course, has to deal  
16 with this, and so, out of this nightmare of names and acronyms  
17 and everything, what we have in front of you is an opportunity  
18 to be able to streamline the process in a way that will be  
19 easier for everybody to follow.

20  
21 Also, we are not making a decision here. We are saying just  
22 that that is our preferred alternative. Remember, when we go to  
23 public hearings, our preferred alternative can be changed at the  
24 next meeting, and you are guaranteed that you have ample  
25 opportunity to be able to get your say into the process.

26  
27 **CARLOS FARCHETTE:** Blanchard.

28  
29 **TONY BLANCHARD:** I will second it.

30  
31 **CARLOS FARCHETTE:** Okay. The motion is to select Action 3D,  
32 Alternative 4 as the preferred alternative and apply it to all  
33 three FMPs. The motion is by Roy Crabtree and seconded by  
34 Blanchard. Any further discussion? I am going to take my votes  
35 starting on my right.

36  
37 **ROY CRABTREE:** Yes.

38  
39 **MARCOS HANKE:** Yes.

40  
41 **RICARDO LOPEZ:** Not voting.

42  
43 **RUTH GOMEZ:** Yes.

44  
45 **TONY BLANCHARD:** Yes.

46  
47 **CARLOS VELAZQUEZ:** Yes.

48

1 **CARLOS FARCHETTE:** Yes. We have one not voting and the motion  
2 carries. Now we move forward with Action 4, EFH.

3  
4 **GRACIELA GARCIA-MOLINER:** Okay. For EFH, there are two things.  
5 One, we are in the five-year review for the essential fish  
6 habitat, and so most of what we've done to date -- The  
7 description that we have for EFH will be reviewed in this five-  
8 year review. The second is that we have new species that have  
9 been added for federal management, and so this will include  
10 those species for which we have no EFH description yet.

11  
12 These are only some of the alternatives. This is being  
13 discussed in the Regional Office with the habitat people and the  
14 IPT, and so this is just a first cut at the alternatives. We  
15 are looking into everything that was done back in 2004 and 2005.  
16 We did the EIS for the essential fish habitat and the concepts  
17 that were used at the time as one of the alternatives.

18  
19 Most likely, for some of the new species, it will also be based  
20 on things like presence and absence, because there is just not  
21 enough information on densities and abundances by habitat to  
22 determine EFH and such. This is the first time that you are  
23 seeing it, because it had not been included in the other  
24 presentations. Is there anything in particular that you want to  
25 hear?

26  
27 As I said, this is just being developed, and so this is hot off  
28 the press, but please make sure that you understand the  
29 difference between those species for which we already have a  
30 description and designation of EFH and HAPCs and those species  
31 that are new to the list for which we have to start the process  
32 from scratch.

33  
34 **CARLOS FARCHETTE:** So those are those three species only?

35  
36 **GRACIELA GARCIA-MOLINER:** Remember that we're looking at it as  
37 an example for St. Thomas, but there are a number of species  
38 from Puerto Rico and St. Croix that need to be included in this,  
39 but dolphin and wahoo, et cetera.

40  
41 The other one, the final action that's in the document right  
42 now, has to do with the framework, and so framework procedures  
43 for the FMPs. Again, this is really hot off the press. It  
44 contains a lot of information based on some of the way that  
45 other councils have done this work, in terms of the framework  
46 procedures, and it also looks at what the council, the Caribbean  
47 Council, has had in place up until now, and so, again, the IPT  
48 will probably meet at the beginning of next year to go over the

1 information that we have here. We just want to make you aware  
2 that this is one of the actions that will be included and for  
3 you to look at the complexity of the tables that have been  
4 included in the document and for you to become familiarized with  
5 the process.

6  
7 I don't think there is much more that we have to say at this  
8 time, and so that will conclude the presentation of the island-  
9 based FMP actions and alternatives.

10  
11 **CARLOS FARCHETTE:** Okay. Graciela, are you finished?

12  
13 **TIMELINE STATUS, SSC AND DAP MEETING SCHEDULE NEXT COUNCIL STEPS**

14  
15 **GRACIELA GARCIA-MOLINER:** Yes, and we have one slide for the  
16 timeline, which is the next item on the agenda. Let's do that  
17 first. December of 2016, that's where we are now. We have some  
18 guidance, in terms of Action 3. That's what you have just  
19 passed as a motion, but, again, this would also have to be  
20 presented to the SSC, which will meet the week of February 6, to  
21 discuss especially Action 2, if indicator species will be used  
22 or not, and Action 3 for the information that, number one, the  
23 motion that you have made here today and then go over the ABC  
24 control rule.

25  
26 March, we will have some information to present to the DAPs, and  
27 I hear that that's at the end of March. Then we will come back  
28 to a council meeting. I have been thinking about whether we are  
29 going to have a second SSC meeting before the next council  
30 meeting or not, but, mostly likely, it will be after the council  
31 meeting in April or May. We haven't talked about the dates yet.

32  
33 Then we have to do all of the -- I say we, but a lot of people  
34 are going to be working on the public hearing draft of the  
35 document, and so these are three separate documents that will be  
36 worked on at the same time.

37  
38 **MIGUEL ROLON:** Graciela, if you and the SSC believe that you  
39 want to have another meeting before April, just say so. It will  
40 be up to you, really, to decide with the Chair how many meetings  
41 before the April meeting.

42  
43 **GRACIELA GARCIA-MOLINER:** Okay. Let us talk about it, and we  
44 will let you know.

45  
46 **MIGUEL ROLON:** The March meeting will be the 29<sup>th</sup>. It was going  
47 to be only a one-day orientation meeting, but we need to have  
48 probably two-and-a-half days. The first day, we were going to

1 have the forty-five members, hopefully, if they show up, at the  
2 meeting, but then, the next day-and-a-half, they will break into  
3 three groups, and so they will be focusing on St. Thomas/St.  
4 John, St. Croix, and Puerto Rico, because they are different.

5  
6 **GRACIELA GARCIA-MOLINER:** Okay. Then we are already working on  
7 the August council meeting, being very positive about it. There  
8 is going to be public hearings over the summer, and then you  
9 will hear the outcomes of those at the August meeting. Then we  
10 can finalize all the FMPs and the EISs for each of them and have  
11 the council meeting in December to review what came out of the  
12 public hearings and decide whether that is going to be your  
13 final documents, if those are going to be your final documents.  
14 Then, by the winter of 2018, there will be final, final public  
15 hearings and actual council votes in the spring of 2018. It's  
16 very ambitious.

17  
18 **CARLOS FARCHETTE:** Bill.

19  
20 **BILL ARNOLD:** The critical time is between now and the next  
21 council meeting. We have an SSC meeting pretty much, if I  
22 understand correctly, scheduled for the week of February 6.  
23 Then we don't have the DAP meeting until the end of March.  
24 There may be a good reason for that, but I'm just wondering if  
25 it would be possible to move those DAP meetings up to the  
26 beginning of March, so that we can then have that second SSC  
27 meeting between the DAP meeting and what I assumed would be the  
28 April council meeting.

29  
30 Graciela also said or postpone the council meeting. The problem  
31 with that is we're going to need that time in the spring and the  
32 summer to get ready for that August council meeting. That's why  
33 I don't want to move the April council meeting back any, but  
34 it's really important to get this work done between now and the  
35 spring council meeting.

36  
37 **MIGUEL ROLON:** For the DAPs, we already have a contract signed.  
38 As I said, it wasn't because of -- We can talk to the hotel  
39 people and see if we can move it to the first half of March.  
40 Then we will probably have the meeting for two-and-a-half days,  
41 or at least two days, two full days.

42  
43 **CARLOS FARCHETTE:** Bill.

44  
45 **BILL ARNOLD:** You could have an SSC meeting and then a DAP  
46 meeting, but I think it's really important to get that DAP input  
47 back to the SSC for their second round.

48



1 **GRACIELA GARCIA-MOLINER:** We have taken note of the schedule.  
2  
3 **CARLOS FARCHETTE:** Yes, they're scheduling it right now on the  
4 calendars, to see if we can move it up.  
5  
6 **GRACIELA GARCIA-MOLINER:** Just making sure that Lent is not in  
7 March, but it's in April. The 13<sup>th</sup> of April is Holy Thursday.  
8  
9 **CARLOS FARCHETTE:** Miguel.  
10  
11 **MIGUEL ROLON:** We need to talk to the hotel now to change it.  
12 Otherwise, they will charge us one night. How about the week of  
13 March 6 through 10? We can say 7, 8, and 9? By silence, I  
14 believe that we will have the meeting of the DAPs on March 7 for  
15 the orientation and then March 8 for the discussion on the  
16 tables.  
17  
18 The other thing about the DAPs is that none of them are willing  
19 to spend more than a day out, because of their business and  
20 everything. Actually, tonight, we are going to talk about the  
21 DAP composition, because even the chairs are frustrated because  
22 they don't come to the meetings.  
23  
24 Sometimes, when the chair is asked to review something and to  
25 give it to the council, he doesn't have a quorum, and so we need  
26 to discuss this a little bit more, but Diana will call the hotel  
27 today and then we will confirm, by email or tomorrow, the 7<sup>th</sup> and  
28 8<sup>th</sup> of March for the meeting. It will be at the Verdanza Hotel,  
29 most likely, in Puerto Rico.  
30  
31 **CARLOS FARCHETTE:** Marcos.  
32  
33 **MARCOS HANKE:** Graciela, about the dolphin question that I made  
34 to you earlier, the status of what we did, I want to refresh my  
35 mind, because I'm a little confused.  
36  
37 **GRACIELA GARCIA-MOLINER:** I did go back to the motions that you  
38 had made in December 16 of 2015, right here in this hotel, and  
39 you had gone back and forth in three different motions. At the  
40 end, the final motion was to actually include them. There has  
41 to be a -- I actually went to look at them, because I was 80  
42 percent sure, but now I'm 100 percent sure.  
43  
44 There has to be very strong rationale to -- Once you have set up  
45 the step-wise approach to determine what species are going to go  
46 into federal management and they meet all of the requirements,  
47 you have to have a very strong rationale to take them out.  
48

1 One of the things that, after the discussion, and I didn't look  
2 at the minutes. I just looked at the motions, but it was to  
3 keep them in the draft island FMPs. Remember that these are all  
4 draft. This is going out to public hearings. If you need to  
5 have management measures included at the end, that needs to be  
6 done, et cetera, and so, at this stage, they meet the  
7 requirements and so they are part of the list.

8  
9 There was a lot of discussion about being part of the stock that  
10 moves between the Caribbean and the eastern coast of the U.S.  
11 and the Gulf of Mexico, et cetera, and so all of that is going  
12 to be part of the discussion in the documents.

13  
14 **CARLOS FARCHETTE:** Miguel.

15  
16 **MIGUEL ROLON:** We also -- Remember, this morning, we promised to  
17 have a clearer document for the DAPs to see. Will that document  
18 be ready for the March 7 and 8 meeting? I am just asking.  
19 Okay.

20  
21 **CARLOS FARCHETTE:** Okay. You're done, Graciela?

22  
23 **GOALS AND OBJECTIVES**

24  
25 **GRACIELA GARCIA-MOLINER:** One more thing, and this is just for  
26 informational purposes only. You have received a copy of the  
27 goals and objectives that each island submitted to the council.  
28 That is going to the IPT for revision and to talk about it and  
29 to include them as part of the documentation that is part of the  
30 FMP.

31  
32 We are not going to discuss it at this meeting. We are going to  
33 look at it from the IPT and then bring back, as part of -- When  
34 you see the whole document, it will include the goals and  
35 objectives of each of the island FMPs.

36  
37 **CARLOS FARCHETTE:** Okay.

38  
39 **MIGUEL ROLON:** For the record, the three areas submitted the  
40 goals and objectives. Graciela, can you refresh the memories of  
41 everybody what "IPT" means?

42  
43 **GRACIELA GARCIA-MOLINER:** Interdisciplinary plan team.

44  
45 **CARLOS FARCHETTE:** Okay. Moving on, next on the agenda is  
46 Outcomes from Public Hearings on the Development of a Permit --  
47 Actually, it's scoping and not public hearings, but it's a  
48 Permit Program for the Harvest of Snapper Unit 2 from the Puerto

1 Rico EEZ, which is the queen and cardinal.  
2  
3 **OUTCOMES FROM THE PUBLIC HEARINGS ON THE DEVELOPMENT OF A PERMIT**  
4 **PROGRAM FOR HARVEST OF SNAPPER UNIT 2 FROM THE PUERTO RICO EEZ**  
5  
6 **GRACIELA GARCIA-MOLINER:** We took the draft to scoping meetings,  
7 and we actually made the translation to Spanish and did a very  
8 big mailing and took the documents off to --  
9  
10 **CARLOS FARCHETTE:** Before you go any further from that picture,  
11 Graciela, that's an actual queen snapper at the bottom of the  
12 ocean live, in very deep water.  
13  
14 **GRACIELA GARCIA-MOLINER:** Yes, and this was taken by the Okeanos  
15 Explorer in 2015. In fact, most of the stations that the  
16 fishers has provided for us, the coordinates to go sample the  
17 areas -- Although we didn't see everything that we wanted to  
18 see, we did manage to get a couple of pictures of the queen  
19 snapper alive. This was about almost 2,000 feet.  
20  
21 **MIGUEL ROLON:** Mr. Chairman, we will try to have half-an-hour  
22 for each one of the remaining agenda items, so we can finish on  
23 time for the evening meeting, but this is very important, and so  
24 don't leave without any of your questions being cleared up or  
25 answered by the staff.  
26  
27 **CARLOS FARCHETTE:** Blanchard.  
28  
29 **TONY BLANCHARD:** I've just got a question. Is the chairs for  
30 the DAPs going to show up to the SSC meeting?  
31  
32 **CARLOS FARCHETTE:** They requested that, I remember, but I don't  
33 know.  
34  
35 **TONY BLANCHARD:** Is it still a yes or --  
36  
37 **MIGUEL ROLON:** Yes, it's still a yes. Do you mean the DAP  
38 chairs?  
39  
40 **TONY BLANCHARD:** Yes.  
41  
42 **MIGUEL ROLON:** Yes.  
43  
44 **TONY BLANCHARD:** Okay. Just to clarify that.  
45  
46 **MIGUEL ROLON:** That was part of what Richard said this morning  
47 of involving the stakeholders in the meeting as much as  
48 possible.

1  
2 **GRACIELA GARCIA-MOLINER:** That is the -- You have a copy of the  
3 document that was sent out for public comment and also the  
4 permit presentation that Bill gave at the last council meeting.

5  
6 Meetings were held November 14 in Naguabo, which is on the east  
7 coast of Puerto Rico, and November 15 in Mayaguez, on the west  
8 coast. We had requested written comments to the deadline of  
9 November 30, 2016. This is a summary.

10  
11 You received a copy of the comments we received by the numerous  
12 people that came to the scoping meetings. It was probably one  
13 of the most well-attended meetings in a long time, not only in  
14 terms of the number of people that actually showed up, but we  
15 had over eighty people at the Naguabo meeting. The reason why  
16 these numbers don't coincide is that not everyone wants to sign  
17 our attendance sheet, but we do a headcount, to make sure that  
18 we have all of these people accounted for.

19  
20 We did receive quite a number of comments that addressed  
21 specific issues with the permits for the Snapper Unit 2. We had  
22 an incredible number of towns represented and a very high number  
23 of fishing associations present. In fact, one of the deponents  
24 was representing sixty other commercial fishers on the west  
25 coast.

26  
27 This is just a breakdown of all the towns that were present and  
28 all the fishing villages, and we also had representation from  
29 what is called the Congress of Fishers from Puerto Rico, which  
30 includes not only the fishing associations, but it's a  
31 conglomerate of fishing associations throughout the island, and  
32 so they were present at these meetings.

33  
34 Just to give you an idea, we had, on the east coast, people from  
35 here, in Arecibo on the north coast, all the way down to Arroyo  
36 and Patillas, and so they all came to Naguabo, and people from  
37 Arecibo all the way down to Lajas, I believe, or Guanica, were  
38 present in Mayaguez. We had most of the island represented at  
39 these meetings. These are the people from the west coast. We  
40 had quite a big representation from Rincon.

41  
42 You have received a copy of the comments. The comments received  
43 have a number of issues at the front of the first paragraph of  
44 the document that we provided.

45  
46 The main concern that everyone had was that, if we were going to  
47 do anything with federal permits, they had to be reconciled with  
48 the DNER, the Puerto Rico Department of Natural and

1 Environmental Resources, permits. The main point of that is  
2 that most people felt that the process that had been followed  
3 was not fair for everyone who had been fishing for many years  
4 and did not make the cut to have the permit granted to them.

5  
6 Everyone, most everyone, except one person, thought that they  
7 should be open permits and that they should be available and  
8 anyone should be eligible to have a permit for Snapper Unit 2.

9  
10 It was recognized that one of the problems with the permitting  
11 system is the landings information, and they recognized that,  
12 most of the time, it must have been their doing on the  
13 reporting, in most cases, but that, if there was a moratorium on  
14 the number of permits that were granted, that they were willing  
15 to work together to get very good data to actually understand  
16 the fishery and to be able to have these permits given to the  
17 people who actually fish for Snapper Unit 2.

18  
19 There should be no limit on the number of trips, no poundage  
20 limit per trip. There should be, and this was also a comment  
21 throughout the area, more restrictions on the recreational  
22 harvest of Snapper Unit 2, the queen snapper and the cardinal  
23 snapper, and that there should be a prohibition on the use of  
24 electric reels for the recreational fishers and a stricter quota  
25 or bag limit.

26  
27 There is a very large discrepancy in the number of permits that  
28 are available through the DNER from the west to the east coast.  
29 Most of them -- Of the seventy, only four or five were granted  
30 on the east coast. Most of them are on the west coast, and the  
31 landings should be revised to look at twenty or thirty years of  
32 data that are available at the DNER, to see people who had been  
33 fishing for Snapper Unit 2 for a long time.

34  
35 Also, that we need to do more in terms of regulating unlicensed  
36 commercial fishers, and, therefore, increase or look at how to  
37 validate the data that is coming in through the legal channels.  
38 You did receive quite a number of comments. This is just a  
39 summary of what was common throughout all of these comments, and  
40 that was for Naguabo.

41  
42 I am just going to show you the commonalities for Mayaguez.  
43 There is some specific issues with the comments that they made,  
44 and the one that kept popping out was just you have to work with  
45 the DNER, and the reason for working with the DNER is that, if  
46 you're fishing in the EEZ, when you are going to land, you are  
47 going to go through the state waters, and you are going to land  
48 in Puerto Rico. If you had a permit in the EEZ, but you didn't

1 have the permit in the state waters, then, on transiting, you  
2 might be intervened and be breaking the law. Are there any  
3 questions from Naguabo? Okay.

4  
5 I am just going to do Mayaguez from memory. From Mayaguez, you  
6 had basically the same comments regarding the permits. Number  
7 one, you do have to reconcile the Puerto Rico and the EEZ  
8 permits, but one of the things that people brought up was the  
9 fact that, if you look at the ACL, the way that it's set up  
10 right now of 145,916 pounds, if you divide that by the number of  
11 permits that are provided in Puerto Rico, that's about 2,000  
12 pounds per fisher who has a permit.

13  
14 In their words, that doesn't make any sense, and that is given  
15 the fact that it's only 120 trips per fisher per year. If you  
16 sell that at \$7.00 a pound, you are only making \$14,000, and so  
17 neither the poundage nor the money that you are making out of  
18 the Snapper Unit 2 permits makes any sense, and so there is  
19 something wrong with the information that is available.

20  
21 Apparently there is a lot of -- There were a lot of comments  
22 saying that a lot of people are producing landings data and they  
23 are landing queen snapper, but it's being reported as silk  
24 snapper, and so that causes an additional problem, because it's  
25 shifting from one species that we had a fairly good record for  
26 to being mixed in with another species.

27  
28 As I said, they are willing to collaborate and provide very  
29 specific information to improve the data collection and to  
30 actually be able to have a higher ACL and more fishers with  
31 permits. The need to restrict the recreational fishing activity  
32 was also voiced in Mayaguez. All commercial fishers should be  
33 eligible for a permit, and all vessels in the deepwater snapper  
34 fishery should be identified.

35  
36 All permitted fishers should have a valid commercial fishing  
37 license, and, in some cases, they actually commented that it was  
38 not only the license, but the actual permit, the way that it's  
39 given for queen conch and lobster in Puerto Rico, which is just  
40 you apply for the permit and anyone is eligible to get that  
41 permit.

42  
43 The ACLs, basically most people wanted them eliminated, but, if  
44 they were going to be our daily bread, that they be revised and  
45 increased. Those were the common themes throughout the number  
46 of presentations that we had.

47  
48 Then you also had three written comments that were provided to

1 you with an official translation to English, because there were  
2 two of them submitted in Spanish. Again, the common thought is  
3 that everyone should be able to get a permit to go for Snapper  
4 Unit 2.

5  
6 You have everything that was sent to us. Only three comments  
7 were received, and they were officially translated. Again, it's  
8 the same way of thinking, that, for seventy permits that have  
9 been presented, with the ACL that we have, it doesn't make any  
10 sense. There is a lot of landings that are not being reported,  
11 and that everyone should be allowed to fish for Snapper Unit 2.

12  
13 You did receive a couple of additional options, and so there was  
14 one comment regarding the use of a mixed bag of species to be  
15 eligible to have the permit, so that, if at some point you had  
16 fished for any of the deepwater snappers, that that percentage  
17 would allow you to be granted a permit.

18  
19 You had two suggestions very specific to the actions in the  
20 document. One of them was for Action 4, to allow the number of  
21 fishing trips, and that number was specific to twenty-four trips  
22 a year and two per month. Most of the information that was  
23 presented in the documents didn't actually have a rationale to  
24 why they got to these number of trips, et cetera, but they  
25 provided you with this other option.

26  
27 For Action 5, that there should be a limit, in terms of pounds,  
28 and that would be 100 pounds whole weight. Again, they didn't  
29 provide any rationale for these options. There were three other  
30 options presented, but, in the end, the person specified that  
31 what he was proposing that he was not proposing it for real, but  
32 he talked about a seasonal closure for queen snapper and he  
33 talked about closing the Snapper Unit 2 in the EEZ.

34  
35 It's not that they don't think about options that could come  
36 down the road, if need be, but that they didn't perceive that  
37 the fishery is in any type of bad shape that necessitates such a  
38 low ACL or any other restrictions.

39  
40 One person opposed completely the idea of having a federal  
41 permit. Most of the people wanted it to be either reconciled or  
42 to be parallel to the Snapper Unit 2 permit as long as the PR  
43 DNER reviewed the way that they developed the permit. That is  
44 the summary of all of the comments that you received, but,  
45 everything that was said, you have in the documents.

46  
47 **CARLOS FARCHETTE:** Marcos.  
48

1 **MARCOS HANKE:** I want to state that, especially on the east  
2 coast, because of the cultural aspect, they do report queen  
3 snapper, especially the older fishermen, the queen snapper and  
4 the silk snapper, among others, together, as a whole, because,  
5 especially on the east coast, they are paid the same amount of  
6 money for it, which is not the case in San Juan and probably  
7 Mayaguez. That is the rationale behind the misreport and not  
8 necessarily intentionally, but it's a reality on the fishery.

9  
10 About the electric reel issue, you guys heard about this,  
11 because it came up in the public hearings. I don't agree of  
12 eliminating the electric reels. There is ways that we have  
13 discussed already. I discussed it with a participant from the  
14 DAP, the chairman of the DAP, with alternatives and that there  
15 is a big implication about eliminating electric reels to  
16 recreational.

17  
18 We fish swordfish with it, which is a style of fishery that  
19 requires electric reels, and we do tuna fishing with electric  
20 reels and all the blue marlin fishery depends on the electric  
21 reels onboard. Actually, some of them are building boats, and,  
22 on the top of that, you have people that have physical problems,  
23 are disabled or something, that use electric reels  
24 recreationally, and it's not necessarily that simple of saying  
25 no electric reels. It's just that there is other ways to  
26 address that. I don't agree with the elimination of electric  
27 reels for recreational. We can get into those details later.

28  
29 I have a question for Graciela. On the bag limit for reef  
30 fishes, or fishes in general, that we have implemented now, it  
31 does include, for the recreational bag limit, the queen snapper  
32 in it?

33  
34 **GRACIELA GARCIA-MOLINER:** You already have a fairly strict  
35 regulation in place in the EEZ for the harvest of reef fish.  
36 That includes the deepwater snappers, and so it's five per  
37 fisher, up to fifteen per boat, and you can have a mixed bag of  
38 different reef fish onboard, and so that regulation has been in  
39 place for a while now.

40  
41 **MARCOS HANKE:** The reason of this question is that we already  
42 are addressing restricting the recreational fishermen to  
43 catching a level that there is a commercial application to it.  
44 We have already addressed that, and there is no need to create a  
45 bigger problem with electric reels with no need. You just need  
46 enforcement and, those people that are fishing illegally, not to  
47 allow them to sell.

48



1 **CARLOS FARCHETTE:** I have Nelson, but Miguel first and then  
2 Nelson.

3  
4 **MIGUEL ROLON:** Thank you, Mr. Chairman. What we need to decide  
5 this afternoon is whether you want to continue or not with the  
6 permit for two species, the queen snapper and the cardinal fish.  
7 That is it. That's all we are doing today.

8  
9 From the hearings, we found that the fishermen do not agree to  
10 have a permit, but, if we do have a permit, they would like to  
11 see the Puerto Rico Department of Natural Resources permit  
12 harmonized with any federal permit that you may have, because  
13 they say that it will be kind of cumbersome.

14  
15 Second, they have an idea of having a moratorium for the ACLs,  
16 having three to five years open to everybody to fish, and they  
17 promise to give all the data that you need and then you set the  
18 ACL. Good luck with that, but, anyway, that's one of the  
19 comments they had. The key also is that one of the issues they  
20 have is -- Has the Puerto Rico Department of Natural Resources  
21 has already prohibited electric reels for recreational  
22 fisheries?

23  
24 **RICARDO LOPEZ:** I understand that they are prohibited and only  
25 for commercial fishermen, and is that right?

26  
27 **MIGUEL ROLON:** Recreational fishermen are prohibited, because I  
28 remember that Genio told us that they went to Rincon and there  
29 were two people there using snapper reels and they were  
30 recreational fishers, and so that is something that has to be  
31 clarified, and remember that we are talking only about the  
32 permit.

33  
34 We aren't even talking about restricting any gear whatsoever,  
35 and so the other issue that was brought to our attention in  
36 Mayaguez and somehow in Naguabo is that the majority of the  
37 areas that are fished for these two species are within the area  
38 of jurisdiction of Puerto Rico. Very little area falls into the  
39 EEZ, and they say, if you have a permit like that, what is the  
40 issue with that permit?

41  
42 I received a comment here from Mr. Font, and he repeated what he  
43 said in Mayaguez, and so it was part of the summary that he had,  
44 but he also believes that, if the permit is used for  
45 communication with the fishermen, they already have a permit  
46 with the Department of Natural Resources and what is the gain on  
47 that?

48

1 The other important part of the socioeconomics was presented by  
2 Nelson, and probably he can clarify it more. Right now, you  
3 have around seventy fishermen who have a permit to fish these  
4 two species and it's under limited entry. If this fishery is  
5 open to everybody, then the return to investment to these  
6 seventy fishermen will go really down the drain, and that's  
7 something that you need to consider, whether that is good or  
8 not, and I am not arguing that.

9  
10 The rationale for not reporting in the east coast, aside from  
11 what Marcos mentioned about the price, is that they don't have  
12 their permit. Therefore, they don't want to be penalized by the  
13 Rangers or the vigilantes. At least four of the fishermen who  
14 went to Naguabo told me that they report queen snapper as the  
15 silk snapper, because of that. They do it on purpose. They can  
16 separate the two, but they are afraid that, if they do that,  
17 they will be in violation of the directive from Natural  
18 Resources.

19  
20 The last part is the question that they ask, and probably  
21 Ricardo can answer this, is whether the Department of Natural  
22 Resources plans to continue with this limited entry program or  
23 the exclusive permit that you have given to these seventy  
24 fishermen in 2017 and 2018 and what are the possibilities of  
25 harmonizing that permit with the federal government and vice  
26 versa?

27  
28 Regarding harmonization of the permits, remember that Puerto  
29 Rico requires residency of one year to obtain a permit and a  
30 commercial fishing license. The federal government does not  
31 discriminate using that caveat, and so the permit cannot be  
32 directly linked as one, as some people proposed, and so you may  
33 end up having a federal permit and a local permit in the two  
34 different areas.

35  
36 **RICARDO LOPEZ:** DNER is not planning to change any of those  
37 regulations. In fact, we have been, lately, dealing with  
38 fishermen that are not giving us the statistics on time and only  
39 those fishermen have been not approved to keep the license. We  
40 are talking only about six to eight fishermen. All the rest  
41 were approved, and no changes have been seen until now for the  
42 regulations.

43  
44 **MIGUEL ROLON:** If I understand correctly, out of the seventy,  
45 six to eight fishermen have not complied with the requirement of  
46 giving the data and their permits have been removed?

47  
48 **RICARDO LOPEZ:** Exactly.

1  
2 **CARLOS FARCHETTE:** Nelson.  
3  
4 **NELSON CRESPO:** I had some comments that I wanted to read for  
5 you regarding this issue. Puerto Rico only has four port  
6 agents, and it's impossible to cover the island with what we've  
7 got. It would be naïve to think that only a small group of  
8 fishermen fish for Snapper Unit 2. We all know there are a lot  
9 of poachers and recreational fishers who do not report and, even  
10 so, the small reporting group almost exceeds the ACLs every  
11 year, and let me tell you something.

12  
13 If the small group that is right now less than seventy reports  
14 the reality of their catches, NMFS has to close this fishery  
15 every year. Definitely this led us to the conclusion that the  
16 resource is more than healthy, and I do not see the incumbency  
17 of knowing the truth.

18  
19 I understand that we have an excellent opportunity to grant a  
20 moratorium to know the true reality of this fishery, and I think  
21 that the scientific community would like to know what the  
22 researchers count on. If the moratorium shows that the resource  
23 is healthy, you can open the door to bring more fishermen to  
24 this fishery. I totally support to bring more commercial  
25 fishermen to this fishery, because the resource supports it.

26  
27 Finally, we do not have to know much more math to understand  
28 that around 146,000 pounds divided by seventy fishers equals a  
29 little more than 2,000 pounds, and we all know that we catch  
30 much more than that.

31  
32 **CARLOS FARCHETTE:** Marcos.

33  
34 **MARCOS HANKE:** I totally agree. I am from Puerto Rico too, for  
35 the record, and I totally agree with what he is bravely  
36 characterizing on the mic, and that's why something that looks  
37 like a crazy idea comes to the table about the moratorium,  
38 because we have the fishing community putting pressure to the  
39 council and to the system, saying, listen, we want to engage  
40 into a process that you're going to create a new truth or a much  
41 better baseline to manage fisheries and to protect them and to  
42 make the system finally work with the support of the fishing  
43 community. Basically, this is what they are requesting, and  
44 this is a moment to do it.

45  
46 My question now is for Iris. Do you see any way, under any  
47 circumstance, that those fishermen that have the permit or are  
48 participants in this, let's say, that they're going to be forced

1 to do an electronic report, under this format or whatever, and a  
2 moratorium of whatever time is needed to create that good  
3 information? Is that possible or there is no way and it's not  
4 even worth it to think about it?

5  
6 **IRIS LOWERY:** When you say "moratorium", can you explain exactly  
7 what you mean by that?

8  
9 **MARCOS HANKE:** The thing is that what Crespo -- Please correct  
10 me, Crespo, if I'm wrong. Every fisherman stated that the data  
11 is wrong, because of all the reasons we have been discussing,  
12 and they know that the status of the fishing is way better than  
13 what the scientists think, through the data, because there is  
14 way more participants and the fishery remained the same.

15  
16 Basically, we are managing something that is not correct, the  
17 numbers and everything, and they want to create those right  
18 numbers, because it's to their interest to do it correctly,  
19 because now they are being affected from those mistakes from the  
20 past, for whatever reason.

21  
22 Is there any way, because we are pursuing better data, better  
23 management, better distribution to participate in the fishery  
24 and so on, to be fair to everybody or to the people that should  
25 be participating on that, to find a way to do something like  
26 that?

27  
28 **IRIS LOWERY:** If I understand what you're saying, this is less  
29 related to the question of permits and more as far as reporting  
30 accurately?

31  
32 **MIGUEL ROLON:** What they are proposing is that we do not enforce  
33 the ACL for five years and collect the information, as much as  
34 possible, that we need for all the species. They are willing to  
35 supply all the information you need. Then, at the end of that  
36 period, provide that information to the scientists to assess the  
37 status of the stocks and then establish the ACL.

38  
39 We told them that it's up the creek to do that, because, right  
40 now, we have not seen any mechanism that allows the National  
41 Marine Fisheries Service, or the Secretary in this case, to stop  
42 enforcing an ACL in any fishery, creating this moratorium, and  
43 so the question is that true or is there any way that we can go  
44 and have the moratorium?

45  
46 **IRIS LOWERY:** Right, I would say that's correct, because the  
47 ACLs are required by the MSA and, as we heard this morning, the  
48 National Standard Guidelines. The revisions do provide some

1 flexibility, as far as the status determination criteria, but  
2 they don't provide flexibility on requirements to have that ACL.

3  
4 What I would say is that our current accountability measures do  
5 provide for that. Not a moratorium or a pause on the ACLs, but,  
6 if an overage is due to increased reporting, and the Science  
7 Center makes that determination, then accountability measures  
8 aren't implemented.

9  
10 **MIGUEL ROLON:** Because, in that case, to the council people,  
11 that's probably the only way that we could do it, legally  
12 speaking. If the fishers commit themselves to provide the data,  
13 and, by the way, that's another point. Most of the fishers fish  
14 within the area of jurisdiction of Puerto Rico, within the nine  
15 miles.

16  
17 There is an issue here, because, if you don't know where the  
18 fish come from, you assume that they come from the EEZ.  
19 Therefore, the ACL is for the EEZ, no matter where the fish come  
20 from.

21  
22 They also tell us that they are coming from the Dominican  
23 Republic with fish, and not as much as they fish in the area of  
24 jurisdiction of Puerto Rico, but that is something, if that's  
25 the case, and so they have two questions, and the first is how  
26 can they improve the data collection without being penalized.  
27 That is their main problem.

28  
29 If they give us more data, it will go with the overage. You  
30 just told us that there is a mechanism that allows the Center,  
31 once you have a baseline, to say, well, this overage is due to  
32 better data reporting and, therefore, we're going to do X and Y  
33 and not necessarily enforce directly the ACL, but the ACL will  
34 stay there until we have enough solid information to move it.  
35 It will be moving around, that ACL, and it's not that you are  
36 going to dispose of the ACL over this period of time.

37  
38 **CARLOS FARCHETTE:** Iris.

39  
40 **IRIS LOWERY:** I would agree with what you just said, and I think  
41 that, as I've heard Bonnie say many times at these meetings, the  
42 intent of what currently is in the AMs is to do exactly what you  
43 were talking about, Marcos. It was to not penalize fishers for  
44 reporting accurately.

45  
46 My second point would be that, as far as the ACLs, and, Bill,  
47 please correct me if I'm wrong here, but this is something that,  
48 as we're moving forward with the island-based FMPs, I think, as

1 you were talking about earlier today, revisiting those ACLs and  
2 how they're set is something that will be happening through that  
3 process.

4  
5 **CARLOS FARCHETTE:** I have a question. If I have an ACL of  
6 146,000 pounds, how are we going to know whether we can harvest  
7 300,000 pounds? Will we have to do a stock assessment of a  
8 species? Is that the only way to determine that that ACL can be  
9 increased? Clay.

10  
11 **CLAY PORCH:** That's the only way I know to do it, unless you can  
12 go demonstrate what the historical landings were and then you  
13 recalculate according to the methods that you already have on  
14 the books, but you would have to go back and adjust those  
15 landings appropriately, and I don't know if there's a mechanism  
16 to do that.

17  
18 **CARLOS FARCHETTE:** I think that's what Nelson is referring to,  
19 that they can prove that they can catch a lot more than 146,000  
20 pounds, but they can't, because they are restricted by that ACL.

21  
22 **MIGUEL ROLON:** That's the issue that I am trying to convey to  
23 you guys. They can fish more and give better information with  
24 the ACLs that you have now. They can do that. That's what Iris  
25 just told you, as long as the Center can justify that overage as  
26 better information.

27  
28 When we were working with the catch share program, Daniel Matos  
29 from Puerto Rico's Research Laboratory gave us the statistics,  
30 all the statistics that he got for around Puerto Rico. One  
31 fisherman stood up and said that those statistics are wrong,  
32 because I catch twice that amount in six months, and I asked him  
33 if he reported it, and he said, well, no.

34  
35 The fishermen that came to especially Mayaguez and Naguabo, but  
36 the fishermen in Mayaguez that are already fishing these two  
37 species, they believe, number one, that the only way that they  
38 can improve the system is by collecting better data, and they  
39 are willing to do so.

40  
41 They want to make sure that, by doing so, they will not be  
42 penalized with a larger closure because of ACLs. At that time,  
43 what they asked me, I said that I cannot guarantee any of that.  
44 The best thing that we can do is to discuss it at a council  
45 meeting and see what avenues the council can open for you to  
46 discuss it.

47  
48 **CARLOS FARCHETTE:** I have Marcos and then Bill.

1  
2 **MARCOS HANKE:** Two things. First, to the point of increasing  
3 reporting and engaging the fishermen to report better that  
4 you're going to have data that, in the future, could increase  
5 the ACL, what about the lobster that we are going now through?  
6 That is point number one.

7  
8 Point number two is that what Miguel says is true if you think  
9 about the permitted people that report. Even in that case,  
10 Crespo just said that if all those fishermen report the way it  
11 should be that you're going to be closing the fishery much  
12 quicker, because those ACLs, since the beginning, was viciously  
13 implemented because of lack of data.

14  
15 The highlight of the moratorium and the main reason, the way I  
16 see it, of the moratorium is that you're going to have, besides  
17 the permitted people, a benefit or an incentive for the people  
18 that illegally participate in the fishery to engage into the  
19 process and to provide the information and to have better  
20 information and establish that baseline and better fishing  
21 management. That's what the fishermen and the industry is  
22 pursuing. I think there is opportunity that you guys have to  
23 help the industry on that, some way, somehow.

24  
25 **CARLOS FARCHETTE:** I have a follow-up with Nelson, and then I've  
26 got Bill and then Roy.

27  
28 **NELSON CRESPO:** Let me add to Marcos's words. To remind you  
29 guys, we would only be allowed to fish 120 days per year.  
30 That's been that we can fish only four months a year. We have  
31 an eight-month closure established already with the regulations  
32 of the DNER.

33  
34 **CARLOS FARCHETTE:** Okay. Bill.

35  
36 **BILL ARNOLD:** I hardly know where to start. First, the reported  
37 landings are probably about 80,000 pounds a year. The DNER  
38 collects those data and some estimate of who is failing to  
39 report or underreporting and they develop an expansion factor.  
40 That expansion factor, historically, has been about 0.5, and so  
41 the expansion factor accounts for the fishers who are not  
42 reporting.

43  
44 If more fishers start reporting, the expansion factor will  
45 become less and less influential, but, overall, the landings  
46 will stay the same and the adjusted landings, which is what we  
47 use to set the ACL and which is what we measure against the ACL,  
48 would roughly stay the same, because you're just adjusting for

1 these factors that are being taken into account, and so that's  
2 one thing.

3  
4 Another thing is you don't set your allowable catch relative to  
5 how many people want to catch how much. You set your allowable  
6 catch based upon what the resource can sustain over the long  
7 term. Then, once you've established what the resource can  
8 sustain over the long term, you have to fit fishing effort into  
9 that capacity. Otherwise, you're going to blow the fishery up.  
10 Nobody wants to do that.

11  
12 I am not claiming that our 145,000-pound ACL is correct. I  
13 certainly would support any efforts that we could make to  
14 improve that, but a five-year moratorium on any constraints on  
15 catch is not the way to do it. For one thing, and Clay knows  
16 much better than I, I can't imagine that it would require five  
17 years of data to be able to do a quantitative assessment.

18  
19 If the fishers and the DNER, and I am not meaning to criticize  
20 anybody and this is just the way it is, but if you're getting  
21 not just the landings data, but you're getting the TIP data, the  
22 biological information that goes along with it, the size data  
23 and growth data and age data and all of these things that are  
24 supposed to have been being collected over the course of how  
25 many years, if not decades, then we would be able to do  
26 quantitative assessments.

27  
28 We would have a much better idea of what the capacity of this  
29 fishery is and then, first, Puerto Rico could develop a permit  
30 program that would work within that capacity and the feds could  
31 build off of that permit program.

32  
33 My approach to this, which is not definitive, but my approach is  
34 we follow Puerto Rico. We don't lead Puerto Rico in this. We  
35 follow them. They set up a permit program that will work, and  
36 then we want to complement that program in federal waters, so  
37 that we have smooth consistency everywhere and the enforcement  
38 folks can have a very simple and straightforward job of actually  
39 making this permit program work.

40  
41 When you've got disconnects between state and federal, you've  
42 always got an excuse in front of a judge to say, yes, but that's  
43 not what I was doing. I was doing this, and it's legal over  
44 here, even though it's illegal here.

45  
46 Really, for one thing, and Iris is the expert on this, but I  
47 can't imagine we would ever be allowed to just say we're not  
48 going to apply the ACL, because that's a precedent-setting move.



1 Once you say we're going to not apply the ACL to queen snapper,  
2 the lobster guys and the red hind guys, everybody, could say,  
3 hey, we're in the same boat, and so I think that we're not  
4 really -- I understand and sympathize with the fishermen and  
5 appreciate where they're coming from, but I think we're  
6 emphasizing the wrong aspects of what came out of these scoping  
7 hearings.

8  
9 I think that the key outcome from these scoping hearings was  
10 these guys want a permit. They just want one that works, and,  
11 as I've said before, this is not something that we're trying to  
12 do in a hurry. This is going to be a lengthy process. As I've  
13 said, we envision it as being Amendment 1 to the new Puerto Rico  
14 FMP and not any amendment to these old FMPs. As you guys well  
15 know, that is at least a year-and-a-half away. We just put the  
16 timeline up there, and that's a solid year-and-a-half down the  
17 road, and so we've got time to try to figure out a good way to  
18 go about this.

19  
20 Getting the input from the fishermen is an absolutely essential  
21 part of that process, but now comes the really hard work of  
22 figuring out how much can be harvested and how that harvest is  
23 going to be allocated, anywhere from a total free-for-all to a  
24 very restrictive permitting program that ensures that a small  
25 number of fishermen can make a decent living by harvesting this  
26 resource. Right now, we're somewhere in between. As they said,  
27 2,000 or 3,000 pounds per person per year is really not cutting  
28 it for anybody. They're all splitting up just enough to fail.

29  
30 **CARLOS FARCHETTE:** Marcos.

31  
32 **MARCOS HANKE:** A follow-up question, just to make sure that I  
33 understand and that Crespo understands this. Thank you, because  
34 this is what I was expecting. If I understand correct, if we  
35 had the historical information and the biological parameters of  
36 this fishery, we could analyze this data differently and maybe  
37 get to a different outcome, if the data was better, and not just  
38 landings.

39  
40 If we create the scenario under the ACL now, those guidance is  
41 what the fishing community are asking for, looking forward to  
42 prove to the system and to everybody that it's healthier and  
43 that we need to increase the ACL, instead of just knowing what  
44 to do and not saying to the fishing community how to do it.  
45 That is not correct. This is what they are requesting. How are  
46 we going to do the business management in a good way? This is  
47 our request, and, Clay, I don't know if you want to comment on  
48 it or Bill, but I would really appreciate it.

1  
2 **CLAY PORCH:** I guess two points with that. The first one is  
3 there is no time better than now to collect the data that we're  
4 going to need to prepare for a better stock assessment, in which  
5 case you don't necessarily have to raise the catches to get a  
6 better estimate of how many lobster are out there and how many  
7 you can take and have enough left over for the future or snapper  
8 or whatever.

9  
10 We do have to work to improve the sampling designs, and, as many  
11 of you are aware, there is a number of efforts going on to try  
12 and do that very thing now, but the other thing is, going -- I  
13 can't imagine how we would justify it, and I would punt that to  
14 Iris and Roy, just saying to the agency, oh, we're just not  
15 going to enforce any catch limits.

16  
17 I don't see how you would pull it off, but, if you could go and  
18 find some way that you could look at the historical information  
19 that the ACL is now based on and you could better measure the  
20 amount of underreporting, then you could go ahead and adjust  
21 that, and that's probably what Bonnie was getting at when she  
22 was saying that, if you could demonstrate that there is  
23 underreporting, but you've got to do that during the period  
24 where the landings that the ACL are based on is.

25  
26 I mean, you can't just say now we're underreporting, but the ACL  
27 was based on a historical period, and so, yes, there are the  
28 adjustment factors that are applied, and I guess what the  
29 fishermen are saying is those adjustment factors don't catch the  
30 full scale of underreporting that was occurring, but somehow we  
31 need a way to demonstrate that factually, and then we can apply  
32 it to the ACL and adjust it.

33  
34 We've done that in the cases of our recreational fishery, where  
35 we got better estimates of recreational catch historically and  
36 so then we adjust the ACL, and you could do something like that,  
37 for things like in the Gulf of Mexico, and you could do that  
38 here, but, again, we need that information, and I haven't seen  
39 it forthcoming.

40  
41 **CARLOS FARCHETTE:** Iris.

42  
43 **IRIS LOWERY:** Quickly getting back to the issue of the ACL  
44 moratorium, I would absolutely agree that ACLs are -- I know a  
45 lot of people don't like them, but they're one of the  
46 requirements of the MSA, and so I don't see any real basis for  
47 departing from that in this instance.

48

1 **CARLOS FARCHETTE:** Miguel.

2  
3 **MIGUEL ROLON:** What I was going to say is stop hitting yourself  
4 against the wall. You're not going to move that ACL. Once that  
5 is understood by everybody, then the next step will be for  
6 Puerto Rico to figure out how the hell they're going to collect  
7 the data that we need, because the problem we have is that  
8 Puerto Rico is not collecting the data the way it's supposed to  
9 be, for many reasons.

10  
11 The first thing that we need to do, and we offer this. We can  
12 work with the local government and some of the experts around  
13 the table here to figure out how to improve the data collection  
14 system them have. Involve the fishermen who are willing to  
15 provide the information that they can, as much as possible.

16  
17 There is still that little thing about where the ACL applies,  
18 whether it applies through the entire range of the species or  
19 just the EEZ, because, if it's just the EEZ, we don't have a way  
20 to say whether this fish is caught in the EEZ or not in the EEZ.  
21 So far, we are assuming that whatever landings comes to the  
22 shore may come from the EEZ. Therefore, the ACLs are based on  
23 that.

24  
25 Historical data, forget about the historical data. We went  
26 through all the whole thing, and the best possible answer was  
27 what we got from the Center and the people who got involved with  
28 this, and so the question to you is that, number one, we can  
29 follow what Bill is saying. We are not in a hurry to jump on  
30 this bandwagon of a permit.

31  
32 Let's allow Puerto Rico to have a better permit system and then  
33 we can follow suit, but Puerto Rico has to be active in this. I  
34 believe that this guy is going to fix everything, the new guy,  
35 but we need to make sure that we work toward that goal and that  
36 we involve the fishermen and the scientists and see if we can  
37 have a better picture of how we can collect the information.

38  
39 I remember Mr. Font, and we call him Pauco, and he went and  
40 said, it's our fault, guys. We didn't collect the information  
41 and we didn't send in the information and we need to figure the  
42 way that we can improve this. Nelson stated that the fishers  
43 that he represents are willing to provide better information as  
44 long as they are not penalized somehow, but we need to figure  
45 out a way of collecting that information.

46  
47 Again, what Iris said is that, although the ACL cannot be erased  
48 tomorrow, you can use a mechanism that says that, if the

1 overages, and I have to repeat this over and over again, if you  
2 have a better collection, data collection, program, and you  
3 convince the Center that the overage is because of that, then  
4 you will not be penalized again for the ACL.

5  
6 I remember the spiny lobster. Puerto Rico sent a letter at the  
7 last minute. I was texting with Bill here, and he helped me put  
8 together the letter for the local government. People thought  
9 that, by sending that letter, the ACL would disappear or would  
10 balloon all the way up the ceiling and they would be -- Well,  
11 when the Center received the information, the whole data was  
12 within the variance that they use for described the ACL for the  
13 spiny lobster and they couldn't move the ACL, and so, this  
14 afternoon and this evening, we are going to discuss ways to  
15 improve it, but, setting aside the lobster, Mr. Chairman, the  
16 question that we need to answer now or get a directive from the  
17 Center is do you want to pursue at this time the permit or not.  
18 That's the first thing that we need to ask for the queen snapper  
19 and the cardinal.

20

21 **CARLOS FARCHETTE:** Okay. Blanchard and then Richard.

22

23 **TONY BLANCHARD:** I would have to agree with Bill. I think we  
24 need to let the state, Puerto Rico, develop a better permitting  
25 system, if that's what they want, and get the information from  
26 the Science Center, like Clay says, that they need to be able to  
27 somehow work on getting that ACL up. Then, when they come with  
28 a permitting system to us, then we make the adjustments that  
29 need to be made, and so let them take the lead and let them do  
30 the hard work.

31

32 **MIGUEL ROLON:** Mr. Chairman, probably what we should do is these  
33 are scoping meetings. We didn't go with something in concrete  
34 blocks, and so we can table the discussion until that happens.  
35 You can have a motion. If you are happy with that, you can  
36 table the discussion until a couple of years from now or one  
37 year from now or two years from now. Table the discussion until  
38 we have a better mousetrap from the Department of Natural  
39 Resources.

40

41 **CARLOS FARCHETTE:** Richard.

42

43 **RICHARD APPELDOORN:** Along the lines of a number of people who  
44 have been commenting, if you want to be able to collect  
45 appropriate data and are concerned about the ACL, you're going  
46 to have to have a specific program that is targeting improved  
47 data. You just can't say it happens. You actually have to have  
48 a program that says we are, in this case, targeting Snapper Unit

1 2, and I think Bill pointed out that there is the reported catch  
2 and then there is the expansion factor.

3  
4 The expansion factor is calculated by coast, but over all  
5 species. If you have, for example, a limited entry fishery,  
6 there is probably no reason that you would expect that same  
7 expansion factor to be applicable to a smaller number of  
8 fishermen who have a much more vested interest in the management  
9 of that species.

10  
11 If you wanted to look and see whether your expansion factor for  
12 Snapper Unit 2 is in par with what's being caught for all these  
13 species, that would be a perfect rationale for designing a new  
14 sampling program relative to that specific issue, and so there  
15 are mechanisms to do that.

16  
17 Coming into the SSC and the Center, if we're seeing high numbers  
18 that are tied to a specific program to collect better data,  
19 there is a rationale for saying, okay, this is not a true ACL  
20 overage and this is better data, but, if you don't have all of  
21 the things tied together, it doesn't happen, but there are ways  
22 to do that, and so it's, again, and I forget who mentioned it,  
23 but it goes back to Puerto Rico, who is the data collector, to  
24 design that program and get it up.

25  
26 **CARLOS FARCHETTE:** I've got a question. If they're only allowed  
27 to fish 120 days in state waters with that permit, 120 days, but  
28 if I fish in the federal waters, I can fish every day?

29  
30 **MIGUEL ROLON:** It's open.

31  
32 **CARLOS FARCHETTE:** It's open, right? That is an issue, I think.

33  
34 **GRACIELA GARCIA-MOLINER:** The problem is that you have to  
35 transit through the state waters. Therefore, if they intervene  
36 with you in the state waters, you are going to be uncompliant  
37 with the law. The program would have to be designed to make  
38 sure that you know that it's coming from the EEZ, but you are  
39 transiting through the state waters and for the specific number  
40 of people who are collecting the -- One option that was offered  
41 to you was to actually look at the data from the mixed species  
42 complex type of situation, and so that should also be included  
43 as part of the data collection improvement program.

44  
45 **MIGUEL ROLON:** If I may, Mr. Chairman, we are not going to solve  
46 this problem between here and five o'clock. I propose that you  
47 can table the permit, which is what you were after when you went  
48 to the scoping meeting, and then create a committee to help

1 Puerto Rico put together something that will make sense, as Dr.  
2 Richard Appeldoorn was saying before. For that, we can assist  
3 Puerto Rico with some seed money or whatever, but Puerto Rico  
4 has to make a commitment to put some warm bodies somewhere to  
5 collect this data and make sense out of it.

6  
7 Actually, when Daniel gave us a presentation and when Dr. Juan  
8 Agar gave us a report on Mayaguez, the average catch per  
9 fisherman is 140 pounds per day, and they go two or three times  
10 a week to fish, and that data was -- That information was  
11 supported by Nelson and the group of fishers from the west coast  
12 of Puerto Rico, and so, there, you have some more information.  
13 Ricardo, do you think that we can work together with a team like  
14 that next year?

15  
16 **RICARDO LOPEZ:** I think that we are talking about many things at  
17 the same time. Yes, I don't see why we can't make an agreement  
18 with this, having a team working on that. Saying that, I agree  
19 with Bill in every word that he used to explain this issue.

20  
21 I want to add that we need to remember that there is not such a  
22 number as 2,000 pounds per fishermen. That's not real. The  
23 real thing here is that 80 percent of the catches is done by 20  
24 percent of the fishermen.

25  
26 **MIGUEL ROLON:** You are mixing apples and oranges here. The  
27 seventy fishermen fish X amount of fish, and you divide that by  
28 the seventy fishermen and that's what they have done. Whether  
29 the data is good or not, that's beside the point, but those  
30 numbers are real. It's just simple arithmetic.

31  
32 When Dr. Juan Agar did the survey, he interviewed -- Actually,  
33 he sent somebody to interview every one of these fishermen, and  
34 we were able to compare what Daniel has with the numbers that we  
35 collected, that Dr. Juan Agar collected, and they prepared a  
36 table, and I call that table the lie-detector table.

37  
38 Out of the fifteen members of the board for the catch share  
39 program, four did not report any deepwater snapper. 60 percent  
40 was reported by eight, and only two reported every little pound  
41 that they caught, and so we're going to have to sit down and  
42 figure this out and make sense out of it. Otherwise, we can  
43 come here every year and discuss the same issue again and  
44 nothing will happen.

45  
46 What we're offering here is some assistance, because we have  
47 people around the table, like Richard Appeldoorn and others,  
48 that we can provide some way for them to participate in the

1 discussion. Also, I would like to include a fisherman or two,  
2 at least that will be observers, one or two from the east coast  
3 and one or two from the west coast, because, right now, what we  
4 have found, from Naguabo and Mayaguez, is that fishermen on the  
5 east coast believe that -- I am not saying that this is what  
6 happened, but that it benefits only the west-coast fishermen,  
7 forgetting about all of these guys from the east coast.

8  
9 At a meeting in August of 2015, the fishermen of the east coast  
10 gave a letter to the Secretary with a list of all the fishermen  
11 already fishing these deepwater snapper. The problem is, when I  
12 asked Daniel whether any of these were reporting, none of them  
13 were reporting the data, and so the Department of Natural  
14 Resources has its hands tied, because you have to go by the law,  
15 also.

16  
17 You have to go by the numbers, and, if you don't have the  
18 statistics for a particular fisherman, it will be difficult for  
19 you to assess whether they can belong or not to this group, and  
20 that's why I am offering now, and that's the question regarding  
21 whether you think, based on what is coming up in the next year,  
22 whether that's something that can be done.

23  
24 By the way, there is no way that the federal government can  
25 force the local government to do anything that you don't want to  
26 do. That's what Bill said. We follow whatever you're going to  
27 do this time, and I am really personally concerned. Most of the  
28 fish come from inside of the area of jurisdiction of Puerto Rico  
29 and not from the EEZ, and still we have a problem.

30  
31 **RICARDO LOPEZ:** I see what you mean. Again, I agree with Bill.  
32 I also agree with you on many things. I am sure that, as you  
33 said, that --

34  
35 **MIGUEL ROLON:** Ricardo, you agree with us on everything, but  
36 what is it that you agree on, specifically?

37  
38 **RICARDO LOPEZ:** I am getting to that now. I am sure that not  
39 every fisherman is reporting, as you said. That is taken care  
40 of by the expansion factor, as it's supposed to be. We also  
41 have two professors from Miami, Jerry Ault and Steve Smith, that  
42 did some work with important commercial fishes, but in shallow  
43 waters.

44  
45 We are planning to do the same work, in terms of sustainability,  
46 for deepwater snappers and other species, and hopefully that  
47 will help. We are not stopping and we are not working only with  
48 what the fishermen can give us. We are taking care of things by

1 making other studies as well, and, sure, we can make that  
2 committee whenever you say, probably this year. I don't see why  
3 we cannot do that in 2017.

4  
5 **CARLOS FARCHETTE:** Marcos. Before Marcos, I would add kindle to  
6 the fire. There is a fisherman on St. Croix that comes twelve  
7 miles east of Vieques to fish for your queen snappers, and so  
8 it's allowed. We have to look at that too, whenever we come up  
9 with this federal permit. I'm sure it's going to be for the  
10 U.S. Caribbean and it's not only going to be for Puerto Rico.  
11 Go ahead.

12  
13 **MARCOS HANKE:** I would like to make a motion to table the  
14 discussion of the permit and the decision on creating a federal  
15 permit for Snapper Unit 2 until the appropriate time. Can you  
16 help me with the language, Miguel?

17  
18 **MIGUEL ROLON:** Until the appropriate time where we get the  
19 information that we need to make a decision or that we need for  
20 such a permit or for the permit.

21  
22 **TONY BLANCHARD:** I second.

23  
24 **CARLOS FARCHETTE:** Okay. The motion is to table the decision on  
25 the permits until the appropriate time when we get the  
26 information needed for this permit, Snapper Unit 2 (queen  
27 snapper and cardinal). Motion by Marcos and second by  
28 Blanchard. Iris.

29  
30 **IRIS LOWERY:** This is up to the council, but I wonder if you  
31 would like to state a period of time after which you would like  
32 to revisit it or have some more discussion regarding what  
33 exactly information it is that you're waiting for.

34  
35 **CARLOS FARCHETTE:** I agree, before it takes like forever.

36  
37 **MIGUEL ROLON:** If we follow what Bill presented, it's around  
38 2018.

39  
40 **CARLOS FARCHETTE:** Wow.

41  
42 **MIGUEL ROLON:** You guys were paying attention to what he said.  
43 Between here and 2018, the island-based FMPs should be in place,  
44 and nothing happening in between. You can say, following Iris's  
45 suggestion, is 2018 or something like that. No later than 2018.

46  
47 **MARCOS HANKE:** Can we add language of "not later than 2018" to  
48 my motion, please?



1  
2 **CARLOS FARCHETTE:** All right. I will do a roll call for the  
3 votes. I am going to start on my left with Carlos Velazquez.

4  
5 **CARLOS VELAZQUEZ:** Yes.

6  
7 **TONY BLANCHARD:** Yes.

8  
9 **RUTH GOMEZ:** Yes.

10  
11 **RICARDO LOPEZ:** Yes.

12  
13 **MARCOS HANKE:** Yes.

14  
15 **ROY CRABTREE:** Yes.

16  
17 **CARLOS FARCHETTE:** Yes. **The motion carries.**

18  
19 **MIGUEL ROLON:** Mr. Chairman, to get this out on the table, I  
20 believe that we will talk to Ricardo later on and see what can  
21 be done and, if the Puerto Rico Natural Resources Department  
22 decides to go forward with this, you and I will talk and see  
23 which people you would like to see on that committee and what  
24 will be the goals and objectives of the committee.

25  
26 **CARLOS FARCHETTE:** Okay. Moving on to Developing an Alternative  
27 Annual Catch Limit Benchmark for Application of Accountability  
28 Measures. This is being done by Bill.

29  
30 **DEVELOPING AN ALTERNATIVE ANNUAL CATCH LIMIT BENCHMARK FOR**  
31 **APPLICATION OF ACCOUNTABILITY MEASURES**

32  
33 **BILL ARNOLD:** This is right along the lines of what we just  
34 talked about. When it comes to the Snapper Unit 2 fishery  
35 specifically, there are some short-term things that could be  
36 done. They may or may not help, but they could be done, in an  
37 effort to potentially lessen the likelihood that an AM-based  
38 closure would have to take place and also possibly to even  
39 better understand what the true landings are.

40  
41 As we have discussed in the past, as far as the true landings  
42 are concerned, get a sector-specific expansion factor, because  
43 it may be that -- Like I said, the overall expansion factor is  
44 roughly 0.5, and so it doubles the landings.

45  
46 If that expansion factor was instead 0.8 or something, or, in  
47 other words, 80 percent of the fishers are reporting, instead of  
48 50 percent, it would not double the landings. It would increase

1 them by 20 or 30 percent or something like that, and you would  
2 be nowhere near your ACL, and you wouldn't be suffering these  
3 closures.

4  
5 Another thing, and you have to keep this in mind. This is  
6 important, but the fishers should be reporting. Report, report,  
7 report. I will say that until I am blue in my face. This idea  
8 that, by not reporting and not providing good data, that you are  
9 benefitting yourselves is exactly wrong and exactly opposite of  
10 what the true situation is.

11  
12 The third thing is that we have, and that's what I'm about to  
13 talk about, we have two components to accountability measures.  
14 The first component is what triggers the need to implement an  
15 accountability measure? The second is what actually is that  
16 accountability measure that you just triggered?

17  
18 We've got an accountability measure in place. The  
19 accountability measure that exists is, if you exceed the annual  
20 catch limit, then, the year following that determination, the  
21 length of the season is decreased such that we reduce, to the  
22 extent practicable, the likelihood that you will again exceed  
23 the annual catch limit.

24  
25 There is no reduction in the annual catch limit. There is no  
26 penalty. There is just we want to reduce the number of days you  
27 have to hit that annual catch limit, because apparently you're  
28 fishing at a rate that's so fast that you will -- If you fish  
29 all 365 days of the year, you will exceed it, and so that's what  
30 the actual accountability measure is, but then there is the  
31 trigger for that accountability measure.

32  
33 Right now, for Snapper Unit 2, we have, in Puerto Rico, separate  
34 sectors, and each sector, the recreational and the commercial,  
35 has an annual catch limit, and they have a trigger for  
36 application of the accountability measure to their specific  
37 sector, and that is, if you exceed your sector-specific ACL, the  
38 accountability measure will be applied to your sector of the  
39 fishery.

40  
41 That is all great, but the trigger does not have to be this  
42 individual sector's annual catch limit. In fact, optimum yield  
43 equals the total annual catch limit and not the sector-specific  
44 annual catch limit, and we are trying to achieve optimum yield.

45  
46 You could, instead of having sector-specific triggers, you could  
47 have a single trigger that is the total ACL, and then, only if  
48 the total annual catch limit is exceeded, would accountability

1 measures be applied. Those accountability measures, the second  
2 part of the equation, would still be applied in exactly the same  
3 way, in the same sector-specific way, with the same sector-  
4 specific penalties.

5  
6 If the total catch exceeded the total annual catch limit, then  
7 accountability measures would be applied, and, of course, there  
8 is some alternatives in here that belie this, but the basic idea  
9 behind this is those accountability measures would still be  
10 applied to the individual sectors, based upon how much each  
11 sector exceeded their annual catch limit.

12  
13 For example, as is the case, because this is actual data, this  
14 is what happened last year with Snapper Unit 2. The commercial  
15 sector caught 156,000 pounds. Their annual catch limit was  
16 about 146,000 pounds, and so they were about 10,000 pounds over.  
17 That resulted in a requirement to close that fishery for thirty-  
18 six days, starting on December 31 and counting backwards, and  
19 they experienced that closure.

20  
21 Meanwhile, the recreational sector landed, on average, for the  
22 three years of 2012 to 2014, they landed, on average, during  
23 those three years, 2,460 pounds per year. They were allowed, by  
24 their ACL, almost 35,000 pounds, and so they're sitting roughly  
25 32,000 pounds below their annual catch limit.

26  
27 All this translates into a total catch, total average catch, of  
28 about 158,000 against a total ACL of 181,000, and so they're  
29 22,000-plus under the total annual catch limit. If this had  
30 been applied, instead of this, there would have been no closure.

31  
32 Now, that doesn't mean that's going to happen every year, and  
33 that doesn't mean that the recreational doesn't get their  
34 34,810-pound catch level, but it does mean that, if they fail to  
35 take advantage of that, and the commercial leaks over, the  
36 commercial won't necessarily be penalized.

37  
38 Now, if the commercial goes so far over their ACL that they push  
39 the total catch over the total ACL and the recreational stayed  
40 under their ACL, then the accountability measure would only be  
41 applied -- At least one option is the AM is only applied to the  
42 commercial. Now, this is what we're talking about when we talk  
43 about adjusting the trigger for accountability measures.

44  
45 This is a framework measure. We wrote ACLs and AMs into the  
46 frameworks when we created the 2010 Caribbean ACL Amendment, and  
47 so this is a -- We could amend the fishery management plans in a  
48 relatively quick amount of time. Not quick. Nothing is quick,

1 but a relatively quick amount of time.

2  
3 It depends upon, of course, how the council votes and what  
4 preferred alternative they want, what the alternatives are that  
5 are constructed for this, et cetera, et cetera, but there is the  
6 potential, based upon this approach, to use a total ACL trigger  
7 instead of sector-specific ACL triggers and at least somewhat  
8 reduce the likelihood that an accountability measure will be  
9 triggered.

10  
11 Now, this may be a relatively short-term solution, but at least  
12 it is a part of an approach to ensuring that we're achieving  
13 optimum yield without overfishing the resource, and I had a  
14 couple of other spiffy slides, but I will go to Slide 3.

15  
16 **MARCOS HANKE:** A question on the numbers, on the tables.

17  
18 **BILL ARNOLD:** Sure. They averaged, during those three years,  
19 2,460 pounds per year of reported recreational landings. That  
20 is based upon the Puerto Rico Marine Recreational Information  
21 Program intercept data collection program.

22  
23 **CARLOS FARCHETTE:** I have a comment, because I think I did ask,  
24 a few council meetings before, to take the leftover from the  
25 recreational and add it to the commercial, and that's what we're  
26 practically doing here, right?

27  
28 **BILL ARNOLD:** No, that's not what we're doing at all. That's a  
29 reallocation of the available catch. This is not a reallocation  
30 of the available catch. It is only an adjustment to the  
31 trigger, but it's not like the commercial gets another 32,000  
32 pounds. They don't get any more. They are only penalized if  
33 the total ACL is exceeded, which is the optimum yield, but, if  
34 that total ACL is exceeded and it's exclusively due to the  
35 commercial guys going over their 146,000-pound ACL, then all of  
36 the AM is applied to the commercial guys.

37  
38 **CARLOS FARCHETTE:** Blanchard and then Marcos.

39  
40 **TONY BLANCHARD:** I've just got a question. Now, this really  
41 applies to Puerto Rico, because, as it stands now, the Virgin  
42 Islands doesn't have a recreational ACL. Could this come into  
43 play for the Puerto Rican people or Puerto Rico starting next  
44 year, when the new set of ACLs start to be looked at, that if  
45 there is an underrun by the recreational sector that they can go  
46 to the commercial sector? Is there anything that could be done  
47 about that now?

48

1 **BILL ARNOLD:** Tony, there is two things. One is our timeline  
2 indicates we could have this in place not for 2017, which we're  
3 working on now, although it is possible, depending upon the  
4 timing, but we would like to get this thing set up for 2018.  
5 The second thing is I reemphasize that the commercial doesn't  
6 get any extra poundage. They just don't have the AM applied  
7 unless the total is exceeded.

8  
9 **MIGUEL ROLON:** Mr. Chairman, this is the crux of the discussion.  
10 What happens then if they reach their ACL? That one triggers  
11 the AMs and --

12  
13 **BILL ARNOLD:** If who does, Miguel?

14  
15 **MIGUEL ROLON:** Let's say in the scenario that the commercial  
16 exceeds their ACL, but it won't trigger AMs, under this  
17 proposal, because you will not have the total of 180,000 pounds  
18 that are the sum of the two sectors, but, at the same time, if,  
19 in the following year, you reach 145,000 and the recreational  
20 the 35,000, more than 35,000, then the total will be over  
21 180,000 and then you will trigger the AMs. That's what Bill is  
22 proposing. Bill, the quickest way of doing this will be when  
23 and how? Will it be 2018, if approved by the council?

24  
25 **BILL ARNOLD:** Well, let me give you a little more information.  
26 As always, we have to have an action, and we have to have  
27 alternatives under that action, and so these are some -- This is  
28 a proposed action and suggested options. Obviously Suggested  
29 Option 1 is no action, we don't do anything.

30  
31 Option 2 is what I have explained. If you exceed the total ACL,  
32 the AMs are applied to each sector according to the degree to  
33 which each sector individually exceeded their ACL. If you  
34 didn't exceed your ACL, you wouldn't have AMs applied, but one  
35 of them had to have, or you wouldn't have gone over the total,  
36 and so that's one option.

37  
38 Another option is, if the total ACL is exceeded, then both  
39 sectors, regardless of who exceeded it, both sectors are closed  
40 at the same time, to ensure that the ACL is not again exceeded.  
41 Now, that may seem like a totally crazy idea, but, from an  
42 enforcement point of view, they don't have different closures  
43 and they don't have recreational guys out there fishing while  
44 commercial guys are closed or something like that. I am not  
45 saying this is a good idea. I am just saying it's another  
46 option in the range of viable options.

47  
48 **MARCOS HANKE:** I want to state that the option of that

1 flexibility that you presented of using the total ACL as the  
2 trigger, I agree with that. I think, in terms of the procedures  
3 that you were analyzing and the timing of being able to  
4 implement things, it's a good thing, but, and just if whoever  
5 exceeds the ACL is going to have the AM in place and not both at  
6 the same time. Otherwise, it's going to be the same and making,  
7 indirectly, a reallocation. The Option 2, I think it is, that  
8 is proportional to each whatever sector exceeds, and this is  
9 something that I can agree with. I have another question. Does  
10 this apply to lobster and to everything?

11  
12 **BILL ARNOLD:** It wouldn't apply to lobster, because we don't  
13 have recreational sector separation. In spiny lobster, we don't  
14 get recreational data from MRFSS. They only do finfish, and so,  
15 with lobster, it's the total. For all the finfish species, for  
16 which we have separate recreational and commercial sectors, you  
17 could either make it specific -- You tell us and we don't tell  
18 you. You could make it specific to Snapper Unit 2 or you could  
19 make it generalized to basically all federally-managed finfish  
20 species or species complexes, specifically Puerto Rico.

21  
22 **MARCOS HANKE:** One last question, for the record to be clear of  
23 my intention. If we apply it to the finfish, this strategy that  
24 I just endorsed, that you presented, the recreational sector  
25 will not lose the access to that specific fishery or finfish,  
26 but we just will be not wasting our ACL if one sector or the  
27 other doesn't get into there and be analyzing the implementation  
28 of the AM through the whole available ACL.

29  
30 **BILL ARNOLD:** You won't change each individual sector's annual  
31 catch limit. You will just change the conditions under which  
32 the accountability measures associated with that annual catch  
33 limit are implemented, and I would point out that, if you did it  
34 for all the finfish and not just for Snapper Unit 2, then there  
35 would be species complexes for which the recreational would  
36 benefit, because jacks, for example, are -- Recreational jacks,  
37 as I'm going to talk to you about later, are again going to  
38 exceed their ACL in Puerto Rico this year. That is two years in  
39 a row.

40  
41 Perhaps, and I haven't looked that closely at the numbers, but  
42 perhaps if they had this AM trigger situation in place, they  
43 would have been able to take advantage of the untapped  
44 commercial quota and they wouldn't be suffering an  
45 accountability-measure-based closure.

46  
47 **CARLOS FARCHETTE:** A follow-up, Marcos, and then I have Iris and  
48 then Blanchard.

1  
2 **MARCOS HANKE:** One other thing is that it totally makes sense  
3 from the biological point of view, and that is that those are  
4 not -- The recreational and the commercial are not living apart.  
5 They are the same resource. They feed and they reproduce and  
6 they are the same. I think it totally makes sense, to me. For  
7 that reason too, I endorse this idea.  
8  
9 **CARLOS FARCHETTE:** Iris.  
10  
11 **IRIS LOWERY:** One of the important points here, which Bill just  
12 alluded to, is that this isn't changing the ACLs, and so there  
13 are certain requirements where you, for instance, go over the  
14 ACL two years a row that are triggered by the National Standard  
15 Guidelines.  
16  
17 If you go over the ACL more than once in four years, the  
18 guidelines require you to reevaluate the system of AMs and ACLs,  
19 and so this changing the AM trigger doesn't get rid of that  
20 obligation if you go over the ACL, and so, while it might  
21 provide some occasional flexibility, relying on it on a regular  
22 basis presents some concerns under the NS Guidelines and also as  
23 far as whether or not you really should be discussing  
24 reallocation if you're continuously going over the ACLs.  
25  
26 Then my other point is that, although we are framing this in  
27 terms of the AM trigger and not reallocation, I think that is  
28 important, for the record, that you all think about how this is  
29 a fair and equitable action.  
30  
31 **CARLOS FARCHETTE:** Blanchard.  
32  
33 **TONY BLANCHARD:** I've just got a question for Bill, because I  
34 want to make sure I'm clear as to how this works. Once the AM  
35 is triggered, and let's say the stocks for the recreational  
36 sector is not met, and let's say you give -- The stock is not  
37 utilized, it's an underutilized stock, and you give it over to  
38 the commercial sector not as a reallocation, but for not  
39 exceeding the ACL between the two sectors, right? Is that a  
40 two-way street? In other words, let's say that the recreational  
41 overrun theirs and the commercial does not overrun theirs. Is  
42 the commercial obligated to give their underutilized stocks to  
43 the recreational sector?  
44  
45 **BILL ARNOLD:** It is a two-way street, Tony, but nobody is giving  
46 anybody anything. They get their exact same ACLs. There is no  
47 reallocation. It's just a matter of what is the trigger to  
48 implementing the AMs.

1  
2 If the recreational sector harvests X number of pounds of jacks  
3 and that number is over their ACL, but not over the total ACL,  
4 and the commercial guys don't harvest enough jacks to compensate  
5 for that, and they don't exceed their ACL, then the recreational  
6 would benefit by not having an AM applied.

7  
8 If the total ACL is exceeded, and it's all due to a recreational  
9 ACL overage, all of the AM is applied to the recreational and  
10 there is no implication for the commercial, assuming that you  
11 chose suggested Option 2 instead of suggested Option 3 or other  
12 options that other people may come up with.

13  
14 **CARLOS FARCHETTE:** So you want the council to decide on which of  
15 these options? Is that where we're at?

16  
17 **BILL ARNOLD:** Here is where we are. This is where we are. You  
18 guys discuss these management options, as we're doing, and you  
19 tell us, by motion, whether you want us to move forward on this,  
20 and you can decide on public hearings. Do you want to have  
21 public hearings and get this out of here? Those public hearings  
22 could be held, for example, at the next council meeting. They  
23 don't have to be separately held. Then the staff could develop  
24 a timeline to get this done, and we would work as hard on it as  
25 we could to get it done as quickly as possible.

26  
27 **CARLOS FARCHETTE:** Richard.

28  
29 **RICHARD APPELDOORN:** Bill, not to complicate this any more than  
30 it has to be, but we just heard this morning about the concept  
31 of carryover, and how would this work if there was -- If one  
32 sector didn't fill out their ACL and could carry it over, but  
33 the other sector could use it, then that kind of complicates  
34 that view, doesn't it?

35  
36 **BILL ARNOLD:** That's a darned good question, Richard. The fact  
37 is, if you moved into a carryover-type of situation, you could  
38 then get rid of this or not, because it's not really going to  
39 affect that. They can still carry theirs over. That could get  
40 a little complicated, but, like I said, your choice could be --  
41 Now that we've got this carryover provision in place, which is  
42 going to take a while and which I would also advise that we  
43 don't address until after we get the new FMPs in place, then, if  
44 we added carryover in the new FMPs, we could -- This, what we're  
45 talking about now, would be an amendment to the present Reef  
46 Fish Fishery Management Plan.

47  
48 It could or could not be carried, itself, over to the Puerto



1 Rico Fishery Management Plan and, ultimately, when we get  
2 recreational data collection in place for the USVI, which we're  
3 working on and which we're also going to talk about, it could or  
4 could not be applied in the USVI.

5

6 **CARLOS FARCHETTE:** Roy.

7

8 **ROY CRABTREE:** I think carryover is a lot more complicated,  
9 because it involves changes to the ABC control rules and things,  
10 and so this isn't carryover.

11

12 The other complication with carryover is, the way it was  
13 envisioned in the guidelines, is, if you had carryover in one  
14 year, you carry it over to the next year, but, because we have  
15 this long time lag between when we get the data, the carryover  
16 would be potentially an underage that occurred a couple or three  
17 years ago, and that is something we would have to really think  
18 about. This seems like a no-brainer, to me, and something we  
19 ought to move forward with, but carryover, I think, will be  
20 something that we have to give a lot more thought to.

21

22 **MARCOS HANKE:** I would like to present a motion. Can you put  
23 the slide with the motion language that I can refer to, the  
24 darker page on the end? Is that the motion that you need? Is  
25 that sufficient language?

26

27 **BILL ARNOLD:** I need a motion that says do it, make this happen.

28

29 **MARCOS HANKE:** Motion to develop an amendment for the Reef Fish  
30 FMP.

31

32 **BILL ARNOLD:** Motion to develop an amendment for the Reef Fish  
33 FMP to revise the trigger for applying accountability measures.

34

35 **MARCOS HANKE:** Thank you for the language. **That is my motion.**

36

37 **TONY BLANCHARD:** Second.

38

39 **CARLOS FARCHETTE:** Okay. The motion reads: Motion to develop an  
40 amendment for the Reef Fish FMP to revise the trigger for  
41 applying AMs. Motion by Hanke and seconded by Blanchard. **All**  
42 **in favor, say aye; any nays; any abstentions. Hearing none, the**  
43 **motion carries.**

44

45 Next, I have -- I just made an adjustment to the agenda. Next  
46 up will be Ocean Economics of Puerto Rico and the U.S. Virgin  
47 Islands by Jeffery Adkins, but, first, we will take a ten-minute  
48 break.

1  
2 (Whereupon, a brief recess was taken.)

3  
4 **CARLOS FARCHETTE:** All right. We are going to go to Jeffery  
5 Adkins.

6  
7 **OCEAN ECONOMICS OF PUERTO RICO AND THE U.S. VIRGIN ISLANDS**

8  
9 **JEFFERY ADKINS:** Hi. I'm Jeff Adkins, and I work with NOAA's  
10 Office of the Chief Economist, and, for about the last six  
11 years, we've been working with a team of folks that generate  
12 economic statistics on the ocean-based economy, and so it  
13 includes commercial fishing and all the related activities, but  
14 also things like cargo shipment and passenger ferries and  
15 coastal tourism and ocean-related construction, including harbor  
16 dredging and that sort of thing, a wide range of activities.

17  
18 Our work started with the thirty coastal states of the U.S., and  
19 the goal was to draw, from the statistics from the Labor  
20 Department and from the Bureau of Economic Analysis and the  
21 Census Bureau, these kind of standard, go-to datasets and see  
22 how these ocean-related sectors are represented in the national  
23 datasets, pulling out the pieces that relate to commercial  
24 fishing, fish processing, seafood marketing and so forth, and  
25 coming up with totals that are consistent, hopefully, with what  
26 you're hearing reported on the nightly news about unemployment  
27 going up and down, because it's coming from those same datasets.

28  
29 Having worked at this for about five years, we have time series  
30 data for the thirty states, coastal states, of the U.S. that go  
31 from 2005 to 2013, and we have 2014 data that are being  
32 processed right now.

33  
34 What I'm going to do is talk about what we mean, in NOAA and  
35 actually working with a couple dozen other countries that are  
36 doing similar work, what do we mean by ocean-based economy and  
37 what are we doing to measure that in the thirty states and then  
38 what is different in the territories, and the short answer is  
39 quite a bit.

40  
41 Adapting the framework that was developed for generating the  
42 statistics on the mainland U.S. to accommodate creation of  
43 datasets that address the ocean-based economy in the territories  
44 and what our findings were and where we're going next.

45  
46 As I said before, you can see the six sectors that we look at  
47 here. I have mentioned a few of those. Ship and boat building  
48 and ship and boat repairs is also one of the sectors that we

1 include here, in addition to those that I listed in the  
2 beginning, and, right now, we have a dataset that has national  
3 totals. We have data for eight U.S. regions and thirty coastal  
4 states and about 400 counties.

5  
6 It excludes, at this point, the territories. The study that I'm  
7 here to talk about is the first step in moving this sort of  
8 approach into the territories. The indicators that have are  
9 designed to be consistent with those that are reported for the  
10 national economy, and so the point for commercial fishing is  
11 that we're going to be reporting the things that will allow you  
12 to make comparisons to the Labor Department statistics, to the  
13 Bureau of Economic Analysis that produces the gross domestic  
14 product estimates, and so forth.

15  
16 This is counterpart to the economic statistics as generated by  
17 NOAA Fisheries. This is a very specialized product, again, that  
18 links up with these other economic statistical agencies and  
19 draws from their datasets.

20  
21 The problem we've had in the thirty coastal states, the kind of  
22 problem child, is in the commercial fishing sector. The  
23 statistics there are a little difficult to work with, for a  
24 couple of reasons. One is we have two different datasets, one  
25 that looks at business establishments with one or more  
26 employees, and, in commercial fishing, that's going to be things  
27 like the large fish processing houses that have people who work  
28 there. It's going to be in the seafood marketing, but, for the  
29 most part, the workers are self-employed workers, and those data  
30 come from the Census Bureau.

31  
32 The statistics from the Labor Department for businesses with  
33 employment, they depend on the consistency of people filling out  
34 the paperwork that's used to pay unemployment insurance, and so,  
35 similar to what you've already been discussing, if there is a  
36 reporting issue with respect to filling out that paperwork, then  
37 there is also a data issue.

38  
39 The statistics on self-employed workers, there is a special unit  
40 at the Census Bureau that works with income tax returns, and so  
41 we provide them with our definitions and they provide us with  
42 data from this highly-controlled environment, as you can  
43 imagine, but, again, if people aren't claiming the income from  
44 fishing, or not claiming all the income from fishing, then we  
45 have a data problem as well.

46  
47 Right now, for the thirty coastal states, the ocean economy is a  
48 big deal. There are about three-million employees in the U.S.,

1 not counting the territories, and over \$350 billion of gross  
2 domestic product. Going back to this earlier slide, I did a  
3 little comparison, to kind of put this in context.

4  
5 The ocean-based economy for the thirty coastal states employs  
6 more people than crop production, telecommunications, and  
7 building construction combined, and so it's a big deal. There  
8 are a lot of businesses, a lot of employment, a lot of wages, a  
9 lot of gross domestic product in these ocean-related sectors.

10  
11 Coming into the territories, we knew that things were going to  
12 be different. Basically, that falls into two categories. One  
13 is differences in the sources and quality of data, but also  
14 differences in the economic relationship between the dependency  
15 of economic activities on the ocean. Things that would not be  
16 seen as ocean dependent in the states are very much ocean  
17 dependent in the territories, and so we wanted to make the  
18 adjustments we needed to capture those things.

19  
20 Going to the national datasets, the short and skinny on this is  
21 that the ocean economy is tremendously underrepresented in --  
22 This is from the Labor Department, and you can see, for the  
23 living resources sector, you have only one establishment showing  
24 up in the Virgin Islands in the entire sector of commercial  
25 fishing and fish processing and seafood marketing and so forth,  
26 and so it's almost a non-reporting industry as far as the labor  
27 department statistics go, and so that was not going to be a good  
28 source of that information, but, for this study, we took that as  
29 our starting point.

30  
31 Then we came to a lot of the people in this room, actually, and  
32 talked with you about what was showing up in the national  
33 statistics, and my charge to the contractor was to, initially,  
34 just forget about data altogether and let's go and talk to  
35 people and let's try to find out what's really and truly going  
36 on in the territories.

37  
38 The pilot study focused on Puerto Rico and the U.S. Virgin  
39 Islands. Let's try to figure out what's really and truly going  
40 on, first, and then let's talk to people and get an idea of how  
41 big this is and then let's start looking at the data that exists  
42 to see to what extent the data help us tell the story of what  
43 folks who live here know to be the reality, and it is a data-  
44 based product, but we didn't want the results to be limited by  
45 the data.

46  
47 **CARLOS FARCHETTE:** Jeffery, we have a question from Director  
48 Gomez.

1  
2 **RUTH GOMEZ:** A question. What's living resources and what is  
3 offshore mineral resources?  
4

5 **JEFFERY ADKINS:** Okay. I will go through these quickly. Living  
6 resources is commercial fishing, fish processing, seafood  
7 marketing, and ocean-based aquaculture. It excludes things like  
8 the tilapia aquaculture and things like that.  
9

10 The marine construction sector, and I will just go through them  
11 all, that is harbor dredging and any shoreline engineering work,  
12 like beach renourishment projects. Marine transportation is  
13 primarily the shipment of cargo and all the warehousing and  
14 navigational services inside the port that support that, but it  
15 also includes passenger ferries.  
16

17 It typically does not include cruise ships, because most of the  
18 cruise ships are not U.S.-flagged vessels and the employees are  
19 not U.S. employees, and so the U.S. employment on the cruise  
20 ships would be zero.  
21

22 The offshore mineral resources, the biggest part of that is  
23 offshore oil and gas in the Gulf of Mexico and Alaska, but,  
24 around the U.S., you also have sand and gravel mining. That is  
25 generally not permitted in the Caribbean territories, and so  
26 that sector is -- It's sometimes allowed, in rare instances, by  
27 exception and that sort of thing, but that's a very small sector  
28 here.  
29

30 Ship and boat building includes everything from the large  
31 shipyards like in Connecticut and Mississippi that build the  
32 military-style vessels to Gold Coast Yacht and these self-  
33 employed people who work at the marinas to clean boats and that  
34 sort of thing.  
35

36 Finally, tourism and recreation, which dominates both Puerto  
37 Rico and the Virgin Islands ocean economy and actually it's a  
38 dominant force across the U.S., that includes not only the  
39 recreational, like the renting of kayaks and jet-skis and that  
40 sort of thing and the snorkeling headboats and the recreational  
41 fishing headboats, but also the hotels and restaurants that  
42 support that are included as well.  
43

44 **CARLOS FARCHETTE:** I have a question. Where did you get the  
45 five oil fields, offshore minerals?  
46

47 **JEFFERY ADKINS:** Actually, that is a -- I was going to go into  
48 some of the data errors, but that's probably associated with the

1 refinery that was closed and it was incorrectly recorded as oil  
2 and gas production when in fact it was businesses linked to the  
3 refinery.

4

5 **CARLOS FARCHETTE:** Okay.

6

7 **JEFFREY ADKINS:** In the national data, there is several  
8 shortcomings. One, going back, you see the "ND". That means,  
9 if you have a small number of businesses, even if they have the  
10 information, they don't report it, because they don't want to  
11 compromise the confidentiality and privacy of the companies that  
12 are reporting the data.

13

14 Sometimes, as you can see here, there is a serious  
15 underreporting problem. People are just not reporting the  
16 activity. Some of the data are misclassified. We saw, in the  
17 Virgin Islands, a number of companies that has classified  
18 themselves as inland water transportation, which is river  
19 transportation, like you see on the Mississippi and Ohio Rivers,  
20 when in fact they are water taxis.

21

22 Another misclassification that we saw in Puerto Rico, and it was  
23 very common, is the seafood markets were not correctly  
24 identifying themselves as seafood markets but as meat markets,  
25 and we found only five that had correctly identified themselves  
26 out of maybe forty or more, a little over forty.

27

28 Then, finally, we do have additional types of economic activity  
29 that in the territories are ocean-based, and I will go into that  
30 in some of these next slides. These are the data that we  
31 decided not to use, that could not be used, but it was a nice  
32 starting point, so you could see all the issues in the data. It  
33 was primarily the use of the Labor Department statistics.

34

35 We had a similar situation with Puerto Rico. There was a lot of  
36 underreporting and a lot of misclassified data, and so we  
37 printed out these summaries, and we came here and talked to some  
38 of you. We talked to a number of people, on a quest for better  
39 data.

40

41 The project team, the NOAA Office for Coastal Management, part  
42 of the National Ocean Service, funded this study. Abt  
43 Associates is an economic consulting firm that's been around for  
44 several decades. They do great work, but we wanted the  
45 economists on the team to also include people who have worked in  
46 the territories, and so we had on this team Advantage Business  
47 Consulting, that's based in Puerto Rico, and they've done a lot  
48 of work in the Virgin Islands. They were a part of this team as

1 well and then Dr. Charles Colgan. He did the research for about  
2 -- Almost ten years of research that led up to this framework  
3 that we're using. It was a really good project team that was  
4 involved, and the study finished up just a couple of months ago.

5  
6 We talked to territorial government agencies, tourism  
7 associations, some commercial fishermen. Eddie Schuster, we  
8 talked to. We talked to local folks, trying to do kind of a  
9 bottom-up study of what's really going on here and how many  
10 people are involved in this industry.

11  
12 We started with the basic framework that was developed for the  
13 thirty coastal states and, like I said before, some additional  
14 industries were added in. A tremendous amount of the retail  
15 trade here is tied to the tourism sector. In the Virgin  
16 Islands, there are sixteen or seventeen times as many jewelry  
17 stores per capita as in the U.S. in general, and so I'm assuming  
18 the locals aren't buying all that jewelry and it's probably for  
19 the people coming off the boats.

20  
21 Airline service is very much tied to ocean tourism and taxis and  
22 so forth and then also -- One supplement was adding in those  
23 industries and the other was in getting good, local data to fill  
24 out this framework, since the national data were not showing  
25 much activity.

26  
27 Here is the findings. These are the findings. At a very high  
28 level, for the total ocean economy in the Virgin Islands, the  
29 Labor Department showed less than 7,000 employees and, after  
30 talking to folks here, we found at least 60 percent more. There  
31 is a 60 percent increase here in the Virgin Islands, and you can  
32 see over a 130 percent increase in the totals in Puerto Rico.

33  
34 These are the groups we talked to. In the Virgin Islands, you  
35 can see government agencies, non-governmental organizations, and  
36 folks in the private sector. You can see that, in talking to  
37 folks who live here, we found quite a bit more economic  
38 activity, both in terms of the seafood markets, some operated by  
39 the government and some less formal markets located in different  
40 places around the territories, and then we actually talked to  
41 commercial fishermen and DPNR and got estimates of the number of  
42 active fishermen.

43  
44 Of course, fishing licenses is not really a good indicator,  
45 because some people have them and don't use them and some people  
46 fish without licenses. We also relied on some studies from the  
47 Southeast Fisheries Science Center that had done the census a  
48 couple of years ago. Juan Agar did a study, and so we drew from

1 statistics from NOAA Fisheries, from the local government  
2 agencies, and from local fishermen to generate these updated  
3 numbers.

4  
5 There is also other fisheries-related activities that we  
6 included, some of the universities and the conservation  
7 programs, the Nature Conservancy and folks like that that are  
8 supporting the conservation of the resource base. That, in  
9 turn, supports the fisheries, and so that was also included in  
10 that living resources total.

11  
12 You can see we went from -- For the living resources, again,  
13 that's commercial fishing, fish processing, seafood marketing,  
14 and some of the researchers and so forth, but it's really  
15 dominated by the fishermen and helpers and the seafood markets,  
16 and this is really a false precision.

17  
18 This is the report from the consultant. They reported 361, and  
19 I think that ball-parking it at 350 would have probably been a  
20 better indicator of the uncertainty surrounding those numbers,  
21 but, still, you get a feel for it being a lot larger than the  
22 nothing that was being reported.

23  
24 We went through a similar process in Puerto Rico and identified  
25 -- Again, the slide is not really for you to see all of the  
26 content and get it all, but it's to give you an idea that this  
27 was a very detailed bottom-up analysis of all the activities  
28 that are associated with commercial fishing, and so we built a  
29 database, if you want to call it that, by talking with the folks  
30 who are actually involved in the industry.

31  
32 One of the problems with what we've done, and I will stop right  
33 here for commentary, is that some of the more reliable numbers  
34 that we have are based on studies that are not repeated on an  
35 annual basis, studies that may not be repeated ever again, and  
36 so the goal here is to work from this kind of characterization  
37 of employment and wages and businesses involved in commercial  
38 fishing.

39  
40 Rather than have it be a one-off, to continue working with this  
41 community to identify the data sources that would allow use to  
42 put this out as some sort of a time series. In the states,  
43 because we're working with much better data, we're able to do  
44 this every year.

45  
46 In the territories, I think a more realistic goal might be to  
47 update it on a five-year basis or something like that, because  
48 this kind of work is very labor-intensive, but, again, the



1 quality of these numbers, and that's kind of this conversation  
2 that was going on before my presentation, is it's going to be  
3 based on quality of the reporting, whether it's reporting of  
4 businesses to the Labor Department or reporting of income of  
5 fishermen, or reporting of fish catch by fishermen. That's a  
6 tremendous limiting factor to the quality of anything we can do  
7 here.

8  
9 In a similar way, we had some of the conservation organizations  
10 and some environmental consulting services and so forth, but,  
11 again, in this sector, it's mainly the commercial fishermen and  
12 the helpers and so forth that make up the large numbers.

13  
14 Here, you can see that the initial estimates were completely  
15 meaningless. This is the ten employees reported to the Labor  
16 Department for Puerto Rico, and it's closer to 4,000, as far as  
17 we can tell by talking with the folks who work in this industry.

18  
19 Kind of high-level findings are most of the economic activity in  
20 the territories, the island territories, is either directly or  
21 indirectly linked to the oceans, and one of the stories that can  
22 be told from these data, in terms of the conservation of the  
23 natural systems that support this economic activity is a lot of  
24 times the ecosystem services stories are limited to ecosystem  
25 services that are not linked as directly to jobs and wages and  
26 GDP, and this gives a very narrow focus on what is at risk, in  
27 terms of jobs, if bad things happen in that natural resource  
28 base that supports all of this activity.

29  
30 Commercial fishing and coastal tourism, to a very large degree,  
31 is dependent on the health of those ocean ecosystems, and so the  
32 fishermen and tourism, in some regards, have that common  
33 interest, is in protection of that resource base that supports  
34 both of their livelihoods.

35  
36 Next steps, this is a one-off study at this point, and that's  
37 not what we want. We want to continue working with folks here  
38 locally to identify better datasets and to improve the findings  
39 of this study, and I have a link to the study at the end of this  
40 presentation, and you can reach out to me directly if you don't  
41 get this link, and I will see that you get the report.

42  
43 We would like to know what sounds realistic and what sounds like  
44 we need to take a closer look at it and to what extent you know  
45 about datasets that might help us do a better job of telling  
46 this story in numbers, to bring consistency to future updates,  
47 should they occur, and then we're also looking to extend this to  
48 the territories in the Pacific as well. That is my last slide.

1  
2 The full report, the link is here. That's way too much to write  
3 down, but, if you get a copy of the slides, you can get that  
4 link, but, also, you can just reach out to me directly and I can  
5 send the report. There is a fact sheet that came out of the  
6 report that kind of summarizes a few of the statistics. That is  
7 something that we sent ahead to the fishery management council,  
8 and I think -- Did the folks here get that read-ahead, the  
9 little fact sheet that is included in the file?

10  
11 There is a fact sheet here that you can have access to as well  
12 that's kind of a high-level statistics from the report, the  
13 report itself, and then we're going to be putting together a  
14 more user-friendly pamphlet that you can use in public venues.  
15 The report is a little tough to read. I am an economist, and I  
16 think it's tough to read, but a summary report that is user-  
17 friendly that you can use.

18  
19 There is it. There's a lot of information in here, but this is  
20 the fact sheet. You can see how the statistics are summarized,  
21 and it's about two pages of numbers, and so we won't go through  
22 that here, but you can send that out to folks.

23  
24 **CARLOS FARCHETTE:** Thank you, Jeffery. Any questions or  
25 comments for Jeffery? Hearing none, thank you very much.

26  
27 **JEFFERY AUSTIN:** Thanks.

28  
29 **CARLOS FARCHETTE:** All right. Next on the agenda is Initiating  
30 Development of a Fishery Ecosystem Plan for the U.S. Caribbean,  
31 and that's going to be handled by Bill.

32  
33 **INITIATING DEVELOPMENT OF A FISHERY ECOSYSTEM PLAN FOR THE U.S.**  
34 **CARIBBEAN**

35  
36 **BILL ARNOLD:** As the recent policy developed by NMFS for  
37 ecosystem-based fisheries management, and, this thing, the ink  
38 is still wet on it, but it requires or it calls for the  
39 development of a fishery ecosystem plan.

40  
41 We within the Sustainable Fisheries Branch are intending to  
42 respond to that request by developing a fishery ecosystem plan  
43 for the U.S. Caribbean, and that is what I am going to talk  
44 about here. There is four steps in my talk today, and the first  
45 is just an overview of the ecosystem-based fisheries management  
46 policy and then a consideration of a fisheries ecosystem plan  
47 within that policy and then what the elements of an FEP are and  
48 some conclusions.

1  
2 The ecosystem-based fishery management, or EBFM, Policy, NOAA  
3 Fisheries rolled this out in November of 2016, and so, as you  
4 can see, it's very recent. A lot of work went into it, but it's  
5 fresh off the press.

6  
7 They developed a roadmap, and that roadmap includes a  
8 description of the benefits of EBFM, and they are pretty  
9 extensive, the relationship to living marine resources  
10 management, which is what we do, and it establishes six guiding  
11 principles.

12  
13 What is EBFM? It's a systematic approach to fisheries  
14 management in a geographically-specified area, the U.S.  
15 Caribbean, and it should contribute to the resilience and  
16 sustainability of the ecosystem, and, of course, the fisheries  
17 are a critical component of that ecosystem, but, without the  
18 ecosystem, you won't have the fisheries.

19  
20 An ecosystem-based fisheries management approach recognizes the  
21 physical, biological, economic, and social interactions among  
22 the affected fishery-related components of the ecosystem, and,  
23 of course, essentially, this includes humans, and it seems to  
24 optimize benefits among a diverse set of societal goals, as we  
25 all know.

26  
27 Here is some relationships. You've got humans and governance  
28 and some of the biophysical characteristics, and so your  
29 climate, your food webs, habitats, et cetera, et cetera. That's  
30 the biophysical component.

31  
32 The Magnuson-Stevens Act, the ESA, the council itself, et  
33 cetera, et cetera, those are the governance components. Then  
34 there's the fisheries, the communities, the processors, and the  
35 cultural values. Those are some of the human components. They  
36 all interact, and they are all critical.

37  
38 What are the benefits of taking an ecosystem-based fishery  
39 management approach? It facilitates tradeoffs between different  
40 stakeholder priorities, balancing social and ecological needs.  
41 It provides more information to make management decisions, which  
42 should improve our ability to sustainably manage the fisheries,  
43 and, of course, the key word there is "sustainably".

44  
45 It contributes to an increased ability to predict likely  
46 outcomes of our management actions, and it provides more  
47 stability of ecosystem-level measures and translates, ideally,  
48 into better regulatory stability and business plans.

1  
2 These are the six guiding principles. You first implement  
3 ecosystem-level planning. This will advance the understanding  
4 of ecosystem processes. That allows you to prioritize  
5 vulnerabilities and risks to the ecosystem. You can then  
6 explore and address tradeoffs within the ecosystem and  
7 incorporate ecosystem considerations into management advice,  
8 ultimately leading to a maintenance of resilient ecosystems.

9  
10 The policy, at the planning stage, involves an engagement  
11 strategy, and that is a strategy to facilitate participation of  
12 partners and stakeholders in the process, which is absolutely  
13 essential. Everybody needs to be engaged, and then a fishery  
14 ecosystem plan, which is a policy plan document that describes  
15 ecosystem objectives and priorities for fisheries science and  
16 management. In our case, we don't intend this to be a  
17 regulatory document on its own. It is an information source for  
18 our fishery management plans, which are our regulatory  
19 documents.

20  
21 A fishery ecosystem plan includes ecosystem-scale information on  
22 the structure and function, including the physical, the currents  
23 and structure of habitats, et cetera, the biological, the fish  
24 and bacteria and everything else, the coral reefs and all of  
25 that stuff, and chemical, nutrients, et cetera, et cetera, and  
26 then, critically, socioeconomic. What are the cultural needs  
27 and demands? What are the economies, as Jeff just went through,  
28 and the idea is to include and integrate amongst these different  
29 components of the ecosystem.

30  
31 The plan should describe relationships between living marine  
32 resources, human uses of those resources, and other activities  
33 affecting these living marine resources.

34  
35 There are a variety of approaches to doing ecosystem management.  
36 At the simplest level, it's single species, which is basically  
37 what we do now. Actually, we may do a little bit more of an  
38 ecosystem approach to fisheries management. We incorporate  
39 habitat considerations, definitely, predator/prey dynamics, to  
40 some degree, and climate variability, we're working that in,  
41 and, of course, the species themselves. We want to move up one  
42 level to the ecosystem-based fisheries management component,  
43 which is multispecies. It's otherwise similar, but the key is  
44 that you're stepping beyond single-species approaches.

45  
46 Maybe one day we'll be able to get to ecosystem-based  
47 management, which pretty much takes everything into account,  
48 including other industries and other activities. One step at a

1 time.

2  
3 Then, within the management context, which is where we live, the  
4 FEP will serve as an umbrella document. It's a larger-scale  
5 document, but it's also hierarchical. It will provide  
6 information to guide what we're developing, our island-based  
7 fishery management plans, but it will also provide information  
8 to integrate across those individual island plans to incorporate  
9 considerations at the U.S. Caribbean level.

10  
11 Think of lobster and source sinks on larval dispersal for  
12 lobster. That's the Caribbean Basin, more along the lines of  
13 the large marine ecosystem and how those things interact. We're  
14 discussed that some today, and then, globally, what are the  
15 implications of, for example, cutting catch in the U.S.  
16 Caribbean, which doesn't cut the protein demand. It just cuts  
17 the local sourcing of that protein, but it's going to have to be  
18 made up somewhere, and that's kind of a global-level  
19 consideration.

20  
21 You can also look at ecosystem species descriptions and  
22 interactions, species biology, ecosystem component species.  
23 These are things that could be incorporated into an FEP. We  
24 could also address cumulative effects, which is a little bit of  
25 what I touched on with those global things. As a necessary  
26 component of our National Environmental Policy Act, you can't  
27 consider the direct effects of a management action you may take,  
28 but you have to consider how those management action effects  
29 might echo through the ecosystem and the larger ecosystem.

30  
31 We can include biogeographic information and spatial scales,  
32 something we really aren't addressing yet, and then other  
33 things. We certainly expect this to be expansive.

34  
35 What are our next steps? The first thing we need to do is to  
36 develop a strategy to facilitate partner and stakeholder  
37 engagement in the FEP development process. A FE AP would be a  
38 Fishery Ecosystem Advisory Panel. I'm not saying that we need  
39 to do that. It's just a suggestion, but some strategy needs to  
40 be developed.

41  
42 Also, identify additional components that the council and the  
43 constituents would like to see included in the fishery ecosystem  
44 plan. We could perhaps present a fully fleshed out draft  
45 outline, just the outline, at the spring 2017 council meeting,  
46 just an outline of what this document would look like, and then  
47 always consider that this is a dynamic document, and so the only  
48 constant will be change, and that's as you go through the years.

1 As you learn more or you learn different, you want to get that  
2 into the FEP.

3  
4 Any questions? Cindy Meyer will be our lead on this. She's a  
5 new, half-time addition to the Caribbean Branch up in St.  
6 Petersburg, and she's got a lot of expertise in this area, but  
7 the entire team and, of course, the council staff and a lot of  
8 other people are going to have to be involved in this. Unless  
9 you have questions, that's pretty much where we are with  
10 developing a fishery ecosystem plan.

11  
12 **CARLOS FARCHETTE:** Miguel.

13  
14 **MIGUEL ROLON:** Bill, how difficult would it be to convert our  
15 island-based FMP to ecosystem-based management plans, if we can  
16 merge the two?

17  
18 **BILL ARNOLD:** We were intending to keep them separate, because,  
19 the fishery management plans, we do fisheries management. The  
20 management plans are actually regulatory documents describing  
21 how many fish you can catch, when you can catch them, where you  
22 can catch them, how big they have to be, et cetera, et cetera.  
23 All that translates into actual codified regulations that guide  
24 how our fisheries operate in the Caribbean.

25  
26 The fishery ecosystem plan is not regulatory. It's a planning  
27 document that allows you to draw on it for information and it  
28 guides the understanding of how those regulatory activities  
29 operate and affect other components of the ecosystem.

30  
31 **MIGUEL ROLON:** It seems that's kind of a compromise between what  
32 they asked from us ten years ago, for councils to prepare  
33 ecosystem-based management plans or convert the regular FMPs  
34 into ecosystem-based management plans.

35  
36 **BILL ARNOLD:** I wouldn't really call it a compromise, Miguel.  
37 It's just a different approach, but it's not really a  
38 compromise.

39  
40 **MIGUEL ROLON:** We have been old enough to know that it's a  
41 compromise. Don't worry about it, but the thing is, as per your  
42 presentation, then the next step could be taken in 2017 or we  
43 should wait until 2018, because we have a lot on our plate for  
44 2017.

45  
46 **BILL ARNOLD:** We always have a lot on our plate. Now, I'm not  
47 saying we're going to do a lot in 2017, and this is really sort  
48 of a planning document, and so a lot of it will be done -- A lot

1 of the data acquisition and the organization and writing will be  
2 done behind the scenes without real direct council involvement.  
3 We will bring it to the council to keep them informed and  
4 updated, and it will be utilized as we do council-based fishery  
5 management plan development, but, like I said, it's more of a  
6 background-type document.

7  
8 **MIGUEL ROLON:** Do you think that you can bring an outline, as  
9 you suggest, to the meeting in April, just an outline?

10  
11 **BILL ARNOLD:** A draft outline. We can bring a draft outline  
12 just giving you -- I mean, this is going to be very much a step-  
13 wise process. It's going to take a while, and certainly  
14 development of island-based fishery management plans and getting  
15 critical amendments to those plans, either before they're  
16 implemented in like the reef fish, with the triggers, or after,  
17 with the permits or something like that, will be prioritized for  
18 the staff, but we will be constantly working on this. As I  
19 said, it's a dynamic document. It will always be there to be  
20 enhanced and improved.

21  
22 **MIGUEL ROLON:** Yes, because, Mr. Chairman, if I may, the other  
23 thing is that, Graciela, the essential fish habitat plan is due  
24 for revision next year also.

25  
26 **GRACIELA GARCIA-MOLINER:** The end of this year or next year. I  
27 mean, the five-year review is five or seven or thereabouts, and  
28 so we've been talking about how to best go about the five-year  
29 EFH review, and that is still not defined yet.

30  
31 **MIGUEL ROLON:** Because, Mr. Chairman, what I am trying to convey  
32 here is that we should have kind of a priority for the staff to  
33 work on, and I believe the island-based FMPs should be priority  
34 number one and then the draft outline, just to give you an idea  
35 of where we're going with this FMP that we call the ecosystem-  
36 based management FMP.

37  
38 Then, on the side, probably we will have to follow Graciela's  
39 and Bill's advice on when to engage into the essential fish  
40 habitat, but our number one priority will be to get the island-  
41 based FMPs going.

42  
43 From the outline that you saw this morning, if everything goes  
44 smoothly, which rarely happens and it's very rare when that  
45 happens, but, if everything goes smoothly by 2018, we are  
46 supposed to have these three FMPs in place.

47  
48 **CARLOS FARCHETTE:** Okay. Clay.

1  
2 **CLAY PORCH:** One of the challenges we have in arenas like this  
3 is even just doing single-species assessments and having enough  
4 information to do something useful. When we try and envision  
5 how we actually implement something with ecosystem-based  
6 management, because we all agree that we need to account for the  
7 various elements in the ecosystem beyond fishing and just the  
8 fish that we target, but exactly how we do that is kind of  
9 challenging.

10  
11 I wonder, Bill, if you have thought of any examples, concrete  
12 examples, that might illustrate to people how exactly we can  
13 implement ecosystem-based management besides just creating a  
14 document that says here is some nice things to do.

15  
16 **BILL ARNOLD:** Ecosystem-based fisheries management is a step  
17 beyond developing this fishery ecosystem plan, which is not a  
18 management, but an informational thing that might provide us  
19 with guidance on how we could take a more broad-based approach  
20 to fisheries management, but the example I always like to use is  
21 parrotfish.

22  
23 You've got parrotfish interacting with grazing and cleansing  
24 substrate for Acropora settlement, and so we don't always manage  
25 parrotfish just to the harvest capacity of that species.

26  
27 We manage it as well towards the grazing obligations that we  
28 have to maintain, and that would be one ecosystem-based  
29 management approach that we have taken in the past. I might be  
30 able to come up with other ones, but that's the example I like  
31 to use, because it's pretty clean and pretty straightforward and  
32 the folks in this room would understand it pretty well, and so  
33 does that help?

34  
35 **CLAY PORCH:** That's a way. I'm just wondering if there's any  
36 thoughts on the council about reaching out to other bodies,  
37 because ecosystem-based management ultimately includes cleaning  
38 up the environment and taking into account factors that have  
39 changed the environment that the fish live in and make the fish  
40 stocks more or less productive.

41  
42 **CARLOS FARCHETTE:** That's a real good point, because ecosystem-  
43 based -- I know that we only manage in the federal waters, but  
44 something has to be done about point and non-point sources of  
45 pollution, because we can do whatever we want and, if that's not  
46 being addressed, we still have problems. Anything further for  
47 Bill? Hearing none, I have Identification of ACL Overages and  
48 the Need to Apply AMs in the 2017 Fishing Year.



1  
2 IDENTIFICATION OF ACL OVERAGES AND THE NEED TO APPLY AMs IN THE  
3 2017 FISHING YEAR  
4

5 **BILL ARNOLD:** This is going to be a preliminary presentation,  
6 because we do not yet have the expansion factors for Puerto  
7 Rico, and so we do not yet have the expanded data for the  
8 commercial fisheries, and so we can't determine if any of the  
9 commercial components of the Puerto Rico fisheries exceeded  
10 their annual catch limits.

11  
12 Until we have all of the data and have made all of the  
13 determinations, the Science Center is not able to make the  
14 critical determination as to whether any overages are due to  
15 enhanced reporting or whether they actually reflect an increase  
16 in catch.

17  
18 As you know, if we can attribute an overage to enhanced  
19 reporting, then we do not apply the accountability measures, but  
20 I can go over -- We have all of the Virgin Islands data, and so  
21 I'm going to go over those, and we have the Puerto Rico  
22 recreational data from the Puerto Rico Marine Recreational  
23 Information Program, and so I'm going to go over those, but,  
24 again, this is preliminary, but we can't wait until the spring  
25 council meeting to get this settled, and so we're going to have  
26 to come up with something, but I anticipate that we will have  
27 those Puerto Rico commercial landings very soon and then we will  
28 finalize this and make the decisions as to ACL overages and the  
29 timing and length of closures accordingly and as quickly as we  
30 can, because we've got several things playing into this, the  
31 most important of which is when the AM timing, the start and end  
32 date, is.

33  
34 Is it going to stay December 31 or is it going to become  
35 September 30? Obviously that will affect when any closures that  
36 have to take place take place, but, first, I will show you St.  
37 Thomas/St. John.

38  
39 The ones in red actually exceeded their annual catch limits, and  
40 they are the usual suspects. Queen conch, of course, because  
41 you can harvest queen conch in St. Thomas/St. John in state  
42 waters. We just have a zero ACL in federal waters. While the  
43 harvest is legal and doesn't require any sort of closure, it is  
44 over the ACL, but that's sort of separate. We put queen conch  
45 up there, but they're not really worth worrying about.

46  
47 The others are the three that we deal with every year of  
48 angelfish, squirrelfish, and wrasses. Every year, they exceed

1 their ACL, because they were not on the forms when we  
2 established the ACLs, and so we didn't have the data. Now  
3 they're on the forms, two of them are, and I forget which two,  
4 and one of them had some other component of enhanced reporting  
5 that occurred since we established the ACLs, and so, as you can  
6 see, they exceed their ACL by substantial amounts of 11,000  
7 pounds, 4,400 pounds.

8  
9 Percentwise, these are hundreds to thousands of percent, but,  
10 because it has been, in the past, due to enhanced reporting,  
11 that enhanced reporting in the form of these things now being on  
12 the reporting forms, we don't apply accountability measures.

13  
14 Now, again, it's up to the Science Center, in consultation with  
15 the SSC, to determine if that's the case for this year. That's  
16 not up to me to make that determination. I am not going to jump  
17 the gun on it, but, historically, that's been the situation with  
18 these.

19  
20 Very similar with St. Croix, except queen conch does have an  
21 allowable harvest there of 50,000 pounds from state and federal  
22 combined, because queen conch is open off the east end of St.  
23 Croix. Again, here, it's angelfish and squirrelfish. Basically  
24 they weren't on the form and now they are. It's sort of the  
25 same setup, and so they exceed their ACLs. They even exceed  
26 their OFLs, but it's really due to enhanced reporting and not  
27 due to an increase in catch.

28  
29 Like I said, in the past, that has been an attribution, but I  
30 can't promise that it will be this year. That's not up to me.  
31 It's up to the Science Center and the SSC.

32  
33 It gets a little more meaty when we get to Puerto Rico  
34 recreational. Again, I can't say whether any of these are going  
35 to be attributed to enhanced reporting, but, in the past, they  
36 have not been, but, from the 2010 species, the species that we  
37 did in the 2010 amendment, those species that were subject to  
38 overfishing at the time, parrotfish exceeded their annual catch  
39 limit by 9,000 pounds.

40  
41 They did not exceed their OFL, which is good, because, once you  
42 start overfishing the species, things become a little more dire,  
43 but they did exceed their ACL. That would suggest, to me, that,  
44 unless it's attributed to enhanced reporting, an accountability  
45 measure will have to be applied to the recreational parrotfish  
46 sector next year.

47  
48 If we had a total AM trigger instead of sector-specific AM

1 triggers, I can't tell you whether this would or would not have  
2 happened, but I just didn't do the math on it, and that is the  
3 case with all of these.

4  
5 The other ones that are over, as I mentioned earlier today, are  
6 the recreational jacks fishery in Puerto Rico. Importantly, the  
7 jacks also exceeded their ACL last year, and so that's a  
8 potential problem that may have to be addressed one way or the  
9 other, and Iris may or may not want to comment on that. Now,  
10 they didn't go over by much, two-hundred-and-fifty-some-odd  
11 pounds, which is 0.5 percent, but they are over, and, more  
12 importantly and more confusingly, they're over their OFL. No,  
13 they're not. I'm sorry. They were over their OFL last year,  
14 but they're not over it this year. That's good. That's a  
15 relief.

16  
17 Puerto Rico triggerfish and filefish, they did not exceed their  
18 annual catch limit. They exceeded their overfishing level for  
19 the second year in a row, and so that's going to be a problem,  
20 because, if you continually overfish the resource, then you have  
21 to take action.

22  
23 Then, finally, Puerto Rico wrasses, they were substantially over  
24 the ACL, with average landings of almost 15,000 pounds against  
25 an ACL of 5,000 pounds. That's quite a bit over. You can  
26 anticipate a pretty decent closure period for wrasses, but, last  
27 year, they exceeded their OFL as well. They did not exceed  
28 their OFL this year, and the cause for that is that, when we  
29 compare landings against the annual catch limit, we compare a  
30 three-year average, but, at present, when we compare the  
31 landings to the OFL, we only compare the most recent year of  
32 landings.

33  
34 If you have a high recent year and two low previous years that  
35 go into that three-year average, you may not exceed your ACL,  
36 because the average is lower, brought down by those two years,  
37 but, if the most recent year is high, you can still exceed your  
38 OFL, and one thing I would like to pursue is having -- I think  
39 that the NS 1 standards allow this, I'm sure they do, allow  
40 this, but you can now use a three-year average for your OFL  
41 determination as well as your ACL determination, and so that's  
42 another opportunity within the new NS 1 standards that the  
43 council might want to consider taking advantage of. That is  
44 Puerto Rico recreational.

45  
46 Here are the predicted recreational closure dates, based upon a  
47 December 31 start date, which may or may not stand. For  
48 parrotfish, you've got November 4. For jacks, you've got

1 December 31. For the recreational triggerfish and filefish,  
2 it's December 20, but, critically, for wrasses, it's April 19.  
3 That's with a December 31 start date. If you use the September  
4 30 start date, there is a decent probability that that closure  
5 would go all the way up to January 1 and beyond. Most  
6 importantly, it's not the January 1 date, but it's the date that  
7 we can get this new rule in place, and we probably won't get it  
8 in place until March or so.

9  
10 If the September 30 closure had to take place before the new  
11 rule that establishes that September 30 closure is put in place,  
12 we won't be able to use the September 30 closure. We will have  
13 to fall back to the December 31 closure, and I do believe that  
14 that is okay and that we would apply the December 31 to wrasses.  
15 We could still use the September 30 for the other three species,  
16 which is what the fishermen have desired. Iris, if I'm wrong on  
17 that, please let me know, but I don't think that there's  
18 anything to prevent us from doing that.

19  
20 **IRIS LOWERY:** Right, and I think that it will depend on the  
21 timing and how we can move forward with that and what makes  
22 sense.

23  
24 **CARLOS FARCHETTE:** We have a question here from Marcos.

25  
26 **MARCOS HANKE:** Can you go back to the table on the wrasses?  
27 That annual landings of 14,000, how many fish are on the raw  
28 data, before they expand and they play with the numbers?

29  
30 **BILL ARNOLD:** This is not commercial data, and so the expansion  
31 factors are not applied to recreational data. Instead, what  
32 they do is they go out and they do creel surveys and find out  
33 what your, quote, unquote, average fisherman catches on an  
34 average recreational trip and then they multiply that by their  
35 coastal household telephone survey, and I think they're still  
36 using that, a determination of how many fishermen fish on any  
37 given day, and they multiply it through and that's how they get  
38 the number.

39  
40 **MARCOS HANKE:** I just want, for the record, to state that I have  
41 a lot of problems with this data and the methodology that is  
42 implied in there and one of the problems is that they go to my  
43 dock to intervene and the guys sit down there, and there is  
44 different people that intervene, and they sit down there, and I  
45 have to wave to the guy to come here because I have people on my  
46 boat and please interview them. When they come, they spend two  
47 hours to know if it's a coney or a red hind and things like that  
48 bother me. Then we apply those methodologies to it and you

1 close the fishery, and we have to be aware of that.

2  
3 **BILL ARNOLD:** Okay. Two things, Marcos. One is there is a  
4 nationwide guidance document for how recreational data are  
5 collected, and they have certain sampling requirements. Like  
6 they sample a mode, which would be individual vessels or  
7 tournaments or charter boats or whatever it may be, and then  
8 they have specific requirements as to how they go about doing  
9 it. They're not just a bunch of slouches. They're following a  
10 very tightly-designed protocol.

11  
12 The second things is we are reviewing -- We are developing a  
13 recreational implementation plan, a regional implementation  
14 plan, for our MRIP program in the U.S. Caribbean, both Puerto  
15 Rico and the USVI, that provides guidance on how these programs  
16 in Puerto Rico can be enhanced and improved and in the USVI can  
17 be developed.

18  
19 We are just finishing that regional implementation plan up, and  
20 it should result in revisions and refinements to the program  
21 that would hopefully provide you and people like you with more  
22 confidence in the data that are derived from the sampling  
23 program, but it will never be perfect. We cannot possibly  
24 sample every recreational fisherman's catch every day, and so  
25 you have to do a statistically-based approach.

26  
27 **MARCOS HANKE:** One other comment, because this is for everybody  
28 to have an idea of how it works. In Puerto Rico, the  
29 recreational fishermen, part of the survey is done on the  
30 shoreline, where people fish from the shore, and one of the  
31 fishes that are most susceptible of being caught with the  
32 technique that the weekend warriors go there with a little hook  
33 or whatever bait it is are the jacks, and there are some  
34 problems with that, and I just want you guys to know.

35  
36 **CARLOS FARCHETTE:** Do we have more, Bill?

37  
38 **BILL ARNOLD:** We have my blank tables. These are going to be  
39 filled in when I get the commercial data, and hopefully that  
40 will be like next week. I mean, we're right there, and that's  
41 enough. Thank you, guys.

42  
43 **EXEMPTED FISHING PERMIT FOR PUERTO RICO DEPARTMENT OF NATURAL**  
44 **AND ENVIRONMENTAL RESOURCES**

45  
46 **CARLOS FARCHETTE:** Thank you, Bill. Outcomes of the Exempted  
47 Fishing Permit for Puerto Rico DNER. Graciela, are you handling  
48 that?

1  
2 **GRACIELA GARCIA-MOLINER:** No, but we just wanted to know if  
3 there were any comments from Ricardo.  
4  
5 **CARLOS FARCHETTE:** No comments?  
6  
7 **RICARDO LOPEZ:** I don't have any comment.  
8  
9 **CARLOS FARCHETTE:** Okay. Maria.  
10  
11 **MARIA LOPEZ:** This is going to be very short, but I just want to  
12 give you a summary of the outcomes of the Exempted Fishing  
13 Permit that NOAA Fisheries granted to the Puerto Rico Department  
14 of Natural and Environmental Resources back on November 2, 2016.  
15  
16 We presented this EFP request back, I believe, at the 156<sup>th</sup>  
17 Meeting, and it was also published in the Federal Register for  
18 comments. After that, the office and NOAA Fisheries, they went  
19 through the review process and then granted the permit to the  
20 DNER.  
21  
22 This EFP authorizes the use of contracted commercial fishermen  
23 aboard research vessels and contracted private fishing vessels  
24 to collect reef fish species through two projects in waters off  
25 the Puerto Rico EEZ. These projects will collect fishery-  
26 independent data on abundance, distribution, and reproductive  
27 condition of reef fish in eastern and western Puerto Rico.  
28  
29 In the next slide, I'm just going to tell you, just quickly,  
30 what they are. This EFP is because of the collection for  
31 scientific activities, and it involves activities that would  
32 otherwise be prohibited by our regulations pertaining to reef  
33 fish in the Reef Fish FMP.  
34  
35 This EFP, specifically, will exempt these research activities  
36 from certain regulations that are related to seasonal closures,  
37 to size limits, and to bag limits. As I said earlier, it was  
38 granted on November 2, 2016, and it is going to be valid until  
39 May 31, 2018.  
40  
41 These are the two projects. The first project is just to  
42 continue the collection of information through SEAMAP, which is  
43 the Southeast Area Monitoring and Assessment Program, for reef  
44 fish monitoring. That has been going on for a while. They used  
45 to have an EFP before, and it expired and then they requested a  
46 new EFP, so they can continue their research in these areas.  
47  
48 This EFP authorizes the DNER to harvest reef fish by hook-and-

1 line. This is going to be done through drift and anchor fishing  
2 and using also bottom longline gear in federal waters off the  
3 west and east coast of Puerto Rico, and they're also going to be  
4 doing some surveys with underwater cameras.

5  
6 They are requesting that all reef fish, including undersized and  
7 seasonally-prohibited reef fish species, are going to be  
8 retained as part of this project. This is not something new.  
9 This is something that they have been doing for a while.  
10 However, they cannot retain goliath grouper, nassau grouper, or  
11 any of the species of parrotfish.

12  
13 The second project is dealing -- This is from the Fisheries Lab.  
14 They are going to be dealing with reproductive cycle and minimum  
15 size of maturation of some species that are important for the  
16 recreational sector, and so they're going to be using contracted  
17 fishers, and they are going to be using hook-and-line and spear  
18 guns to collect samples of mutton snapper, red hind, coney,  
19 white grunt, tomtate, and pluma porgy, which are species that  
20 are managed by the council.

21  
22 They are requesting permission to do ten trips in federal waters  
23 off the west coast of Puerto Rico. They are not requesting to  
24 conduct these activities in Bajo de Sico, Abrir la Sierra, or  
25 Tourmaline, and so they're not going to be doing that in there.

26  
27 In the EFP that was granted by NOAA Fisheries to the DNER, these  
28 are the conditions. It was granted. I want to be clear that  
29 they have a number of pounds that they are allowed to harvest,  
30 and these are based on previous harvest from previous years, and  
31 so, if you have any questions about those, I have that  
32 information, but there is a maximum number of pounds that they  
33 will be collecting of these species, but it does not allow  
34 taking of goliath grouper, nassau grouper, or of any parrotfish  
35 species. Those species, if they are caught, they cannot be  
36 retained.

37  
38 It does not allow anchoring in federal waters of Bajo de Sico.  
39 As I mentioned before, part of this project is going to be that  
40 they're going to do random sampling through anchor fishing and  
41 reef fishing, but one of the conditions is that this is not  
42 going to happen in Bajo de Sico.

43  
44 It authorizes only the use of hook-and-line, which includes  
45 bottom longline, aboard vessels to collect the reef fish for  
46 this first project, and also to use hook-and-line and spear guns  
47 aboard vessels to collect the reef fish species that are in the  
48 second project.

1  
2 It will not allow the use of bottom longline gear to collect  
3 reef fish in federal waters of Bajo de Sico at any time. This  
4 is one of the conditions. The fishing vessels need to carry  
5 proper de-hooking gear onboard, and it will not allow fishing  
6 for reef fish in federal waters of Bajo de Sico during the  
7 seasonal area closure that we have for reef fish during October  
8 1 to March 31 of each year.

9  
10 Finally, these are requirements of every EFP. They need to  
11 provide an annual report and total landings by January 15 of the  
12 year following the landings, and there is some specific  
13 information that needs to be provided, like, for example, the  
14 number of fish from each species and the area collected, et  
15 cetera, and they also have to provide a final report on the  
16 project findings after they are done. This is it, and I don't  
17 know if you have any questions.

18  
19 **CARLOS FARCHETTE:** Any questions for Maria? Graciela.

20  
21 **GRACIELA GARCIA-MOLINER:** Is it all of the parrotfish species  
22 from the EEZ or just the three that are prohibited?

23  
24 **MARIA LOPEZ:** No, one of the conditions is no retention of any  
25 parrotfish species, and, based on previous landings reports from  
26 previous projects, they didn't have any parrotfish species in  
27 there, and so I don't think that should be a problem.

28  
29 **CARLOS FARCHETTE:** I don't think that you can catch parrotfish  
30 on hook-and-line. I would like to see something like this occur  
31 in the U.S. Virgin Islands, so we can actually have this  
32 information after -- Is it Puerto Rico DNER who is proposing  
33 this?

34  
35 **GRACIELA GARCIA-MOLINER:** I think it's mostly specifically to  
36 SEAMAP.

37  
38 **MARIA LOPEZ:** This is SEAMAP, and so the first project is  
39 SEAMAP. Then the second project is one of the projects from the  
40 Fisheries Lab, which is the maturation project, but my  
41 understanding is that the U.S. Virgin Islands also conducted  
42 this kind of project, or at least very similar, through SEAMAP  
43 as well.

44  
45 **CARLOS FARCHETTE:** Great. Thank you. We are down to the wire  
46 here. Public Comment Period. So far, I have one person that  
47 wants to make a public comment. That's Yasmin for Pew  
48 Charitable Trusts. Is there anyone in the back that would like



1 to do a comment for five minutes? If you want to, just say so.  
2

3 **PUBLIC COMMENT PERIOD**  
4

5 **YASMIN VELEZ:** Thank you, Mr. Chairman. As he said, my name is  
6 Yasmin Velez, and I represent the Pew Charitable Trusts. We  
7 appreciate the opportunity to provide comments on the topics  
8 discussed today.  
9

10 The first thing is that we would like to commend the council for  
11 the work done to develop the goals and objectives for each of  
12 the island-based fishery management plans. The goals and  
13 objectives lay the foundation to identify the priorities to  
14 manage fisheries and provide guidance on specific management  
15 actions that could be discussed in the near future, such as  
16 describing and identifying essential fish habitat, protecting  
17 spawning aggregations, and ensuring, through the best data  
18 collection practices, the socioeconomic health of the fishing  
19 communities dependent on federal fishery resources.  
20

21 We also want to recognize the importance, as stated in the  
22 morning session, of conducting additional studies, through  
23 cooperative research, to gather data that will help inform  
24 management actions for species managed in this region.  
25

26 We strongly support cooperative research efforts that allow the  
27 fishermen to get involved in doing science, as well as being  
28 part of the management process. It was evident during this  
29 morning's discussion that all stakeholders agree that it is  
30 important to get everyone to the table to be part of management  
31 discussions and secure sustainable fisheries for years to come.  
32 We at Pew are supportive of these efforts, in order to make  
33 management decisions based on sound scientific information.  
34

35 Finally, we would like to stress the importance of making sure  
36 that robust outreach and education efforts take place before  
37 conducting public hearings to discuss the island-based FMPs.  
38 This will allow for the fishermen to be well informed about what  
39 are the management changes being proposed and why the council is  
40 proposing island-based management. This will also allow them to  
41 have the chance to analyze this information beforehand and  
42 prepare to participate in the public hearings. We will be glad  
43 to assist the council in this process, as needed. Again, thank  
44 you for the opportunity to speak here today, and we appreciate,  
45 as always, your consideration for these comments.  
46

47 **CARLOS FARCHETTE:** Okay. Thank you, Yasmin. All right. We are  
48 at the end of the first day. We have Administrative Matters to

1 deal with now, but only council members.

2

3 **MIGUEL ROLON:** No, it's open.

4

5 **CARLOS FARCHETTE:** Okay. Administrative Matters is open, and  
6 then we'll have a closed session that will only have council  
7 members.

8

9

#### ADMINISTRATIVE MATTERS

10

11 **MIGUEL ROLON:** Mr. Chairman, to keep matters very easy and  
12 simple, we don't have a budget yet for 2017, which is what we  
13 wanted to offer today, and so we need to wait until the next  
14 February meeting for NMFS to inform the councils what will be  
15 the status of our budget for 2017.

16

17 We have some money that will be carried over to 2017, and we  
18 have already have identified the projects that will be carried  
19 on with that, and we don't expect any constraints for the  
20 council to fulfill their mandate in 2017. That's it, and then  
21 we can have now a closed session to talk about people.

22

23 **CARLOS FARCHETTE:** Okay. It's a closed session, and so we will  
24 give everyone five minutes to vacate. The spiny lobster people  
25 back in this room at 7:30, the Puerto Rico spiny lobster.

26

27 (Whereupon, the meeting went into closed session on December 13,  
28 2016.)

29

30

- - -

31

32

December 14, 2016

33

34

WEDNESDAY MORNING SESSION

35

36

- - -

37

38 The Caribbean Fishery Management Council reconvened at the  
39 Marriott Frenchman's Reef, St. Thomas, USVI, Wednesday morning,  
40 December 14, 2016, and was called to order by Chairman Carlos  
41 Farchette.

42

43 **CARLOS FARCHETTE:** Good morning. This is a continuation of the  
44 158<sup>th</sup> Caribbean Fishery Management Council being held in St.  
45 Thomas, U.S. Virgin Islands, at the Marriott Frenchmen's Reef  
46 Hotel. We're going to start a roll call, start on my left with  
47 Vivian.

48

1 **VIVIAN RUIZ:** Vivian Ruiz, council staff.  
2  
3 **GRACIELA GARCIA-MOLINER:** Graciela Garcia-Moliner, council  
4 staff.  
5  
6 **BILL ARNOLD:** Bill Arnold, NOAA Fisheries.  
7  
8 **CARLOS VELAZQUEZ:** Carlos Velazquez, council member, commercial  
9 sector.  
10  
11 **TONY BLANCHARD:** Tony Blanchard, St. Thomas/St. John,  
12 councilman.  
13  
14 **RUTH GOMEZ:** Ruth Gomez, DPNR, U.S. Virgin Islands.  
15  
16 **RICARDO LOPEZ:** Ricardo Lopez, Puerto Rico, Department of  
17 Natural Resources.  
18  
19 **CARLOS FARCHETTE:** Carlos Farchette, Council Chair.  
20  
21 **MIGUEL ROLON:** Miguel Rolon, council staff.  
22  
23 **DIANA MARTINO:** Diana Martino, council staff.  
24  
25 **JACK MCGOVERN:** Jack McGovern, NOAA Fisheries.  
26  
27 **IRIS LOWERY:** Iris Lowery, NOAA Office of General Counsel,  
28 Southeast Section.  
29  
30 **CLAY PORCH:** Clay Porch, NOAA Fisheries, Southeast Fisheries  
31 Science Center.  
32  
33 **TARA PRAY:** Lieutenant Tara Pray, U.S. Coast Guard.  
34  
35 **MARIA LOPEZ:** Maria Lopez, NOAA Fisheries.  
36  
37 **LYNN RIOS:** Lynn Rios, NOAA Fisheries Enforcement.  
38  
39 **JEFF RADONSKI:** Jeff Radonski, NOAA Enforcement.  
40  
41 **KATE QUIGLEY:** Kate Quigley, council staff.  
42  
43 **MARIA DE LOS A. IRIZARRY:** María de los A. Irizarry, council  
44 staff.  
45  
46 **NELSON CRESPO:** Nelson Crespo, DAP Chair, Puerto Rico.  
47  
48 **ALIDA ORTIZ:** Alida Ortiz, O&E AP Chair, Puerto Rico.

1  
2 **RICHARD APPELDOORN:** Richard Appeldoorn, SSC Chair.  
3  
4 **CARLEN BUTLER:** Carlen Butler, St. Thomas.  
5  
6 **RAY GONZALEZ:** Ray Gonzalez, St. Thomas.  
7  
8 **WINSTON LEDEE:** Winston Ledee, St. Thomas, commercial fisherman.  
9  
10 **DEAN GREAUX:** Dean Greaux, St. Thomas, commercial fisherman, DAP  
11 member and FAC member.  
12  
13 **BRIAN MATIAS:** Brian Matias from Puerto Rico, commercial  
14 fisherman.  
15  
16 **TONY IAROCCI:** Tony Iarocci, commercial fisherman.  
17  
18 **DELISSE ORTIZ:** Delisse Ortiz, HMS.  
19  
20 **JENNIFER CUDNEY:** Jennifer Cudney, HMS.  
21  
22 **ERIN SCHNETTLER:** Erin Schnettler, NOAA Fisheries.  
23  
24 **HELENA ANTOUN:** Helena Antoun, contractor.  
25  
26 **MARCOS HANKE:** Marcos Hanke, Caribbean Fishery Management  
27 Council, Vice Chair, Puerto Rico.  
28  
29 **CARLOS FARCHETTE:** Thank you. Before I go on, at lunchtime, we  
30 want the council members to remain for a couple of minutes. The  
31 paparazzi needs to take a picture of us against the wall.  
32 That's at lunchtime, and it will only take a minute. Continuing  
33 with the agenda, we are going to start with the outcome of the  
34 meeting last night with the spiny lobster fishermen from Puerto  
35 Rico.

36  
37 **PUERTO RICO FISHERS SPINY LOBSTER DATA COLLECTION INITIATIVE**  
38

39 **MIGUEL ROLON:** Okay, Mr. Chairman. Yesterday evening, we had an  
40 opportunity to meet with the Puerto Rico fishers to discuss an  
41 idea that they put together, which is to see if they can improve  
42 the data collection program in Puerto Rico. At present,  
43 scientists from the Center, and we had Clay Porch, and Todd  
44 Gedamke, also a contractor, and we had Richard Appeldoorn the  
45 SSC Chair.

46  
47 We discussed thoroughly the issue at hand, which is the point  
48 that the fishermen would like to demonstrate, statistically,

1 that the spiny lobster perception could be a reality, which is  
2 that the spiny lobster is in good health, the status of the  
3 stock is in good health. However, in order to do that, we have  
4 to follow the applicable laws and regulations, and the  
5 applicable laws and regulations at this time set an ACL, an  
6 annual catch limit, for the spiny lobster based on the best  
7 available information at the time that that limit was set.

8  
9 Yesterday, a good exchange between the scientists and the  
10 fishers came into play, and the bottom line is that, to keep it  
11 simple at this time and also to move forward, the fishers  
12 offered to have an inventory of fishermen in Puerto Rico who are  
13 willing to participate in the project.

14  
15 They will develop a table of parameters, and when Brian gives a  
16 presentation, you will see the table of parameters that the  
17 fishers are willing to supply to the Center. Once we have that  
18 information, which is the inventory of the fishers, and, by the  
19 way, Ricardo promised also to send, from Dr. Lopez from the  
20 Department of Natural Resources, a list of the fishers who fish  
21 for spiny lobster.

22  
23 At this time, we are going to concentrate on the lobster fishery  
24 that is fished with the trap for the lobster fishery, but  
25 Ricardo also has information as to the number of divers and the  
26 number of gill netters, and so that information will be provided  
27 also.

28  
29 Once that inventory, what we call the horsepower inventory, is  
30 prepared by the fishers -- By the way, they are going to knock  
31 on the doors of every fishermen's association around Puerto  
32 Rico. Then that inventory will be provided to Dr. Clay Porch.  
33 Then the Center will identify the best methodology that can be  
34 used to assess the status of the stock using those statistics.

35  
36 In a nutshell, that's what he said, and we have the opportunity  
37 now to have a fisherman from Puerto Rico who fishes lobster, who  
38 is brand new to the system, but we are recruiting him, and he  
39 will give us the fishers' perspective.

40  
41 Remember, this is a project that was created by the fishers and  
42 is something that the fishers would like to follow with the  
43 assistance of the scientists. This is a perfect storm to get  
44 the best information that we can, and remember that all the  
45 information that we get has to be determined as the best  
46 available information. In order for the Center to declare that,  
47 they have to make sure that the best methodology has been used.  
48 Brian, can you introduce yourself and start the presentation?

1  
2 **BRIAN MATIAS:** Good morning, council members, staff, and  
3 attendees. My name is Brian Matias. I'm a spiny lobster  
4 fisherman out of San Juan. All the fishermen have realized that  
5 it's good to work with the council and push forward to give you  
6 guys as much data as we can.

7  
8 I have a data sheet. It's very important to try to get as many  
9 small lobsters and big lobsters. I've been a fisherman for  
10 twenty years, and I think the more information we have, the  
11 better it is for everyone.

12  
13 We propose to work with the SSC and the Science Center and the  
14 council, whatever you guys need. We have, as of right now,  
15 about fifteen fishermen from the north side, from Naguabo and  
16 from Rincon, and from the east side, from Fajardo, which are  
17 willing to help give data. We want to know also what kind of  
18 data that you guys will need, compared to what we have as of  
19 right now. We have six different trips.

20  
21 On the first section, you will have your trap, because I only  
22 picked ten traps, and so your first line is your first trap.  
23 You have got your male keepers, and those are the sizes. You've  
24 got your female keepers, your small females and small males,  
25 eggers, if there was an egger in the trap, the total of the  
26 lobsters in that single trap, the location, and then the depth  
27 of where I caught it.

28  
29 **MIGUEL ROLON:** This is where the fishers will need to -- Not at  
30 this time, but they will need to have some assistance here. Out  
31 of this table, the fishers would like to know what else the  
32 scientists would like to see on that table that the fishers can  
33 provide, and we were discussing, for example, if you can  
34 identify whether you fish inside the nine nautical miles or  
35 outside, to give an idea of whether you are fishing in the EEZ  
36 or not.

37  
38 There are people who fish on the north coast of St. Thomas, but  
39 they land in Puerto Rico, and that's something that we should  
40 know also. Then, once we have that table agreed on by  
41 scientists and fishers, then the fishers will take this  
42 information to the different fishing villages and the fishermen  
43 will talk to the fishers.

44  
45 We will be able to assist in some way, if need be, on what the  
46 project is all about and what is it that we want to achieve and  
47 how they envision that this can be done, but, before we do that,  
48 the first step is to have that inventory that Brian mentioned

1 that we are going to have probably as soon as possible during  
2 the first quarter of 2017.

3  
4 When we have that inventory, we will send it to the Center and  
5 to the SSC, so they can tell us that, okay, with that  
6 information, this is what you can do, in terms of the sampling  
7 design that we need for this.

8  
9 The other issue that was discussed by the fishers, and Brian and  
10 Nelson also can jump in and Carlos, is that there are other  
11 gears that fishermen are using for catching the spiny lobster.  
12 We are talking about divers and we are talking about netters on  
13 the west coast of Puerto Rico.

14  
15 The answer at this time from the scientists is that we would  
16 like to keep it to one parameter, one variable, that we can  
17 manage, because we are after -- Let me backtrack a little bit.  
18 If this was a perfect world, everybody would submit the data and  
19 we would have 100 percent coverage.

20  
21 We know that that's not something that can be done in real life,  
22 and so the best thing that we can do is we have a design to take  
23 a sample of that fishery that can be used on a short term and  
24 maybe on a long term. Based on that study then, the fishers can  
25 not only get information the way that they perceive the  
26 information should be taken, but also we'll be able to provide  
27 the methodology to other species that can be used in the future  
28 to improve the data collection system that we have.

29  
30 The main goal is to see if the lobster population can sustain  
31 the fishery that we have at this time. In order to do that, you  
32 have to collect certain information, and so I believe that --  
33 Brian, how many fishers do you think you have on the east coast,  
34 San Juan, people that you know that can participate at this  
35 time?

36  
37 **BRIAN MATIAS:** I know, on the west side, I think we have about  
38 six fishermen. On the south side, Carlos was telling me this  
39 morning that he's got about four. In Fajardo, I know there's at  
40 least three. In the north right now, it's me, but I will try to  
41 find as many as I can.

42  
43 **MIGUEL ROLON:** Okay. Nelson, how many on the west coast do you  
44 think can participate?

45  
46 **BRIAN MATIAS:** It's six, as of right now, that we know of.

47  
48 **MIGUEL ROLON:** On the west coast it's six?

1  
2 **BRIAN MATIAS:** Six.  
3  
4 **NELSON CRESPO:** Yes, around six. Maybe more, but I have to find  
5 out.  
6  
7 **MIGUEL ROLON:** Just for the sake of the discussion, if you have  
8 six, you have around fourteen or fifteen fishers at this time  
9 that you know that can participate. They said that you have a  
10 hundred fishermen only that fish for lobster. You are talking  
11 about 15 percent of the lobster fishery, and so at least you  
12 have an idea of the sample size that you have, if you don't have  
13 anything else with that.  
14  
15 Then you have to stratify the sample size, and the scientists  
16 have to tell you, because Brian, for example, he fishes with  
17 five different traps for lobster and that adds another variable,  
18 and so the result of the meeting yesterday, to recapitulate  
19 again and also open this for discussion with the council  
20 members, is that, one, the fishers of Puerto Rico will talk to  
21 the fishers of Puerto Rico to see how many will be able to  
22 participate.  
23  
24 They will provide an inventory to the Center and the SSC and the  
25 council as to how many fishers will participate. They would  
26 like to see a reaction to that table from the scientists. Is  
27 there anything else that they would like to include in that  
28 table?  
29  
30 Also, the definitions, because "keeper female" makes sense for  
31 Brian, but, for other people, they are thinking about something  
32 else. "Egger" is another thing that we need to clarify, and so  
33 we need to make the table compatible with the statistics design,  
34 and the terminology also has to be compatible with the Puerto  
35 Rico fishers. It has to be in Spanish and/or English, and  
36 that's the first thing that we could do.  
37  
38 The other take-home message is that Ricardo is going to provide  
39 the inventory that he has. The Fisheries Laboratory is in  
40 charge of collecting that information, and then Dr. Clay Porch  
41 may want to speak for himself and he can express that, but he  
42 said yesterday that the center is willing to cooperate to find  
43 somebody that can assist. Todd Gedamke talked to the fishers,  
44 and he also has a project that is ongoing, and he is another  
45 asset that the fishers can use to improve this data collection  
46 system.  
47  
48 **CARLOS FARCHETTE:** Jack.



1  
2 **JACK MCGOVERN:** You mentioned that there are five different  
3 traps that are used in this fishery, and do you use different  
4 traps on a trawl? I was thinking, with this form, and I think  
5 Todd mentioned this last night, that the form might want to  
6 include the trap type that's being fished.

7  
8 **CARLOS FARCHETTE:** Blanchard.

9  
10 **TONY BLANCHARD:** I was just looking at the form, and I've got  
11 something that jumped out here to me, and I'm going to make a  
12 statement, probably a suggestion, and a question. This question  
13 is directed to Clay. How many participants, how many fishermen,  
14 would they actually need to supply this data, in order for it to  
15 be workable, the minimum? Do you have any idea?

16  
17 **CLAY PORCH:** Again, as we talked about last night, it depends on  
18 what we want to use it for. The main key, if you want to use it  
19 for something that would have the best chance of having an  
20 immediate impact on ACLs, and by immediate, I mean a couple of  
21 years, because it takes some time to collect the data and  
22 process it and all that, and then you need to have  
23 representative samples across the fishery, and so it's not so  
24 much the number, but it's how you pick the actual trips that are  
25 going out.

26  
27 Now, if you end up getting up most of the fishermen in the area,  
28 you probably don't have to worry about the representative  
29 sampling, because you have most, but if you only have say one  
30 fisherman in one area and there is fifty fishermen operating out  
31 of that area, how do you know that one fisherman actually  
32 represents the rest? That kind of issue needs to be satisfied.

33  
34 It's not so much the number, but it's how you select the trips,  
35 but, again, I heard, in some conversation, there is places where  
36 there is three fishermen and two of them catch 80 percent of the  
37 catch. Probably, if you get those two fishermen, you're doing  
38 pretty well, if they're cooperating in this program, but I do  
39 want to add that Todd and I were sitting up here looking at this  
40 and we were like, wow, they're going to give us all of that?  
41 That's a lot of information there, and it's all very useful  
42 information, and so we were impressed.

43  
44 The only thing that I think we came up with is Todd was  
45 mentioning things like what Jack already mentioned. There may  
46 be some issues with the type of trap and bait, whether they're  
47 using bait or no bait, and other things you know better than I  
48 that maybe should go on there to help us understand why, for

1 instance, maybe the catch per trap is different among different  
2 trap types.

3  
4 If we don't have that information up there, we couldn't  
5 incorporate it in the analysis, but that was the only thing that  
6 we really came up with. Otherwise, that's more than we would  
7 have asked for, because we wouldn't think that we could ask for  
8 that much.

9  
10 **CARLOS FARCHETTE:** A follow-up from Blanchard.

11  
12 **TONY BLANCHARD:** This is my statement, or what I should say is  
13 my suggestion to Brian. If you want fishermen to participate,  
14 then I suggest you take out the GPS coordinates, because I'm  
15 going to tell you that if you come to me with this, you ain't  
16 getting me to work with you, and I don't care how good friends  
17 we are, but it ain't happening.

18  
19 Just like Clay was saying, I was surprised that you were willing  
20 to give all of this. My suggestion to you is to take off the  
21 GPS coordinates and you're going to have some other guys willing  
22 to work with you, but, once you put this up there, because they  
23 don't know where their information is going and they don't know  
24 who is seeing it, and, to be honest with you, I know Puerto Rico  
25 ain't no different than the Virgin Islands. We don't really  
26 trust what is going on, to a certain degree, and so that's just  
27 my suggestion.

28  
29 **MIGUEL ROLON:** Actually, that's something that I want to ask  
30 Brian, now that he's here, because we discussed that yesterday.  
31 Brian, if we want to go and ask for the sun and the moon and  
32 then we can come back with whatever we can get, and so one  
33 alternative to these actual coordinates was to talk about the --  
34 We can have quadrants, or five-miles square, and the fishermen  
35 can identify that around here I fish.

36  
37 You also can identify whether you fish inside the nine nautical  
38 miles or outside the nine nautical miles. That information is  
39 important somehow. The other thing is if you have a quadrant  
40 and then the scientists can tie the habitat to that quadrant.  
41 There is information there that can be used for other purposes  
42 that can assist the status of the fisheries somehow.

43  
44 As an example, we did that in the 1970s, when we were working  
45 with the lobster. What we did was we hired a lobster fisherman  
46 who happened to be a scientist, and he had a theory. He could  
47 take a map -- He took a map of Puerto Rico and the U.S. Virgin  
48 Islands and looked at areas where there was habitat suitable for

1 lobster that are adults, habitat suitable for lobster that are  
2 juveniles, and he was able to come to a number for the MSY for  
3 lobster at that time.

4  
5 The Center did it using the classical approach, the statistical  
6 approach, and they were almost identical. Actually, they were  
7 not different, statistically speaking, and so it shows, to us,  
8 that there is a lot of information out there that the fishermen  
9 can provide without jeopardizing their secrets of the trade that  
10 the scientists can use to assess the status of the stock in a  
11 better way.

12  
13 Richard Appeldoorn said something some time ago that is very  
14 important. You may not have an accurate, exact number, but what  
15 you want is to detect the trends in the fishery, whether you're  
16 going downwards or upwards or you are remaining the same. That  
17 is also important. What is the next step, Brian?

18  
19 **BRIAN MATIAS:** The next step would be, of course, to take out  
20 the lat/longs and we'll put within a five-mile spot and say  
21 that's where we are catching the quantity and within the traps.

22  
23 **CARLOS FARCHETTE:** And also add the information about the type  
24 of traps.

25  
26 **MIGUEL ROLON:** So then, for the record?

27  
28 **BRIAN MATIAS:** We would also do the style of trap and if it had  
29 bait or no bait and I think that's it. If there's anything else  
30 that you guys would like to add to the chart --

31  
32 **CLAY PORCH:** The only thing we thought of were any distinctives  
33 that would cause one trap to fish differently from another trap,  
34 and so trap size and trap shape and bait and style, but you guys  
35 know better than I do how the catch rates vary among trap types  
36 and bait and all of that, and so we would punt that back to you.  
37 Put what you think is important to characterize how traps fish.

38  
39 **CARLOS FARCHETTE:** Carlos.

40  
41 **CARLOS VELAZQUEZ:** Thank you, Mr. Chairman. Brian, very good  
42 job. (The rest of the comment was in Spanish and was not  
43 transcribed.)

44  
45 **MIGUEL ROLON:** What Carlos is saying is he wants to get this off  
46 his chest, but, ten months ago, he started this project with the  
47 fishermen of his village and others from around Puerto Rico, and  
48 ten months is too long for a fisherman to wait for something to

1 happen, and so they got desperate.  
2  
3 Out of those fishers, four of them, for example, they are not  
4 that willing to come back and discuss this, and so it's  
5 frustrating, and it's difficult for him then to go back to his  
6 fishers and tell them, okay, this is what we're going to do now,  
7 and so it will take some time for him to convince the fishers.  
8  
9 Even the frustration, if he got it off his chest, if Carlos is  
10 willing to participate and work with the fishers and go back  
11 again, I am saying that the most important part is that the  
12 fishers talk to fishers. Once the key fishermen know what this  
13 is all about and we can have that inventory and have that table,  
14 it will be a matter of asking them whether they want to  
15 participate or not.  
16  
17 The other component of this is for how long, and, until we have  
18 that inventory, we don't know how long, and so we can tell them  
19 half a year and see what happens, but don't tell them that it's  
20 twenty days, because then they will be desperate and they might  
21 kill you for lying to them, and so I believe that we are -- Now,  
22 at this juncture, we have the fishers talking to fishers, and I  
23 copied that phrase from Alexa, from MREP.  
24  
25 I believe that, if we do this in the first quarter of 2017, then  
26 we can have some dates, and so, the sooner we submit that  
27 inventory to Clay and the scientists, the sooner they will be  
28 able to tell us that, okay, this is what we can do, fellas,  
29 because remember that they have to use the best available data  
30 and the best methodology possible, in order for us to have some  
31 assessments.  
32  
33 Mr. Chairman, I believe that, unless if you have any more  
34 questions, the council is committed to assist the fishers in  
35 putting together meetings with the fishers to assist them with  
36 the table. Graciela is an expert at putting together tables,  
37 and so we can ask her to help us help Brian and the group of  
38 fishers to see the tables there.  
39  
40 We don't want to modify the table unless the fishers and the  
41 scientists say so. It has to be a unanimous decision by the  
42 fishers and the scientists how we want to proceed with this  
43 table. Right now, we are going to add the type of trap fished  
44 and we are going to also maybe attach a diagram with squares,  
45 five-mile squares, so they can mark with an X that this is where  
46 I fish, rather than giving the exact coordinates of where they  
47 fish. Any other questions for Brian?  
48

1 **CARLOS FARCHETTE:** Carlos.

2

3 **CARLOS VELAZQUEZ:** (The comment was in Spanish and was not  
4 transcribed.)

5

6 **MIGUEL ROLON:** His last thought is that it's important that  
7 timely is the most important part, and he said that the National  
8 Marine Fisheries Service usually asks for this information, and  
9 I want to explain that it's not the National Marine Fisheries  
10 Service that does that. It's the Act that requires that to  
11 happen, and it's not the persons sitting around the table, but  
12 it's just that we have to follow the regulations.

13

14 The main point is that we would like to do this as quickly as  
15 possible for other projects. If this is a successful story,  
16 then we go into other species, and now we will have an  
17 opportunity to apply this same way, the same methodology, the  
18 same procedure to other species, and the key part that Carlos is  
19 mentioning is that it should be fast. You should have effective  
20 feedback to the fishers as to where are we at all stages of the  
21 game, because that's what discourages fishers in the  
22 participation.

23

24 Remember, a fisherman is somebody who makes quick decisions.  
25 When you're out there fishing, if something happens to the  
26 engine, you don't call Miguel to say, hey, something happened  
27 and can you put together a meeting so that I can start the  
28 engine again. No.

29

30 That is the human component that we have to work in, and so, if  
31 there is no more questions to Brian, the commitment from this  
32 table is that we will assist the fishers of Puerto Rico.

33

34 By the way, we need to thank Julian Magras. He offered some  
35 tips of the things that have been done by the fishers in St.  
36 Thomas/St. John and St. Croix, and especially St. Thomas/St.  
37 John, which was to identify the fishermen in each one of the  
38 villages that can understand the process, that can understand  
39 the project, and he or she can explain it to the other fishers,  
40 and I believe that that was a good suggestion to the fishers of  
41 Puerto Rico.

42

43 **CARLOS FARCHETTE:** Blanchard.

44

45 **TONY BLANCHARD:** I've just got a question. How much different  
46 ways in Puerto Rico do they catch lobsters commercially?

47

48 **MIGUEL ROLON:** Excuse me, but how much --

1  
2 **TONY BLANCHARD:** Different ways.  
3  
4 **MIGUEL ROLON:** We have a couple of things. There are about four  
5 or five or six traps that are different.  
6  
7 **TONY BLANCHARD:** No, not the traps.  
8  
9 **MIGUEL ROLON:** I was starting with the traps. Then we have  
10 netters that use trammel nets, and they are about eighteen to  
11 twenty-four inches high and about six feet wide. Then the  
12 divers, and the divers, unfortunately, fish with hook, and not  
13 necessarily with the hook that we have, but they also use spears  
14 and by hand, and some of the divers use nets.  
15  
16 They go out with nets and they chase them, or they use an  
17 octopus at the end of a stick to scare the hell out of the  
18 lobster and put the net. The lobster caught that way has a  
19 better return to investment, because it doesn't lose that much  
20 weight, as to when you punch them or spear them. By the way,  
21 that is illegal anyway.  
22  
23 The last thing that I was going to say is that the fishers, not  
24 at this time, but one thing that they would like for the council  
25 to do is to revisit the mesh size of the traps and the traps  
26 that are allowed. Fishers believe that probably we should --  
27 The same way that St. Thomas did, the fishers, to use something  
28 like this, a vent that allows the juveniles to escape, the small  
29 ones to escape, is something that fishers have been pondering  
30 for some time.  
31  
32 Later in the game, probably we can address the issue of the trap  
33 design and all that, but we will not know how to proceed on this  
34 one until we have that inventory made, and so, with the table  
35 that we just modified a little bit, we will be able to detect  
36 how many traps we have that are different that are used in the  
37 spiny lobster, and I believe that Daniel Matos in the Puerto  
38 Rico Fisheries Research Laboratory, when they have the inventory  
39 of fishermen and gear around Puerto Rico, they tally up the  
40 different traps that we have. I don't know how much detail he  
41 has at this time, but that's something that Ricardo will provide  
42 to us in the future.  
43  
44 **TONY BLANCHARD:** The point that I was trying to make is maybe we  
45 need to ask some of the divers, the commercial divers, the guys  
46 that are catching them with nets, to supply some of that  
47 information. Not necessarily the same thing, but some of the  
48 information, because they could be catching more than them.

1  
2 **MIGUEL ROLON:** Yes, we discussed that yesterday too, but what we  
3 would like to do is use these traps as sort of an index. Then,  
4 for example, Nelson is going to supply to us the number of  
5 fishers who use nets. More or less, using that information, we  
6 will know how much they land, so you have an idea.

7  
8 The divers is kind of an elusive group of people. Some of the  
9 divers, they do have commercial licenses and they do supply the  
10 information, but the majority of the fishers, according to Dr.  
11 Valdés-Pizzini's report, do not provide the information, as they  
12 are supposed to, of the catches that they made.

13  
14 We have, for example, to give you an idea, when Dr. Valdés-  
15 Pizzini did the study, there were about ten fishermen in the  
16 area of Cabo Rojo fishing for fish and crustaceans and queen  
17 conch. Now there are more than 200 that do that, and that is  
18 why probably, for the divers and the netters, we may need to  
19 think about something that we can do to capture that data a  
20 little bit different that we use for the lobster traps.

21  
22 The other issue, or not an issue, but the other component of  
23 this is what is the percentage of the spiny lobster that is  
24 landed using trap versus other gear. This is what your question  
25 is all about, and we end up knowing that -- At the end of this  
26 project, we may know more than we know now, and we also need to  
27 identify the gaps. That is something that Dr. Clay Porch  
28 mentioned yesterday that I forgot to mention in the report here,  
29 but the gaps in the data is something also that we need to know.

30  
31 Probably, once we have this ball rolling, you have people in the  
32 universities, graduate students, that may jump in and maybe  
33 provide some more information about the status of the lobster.

34  
35 For example, Dr. Richard Appeldoorn mentioned a tag and  
36 recapture. That is a project that can be done, or maybe one of  
37 the graduate students can take that and tag and recapture the  
38 lobster, with the appropriate permit, but, to conclude, the  
39 fishers will meet the first quarter of 2017 in Puerto Rico and  
40 they will develop a strategy to collect the information that  
41 they need, which is an inventory of the fishers who fish for  
42 lobster in Puerto Rico.

43  
44 They will use that table and modify it by the way we just  
45 mentioned this morning. Once they have that, they will send the  
46 inventory to the Southeast Fisheries Science Center. Then the  
47 Center can determine the best way to develop a sampling  
48 strategy, a sampling design, for this information.

1  
2 Once they do that, and, by the way, they can also tell us how  
3 long it will take for the survey to be conducted. Once they  
4 have that, they will submit it back to the council, and we will  
5 be able to assess the status of the fishery. One important key  
6 of all of this is don't go to the fishers telling them that  
7 then, if we do this, the ACL will disappear and everything will  
8 be rosy.

9  
10 You may end up having an ACL lower than we have now. We don't  
11 know, but the perception is that the lobster fishery, the way  
12 that people are seeing the landings of big lobster most of the  
13 time and it seems that the lobster is a healthy fishery, but we  
14 have to be mindful that we don't tell the fishermen something  
15 that we cannot stand. You lose all the credibility and, worse  
16 than that, they will never come to the table again to talk to  
17 you about anything that they fish or want to do. Brian, do you  
18 have anything else to add?

19  
20 **BRIAN MATIAS:** I would like to thank everyone, the council and  
21 the SSC, for giving me the opportunity to give you guys this  
22 information and to move forward with the fishermen's project,  
23 because we're the ones that really want this to raise the ACL  
24 and everything else. I would like to also thank Tony Iarocci  
25 for helping me get the statistics sheet together and Bill Arnold  
26 and Carlos Velazquez and Nelson Crespo and Marcos Hanke. Thank  
27 you very much, everyone.

28  
29 **CARLOS FARCHETTE:** Okay. Thank you. Next on the agenda is the  
30 Marine Recreational Information Program - Status of Regional  
31 Implementation Plan. First, did we do a roll call for the  
32 people on Go to Meeting, or is there anybody on there?

33  
34 **VIVIAN RUIZ:** Yesterday, the attendees were Adam Bailey, Julie  
35 Neer, --, Jeff --, Stephen Holliman, Jennifer Lee, Shannon  
36 Calay, and Frank Helies. Today, it's Jennifer Lee and --.

37  
38 **CARLOS FARCHETTE:** Thank you. That's just for the record.

39  
40 **MARINE RECREATIONAL INFORMATION PROGRAM - STATUS OF REGIONAL**  
41 **IMPLEMENTATION PLAN**

42  
43 **BILL ARNOLD:** I'm going to go ahead and get started on this.  
44 What I'm going to talk about for the next few minutes is the  
45 Marine Recreational Information Program, MRIP, and the  
46 development of the regional implementation plan for the U.S.  
47 Caribbean. This is an effort that is taking place throughout  
48 the nation. All the regions are developing regional



1 implementation plans, and the team we put together is just doing  
2 it for the U.S. Caribbean.

3  
4 This is just a quick overview. Obviously effective management  
5 of marine fisheries, as we've been discussing, requires accurate  
6 and timely data. Collecting data is costly and time-consuming,  
7 and adequate funding rarely exists, and this is going to be no  
8 exception in refining or building recreational data collection  
9 program in the U.S. Caribbean.

10  
11 Because of that, it's necessary to prioritize alternative  
12 approaches within the context of cost and need, and so the  
13 regional implementation plan is designed to identify  
14 recreational data needs, collection alternatives, and to  
15 prioritize those needs, so that funding and need can be matched  
16 up.

17  
18 These data needs will be ranked within the context of goals and  
19 objectives, and those goals and objectives may be region-wide or  
20 they may be island-specific, as you guys well know. Here is  
21 just a brief list of the goals and objectives. You don't really  
22 have to read them all, but you're certainly welcome to, but what  
23 we need to do is to ensure that recreational data collection  
24 meets the constituent's needs, and there are a lot of different  
25 constituents, local and nation-wide.

26  
27 These needs pertain to timeliness of data collection, the  
28 coverage that results, and also collection of event-specific  
29 data, such as tournament data, and we need to ensure the  
30 standards are met, and these standards pertain to precision,  
31 accuracy, and data quality. Also, very importantly, and this is  
32 what we've had trouble with in the U.S. Caribbean in the past,  
33 we have to make sure the sampling program is durable, efficient,  
34 and cost effective. Efficient and cost effective so we don't  
35 waste anybody's time or money and durable so that we get the  
36 critical, long-term data that we need.

37  
38 Just as a quick reminder, they attempted to develop an MRIP  
39 program in the USVI back in 2000, and it failed, due to a  
40 variety of logistic problems, and that is what you can't afford  
41 to have happen, because you need long-term, continuous data to  
42 be able to use those data in an analytical and assessment  
43 context.

44  
45 As I said, the objectives may differ among island groups, but  
46 they generally include a durable and overarching structure, some  
47 strategy to ensure continuous data collection, which is going to  
48 be a very big challenge, and steady data collection. It can't

1 vary from year to year, because then you create all kind of  
2 complexities in data analysis and application.

3

4 One thing that was called for was establishing a regional data  
5 management portal. You get the data, but how do you get it out  
6 there and get it to the people who need it, and then an  
7 oversight team. I will talk about some of these things as I go  
8 through this, which is a relatively short presentation.

9

10 You don't need to go through all of these MRIP objectives, but  
11 just to note that they're similar, but not identical, between  
12 Puerto Rico, which I present here, and the USVI, which is on the  
13 next slide. Puerto Rico has a recreational data collection  
14 program in place, and it is operating and has been operating  
15 since 2000.

16

17 It's not perfect, and nothing ever is, and there has been some  
18 year-to-year variability that has caused concern with the  
19 Science and Technology Group that runs the MRIP program, and  
20 that, again, goes back to needing steady, consistent, reliable  
21 data collection, and so you want an access point angler  
22 intercept survey, and that's just basically a map and a strategy  
23 for knowing where the fishermen are going to be, so you can go  
24 there and ask them questions about what they've caught and how  
25 much effort they put into catching that.

26

27 You need good coverage, and you need sampler accuracy, and that  
28 means maintaining a strong base of samplers to go out and do  
29 this very hard and time-consuming work, and it may be that  
30 important invertebrate species need to be included, and I don't  
31 think anybody would deny the recreational demand on queen conch  
32 and spiny lobster, and there may be others, like octopus and  
33 whelk, and, again, this depends not just upon need, but it  
34 depends upon funding availability, and so you have to rank  
35 these. If you could do two invertebrates, which two would you  
36 do, given the money you have available?

37

38 Another thing is there has been a switch from the Marine  
39 Recreational Fisheries Statistics Survey, MRFSS, to the Marine  
40 Recreational Information Program, MRIP, and it's important to be  
41 able to inner-calibrate between those. Those are two separate  
42 sampling designs, and, to maintain that long-term database and  
43 the utility of that long-term database, you've got to develop  
44 some calibration coefficients to allow you to match those  
45 different data up.

46

47 Another problem is the MRIP staff is very concerned about the  
48 coastal household telephone survey. They feel like, in this day

1 and age of cellphones, that your phone book and your desktop  
2 phones are just not going to allow you to contact the full  
3 universe of people that are recreational fishing, and so that is  
4 a switch from the coastal household telephone survey to the  
5 fishing effort survey in both Puerto Rico and -- The fishing  
6 effort survey is basically mail-based, and that is a problem as  
7 well, because not everybody has -- We have learned, as we have  
8 gone through this, that not everybody has mailboxes.

9  
10 Some mailboxes are shared, and so a mail survey won't  
11 necessarily solve the problems anyway, and there may need to be  
12 a hybrid approach, and so just another example of the  
13 complexities involved in developing an effective program.

14  
15 There are a variety of recreational modes. The mode, as I  
16 mentioned yesterday, is just the approach to fishing, the group  
17 of fishermen, like private vessel people, as you can see in the  
18 list, for-hire, i.e., charter folks, and shoreline fishers, who  
19 can be very difficult to access, and then tournaments, which are  
20 very much event-oriented, and so they are discreet events that  
21 you have to be able to access.

22  
23 Actually, Puerto Rico, at the present time, is doing a very good  
24 job of accessing tournament activities and the USVI is very much  
25 -- Both of those state governments are doing a great job with  
26 the tournaments, and all people seem to agree on that.

27  
28 I mention here the United States Postal Service Household  
29 Database, but I reiterate that the mail service to individual  
30 households is not necessarily complete. Then the desire would  
31 be, and this is from the Science and Technology Group, to a  
32 percent standard error, the variability around your estimates,  
33 of less than 25 percent. That is a component of how you design  
34 the sampling program.

35  
36 Some other things are you need statistically-robust tournament  
37 sampling methods and a verification methodology, and so that's  
38 Puerto Rico. These are enhancements to Puerto Rico. Some of  
39 these are in place and they're doing great in many ways. In the  
40 USVI, we do not have a recreational sampling program. The needs  
41 are basically the same, but it just needs to be constructed from  
42 scratch.

43  
44 Information needs, there are two basic sources of data that are  
45 required. One is how much effort was expended and what they  
46 caught using that effort, and so, if you're out on a boat, how  
47 long was your line in the water? Then you ask them, well, given  
48 that four-hour effort, what did you catch?

1  
2 Then there are a lot of details associated with it. What mode  
3 were you operating under? What variables should you record?  
4 What is needed? These need to be ranked and prioritized,  
5 because each one of them has a cost associated with it. How  
6 frequently do you sample, again, and that drives up the cost or  
7 it drives down the cost.

8  
9 The sample level, do you just talk to the boat owner or do you  
10 speak with every individual, et cetera, et cetera? Of course,  
11 the more people you talk to, the longer the survey takes and the  
12 more costly it's going to be.

13  
14 You can get other data, depending upon needs and priorities, of  
15 what kind of gear did you use, where did you fish, et cetera, et  
16 cetera. These data are going to be more or less easy to obtain,  
17 and, again, you've got that data accuracy target. That is less  
18 than 25 percent PSE.

19  
20 Here is a proposed administrative hierarchy for this. You would  
21 have a steering committee, which would be composed of, for  
22 example, folks from the Science Center, the Science and  
23 Technology Group, the local governments, perhaps the managers,  
24 et cetera, et cetera.

25  
26 You would have a separate group that handles financial  
27 management, because you've got to be able to manage the funds  
28 and distribute them as needed, and then you would have a  
29 regional administrator, somebody located in the U.S. Caribbean  
30 region, that oversees this entire program. Then, under that  
31 Regional Administrator, you would have island-based supervisors  
32 that are responsible for what goes on on their particular  
33 island, and they would administer the actual field samplers.

34  
35 One thing that I think is important in this is to have some  
36 flexibility, because people come and go. They get sick and they  
37 go on vacation, and so it would probably be ideal, for folks who  
38 operate generally, for example, on St. Thomas/St. John to be  
39 able to operate equally well on St. Croix or on Puerto Rico, and  
40 so that's sort of the flexibility that's needed to be built into  
41 this program from the sampler perspective.

42  
43 In summary, we're developing a regional implementation plan.  
44 This will guide refinements of MRIP in Puerto Rico, and it will  
45 provide the framework for developing MRIP in the USVI. The plan  
46 will cover data collection needs, but also program  
47 administration, but it will not cover data management,  
48 statistical integration, and funding. These things depend on

1 the details of the final program, and so they cannot really be  
2 laid out until that final program is designed.  
3  
4 The goal is to have this thing completed this month, and we have  
5 put a draft together, and it's being reviewed by the Science and  
6 Technology Group. Then we will respond to their comments and  
7 send it out to the full team and then we'll have, hopefully, a  
8 regional implementation plan that can guide the development of  
9 this program. There is still quite a bit of work to do.  
10  
11 Remember this is just a plan. Then we have to find out -- There  
12 are going to have to be some research projects to fill gaps in  
13 knowledge before you can actually get these guys on the ground  
14 in the USVI or implement refinements in Puerto Rico, and so I  
15 would anticipate you've probably got a good two years before  
16 what we really need, which is a USVI data collection program,  
17 but also to ensure that programs throughout the region are  
18 functioning in a consistent and continuous manner, and so that's  
19 it. Thanks.  
20  
21 **CARLOS FARCHETTE:** Miguel.  
22  
23 **MIGUEL ROLON:** Bill, can you put up the diagram?  
24  
25 **BILL ARNOLD:** This is a proposed tentative organizational chart.  
26  
27 **MIGUEL ROLON:** Yes, I know, but where do you see the local  
28 governments in that chart?  
29  
30 **BILL ARNOLD:** Most importantly, on that steering committee.  
31  
32 **MIGUEL ROLON:** Okay. Then those supervisors could be PIs or  
33 people from the government too?  
34  
35 **BILL ARNOLD:** All of that remains to be determined, Miguel.  
36  
37 **MIGUEL ROLON:** We have been following what MRIP is doing, and  
38 why we are doing this is because Puerto Rico and the Virgin  
39 Islands did not have enough information or they didn't have the  
40 infrastructure together to provide information that is needed  
41 for the national Marine Recreational Information Program.  
42  
43 In the Western Pacific, they did it differently, and so, here,  
44 being led by Bill Arnold and others, what we are trying to  
45 achieve here is to see if we can develop that infrastructure  
46 that not only will serve the purpose of organizing the way that  
47 we are administrating the program, but that could establish a  
48 program that could continue in the future to provide the

1 recreational information data that we need, and it's important,  
2 especially for the two local governments, to participate.

3  
4 In the case of Puerto Rico, they already have it. In the Virgin  
5 Islands, it was mentioned that we've had different projects in  
6 the past and ongoing, and so, once that plan is put together, in  
7 the first half of 2017, Bill, what will be the next step after  
8 the plan is put together?

9  
10 **BILL ARNOLD:** A couple of things. One is you need to identify  
11 data gaps. A good example would be do we have an adequate  
12 boater registration database, and that's something that Toby  
13 Tobias and Barbara Kojis have worked on. That would be the type  
14 of research project, research, quote, unquote, that would go out  
15 and determine what's available and what is not available and how  
16 easily accessible it is and things like that.

17  
18 Another thing might be that we need to better identify and map  
19 the access points, because you've got to know where the  
20 fishermen are, where they're bringing their boats in, where  
21 they're conducting charter operations from, where tournaments  
22 take place, so that you know where you're going to be sampling  
23 and how you're going to have to distribute effort.

24  
25 That's going to influence how many samplers you need to have on  
26 each island. You need to know, for example, and I'm just  
27 tossing out some examples, what is the influence of Culebra and  
28 Vieques on recreational harvest, because it's extremely  
29 expensive and not easy to get samplers out there and to get  
30 statistically-valid data. Do you even need to do that? If you  
31 do, how frequently and how many people?

32  
33 You've got security considerations, and you've got timing  
34 considerations. Are you going to sample at night? If you're  
35 not going to sample at night, which is considered much, much,  
36 much more risky, what are you going to miss if you don't sample  
37 at night? Are you going to miss all the yellowtail recreational  
38 fishermen? What are the implications?

39  
40 If you are going to sample at night, how are you going to go  
41 about it to ensure the safety and security of your sampling  
42 staff? Those are the kinds of questions that are going to have  
43 to be put out there and discussed.

44  
45 Then you've got to determine what kind of money is available to  
46 do this. That's going to start allowing you to address  
47 priorities and start building a true plan as to how you're going  
48 to approach this, because obviously, if we have unlimited funds,

1 we're going to be sampling everything we can get our hands on,  
2 but this won't be unlimited funds.

3  
4 These funds are competitive throughout the nation, and so it's  
5 going to be a matter of need and data interest, and these are  
6 the factors that have to be taken into account, and so those  
7 will be -- This is the start-point. The plan is the start-point  
8 and not the endpoint, but any means.

9  
10 **CARLOS FARCHETTE:** Any more questions for Bill? Okay. Hearing  
11 none, next on the agenda is Atlantic HMS Fisheries and Delisse  
12 Ortiz and Jen, but first we need a ten-minute break.

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

15  
16 **CARLOS FARCHETTE:** We are going to get started again. We have  
17 Delisse Ortiz and Jen Cudney for the Atlantic HMS Fisheries.

18  
19 **ATLANTIC HMS FISHERIES**

20  
21 **JENNIFER CUDNEY:** Good morning, everybody. I am going to be  
22 talking about Draft Amendment 10, which is our essential fish  
23 habitat draft amendment that is currently in the public comment  
24 period. There will be a slide at the end that provides some  
25 extra information on how to submit comments, and so we would  
26 encourage you, individually or as a council, to consider  
27 submitting a comment. The comment period will end on December  
28 22.

29  
30 To give you a quick introduction to the talk, I am going to give  
31 you a brief overview of our EFH procedures. I don't think that  
32 I need to spend a whole lot of time on what actually EFH is,  
33 since you work with it, but then we'll go through some of the  
34 preferred alternatives and, as I said, we will touch on a few  
35 final points and the information on the actual rulemaking and  
36 the comment period and all of that at the end.

37  
38 HMS EFH, of course we're talking about the waters and the  
39 habitats that are necessary for fish for spawning, breeding,  
40 feeding, and growth to maturity. From an HMS standpoint, the  
41 things that are important regarding EFH is that we do have the  
42 choice of including state waters in our EFH designations. We do  
43 that, and then we do not designate our EFH in international  
44 waters. If you go and look at some of the EFH maps that we have  
45 on our website, you will see that, for the most part, our  
46 seaward EFH boundaries are going to be cut off at the outer  
47 extent of the U.S. EEZ.

48

1 This is a timeline of recent HMS EFH actions, going back to when  
2 EFH was first designated for Atlantic HMS in 1999. We had a  
3 follow-up in 2003, under that particular fishery management  
4 plan. In 2006, which isn't on here, because of space, we  
5 consolidated our fishery management plans into a single HMS  
6 consolidated plan. Basically, the amendments and rulemaking  
7 that came after 2006 are reflective of any actions that are  
8 happening under that consolidated plan.

9  
10 We had our first EFH update in 2009 under the new consolidated  
11 plan, and that was Amendment 1, and that whole process did  
12 include a five-year review and updates. In 2010, we had a  
13 couple of amendments and rulemakings that added new critters to  
14 our management units, and so we had to designate EFH for those  
15 species.

16  
17 In 2014, we initiated the next five-year review for Atlantic HMS  
18 EFH. In 2015, we finalized that five-year review, and we  
19 published a Notice of Intent to prepare Draft Amendment 10, and  
20 that was released in September of this year.

21  
22 The purpose and need for this draft amendment are fairly simple.  
23 Through that five-year review process and public consultation,  
24 we had identified new information that has either come available  
25 through surveys or come available in the literature which  
26 warranted updates to our EFH boundaries, and so these updates  
27 are consistent with MSA Guidelines and National Standard 2  
28 Guidelines that basically indicate that it's best to manage on  
29 the best scientific information available.

30  
31 Now, EFH is also intended to minimize adverse effects of fishing  
32 and non-fishing activities and to identify actions that  
33 encourage conservation and enhancement of EFH, and this is  
34 usually done through either the consultation process or through  
35 the inclusion of alternatives that might have implementing  
36 regulations, such as time/area closures or that sort of thing,  
37 restrictions on fishing.

38  
39 Now, with this amendment, as we went through the five-year  
40 review process, we did look at gears and fisheries that might  
41 affect EFH, and we did not identify a need for implementing  
42 regulations, and so, as I go through the preferred alternatives,  
43 you will see that they are mostly concerned with updating the  
44 boundaries and looking at HAPCs and not necessarily restricting  
45 bottom longline fisheries or the HMS pelagic longline fisheries,  
46 just because we didn't see the need for it this time around in  
47 our five-year review.



1 Getting into our preferred alternatives, the first set of  
2 alternatives actually deal with EFH delineation itself, and our  
3 Alternative 1 is the basic no-action alternative, which was to  
4 retain our current designations.

5  
6 Alternative 2 is to update our EFH designations with new data  
7 collected since 2009, using the protocols that we established  
8 under our last revision, which was Amendment 1, and those  
9 protocols are basically using a statistical methodology called  
10 kernel density estimation, which is shown here. You basically  
11 assemble all of your points together and you put it into a  
12 geospatial tool kit. We used Geospatial Modeling Environment,  
13 which is a GIS add-on, and it generates a raster surface that  
14 has -- They're little individual cells on this map here, and  
15 each one of them have an estimate of density for your points.

16  
17 We took this surface and basically used a tool that would draw  
18 lines around the areas that contain the most number of points,  
19 and so, in this case, those lines contain 95 percent of the  
20 points. We decided that that would be the actual boundaries of  
21 our essential fish habitat.

22  
23 Quickly, I am going to walk you through an example with some HMS  
24 data. This is all agency-collected data, and it is regarding  
25 bluefin tuna spawning eggs and larval life stage in the Gulf of  
26 Mexico. This is actually the only point data that's in our  
27 amendment, because it is the only dataset that consists entirely  
28 of agency-collected data. We also use observer data and some  
29 other types of data that are confidential in our analyses, and  
30 so our maps are basically just showing the results and not the  
31 actual input of our analysis.

32  
33 Basically, once we would get the points together and get it all  
34 formatted and standardized, we would run it through this tool  
35 and it would produce a surface that looks like this. In this  
36 example, dark-red areas are areas of high point density. The  
37 light-pink areas are areas of low density, and white areas are  
38 places where we had no points.

39  
40 You can see that we clearly have larger numbers of larvae and  
41 eggs that are being collected in the central Gulf of Mexico than  
42 in other locations, and this is a pretty rough output, and so we  
43 have a polygon that is intersecting with land, we have it  
44 extending out beyond the federal EEZ boundary, and so what we  
45 would do after we would generate these surfaces is subject them  
46 to internal review and come up with something that makes more  
47 sense, based on the biology.

48

1 In this example, we have the spawning eggs and larval life stage  
2 and the adult life stages for bluefin tuna on this map, and this  
3 is a more polished version that basically reflects the fact that  
4 most of our data is collected offshore. We don't really have  
5 bluefin tuna larvae that are coming into inshore waters in  
6 Pamlico Sound or in other places, and so we do take that into  
7 account.

8  
9 Now, being the Caribbean Council, we do have some species where  
10 we don't have data that are collected in the U.S. Caribbean  
11 territories, and so, in that case, you would not see an inset  
12 showing up in the upper-left corner of the map. However, there  
13 are other species where we do have data from the U.S. Caribbean.  
14 In that case, we would either have a map that zoomed out, so you  
15 could see the U.S. EEZ here and the Caribbean perhaps down here,  
16 or we would have an inset map that does show Caribbean waters.

17  
18 The other alternatives that we had are concerned with HAPCs, and  
19 so, as you know, HAPCs are subsets of EFH that are evaluated and  
20 selected based on one or more of the following criteria, meaning  
21 the importance of the ecological function of the habitat,  
22 sensitivity to human-induced degradation, development  
23 activities, or rarity of the habitat type.

24  
25 Since none of the HAPC alternatives are actually dealing with  
26 areas that are in the U.S. Caribbean, I wanted to show you where  
27 those are, but not spend a whole lot of time on them. We have  
28 one alternative that is looking at the bluefin tuna HAPC in the  
29 Gulf of Mexico and possibly extending it eastward to encompass  
30 more area, based on some additional data that has been collected  
31 by the agency and published in the literature.

32  
33 We also have an alternative that looks at modifying our current  
34 HAPC for sandbar shark. This is based on some of the  
35 requirements of HAPCs. They have to be contained within EFH  
36 designations, and our current HAPC actually does not do that,  
37 and so these are just some minor modifications to make sure that  
38 we're following our own regulations.

39  
40 We are looking at a HAPC for lemon sharks off the southeastern  
41 coast of Florida, between Cape Canaveral and Jupiter Inlet.  
42 Then, finally, we've got two HAPCs for sand tiger sharks, one in  
43 Delaware Bay in the Mid-Atlantic and one up in coastal  
44 Massachusetts.

45  
46 To wrap up, I just wanted to remind everybody that our  
47 designations and habitat alternatives are not time/area  
48 closures. If we were going to implement a time/area closure, we

1 would need to follow through with separate rulemaking and  
2 provide notice and detailed economic and social analyses.  
3 Again, there are no implementing regulations in this draft  
4 amendment.

5  
6 This is the information for submitting public comments. As I  
7 said, the comment period does close on December 22. You can  
8 send comments to me or you can go to regulations.gov. I also  
9 want to point out that we have maps and shape files available on  
10 our website, and we actually just finished up some habitat  
11 mapping online applications, using ArcGIS Online, and we are  
12 going to be making those available as well. Now I am going to  
13 turn it over to Delisse to talk about Amendment 5b.

14  
15 **DELISSE ORTIZ:** Hello. I am Delisse Ortiz, and I'm with HMS  
16 Fisheries. First, I will be presenting Amendment 5b, and I have  
17 to say, right off the start, that I am not directly involved in  
18 this rulemaking, and so, any questions and comments, I will do  
19 my best to address them, but, otherwise, I can get back to you  
20 on any specific questions that I may not be able to address.  
21 This amendment is related to dusky shark management, and it is  
22 in the comment period right now. It ends on December 22.

23  
24 In terms of the outline for the presentation, I will go, very  
25 briefly, through the management history and then updates on the  
26 recent stock assessment and addendum that was done on the dusky  
27 shark populations, the alternatives considered on the  
28 recreational and commercial sectors, and then talk a little bit  
29 about a clarification that is made in this rulemaking regarding  
30 the ACLs and AMs for prohibited species complexes that we have,  
31 and, at the end, a request for specific comments on some of the  
32 alternatives that we have.

33  
34 In terms of the management history, it's a little bit long.  
35 Dusky sharks became a prohibited species in 2000. It was first  
36 assessed in 2006. It was determined to be overfished and  
37 overfishing occurring. In Amendment 2, in 2008, a rebuilding  
38 plan was established, among many of the other measures, with a  
39 rebuilding time of 2108, and so it's a very long rebuilding  
40 plan.

41  
42 It was assessed again in 2011, with SEDAR 21. It was still  
43 overfished and overfishing. Then, in 2012, we started the  
44 process of creating Amendment 5 that included not only dusky  
45 sharks, but a lot of other multiple species of sharks. During  
46 this time, it was determined that -- There was a lot of public  
47 comment that said that additional analysis was required and that  
48 some of the alternatives that were presented just needed further

1 analysis and should be separated from the other shark species.  
2  
3 What HMS did was that they separated the measures. They went  
4 ahead and implemented non-dusky shark measures in what we called  
5 Amendment 5, and then we did a separate Amendment 5b to address  
6 dusky-shark-specific management measures.  
7  
8 A draft was released in March of 2014. Then Oceana filed a  
9 complaint regarding the dusky shark management in 2015. We  
10 reached a settlement agreement, where basically Oceana  
11 understood that we were working on implementing shark management  
12 measures, but we were waiting for the updated stock assessment  
13 results, and so we reached an agreement to submit a proposed  
14 rule by October of this, with a final rule by March 31 of 2017.  
15  
16 In October of 2016, that update and addendum came back. It was  
17 still overfished and overfishing occurring, and so Draft  
18 Amendment 5b and the proposed rule were published and released  
19 in October, as agreed upon, with the potential shark management  
20 measures to reduce bycatch mortality of this prohibited species.  
21  
22 I am not going to go into detail on this graph, but I will  
23 mostly say that the determination was published in October.  
24 Like I said, the population is still overfished and experiencing  
25 overfishing.  
26  
27 From this line up is bad and this direction is bad as well,  
28 experiencing overfishing, but what the models show is that,  
29 while that is still the case, that we're in an overfished and  
30 overfishing state and we need to reduce fishing mortality by 35  
31 percent, according to the stock assessment, we're getting  
32 better, in the sense that the indices for those models that came  
33 out of the 2011 stock assessment and the 2016 stock assessment  
34 and addendum have decreased, and so we're getting closer and  
35 closer to not being in an overfishing scenario, but, again, we  
36 still need to reduce fishing mortality on a prohibited species  
37 by 35 percent.  
38  
39 We're looking at preferred alternatives that should meet those  
40 goals, which is to reduce the fishing mortality levels by 35  
41 percent relative to the 2015 levels and that we can ensure  
42 rebuilding by 2107. These are the recreational alternatives and  
43 these are the commercial alternatives.  
44  
45 For recreational alternatives, we are requiring HMS permit  
46 holders fishing for sharks recreationally, and so basically HMS  
47 permit holders that would need to obtain a shark endorsement,  
48 which would require completion of an online shark identification

1 and fishing regulation training course, plus additional  
2 recreational fishing outreach, and the idea is there is a  
3 problem with identifying dusky sharks. They can be confused  
4 with other species, and so the idea is to educate the anglers,  
5 so that they can distinguish dusky sharks from other species.

6  
7 In Alternative A6a, we would require the use of circle hooks by  
8 all HMS permit holders fishing for sharks recreationally and  
9 when using natural baits and using wire or heavy monofilament or  
10 fluorocarbon leaders. The idea of using the natural baits and  
11 wire or heavy monofilament leader sort of characterization is  
12 because we're assuming that most of the fishermen targeting  
13 sharks recreationally are using that type of tackle.

14  
15 For the commercial alternatives, fishermen with an Atlantic  
16 shark limited access permit with pelagic longline gear onboard  
17 must release all sharks not being retained using a dehooker or  
18 cutting the gangion less than three feet from the hook. The  
19 idea is, again, to minimize at-vessel and post-release mortality  
20 of sharks that are not being targeted or retained.

21  
22 Alternative B5 requires completion of a shark identification and  
23 fishing regulation training course as a new part of all safe  
24 handling and release workshops for HMS pelagic longline, bottom  
25 longline, and shark gillnet vessel owners and operators.

26  
27 Right now, we require a safe handling and release workshop, and  
28 that lasts for three years, but what this would allow us is to  
29 modify that protocol so that there is a specific sort of shark  
30 identification workshop with a focus on prohibited species.  
31 Again, the idea is to educate and provide outreach so that folks  
32 get acquainted with how to identify dusky sharks.

33  
34 Again, Alternative B6 would increase dusky shark outreach and  
35 awareness, through development of additional outreach materials,  
36 and require HMS pelagic longline, bottom longline, and shark  
37 gillnet vessels to abide by a dusky shark fleet communication  
38 and relocation protocol.

39  
40 What this ultimately says is that, if you're out fishing and you  
41 encounter a dusky shark, you communicate the location of where  
42 you interacted with dusky sharks with other vessels, so that  
43 other vessels can avoid dusky sharks and are therefore not --  
44 They should not get closer than one nautical mile from the  
45 interaction with the dusky shark, and so, again, the idea is to  
46 minimize interactions with dusky sharks in the pelagic, bottom  
47 longline, and gillnet fleets. Alternative B9 would require the  
48 use of circle hooks by all HMS-directed shark permit holders

1 using bottom longline gear.

2  
3 In the proposed rule, there were a lot of other measures, both  
4 from the recreational and commercial sort of sectors that were  
5 considered, but this included like closed areas, implementing  
6 bycatch caps, individual dusky shark bycatch quotas, limiting  
7 the amount of hooks, limiting the amount of gangions, not taking  
8 any action, but a lot of these seemed unnecessary or that  
9 basically they would end up causing a lot of negative economic  
10 impacts to the fleet, and so, while they were considered, they  
11 were not the preferred alternatives.

12  
13 The other thing that the proposed rule does is clarify the  
14 annual catch limits and accountability measures. For the  
15 prohibited shark complex group, where dusky sharks are included  
16 in this group, the ACL is set to zero right now, and the table  
17 shows all the prohibited species that are included.

18  
19 According to Magnuson, small amounts of bycatch are permissible  
20 where the ACL is set to zero and the bycatch is small and does  
21 not lead to overfishing. For most of these species, based on  
22 the most available data that we have, overfishing is not being  
23 caused where there is small bycatch, like of bigeye thresher or  
24 basking or longfin mako. However, for dusky sharks, those small  
25 levels of bycatch are causing, and continue to cause,  
26 overfishing, even though it's been prohibited since 2000.

27  
28 That is what the measures proposed in Draft Amendment 5b are.  
29 They are mostly accountability measures to try to prevent  
30 overfishing, but they're not really needed for any of the other  
31 species in the prohibited shark complex.

32  
33 Now, in terms of specific requests for public comments, we are  
34 trying to get feedback during this comment period on how to  
35 reduce the mortality and the sort of rebuilding objectives.  
36 Specifically, Alternative A2, how to implement that shark  
37 endorsement that we're talking about that would trigger some of  
38 these requirements, what would be an appropriate effective date,  
39 what would be the best way to implement it.

40  
41 In terms of Alternative A6a and A6b, will the circle hook  
42 approach ensure the measure applies to the shark fishery?  
43 Basically, we're trying to reduce at-vessel and post-release  
44 mortality of these dusky sharks, and so the idea is -- Studies  
45 have shown that most of the fleet uses j-hooks or circle hooks  
46 and that circle hooks, compared to j-hooks, have a higher  
47 probability of minimizing post-release mortality, because they  
48 prevent those sort of sharks getting deep-hooked, as opposed to

1 a hook in the mouth or a hook in an area where they can easily  
2 be dehooked and thrown back.

3  
4 It is basically trying to figure out the criteria that we should  
5 use to encompass the recreational fishermen that are solely  
6 targeting sharks. Is that being met by saying our more than  
7 200-pound test monofilament and fluorocarbon leaders are good  
8 indicators, or is it more the size of the hook a good indicator?  
9 These are the kind of specific feedback we're trying to look  
10 for.

11  
12 Then the necessity of a PRA of requesting all this information  
13 from the fishermen, since they will be going through what we  
14 call a dusky shark school, to try to get better educated on  
15 identifying dusky sharks. Again, the comment period closes on  
16 December 22. This is the information, and it would be really  
17 helpful for the council to comment on some of these.

18  
19 The second thing that I want to do before we go into a comment  
20 period is to revisit the presentation that I did in August to  
21 the council. I want to clarify that this is not under any  
22 comment period or any rulemaking at this time. We are mostly  
23 seeking information from especially the council, given that  
24 commercial and recreational agencies and all the sectors are  
25 represented here, because we are trying to modify some of the  
26 shark and swordfish management measures.

27  
28 I gave this presentation in August, and I am not going to give  
29 it again, but I just kind of want to get to the slides that show  
30 some of the questions that we have for you guys to hopefully  
31 just have an informal discussion on some recommendations that  
32 you would give or some just feedback that you would give the HMS  
33 staff on some things that we're curious about.

34  
35 Again, the background is many fisherman on the island want to be  
36 able to retain sharks through the commercial Caribbean small  
37 boat permit and land more swordfish. We are looking into  
38 modifying what exists right now in the permit. This is the  
39 current permit, the Caribbean commercial small boat permit  
40 regulations. It allows for tuna and swordfish and potentially  
41 sharks, although right now the retention is set to zero at this  
42 time.

43  
44 Then we have the number of fish per vessel per day, minimize  
45 size requirements for swordfish and tuna, and then the  
46 authorized gears, and so the idea would be that we would modify  
47 the retention of sharks to possibly allow shark fishing to occur  
48 in federal waters. Again, this all applies to nine miles out in

1 federal waters, and then potentially increase the retention  
2 limit for swordfish.

3  
4 Right now, it's set to two, and we don't have an in-season  
5 criteria to increase that limit, and so some of the questions  
6 would be how should we increase it and by how much, when, where  
7 and how. I'm just going to skip right through and just get to  
8 the questions.

9  
10 These are some of the questions that I presented. One is allow  
11 landings of sharks with the Caribbean small boat permit. That  
12 retention is zero. The potential challenges is that some are  
13 prohibited species. They're in that prohibited species complex  
14 that I presented that includes the Caribbean reef, Caribbean  
15 sharpnose, sevengill, and so some of the questions are do we  
16 maintain prohibited species list and only allow authorized  
17 species? We know that tigers are landed here and some  
18 hammerheads and lemon. I know nurse, although nurse is  
19 prohibited in Puerto Rico.

20  
21 Remove some species from the prohibited species list and allow  
22 them to be landed. That's the other question. If we do remove  
23 those prohibited species that right now don't have an ACL and  
24 are in a different shark complex than the authorized species  
25 that we do allow, the question is where do we put those species?  
26 Do we put them where they used to belong, either in our large  
27 coastal shark group or small coastal or pelagics, or do we  
28 create a new management group for these Caribbean shark species?

29  
30 In terms of how we account for Caribbean shark commercial  
31 landings, right now, they are counted towards the Gulf of Mexico  
32 commercial shark quota, and so the question is do we maintain  
33 that structure? Do we allow those landings of authorized shark  
34 species and still count them against the Gulf of Mexico or do we  
35 remove some of the species, again, and allow some of those  
36 prohibited species to be landed and count them against the Gulf  
37 of Mexico, or do we just get rid of that altogether and remove  
38 the species from the prohibited species list and authorize their  
39 harvest only in the Caribbean against a Caribbean-specific only  
40 quota, as opposed to counting it against the Gulf of Mexico  
41 quota?

42  
43 The other one is, again, the retention limit for sharks is zero  
44 at this time, and so the question is do we establish criteria to  
45 adjust retention limits? What should those retention limits be?  
46 Should it be one, two, three, or four sharks? Then do we  
47 require shark dealer workshops and the electronic reporting  
48 requirements for Caribbean small boat permits, because, right



1 now, folks who have the Caribbean small boat permit, they just  
2 report to the territories.

3  
4 Like the state commercial fishermen, they don't have to go  
5 through the process of reporting basically electronically  
6 through us. When you sell your product, and this doesn't apply,  
7 again, to the Caribbean small boat permit, but usually, when a  
8 fisherman sells HMS, they have to do it through a federally-  
9 permitted HMS dealer, and those dealers have to get set up with  
10 an electronic program. They then have to report any landings of  
11 HMS that they purchase weekly to HMS staff.

12  
13 Right now, with the Caribbean small boat permit, they're the  
14 fisherman and the dealer, and so they pretty much sell their  
15 catch themselves and then they just report the landings to the  
16 territories. Then those landings go to the Southeast Fisheries  
17 Science Center and then we account for them in our quotas.

18  
19 Some of the challenges, in terms of like scalloped hammerhead,  
20 and I've seen it in some of the data that's been collected for  
21 the Caribbean, and so one of the concerns would be, since it's  
22 listed as threatened under ESA, what potential measures should  
23 we consider.

24  
25 The second thing is increase retention limit of swordfish for  
26 the Caribbean small boat permit. Right now, it's set to two per  
27 vessel per day, and so the idea is to establish a range within  
28 which we can adjust the retention limits. Should it stay at two  
29 or should it go from two to four or two to six? What would that  
30 look like? What would be a good amount that would offer  
31 additional opportunities for folks in the Caribbean to land more  
32 swordfish?

33  
34 That is it. Sorry to rush through that, but I'm trying to keep  
35 within the thirty-minute timeline, and now I would open it up to  
36 comments for Amendment 10, Amendment 5, and the Caribbean small  
37 boat permit measures. Thank you.

38  
39 **CARLOS FARCHETTE:** Thank you. Any questions for Delisse?  
40 Marcos.

41  
42 **MARCOS HANKE:** I am going to start the discussion by saying that  
43 everything that I'm going to say now is in relation to the  
44 Caribbean small boat permit recommendations. I recommend to  
45 create, under that permit, a special Caribbean small boat permit  
46 shark list, and the rationale behind that is that the sharks  
47 that we have here are different.

48

1 The amount of the sharks that show up here, the species and so  
2 on, are different than Florida. For example, we have, in the  
3 shallower waters, a great amount of Caribbean sharpnose and a  
4 lot of, especially on the north coast of Puerto Rico, a lot of  
5 Caribbean reef sharks that interact with the fishermen, and  
6 there is not a culture of catching them.

7  
8 There is an incidental catch of them and some very small  
9 artisanal-scale landings of those sharks in state waters that is  
10 reported, but it is the most common shark in our area. For  
11 those reasons, and for the same reasons that we created the  
12 Caribbean small boat permit since the beginning, our area is  
13 special, because of our geographic location and our  
14 characteristics, and we should make a custom list of sharks that  
15 are the participants and the members of our fishery.

16  
17 Another point is I want this quota -- My opinion is that this  
18 quota should be apart from any other jurisdiction in the U.S.  
19 and that doesn't share the same geographic characteristics and  
20 everything that I explained before. That quota, or that amount  
21 of quota, should be assigned to the Caribbean small boat permit,  
22 apart and not sharing with the Gulf or anybody else, and require  
23 shark ID workshops once the sharks are allowed to land -- If  
24 that's the pathway we take, I think the people that have this  
25 permit should pass through that training, because they will be  
26 responsible for identifying and keeping the sharks and  
27 reporting.

28  
29 It makes sense that those workshops are given to them and like  
30 this is the best method to guarantee that knowledge about sharks  
31 that we lack in the Caribbean. People think that they know how  
32 to identify sharks, but they are extremely difficult to  
33 identify, and that will be an effort that will benefit not just  
34 shark fishermen, but the rest of the fishing community.

35  
36 Establish a quota, and once you establish the quota under the  
37 Caribbean small boat permit, I think that, because the species  
38 lists are different from Florida and the Gulf and so on, we  
39 should take into consideration the biological aspects of the  
40 most susceptible sharks on that list, once we analyze this,  
41 because the quota, in my opinion, should be a multispecies quota  
42 and not specific for each species.

43  
44 A multispecies quota, because it's going to be easier for those  
45 fishermen to comply to the quota and those sharks that are  
46 difficult to identify or whatever are going to be in that mix  
47 and we are not creating an artificial situation in which,  
48 because of ignorance or lack of education, the fishermen will be

1 not complying with the regulations.

2

3 In terms of the swordfish, the increase of the quota in the  
4 Caribbean is important, even though, recently, we didn't see an  
5 increase in Caribbean small boat permit fishermen requesting  
6 that permit. The main reason, and I have been explaining this  
7 over and over, is because we don't have the shark quota under  
8 that permit and people don't want to engage on that permit and  
9 then get in trouble with other styles of fishing that they do  
10 that create a big, big problem.

11

12 Once the sharks are included, at least that is doable with them  
13 with the sharks that we have in the area, under all the  
14 parameters that, based on science, then I'm sure that a lot of  
15 people will be engaging on that fishery and then fish more  
16 swordfish and other pelagics.

17

18 For that reason, and I know firsthand that the U.S. needs  
19 swordfish to be landed to protect our quota, and this way, I  
20 think it's step forward, adding that incentive on the Caribbean  
21 small boat permit participation by adding more swordfish to the  
22 quota. That is my opinion.

23

24 **JENNIFER CUDNEY:** Do you have a specific number in mind for the  
25 number of swordfish, since we are talking about a range?

26

27 **MARCOS HANKE:** Yes, because the Caribbean small boat permit  
28 already has a description of the boat size and the duration of  
29 the trip and the gear and so on, and it's basically an artisanal  
30 approach to it.

31

32 I think that, right now, it's limited by pretty much a fisherman  
33 with a very small boat can catch one or two swordfish and go  
34 back to the dock and at least double or triple that size,  
35 because, otherwise, the boats that are active now on the  
36 fishing, and maybe that will change over time, will not have the  
37 storage capacity and so on to keep a great amount of swordfish,  
38 and the idea of this permit since the beginning was to create  
39 something that was economically valuable, but, at the same time,  
40 we don't want to waste the fish and mismanage them and not  
41 preserve them well or to have a place to store them, but, for  
42 sure, the increase should be taken into consideration.

43

44 **CARLOS FARCHETTE:** Maybe up to six. Blanchard.

45

46 **TONY BLANCHARD:** I am going to support Marcos's strategy and his  
47 analysis of the situation and his suggestions.

48

1 **CARLOS FARCHETTE:** Okay. I've got a couple of questions. I  
2 know, in St. Croix, they're fishing for swordfish at 1,800 feet  
3 deep, but they are inside the three miles, and so they're not in  
4 federal waters, in the EEZ, and does that small boat permit go  
5 to the species all the way to the shoreline, like tuna, and so  
6 it doesn't matter where or it's just in federal waters? Okay.  
7 If you have an HMS permit, you cannot possess a commercial small  
8 boat permit? Is that true?

9  
10 **DELISSE ORTIZ:** I'm sorry, but what was that? If you have a  
11 what?

12  
13 **CARLOS FARCHETTE:** If you have an HMS permit, you cannot also  
14 have a commercial small boat permit. Do you either have one or  
15 the other?

16  
17 **DELISSE ORTIZ:** For the Caribbean commercial small boat permit,  
18 that's right. You can only have that. It can't be combined  
19 with the other HMS permits.

20  
21 **CARLOS FARCHETTE:** On the sharks, I agree with Marcos. In the  
22 USVI, it's an incidental catch. They're not targeting sharks,  
23 but, when they go out yellowtail fishing, they may be -- I know,  
24 for Lang Bank, which falls into federal waters, they may hook  
25 onto a tiger or something and eventually land it, just to get it  
26 out of the way so they can keep fishing for yellowtail, or  
27 sometimes they just leave, because there are just too many  
28 sharks eating their yellowtail, and so they will stop fishing  
29 and leave. They would be required to have this commercial small  
30 boat permit, but you cannot just have a commercial license and  
31 harvest a shark. Is that --

32  
33 **DELISSE ORTIZ:** For the Caribbean small boat permit, it applies  
34 to federal waters. For tunas, you would need a commercial small  
35 boat permit in state waters, assuming that there is not a  
36 moratorium on commercial fishing in state waters.

37  
38 **CARLOS FARCHETTE:** Marcos.

39  
40 **MARCOS HANKE:** I want to add to the comment that Carlos said,  
41 because it's nice, because he is from St. Croix and his  
42 experience, and maybe Tony can complement this. I already  
43 stated on the AP for HMS, in which the council -- It's very  
44 important culturally here. People move away from the shark. If  
45 you're fishing for yellowtail or whatever, it's like, oh, man,  
46 these guys are here again, and I move.

47  
48 There is not that culture of staying and dealing with it, and

1 they are limited, because of the gear that historically they  
2 use. The experience that they -- They don't have experience  
3 with the shark of managing and keeping or handling the shark.  
4 Everything is done without experience or the culture behind that  
5 of the shark fishery. Basically, what I'm trying to say is  
6 that, once you add the quota, it's naturally and culturally  
7 limited already.

8  
9 That risk of impacting those sharks on a bigger scale, like you  
10 have in other countries, in which the gear and the boat size and  
11 all of that, the market behind it and so on are different. We  
12 don't have that, up to now, and one other thing that -- I don't  
13 know if you want to split it, Delisse, but I have a comment  
14 about the dusky shark and the 35 percent reduction. Do you want  
15 to have that now?

16  
17 **DELISSE ORTIZ:** Do you mean dusky sharks? Yes, it's open for  
18 all three presentations.

19  
20 **MARCOS HANKE:** Okay. I will wait for him to comment on the  
21 Caribbean small boat and then I will go back.

22  
23 **TONY BLANCHARD:** I would have to agree with Marcos. The sharks,  
24 especially in the Virgin Islands, is not a target species. It's  
25 basically incidental. If you're fishing, the last thing you  
26 want is a shark, because, every time you hook, chances are that  
27 you ain't going to get a fish to the boat with a shark sitting  
28 right behind the back of the boat.

29  
30 A lot of times, the guy is going to move off to avoid a  
31 situation, and so, really, a lot of times, it's incidental.  
32 There is no real market for pushing sharks on the market. They  
33 don't have that kind of demand, and so that, in itself, is, to a  
34 certain degree, a restraint on targeting the sharks.

35  
36 **MARCOS HANKE:** Now my comment is with the 35 percent reduction  
37 for dusky sharks. I was in the meeting on the AP, and one of  
38 the main things, and I want the council to be clear about this.  
39 Basically, what it boils down to on the discussion, and this is  
40 not an agency decision, but what it boils down to in the  
41 discussion during the AP is that you can check-mark under your  
42 permit of let's say a charter.

43  
44 Okay, I have the intention of fishing for shark and I'm some  
45 way, somehow, going to check this box and then trigger all those  
46 other things, the leader and the wire and the hook and so on.  
47 That's the way that things are going to look, and those details,  
48 once you check-mark, are under discussion and development now.

1  
2 The problem, again, in the Caribbean-specific situation, is that  
3 we are a multispecies fishery. Once we go out fishing for blue  
4 marlin with heavy leaders, with circle hooks and natural bait,  
5 that is for recreational side, or for tuna with bigger leaders,  
6 if sometimes they use it, or for wahoo, or for many other  
7 species that have teeth, we are going to fall under the same  
8 description that you guys follow there.

9  
10 I don't think that the leader is at all for the Caribbean, and I  
11 heard from other places in the U.S. the same, is the way to go,  
12 because it's going to create a lot of problems to the rest of  
13 the fishery and the other things that fishermen do.

14  
15 Also, the size of the hook, because nowadays, technically, a  
16 small, small hook can be very strong, or a heavy, heavy hook can  
17 be very, very weak, and you have consideration of the gap of the  
18 circle hook or the j-hook and the wire gauge and on and on and  
19 on.

20  
21 I think it's too complicated to get into that, and, at the end  
22 of the run, it will be not effective, because, on a fishery that  
23 is multispecies, I have on my boat a great scenario of hooks and  
24 situations, because I am a charter operator that doesn't target  
25 sharks. If I'm obligated to have circle hooks only, what do I  
26 do with the mahi that I want to make sure that I hook up the  
27 mahi with the j-hook, and this is personally. I prefer to use  
28 j-hooks for them, for that mahi not to go away and not to lose  
29 the school and not to hook them in the side of the mouth with  
30 the circle hook that you tend to lose them more than with the j-  
31 hook.

32  
33 That is going to create a lot of problems, okay, but, my  
34 recommendation then is that, once you check the box, it should  
35 require onboard cutters for the wire and equipment that is  
36 related to the sharks, cutters for the wire and a dehooker, a  
37 specific dehooker format or style or whatever. You guys have to  
38 work on that, which dehooker you guys want to do that. I have a  
39 simple dehooker that is used for the turtles on my boat all the  
40 time.

41  
42 The shark training or school for ID, once you check the box, I  
43 think that should be there, for the same reason that I explained  
44 before, for the Caribbean small boat permit and the placard.  
45 You have to have the -- For me, you have to have the combo of  
46 things onboard that this is all going to help to learn how to  
47 release the sharks, to identify the sharks that we want to  
48 protect, and have them be more knowledgeable and to reduce the

1 interaction with the sharks that we want to protect. Thank you.  
2

3 **CARLOS FARCHETTE:** Thanks. I give my support to Marcos, since  
4 he's been so involved with the HMS AP, but I have a question on  
5 landings, because I know that, south of St. Croix, and it's  
6 within the EEZ, and so it's maybe forty or fifty miles out,  
7 there are longliners, and, if we have a separate quota for the  
8 U.S. Caribbean, that quota may be met just by those longliners  
9 and then the artisanal fishermen may be on the bad end of this  
10 quota, and so I'm not sure how that -- Go ahead.  
11

12 **MARCOS HANKE:** The request, since the beginning, and the purpose  
13 of the Caribbean small boat permit is a separate quota apart  
14 from the other permits, longline quotas and tuna quotas and  
15 quotas that are connected to the other jurisdictions. The  
16 Caribbean small boat permit, custom fit to us, should be, for  
17 the reasons that we are seeing here, apart and not to create  
18 problems in the future.  
19

20 **CARLOS FARCHETTE:** Good. As long as the small boat guy gets an  
21 opportunity to land something instead of, well, the quota has  
22 been met and you can't fish anymore, because of some other  
23 industry, although I have issues with the longliners in the U.S.  
24 Caribbean, but that's another story. Clay.  
25

26 **CLAY PORCH:** I noticed that there was a suggestion of some  
27 potential bag limits on swordfish. I think that was one of the  
28 options that you discussed, and I'm just curious. I don't know  
29 about this year, but, in the recent past, the U.S. actually  
30 hasn't been meeting its quota of swordfish, and so I'm wondering  
31 what the motivation for having any limits on swordfish is.  
32

33 **DELISSE ORTIZ:** Just any limits on the Caribbean small boat  
34 permit?  
35

36 **CLAY PORCH:** In terms of bag limits of swordfish. If we're not  
37 meeting the quota anyway, is there some other motivation for  
38 having some limits on the number of swordfish that can be taken  
39 from the Caribbean, regardless of the means?  
40

41 **DELISSE ORTIZ:** I think a lot had to do with fitting the permit  
42 to the specific sort of artisanal characteristics of the  
43 fishery. They're limited by the size of the vessel and how much  
44 they go out and, like Marcos said, how much they can really hold  
45 in the vessel, and so we were trying to just provide a limit of  
46 what would be safe and what would be possible, but, at the same  
47 time, that was one of the reasons that we even created the  
48 permit, was to offer additional opportunities.

1  
2 We also created the swordfish general commercial permit, which  
3 has different regional -- The retention limits are by region,  
4 and so that offers, again, additional opportunities to land the  
5 swordfish, and so a lot of the limits are just -- In terms of  
6 the Caribbean small boat permit, it was designed specifically  
7 for the fishery that occurs here, where they can only really  
8 handle a limited amount, but, again, offer the opportunity to  
9 land swordfish, and so the agency continues to create  
10 opportunities to land swordfish, since there is a lot of  
11 swordfish quota available.

12  
13 **CARLOS FARCHETTE:** Any more questions for HMS? Clay.

14  
15 **CLAY PORCH:** One for Jennifer, actually. You mentioned that  
16 designating something as EFH, essential fish habitat, or the  
17 HAPCs doesn't necessarily trigger any fishing regulations, but  
18 maybe it would help if you could give some examples of ways they  
19 actually have contributed, because, eventually, maybe the  
20 council has to make some decisions regarding what would be their  
21 role. What does designating something as EFH ultimately lead  
22 to?

23  
24 **JENNIFER CUDNEY:** HMS is sometimes a little bit of an odd bird,  
25 because our species are mostly pelagic. Some of the examples  
26 that we would think about tend to be more focused on either  
27 sharks or gear interactions. Like in the 2006 Consolidated and  
28 in Amendment 1, there was quite a bit of work looking at whether  
29 bottom longline gear fishing or gillnet gear might affect  
30 corals, and so, in that example, if it was found that HMS  
31 fisheries would indeed affect corals, corals themselves or coral  
32 EFH for other species, then there might be restrictions that  
33 would be considered necessary in order to protect those  
34 habitats.

35  
36 However, I think, through the public process, when that was  
37 actually being considered eight or ten years ago, they did  
38 determine that most HMS fishermen are fishing not specifically  
39 on the corals, but maybe near the corals, and they are able to  
40 avoid it or otherwise mitigate that fishing effort, so that it  
41 had a minimal impact, and so that's one example.

42  
43 I know of other examples of rulemakings where we have considered  
44 the boundaries of EFH perhaps as -- It's sort of a -- Especially  
45 when you get into HAPCs, you're talking about areas that have  
46 recognized importance to certain species, and so, if you need to  
47 do any sort of conservation or you need to do something that  
48 might promote stock recovery, you might want to restrict



1 activities in those areas.

2  
3 For example, we take special pains to look at nursery shark  
4 habitat, and our current HAPC for sandbar shark was established  
5 to protect nursery habitat. I know that when they were  
6 considering some of the sandbar regulations that were passed in  
7 2008, one of the alternatives did look at whether or not  
8 restrictions might be necessary, and the way that they  
9 geographically delineated the area where those restrictions  
10 might occur was to look at whether or not the area that was EFH  
11 was an appropriate boundary for those measures or whether the  
12 HAPC was an appropriate boundary, and so that's an example of  
13 how that could be used in the future, but, for a lot of our  
14 species that are data limited, we tend to go -- Our EFH  
15 boundaries are rather large, and so, in that case, it may or may  
16 not be appropriate to do a gear-restricted area or gear  
17 restrictions across the entire EEZ. Does that answer your  
18 question or provide good examples? Okay.

19

20 **CARLOS FARCHETTE:** Nelson.

21

22 **NELSON CRESPO:** I just want to say that I support all the  
23 comments made by Marcos Hanke. It's very important to take into  
24 consideration the shark fishery on the west coast of Puerto  
25 Rico.

26

27 **CARLOS FARCHETTE:** Miguel.

28

29 **MIGUEL ROLON:** A question for Delisse. Before, during the  
30 break, we were talking about reaction from the council that you  
31 wanted for the HMS process. Do you think that this discussion  
32 is enough or is there any question that is pending that we can  
33 take the opportunity now to get the feeling of the council?

34

35 **DELISSE ORTIZ:** Well, I mean, there is always more questions,  
36 right? But I think the input that we've received from the  
37 council is great. I mean, there would be additional questions,  
38 like what species are you seeing being landed and what gears are  
39 being used in the shark fishery.

40

41 Anything that could provide information on characterizing the  
42 shark fisheries in the Caribbean would be helpful, or, like Jen  
43 said, if we do have a retention limit for sharks, how many  
44 should that be, given that it's an incidental fishery and more  
45 of a nuisance than anything else? What is the market like in  
46 Puerto Rico versus the USVI? Is there more of a market for  
47 meat? Is there any export of shark fins occurring? Any tidbits  
48 like that would be appreciated, but, overall, the input has been

1 great. Thank you.

2  
3 **MIGUEL ROLON:** Ricardo and Ruth, when you get back home, if you  
4 have any information on sharks, you can send it to them, because  
5 I know, in the past, we used to collect that information.  
6 Anecdotal information, we have a lot, but we also have the  
7 experience of the use of shark meat in Puerto Rico for many  
8 years. They use it for turnovers. It's a commodity that the  
9 fishermen have been using for some time, and I believe that some  
10 of them have increased the use.

11  
12 You can go to, for example, Fajardo, and sometimes you can see a  
13 shark displayed there and the fellows selling shark meat. The  
14 same goes for Cabo Rojo. There are a couple of fishermen that  
15 used to fish for sharks. However, most of them fish within the  
16 area of jurisdiction of Puerto Rico, the nine nautical miles.  
17 They both are small and they don't target sharks during the  
18 year. They just target shark when the other fisheries are low,  
19 and that's as far as I know. Then Daniel may be able to get  
20 that information through Ricardo and whoever has information  
21 from the U.S. Virgin Islands can do it through Ruth.

22  
23 **DELISSE ORTIZ:** One question. What species are you using for  
24 the meat?

25  
26 **MIGUEL ROLON:** Remember that to identify a shark that you have  
27 to have an ichthyologist next to you, but my experience has been  
28 that they use reef sharks. When there is nothing else, even a  
29 tiger. Tiger tastes lousy, but sometimes they use it. The  
30 other that they use is the ray. They cut the fins off the ray  
31 and they sell it. They used to sell it as turtle meat, but, now  
32 that turtle meat is prohibited, they don't do it that way.

33  
34 Then they go and use it for empanadas and pinchos, the shish-  
35 kabobs. In La Parguera, there is a couple of people who use  
36 sharks for shish-kabobs, and they sell everything that they  
37 bring to the table. The customer has developed a taste for  
38 shark meat with that name. They look for it, and they use it.

39  
40 Sea Grant also did a study years ago, and maybe you are familiar  
41 with it. At that time, sharks were okay, and they have -- It's  
42 an old project, but they had a tasting of shark meat, and they  
43 were trying to develop the fishery. I guess it was the 1980s  
44 and 1990s. Sea Grant may have that information.

45  
46 **CARLOS FARCHETTE:** Nelson.

47  
48 **NELSON CRESPO:** We also use the small sharks, when we fish in

1 the deepwater, to make turnovers. There's like a stew meat made  
2 from the shark that they take all the water and it's very dry,  
3 but it's a stew meat. They eat with rice or plantains or  
4 whatever.

5  
6 **CARLOS FARCHETTE:** One of the comments that you made concerning  
7 the export of shark fins and stuff, that doesn't occur in the  
8 Caribbean. We export nothing from Puerto Rico, St. Croix, and  
9 St. Thomas. There is intra-island transport. Like St. Croix  
10 would carry fish to St. Thomas or to Puerto Rico, but there is  
11 nothing that goes outside the U.S. Caribbean.

12  
13 When it comes to the local government, since I am the Secretary  
14 for the Fisheries Advisory Committee, I can get information from  
15 those guys that I know hunt swordfish, for a gear type that you  
16 are requesting, and I will pass it on to the Director and she  
17 will get both islands and then send out that information.  
18 Anything else on HMS or sharks? Hearing none, we are going to -  
19 - We have a little change on the agenda again. We're going to  
20 have Jennifer Lee speak on the Update on Ongoing Reef Fish and  
21 Spiny Lobster Endangered Species Section 7 Consultation. Is  
22 Jennifer Lee here?

23  
24 **MIGUEL ROLON:** We can go to the next agenda item and whenever  
25 she shows up, we can do that. Jack, I understand that she was  
26 leaving early?

27  
28 **JACK MCGOVERN:** She's not here. She was calling.

29  
30 **MIGUEL ROLON:** But she will be back?

31  
32 **DIANA MARTINO:** She didn't come. She is calling in.

33  
34 **MIGUEL ROLON:** Excuse me.

35  
36 **UPDATE ON ONGOING REEF FISH AND SPINY LOBSTER ENDANGERED SPECIES**  
37 **SECTION 7 CONSULTATION**

38  
39 **JENNIFER LEE:** Thank you. Thanks for the opportunity to update  
40 you on the ongoing Caribbean reef fish and spiny lobster ESA  
41 Section 7 consultations. For those of you that don't know, I  
42 work in the SERO Protected Resources Division, in the Sea Turtle  
43 and Fisheries Coordination Branch.

44  
45 It's been a while, due at least in part to some workload and  
46 staffing issues, but, in late 2014, we did reinitiate  
47 consultation on the 2012 reef fish biological opinion and also  
48 the spiny lobster biological opinion, because we had five new

1 coral species that had been listed under the ESA that may be  
2 affected, and I have the list on the screen, and I won't read  
3 them to you.

4  
5 More recently, we have published two additional final listing  
6 rules requiring expansion of the consultation to analyze several  
7 new species. On April 6, we published the final rule removing  
8 the range-wide listing of green sea turtles, but, in its place,  
9 we listed eleven DPSs. Two of those occur in the U.S.  
10 Caribbean. Then, in addition, on June 26, 2016, we published  
11 the final rule to list Nassau grouper. That listing became  
12 effective on July 26 of this year.

13  
14 Just to give you an idea of what is ahead, the new opinions will  
15 replace the active 2012 biological opinions in their entirety,  
16 and so they will include analyses of all listed species in the  
17 action area and not just the new listed species that I just went  
18 over that triggered the consultation, and so that means  
19 Acropora. Sea turtles will also be analyzed, like in the  
20 existing ones.

21  
22 In conducting the consultations for each listed species likely  
23 to be adversely affected, we generally examine the types of  
24 interactions that occur when exposed to each fishing gear and  
25 then we consider the factors that may affect the likelihood and  
26 frequency and severity of exposure, but then, ultimately, we are  
27 evaluating and quantifying the effect and we're looking at the  
28 number of individuals of each species and the fate of those  
29 individuals, using the best available information.

30  
31 The focus, to date, has been on updating the literature and best  
32 available science to incorporate information not available  
33 during the last consultations and then analyzing the additional  
34 coral species. For those of you that know Andy Herndon, he had  
35 been the lead consultation biologist for the reef fish  
36 consultation. He accepted a new job with PRD a while ago, and  
37 so I will be taking over that responsibility.

38  
39 Over the next couple of months, we will be focusing on analyzing  
40 the new species that I mentioned, particularly Nassau grouper,  
41 and also wrapping up the other analyses, hopefully. We  
42 anticipate completing the Reef Fish FMP consultation sometime in  
43 the spring of 2017, is what we're thinking, and then the Spiny  
44 Lobster FMP consultation would be completed most likely shortly  
45 thereafter, just because a lot of the information we would use  
46 is similar.

47  
48 In June, you did receive a presentation from Adam Brame on the

1 recent listing of Nassau as threatened. Because you may not  
2 have another meeting for another few months, I just wanted to  
3 review a couple of points about this status and point out a  
4 potential concern we may have.

5  
6 Nassau, as you know, are listed as threatened, with fishing on  
7 the spawning aggregations and inadequate law enforcement  
8 protecting spawning aggregations the most serious threats to the  
9 status and recovery of the species. Consequently, protection of  
10 spawning aggregation sites is considered a high priority.

11  
12 We need to search for the best available information. We do  
13 expect bycatch and data sources to be limited, which always  
14 makes things more difficult, and we also know that there are two  
15 spawning aggregations, as you know, at Bajo de Sico. The  
16 seasonal protection that prohibits fishing of reef fish species  
17 expires March 31. Then, at the Grammanik Bank, the seasonal  
18 protection ends on April 30, and so the presence of Nassau  
19 grouper at both spawning aggregation sites does extend beyond  
20 the duration of the seasonal closure at these sites.

21  
22 Therefore, the timing of these seasonal regulations is not fully  
23 covering part of the Nassau grouper reproductive season, at  
24 least in some years, depending on what the actual season is, and  
25 I know that you had a presentation, and I don't know how  
26 recently, but I heard you had a presentation about some of that  
27 new research with recent tagging studies of two grouper species  
28 as well as some passive acoustic recordings of sound produced.

29  
30 A lot of reproductive behaviors at areas near the Grammanik Bank  
31 established that the timing of these aggregations can extend  
32 into May, depending upon the lunar cycle of each month. At Bajo  
33 de Sico, the timing of spawning was determined to be from  
34 February through March, based on some passive acoustic data.

35  
36 You, of course, have regulations prohibiting harvest and  
37 possession, but we'll have to look into potential bycatch during  
38 that time, and so that's all I wanted to share with you. I just  
39 wanted to give you, again, an update, because it's been a long  
40 time, and, depending on the timing of your next meeting, I  
41 didn't want there to be any surprises because we hadn't talked  
42 about it in a long time, but, if you want to talk to me, my  
43 contact information is on the screen.

44  
45 I haven't gone to a council meeting in a long time, due to  
46 budget and a lot of other just workload, but I am always here,  
47 and you can feel free to reach out to me if you have information  
48 or want to talk about these consultations, but really any

1 protected resources issue. Just don't forget that I'm around  
2 and happy to help. That concludes the update.

3  
4 **MIGUEL ROLON:** Jennifer, can you refresh our memories here of  
5 what consultation means, because, when we had consultation with  
6 spiny lobster, it made some people nervous around here.

7  
8 **JENNIFER LEE:** Sure. I'm sorry that I didn't put in a lot of  
9 background information, and perhaps I should have, but  
10 basically, under the Endangered Species Act, for any species  
11 that we think may be affected, and basically they're in the same  
12 space and time, the bar to trigger a consultation is pretty low.

13  
14 A consultation basically is any type of back-and-forth exchange  
15 on the effects of a particular action and a formal consultation  
16 is when -- We do those when we believe that adverse effects are  
17 likely. A formal consultation process involves analyzing the  
18 effects and preparing a biological opinion, which basically  
19 specifies what the particular action is that we're looking at.

20  
21 In the case of reef fish, it would be looking at how the fishery  
22 is conducted and the regulations in place. Then we look at the  
23 species that are endangered or threatened in the area. We look  
24 at their status and other things that are impacting them. Then  
25 we get into the nitty-gritty of trying to break down the effects  
26 of the actions, and so looking at what is the interaction and  
27 are they being incidentally captured and how many and things  
28 like that, like what information do we have as far as are they  
29 dying from the interaction.

30  
31 Then you move into going from the individual effects to the  
32 effects as a whole on the species. Ultimately, through a  
33 biological opinion and the consultation process, we determine  
34 whether or not we think the proposed actions or the continuing  
35 authorization of these activities is likely or not to jeopardize  
36 the species, meaning it's going to result in some appreciable  
37 reductions in their survival and recovery likelihood. Is that a  
38 broad enough description?

39  
40 **MIGUEL ROLON:** Yes. Thank you.

41  
42 **CARLOS FARCHETTE:** Any other questions for Jennifer? Ruth.

43  
44 **RUTH GOMEZ:** Jennifer, you mentioned, in your presentation, and  
45 I could be wrong, that you have data that shows that there are  
46 grouper spawning outside of the closed season. My question to  
47 you is where did that data come from and exactly what grouper  
48 are you referring to? Is it Nassau or some other grouper?

1  
2 **JENNIFER LEE:** I couldn't quite hear the end of that, but I got  
3 the question as far as where is the data coming from that we  
4 think the spawning is occurring after the closed season, and I  
5 got that -- We have been looking at that. I know there is at  
6 least one publication that we're basing that information on, and  
7 I am trying to see if I have the name of that publication  
8 readily available.  
9  
10 **MIGUEL ROLON:** Jennifer, the last part of the question was  
11 whether that applies only to Nassau grouper or do you have any  
12 other grouper species involved at this time.  
13  
14 **JENNIFER LEE:** Thank you. Nassau grouper is the only one that's  
15 listed under the Endangered Species Act right now, and so the  
16 consultation for groupers will only focus on the impacts of the  
17 fisheries on Nassau grouper as well as like sea turtles and we  
18 look at the various listed corals. Those are the ones that we  
19 believe are likely to be adversely affected, and so that will be  
20 the focus.  
21  
22 I am having trouble. I am trying to go as fast as I can looking  
23 up the name of that paper, but I understand, through Sustainable  
24 Fisheries staff, that you have had a recent presentation on  
25 spawning aggregations and how they can be expanded based on the  
26 lunar cycle, and so does that sound familiar?  
27  
28 **MIGUEL ROLON:** Yes, the presentation was Michelle Scharer and  
29 others, and they were addressing the aggregation and the moon  
30 cycles and so forth.  
31  
32 **JENNIFER LEE:** Okay. That's what I am referring to. Again, we  
33 are just -- As I said, over the next couple of months, we're  
34 going to be looking into and working on this analysis. At this  
35 point, I haven't gotten into it all, and I was just letting you  
36 know and I just wanted to make sure that you guys were aware  
37 that these are consultations that we're working on and these are  
38 some of the things that we'll be thinking about, but it's pretty  
39 early on in terms of actually looking at it, which is why I  
40 apologize that I can't come up with that particular paper right  
41 now that I'm thinking of.  
42  
43 **MIGUEL ROLON:** You can send an email later and I can distribute  
44 it to the group.  
45  
46 **JENNIFER LEE:** Sure.  
47  
48 **CARLOS FARCHETTE:** Julian.

1  
2 **JULIAN MAGRAS:** I think the second part of Ruth's question still  
3 hasn't been answered, and that is which species of grouper is  
4 spawning after the spawning period.

5  
6 **CARLOS FARCHETTE:** They did say that it's only Nassau that  
7 they're looking at. Is there anything further for Jennifer?  
8 Hearing none, we will move forward. Thank you, Jennifer.

9  
10 **JENNIFER LEE:** Thank you.

11  
12 **CARLOS FARCHETTE:** The SEAMAP Update.

13  
14 **SEAMAP UPDATE**

15  
16 **MIGUEL ROLON:** Mr. Chairman, the SEAMAP was covered yesterday,  
17 and Graciela is not here, but she told me that all the elements  
18 were covered yesterday, unless Ricardo has something else to  
19 add. At this time, I believe that we covered that part of the  
20 agenda.

21  
22 **RICARDO LOPEZ:** SEAMAP is meeting again on January 13. They are  
23 planning to get some camera arrays and longline gear to Puerto  
24 Rico and the Virgin Islands. They are planning to have two days  
25 on each island and start testing those cameras in the sampling  
26 methods. It's a new way to get data, and that is my update.

27  
28 **CARLOS FARCHETTE:** Okay. Thank you, Ricardo. Then we will do  
29 our photo-op and then break for lunch. We will be back at 1:30.

30  
31 (Whereupon, the meeting recessed for lunch on December 14,  
32 2016.)

33  
34 - - -

35  
36 December 14, 2016

37  
38 WEDNESDAY AFTERNOON SESSION

39  
40 - - -

41  
42 The Caribbean Fishery Management Council reconvened at the  
43 Marriott Frenchman's Reef, St. Thomas, USVI, Wednesday  
44 afternoon, December 14, 2016, and was called to order by  
45 Chairman Carlos Farchette.

46  
47 **CARLOS FARCHETTE:** Next on the agenda is the Outreach and  
48 Education Report by Alida Ortiz.



1  
2 **OUTREACH AND EDUCATION REPORT**  
3

4 **ALIDA ORTIZ:** Good afternoon. I hope you had a lunch. We will  
5 have our report, and in our report about the outreach and  
6 education activities that have been completed before this  
7 meeting, and we will have today with us Helena Antoun, who is  
8 going to speak about the social media activity that we had and  
9 how it's going to work. Then Alexa Dayton will give us an  
10 update on the MREP program, especially the Virgin Island parts  
11 of the Caribbean.

12  
13 The first activity that we had, we were invited by the  
14 Mesoamerican Congress on Economics and Ecology to deliver a  
15 presentation on the ecological services of the reef that are  
16 used as fisheries, and it was a very interesting group to work  
17 with, because, most of the time, we talked about the coral reef,  
18 in terms of the habitat, in terms of the biodiversity and the  
19 environment and all of these things, but we see it only from the  
20 nature part of the reef.

21  
22 For the economics and ecology aspects, we had to put in how the  
23 ecological services, especially biodiversity, is used as the  
24 source, as the basis, for the fisheries and the impacts that the  
25 fisheries have on the reef, but, on the other hand, the  
26 regulations and the accountability measures that are placed to  
27 protect the biodiversity has a social impact on the community,  
28 and so how do we put those together?

29  
30 The presentation was, I think, very well received, and we had a  
31 lot of discussion, especially with the fact that there is very  
32 poor data available to make management decisions, but we have to  
33 manage that, and they have requested that we extend our  
34 presentation to a full paper that will be published with one of  
35 the universities in Mexico that participates in the Mesoamerican  
36 Association of Economics and Ecology, and so we did that.

37  
38 The other activity that I would like to share with you, not  
39 because of the content, because you discussed that already in  
40 the two scoping meetings that were held in Naguabo and in  
41 Mayaguez on the permits, the federal permits, but, to me, it was  
42 very interesting that in over thirty years, more than thirty  
43 years that I have been working with fishers and with fishing  
44 communities, it was a long, long, long time that I didn't see  
45 that many people, that large public, attending, and not only the  
46 public from all parts, all types of fishers, politics and  
47 everything, but they participated.  
48

1 They asked questions and they presented recommendations, and, to  
2 me, that's very inspiring, that we do have the fishing community  
3 getting to learn more about what is all this about management  
4 and how does it affect them, but also how they can work with the  
5 management officers, and, to me, that was important. This is  
6 the one in Mayaguez, and there were over seventy people there,  
7 and it was very, very well conducted.

8  
9 My best memory of the meetings of fishermen like this were that  
10 they always ended up in a fight with the DNER or with whoever  
11 was conducting the meeting, but this one was very, very  
12 organized, and they were very, very sure of the way that they  
13 were saying the things, and so I feel very happy with that.

14  
15 The other thing that we have, and I think it is in the press  
16 right now, and it should be in your mail probably by the first  
17 of January or something like that, before the year begins, is  
18 the calendar, the 2017 calendar.

19  
20 This calendar was dedicated to the women in fisheries, women  
21 that are working in the fishing industry, either as fishers or  
22 as managers of the fishing store or the fishing market and the  
23 academics and the scientists and women from Puerto Rico and from  
24 the U.S. Virgin Islands also. We have them all there. It's  
25 people like Barbara Kojis and Lia and Ruth and Vanessa and  
26 Graciela.

27  
28 **MIGUEL ROLON:** One comment, if I may. People tend to think that  
29 fishers are all males and scientists are all males and even  
30 lawyers are all males, and that is not true anymore. We have  
31 one lawyer here, and she is a woman. To us, that's kind of  
32 paying homage to these people that have been working with us.

33  
34 We have fisherwomen. That one on the top, the second from the  
35 right, she goes and fishes by herself if she needs to. She  
36 dives and she pulls traps. She is from Naguabo, and so we have  
37 good people. Of course, we have the scientists, like Graciela  
38 and Ruth and Aida Rosario and Alida Ortiz.

39  
40 We all knew Dr. Barbara Kojis, when she was here. She is now in  
41 Arizona, but she is still working in St. Croix especially and  
42 doing work, and we have a recreational fisherwoman, Carmen. She  
43 even had records of sportfishing in Puerto Rico, and so I think  
44 that this is well deserved, and it's an example, just a minor  
45 example, of all the women involved in fisheries science and  
46 fisheries in general, the industry, and so we are very proud of  
47 the calendar.

48

1 **ALIDA ORTIZ:** I think one the myths that we have wiped out is  
2 that the women in fisheries, especially in the industry as such,  
3 that they only did the cleaning of the fish, but that's not  
4 true. We have many, many women that fish by themselves and many  
5 of them that own the fish market and they manage the fish  
6 market, and so it's a big enterprise, and they have been very  
7 sympathetic to us with the outreach and education.

8  
9 Like we have had some of them in our meetings to tell us how do  
10 they get to the public and how do they get to the fishers in  
11 communities, and we are following many of their recommendations,  
12 and so you will receive the calendar very shortly.

13  
14 The other activity that I would like to update is the campaign  
15 on responsible seafood consumption, and we have begun with this  
16 short press release to the *La Regata*, and that is a newspaper  
17 that goes to many of the fishers and many of the people in the  
18 marinas. The idea is that we cannot produce the entire thing at  
19 once.

20  
21 We have to sort of go little by little and see how the people  
22 react, and now we are going to -- We have already the list of  
23 the fish that can substitute those that are either endangered or  
24 that have closed seasons, but then we have to learn a little  
25 more about those fish, so that we don't displace all the demand  
26 to a population that we don't really have that much information.

27  
28 We are now collecting information. We are collecting good  
29 photographs of the species that can be substituted, and we have  
30 a meeting with the chefs and the restaurant owners and the  
31 people who are selling at the fish markets, so that we have like  
32 a consensus of really are these the species that we can promote  
33 or are we sort of opening a new way, so that you have another  
34 species that will be then overfished, and so we are taking much  
35 care of that.

36  
37 The other thing is that, like Miguel mentioned early in this  
38 meeting, we will be working on the idea of making a fish fry  
39 event in Puerto Rico. That will be probably the culmination for  
40 this activity, and so, when we have all of that ready, the  
41 posters and the material for the restaurants and the materials  
42 for the fish market, it will be then produced, but we are using,  
43 right now, it more as an education phase than as a promotion  
44 phase.

45  
46 Eventually, we hope to have posters, small posters, where we can  
47 have very good photographs of the species that will be  
48 substituted first with the scientific name, and I think that we

1 should learn the scientific names. I am not trying to be  
2 elitist, but they do have a name, and, when you say groupers,  
3 all groupers are not the same, and so we should learn to  
4 recognize the groupers that we eat.

5  
6 We should learn to recognize the snappers that we eat and make  
7 sure that they don't give one for another, because not all  
8 species undergo the same habitat constraints, and so that's  
9 something that we have said, no, it's just the common name, but  
10 the common name may be one in Naguabo and the same fish has a  
11 different common name in Cabo Rojo, but we are talking about the  
12 same fish, and so we should have that very clear as part of the  
13 education, and so we hope to have posters, more posters like  
14 this, that will go to the fish markets and to the restaurants  
15 and to the places where people consume fish and seafood.

16  
17 Now we will take the two probably most important activities that  
18 we have been working with. One is the social media that we were  
19 told to investigate to find out how to establish social media  
20 efforts for the council. Helena is going to present that to us,  
21 and then we will have the MREP project update by Alexa Dayton.

22  
23 **MIGUEL ROLON:** Before Helena, remember that we discussed this at  
24 the council before. We informed you that we were going to  
25 prepare a Facebook page and maybe some other media, like Twitter  
26 and any others, but, so far, we started with this one, and we  
27 will give it kind of a year period for assessing whether this is  
28 something that is good or not for us.

29  
30 If it creates more problems than it solves, probably, at the end  
31 of that year, we may not be able to have that page, but, so far,  
32 the page has been a success story, and there are a couple of  
33 issues with having a webpage, a Facebook page, that we can  
34 address today.

35  
36 Helena has been instrumental in putting this together, but also  
37 we received assistance from Emily Muehlstein from the Gulf  
38 Council. She was the one who started the Facebook page at the  
39 Gulf Council, and she gave us all kind of insights as to what to  
40 do and not to do on the Facebook page, and also Kim Iverson from  
41 the South Atlantic assisted us and Christina Olan from Sea  
42 Grant. These three women have experience with Facebook pages  
43 and have helped us, and especially Helena, to put all of this  
44 together.

45  
46 I didn't know much about Facebook, and so I bought a book that  
47 is called *Facebook for Idiots*, and I encourage you to look at  
48 it, because Facebook is interesting. It's a good tool, but it's

1 a double-edged sword, and so, Helena.

2  
3 **HELENA ANTOUN:** Thank you. Yes, a big thank-you to Kim and  
4 Emily and Christina. They really helped put this together and  
5 gave us a lot of -- They pretty much showed me how to do this,  
6 and so a big thanks to them.

7  
8 This is the Facebook page, and I'm just going to run over it  
9 really quickly. Then you can click on it and you can look for  
10 it and play with it when you have some time. Just look for  
11 "Caribbean Fishery Management Council", and it will pop up. I  
12 just posted today's picture, and so there is already today's  
13 picture and yesterday's picture.

14  
15 I am just going to go here really quick to the About Page. The  
16 way we're doing this is simultaneous translation, and so  
17 everything that is being posted is simultaneously being posted  
18 in English and Spanish. If you go to the About Page, all of the  
19 information here is -- Like, for example, you have the English  
20 and the Spanish, and so it's all simultaneous.

21  
22 What you're seeing right now is what I am seeing, because I am  
23 the administrator, and so you're not going to get all of this.  
24 There is a lot of things here that you're seeing right now that  
25 you're not going to see when you guys go on it, but what I want  
26 everyone to notice is that, if we go to Insights, this shows me  
27 the engagement that we're getting, and we have just started  
28 this. This is a month maybe, more or less, since we got this  
29 posted.

30  
31 If I look at it, this is the posts I've put. These are all the  
32 posts. We've had Fish Fact Fridays that we got as an example  
33 from the council and videos and stuff like that. Fish Fact  
34 Friday is just like a little fun fact thing, where you have like  
35 little examples of little fish facts that you post. The first  
36 one was, for example, barotrauma, and I will show you an example  
37 of that.

38  
39 **ALIDA ORTIZ:** That's from the Gulf.

40  
41 **HELENA ANTOUN:** Yes, and they've been very gracious. They were  
42 like, do not reinvent the wheel here and take this, and so we've  
43 pretty much been just adapting. If we add anything more, we can  
44 add it in and modify it as we like.

45  
46 For example, here, if you look at this, this shows you the level  
47 of engagement that the public has had. Now, I've been posting  
48 several different things, but one thing that I have noticed is

1 that the posts that have gotten the most engagement, like this  
2 one -- It's got 473 engagements, and then the other one, which I  
3 want to see that and I don't know why it doesn't show up now,  
4 but the other one that also had a lot of engagements had over  
5 1,200 engagements, and that was one that was the scoping  
6 meetings that we posted, the pictures of the scoping meetings.

7  
8 In other words, what I want to say is, so far, what this is  
9 showing me is, when I put information on the council, like  
10 information on what the council is, who the council is, how it  
11 works, the meetings that are going on, people really are  
12 interested, and there are a lot of engagements in that. In the  
13 other things, like Fish Fact Friday, there is some engagement,  
14 but it's not as much, and so it's telling me that people want  
15 information about the council.

16  
17 If I go back here, this is an example of a Fish Fact Friday.  
18 The week before, we talked about barotrauma. Then, this week,  
19 we were talking about burping, fish that burp, and so you have  
20 the nice little picture of a fish burping and then just an  
21 explanation of little biological facts of fish and stuff, and so  
22 that's an example of a Fish Fact Friday.

23  
24 Other things that we have are, if you keep going down, and -- We  
25 are putting notifications of seasonal closures, and, for  
26 example, the lobster events, like meetings, are being posted  
27 here. Then another thing that we also have is videos and  
28 pictures, of course.

29  
30 One video that got a lot of views is this one that we made.  
31 This is something that we just put together. It was more of a  
32 trial video, really. It really wasn't anything that we were  
33 going to use like officially, but it turned out pretty okay, and  
34 so I decided to go ahead and post it, and it's on sustainable  
35 seafood, like the whole point of sustainable seafood and the  
36 effects that seasonal closures have had. It's fishermen  
37 interviewing fishermen and them talking about the seasonal  
38 closures and the benefits and the alternatives that people can  
39 look for when something is in closure. We have had -- It  
40 reached 883 people, and it had over 200 views, and so it's  
41 really getting out there.

42  
43 **MIGUEL ROLON:** The video is not to be taken lightly. The video  
44 is fishers asking the public to help them sustain the fishery  
45 outside, and the stars of the show is Carlos Velazquez and some  
46 of his friends, and the idea is, when people go out and shop for  
47 fish, the fishermen are asking them to be mindful of the status  
48 of the fishery out there only by buying fish or any other

1 animal, seafood, from sustainable fisheries, and it has been a  
2 success story here, too.

3  
4 **HELENA ANTOUN:** Yes, and, like I said, in events, we have  
5 notifications of the meetings and stuff, and already here, just  
6 today, going to notifications, we have people liking our page,  
7 and so people are really starting to get involved on it, and so,  
8 so far, it's been really good, and so please like our page and  
9 follow.

10  
11 **ALIDA ORTIZ:** I think it's very important as an outreach.

12  
13 **MIGUEL ROLON:** We also wanted your reaction, but, not only that,  
14 if you have an idea of something that you would like to see  
15 posted that is related to the council work, please contact  
16 Helena so she can put it together and load it up on our webpage.  
17 Issues that we have found this month is that when you do a  
18 search and put "Caribbean Council", everywhere that we have  
19 "Caribbean Council" will show up on the page, and at least some  
20 people have been confused in what they see with what they have  
21 on our webpage, and so it's a learning curve.

22  
23 We are going to work on it, in clarifying when the shared item  
24 is a council official item versus it's just somebody else's  
25 opinion, but, so far, I believe, Helena, that the reaction has  
26 been very positive. Fishermen are contacting us through that,  
27 and they are beginning to go to that page for looking at future  
28 events that involve the council.

29  
30 **CARLOS FARCHETTE:** Ruth.

31  
32 **RUTH GOMEZ:** I am looking at the page right now, and your posts  
33 are in Spanish?

34  
35 **HELENA ANTOUN:** Spanish and English. I did a little experiment,  
36 and I would really appreciate feedback on this one. I started  
37 posting first in English and then in Spanish, and I started  
38 noticing that I wasn't getting very much engagement. Then I  
39 decided to do a little experiment and do it in reverse, the  
40 first post in Spanish and then do the English underneath, and I  
41 started getting more engagement.

42  
43 In Puerto Rico, the majority of the people speak Spanish, but  
44 they're always going to be Spanish and English. The thing is  
45 that, if it's a small post, you will see both translations, but,  
46 of course, if it's something a lot longer, you're only going to  
47 see the first language, and so you would have to click on "more"  
48 to see that there is the English translation.

1  
2 Here is a question. Do you do double posting in one language  
3 and then in the other or do I just alternate between the first  
4 posting in English and then in Spanish and vice versa? These  
5 are all things that we can --  
6  
7 **MIGUEL ROLON:** That's the kind of question exactly that we want  
8 the reaction from the council, how would you like to see it. In  
9 some of the big ones, probably what we need to do is to link the  
10 page that has the information from the council or NOAA to that,  
11 but we want to have your feedback on this.  
12  
13 **CARLOS FARCHETTE:** Ruth.  
14  
15 **RUTH GOMEZ:** I'm a Facebook addict. Yes, hi, my name is Ruth,  
16 and I'm a Facebook addict. Here's my thing. If it pertains to  
17 Puerto Rico, Bajo de Sico or something that solely pertains to  
18 Puerto Rico, knock yourself out in Spanish, but, if it's  
19 something that affects the Virgin Islands, then we've got to  
20 have it in English. If it's something that potentially affects  
21 both places, then you've got the double post in English and  
22 Spanish. That's my suggestion.  
23  
24 **ALIDA ORTIZ:** I agree with that, too.  
25  
26 **MIGUEL ROLON:** We have to be mindful that in St. Croix that some  
27 speak Spanish and they prefer things in Spanish, but we can take  
28 her advice. Whenever we have something with the U.S. Virgin  
29 Islands, the English post first and then --  
30  
31 **HELENA ANTOUN:** It's really not extra work for me, because I'm  
32 doing the translation anyway.  
33  
34 **MIGUEL ROLON:** It will actually be easier for you in English.  
35  
36 **HELENA ANTOUN:** It will just be annoying for the person that is  
37 seeing the thing twice.  
38  
39 **MIGUEL ROLON:** Let them be annoyed.  
40  
41 **CARLOS FARCHETTE:** Marcos.  
42  
43 **MARCOS HANKE:** Can it be, on the case that you have the dual  
44 language, a note at the beginning to scroll down for the English  
45 version or the Spanish version, like a note at the beginning?  
46  
47 **HELENA ANTOUN:** Yes, that's another alternative that I could do.  
48 In the beginning, for example -- If I go to a long one, like,



1 for example, let's say like this one. Instead of starting here,  
2 just put in the beginning, for the English version, to just  
3 scroll down or something. Ruth, what do you think?  
4

5 **RUTH GOMEZ:** I agree with Miguel. If it's pertaining to the  
6 Virgin Islands, the English should come first. Then it should  
7 say to scroll down for the Spanish. It should say scroll down  
8 for the Spanish version. If it's for Puerto Rico, then you do  
9 the opposite. If it pertains to both places, then I don't  
10 really care who comes first, but just make sure that it's in  
11 English for me to know that I've got to scroll all the way down  
12 and there it is.  
13

14 **HELENA ANTOUN:** Okay. Got you.  
15

16 **MIGUEL ROLON:** The other thing that we want to say, for the  
17 record, is that whatever we have there is not the staff opinion.  
18 What we are doing is Helena will be cutting and pasting the  
19 official information that we have from the council, and so, if  
20 you want to hear an opinion from us, you won't hear it here or  
21 see it here. Everything that will be posted on our webpage  
22 either comes from the minutes or comes from regulations or comes  
23 from documents that you can go back and get the information  
24 from.  
25

26 That way, we do away with any misinterpretation of what we have  
27 here. This way, it's safe for the council, because what you are  
28 going include there has been either cleared by lawyers or is  
29 already part of the record, of the public record.  
30

31 **ALIDA ORTIZ:** I think that also, and this is my question, but,  
32 if you have an announcement to make that comes from the Virgin  
33 Islands, it has to go to Helena first. Helena is the one that  
34 is going to put the information there.  
35

36 Another thing that we have been discussing in our O&E AP  
37 meetings is the administering of surveys to see how the public  
38 receives the communications, and so what we did is we spoke to  
39 Emily and to Kim, and they have sent us the surveys that they  
40 used, that were already used in the Gulf and the South Atlantic,  
41 and we are going to go through that, and that can be adapted,  
42 because those surveys already have passed all the federal  
43 certifications, and so we don't have to ask for more permits,  
44 and so we will do that and probably give it a little time, to  
45 see how this information goes to the public. I think it's a  
46 very good outreach strategy, and we have to account for that.  
47 We have to see how well it works.  
48

1 **MIGUEL ROLON:** One last thing is that we are not going to use  
2 the page for collecting official comments during public comment  
3 periods. We will continue using the public hearing period, and  
4 people will have to send us written statements, either by email  
5 or whatever, within the timeframe that we allocated. That way,  
6 we will be able to be more responsive to the comments received  
7 and on time for council actions. Any other comments for Helena?  
8

9 **CARLOS FARCHETTE:** My name is Carlos, and I do not Facebook and  
10 I do not tweet, but I think it's a great idea. I just want to  
11 know, who is it that provides you the information? Would it be  
12 the council members that provides you what needs to go on  
13 Facebook?  
14

15 **HELENA ANTOUN:** So far, what I've been posting has been, for  
16 example, meeting events. I just pretty much copy and paste and  
17 reduce it, of course. I am not going to put the entire Federal  
18 Register, but information from the Federal Register and seasonal  
19 closures and that sort of stuff.  
20

21 Now, things like for Fish Fact Friday, we got it from Emily, and  
22 these are like little fun facts that I get. Also, another  
23 source that I'm looking at is, for example, if NOAA, per se, has  
24 something that could be relevant to fishermen. That could be a  
25 Fish Fact Friday thing. Since that has already gone through its  
26 channels, I know that it's okay and so I can share and copy and  
27 paste and that sort of stuff.  
28

29 **MIGUEL ROLON:** Helena, if any council member has something that  
30 is relevant to what we do that you think the media of Facebook  
31 can use it, we welcome it. The only thing that we require is  
32 that it has to be cleared by Helena first before we post that.  
33 Mr. Chairman, you don't tweet, but if you want to be  
34 presidential, you had better start tweeting, especially between  
35 twelve midnight and six o'clock in the morning. Any more  
36 questions for Helena?  
37

38 **CARLOS FARCHETTE:** This is all federal waters stuff, right, all  
39 federal regulations?  
40

41 **MIGUEL ROLON:** No, we tend to post anything that -- First, we  
42 pay attention to the EEZ, but in the Fish Fact Friday thing, we  
43 put anything that is of interest regarding fisheries all the way  
44 from the shoreline and outside. For example, something that we  
45 can put there is the concern that people have about the  
46 lionfish. That is probably information that we can cut and  
47 paste there.  
48

1 If you have something from St. Croix, for example, that you  
2 think that should be on the webpage, maybe an announcement from  
3 the government or the fishers, and so be it. The same with Ruth  
4 from St. Thomas/St. John and in Puerto Rico.

5  
6 I was going to also tell you that there's a lot of fishers who  
7 have their own webpage with Facebook, and they are beginning to  
8 interact with us. One member of the advisory panel, the  
9 Outreach and Education Advisory Panel, Andy Maldonado, he has  
10 his own webpage, and he uses it. Actually, the way that he  
11 communicates with council member Carlos Velazquez is through  
12 Facebook, and so it's a tool, but it's just a matter of we have  
13 to be careful how we use it and use it as appropriately as  
14 possible.

15  
16 **CARLOS FARCHETTE:** Great. Anything further for Helena?

17  
18 **ALIDA ORTIZ:** Then now we are going to have an update on MREP  
19 Caribbean, and that will be Alexa Dayton. Then I will finish  
20 the entire thing.

21  
22 **ALEXA DAYTON:** Thank you, Alida, and thank you to the council.  
23 My name is Alexa Dayton, and I'm with the Gulf of Maine Research  
24 Institute. I come to you from Portland, Maine. The Marine  
25 Resource Education Program is by fishermen, for fishermen, and  
26 the program is aimed to clarify some of the confusion of what  
27 goes on at the council table and the science that goes into the  
28 advice.

29  
30 We have been running the program on the mainland of the United  
31 States for fifteen years, in almost all of the council regions,  
32 but not quite, and we've been inviting participants to come up  
33 from the U.S. Virgin Islands and the island of Puerto Rico for  
34 the last few years, and we hope that that's been well received  
35 and valuable. I see Carlos Velazquez, one of our graduates, at  
36 the table here today, and so we are able to hopefully provide  
37 the training necessary to engage with the council and make those  
38 decisions to shape the fisheries.

39  
40 We also recently invested in some of Ruth's staff, and we were  
41 able to bring two of her biologists to the mainland, in Florida,  
42 to give them a sense of how the council operates and what  
43 happens with the data.

44  
45 Last summer, I came down and we held some scoping hearing  
46 meetings to determine if this was an offering that we might want  
47 to bring to the island instead of exporting fishermen to the  
48 mainland U.S., should we develop and tailor a program to both

1 Puerto Rico and the U.S. Virgin Islands. We've done it in  
2 Puerto Rico, and we held a meeting this week to really detail  
3 what a U.S. Virgin Islands program might look like.

4  
5 A number of you in this room were present to help advise on  
6 that, and we believe we have a good basis for what might be  
7 included in the curriculum for a U.S. Virgin Islands-specific  
8 program, some science and some explanation of the acronyms. We  
9 might make up our own acronyms just to check people. Then,  
10 equally, some of the law enforcement considerations.

11  
12 The group voiced very clearly that sloppy data in gives you  
13 sloppy decisions out, and we want to really be careful that we  
14 help everyone understand how the data are used, so that we can  
15 hopefully lead towards some improvement on that side.

16  
17 The short of it is that we are going to proceed with a program,  
18 and we are looking at both commercial and recreational fishermen  
19 attendees, including divers. We may equally look to attract  
20 some people who are vocal and outspoken, whether they be media  
21 or maybe some restaurant and/or hotel fish buyers, so they  
22 understand what's going on equally in this process and some of  
23 how the ACL and the catch may guide what is available in the  
24 market and their role in that.

25  
26 The steering committee agreed to stay together. We had fifteen  
27 of us together, and they have all agreed to continue to work on  
28 this and shape the curriculum. It will look very different than  
29 any other Marine Resource Education Program. It will be very  
30 specific to the USVI, and we will draw on local staff and local  
31 government scientists and council members to help provide that  
32 education.

33  
34 Really, we're aiming to, as Tony said and Julian, they said they  
35 rely on us to represent their interests, and we would like to  
36 deepen that pool of people who can represent the interests of  
37 the fishing industry and maybe even help cultivate some new  
38 council members when those at this table choose to term off.

39  
40 We are looking at May of this year, 2017, for the first  
41 offering, and the group felt that a two-day educational workshop  
42 would probably be the maximum number of time that we could get  
43 fishermen to sit in a room and participate, and so roughly  
44 covering six topics.

45  
46 We did sketch out what those broad topics will look like. It  
47 will be a little bit of science, a basic outline of the  
48 acronyms, the way the council works, and hopefully a basic

1 introduction to how you get involved.  
2  
3 Equally, we identified the Fishery Advisory Committee as a good  
4 source of a group that we might want to connect with very  
5 closely. A number of those members are here today and have  
6 recently been appointed and equally expressed an interest in  
7 this type of education, and so we think that the convincing of  
8 fishermen to attend an education certainly may require some  
9 personal extension of invitations and official letters, and we  
10 talked about what kind of benefits would we need to cite in  
11 order to get the participation at the education program.

12  
13 We kind of landed at the point that really the benefits are in  
14 understanding the process and we may want to consider some  
15 additional messaging, and we would certainly welcome ideas on  
16 that, on how we can make that clear, but we will be looking for  
17 eighteen to twenty fishermen who want to participate in the  
18 education, in the May timeframe, and we will continue to update  
19 the steering committee on the evolution of the curriculum over  
20 the next few months.

21  
22 Ruth has also offered to be a point of contact and liaison, and  
23 we're glad to have the support of the Southeast Fisheries  
24 Science Center staff. Clay Porch was there with us, and then,  
25 equally, we've got some support from the Regional Office as  
26 well, and so we're really excited to kick this off, and we look  
27 forward to updating you as we go forward and delivering and  
28 helping those fishermen who want to become involved in this  
29 process to do so in a way that they can be effective in the  
30 future. Thanks.

31  
32 **CARLOS FARCHETTE:** Thank you. Any questions or comments for  
33 Alexa? Velazquez.

34  
35 **CARLOS VELAZQUEZ:** Hi, Alexa. I'm very happy for your time and  
36 explaining this program. This program is helping the community  
37 of fishers in Puerto Rico, and I expect that there will be  
38 another project of MREP in Puerto Rico. Thanks for your time.

39  
40 **ALEXA DAYTON:** Thank you.

41  
42 **CARLOS FARCHETTE:** I also think it's a great program. I went to  
43 the one in Tampa. I think it's important that the fishermen  
44 learn about the science and the scientists learn from the  
45 fishermen, and so it works both ways. It's real good. Marcos.

46  
47 **MARCOS HANKE:** MREP is the missing link that we had on the  
48 outreach and education and science that compiles all the

1 discussion that we've been having about the lobster and  
2 everything. I think that the level of discussion that we had on  
3 those issues recently have, some way, somehow, benefited from  
4 the MREP that opened the eyes about those technical issues and  
5 the things that don't fit the fishermen now are starting to be  
6 embraced and used for good, for good management, and MREP is  
7 instrumental in that. Thank you.

8  
9 **ALEXA DAYTON:** Thank you.

10  
11 **CARLOS FARCHETTE:** Schuster.

12  
13 **EDWARD SCHUSTER:** I also attended the MREP with Carlos in Tampa.  
14 That's where I met Clay. We got the opportunity to switch  
15 roles, and that was pretty cool, being on the other side. It  
16 really opened your eyes to a broader thinking of being on the  
17 other side of science and so forth, and so I would like to  
18 participate again in it.

19  
20 **ALEXA DAYTON:** Great. Thank you.

21  
22 **CARLOS FARCHETTE:** Iarocci.

23  
24 **TONY IAROCCI:** Thank you, Mr. Chairman. Ms. Dayton, how could I  
25 not acknowledge your presence here in the Caribbean? I am  
26 trying to think back to my first MREP meeting that snowy day up  
27 in Newport, Rhode Island, and we've talked about bringing you  
28 here and into the South Atlantic and the Gulf for so long, and,  
29 as Carlos Velazquez and even Eddie, and we've talked about the  
30 importance of what you do, and I just want to thank you for  
31 making it possible to come here, and I look forward to seeing  
32 you in Nicaragua and the Honduras next year.

33  
34 **ALEXA DAYTON:** I just want to reiterate that, while we are  
35 bringing the program to the Virgin Islands, we will continue to  
36 invite one or two fishermen to the mainland program, if that's  
37 appropriate and if you have identified individuals who might  
38 benefit from that, and so thank you for the invitation to come  
39 down here and bring the program here. I am very much looking  
40 forward to it.

41  
42 **CARLOS FARCHETTE:** Thank you. Okay. Moving back to Alida.

43  
44 **ALIDA ORTIZ:** Thank you so much, Helena and Alexa, and we will  
45 have an MREP in February in Puerto Rico, and so you will learn  
46 about that as soon as all the information is completed.

47  
48 The other thing that we have here, that was provided by Maria

1 Lopez, is the information on the summary of commercial and  
2 recreational fishing regulations that you may have seen before,  
3 the ones for Puerto Rico in Spanish and the Virgin Islands in  
4 English, and there is one copy of a summary of all the  
5 regulations, and she has them in the corner there. With that,  
6 Graciela.

7  
8 **GRACIELA GARCIA-MOLINER:** Let me use this opportunity. We have  
9 had a number of calls at the office regarding these regulations,  
10 and what they have requested is that would like to see both the  
11 Puerto Rico and federal regulations and the USVI and federal  
12 regulations on the same type of layout. We have had four  
13 requests for that kind of thing here already, and so that is  
14 just to let you know.

15  
16 **ALIDA ORTIZ:** Okay. What do you mean by the same layout?

17  
18 **GRACIELA GARCIA-MOLINER:** Here, it's EEZ regulations, and there  
19 are some differences between the Puerto Rico and the federal  
20 regulations, and so they would like to see everything on one  
21 page. They really use these pages. These are really useful to  
22 them, and they can be on the boat and everywhere, and so that  
23 was a couple of requests that we have had.

24  
25 **ALIDA ORTIZ:** Maria, will you take note of that, of what they  
26 want?

27  
28 **MARIA LOPEZ:** Yes.

29  
30 **ALIDA ORTIZ:** Okay. That completes our report.

31  
32 **MIGUEL ROLON:** We also, now that you have mentioned the pages,  
33 we have an application that we have been telling you all the  
34 time that we have it, and the application was put together by  
35 Helena and a contractor.

36  
37 In that application, and it's iPhone and Android, you have all  
38 the regulations for Puerto Rico, the Virgin Islands, and the  
39 federal government, and so anybody can download it. There, you  
40 have all the information possible.

41  
42 We're still working on it. It has some glitches, but, so far,  
43 it has been received by the public very well, and we copied that  
44 from the same application that they have in the South Atlantic  
45 and the Gulf Councils, and it works.

46  
47 **ALIDA ORTIZ:** Yes.

48

1 **CARLOS FARCHETTE:** I would like to get some of that in bulk,  
2 because I can give it to the marinas and the fish shops. When  
3 people come into the store, it can go with them. I know one of  
4 our stores that sells fishing line and hooks and stuff, and they  
5 have already used up all of theirs, and so I can get some more  
6 and then --

7  
8 **ALIDA ORTIZ:** I think there's quite a few of them at the  
9 council, of these ones.

10  
11 **MIGUEL ROLON:** Actually, that's the other thing that I was going  
12 to mention to Ruth and anybody interested in the Virgin Islands.  
13 We have some materials that we share all the time with the  
14 Rangers in Puerto Rico. We even have coloring books that they  
15 use, the Rangers.

16  
17 They go to schools and they have special events, where you have  
18 the -- The old guys, we are not going to change, but the young  
19 guys are going to be changing the way they operate, and, believe  
20 me, there is a lot of kids who are more interested in  
21 conservation of the marine resources than even us. They call us  
22 and they ask for information and so, if you have an event that  
23 you think any materials from us can help you, let us know.

24  
25 Also, Natalia Perdomo at the office is an intern, and she keeps  
26 an inventory of what we have. So far, Diana is the one who put  
27 together the list of materials and we order them, and so, Ruth,  
28 if you have something that we can send you materials and help  
29 you, so be it, and I will take a note, so we can send the  
30 materials to Carlos for distribution in St. Croix.

31  
32 **CARLOS FARCHETTE:** Marcos.

33  
34 **MARCOS HANKE:** Exactly on that point, Miguel. I want to  
35 acknowledge the council and the office for outreach, because,  
36 for a few years in a row, I have been conducting activities with  
37 kids in my kids' school with the coloring books and basically  
38 talking about the environment and the fishery, and it is a very  
39 big thing for the kids.

40  
41 After the activity, they are talking about fisheries all around  
42 the school for two or three weeks with the materials that the  
43 council provides, and I am thanking you guys for that, and I  
44 encourage you not to just support any effort like the one that I  
45 was able to make, but to extend that effort to the kids, for the  
46 same reasons that Miguel explained. Thank you.

47  
48 **MIGUEL ROLON:** The last thing that I was going to mention is



1 that we are embarking into a coordination with Sea Grant on  
2 several projects, and we can announce that next year, but, one  
3 of them, Sea Grant is going to be working with Diana on the  
4 seafood festival that we discussed before, the first day. That  
5 way, we save money and we don't have to reinvent the wheel,  
6 because they already have a lot of materials.

7  
8 Alida actually was the pioneer of the Sea Grant program. She  
9 was the one who brought the program to Puerto Rico a long time  
10 ago, and the ups and downs of Sea Grant and the council is  
11 history, but we are working well with them so far, and they are  
12 part of our O&E AP, and so we are going to work with them with a  
13 manual that they put together for education.

14  
15 They have a manual that now has been blessed by the Department  
16 of Education, and, believe me, that is something very difficult  
17 to do, and now there are school teachers who are asking for that  
18 manual, and the council will assist Sea Grant in some other  
19 materials that they have that are common to our cause, which is  
20 they are related to fisheries and the fishery environment, and  
21 we will be able to work with them, and I will be able to inform  
22 you of that next year.

23  
24 I believe that Alida is working on something else with Sea  
25 Grant, and, when we're ready, we can report to you on those  
26 things. Also, we want to encourage any council member who has  
27 any idea for outreach and education.

28  
29 By the way, the way that we approach outreach and education in  
30 the Virgin Islands is different from Puerto Rico. In the Virgin  
31 Islands, the fishermen have told me that they pay attention to  
32 the radio. They like meetings with the Fishermen's Association  
33 better than anything. That's the first one.

34  
35 In Puerto Rico, they prefer, believe it or not, the good old  
36 snail mail. They want to see documents on paper, and it's  
37 followed by electronic media and all that.

38  
39 Taking that in mind, the Outreach and Education Panel is working  
40 toward being more effective in the way that we communicate with  
41 our constituents in both areas.

42  
43 **ALIDA ORTIZ:** Okay. That is the end of our presentation, and  
44 Happy Holidays.

45  
46 **CARLOS FARCHETTE:** Thank you, Alida. We have Enforcement  
47 Issues, Puerto Rico DNER.

48

1 **ENFORCEMENT ISSUES**  
2 **PUERTO RICO DNER**  
3

4 **RICARDO LOPEZ:** I managed to get some information late this  
5 afternoon. This was a graph presented in the last meeting that  
6 will include information from 2014 and 2015 and from January  
7 through April of 2016 and May to July in 2016.  
8

9 This was information that I just got, and you see that it's in  
10 Spanish. Sorry for that. It's information from Barceloneta,  
11 Vega Baja, Aguada, Quebradillas, San Sebastian, Cabo Rojo, and  
12 Boquerón, which is within Cabo Rojo. They managed to put those  
13 cycles in the map, just for you to see where are those  
14 municipalities, and it's basically a capture of land crab in  
15 natural reserves and doing some fishing with live bait in  
16 freshwater lakes. Also, a minimum size of tucunaré and fishing  
17 lobster with an illegal gear. In terms of federal jurisdiction,  
18 maybe only the lobster, the last point, is the one that we have  
19 to see. All the rest is in state jurisdiction. Any questions?  
20

21 **MIGUEL ROLON:** Carrucho, Miguel.  
22

23 **RICARDO LOPEZ:** You're right. There is a carrucho in Cabo Rojo,  
24 a small size of carrucho, of queen conch. That is the other  
25 one. That is for the last three months until yesterday.  
26

27 **CARLOS FARCHETTE:** Okay. Graciela.  
28

29 **GRACIELA GARCIA-MOLINER:** There was also some intervention with  
30 red hind, because of the differences in the dates when the  
31 closure ends, and do you --  
32

33 **RICARDO LOPEZ:** Yes, and, at the beginning of the meeting  
34 yesterday, you asked me about those two different dates, the 28  
35 and 29 of February, and I asked the commissioner about that, and  
36 I don't have an answer yet. The same happened when I asked  
37 about the investigation that has been done with the fishermen of  
38 sea cucumbers. I don't have an answer yet for that either, but  
39 I will be looking for that answer for the next meeting.  
40

41 **MIGUEL ROLON:** Okay. We need the answer for the next four  
42 years, because, every four years, we have the 29<sup>th</sup> of February,  
43 and so we are not in such a hurry. I consulted with Iris at  
44 that time, and she gave me some insight into what happened.  
45

46 The Rangers, they consulted with the lawyers of the Natural  
47 Resources Department, and the answer was that they could  
48 sanction the fellow because of the regulations they have. They

1 were fishing west, and they were not supposed to fish, and it  
2 doesn't necessarily have to do with the 29<sup>th</sup> of February.

3  
4 The other thing that I wanted to add is that we received a  
5 communication from Mr. Font, Pauco, from the west coast. He was  
6 intervened by the Rangers because he was fishing with what they  
7 call the yo-yo gear, and I don't know if you're familiar with  
8 that, Ricardo, but he checked the regulations, and there is  
9 nothing in the regulations, in the books, that prohibited him to  
10 use that, and so he wanted the council to take note of that and  
11 ask the lawyers at the council whether there is anything illegal  
12 to fish with that gear in the EEZ or inside the waters of Puerto  
13 Rico.

14  
15 That is something that -- I don't know whether we are prepared,  
16 Iris, to say anything, or do you prefer for us to send you an  
17 email and then maybe, for the next meeting, we can answer Mr.  
18 Font?

19  
20 The yo-yo gear is a drum, and they get the line wrapped around  
21 that drum, and you can have five or six of them. Of course, you  
22 have the hooks at the end, baited or not baited, or with light  
23 or not light, and then, as you go cruising, you drop those in  
24 the water. They unwrap themselves, and then you come back again  
25 and pick them up, and it's a gear that is used by one fisherman  
26 or several fishermen.

27  
28 It is not considered a longline fishery. It's a vertical  
29 longline, and he was intervened. He was told that he was in  
30 violation of a law. When he asked about what law, the fellow  
31 who intervened said, well, I don't know, but it's illegal, and  
32 so he wanted the council to take note and make sure that in the  
33 EEZ that there is no constraint for him to fish with that gear.

34  
35 **IRIS LOWERY:** That's something we can look into, certainly.

36  
37 **CARLOS FARCHETTE:** It's a buoy gear. The yo-yo is attached to a  
38 buoy, and then they just drop it and the strap of hooks goes  
39 down to the bottom.

40  
41 **IRIS LOWERY:** If you could send an email with the specifics,  
42 that would be helpful for us.

43  
44 **MIGUEL ROLON:** I will do so. I will include his translation of  
45 his letter and send it to you.

46  
47 **IRIS LOWERY:** Okay. That would be great. Thank you.

48

1 **CARLOS FARCHETTE:** Graciela.

2  
3 **GRACIELA GARCIA-MOLINER:** The issue with cucumbers and the  
4 reason why we're bringing it up is because there was some  
5 illegal fishing of over 500 cucumbers, and it's within the state  
6 waters, but it is related to the species that we are going to be  
7 managing in the federal waters.

8  
9 There is a prohibition on the take of cucumbers, because of  
10 their ecological significance, and they are in the federal list  
11 of species to be managed, and so we want to follow up on that,  
12 because it's something that is being repeated all along the  
13 island.

14  
15 **RICARDO LOPEZ:** If I can add, it's the same person. It's a  
16 Cuban, and his name is Pedro, and he is under investigation  
17 right now. As soon as I get more information, I will let you  
18 know.

19  
20 **MIGUEL ROLON:** For the future, please do not bring any names of  
21 people who are under investigation to the record, because they  
22 jump at us.

23  
24 **RICARDO LOPEZ:** Sorry.

25  
26 **CARLOS FARCHETTE:** Thank you. U.S. Virgin Islands doesn't have  
27 a report, and so we have the U.S. Coast Guard.

28  
29 **U.S. COAST GUARD**

30  
31 **TARA PRAY:** I just want to update you on some Coast Guard  
32 efforts and not some great successes, but I just want to  
33 highlight the effort. We are at our full complement of six  
34 fast-response cutters, one eighty-seven-foot patrol boat, and we  
35 have station boats at Sector San Juan, and typically we have one  
36 major deployed cutter to the region.

37  
38 All of this probably seems like a lot of effort, but it's not  
39 necessarily directed directly at living marine resource  
40 protection. If you incorporate all of our inspections,  
41 international engagements, and other missions that the Coast  
42 Guard is doing, typically we get one cutter directed towards  
43 fisheries about once a month, and I'm going to highlight one of  
44 those future operations coming up.

45  
46 We had one case where Coast Guard Cutter Joseph Tezanos stopped  
47 a Dominican-flagged fishing vessel just eighteen nautical miles  
48 north of Mona Island. Unfortunately, what we thought would be a

1 solid case for EEZ incursion, the case package was not prepared  
2 appropriately. Documentation by the boarding team, video  
3 imagery and still imagery, wasn't available, and so NOAA OLE  
4 recommended not to prosecute the case, but we were out there and  
5 we were patrolling in support of living marine resources.

6  
7 The other case was Coast Guard Cutter Richard Dixon, who was  
8 patrolling in the vicinity of Culebra, where they had initially  
9 detected a vessel thought to be on a continuous air supply who  
10 was fishing for conch. When they got onboard, they realized  
11 that they were wrong, and then they noticed that they were  
12 harvesting the conch, which the boarding team didn't understand  
13 that near Culebra that they could do that. Where a violation  
14 was issued, it was later determined that we would not prosecute  
15 the case. Those are two unsuccessful cases, but we are out  
16 there, and we are patrolling, and so I just wanted to highlight  
17 that for you.

18  
19 Also, upcoming, due to the closures off of the west side of  
20 Puerto Rico, we're going to have an increased law enforcement  
21 presence there patrolling those areas. We also have directed  
22 support, a dedicated cutter, that will be doing a pulse  
23 operation with DNER and some NOAA OLE and some University of  
24 Puerto Rico scientists will also be involved.

25  
26 We will aircraft overhead patrolling those closed areas as well,  
27 who will assist in the detection of people fishing in the closed  
28 areas, and so I just wanted to highlight that. Are there any  
29 questions?

30  
31 **CARLOS FARCHETTE:** I have one. A while back, we had this --  
32 There was a concern from the fishermen, and they wanted to know  
33 what was the status on a waiver that was requested for the  
34 canister life raft requirement that's coming up.

35  
36 **TARA PRAY:** For commercial fishing vessels operating outside of  
37 three nautical miles, I am not positive, because Puerto Rico  
38 claims out to nine, and I can double-check, but the requirement  
39 would require any commercial fishing vessel to have that out-of-  
40 water survival craft. Where that came into play in February, is  
41 when it was supposed to be instated, and it was then revoked,  
42 and so the requirement is not there now.

43  
44 **CARLOS FARCHETTE:** Okay. That's good news. It was going to  
45 become a real --

46  
47 **TARA PRAY:** It's expensive.

48

1 **CARLOS FARCHETTE:** And it's a spatial problem for the small,  
2 artisanal vessels that they use to have those canister life  
3 rafts on it. Marcos.

4  
5 **MARCOS HANKE:** Because we have a lot of turnover of officials  
6 that do different things at the Coast Guard, I just want to  
7 state my commitment on keeping up with the exercise for fish  
8 identification for the officials that come to this area. I have  
9 been doing that in the past, and I think it's a very good  
10 exercise. The council, and Graciela especially, has been very  
11 instrumental in that, in supporting the effort, and, from my  
12 side, we are available, just for you to know.

13  
14 **TARA PRAY:** Excellent. Thank you, Marcos. I was previously  
15 absent from the past two meetings, but my colleagues from Sector  
16 San Juan were able to attend, and so I think that that's good,  
17 to have the engagement at the local level, whereas I'm in Miami.

18  
19 Also, I believe Lieutenant Warren Fair from our Southeast  
20 Regional Training Center -- He is on the DAP Puerto Rico, and he  
21 typically will come down and do training. If we can bring him  
22 into that, that will be excellent. Thank you.

23  
24 **CARLOS FARCHETTE:** Okay. Anything else for the Coast Guard?  
25 Graciela.

26  
27 **GRACIELA GARCIA-MOLINER:** We have had a couple of requests that  
28 -- At some time in the past, you used to bring the DNER Rangers  
29 to the training, the living marine resources training and other  
30 such trainings, mostly about boarding. There have been requests  
31 from local fishermen to have them come back to you and train  
32 with you in boarding and intervening with people at sea, and so  
33 the gentleness of the Coast Guard versus the roughness of some  
34 of the Rangers and that kind of thing.

35  
36 The one complaint that they do have about the Coast Guard is  
37 because of the change in training, and so we are trying to work  
38 on fact sheets for the actual species that we have under  
39 management, because, when you come from the Northeast or  
40 something like that, the species are different, or the Gulf of  
41 Mexico, and so they are still complaining about that, whether  
42 that's recent or from years ago, but I'm just going to pass  
43 along the information, and so, boarding, bring the Rangers in  
44 and training the Coast Guard with the local species.

45  
46 **TARA PRAY:** Absolutely. We will definitely take advantage of  
47 those interagency training opportunities. Thank you, Graciela.

48

1 **CARLOS FARCHETTE:** Anything further for the U.S. Coast Guard?  
2 Okay. Thank you. National Marine Fisheries Service.

3  
4 **NMFS/NOAA**  
5

6 **LYNN RIOS:** Good afternoon, Mr. Chairman and members of the  
7 council. I am from NOAA Fisheries Office of Law Enforcement,  
8 Lynn Rios. Going along with the operations she mentioned, in  
9 November, OLE brought together members of the Coast Guard and  
10 the DNER to coordinate an operation for the months of December,  
11 January, and February for the closed areas, focusing on the red  
12 hind.

13  
14 We had the opportunity to have Michelle Scharer there to give us  
15 a training on the cycles and more or less when should we be  
16 targeting the dates when the spawning aggregation is supposed to  
17 happen. It was a very successful meeting. This is where the  
18 operation comes out. For the months of December, we're going to  
19 be targeting the closed areas, the red hind, the ACL closures  
20 for the Snapper Unit 2, and the lobsters and the other closure  
21 that you have for November for the wrasses, the jacks, and the  
22 parrotfish.

23  
24 Then, come January, then we're going to focus more on the closed  
25 areas and the red hind closures. Second, we had a case, when  
26 you guys were talking earlier about the HMS, about shark fins  
27 being exported from Puerto Rico. It was intercepted in Miami,  
28 and then it was brought for investigation to us.

29  
30 The investigation revealed that it was happening at the  
31 southeast end of Puerto Rico. It was just local fishermen who  
32 had been contacted by the Asian community, and this package was  
33 going from Puerto Rico to China. The guy did not have -- What  
34 he needs is an international trading permit, an ITP permit, to  
35 export shark fins.

36  
37 From the investigation, we were able to determine that we had  
38 some blackfin shark and blacktip shark and some hammerheads and  
39 some tigers and some reef fish, but all sharks that were  
40 harvested were all from state waters, and the guy received the  
41 Notice of Violation and Assessment for \$12,000 for the  
42 violation. That's it.

43  
44 **CARLOS FARCHETTE:** Good job. Any questions for Lynn? Hearing  
45 none, thank you, Lynn.

46  
47 **LYNN RIOS:** Thank you.  
48

1 **CARLOS FARCHETTE:** Okay. That's the end of the agenda.  
2 Meetings Attended by Council Members and Staff, I'm not sure  
3 that we have any.

4  
5 **MIGUEL ROLON:** I guess that we caught all of them, unless Marcos  
6 wants to say anything else regarding his HMS meeting.

7  
8 **MEETINGS ATTENDED BY COUNCIL MEMBERS AND STAFF**

9  
10 **MARCOS HANKE:** Just to state on the record that everything that  
11 we discussed before is what happened at the AP meeting of HMS.  
12 Thank you.

13  
14 **CARLOS FARCHETTE:** Okay. There's a five-minute public comment  
15 period for anyone that would like to say something in the  
16 audience. Hearing none, we're to Other Business. Is there  
17 anything that we have under Other Business? Marcos.

18  
19 **OTHER BUSINESS**

20  
21 **MARCOS HANKE:** Michelle Scharer just sent to Carlos and I an  
22 email stating that there is a wave glider collecting scientific  
23 information for the aggregation of different fishes in our  
24 waters. If you see this glider that has a radar reflector and  
25 different other things, instruments attached to it, just let it  
26 do its job. That's just for you guys to know that that is  
27 something that is planned to be there and it's performing a  
28 scientific study.

29  
30 **CARLOS FARCHETTE:** This is drifting with the currents?

31  
32 **MARCOS HANKE:** Yes.

33  
34 **CARLOS FARCHETTE:** Richard.

35  
36 **RICHARD APPELDOORN:** It doesn't drift with the currents. It  
37 uses the waves to generate energy, and it actually can swim at a  
38 speed of about three knots, and so it may look like it's just  
39 kind of drifting there, but it's actually slowly moving and  
40 listening to grouper sounds all the time, and this will be sent  
41 out in January in the Virgin Islands and in February on the west  
42 coast of Puerto Rico, all along the outer platform.

43  
44 **CARLOS FARCHETTE:** Okay. Ricardo.

45  
46 **RICARDO LOPEZ:** I sent an email message to Helena and copied  
47 Miguel with Michelle also copied for them to take into  
48 consideration to put this information onto the Facebook page.



1  
2 **CARLOS FARCHETTE:** Good idea. Richard, this is actually just  
3 sending you information through satellite and then you get the  
4 information back, or do you have to recover it to get the  
5 information?  
6  
7 **RICHARD APPELDOORN:** That's a very good question, and I'm not on  
8 the technical side of this. The glider is built by people at  
9 Florida Atlantic University and Harbor Branch, and so they get  
10 the information first, but I believe that, yes, it is being sent  
11 up by satellite periodically while it's up there, yes.  
12  
13 **CARLOS FARCHETTE:** All right. I was just asking, because it  
14 would be a great loss if somebody saw it and took it and all of  
15 that information is lost and it's not being fed through a  
16 satellite constantly.  
17  
18 **RICHARD APPELDOORN:** If they took it and kept it, the loss of  
19 the glider would be a lot of money.  
20  
21 **CARLOS FARCHETTE:** A good idea would be to put a GPS tracking  
22 device on that and we can find it in somebody's yard.  
23  
24 **RICHARD APPELDOORN:** One of the things that it sends  
25 periodically is its GPS location, and so, if it does get taken,  
26 we can track it.  
27  
28 **CARLOS FARCHETTE:** There we go. Great. What Marcos was saying  
29 is that we're requesting the fishermen out there, if they see  
30 it, to please leave it alone. It is doing its job. Thanks.  
31 Miguel.  
32  
33 **MIGUEL ROLON:** Are you finished with all of the parts of Other  
34 Business?  
35  
36 **CARLOS FARCHETTE:** Yes.  
37  
38 **MIGUEL ROLON:** Okay. The other business that we have is that we  
39 had a closed session yesterday, and we have to bring that to the  
40 attention of everybody. The council is considering reappointing  
41 Todd Gedamke for another three-year term of the SSC. For that,  
42 we need a motion.  
43  
44 We also were informed that the Southeast Fisheries Science  
45 Center will be replacing Meaghan Bryan with Dr. Kevin McCarthy,  
46 and so Kevin McCarthy will be a member of our SSC. We received  
47 the communication from the Center, Bonnie Ponwith or somebody  
48 from the Center, and so the SSC will have a complete set of

1 members for next year.

2  
3 In addition, regarding the O&E AP, Ruth Gomez will be replacing  
4 Makisha, and so she will be the new member of the O&E AP  
5 replacing Makisha, and she will be representing the government  
6 of the U.S. Virgin Islands.

7  
8 We have vacancies in the O&E AP that we are going to coordinate  
9 with the Chair of the O&E AP, Dr. Alida Ortiz, and the Chair of  
10 the Council to fill those gaps. Alida has some ideas of  
11 inviting a newspaper person that is also knowledgeable about the  
12 marine environment, and we believe that he could be an asset to  
13 the O&E AP.

14  
15 In addition, we are looking for names, at least one name, from  
16 the Virgin Islands, to see if we can have a fisherman from the  
17 U.S. Virgin Islands at the panel. We have one from Puerto Rico,  
18 and we encourage always to have fishermen involved, and so Ruth  
19 is going to look for some names, and she will send us a note.  
20 At the next meeting, you will be informed of what we have. Can  
21 we have a motion to accept the appointment of Dr. Todd Gedamke  
22 to the SSC and Ruth Gomez to the O&E AP?

23  
24 **MARCOS HANKE:** I would like to present the motion as expressed  
25 by Miguel.

26  
27 **MIGUEL ROLON:** We need a second.

28  
29 **TONY BLANCHARD:** Second.

30  
31 **CARLOS FARCHETTE:** The motion is to accept Todd Gedamke back on  
32 the SSC for another term and to accept Ruth Gomez as part of the  
33 Outreach and Education Committee for the council. **All in favor,**  
34 **say aye; any nays; any abstentions. Hearing none, the motion**  
35 **carries.**

36  
37 **MIGUEL ROLON:** The last part is that we are going to institute,  
38 after revising our charter for the SSC, a sort of policy that,  
39 if you do not comply with the requirement of having your  
40 financial disclosure filed with the council that you could be  
41 expelled from the SSC.

42  
43 The reason for that is that, although the requirement for the  
44 financial disclosure for SSC members is a little bit different  
45 from that requirement of the council members -- For example,  
46 council members cannot vote if we don't have the financial  
47 disclosure submitted on time. The SSC can vote, but he or she  
48 will be in violation of the regulation if we don't have the

1 financial disclosure at the office, and so we want to enforce  
2 that as best as possible, because these guys are genius, absent-  
3 minded guys, but still they need to comply with the  
4 requirements. That's all we have, Mr. Chairman.

5

6 **CARLOS FARCHETTE:** Okay. Bill.

7

8 **BILL ARNOLD:** I should probably alert you that there is a new  
9 format for your regional operating agreement, and so I have  
10 taken the liberty of taking the one that you did in 2013 and  
11 smashing it into -- Thanks to Sarah Stevenson, smashing it into  
12 the new format, and you will be seeing that. I will send it  
13 down to you guys for acceptance and authorization.

14

15 **CARLOS FARCHETTE:** Thanks, Bill. Miguel.

16

17 **MIGUEL ROLON:** This is the last meeting of the year, and we like  
18 to recognize always the people who are working very hard with us  
19 through the years, and the first one is Bill. In his group, we  
20 have Maria and -- I don't know how many other people you have in  
21 your branch, but I know they work really hard to put together  
22 all this material.

23

24 What you see when Bill has a presentation is the tip of the  
25 iceberg. It takes a lot of work underneath when Maria comes  
26 here, and we want to take note of that and be thankful for what  
27 you do with us all of these years, especially Bill Arnold. He  
28 is always present when the fishermen want him to come down. The  
29 fishermen trust him, because he's a person that is knowledgeable  
30 about the fisheries. He has a background that supports what he  
31 says, and we want to thank you for that, Bill. The second one  
32 is Graciela.

33

34 **BILL ARNOLD:** Maria does all the work. I don't actually do any  
35 of the work.

36

37 **MIGUEL ROLON:** Well, we don't want to tell the secret, but Maria  
38 has been instrumental in putting all of this together, and most  
39 of the material, when you see well-organized material, Maria is  
40 behind it. Actually, I keep saying this, but the best  
41 presentation about the whole system, from the tip of the iceberg  
42 all the way down to the base, about the MSA and the council  
43 situation has been put together by Maria, and that was used by  
44 the MREP group in La Parguera some time ago.

45

46 Then Graciela, and I call her the data person, and she knows  
47 where everything is, where every body is buried, and she is  
48 always eager to put together the materials that we need, and she

1 can talk to fishers and she can talk to anyone, and she is very  
2 effective in all of that, and we really appreciate your work,  
3 Graciela. She is author of a book that hopefully you will  
4 receive a copy next year, with the other two. The book was  
5 presented to us some time ago, and so we want to, at the end of  
6 the year, see that.

7  
8 Also, I want to recognize the staff at the council. The lady to  
9 my right here, she is always kicking me under the table and  
10 telling me not to screw it up, and all the council members and  
11 members of the family that we call the Caribbean Council, like  
12 Julian and Nelson and the guy from St. Croix, Ed, because,  
13 through the years, when we started, it was a rare occasion when  
14 you saw fishers around the table.

15  
16 Now the fishermen are more educated about not in terms of  
17 academics, but they have more knowledge. They are more aware,  
18 and they understand these issues, and they are instrumental in  
19 what we do. With that, we are really grateful.

20  
21 Then we have a lady at the end that looks like a Barbie, but I  
22 will tell you that she will be a Barbie mother, and I asked her,  
23 do you think that you can come and take it the whole eight hours  
24 with us, and she says, yes, and so she takes pictures, she  
25 fights with Russell about the computer not working, and she is  
26 an asset to the council, and hopefully next year her family will  
27 increase by one, and we wish you the best in 2017.

28  
29 This is one of the things that I like about Diana and Graciela,  
30 because they are always kicking me and saying that you are  
31 forgetting about Angie. I am terrible about names. I call  
32 Graciela sometimes Diana and mix it up, but Angie in the back,  
33 she is a silent fiscal officer, but she is the one that puts our  
34 numbers together every year, and we also thank you for that.

35  
36 In the council, we have the face of the council and the voice  
37 that you hear most of the time is Iris, Iris Oliveras. She is  
38 always there, and she is always willing to help and assist, and  
39 so I wish you the best during the holidays to everybody, and I  
40 hope to see you next year with the same enthusiasm to work.  
41 Whenever you see that we are not doing the right thing, just  
42 kick us and tell us that you are screwing up and get your act  
43 together, and we will try to do our best, and so thank you for  
44 coming and I will see you next year.

45  
46 **CARLOS FARCHETTE:** We have the scheduled meetings for next year.

47  
48 **MIGUEL ROLON:** We said that it will depend on the two meetings

1 of the SSC and the DAP. We will coordinate with the Regional  
2 Office and the staff to see which is the best time for the  
3 meeting, but we will try to lock the dates at the beginning of  
4 the year, so those people who are very busy can mark their  
5 calendars. Bill, I believe that what you said is around April,  
6 probably, the next meeting, if everything goes smoothly.

7  
8 **BILL ARNOLD:** I thought you guys liked to meet after Easter,  
9 because the prices go down.

10  
11 **MIGUEL ROLON:** Yes, after Easter in St. Croix. That will be our  
12 next meeting, and so we will send you a note as soon as we can  
13 next year as to where and when the meeting will be.

14  
15 **CARLOS FARCHETTE:** Okay. I want to thank everybody for coming  
16 and Seasons Greetings. I hope Santa fills your stockings with a  
17 lot of nice toys. This meeting is adjourned. It is 3:04 P.M.  
18 Take care.

19  
20 (Whereupon, the meeting adjourned on December 14, 2016.)

21  
22

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