

1
2 **CARIBBEAN FISHERY MANAGEMENT COUNCIL**
3 **146TH REGULAR COUNCIL MEETING**
4 **Verdanza Hotel**
5 **Isla Verde, Puerto Rico**
6

7 JUNE 24, 2013
8

9 The Caribbean Fishery Management Council convened at the
10 Verdanza Hotel, Isla Verde, Puerto Rico, Monday morning, June
11 24, 2013, and was called to order at 9:00 o'clock a.m. by
12 Chairman Carlos Farchette.
13

14 **CARLOS FARCHETTE:** Good morning, everyone. We want to
15 officially start the 146th Caribbean Fishery Management Council
16 meeting. Thank you and welcome to the 146th Caribbean Fishery
17 Management Council meeting being held in San Juan, Puerto Rico,
18 at the Verdanza Hotel, June 24, 2013. We are going to start
19 with the roll call and I'm going to start on my right.
20

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

24 **BILL ARNOLD:** Bill Arnold, National Marine Fisheries Service.
25

26 **NELSON CRESPO:** Nelson Crespo, council member.
27

28 **MARA LEVY:** Mara Levy, NOAA Office of General Counsel.
29

30 **DIANA MARTINO:** Diana Martino, council staff.
31

32 **MIGUEL ROLON:** Miguel Rolon, council staff.
33

34 **CARLOS FARCHETTE:** Carlos Farchette, council chair.
35

36 **EUGENIO PIÑEIRO:** Genio Piñeiro, Puerto Rico.
37

38 **ROY PEMBERTON:** Roy Pemberton, DPNR.
39

40 **MIGUEL GARCIA:** Miguel Garcia, Puerto Rico, council member.
41

42 **WINSTON LEDEE:** Winston Ledee, council member, St. Thomas.
43

44 **NATALIA PERDOMO:** Natalia Perdomo, council staff.
45

46 **LIVIA MONTALVO:** Livia Montalvo, council staff.
47

48 **MIGUEL ROLON:** At this time, before we go on with the rest of

1 the people, I would like to introduce Kate Quigley in the back.
2 Kate is going to be working with the Caribbean Fishery
3 Management Council on analysis of economic parameters for the
4 management plans and she will be working with the Southeast
5 Region, the Southeast Fisheries Science Center, and the council
6 for eighteen months and can you please say your name?

7
8 **KATE QUIGLEY:** Kate Quigley, council staff. Thank you and I'm
9 very glad to be here.

10
11 **ALIDA ORTIZ:** Alida Ortiz, Outreach and Education Panel.

12
13 **BARBARA KOJIS:** Barbara Kojis, SSC Chair.

14
15 **DAVID OLSEN:** David Olsen, St. Thomas Fishermen's Association.

16
17 **EDWARD SCHUSTER:** Edward Schuster, AP Chair.

18
19 **LIAM CARR:** Liam Carr.

20
21 **GLENIS PADILLA:** Glenis Padilla.

22
23 **MIGUEL DAVILA:** Miguel Davila.

24
25 **KENDRICK BRAGG:** Kendrick Bragg.

26
27 **JOSE MATOS:** Jose Matos.

28
29 **RAMON SANTIAGO CATANA:** Ramon Santiago Cantana.

30
31 **ROBERTO SILVA:** Roberto Silva, Fajardo.

32
33 **MIGUEL MEDINA:** Miguel Medina.

34
35 **ROBERTO SILVA:** Roberto Silva, Fajardo.

36
37 **ROBERTO SILVA:** Roberto Silva, Fajardo.

38
39 **HELENA ANTOUN:** Helena Antoun, contractor.

40
41 **JUAN FELICIANO CATANA:** Juan Feliciano Catana.

42
43 **CARLOS FARCHETTE:** We would also like to announce Bonnie
44 Ponwith, who is on Go To Meeting with us, and also Commissioner
45 Barnes, who is running a little late, traveling from St. Croix,
46 but she will be attending this meeting.

47
48 **MIGUEL ROLON:** For all the Puerto Rican Spanish speaking fishers

1 here, we are going to have a section in Other Business and so if
2 they want to bring to the attention of the council an issue that
3 is related to the agenda of today, they can present it in
4 Spanish and we will do the translation for the record.

5
6 **CARLOS FARCHETTE:** We want to also announce, for the Go To
7 Meeting, if anyone wants to go ahead and start identifying
8 themselves, I think we might be able to hear it.

9
10 **BONNIE PONWITH:** This is Bonnie Ponwith and I can barely hear.
11 It's less than a whisper and so I don't know whether the line is
12 working or not.

13
14 **CARLOS FARCHETTE:** Thank you, Bonnie. We will try and fix that.
15 We hear you very clearly on this side.

16
17 **ROY CRABTREE:** Carlos, this is Roy. I am also on.

18
19 **CARLOS FARCHETTE:** Welcome, Roy. Roy, are you having the same
20 difficulty hearing us?

21
22 **ROY CRABTREE:** Yes, I can hear you well, but prior to that, it
23 was very difficult to hear anyone.

24
25 **MIGUEL ROLON:** Please, everybody, when you speak, identify
26 yourself and speak to the mic so they can hear us clearly, for
27 the Go to Meeting people. Otherwise, they won't be able to pick
28 up what you have to say.

29
30 **ADOPTION OF AGENDA**

31
32 **CARLOS FARCHETTE:** I would also like to announce if you can
33 please put your cell phones on vibrate. We will go to the
34 Adoption of the Agenda.

35
36 **MIGUEL ROLON:** Mr. Chair, I believe that Bonnie Ponwith wanted
37 to add something in Other Business.

38
39 **BONNIE PONWITH:** Thank you, Mr. Chair. I would like to add,
40 under Other Business, a discussion of an initiative to improve
41 data collection in the Caribbean.

42
43 **CARLOS FARCHETTE:** Thank you, Bonnie. Bonnie, are you hearing
44 us better now?

45
46 **BONNIE PONWITH:** I am hearing you better, but when Miguel was
47 speaking, I could just barely hear him.

48

1 **EUGENIO PIÑEIRO:** Carlos, if I may, under Other Business, I
2 would like to add a few minutes to say farewell to our friend
3 Winston Ledee, who this is his last council meeting. Thank you.

4
5 **CARLOS FARCHETTE:** Thank you, Genio. Anything else on the
6 agenda?

7
8 **EUGENIO PIÑEIRO:** With the changes included, I so move that we
9 adopt this agenda.

10
11 **NELSON CRESPO:** Second.

12
13 **CARLOS FARCHETTE:** That's moved to accept the agenda by Genio
14 Piñeiro and seconded by Nelson Crespo. All in favor say aye;
15 anyone against. Hearing none, the motion carries. We are going
16 to move to the Consideration of the 145th Council Meeting
17 Verbatim Transcripts. Anybody found any corrections or changes
18 for the minutes?

19
20 **CONSIDERATION OF 145TH COUNCIL MEETING VERBATIM TRANSCRIPTIONS**

21
22 **EUGENIO PIÑEIRO:** Having found none, I move that we adopt the
23 145th Council Meeting Verbatim Transcription.

24
25 **CARLOS FARCHETTE:** I need a second.

26
27 **NELSON CRESPO:** Second.

28
29 **CARLOS FARCHETTE:** We have a motion to accept the verbatim
30 minutes by Genio Piñeiro and second by Nelson Crespo. All in
31 favor say aye; anyone against. Hearing none, the motion
32 carries. We will move to the Executive Director's Report.

33
34 **EXECUTIVE DIRECTOR'S REPORT**

35
36 **MIGUEL ROLON:** Mr. Chairman, given the time that we have on the
37 discussion that is so important, I will give my report at the
38 next meeting in August. Just to let you know, we received the
39 funding to end 2013.

40
41 As you recall, there were some issues with it, but we got our
42 funding and in August, I will report on the MONF 3, which is the
43 conference on managing our fisheries, National Fisheries Number
44 3. As you know, the Magnuson Act is up for reauthorization and
45 so there are issues that are important and the council discussed
46 it at that meeting.

47
48 They had 126 findings or actually 128, but findings and now they

1 are going to make a catalog of those findings and as soon as we
2 have that document from the Pacific Council, we will share it
3 with the council members to discuss it in August. That's it.

4
5 **CARLOS FARCHETTE:** Thank you, Miguel. Next on the agenda is the
6 SSC Report, Review and Comment on the Final Stock Assessment
7 Reports for SEDAR-30, U.S. Caribbean Queen Triggerfish.

8
9 **SSC REPORT**

10 **REVIEW AND COMMENT ON THE FINAL STOCK ASSESSMENT REPORTS FOR**
11 **SEDAR-30 U.S. CARIBBEAN QUEEN TRIGGERFISH**

12
13 **BARBARA KOJIS:** I am going to provide the report for the SSC
14 meeting that was held on June 19 and 20. We discussed, at that
15 meeting, two different groups of species. One of them was the
16 blue tang and queen triggerfish that was assessed during the
17 SEDAR-30, the most recent SEDAR, and the other species that we
18 looked at were the queen snapper and the silk snapper, which was
19 originally assessed in SEDAR-24, but for which there were new
20 evaluations of those species done.

21
22 We are going to start off looking at SEDAR-30 and the two
23 species that were assessed were the blue tang, which is on the
24 left, which is really a juvenile blue tang, and the queen
25 trigger, or olewife, in St. Thomas/St. John, or the Virgin
26 Islands in general, called the old wife on the right-hand side.

27
28 The blue tang, this is a school of blue tang, and I just thought
29 I would throw this in, at Buck Island. Carlos Farchette
30 arranged a trip for us for Buck Island. Buck Island is a
31 national monument right north of St. Croix and the waters there
32 are protected from fishing and there was a very large school of
33 primarily blue tang there.

34
35 The goal of the SEDAR-30 was to determine the stock status for
36 blue tang and queen triggerfish. Given data limitations, the
37 abundance of these stocks could not be determined, but they were
38 able to conduct a mean length analysis to evaluate the stock in
39 terms of mortality and really, to determine whether overfishing
40 was occurring.

41
42 They looked at certain data resources and one of the important
43 things for everybody to note, when we go through this, is what
44 data is actually available and what data is needed, really, to
45 do successful -- Get good information and get information on
46 fishing mortality, et cetera, from the stock assessment.

47
48 The data that they used, looked at to use, was the Marine

1 Recreational Fisheries Statistics Survey, called MRFSS. That
2 was available in Puerto Rico only, because those surveys are not
3 done in the U.S. Virgin Islands.

4
5 They looked at the commercial landings data by island platform,
6 meaning by Puerto Rico, St. Thomas/St. John, and St. Croix, and
7 by gear, whether it was hook and line gear, pot and trap gear,
8 et cetera.

9
10 They also looked at the Trip Interview Program. Those of you
11 who are fishers get port sampled periodically and people weigh
12 your catch and identify the species, count the number of fish,
13 and measure and weigh the fish and that's that Trip Interview
14 Program. Then they looked at life history information from the
15 published literature.

16
17 For MRFSS in Puerto Rico, they looked at the data that was
18 available. For blue tang, there were five trips. Now, what
19 they do for collecting MRFSS data is they do a household
20 telephone survey, but they also do what's equivalent to port
21 sampling.

22
23 They go out and find fishers that are recreationally fishing on
24 the shoreline or boats that are coming in that have
25 recreationally fished in marinas or boat ramps and they ask if
26 they can look at their catch and then they will do similar
27 things to what they do for commercial fishers for the
28 recreational fishers, counting the number of fish of every
29 species and getting length data.

30
31 For blue tang, over a period of really -- I think there was data
32 for something like ten years, approximately ten years, and they
33 had only five intercepted trips that were retained or indicated
34 that they discarded blue tang and they only had two length
35 measurements, indicating that people really weren't
36 recreationally fishing for blue tang.

37
38 For queen triggerfish, they had less than twenty intercepted
39 trips per year where queen triggerfish were retained or
40 discarded and they had a total of sixty length measurements.
41 Because they had so little data, they couldn't use the
42 recreational fishing data.

43
44 For commercial landings, they had, in the USVI -- The USVI
45 reported catch as snapper, grouper, or finfish. This is the
46 commercial landings that fishermen report in the catch reports.

47
48 From 1997 onward, they reported by species group, which was

1 really families of fish. All the fish that are related were
2 reported together and these included surgeonfish and
3 triggerfish. Those are the two different -- Triggerfish is
4 misspelled and I didn't correct it.

5
6 I will just note, because you will see on the bottom that this
7 is the U.S. Department of Commerce and I'm not pointing out that
8 it was their error, but most of these slides, in the initial
9 part, are from a presentation by Dr. Meaghan Bryan to the SSC
10 and so I just want to give credit where credit is due on that.

11
12 Puerto Rico, there were species-specific. Fishermen have been
13 reporting fish by species for a long time. However, there are
14 known problems with underreporting of the catch and so as a
15 consequence, the commercial landings were not used for
16 assessment either.

17
18 The data that's provided by the fishermen in their catch
19 reports, because of the underreporting, in the case of Puerto
20 Rico, and because of the lack of species-specific data for the
21 U.S. Virgin Islands, that commercial landing could not be used
22 in this assessment.

23
24 This is just a graph showing what surgeonfish landings look like
25 over time. If you look over here, on the Y-axis, this is the
26 landings in pounds. This graph is for St. Thomas and this graph
27 is for St. Croix and the different colored lines are the -- The
28 X-axis here is actually the years and the different colored
29 lines indicate whether you've got traps or total, meaning the
30 total landings irrespective of gear.

31
32 This blue line here is all other gear and so obviously in St.
33 Thomas surgeonfish landings -- Surgeonfish is not blue tang,
34 because, of course, in St. Thomas they were reporting the fish
35 as surgeonfish and so all three surgeonfish species were lumped
36 together.

37
38 St. Croix has catches, surgeonfishes, with a much more higher
39 diversity of gear. They use diving, traps, and previously, they
40 used nets and you will notice that the net catches have declined
41 to zero and that's because gillnets were banned in the Virgin
42 Islands about 2006, but the implementation was about 2008.
43 These are the total catches over time, as fishermen have
44 reported.

45
46 These are the triggerfish landings and this is similar with
47 years and landings in pounds and then the different gear types.
48 You can see the trajectory of the landings data and you can see

1 that it's gone down. This is the total and so landings have
2 gone down a bit on St. Croix, but it's -- You know it's
3 relatively stable. Landings have gone down a little bit more on
4 St. Thomas, but it's generally fairly stable.

5
6 This is Puerto Rico and you could say, oh, we're in real trouble
7 here, except for the fact that Puerto Ricans don't really catch
8 blue tang and harvest them and so what it showed is that there's
9 really not a fishery for blue tang in Puerto Rico.

10
11 On the other hand, for Puerto Rico, they do have a fishery for
12 triggerfish and so, again, this is landings in pounds and this
13 is the various gears and these are the years for which there is
14 data available.

15
16 One of the other things to notice is how much this jumps around
17 and a lot of this, possibly, of this variation between years is
18 because of the fact that fishermen are not -- A large number of
19 fishermen don't report and as a consequence, in Puerto Rico they
20 use expansion factors and those expansion factors are based on
21 information that port samplers get about fishermen who aren't
22 reporting and fishermen who are underreporting and so on.

23
24 The difficulty is that you don't know how valid that is. In the
25 past, a long time ago, I believe they did the expansion factors
26 and had one expansion factor for the whole of Puerto Rico, based
27 on the information that they got from any place in Puerto Rico.

28
29 More recently, they are doing it by north coast, south coast,
30 and so on and they're breaking it down even more. Even so,
31 there are difficulties with the -- Obviously there are
32 difficulties with the expansion factors, because nobody who was
33 from Puerto Rico thought that the landings actually jumped
34 around that much.

35
36 If fishermen fully report their landings and report them as
37 accurately as they can, then we don't see these jumps around and
38 what may be even less accurate data and so it's really important
39 for fishermen to report their landings as accurately as possible
40 and as completely as possibly, as fully as possible.

41
42 **EUGENIO PIÑEIRO:** I noticed the peak was 2005 and it's very
43 curious in 2005 that we all had the peak in lobster and a lot of
44 species in 2005, but then I have a follow-up question. Would
45 you say then that by that chart that the resource is pretty much
46 stable in Puerto Rico, the landings reported, over the past five
47 years?

48

1 **BARBARA KOJIS:** We will look at that. There's probably some
2 other graphs. It does look like it is more stable in the last
3 five years, yes. It does and I can't remember what the possible
4 reasons were for the 2005 peak in triggerfish landings, and
5 probably other species as well.
6

7 **MIGUEL GARCIA:** What I know from my office is that the effort to
8 get the data has been very stable since 2006 or 2007. We have
9 allocated an available person or staff to do this and it's been
10 very stable in the last five years.
11

12 **GRACIELA GARCIA-MOLINER:** The 2005 peak shows up in most of the
13 landings information for Puerto Rico and it's a direct response
14 to the expansion factors. There was a switch over from the way
15 that they were reporting and so that peak responds to that
16 issue.
17

18 **MIGUEL ROLON:** I want to suggest to let Barbara finish and then
19 you can come back with questions, because here, the data that
20 you have there is there, period. What we need to know now is
21 the analysis made by the Southeast Fisheries Science Center,
22 SEDAR, and the SSC and then we can go back and talk about
23 metadata and all that stuff.
24

25 **BARBARA KOJIS:** This is the Trip Interview Program and this was
26 considered -- The TIP data, which is Trip Interview Program, was
27 considered the best data that was available and it was the one
28 that was used in the assessment.
29

30 They looked at the gear types, the number of samples, the
31 various locations, the number of sampled years, and the average
32 number of samples per year. Clearly for St. Thomas and St.
33 John, pots and traps had the largest number of samples, the
34 largest numbers of fish sampled, the largest number of years
35 that there is sampling done for that year, and the highest
36 average number of samples per year.
37

38 St. Croix was the same and you will notice that St. Croix, the
39 number of samples taken there was almost an order of magnitude
40 ten times the number of samples that were taken on St. John, St.
41 Thomas/St. John.
42

43 Some of that may have to do with the amount of -- Some of that
44 certainly had to do with the amount of sampling that was done on
45 St. Croix, which was higher, but some of it is also probably due
46 to the fact that blue tang is more important to that fishery.
47

48 In Puerto Rico, it was also pots and traps that were the gear

1 type with the highest number of samples and the number of years
2 sampled, et cetera. Let me go back. For Puerto Rico for queen
3 trigger, for St. Thomas/St. John for queen trigger, pots and
4 traps, again, and St. Croix for queen trigger was pots and traps
5 was the main gear that was used to harvest these.

6
7 There was a mean length analysis done and the length frequency
8 data were adequate for the pot and trap fisheries for both
9 species. It was considered adequate, except for Puerto Rico
10 blue tang, because blue tang was not really part of the fishery
11 over there.

12
13 The assessment workshop for the SEDAR-30 used the Gedamke/Hoenig
14 mean length estimator to obtain estimates of total mortality.
15 Total mortality includes fishing mortality and natural
16 mortality. Natural mortality is due to predation, disease, old
17 age, while fishing mortality is obviously due to fishing and
18 total mortality combines the mortality of those two.

19
20 They used the Gedamke/Hoenig mean length estimator to obtain
21 estimates of total mortality and evaluate how mortality has
22 changed over time.

23
24 The mean length analysis used the von Bertalanffy growth
25 coefficient, K . This was from the published literature. It
26 used the asymptotic length from published literature. The
27 asymptotic length is if you draw a curve of age of fish, age of
28 fish or length of fish and the number of fish -- Anyway, the
29 curve flattens out.

30
31 It's really the maximum size of the fish, when the fish no
32 longer is growing at all or at a fast rate. It's growing very
33 slowly. It's when fish are older.

34
35 Then species-specific length is the length at full
36 vulnerability, L_c . That's to fishing gear. When are they fully
37 vulnerable to fishing gear and then the mean length of fish
38 larger than the full vulnerability, L_c , and this information came
39 from the TIP database.

40
41 This is the Beverton-Holt mean length mortality estimator and it
42 just indicates where all these values are. K is the growth
43 rate. L is the maximum length. The L with the bar across is
44 the mean length. Z is the total mortality and the L_c is the
45 length at which the animals are fully vulnerable to the gear. I
46 have been asked to stop for just a minute. Does anybody have
47 any questions?

48

1 **MIGUEL ROLON:** Barbara, just to explain to the fishers a little
2 bit in Spanish while you wait for this.

3

4 (Whereupon, there was a brief description of Dr. Kojis's
5 previous comments in Spanish.)

6

7 **MIGUEL ROLON:** Just for the record, I am going to reiterate what
8 they just said on the record. At this time, they just wanted to
9 clarify the reason why the meeting. Miguel is saying that in
10 the case of the fishermen that he represents, the commercial
11 fishermen of the island, Miguel Davila, they believe that you
12 should do, rather than narrow the month that the fishermen are
13 allowed to fish for queen snapper, what you should do is to make
14 more restrictive management measures or apply the management
15 measures to the recreational fishers.

16

17 The other fisherman said that he believes that the data issues
18 that we have is because Puerto Rico Natural Resources Department
19 opened a window and through that window, we have recreational
20 fishermen obtaining a commercial fishing license and falsifying
21 the records to show that they were fishing for snappers and that
22 gives the appearance of a high number of landings, which in
23 reality is not the case.

24

25 I told that once we finish this and we get into the discussion,
26 I would like them to come forward and say it on the record in
27 Spanish and then we will translate, so the record will be clear,
28 what everybody will say and then include them -- They should
29 address the council with their name and their affiliation.
30 Barbara, are we ready with the glitch?

31

32 **CARLOS FARCHETTE:** Bonnie, can you hear us, Bonnie and Roy?

33

34 **ROY CRABTREE:** Yes, you just came back on. We can hear you now.

35

36 **MIGUEL ROLON:** Okay, Barbara.

37

38 **BARBARA KOJIS:** Continued. One of the reasons I put this
39 formula up is not so everybody could memorize it and take a test
40 on it later, but it was to see what parameters are needed in
41 order to do these analyses.

42

43 Obviously in this particular case, for this formula, you need
44 the growth rate of fish, you need their maximum length, which is
45 not just the biggest fish that's out there, but the time when
46 that growth curve flattens out, and you need the length at which
47 all animals are fully vulnerable to gear and the mean length.

48

1 These are all the parameters you need data for and you need
2 studies for and without that information or without accurate
3 information on this, you oftentimes can't do these assessments.

4
5 This is the TIP length frequency data for blue tang for St.
6 Thomas/St. John and this data is given, for graphing purposes,
7 in five-year intervals. This data down here for 2008 to 2012,
8 there is actually only 2008 data available for TIP.

9
10 The actual analysis was done on an annual basis, but this is
11 just to show this, because in some -- As you can see, in five-
12 year increments, there were only a small number of samples, but
13 what it does show is that there hasn't been a lot of change over
14 time in the fork length -- The size distribution of blue tang on
15 St. Thomas/St. John.

16
17 This is the length frequency data for St. Croix, which is
18 designated as an X here. X marks St. Croix. You can see that
19 the sample sizes are a lot larger here. The fork length is in
20 this bottom area, the X-axis, and the Y-axis is the number of
21 samples that were taken and, again, you can see that there's not
22 a lot of variation over time in the fork length of these
23 animals.

24
25 Sometimes this is subtle and so the actual analysis looks at
26 annual and it looks at all of this in more detail. Generally,
27 and it's not marked on here, but it's marked on some of the
28 other graphs, the peak abundance for a size is considered the
29 length at which -- The length of when the fish is fully
30 vulnerable to the fishing gear.

31
32 This is the length frequency data for queen triggerfish for
33 Puerto Rico and, again, you can see that one of the issues here
34 is the number of samples that are taken and this, again, is
35 probably TIP gear only for one year, but thirty-seven samples is
36 really not adequate for the types of analysis that needs to be
37 done and then even some of these other years are relatively
38 small.

39
40 This is a relatively small number of samples for a five-year
41 period, but, again, it doesn't show a lot of changes over time.
42 Sometimes, again, in 1998 to 2002, there are a lot of larger
43 individuals in here, but because of the smaller sample size, you
44 really can't say too much about this.

45
46 This is queen trigger size distribution for St. Thomas/St. John
47 and this is for St. Croix and showing the number of samples
48 again. Again, there's not a lot of variation there.

1
2 Where did we get blue tang life history information? This is
3 just to show you -- This is the literature that they looked at
4 to get the life history information and when you talk about the
5 life history, there is K, the growth.
6
7 This is L infinity and then this is maximum length and so the
8 maximum length would be the largest fish and this would be the L
9 infinity or the time when the growth rate starts slowing down
10 because the fish has gotten older and larger and is spending a
11 lot more energy reproducing than it is growing.
12
13 You can see that for blue tang, one of the important things for
14 blue tang is its life history, because it was important in the
15 decisions or recommendations and decisions that were made by the
16 assessment working group in the final review of the SEDAR and
17 for the SSC as well.
18
19 Blue tang, that little fish that's out there that you see that
20 can get fairly large, but not too large, can live as long as
21 forty-three years. That's Bermuda, where it's a little bit
22 colder, but even around here, in the warmer climates, like
23 Belize, Tmax is thought to be about fifteen years, twenty years.
24 Stocking Island in the Bahamas, twenty-seven years.
25
26 These are long-lived fish, but characteristically, they grow
27 very fast to their maximum size. They may grow to their maximum
28 size in three or four years or maybe five years at the most and
29 they start reproducing at a very young age.
30
31 They have a specific life history that's quite different from a
32 lot of other species and that is something that also makes it
33 difficult for using lengths in order to do these assessments.
34 You really need to have age information and we'll go into this
35 later on a little more.
36
37 This is all of the literature and these are the sources for
38 these maximum lengths, all of this life history information, and
39 you can see the sample size over here and so sample sizes are
40 not huge.
41
42 This is the blue tang growth curves and as I mentioned, blue
43 tang tends to -- These are ages down here and that's the fork
44 length up here and you can see that by about two or three years
45 old, certainly no later than, in this particular case, about
46 seven years, they have reached their maximum size.
47
48 In most cases, for most of these studies, and these studies are

1 variable, they have reached their maximum size at about three
2 years of age, even though they live for twenty and in some cases
3 forty years, depending upon the location and what somebody has
4 come up with.

5
6 This is queen triggerfish life history information. There was
7 information on K, growth rate, in only three different studies
8 and in the Jamaica study, that was based on just doing graphs of
9 growth and frequency and so this was eliminated as not being
10 reliable.

11
12 There was data from Puerto Rico and the USVI. That information
13 on growth was based on spines and so there was a little bit of
14 concern about that. People look at growth and age -- Fisheries
15 scientists look at growth and age using usually a couple of
16 different, maybe three different, parts of the fish.

17
18 One of them is the spines. The problem with using the spines is
19 that in the older fish, they can become eroded and so the older
20 fish may be aged at a younger age than they actually are. It's
21 not considered to be a real -- People aren't real confident of
22 growths using spines.

23
24 For the most part, people try to use the otoliths, the ear bones
25 of the fish, for growth. The ear bones of the fish generally
26 have rings on them, like the spines have rings, like trees have
27 rings, and you can count those rings and come up with the age.

28
29 Because they are interior to the fish, they are not thought to
30 be eroded or anything like that and they are more accurate and
31 so these are the two types of parts of the fish that are used
32 for growth in these studies.

33
34 In the end, the assessors used the growth rates from Puerto Rico
35 and the USVI and the one from Brazil. The problem with Brazil
36 is this is south of the Amazon and so the chances of queen
37 triggerfish south of Brazil mating very much with queen
38 triggerfish in the U.S. Caribbean is probably -- They are pretty
39 much probably independent fish populations.

40
41 At least it gave them a range to put into a model to test to see
42 how well the model did and to just give some idea of what was
43 happening in terms of mortality.

44
45 These are the two triggerfish growth curves from Puerto Rico and
46 the USVI and from Brazil and so Puerto Rico and the USVI is on
47 the top and Brazil is on the bottom. The Brazil queen
48 triggerfish are thought to grow more slowly than the Puerto Rico

1 and USVI.
2
3 A mean length analysis model was run, first assuming no change
4 in mortality and then with increased complexity. They did a lot
5 of different runs with a lot of different information in it.
6
7 Sensitivity analysis was conducted to characterize uncertainty
8 in the mortality estimates. In other words, they kept putting
9 in different parameters that were within this range between
10 Brazil and Puerto Rico and the USVI.
11
12 For blue tang for St. Thomas, this shows the year and this is
13 the mean length. This is from TIP data, the Trip Interview
14 Program data, and it shows these circles. The size of the
15 circle, the bigger the circle, the more samples there were.
16
17 The middle of the circle is the mean size and so this line shows
18 the size trend and as you can see, there was a change between
19 1985 to 1990 and then since that time, the line indicates that
20 the size of blue tang in the catches, in the Trip Interview
21 Program data, has been pretty stable.
22
23 The data jumps around. Some of it may be because of the sample
24 sizes. If you will note, these samples are smaller. They are
25 not real small, but they are smaller. You are looking at
26 thirty-four and so on and so forth and the larger sample sizes
27 down here indicate that this has pretty much stayed along this
28 line.
29
30 It indicates also that Z -- This is the total mortality in 1983,
31 which was probably considered the start of the fishery, when the
32 fishery was probably not -- When it was fairly close to being
33 virgin. It probably wasn't, but the mortality estimate for that
34 was 0.9 and for the mortality, total mortality, estimate from
35 1984 to 2010, it was 0.4, which was considerably higher.
36
37 This is a comparison of fishing mortality and natural mortality
38 for blue tang for St. Thomas/St. John and it's generally
39 considered that if fishing mortality, F , is equal to natural
40 mortality, which is M , and so the ratio there is one, if that
41 ratio is one or less, then overfishing is not occurring. That's
42 probably fairly conservative.
43
44 If we look at this graph, we have down here this F over M .
45 That's the one, where if fishing mortality is -- If this ratio
46 is less than one, overfishing is not occurring. This is the
47 frequency of the runs with respect to using this data. This is
48 just taking these data and using these runs.

1
2 You go up here and you find that the cumulative percent of runs
3 that indicated that overfishing had -- F to M ratio less than
4 one was almost -- Probably close to 70 or 80 percent, indicating
5 that the probability of overfishing occurring is only about 20
6 to 30 percent.

7
8 A kind of benchmark for overfishing is about 50 percent. That's
9 not very conservative, but if this line, this cumulative
10 percent, is above 50 percent, people will usually say probably
11 overfishing is not occurring or there is no evidence of
12 overfishing. You may not be able to say it's not occurring, but
13 the evidence isn't there.

14
15 This is comparing fishing mortality and natural mortality for
16 blue tang on St. Croix. There is the one ratio, the magic
17 thing, and if you go up, this comes in at about 50 percent and
18 so for blue tang, St. Croix is right on the cusp.

19
20 This is a queen triggerfish graph for Puerto Rico, jumping over
21 to queen triggerfish. This indicates -- Again, we're going to
22 years and mean length and you can see the mean length has
23 increased in Puerto Rico for queen triggerfish over time, but
24 you can see the data is kind of all over the place.

25
26 Again, it indicates the need for bigger sample sizes, probably,
27 but it indicates no problem, it looks like, with queen
28 triggerfish since the mean length is increasing.

29
30 This is a comparison, again, of that ratio of fishing mortality
31 to natural mortality for queen triggerfish for Puerto Rico and,
32 again, if you follow one up, if you go up here, there's almost
33 100 percent chance that overfishing is not occurring for queen
34 triggerfish on Puerto Rico.

35
36 For St. Thomas/St. John for queen triggerfish, sizes have
37 remained the same over time, from the data. There are some
38 small samples that are way up here, but most of them are right
39 on or near that line, indicating that the sizes have remained
40 stable. You will note the size is thirty-seven centimeters for
41 fork length for queen triggerfish for St. Thomas/St. John. A
42 cumulative percent for the F:M ratio, you go up here and the
43 chance of overfishing is only about 5 percent.

44
45 For queen triggerfish for St. Croix, there was a decline in the
46 sizes of queen triggerfish on St. Croix in about 1990 and then
47 it's been stable since then. Again, the sample sizes are fairly
48 small. Those should be larger to be confident of this.

1
2 Then if we look at the F:M ratio here and look at the ratio of
3 one, we're looking at the possibility of about a 60 percent
4 possibility of overfishing for queen triggerfish, based on this.
5 So far, this is the only reference for that that indicates that
6 overfishing may be occurring and it's for queen triggerfish on
7 St. Croix.

8
9 What were the main conclusions from the AW, which is the SEDAR
10 assessment workshop report for blue tang? The first was that
11 the data for Puerto Rico were insufficient to conduct length-
12 based analysis, because there just wasn't a fishery for it and
13 so you don't have samples. Nobody is catching them and no
14 samples.

15
16 St. Thomas/St. John, the results from the length-based analysis
17 suggest that total mortality increased. The year of change and
18 magnitude of change was variable among the sensitivity runs and
19 there were a whole bunch of graphs associated with that, if you
20 want to look in the report, showing years in which it looked
21 like there were changes in the length.

22
23 There was uncertainty about whether fishing mortality is higher
24 than natural mortality, that one I was talking about, that ratio
25 of one, and natural mortality, they mention right here, is a
26 proxy for FMSY, the MSY for fishing mortality or the fishing
27 mortality at MSY. Then the annual length frequency data have
28 been relatively stable over the time series.

29
30 On St. Croix, the results from the length-based analysis suggest
31 that total mortality increased in 1983. That was the first year
32 of available data and then the magnitude of change was variable
33 and dependent on parameter inputs.

34
35 There is uncertainty about whether fishing mortality is higher
36 than natural mortality and the annual length frequency data have
37 been stable between 1984 and 2012.

38
39 The main conclusions from this report were that available age
40 and growth relationships suggest two possible explanations of
41 growth, that growth, K, could be either 0.4 or 0.8 to one,
42 adding to the uncertainty surrounding the mortality estimates.

43
44 Because of this uncertainty, we need well-designed growth
45 studies for this species. That was a recommendation of that
46 report. The age growth relationship erodes at an early life age
47 relative to the blue tang life history span. As I mentioned,
48 you've only got a few years before you're at the maximum size

1 and so if you're looking at a length analysis, you really don't
2 know how old most of those species are and that makes it hard to
3 do these analyses.

4
5 The length analysis may be inappropriate for this species and
6 then the collection of catch at age data may be more appropriate
7 to adequately describe changes in blue tang population
8 structure. Instead of using lengths by themselves, length plus
9 age needs to be put into the equation and age used for the older
10 fish.

11
12 The main conclusions for queen trigger were the results of the
13 length analysis suggest that total mortality declined in 1998 or
14 1999 and so that means that there were fewer fish being caught
15 and total mortality was less.

16
17 An increase -- Or there was fewer fish being taken from maybe a
18 bigger population and we don't know what is happening with the
19 population. Maybe the number of fish is increasing. An
20 increase in mean length could be due to a reduction in mortality
21 or an expansion to relatively unfished areas. I guess that
22 points out another piece of information that fishermen need to
23 realize that is important to report, is where -- Generally where
24 and not specifically where, but generally where they're fishing,
25 to see if a fishery is expanding.

26
27 Without detailed spatial catch data, it's difficult to separate
28 these effects and so I believe the new trip report forms ask for
29 somewhat more detailed information about where fish are being
30 caught and so this may help solve that problem, if it's
31 accurately reported.

32
33 There is uncertainty about whether fishing mortality is higher
34 than natural mortality. For the USVI for queen trigger, results
35 from the length analysis suggest that mortality has remained
36 unchanged in St. Thomas and St. John over time and increased in
37 St. Croix in 1985 or 1986.

38
39 Industry representatives indicated that they release queen
40 triggerfish on St. Thomas/St. John that are greater than -- I
41 think there is forty-five centimeters for sure, but maybe even
42 forty-two centimeters or forty centimeters, because larger fish
43 are unable to be sold in the market.

44
45 If this is true and if this is significant, there is a
46 significant number of fish being released, that violates the
47 assumption of knife-edge selectivity and makes it difficult to
48 interpret absolute mortality estimates, which would be why it

1 would be important, if anybody discards queen triggerfish in
2 those large sizes, to report that and probably keep track of it
3 even and maybe something needs to be set up with respect to
4 that.

5
6 Available life history information suggested, and these are
7 general conclusions, that there are two different life
8 strategies for queen triggerfish and so as a consequence, again,
9 age and growth studies are really needed.

10
11 What did the SSC say after they reviewed this information and
12 reviewed the reports? The SSC accepted the results for queen
13 triggerfish and blue tang as the best available at this time,
14 recognizing the following limitations.

15
16 There is a lack of life history information for these species.
17 We discussed this because this has been true of many of the
18 reviews that we've done for species that have had SEDARs, is
19 that there are problems because of the fact that there is lack
20 of local life history data.

21
22 We discussed at that meeting possibly putting, just like we did
23 with -- How many TIP samples do we have for species that we --
24 So that aren't going out or the SEDARs aren't going on -- There
25 is not a SEDAR on a species that doesn't have enough TIP samples
26 and enough other data to look and see if there's life history
27 data that people are confident of for these species that are
28 being considered for the SEDARs. If there's not, that data
29 needs to be collected and it needs to be collected as soon as
30 possible.

31
32 There is low information content provided by length frequency
33 data for blue tang because of its determinant growth, because it
34 grows real fast to a determinant level and so the length
35 frequency data isn't very useful.

36
37 Potential violation of model assumptions, because of dome-shaped
38 selectivity for queen triggerfish on St. Thomas/St. John, due to
39 discards of the large fish.

40
41 There was uncertainty in the data due to inconsistencies in
42 annual sample size and non-randomness of samples. The TIP data
43 really needs to be improved in terms of sample size and there
44 needs to be a more random collection of the data.

45
46 There's an inability to address biomass benchmarks, due to
47 considerable uncertainty in the landings data. Fishermen have
48 reported, repeatedly, at the CFMC meetings about how they have

1 underreported data or haven't reported accurately or what have
2 you. Generally, the SSC members feel that the landings data are
3 suspect and really can't be considered reliable for these
4 assessments.

5
6 The conclusions for queen triggerfish is that the SSC concluded
7 that the results of SEDAR-30 are consistent with the current
8 status determination in Puerto Rico and St. Thomas/St. John,
9 which is that queen triggerfish is not undergoing overfishing.
10 However, the result for St. Croix indicates that overfishing may
11 be occurring.

12
13 The conclusions for blue tang were the results were too
14 uncertain to be used for a status determination. Blue tang does
15 not appear to be targeted in Puerto Rico, based on a lack of
16 reported landings, and given the above, the SSC finds no basis
17 for changing the ABCs for queen triggerfish and blue tang.

18
19 Recommendations were, for blue tang, that length analysis is not
20 appropriate and the SSC recommends collecting catch at age data
21 to inform an age-structured model.

22
23 For queen triggerfish on St. Croix, the SSC recommends that
24 approximately 500 length measurements be taken within the next
25 year to inform further analysis, because of that possibility
26 that queen trigger are undergoing overfishing in St. Croix.

27
28 There is an urgent need for local age and life history
29 parameters for the two species, because without the basic life
30 history and age information, the assessments will continue not
31 to be very informative for scientific advice and management.

32
33 The SSC understands that a new collection of otoliths is
34 underway and recommends that a carefully designed sampling
35 program be implemented and so that really needs to be -- We're
36 very happy to see that otoliths were being collected and that
37 aging was going to be taking place for a wide variety of
38 species, but we wanted to ensure that there's a carefully
39 designed sampling program with respect to that and that the
40 Southeast Fisheries Science Center is happy with the way the
41 sampling program is going forward.

42
43 Validation of catch data, including expansion factors, is also
44 urgently needed. We really need accurate landings data. That's
45 the end of the report for the blue tang and queen triggerfish.

46
47 **MIGUEL ROLON:** A suggestion for the council members. You
48 remember that the SSC is the body that gives you the numbers

1 that you use for a determination of what action are you going to
2 take regarding the species under management.

3
4 The bottom line of this report is for the blue tang and the
5 queen trigger, the SSC does not find any rationale for changing
6 the status quo of the two species and they indicated, in the
7 case of St. Croix, there are some issues regarding the fishery
8 off of St. Croix.

9
10 I asked Graciela to put together a little table, but perhaps for
11 these two species, just to see if Barbara agrees with that table
12 and whether it is something that we can incorporate into the
13 record.

14
15 The other comment I have is that for the next meeting, I will
16 ask the staff, Graciela, to talk to the scientists in the Center
17 or whomever is out there that is knowledgeable about this, to
18 look into the SSC recommendations for that declaration and see
19 if we can have a decent statement of work for collecting that
20 information and then at the next council meeting, also we will
21 identify possible funding and the time schedule for these
22 events.

23
24 The other issue that Barbara is presenting to us, if you look at
25 it, is because of the way that landings are reported by the
26 fishers, that data is unreliable for most of the parameters they
27 use to indicate whether a fishery is suffering overfishing or is
28 overfished.

29
30 The point is that we need to make an effort to collect life
31 history information on age and growth and then use both length
32 frequency analysis and age and growth to determine the status of
33 these two particular species, but I am sure that all the other
34 species that we have, sooner or later, we will need to get that
35 information.

36
37 Dr. Todd Gedamke gave a report a couple of years ago and he
38 stressed that point too, that if we are going to move -- Now
39 that we are moving into island-based fishery management plans,
40 that we want to collect the information to be used here and the
41 information that we use here comes from the appropriate area and
42 this topic is very important.

43
44 I believe that the Chair and I, between here and August, we will
45 talk this over to present to you at least a couple of proposals
46 that you can examine and decide the best way to proceed.
47 Barbara, I will tell the fishermen in the back what I just said,
48 but do you like the table that Graciela prepared?

1
2 **BARBARA KOJIS:** Graciela is going to transfer a table over to
3 Livia and this is a little summary of the overfishing status
4 that I guess you requested and so it was a good idea to do that.
5
6 **MIGUEL ROLON:** For my fellow fishermen in the back.
7
8 (Whereupon, there was a brief description of Dr. Kojis's
9 previous comments in Spanish.)
10
11 **BARBARA KOJIS:** The summary of the report that I just gave in
12 relation to queen triggerfish and blue tang that are overfishing
13 or not undergoing overfishing and for queen triggerfish for
14 Puerto Rico, the probability is that queen triggerfish are not
15 undergoing overfishing, by greater than 90 percent. There is a
16 very small chance that they are actually overfished or
17 undergoing overfishing.
18
19 The same for queen triggerfish for St. Thomas. However, on St.
20 Croix, the probability of undergoing overfishing is 60 percent.
21 Undergoing overfishing is 60 percent and so there is a
22 possibility that overfishing is occurring.
23
24 One of the reasons we didn't just highlight this and say, hey,
25 queen triggerfish is undergoing overfishing on St. Croix is
26 partly because of the data itself has an amount of flexibility
27 in it. Part of it is because the data only went, for length
28 frequency, until 2008 and there should be years -- The 2009,
29 2010, 2011, and maybe even 2012 should be available that should
30 be analyzed for this, but this is based on what data was
31 available when this SEDAR occurred.
32
33 The other aspect is when Todd Gedamke did his trap surveys,
34 queen triggerfish was one of the three most abundant species in
35 his traps on St. Croix and so it was like, okay, we really --
36 This really needs to be looked at before we come up with
37 anything saying that queen triggerfish is undergoing overfishing
38 on St. Croix.
39
40 With respect to blue tang, as I indicated, there's no data in
41 Puerto Rico, because it's not really a fishery over there, or
42 part of the fishery over there. Blue tang in St. Thomas is not
43 -- There is no evidence, or little evidence, that it's
44 undergoing overfishing, since 80 percent of the runs indicated
45 that it wasn't undergoing overfishing and for blue tang on St.
46 Croix, overfishing was at the 50 percent level and so it was not
47 considered undergoing overfishing there either or it was not
48 considered there was evidence, because we really couldn't make

1 the statement that it's not undergoing overfishing.

2
3 Blue tang was among the three species that Todd Gedamke caught
4 in his traps. It was the third most abundant species, among the
5 three most abundant species that Todd Gedamke caught in his
6 traps and so, again, we are looking at this cautiously.

7
8 **MARA LEVY:** I just want to I guess be a little bit cautious
9 about the terms "overfishing" and "not overfishing" in this
10 particular context, to make a distinction between what the SEDAR
11 looked at and these particular conclusions or ideas and what
12 overfishing -- What the overfishing limit is defined as and what
13 the council defined overfishing as in the various ACL
14 amendments.

15
16 The council set overfishing limits and specifically defined
17 overfishing, saying it occurs when annual landings exceed the
18 OFL, unless the Science Center makes the determination that it
19 went over because of improved data collection as opposed to just
20 landings.

21
22 From that context, when we're determining whether something is
23 undergoing overfishing from the FMP and what the council set as
24 the overfishing limit, we're looking at landings and whether we
25 exceeded that OFL and they're not for particular species, right?
26 They're species groups and so it's all surgeonfish, it's all
27 triggerfish. It's not particular species. I just want to be
28 careful, because we're using the same terms, but we're using
29 them in different contexts, I think.

30
31 **MIGUEL ROLON:** Following Mara, that's one of the issues that we
32 would like to discuss at this meeting and, again, with this
33 table, you may consider it a probability table. In the case of
34 the blue tang in Puerto Rico, when you have no data, it's
35 because either you don't have any fish or you have a lot and
36 nobody fishes for it and the fishermen here can tell us that
37 none of them fish for blue tang.

38
39 Again, to Mara's point, these are the probabilities and the
40 council has to decide whether we pursue this one way or the
41 other and in this case, we want to make sure that the queen
42 trigger and the blue tang in St. Croix is okay or not.

43
44 The other issue is that we base our annual catch levels and
45 overfishing levels on landings and the SSC is telling us those
46 landings data are not to be trusted and so those are the two
47 issues that the council has to discuss at this time and see what
48 we can do with that.

1
2 **BILL ARNOLD:** Barbara, I wanted to ask you a question, kind of
3 clarifying and expanding on what Miguel brought up. When we
4 establish our ACLs, we use the data, for surgeonfish and blue
5 tang -- These were pretty long-term data, 1988 to 2009 for
6 Puerto Rico, but for the USVI, it was a much shorter data
7 sequence. I guess it was 1999 to 2008 or 2000 to 2008.

8
9 As Miguel pointed out, these were just the commercial landings
10 and so regardless of how you feel about those commercial
11 landings, we established that ACL and then we just compared the
12 2010 -- Actually, in these cases, just the 2011 data to those
13 annual catch limits and so this is much more of a snapshot of
14 the situation during 2011 and how we transfer that over to 2013
15 fishery management, whereas the SEDAR analysis is a much more
16 long-term, blended process.

17
18 These would be long-term probabilities of overfishing versus our
19 snapshot probability of overfishing? Would you say that's
20 correct?

21
22 **BARBARA KOJIS:** Especially -- When you say snapshot
23 probabilities, you're talking about the ACLs, right? Yes, this
24 is much -- Especially on the U.S. Virgin Islands, St. Croix and
25 St. Thomas and St. John, where you've just got a short period of
26 time for which you had enough information to come up with
27 landings data for surgeonfish and it wasn't even for blue tang.

28
29 Then you have an ACL for all those species, that species group,
30 and then you're talking about one set of overfishing criteria
31 related to that and I don't think, in this particular case, blue
32 tang or queen triggerfish -- Neither of those have exceeded
33 their ACL, have they?

34
35 We're not talking about -- We're not worried at this stage about
36 whether the ABC set by the SSC was accurate and whether the new
37 information coming from fishers or what have you is providing --
38 The fishers are providing us with better information and it's
39 showing higher catches, but we're just looking at this to see --
40 More or less confirm that we said this is the ACL standard and
41 the fishing rate now or the fishing rate, at least back when
42 this data was collected, is not indicating any signs of
43 overfishing.

44
45 That's for this particular species and the other two species of
46 surgeonfish that are in the surgeonfish unit are not even being
47 addressed here and so this is very specific and this is long
48 term and it's kind of a check on what we're doing right now and

1 it's also trying to get more specific information to find out
2 what are really the status of these stocks in a more detailed
3 manner than just the average catch, but with using other
4 parameters and using more sophisticated assessment tools, et
5 cetera.

6
7 **DAVID OLSEN:** I would like to go back to the point that Miguel
8 was raising about this opinion the SSC has about landings data.
9 I think it's a cop-out and I think you ought to quit that.

10
11 There needs to be some formal statement somewhere about the
12 quality of the landings data for each of the areas. I know,
13 from my experience with our guys, that they're working really
14 hard on trying to report very accurately and I'm willing to
15 stand behind the landings data.

16
17 To have SEDAR or the SSC, based on their opinion of the landings
18 data thing, I don't think it's appropriate and I don't know how
19 you can even claim ACLs when the SSC won't acknowledge the
20 landings data upon which they calculated the ACLs. You can't be
21 valid one time and not another.

22
23 Second, we have a lot of data that were not used in this
24 analysis. We were never even asked for any of it. We had 2,300
25 blue tang and 1,700 old wife from studies from 2008, 2010, and
26 2012. We measured another 1,000 triggerfish back in 2004 and we
27 were never asked for these information and so they're not
28 included in there.

29
30 Secondly, I looked at the reports and the TIP, in quotes, data
31 from 2005 and 2006 are primarily the MRAG study that we carried
32 out in a bycatch study and the SSC has -- In my opinion, the
33 average size has dropped in both of those years and the reason
34 it dropped is because the SSC has, once again, failed to
35 separate out the catch from the bycatch and so there's a lot of
36 small fish that were brought in as part of the study and
37 measured and it brings down the average.

38
39 I remember I looked at average lobster size when I was Fish and
40 Wildlife Director and during those years, when you just extract
41 the TIP data, it dropped two-centimeters, the average carapace
42 length, and that was simply because the bycatch was included in
43 there.

44
45 When I got TIP data from Josh as part of our lobster study
46 recently, the first batch he sent me still included the bycatch.
47 Now, it didn't affect what we were doing in this, but the SSC
48 needs to sort this out.

1
2 They need to quit stumbling across those years and that data. I
3 can see it in the size frequency distributions up there, that
4 you had the bycatch data included for those years. You had a
5 lot of small fish for those years.

6
7 The average size of blue tang is smaller than the minimum size
8 our fishermen catch and sell and so when you're trying to do a
9 length-based analysis and you've got all these small fish in the
10 sample, I don't know how you do it.

11
12 Once again, we're trying to do analysis without analyzing
13 fishing effort and as I reported at the last council meeting,
14 there's a big problem in particularly the trap fishery in St.
15 Thomas.

16
17 For example, one fishermen went, from one year, hauling ninety-
18 six traps per year to the next year hauling 536 traps per year
19 and if you take the total number of trap hauls per year, it goes
20 up as high as 450,000 trap hauls, but when you go and actually
21 interview those fishermen one-by-one and see what they were
22 actually hauling, almost nobody is hauling much more than a
23 hundred traps a day and yet, you're seeing numbers in there of
24 700 or 500.

25
26 Winston is a pretty hard-working guy and he doesn't do that and
27 that needs to be fixed so that they can start using effort in
28 these analyses.

29
30 Catch per unit effort is the classic fishery analysis thing and
31 I just think that we now have another SEDAR hanging out there
32 and I looked at some of the review comments. Again, nobody is
33 reviewing it that really knows what's going on and I think,
34 particularly in some of these fisheries like the triggerfish,
35 where you had this big urchin dieback -- I wasn't here when it
36 happened, but triggerfish are one of the primary predators on
37 urchins.

38
39 When there was no urchins around, that had to show up in the
40 data. I didn't hear a word about that and right now, the last
41 couple of years, we've just been having a plague of triggerfish
42 and I think it's going to be an ACL issue for us.

43
44 Anyway, I don't know how -- Some of this stuff, our data is
45 published in the GCFI and I just don't understand why it's not
46 included in any of this stuff, particularly when the sample
47 sizes that we have to contribute are really very significant.

48

1 **BARBARA KOJIS:** The data aren't really analyzed by the SSC. We
2 just get the reports and review them. It's the Southeast
3 Fisheries Science Center that does that and certainly we could
4 bring that up, but I would have thought that during the
5 workshop, whether it was the data workshop or the assessment
6 workshop, that this sort of information would have been provided
7 to the workshop participants that were writing the report.

8
9 **DAVID OLSEN:** There is no way to provide that information if
10 you're not present at the workshops.

11
12 **MIGUEL ROLON:** If I may, Mr. Chairman, I believe the question
13 that you have for the council now is what are you going to do
14 with that? What are you going to do with that table? Do we
15 need to do anything with that table?

16
17 Probably we need to ask Bill. Bill, do you think that -- I am
18 personally worried about the 50 percent not overfished in St.
19 Croix for the blue tang and the queen trigger, 60 percent that
20 could be overfished.

21
22 In St. Thomas/St. John, we don't have any problem with these two
23 guys. In Puerto Rico, I can ask one of the fishers to come
24 forward and tell us why they are not fishing blue tang, to make
25 sure that the reason we have no data here is because they don't
26 fish for it. We can incorporate that into the record.

27
28 The question is, do we have anything to do at this time, Bill?
29 Do we need to do anything with this between here and whenever is
30 appropriate?

31
32 **BILL ARNOLD:** I would point out, and this is a bit of a
33 correction, that the queen triggerfish in St. Croix actually was
34 identified as having exceeded its OFL in 2011 and so for the
35 year 2011 -- I mean its ACL. Its ACL in 2011 and so it was
36 identified for that year as undergoing overfishing and because
37 of that --

38
39 **MARA LEVY:** Did it exceed its ACL or its OFL? There's a
40 difference.

41
42 **BILL ARNOLD:** Its ACL and so it was identified as having
43 exceeded its ACL and the season will be shortened this year
44 because of that and so to some degree, that jives with the
45 overfishing outcome that Barbara identified, but, again, I
46 reiterate these are -- The SEDAR-30 outcomes are more long-term
47 patterns, based upon a dataset that is more blended over time,
48 whereas our determinations as to whether they are recently

1 exceeding their ACLs and whether accountability measures need to
2 be applied is a much more short-term and focused approach.

3
4 I want to keep that in mind. Whether the blue tang in St. Croix
5 has a higher likelihood of undergoing overfishing, we did not
6 identify that, using 2011 data, it was exceeding its annual
7 catch limit and so we did not apply accountability measures.

8
9 However, if you look at in the way that this is a 50 percent
10 likelihood that in any one year -- This may not be appropriate,
11 but that in any one year it is undergoing overfishing, perhaps,
12 as we move forward in time, we will find that there are
13 instances, years of harvest, that do reflect exceedance of the
14 ACL and a need to apply accountability measures.

15
16 **BONNIE PONWITH:** I am having a hard time raising my hand here
17 and so I guess what I would do is just ask if it would be all
18 right if I made a comment to that.

19
20 **CARLOS FARCHETTE:** Absolutely.

21
22 **BONNIE PONWITH:** All right. So we have set -- The SSC has set
23 ABCs and the way they've set those is, as Mara and Bill have
24 both pointed out, based on sort of long-term landings
25 information.

26
27 The assessment is not did you go over the landing level that you
28 set. This is a look at the actual biology of the animal and is
29 more of a mechanism to evaluate whether the ABC you set is
30 effective in stewardship of that stock.

31
32 The real question here is, again, as Mara has pointed out, your
33 definition of overfishing is set based on a landings level.
34 This is a checkup on whether that ABC that you've set is
35 effective in protecting the stock, in harvesting an amount that
36 is long-term sustainable.

37
38 I think that's an important thing to think about and certainly
39 we do need to look at the caveats that we have and there are
40 many. Indisputably, there are many, but I do think it's an
41 important discussion to have, based on these outcomes, is the
42 ABC that was set by the SSC -- Are they comfortable that that's
43 adequate to protect the stock?

44
45 **MARA LEVY:** Right and I just want to point out and I just want
46 to make sure that we're clear about the difference between the
47 ACL, the annual catch limits, and the overfishing limits. They
48 are not one and the same.

1
2 Exceeding the ACL does not mean that you've exceeded the
3 overfishing limit that you set, because you put a buffer in
4 there for that very reason. For things like triggerfish, it's a
5 10 percent buffer. For things like surgeonfish and angelfish,
6 it's a 25 percent buffer.

7
8 Just because you may exceed an ACL and have to implement an
9 accountability measure does not mean that you have exceeded the
10 overfishing level that you set and that's the very reason for
11 the buffers.

12
13 I don't want them to get conflated. I don't want them to be
14 used interchangeably or to think that because you may have
15 exceeded one in one year that now we're undergoing overfishing
16 and we have some issue that needs immediate attention.

17
18 **CARLOS FARCHETTE:** Before Roy, I want to acknowledge the
19 presence of the Commissioner of Planning and Natural Resources,
20 Alicia Barnes.

21
22 **ROY PEMBERTON:** I am going to put this on the record, because I
23 think part of the problem is that -- Which, by the way, I do
24 agree with a lot that Dr. Olsen was saying earlier. We seem to
25 keep going back to the fundamentals for what the ACLs were based
26 on and the confusion between that and overfishing and I'm glad
27 Mara is here kind of clarifying that.

28
29 Some of the issues that we were running into, particularly with
30 not looking at certain information, like catch per unit effort
31 and so forth, which would go a long way to helping out elucidate
32 a lot of the problems that we have with overfishing or not
33 overfishing going on with the SEDAR process.

34
35 The other thing that is not being addressed is also the
36 discards, because a lot of the fish that you don't see in the
37 marketplace is primarily driven due to market pressure, what the
38 market wants, what the market is supporting.

39
40 It doesn't mean that the fish are just not out there and if we
41 don't have any accurate information on that, we're going to keep
42 going through these SEDARs with these type of not knowing what
43 exactly is occurring.

44
45 Then there's also the danger of the fisheries-based information.
46 We have seen that with Puerto Rico and we're possibly also
47 seeing that here in the Virgin Islands as well. We have to kind
48 of fix those two aspects for this SEDAR process to work properly

1 and I think that's where a lot of the conversation needs to be
2 driven and I hope in some of these initiatives that is coming up
3 further down in the business, which is the new initiatives kind
4 of improve the dataset. Hopefully that's going to go in that
5 direction and we're not back to these issues with the SEDARs.

6
7 **MIGUEL ROLON:** There is a fisherman in the back who has been
8 trying to say something for a long time.

9
10 **UNIDENTIFIED:** There is big quantities or what we call big
11 clouds of them in the reefs, blue tangs, and the only market
12 that we have is the Virgin Islands and if we could export them,
13 there's a market, but if we can't export them, it's not a
14 commercial value fish in Puerto Rico and so there's plentiful of
15 them and big size.

16
17 **EDWARD SCHUSTER:** One of the things I wanted to address with
18 this old fish and with the 60 percent on the triggerfish, and I
19 think it's all overlooked here, is at the time when the data was
20 collected, fishermen used a specific gear type, which was spear
21 fishing by scuba. They also used the trammel nets, which is now
22 a prohibited gear type.

23
24 When that was banned in 2008, now the fishermen have been forced
25 now to go into a different method of fishing, which is the
26 traps, and traps mostly now catch these triggerfish and I think
27 that needed to be included or taken into mind or consideration
28 with SEDAR, now using a different gear type, because the gill
29 and trammel net specifically targeted parrotfish and you hardly
30 would have the triggerfish caught into these trammel nets.

31
32 Now, since the traps are a gear type that sits and is set
33 specifically in areas where these triggerfish might be
34 trafficking or transiting, now you're going to catch it, but
35 it's not a specific species or fish like St. Thomas and like
36 what Director Pemberton stated.

37
38 It's a market-driven fishery. You might have a political event
39 or a cultural event that the fishers might have a request of a
40 specific clientele stating that I need fifty pounds of
41 triggerfish for this specific event, but usually it's not a
42 targeted species, but now, the gear type has changed and they
43 have transitioned into using this gear type and now you're going
44 to have it.

45
46 Things are hard in St. Croix in terms of fishermen having to
47 catch, but whatever they can bring in to makes end meet, because
48 there's so much prohibited species now to be caught. This is

1 what you're going to have.

2
3 **BARBARA KOJIS:** I have a few responses. One of them, I think
4 that the CFMC should consider a motion to recommend to the
5 Southeast Fisheries Science Center that 500 fish be measured,
6 that recommendation of the SSC that 500, I think it was
7 triggerfish, be measured on St. Croix over the next year or as
8 quickly as possible, however you want to do it, to see if there
9 is overfishing occurring.

10
11 It's just that the recent sample sizes are relatively small.
12 The data is probably all over the place and so you really need a
13 big sample size of measurements for queen triggerfish to just
14 check out the issue with whether overfishing is occurring.

15
16 You can take a look at what the SSC -- I did send an SSC report
17 to Graciela and so she has got an SSC report with those
18 recommendations in it.

19
20 The other thing is I don't think the SEDAR -- This particular
21 SEDAR did not include landings data and so if fishermen are not
22 landing as much fish as they did before or what have you, it
23 wouldn't have affected the SEDAR, because the commercial
24 landings data that was included was the size of the fish.

25
26 They were looking at the size of the fish and the growth rates
27 and all of those sorts of things to come up with the -- To find
28 out whether overfishing was occurring on these species. The
29 landings data really didn't play a part of it and so if there is
30 market-driven declines in harvesting a particular species, I
31 don't believe this SEDAR would have been affected by that. It's
32 outside of that.

33
34 Gear type change, this particular analysis was based on pots and
35 traps only and so it wasn't -- It didn't include nets or
36 anything like that. There wasn't enough data for those types of
37 gears and so they only used pots and traps for both blue tang
38 and queen trigger and so there wasn't gear changes over time
39 that affected this result.

40
41 Accuracy of reporting that David mentioned, I agree that -- I
42 think St. Thomas/St. John probably more accurately reports than
43 other places that fishermen are reporting. Still, there is
44 evidence -- I think I've seen graphs comparing TIP data with
45 reported landings by fishers and there is differences there.
46 Not necessarily huge differences, but differences in the numbers
47 of snappers caught versus the number of groupers and some of
48 these other species. I think, in fact, David, you did some of

1 that work before.

2
3 **DAVID OLSEN:** There was a close correlation. I just think
4 you're making this stuff up.

5
6 **BARBARA KOJIS:** The other aspect of it is fishermen have come up
7 and made comments a number of times at these meetings about the
8 difficulty, in some cases, they have in accurately reporting by
9 species or species group and sometimes, in saying that they have
10 underreported or overreported or whatever.

11
12 **MIGUEL ROLON:** I suggest two things. Number one, concentrate on
13 what we can do today with the queen trigger and the blue tang.
14 Number two, there are some recommendations that we can send to
15 the SEDAR authorities or whatever. I am a member of that
16 committee and the Chair, too.

17
18 For the next SEDARs, we can include whatever information we will
19 have and make sure that these comments today will be taken into
20 consideration. Today is not the time for defending SEDAR,
21 because this is not our job today.

22
23 However, the recommendations and the comments made by David and
24 by Roy will be included in the next SEDAR. We will make sure
25 that we cover those bases and also, we have something here that
26 will give more weight to the workshop that is being planned for
27 three years now in St. Croix, St. Thomas, and St. John in the
28 case of what is the best way of collecting the data and have an
29 interaction with the fishers.

30
31 Lia is working on that. I believe that Carlos and Eddie are
32 involved, to give some feedback to the fishermen as to why it is
33 important for them to provide accurate information.

34
35 The other issue is what's next in terms of the council and this
36 is what Mara has been trying to say -- Well, not trying to say,
37 but she said it several times for the record, that you have a
38 mechanism to determine whether something is suffering
39 overfishing or not and then it's another one-shot deal.

40
41 You have an average and you have to get that information before
42 you react. The question, again, for the record, before we go
43 into this biological break that we need, is do we need to do, as
44 a council, anything regarding these two species related to the
45 status and the overfishing definitions that we have regarding
46 the ACLs and what have you?

47
48 **BILL ARNOLD:** A key outcome of this SEDAR was that they did not

1 provide any recommendations regarding resetting the OFL level.
2 Through the SSC, it would be the ABC and so as of now, we can't
3 adjust our annual catch limits directly based upon revisions of
4 the overfishing level or the allowable biological catch that
5 would be provided from the SSC.

6
7 **MIGUEL ROLON:** Do we have accountability management measures
8 regarding these two species that will be implemented in 2013 or
9 2014?

10
11 **BILL ARNOLD:** We have an accountability measure for queen
12 triggerfish in St. Croix. That season will be shortened due to
13 an overage of the ACL and I would like to, based upon what Mara
14 has commented on, point out that these ACLs are established and
15 the buffers below the overfishing level are established so that
16 we avoid overfishing these stocks by identifying exceedance of
17 this annual catch limit.

18
19 We put reductions in season length in place so that they don't
20 exceed the overfishing level, which would create additional
21 management complications and regulatory complications down the
22 road.

23
24 **MIGUEL ROLON:** So the queen trigger will suffer the shortening
25 of the fishing season in St. Croix only by how many days, if you
26 have that?

27
28 **GRACIELA GARCIA-MOLINER:** The Federal Register that was
29 published closes the season on November 21, 2013 for the St.
30 Croix triggerfish and filefish fisheries. That is for the EEZ
31 only.

32
33 **MIGUEL ROLON:** What we have now, in 2013, is that in St. Croix,
34 we will close after November 21 in 2013 and that's something
35 that is a done deal at this time, isn't it?

36
37 What the council needs to do is to see what we can do -- What
38 can we do for 2014 and years beyond 2014 regarding these two
39 species and whether we need to collect more information or
40 whatever is needed to be done.

41
42 Regarding the other recommendation by the SSC to collect the 500
43 samples of the queen trigger, that's something that I mentioned
44 before. Rather than go turkey hunting, I would like to see a
45 couple of scientists get together and put a one-page proposal
46 that we can work with and not necessarily send it to the Center,
47 recognizing the sequestration and all these issues with the
48 funding, but if find a one-page that tells me I can collect 500

1 species, collaborating with the fishermen of St. Croix for a
2 fair amount of money, that the council, using liaison funds and
3 the council funding, can do, then that's a viable project and
4 probably the council should put a priority on it.

5
6 This is a good use of the money for something that we need right
7 now. For that, you don't need a big motion. It's just let the
8 Chair do it with the staff and we will go ahead and present that
9 to you.

10
11 Then at the next meeting, you will have a presentation of this
12 is what we propose to do and how we're going to do it and I
13 would like to encourage the participation of the local fishers
14 in St. Croix. I don't know how many, Eddie, fish in the EEZ for
15 queen trigger, but you and I can talk later and see who can help
16 with that particular project.

17
18 **EDWARD SCHUSTER:** Barbara, this question is for you. Just from
19 my understanding, or everybody's understanding, the overfishing
20 was based on the size, but not the quantity of fish, but the
21 size?

22
23 This is where I have a problem and maybe we need to have Dr.
24 Olsen answer the question, but is the funnel size that we're
25 using in St. Croix different than St. Thomas? It is? That's
26 one thing.

27
28 **BARBARA KOJIS:** You probably should finish, but it doesn't
29 matter, because St. Croix is separate from St. Thomas in terms
30 of the analysis.

31
32 **EDWARD SCHUSTER:** It does make a difference. If we're using a
33 smaller funnel size in St. Croix, you're going to catch smaller
34 fish. It's not a standard funnel size throughout or what's
35 mandated by the council or whatever. That's one thing.

36
37 The second thing is St. Croix fishermen are not going to bring a
38 fish into market that the consumer is going to refuse it,
39 especially the people that are retailing the triggerfish.
40 They're not going to have a ten or a twelve-pound triggerfish on
41 the plate that they're going to serve for ten or twelve-bucks.

42
43 Therefore, they're requesting a smaller triggerfish, which is
44 the head is discarded anyway and the tail is discarded and
45 they're going to have a fish that's going to be on a plate size.
46 We've told this to the council many times. It's a market-driven
47 industry, where the customer requests a certain size fish.

48

1 I am sure if you do this trap study or whatever you're
2 collecting the data from, the fishers will tell you they discard
3 the bigger fish because they cannot be sold and so you can't
4 determine that we have overfished because of a certain size fish
5 that's brought into where you're taking these samples from. You
6 can't do that.

7
8 The fish are there in abundance, but the fishers don't -- It was
9 said by St. Thomas fishermen, Daryl Bryan and Tony Blanchard,
10 that they discard these fish that are way over the size. Gerson
11 Martinez and Thomas Daley said the same thing, that they discard
12 the bigger fish because the people refuse it.

13
14 These are things that needs to be taken into consideration and
15 now you're talking about outreach and education to the fishermen
16 and if we take this information back to them and say the fishing
17 season now has been shortened to November for 2013, how are you
18 going to get participation when you ask them to report
19 accurately?

20
21 If you ask them to do something and they see that they put the
22 effort forward to give you the data needed to do this and now
23 you shorten the season, how do you think they're going to feel?

24
25 Don't ask for them to do something and then you take something
26 back from them, because you're not going to have any kind of
27 participation and I'm telling you from now. Let's take this
28 into consideration and I think we need to have a ten-minute
29 discussion off the record and discuss it, because now, when I go
30 back representing the fishermen and tell them this, that the
31 season is shortened, among other seasons, like the lobsters too
32 that's been shortened at a critical point, from November to our
33 cultural season, we have a problem and we have a serious
34 problem.

35
36 **MIGUEL ROLON:** Every time I think a shower, I think about fish,
37 for some reason. Seriously, Eddie, I was thinking in other
38 areas of the world, when you have to take a hit of how many
39 pounds you need to -- Not to fish during the year and maybe for
40 Bill, but I don't know whether we can do anything for this year,
41 but probably we need to maybe have an analysis and see -- Let's
42 say that we need to cut twenty pounds for every hundred of fish,
43 any fish.

44
45 Can we take it and take those twenty pounds in conjunction with
46 the fishermen in different months of the year, rather than at
47 the end of the year?

48

1 For example, in the case of the triggerfish, this is it for
2 2013, but in the case of 2014, can we split that during the year
3 and can we see, for example, the fishermen cannot go during the
4 month of September, because of hurricane season and all that,
5 and then show that during that month they catch, according to
6 the records, the amount that you need to reduce by during this
7 year?

8
9 Then the season will be during that month rather than at the end
10 of the year and is that something doable and what do we need to
11 do to do something like that?

12
13 **MARA LEVY:** That's doable, but you have to do it and what I mean
14 by that is we've been talking about these potential ACL overages
15 for a while and the idea that if you want to do something
16 different to either avoid them, by putting in trip limits or bag
17 limits, things that will reduce the catch, or if you want to
18 change when a closure would be, to best suit the fishermen and
19 what they need, that you can implement that probably through a
20 framework action, but you have to do it.

21
22 You have to ask staff to develop the document and you have to
23 have at least one meeting where you take public comment on it
24 and then we have to implement it.

25
26 It requires a little bit of forethought, but it's definitely
27 something that you can do if you want to try and modify these
28 things to have the least impact that you can, in the event that
29 there actually is an overage that needs to be accounted for.

30
31 **MIGUEL ROLON:** Do you the proper language for a motion to that
32 effect? Not now, but actually, if you say something that looks
33 legal, they can say, so I move, and --

34
35 **MARA LEVY:** I guess, but I would think you need what is exactly
36 are you asking for, in what context.

37
38 **MIGUEL ROLON:** That last part of what you just said.

39
40 **MARA LEVY:** I guess what exact situation are you trying to
41 address? Meaning, like you said, it's probably too late for
42 this year. We would be at an August meeting and by that time, I
43 don't think you're going to necessarily get something
44 implemented to change the November closure, because we're
45 already in September or October and it's probably not going to
46 be that effective.

47
48 If you see that there is going to be an overage for next year

1 and at the beginning of the year or even if you see towards the
2 end of this year -- I don't know where they are with the data,
3 but if you think you would rather have a month closure in July,
4 then we need to do the analysis and see if that would work and
5 then you need to implement that.

6
7 Without knowing exactly what you want to do and for what species
8 group and to address what problem, I am not really sure what
9 motion you would put forward at this time.

10
11 **MIGUEL ROLON:** I'm sorry, but I just like to tease lawyers. I
12 believe that this is a very, very important issue and it merits
13 that you have, between here and August, a thorough discussion
14 and then present something to the council.

15
16 My idea is for the scientists and the fishers to sit down and
17 maybe we can have a subcommittee or something to discuss a way
18 of lessening the impact of these accountability management
19 measures or measures to the socioeconomics of the fishery here.

20
21 For 2013, the lesson to be learned here is that fishers and the
22 council and all that, we are guilty somehow of letting this go
23 without really looking at the fine print. At the last meeting,
24 fishermen were really up in arms because we were closing
25 something and I forgot what it was and they were really mad at
26 us.

27
28 They will be more up in arms if we have to tell them that the
29 closure of the lobster during 2013 will occur ten days at the
30 end of 2013 and so my point is that going to what Mara is
31 saying, we have a problem and we need to do it. We need to work
32 on it to solve it.

33
34 The path to solve that problem is to make an analysis of -- The
35 intent of the council is to minimize the socioeconomic impact to
36 the fishers and how can we do that? Then you can have a blank
37 spot for the species, because all the species that we have here
38 under management, we have an impact on the fishers if you close
39 it.

40
41 This way, we can analyze this in a way that makes sense to the
42 science and makes sense to the legal aspects of this and to the
43 fishers. That's why I believe that, in the case of the St.
44 Croix area and the other fishers, they should be involved in
45 this discussion.

46
47 We can bring to the table at the August meeting something that
48 they can work on it, that the council can work on it, and for

1 that, yes, you need a motion or you can allow and trust the
2 Chair that between here and the next meeting we will have
3 something for you to shoot at and to vote on.

4
5 I need to know if the council agrees, by silence or by all
6 speaking at the same time, whether the intent of the council at
7 this time is to pursue this discussion and to examine the ways
8 that we can minimize, to Puerto Rico, St. Thomas, St. John, and
9 St. Croix, the socioeconomic impacts of accountability
10 management measures.

11
12 **CARLOS FARCHETTE:** That's a good point, because I know, speaking
13 to the fishermen on St. Croix with this lobster overage and the
14 time of the season that we're going to close, they were
15 requesting that the season be closed in April, because that's
16 the slowest market time for them. Something like that is what
17 they're looking at.

18
19 **DAVID OLSEN:** Bill had made a comment about implementing
20 closures and just starting on December 31 and working back. I
21 wrote him, and I think I copied you, Miguel, a letter on exactly
22 what we were talking about, how we now have, particularly from
23 the trap vent study, a lot of -- I think seventeen or twenty
24 species and the seasonality aspect.

25
26 If you wanted to reduce the harvest of any particular thing, you
27 could really target periods when the impact would be less and
28 now you've got a socioeconomicist or whatever the hell she is.

29
30 Anyway, I am pleased to see that you have that capability in-
31 house now, but you can do that and I really think what Miguel is
32 getting at is a mechanism, and maybe it's not possible, that is
33 not specific for a specific closure, a mechanism where when you
34 reach the point of having to do an accountability measure, that
35 there is another set of steps that you go through to fine-tune
36 that accountability measure to accomplish it within the shortest
37 period of time and to minimize the economic impact on the
38 fishermen.

39
40 It's just kind of appended to your thing and I don't know if you
41 can get an all-purpose language for that or whether or not it
42 has to be specific for each closure.

43
44 **MARA LEVY:** I am not going to say it's not possible. I think we
45 could maybe try and think of a way to structure a process that
46 you could put in the FMP that would allow you the flexibility.
47 The issues that I see are the discretion as to what's going to
48 happen with each species, because lobster, they might want it in

1 April and triggerfish, they might want it in May.
2
3 Where in the process are those decisions going to be made and by
4 who? You could say, Regional Administrator, if you have to
5 shorten the season, use your discretion to shorten it to
6 minimize socioeconomic impacts, but that's sort of going to
7 leave out the public input of when that would best be.
8
9 Ultimately, perhaps it's best that it goes through the council,
10 so that the council can decide, with the input of the fishermen,
11 when best to structure these closures, but then you've got the
12 problem of that's going to be a longer process.
13
14 I think we could definitely think about how we can do this
15 better and most streamlined, but I think it's really important
16 to think about where the decision points are and who should be
17 making those decisions.
18
19 **MIGUEL ROLON:** My Chairman here is telling me to shut up so they
20 can go to lunch, but before we do that, what I propose is that
21 this is not a -- It looks easy, but it's not.
22
23 You have to have a lot of considerations and so my proposal is
24 to have an ad hoc committee that will meet before August and the
25 terms of reference for that subcommittee is to look at all this
26 that we are saying. Actually, from the verbatim transcription,
27 I can get from this meeting what Mara is saying and what Bill
28 just said.
29
30 Then we can have an agenda for people to look at it. I am
31 proposing to have, in this ad hoc committee, David Olsen, Bill
32 Arnold, Eddie Schuster, Gerson Martinez, Graciela, Barbara
33 Kojis, a scientist from the Southeast Fisheries Science Center,
34 and Kate Quigley to look at the socioeconomics of this.
35
36 We can see if we can develop this mechanism. Probably we will
37 have a big no from that committee, that there's no way we can do
38 it, or they can say this is a way of doing it. Maybe at the end
39 we will have either a framework or an amendment to the plan or
40 some mechanism that will allow us to do this.
41
42 Remember that the Magnuson Act requires that you modify whatever
43 you do by socioeconomic parameters and in this case, it's
44 something that we can do.
45
46 Again, the fishermen kind of leave this meeting thinking that
47 they can change the time of the year just by asking to change it
48 and we have to have a procedure. What was outlined by Dr. David

1 Olsen, it's more or less what we are pursuing here.

2
3 Again, if you think it's a good idea to bring this between here
4 and August, we can have this subcommittee to meet and some of
5 the people can either be present or we can do it by email or
6 some other way, because between here and -- Mara, can we have an
7 ad hoc committee like that or do we have to have the whole
8 Federal Register thing?

9
10 **MARA LEVY:** You can establish an ad hoc advisory committee, but
11 it's going to have to be noticed and a public meeting. You
12 can't just -- It's like a council meeting and so the council can
13 -- Someone can make a motion and you can all decide who you want
14 to be on it. You can establish an advisory committee for this,
15 but then you've got to hold the meetings according to Magnuson.

16
17 **MIGUEL ROLON:** The first step will be to have the ad hoc
18 committee and then set the dates and all that and agenda it and
19 publish it in the Federal Register.

20
21 **MARA LEVY:** Right, but as a council, I think you should vote to
22 establish that committee so it's a council committee.

23
24 **ALICIA BARNES:** Good afternoon. I am in agreement with most of
25 what I have heard in terms of how to approach the larger issue,
26 but there is a more specific immediate issue that needs to be
27 addressed in short order and I really have to speak to the
28 socioeconomic conditions on St. Croix and the impact this
29 particular action may have on an already stressed and strained
30 and burdened economy.

31
32 I have to agree with Eddie in terms of we may need to take a
33 moment to have an offline discussion to figure out what's the
34 best mechanism in terms of regrouping and addressing the
35 immediate and then more so the long-term.

36
37 We need to think in terms of the implications of any decision,
38 both short and long-term, because we're going to be faced with
39 future situations such as this and Eddie made a very good point
40 that we cannot ask the fishers to participate and then when they
41 do, the very data that they provide us seems to be used against
42 them.

43
44 We are going to now have a situation where there's going to be
45 minimal participation or there isn't going to be integrity in
46 the process and that whole issue of trust that we have worked so
47 hard to rebuild and foster is going to be eroded.

48

1 I think we need to take a moment and have probably a few moments
2 and sort of maybe discuss this over break and I think Dr. Olsen
3 raised a very good point in terms of a streamlined approach, but
4 we need to take a moment. That's my recommendation.

5
6 **MIGUEL ROLON:** Yes, but let me say something on the record. We
7 cannot do that anymore. Whatever we discuss has to be on the
8 record and actually, we don't need to set aside some meeting --
9 Also, if you happen, by coincidence, to have a group stuck
10 together and talk, you can talk during lunchtime and come back,
11 because I believe this is a very, very important issue and
12 especially for the Virgin Islands, you should talk and I
13 encourage the participation of the council members at that
14 meeting.

15
16 Also, the record, when we come back, you need to discuss this on
17 the record and decide the best way to proceed. I am very
18 pessimistic about 2013, really pessimistic, but I don't know
19 what can be done.

20
21 **ALICIA BARNES:** What can be done? That's the question I have.

22
23 **MIGUEL ROLON:** That's what we need to discuss when we come back
24 from lunch.

25
26 **MARA LEVY:** I just want to reiterate that I don't think anybody
27 was talking about having a council meeting offline, but it just
28 sort of seemed like that. Just to make clear, everyone is free
29 to have private conversations, but no formal council discussions
30 not on the record.

31
32 A quick comment in potential for 2013, part of the problem is
33 it's June of 2013. As you well know from experience, you don't
34 implement things overnight through this process and so I think
35 that's why we've been talking about this since earlier this year
36 and even maybe late last year.

37
38 That's why decisions at earliest points possible are so
39 important, because you get to the middle of the year and you run
40 into a time crunch and there's just no mechanism to get things
41 implemented that quickly when you have to go through the
42 Magnuson process of making sure that you have public hearings on
43 things and council meeting decisions and things like that and we
44 only meet a certain number of times a year. I encourage
45 discussion, but just with the realistic idea that we're in June,
46 the end of June. We're in July of this year.

47
48 **EUGENIO PIÑEIRO:** Thank you, Mara. I wish to express that I

1 fully support Ed Schuster's expressions and also Commissioner
2 Barnes. They have struck a big point, but you can't ride two
3 horses with one butt.

4
5 You cannot take the fishermen lightly and then punish -- You
6 cannot ask the fishermen to help you and then punish them at the
7 same time. That won't work and we have to be very careful that
8 we don't alienate, as a council, the fishermen. We all know
9 that things are tough all over, but in St. Croix, how hard this
10 economic situation is and we've got to take a closer look at
11 this one.

12
13 **BILL ARNOLD:** I just want to make a quick comment. Our goal
14 here is not to punish the fishermen. Our goal is to maintain
15 these resources in a healthy manner over the long term, so that
16 these fisheries, these fishermen, and their livelihoods can be
17 maintained. Let's please keep that in mind, that we're not
18 trying to punish the fishermen.

19
20 **CARLOS FARCHETTE:** Thank you for that, Bill. We are going to
21 break for lunch. We missed our ten-minute break time and so
22 we're going to go ahead and take lunch and be back at 1:30.

23
24 (Whereupon, the meeting recessed for lunch on June 24, 2013.)

25
26 - - -
27
28 June 24, 2013

29
30 MONDAY AFTERNOON SESSION

31
32 - - -

33
34 The Caribbean Fishery Management Council reconvened at the
35 Verdanza Hotel, Isla Verde, Puerto Rico, Monday afternoon, June
36 24, 2013, and was called to order at 1:30 o'clock p.m. by
37 Chairman Carlos Farchette.

38
39 **CARLOS FARCHETTE:** We are going to continue with the 146th
40 council meeting, but before we continue, the Executive Director
41 has an announcement to make.

42
43 **MIGUEL ROLON:** At this time, before we start the afternoon
44 session, we have an announcement to make. Graciela Garcia-
45 Moliner has been with us for some years now and I have been
46 saying this, but Dr. Roy -- and I were having dinner with her
47 some time ago and he made a joke. He asked me, when are you
48 going to allow Graciela to finish her PhD?

1
2 I said it's up to her. After that, we kept pestering her with
3 the PhD and she did it. She got an average of 4.0 and working
4 with us and she has been able to graduate this month of June and
5 for that, we just want to share with the council family the
6 success story of Graciela Garcia-Moliner.

7
8 Her name was too big that we couldn't put it on the cake and so
9 we just call her "Doctor" and so congratulations, Doctor, and
10 please join us with a round of applause. The cake will be there
11 for distribution later, very thin slices of cake.

12
13 At this time, Mr. Chairman, we left this morning with the issue
14 of perhaps putting together an ad hoc committee and I asked Bill
15 what it would take to do something like that that will be
16 meaningful for the council.

17
18 Mara's concern is that we need to be very specific as to what we
19 want to achieve with this approach and also, we have to be
20 mindful that in order to do anything for 2014, you have to start
21 working on it rather quickly.

22
23 If we have this meeting, we have to announce it and so the whole
24 committee has to be appointed this afternoon and then I have to
25 prepare and consult with Bill and the staff and see if we can
26 prepare the agenda and the documents so we will have that
27 meeting before the August 13 and 14 council meeting and then
28 present to you some ideas of what should be the next steps.

29
30 I asked Bill and he said something nice in two paragraphs of
31 things that we should do before the next meeting of this ad hoc
32 committee. The staff should prepare some key elements of the
33 discussion.

34
35 **BILL ARNOLD:** We don't have a lot of time to get this done if
36 we're going to get anything accomplished in time to establish
37 the 2014 season shortenings, if there are any. I can't promise
38 there are going to be any and I can't promise there aren't.
39 That depends upon landings data that we don't yet have.

40
41 If we're going to, we need to start preparing now, because these
42 things do take time, as Miguel pointed out earlier. My
43 suggestion was let's get staff to go ahead and prepare some
44 options as to how we could do things a little bit differently
45 regarding how we set season closures and when we set them.

46
47 Then we could bring these sort of as an initial guidelines to a
48 meeting of this group in July. They could help to flesh it out

1 and provide other alternatives, et cetera, et cetera, and then
2 that could be brought to the August council meeting for final
3 consideration and that was the general outline of this, Miguel.

4
5 **MIGUEL ROLON:** Thank you, Bill. In the meantime, Mara will
6 check how legally we can do this today or if we have to wait for
7 some advice. At this time, Mr. Chairman, probably we can table
8 this discussion until we hear from Mara and also allow Dr.
9 Barbara Kojis to continue with the other presentation on the
10 queen snapper.

11
12 I believe that we also decided that the Chair is going to look,
13 with the staff, into the possibility of following up with the
14 recommendation presented today by Barbara Kojis to get at least
15 500 samples of the queen trigger in St. Croix and we will do
16 that with the staff and then see what pans out and how can we do
17 it as soon as possible.

18
19 **CARLOS FARCHETTE:** Thank you, Miguel. We're going to continue
20 with Dr. Kojis on the Review of the Science Center Reanalysis of
21 Queen and Silk Snapper Based on SEDAR-26 Data.

22
23 **REVIEW SEFSC REANALYSIS OF QUEEN AND SILK SNAPPER SEDAR-26 DATA**

24
25 **BARBARA KOJIS:** I hope everybody had a good lunch and too bad
26 there's not coffee to keep everybody awake, but I'm sure that it
27 will be coming soon. I had indicated before SEDAR-24, but it
28 was SEDAR-26 that assessed two species of deepwater snapper, the
29 queen snapper and the silk snapper, the queen and the silk.

30
31 In the assessment, they looked at island platforms and gear
32 types and assessed them separately. Queen snapper, for Puerto
33 Rico, was assessed only for the hook and line gear. On St.
34 Croix, it was only the hook and line gear that was used as well
35 for the assessment and for silk snapper, only hook and line gear
36 for St. Croix.

37
38 For queen snapper, there is no data for St. Thomas and St. John,
39 because it's really -- Fishermen over there do not generally
40 fish for deepwater snapper and I believe for Puerto Rico and St.
41 Thomas/St. John there probably was either not enough data or
42 something, but I don't know why Puerto Rico isn't listed there,
43 but St. Thomas/St. John would be the same.

44
45 I am going backwards a little bit, but there was a SEDAR-26 and
46 then Meaghan Bryan from the Southeast Fisheries Science Center
47 reanalyzed the data at the request really of the CFMC and looked
48 at the derivation of fishing mortality based on reference points

1 and the determination of overfishing status for queen snapper
2 and silk snapper captured in the U.S. Caribbean. This was
3 another analysis that was done on top of the SEDAR that was
4 undertaken.

5
6 In SEDAR-26, the data used was the TIP data again, the annual
7 length data. This was used because it was more consistent, more
8 consistent species-specific data, among the platforms and this
9 is just a graph showing -- Actually, these are years here in
10 bins of five-year groupings and each color is a different five-
11 year grouping and it just shows the variation in the fork length
12 of fish that were measured in these particular years and this is
13 just a density value.

14
15 For queen snapper for Puerto Rico, you can see that there
16 weren't very many fish measured that were caught in pots and
17 traps, nor were there very many for nets. Most of the fish
18 measured were caught with hook and line and so only hook and
19 line data were used.

20
21 These red lines indicate the size where they're fully vulnerable
22 to the fishery. It's the L_c that we talked about earlier. This
23 is the queen snapper data for St. Croix and similarly, hook and
24 line was the main gear type and, again, these were considered
25 and these were the highest -- The one-centimeter bin for fork
26 length that had the greatest value.

27
28 Note along here that these frequency values change depending
29 upon how many samples were measured during that five-year period
30 and so in some years, there were five-year periods. There were
31 a lot of fish sampled and so the number over here is a hundred
32 and in other cases, there were fewer and the numbers only go up
33 to twenty or twenty-five.

34
35 In the review of the SEDAR-26, the Gedamke/Hoenig mean length
36 estimator was used and it was used because it was attractive for
37 data-limited situations, such as in the U.S. Caribbean.

38
39 There were minimal data inputs needed. It required length
40 frequency data and that included mean length and length at full
41 recruitment to the fishery. Life history parameters included
42 the Von Bertalanffy growth parameters. The technique provides
43 estimates of total mortality and so fishing mortality can be
44 derived from total mortality and estimates of natural mortality.

45
46 You do that by subtracting natural mortality from the total
47 mortality and it does not assume that the population is at
48 equilibrium and so estimates of temporal change in -- There were

1 estimates of temporal change in total mortality.
2
3 They made uncertainty estimates in the data parameters being
4 used and so the life history parameters, in particular, were
5 highly uncertain and so a sensitivity analysis was conducted and
6 it was conducted -- They conducted the assessment over a range
7 of the input parameters and so the sensitivity analysis meant
8 that there were different input parameters put into the model to
9 see how the model responded to these different inputs.
10
11 This indicates just some of the ranges that the -- In essence,
12 the X-axis is length and this is Z, which is the total
13 mortality.
14
15 What were some of the assessment conclusions? For queen snapper
16 hook and line fishery on St. Croix, there was no evidence to
17 suggest overfishing. These are the different year groups, 1983
18 to 1987, 1988 to 1992, et cetera. These different colors
19 reflect different five-year periods and you can see that the
20 size ranges were pretty much the same between years.
21
22 For the silk snapper hook and line fishery on St. Croix, the
23 temporal changes in total mortality were not statistically
24 supported and there was a lot sample size in more recent years,
25 which obscured the relationship between the change in size and
26 the change in mortality.
27
28 This is the silk snapper data and you will note that in one
29 five-year period, 1988 to 1992, there were 1,775 samples, but in
30 some five-year periods, such as 1999 to 2002, there were only
31 thirty-one and that actually looks like a three-year sample
32 period, but there were only thirty-one samples.
33
34 This is a little deceptive, because this is going to be
35 significant later on. There were not TIP data after 2008.
36 There is no 2009 and so on and so this is all just 2008 data.
37
38 For the queen snapper hook and line fishery on Puerto Rico,
39 which the data from that was analyzed, there is no evidence to
40 suggest overfishing for that either. There was a proportional
41 change in total mortality that was estimated to be less than one
42 and fishing mortality was less than fishing mortality at MSY, at
43 maximum sustainable yield.
44
45 There were a number of required assumptions, that the first year
46 of data collection represents the start or close to the start of
47 the fishery and that the initial estimate of total mortality is
48 equal to natural mortality.

1
2 The assumption, in this particular model, was that the data that
3 was being collected on sizes were being collected in the
4 beginning, in 1983 I believe it was, at the beginning of that
5 fishery and so that was virtually almost a virgin fishery. The
6 initial estimate of total mortality is also equal to natural
7 mortality and so fishing MSY is approximately natural mortality.
8
9 There was also a per recruit analysis done and the goals of this
10 analysis was to derive fishing mortality reference points. They
11 looked at F_{max} , which is the maximum yield per recruit on a
12 yield per recruit curve, YPR curve.
13
14 Then they looked at $F_{0.1}$, which is the slope of the yield per
15 recruit curve that is 10 percent of the slope at the origin, and
16 then they looked at F_{30} , which is the fishing mortality that
17 allows survival of 30 percent of the spawning biomass per
18 recruit. They compared reference points to current fishing
19 mortality estimates and reevaluated the fishing status.
20
21 This was the graph that showed those parameters and so these are
22 the per recruit reference points. This is fishing mortality and
23 this is yield per recruit. This right here is the $F_{0.1}$. $F_{0.1}$
24 is more conservative than F_{max} right here and that's important,
25 because you will see this when it comes to estimates of
26 overfishing, but $F_{0.1}$ is an indication where as fishing effort
27 increases, the amount of -- The increase in the amount of fish
28 that's caught, the increase in the amount of fish decreases and
29 it gets to the point where it's about -- The increase is about
30 10 percent of what was caught in the initial stages here.
31
32 You get the point where $F_{0.1}$ is and F_{max} is the top of this
33 curve and I guess F_{30} is about the same and this right here is
34 the spawning biomass per recruit, this red line.
35
36 We are looking at fishing mortalities here for F_{max} and F_{30} at
37 this level and for $F_{0.1}$ at this level and so $F_{0.1}$ is a bit
38 more conservative.
39
40 The goals of the analysis was to derive fishing mortality
41 reference points. For F_{max} , the maximum of the yield per
42 recruit curve -- I guess that's pretty much the same and compare
43 fishing mortality estimates to reference points and determine
44 the probability of the fishery experiencing overfishing.
45
46 This kind of covers what I had before, but this is derived from
47 estimates of current mortality from the sensitivity analysis and
48 estimates of natural mortality and so this little figure here is

1 -- F is fishing mortality and that's total mortality minus M and
2 so F equals total mortality minus the natural mortality.
3
4 This is for queen snapper and this is the age schedule and some
5 of the model assumptions that were made. In other words, for
6 queen snapper, this purple line is the maturity and so the
7 maturity occurs at about the age of a little over two years.
8
9 Survivorship indicates that almost no fish are alive at about
10 five or six years of age. They may live to ten years, but the
11 population of fish born five or six years ago is pretty much
12 depleted by the age of five or six and this just indicates the
13 weight.
14
15 If you look at the probability of overfishing, based on various
16 parameters, for the queen snapper hook and line fishery in
17 Puerto Rico -- Note these are different graphs. They look
18 almost the same in many respects, but note that these X-axis is
19 different.
20
21 In this case, we're looking at F current, the current fishing
22 mortality over the F 0.1. In this particular case, the
23 probability of overfishing, and this dotted line will indicate
24 where that probability is, based on about one here, which should
25 be where it is, is about 60 percent.
26
27 In this particular case, we're looking at -- I said Fmax wasn't
28 as conservative a measure and F current over Fmax and in this
29 particular case, it looks like they're using 1.5 here, but it's
30 around 90 percent is the probability of not overfishing. It's
31 about 90 percent. For F current over F 30 percent, the
32 probability of not overfishing, again, is around 98 percent.
33
34 For the queen snapper hook and line fishery on St. Croix, for
35 the more conservative F 0.1, F current over F 0.1, the
36 probability of not overfishing is around 18 percent and so the
37 probability of overfishing is around over 80 percent.
38
39 However, if you use the Fmax value, then for the hook and line
40 fishery on St. Croix, the probability level is about 70 percent,
41 probability of not overfishing is around 70 percent, and if you
42 look at the F 30 percent for St. Croix, again you're around the
43 same level of 70 percent.
44
45 For silk snapper, the probability of overfishing, again using
46 that conservative F 0.1, is just below 50 percent. For Fmax,
47 the probability of not undergoing overfishing is around 90
48 percent and for F 30 percent, it's about 65 percent for St.

1 Croix.

2
3 The interpretation of overfishing status varied among the
4 reference points. We went, especially on St. Croix, from a high
5 probability of overfishing, if you used the reference point of F
6 0.1, to fairly low probabilities if you used the other reference
7 points.

8
9 Analysis was highly dependent on the input value of Von
10 Bertalanffy growth coefficient through the derivations in the
11 model. It depended upon the derivations of age at recruitment
12 of natural mortality and the natural mortality was used to
13 derive fishing mortality from estimates of total mortality and
14 that was used to derive survivorship as age and so all of these
15 things tied together and there was a high dependence on the
16 accuracy of these parameters.

17
18 The SSC review of the SEDAR-26, the new approach, we spent a
19 fair amount of time on the queen snapper, because we thought it
20 was important, because as most of you are aware, the catch for
21 queen snapper has exceeded the ACL and there is a closure that
22 will go into effect right now on September 21.

23
24 It was important to look at this and look at queen snapper, in
25 particular, very carefully. The SSC concluded that estimates of
26 current F, fishing mortality, were derived from a specific time
27 period that, at least in the case of queen snapper, is not
28 consistent with the years used to calculate average catch. That
29 needs to be looked at.

30
31 The available evidence indicates that overfishing has not
32 occurred through 2008. That was the last year that TIP data
33 were available and the queen snapper were probably not
34 overfished. The current status of the stock is unknown, since
35 the most recent length frequency data included in the assessment
36 was 2008 data.

37
38 I will add that the fish only live for five or six years. Their
39 survivorship is very low after five or six years and so, in
40 essence, you've got all new fish in the fishery in 2013. Five
41 years later, you've got almost none of the fish that you
42 assessed in 2008 and before. The most recent data needs to be
43 analyzed.

44
45 A true harvest control rule is not possible, as no reliable
46 estimates of biomass exist and the approach presented is
47 approximately a constant F scenario.

48

1 Adjusting the current ABC, the allowable biological catch, by
2 any ratio assumes that the existing average-catch-derived ABC is
3 appropriate. There was a lot of discussion about ABCs and
4 average catch.

5
6 The SSC recognized that the uncertainty in methodology due to
7 the uncertainty in the life history parameters and so we
8 recommended that regional age growth studies be conducted.
9 Those are really important to get done. It seems to be
10 stymieing all the SEDARs, all the assessments.

11
12 For queen snapper, otoliths are already in storage in Puerto
13 Rico and should be analyzed as soon as possible. The SSC
14 recommends that the most recent length-based data be included in
15 the mean length analysis aspect of the approach and then,
16 ideally, if ratios are to be used to modify OFLs, then the time
17 period for average landings should correspond to the time period
18 for the mean length analysis. However, this presumes that
19 landings data are reliable.

20
21 The SSC looked at years used to calculate average catch and
22 found slightly different time series had little effect on the
23 value for average catch which corresponds to OFL. We looked at
24 that in part because we were looking at, okay, if we changed the
25 ABC, but it's still based on average catch, how much would that
26 affect the -- How much would that affect the ABC level?

27
28 I think in eliminating the earliest year, which had a relatively
29 small queen snapper catch, and including the more recent years,
30 with higher queen snapper catches, it changed the ABC/OFL from
31 about 174,000 to 188,000 pounds, which isn't all that much.

32
33 **MIGUEL ROLON:** What years do you refer to when you say recent
34 years?

35
36 **BARBARA KOJIS:** We're talking about the ones that were used for
37 the average catch for queen snapper and I think it was maybe
38 1999. I can't remember exactly. We looked at the data to 2011,
39 but I think the actual data that was used for the average catch
40 was only to like -- It might have been 2006 or 2008 and I can't
41 remember exactly.

42
43 **MIGUEL ROLON:** What you're saying is that -- I'm just trying to
44 figure this out, so I can say it later in Spanish.

45
46 **BILL ARNOLD:** It was 1999 to 2005.

47
48 **MIGUEL ROLON:** 2006 through 2011 are not included in these

1 analyses?

2
3 **BARBARA KOJIS:** Yes, but if we use that data to, again, just do
4 an average catch and eliminated the first year, which was a very
5 low kind of anomalous year, it still didn't increase the average
6 catch by much.

7
8 **MIGUEL ROLON:** Just to that point, because the issue is
9 precisely around that fact. People thought that the reason why
10 we have the numbers as we have it now is because DNR opened the
11 gates and everybody was giving information that is not really
12 too close to reality.

13
14 With this analysis, it doesn't matter that much, because the
15 years that you analyzed shows that the difference is not that
16 significant for moving the ABC and ergo, to move the closed
17 season as is for 2013 and is that correct?

18
19 **BARBARA KOJIS:** Not quite, because the years that are being used
20 to determine if there's an overage are 2010 and 2011 and 2010
21 was -- I think the catch was 60,000 pounds higher than any of
22 the years used for the average in the first place.

23
24 Now, if you include that in the average, because of all these
25 other years, it doesn't increase the average catch that much,
26 but when you're using it for the overage, to determine whether
27 there's an overage or not, and you're just using 2010 and 2011
28 data, because that one year is so high.

29
30 We discussed that, because Walter Keithly brought up the point
31 that that particular year there was discussion about whether
32 there should be a limited -- That queen snapper or maybe
33 deepwater snapper, and I don't really know the details, should
34 be a limited entry fishery.

35
36 He said usually when you discuss limited entry, because you
37 explain that it's usually based on historical catches, then the
38 reported catches go up, either because people are more
39 accurately reporting or because they want their catches to be
40 higher to make sure that the -- That they've got a good
41 allocation, a large allocation.

42
43 The thing is the next year, the landings went down again, a
44 little over 2,000 pounds, and that was when ACLs were coming in.
45 The problem is this all needs to be analyzed. We really need to
46 look at the data.

47
48 **MIGUEL ROLON:** That's why we are here, to determine whether the

1 information we receive warrants any change in the course of this
2 year's closed season and that's why we wanted to make sure of
3 that. Bill, do you have any ideas of what are the impacts of
4 this report with what we have now in 2013?

5
6 **BILL ARNOLD:** I would like to preface this by saying what really
7 happened was that there's been a regime shift in 2010. I don't
8 know exactly what happened to cause that regime shift, whether
9 it was artificially increased landings so that people could be
10 prepared for a limited entry program, whether it was the
11 carryover of the 2009 expansion factors to 2010, which did
12 happen. They didn't recalculate expansion factors in 2010 and
13 they didn't recalculate them in 2011. They're just using the
14 2009 expansion factors.

15
16 Or whether it was this movement of previously recreational
17 fishers into the commercial fishery, but the fact is that we
18 calculated our ACLs based upon data that predated this regime
19 shift and that's a very loose term, but this change in the
20 characteristic of the Snapper Unit 2 fishery.

21
22 What you're doing is you're sitting on a 1999 to 2005 ACL, but
23 you're comparing it to 2010 and 2011 data and it's like
24 comparing the steam engine to our Saturn 5 rocket. They are
25 just two different things, but still, we've got these annual
26 catch limits and these annual catch limits are designed to
27 describe a stable fishery and the level at which that stable
28 fishery can operate.

29
30 If you allow a hundred or a thousand or 10,000 new fishers into
31 that fishery, that doesn't mean that the ACL goes up. That
32 fishery can still only handle a certain amount of harvest and so
33 if you want to add a whole bunch of new people into the fishery
34 and you don't want to shorten your season, then each fisherman
35 is allowed to collect fewer fish to still meet that annual catch
36 limit and that long-term sustainable fishery.

37
38 That's the crux of this whole issue, is that you've got a shift
39 and you're not dealing with that shift and you may not be able
40 to deal with that shift, because, as I said, just because you
41 add more fishermen, it doesn't mean that you get to take more
42 fish.

43
44 The population of fish can still only handle so much harvest and
45 so as far as this outcome is concerned, the bottom line is, and
46 the SSC made this very clear, they have no basis for setting a
47 new allowable biological catch level.

48

1 If they don't set a new allowable biological catch level, that
2 ABC, then there's no facility for setting a new ACL. We sit on
3 the ACL and we deal with the ACL relative to the reported
4 landings -- Actually, the expanded landings, excuse me. Then we
5 make our decisions accordingly.

6
7 What we found was that we had an ACL of around 160,000 or around
8 170,000, and I don't know right off the top of my head. We have
9 average landings of 140,000 and then we have average landings of
10 290,000 or 280,000, something like that.

11
12 We're 190 percent of our ACL and we're just way over the ACL and
13 as the National Marine Fisheries Service basically dictates to
14 us, we will deal with that through our accountability measure.
15 Our accountability measure is to shorten the length of the
16 fishing season to ensure that only that allowable annual catch
17 limit, that established annual catch limit, is caught in 2013.

18
19 We are not taking any fish away from the fishery. We're just
20 setting up a season that allows them to hit that 145,000-pound
21 harvest level and then not harvest anymore, so they don't again
22 exceed that annual catch limit.

23
24 **MIGUEL GARCIA:** I will take a few minutes to address our
25 stakeholders in Spanish and I can maybe make a summary in
26 English.

27
28 (Whereupon, Dr. Garcia addresses the stakeholders in Spanish.)

29
30 **MIGUEL ROLON:** What you are saying is that in response to the
31 communication with the National Marine Fisheries Service, the
32 Secretary is instituting two actions. After meeting with the
33 board of fishers, we recommended it and submitted these very
34 carefully and taking into consideration that you cannot change
35 for 2013 the 145,000 quota of fish that we have.

36
37 The National Marine Fisheries Service agreed that the local
38 government then can institute these two actions and can you then
39 say in English which are the two actions?

40
41 **MIGUEL GARCIA:** The two actions will be -- The first is to stop
42 the certification of recreational fishermen as commercial
43 fishermen, going back to the tax declaration form and
44 replacement of the affidavit, sworn statement. That's first.
45 That's to stop this movement from one sector to another and
46 legalizing their fisheries.

47
48 The second one is through a special permit, the Secretary is

1 changing the fisheries regulations and the fisheries law in
2 Puerto Rico through a special permit that empowers the deepwater
3 fishermen in Puerto Rico -- They will certify the ones that we
4 know that have been practicing historically this fishery to be
5 the ones who are going to be using the entire 145,000 pounds in
6 total or that's something that has to be discussed with the
7 fishermen in particular. We will be having meetings on the west
8 coast of Puerto Rico to determine how we are going to be
9 implementing through this special permit.

10
11 This special permit would include also probably a permitted
12 number of pounds per trip and probably a limited number of trips
13 per year per fisherman and that kind of information needs to be
14 discussed and decided with the fishermen.

15
16 We have had some conversations and have an idea of how we want
17 to proceed along those lines, but that's basically a summary.
18 It's stopping recreational to transfer to the commercial
19 activity and through a special permit to regulate and get, which
20 is important, the best data available, because distribution will
21 have to be according to this special permit to produce timely
22 data of the captures to really manage better this resource.

23
24 **MIGUEL ROLON:** In essence, you will be establishing a limited
25 entry by executive order and not only will it allocate the
26 resource to the commercial sector, but also within the
27 commercial sector, those bona fide fishers will have a quota,
28 maybe, among themselves and within them.

29
30 **MIGUEL GARCIA:** That is the preliminary intention and we want to
31 discuss it with the fishermen next, those intentions of the
32 Secretary, and we are already working on the documents to be
33 submitted according to the Puerto Rican law.

34
35 **MIGUEL ROLON:** Then also, that doesn't mean that you will not go
36 over the ACL in 2014, but it's a step in the right direction, so
37 you can control it. I believe that we have had conversations
38 before with Miguel about this and I believe that that's the
39 intention of the Department of Natural Resources. The last
40 question, Miguel, is when do you think this will be implemented?

41
42 **MIGUEL GARCIA:** It's going to be implemented before the closure
43 on September 21 and I am looking for the month of August.

44
45 **MARA LEVY:** Do you envision asking the council to develop or
46 think about developing a similar program for the EEZ or --
47 Because you're developing your own program, but that wouldn't
48 necessarily apply to fishing in the EEZ and so I was just

1 wondering where you were going to go with it.

2
3 **MIGUEL GARCIA:** These fishermen, if they fish in the EEZ or the
4 local waters, they need the -- This special permit will apply
5 for all of the deepwater snapper fishermen, the ones that are
6 fishing within state waters and the ones that are fishing in
7 federal waters.

8
9 **MARA LEVY:** But right now, there's no federal regulation that
10 requires a permit to fish in the EEZ and so your state
11 regulations may or may not require a permit, but there's no
12 federal impediment, I guess, to anybody necessarily fishing in
13 the EEZ. I am just putting it out there.

14
15 **MIGUEL ROLON:** I am glad that you brought it up. I keep
16 thinking about this. Puerto Rico can stop anybody from landing
17 anything. In reality, what could happen is that any of the
18 guys, like Crespo here, can fish in the EEZ and then sell it in
19 the Virgin Islands or in Florida or in Alaska, it doesn't
20 matter.

21
22 Then probably that will defeat the purpose of keeping the
23 population in check that we have here and so you should
24 consider, as a council, whether you would like to follow suit
25 with the Puerto Rico government and establish a permitting
26 system for the EEZ snapper grouper deepwater fishing.

27
28 It doesn't mean that you will go immediately to a limited entry,
29 but at least you have a permitting system that will allow you
30 to, number one, count the people and, number two, make sure that
31 you collect the data that you need to collect in order to get
32 the numbers that you need to supply to the National Marine
33 Fisheries Service.

34
35 By the way, the deepwater snapper grouper are not unique to the
36 west coast of Puerto Rico. We have fishermen in the north, in
37 the east, and the south that fish for deepwater snapper.
38 However, the majority of them are on the west coast of Puerto
39 Rico and it's the only place where you have a percentage of the
40 EEZ fished by these fishers.

41
42 On the other coasts, on the north coast, you reach nine nautical
43 miles and you are in deep, deep water and there's no way you're
44 going to catch anything there and by the way, that's where
45 they're getting 9,000 a week fish. The same with the south
46 coast and so just for you to consider if the council wishes to
47 do that, but I have a question for Barbara. Have you finished?

48

1 **BARBARA KOJIS:** No.

2
3 **BILL ARNOLD:** Just a couple of things to keep in mind. One is
4 you get this straightened out for 2014, those numbers won't
5 really come into play with managing your accountability measures
6 within any one year until 2016 and so next year, to determine if
7 we have to apply accountability measures, we will use 2010,
8 2011, and 2012 data. In 2015, we will use -- Et cetera, et
9 cetera. It takes a while for this stuff to take effect.

10
11 That's not to say that it's not a great idea and I fully support
12 it, but I just want to warn people about that. The other thing
13 is, and this is just a quick aside, the Puerto Rican government
14 allowed recreational fishermen to move from the recreational
15 sector into the commercial sector.

16
17 We have established separate annual catch limits for the
18 recreational and the commercial sectors. When those
19 recreational fishers moved into the commercial sector, they did
20 not take any of that ACL with them and so they sort of left
21 behind a component that it could be worthwhile considering
22 should have been moved. I just wanted to point that out.

23
24 **MIGUEL GARCIA:** Thanks for that advice, Bill Arnold. Something
25 that I forgot and something that you just said and parallel to
26 that, we know that we are still working on 2012 data. Daniel
27 Matos is back there.

28
29 Part of this plan is to assign a full-time staff just to deal
30 with 2012 data and to update that data, in order to have it
31 ready as soon as possible to be considered for the analysis.

32
33 **EUGENIO PIÑEIRO:** Bill, we are talking about a couple of hundred
34 pounds that were left, basically, in the water that never went
35 anywhere and people just jumped ship and instead of being
36 recreational, they jumped to be commercial fishermen, but they
37 left that quota untouched and what should we do with the quota?
38 Can that quota be used to pay that overage?

39
40 **BILL ARNOLD:** In my mind, that is a local government decision as
41 to how they determine what the new arrangement of the
42 recreational and commercial participants are following this
43 regime shift that I mentioned earlier.

44
45 Right now, it's just left the way it is. I think there were
46 like 50,000 pounds of recreational ACL and that's fine. The
47 recreational fishermen that are left behind as recreational
48 fishermen still have that 50,000-pound ACL, but, as an example,

1 if 50 percent of the deepwater recreational guys moved over into
2 deepwater commercial -- I am not saying this is what should
3 happen, but it seems, in my own personal opinion, that it would
4 be fair to take 50 percent of that sector-allocated ACL and move
5 it over to the other sector along with them.

6
7 This may or may not make much of a difference, but it just seems
8 like a fairness issue, but whether that could even be done or
9 not, I don't know.

10
11 **MIGUEL ROLON:** In theory, that could happen. We are talking
12 about probably a hundred times more recreational fishers than
13 commercial fishers in this case, but I believe that the key will
14 be for the government of Puerto Rico to keep working on this and
15 then for the next meeting, maybe come to the council with a
16 specific request as to how you want to pursue this.

17
18 A permit in the federal government is not that easy as a local
19 government, because you can do it with one signature. We have
20 to jump through some hoops in the EEZ.

21
22 You have to demonstrate that you do not discriminate and you
23 have to demonstrate a bunch of other stuff, but if you can bring
24 something in writing for the next meeting as to how you would
25 like the council to proceed to make it compatible with your
26 efforts in the local waters, that will be a step in the right
27 direction, as they said, but the other thing is that a limited
28 entry in the EEZ is also something that is more difficult to do,
29 because you have to justify it.

30
31 The allocation issue is another big issue in the federal
32 government. You have to demonstrate to the Secretary there is a
33 need to do that and then -- You know all this stuff, the
34 socioeconomic impacts, et cetera, et cetera.

35
36 Similar to what we have been doing with the queen conch in the
37 case of the U.S. Virgin Islands, where the Virgin Islands was
38 requesting the council to move into compatibility issues here,
39 we have to do the same thing with the local government.

40
41 I don't think that we have time today for finishing that and
42 keep in mind the catch share efforts that we had and what
43 happened with the catch shares and so good luck with the limited
44 entry.

45
46 **DAVID OLSEN:** I think one of the things that Miguel had brought
47 out is they're allocating these permits based on catch history
48 and it would seem to me that you could have a federal access

1 permit and ignore the issues of allocation, but have the same
2 requirement in terms of catch history for a federal permit as
3 well. You don't have discrimination problems, because you just
4 have to prove the catch history and Mara said she didn't
5 disagree.

6
7 **NELSON CRESPO:** Just a quick comment for the record. We all
8 agree for the action that the local government wants to
9 implement. We are really pleased with that.

10
11 **MIGUEL ROLON:** Are you finished?

12
13 **BARBARA KOJIS:** We have gone over this. There is a
14 recommendation to redo the length-based method using the more
15 recent data and to make sure that -- To modify OFLs, then time
16 period for the average landings should correspond to the time
17 period for the mean length analysis, so that we've got things
18 compatible.

19
20 This last one we have also gone through quite a bit in different
21 terms, but the SSC looked at years to calculate average catch
22 and found that a slightly different time series had little
23 effect on the value for average catch, which corresponds to OFL.

24
25 We also spent most of the first day, and that's probably an
26 exaggeration, but that's what we wrote, discussing the expanded
27 landings for Puerto Rico and the extremely high variability
28 that's been observed in recent years and these are the expanded
29 landings for Puerto Rico from 1983 to 2011.

30
31 A number of members, SSC members, believed the high fluctuations
32 were not a reflection of reality. The SSC strongly recommends
33 that expansion factors be evaluated again and that reported
34 landings alone be evaluated.

35
36 Obviously things seem to have calmed down a little bit more in
37 very recent years, with the new methodology, but these landings
38 just seem to gyrate.

39
40 The SSC is concerned that reporting for queen snapper has
41 changed and that reporting behavior is driving the overages.
42 This is what we have been discussing. The implications are that
43 fishers could have harvested more in the past, so that the
44 current OFL, ABC, is too low or, alternatively, the current
45 harvest rates are higher than expected and the status of the
46 stock is unknown and so we don't know which way this is going.

47
48 It was noted that according to a Federal Register notice, the

1 Southeast Fisheries Science Center needs to determine if
2 overages result from a situation where data collection and
3 monitoring improved rather than because catches actually
4 increased.

5
6 We discussed these changes, much as we have discussed now the
7 changes that may have occurred because of various factors, but
8 we were looking at this and saying apparently the Southeast
9 Fisheries Science Center concluded that data collection and
10 monitoring improved and that catches actually -- Monitoring had
11 not improved and that catches actually increased.

12
13 The SSC understands that tracking the number of reporting
14 fishers or individual representative fishers over the recent
15 time period has not been presented and feels that that should be
16 done. A recommendation was reporting behavior and validation of
17 landings needs to be studied and tracked over time to be able to
18 adequately evaluate the difference between overages and just
19 changes in reporting.

20
21 That analysis has been -- When we did this discussion before,
22 certainly with angelfish and there may have been another species
23 as well -- Squirrelfish. It had not been on the catch reports
24 previously and so of course there was underreporting, just
25 because people probably weren't even reporting them, unless they
26 wrote them in a blank spot.

27
28 That was considered to be where data collection had improved and
29 catches hadn't really increased, but there are probably more
30 subtle things that could be happening and those aspects should
31 be looked at with an analysis of the information from the
32 landings data.

33
34 Then the SSC recalls that the ACL was based on average catch.
35 This is for the queen snapper and silk snapper as well, but it
36 was based on average catch during a reference period and
37 adjusted by a coefficient of 0.85, because the stock was
38 considered to be undergoing overfishing.

39
40 A coefficient of 0.9 was used for stocks for which overfishing
41 was not occurring and in light of the current assessment, the
42 latter coefficient, 0.9, might be more appropriate.

43
44 **MIGUEL ROLON:** What does that mean?

45
46 **BARBARA KOJIS:** What it means is that we came up with an average
47 catch and then we had a reduction. Average catch was the ABC
48 and OFL. OFL equaled ABC. To come up with the ACL and to take

1 into account management uncertainty, there was a reduction in
2 the ABC by 0.85 percent for species that were undergoing
3 overfishing.

4
5 For species that were not undergoing overfishing, the reduction
6 was only 0.9 and so the amount of fish you could catch was 5
7 percent higher if you were not undergoing overfishing and for
8 the queen snapper, it looks like there's no evidence of this
9 species undergoing overfishing right now.

10
11 The only caveat with respect to that is we really need to look
12 at more recent TIP data, because it was only the 2008 TIP data
13 that was looked at. If you look at more recent data and you
14 still have a situation where you're not undergoing overfishing,
15 then maybe you could increase the ACL by 5 percent. That's not
16 very much, but it's a little bit.

17
18 **MIGUEL ROLON:** It's 0.05 and if I'm a fisherman, I can get a
19 whole of 0.05, whatever is out there. It's more fish. The
20 question to Bill and Mara is with this recommendation from the
21 SSC, do we need or can we change the 0.85 to 0.9 at this stage
22 of the game for this year and next year?

23
24 **BILL ARNOLD:** The reason we established these annual catch
25 limits was to end overfishing. We determined what the
26 overfishing level was, based upon that average annual catch for
27 the time period that we defined.

28
29 We said, okay, if they go over that level, they are overfishing
30 and now we're going to reduce below that level by some amount to
31 make sure that even when they overrun our annual catch limit
32 that they still won't overrun our overfishing level.

33
34 We had two different groups of species. We had the snappers,
35 the groupers, the parrotfish, and the conch in one group and I
36 call those the 2010 species. Those were species for which some
37 or all of the members had been identified previously as
38 undergoing overfishing.

39
40 We were more careful with them and in most cases, we set a 15
41 percent reduction from that overfishing level to make sure we
42 didn't overrun it and that was what the ACL was.

43
44 Then there was another group of species, squirrelfish, jacks, et
45 cetera, et cetera, that had not been identified as undergoing
46 overfishing. They were the ones we dealt with in the 2011
47 amendment and I call those the 2011 species.

48

1 Since they weren't undergoing overfishing, a less severe
2 reduction was felt needed and that was 10 percent. That average
3 was reduced by 10 percent to set their ACL and so now that we
4 have set these ACLs and we are essentially, at least from this
5 perspective, ending overfishing, I think it is valid to ask why
6 the same 10 percent reduction can't be applied to all of these
7 species, unless there are other ecological considerations.

8
9 For example, for parrotfish, we wouldn't do that, because they
10 are critical engineers for clearing substrate for threatened
11 Acropora corals. For surgeonfish, we wouldn't do that, because
12 they act in a manner similar to parrotfish. For angelfish, they
13 are spongivores and for the same reason, they have a clear
14 ecological goal and so we want to be more careful with them.

15
16 A consideration is that if you're going to make this change, you
17 don't just have to do it for Snapper Unit 2. You can do it for
18 all the species for which this original 15 percent reduction was
19 applied and that would include snapper and grouper in particular
20 and not just in Puerto Rico, but also in St. Thomas, St. John,
21 and St. Croix.

22
23 I'm not saying that's what you have to do, but it would be a
24 consistent approach to do that if in fact it is feasible and
25 legal to do it and that's what Mara would comment on.

26
27 **MARA LEVY:** I don't see any problem with reevaluating the buffer
28 that you chose for the species undergoing overfishing, since
29 they've been now reclassified as not undergoing overfishing.
30 You can modify your ACL, OY, optimum yield, which you made
31 equal, in a framework, action, but you need to do that.

32
33 If you want to do that, you would need to make a motion to
34 request that staff develop a framework action to look at
35 adjusting the buffer that you made between the OFL, ABC, and the
36 ACL for those species.

37
38 **EUGENIO PIÑEIRO:** So I move.

39
40 **MIGUEL ROLON:** Any second?

41
42 **MIGUEL GARCIA:** Second.

43
44 **MIGUEL ROLON:** Now that we've got the spirit of it, can you say
45 it slowly so Livia can put it on the screen?

46
47 **MARA LEVY:** I suggest that it be staff develop a framework
48 action to modify the ACLs for snapper and grouper species -- Is

1 that what we're looking at really, because are we talking -- It
2 depends.

3
4 Do you want them to also look at parrotfish or do you want them
5 to look at -- I don't think queen conch -- Did queen conch have
6 a buffer? I would have to go back and look at that.

7
8 **MIGUEL ROLON:** If I may, this motion should be as specific as
9 possible and probably we can ask the guy who put you on the
10 spot, so he can tell us which of those species we can include in
11 the language. Bill, can you do that for us, please?

12
13 **BILL ARNOLD:** Remember that I mentioned that this might not
14 apply to species which play a critical ecological role in the
15 coral reef community. I would assign parrotfish that role and
16 so I would not do it for parrotfish.

17
18 For queen conch, remember we're talking federal waters and queen
19 conch harvest is not allowed in any federal waters except Lang
20 Bank off the east coast of St. Croix.

21
22 The SSC set a separate ABC for queen conch and that was 50,000
23 pounds. It had nothing to do with reduction factors or
24 averaging of catch or anything and so I also would not include
25 queen conch. I would stick with the snappers and the groupers.

26
27 I would also mention, just as an aside, that it's extremely
28 unlikely that this will take place in time to be applied within
29 the 2013 fishing season, but I still think it's a valid
30 consideration for the future.

31
32 **MARA LEVY:** He's right and so there's no buffer in the queen
33 conch. It's just a straight ACL equals ABC and so it would be
34 to develop the ACLs for snapper and grouper species and I guess
35 do you want to be more specific as to looking at the buffers?
36 It's probably enough direction that you just give them the
37 direction that you want them to consider changing the buffer.

38
39 **MIGUEL ROLON:** Right and my taking of this is that we don't want
40 to go like crazy getting every species there. The queen conch
41 is not there and the parrotfish is not there and so when they
42 finish their -- Following what Bill was mentioning, we don't
43 want to include every species there that should not be there.
44 The question is aside from the snapper grouper species, Bill, is
45 there any other species that could go to the 0.9, for example?

46
47 **BILL ARNOLD:** All the other species for which a 10 percent
48 reduction is appropriate already have that 10 percent reduction

1 and so the only two large groups -- These are large groups of
2 species and those are the snappers and the groupers.
3
4 **MIGUEL ROLON:** If the owner of the motion -- Do you agree with
5 that language?
6
7 **EUGENIO PIÑEIRO:** Yes, I do.
8
9 **MIGUEL ROLON:** If you leave that as is and let the group decide
10 which ones, because not all the snappers and not all the
11 groupers.
12
13 **MARA LEVY:** It should be all of the snapper grouper --
14
15 **EUGENIO PIÑEIRO:** All of the snapper grouper complex?
16
17 **MIGUEL ROLON:** No, just leave it all -- The way this reads, but
18 it's just to make sure that this group is going to examine each
19 one of them before they recommend the 0.9.
20
21 **EUGENIO PIÑEIRO:** It's changing the buffer to 10 percent and
22 that's the spirit of it.
23
24 **MARA LEVY:** Yes, but you've got to look at alternatives, right?
25
26 **MIGUEL ROLON:** Yes, but just leave it as is, because modifying
27 it could mean anything, unless you want it to be too specific.
28
29 **MARA LEVY:** I think you can be general, but I would put for
30 "snapper and grouper species". I think you can be general in
31 your motion and given the context of the discussion, staff knows
32 what you want to develop. You want to look at the buffers.
33
34 They are going to have to look at a range and so it's not just
35 going to be -- We're going to have to have more than two
36 alternatives, but that's for the appropriate analysis and then
37 you will select your preferred alternative, et cetera, et
38 cetera, et cetera.
39
40 **BILL ARNOLD:** What concerns me about that motion is that when
41 you say to modify the ACLs, you're just throwing this thing wide
42 open and creating a huge amount of work for staff, because then
43 we're not just looking at buffers, but we are looking at year
44 sequences and everything and so I might disagree with Mara on
45 this, but I think you should be very specific. We are talking
46 about modifying the buffer from 0.85 to 0.9 and that's what I
47 think you should say.
48

1 **MIGUEL ROLON:** You are disagreeing with the lawyer? Seriously,
2 Bill, I understand what you're saying. If we open this too
3 broad, it's too much work and it doesn't get to the point that
4 we want to do.

5
6 **MARA LEVY:** Staff to develop a framework action to modify the
7 ACLs for snapper and grouper species by modifying the buffer
8 between the OFL, ABC, and ACL. You're only looking at buffers,
9 but I don't want you to limit it from 0.5 to 0.9. You've got to
10 have some reasonable range in there. We can't just predetermine
11 right now that we're going to go with 0.9 without any other
12 analysis.

13
14 We can add "to modify the ACLs for snapper and grouper species
15 by modifying the buffer between the OFL/ABC and the ACL for
16 snapper and grouper species".

17
18 **MIGUEL ROLON:** Genio, do you agree with that?

19
20 **EUGENIO PIÑEIRO:** Yes.

21
22 **MIGUEL ROLON:** Bill, that goes to your point and we are more
23 clear now?

24
25 **BILL ARNOLD:** Absolutely. I agree with General Counsel.

26
27 **CARLOS FARCHETTE:** Any discussion? I have one. Is there any
28 way to include spiny lobster in this, because I know that St.
29 Croix is going to hit the mark come December.

30
31 **BILL ARNOLD:** Spiny lobster was one of the 2011 species and its
32 reduction is 10 percent already.

33
34 **MIGUEL ROLON:** What this will do is that the staff will prepare
35 the papers to look at the snapper grouper buffer between these
36 two levels and then offer some alternative for the council to
37 consider, meaning that you may end up at the 0.9, but it doesn't
38 mean that you will just premeditate it and take 0.9 as of now.
39 You have a range of alternatives that you will be discussing in
40 due time.

41
42 **CARLOS FARCHETTE:** Any further discussion? We are going to do a
43 little translation here and then if the fishermen need to make a
44 comment.

45
46 (Whereupon, there was a brief description of the motion in
47 Spanish.)

48

1
2 **CARLOS FARCHETTE:** Hearing no further discussion, we're going to
3 take it to a vote and I'm going to start on my left.
4 Commissioner, you will vote for Roy?
5
6 **ALICIA BARNES:** Actually, Roy votes for me, but that's no
7 problem. Yes.
8
9 **WINSTON LEDEE:** Yes.
10
11 **EUGENIO PIÑEIRO:** Yes.
12
13 **NELSON CRESPO:** Yes.
14
15 **BILL ARNOLD:** Yes.
16
17 **MIGUEL GARCIA:** Yes.
18
19 **CARLOS FARCHETTE:** All in favor and the motion carries. We are
20 going to take a ten-minute recess and then we'll have the
21 fishermen from Puerto Rico do their statements.
22
23 (Whereupon, a brief recess was taken.)
24
25 **CARLOS FARCHETTE:** We are going to get back to this meeting.
26
27 **MIGUEL ROLON:** Mr. Chairman, in order to continue, we left
28 pending the ad hoc committee and we have received word from Mara
29 that everything is in order, the authority that you have to
30 appoint this committee.
31
32 The idea is for this committee to look at the socioeconomic
33 impact of yearly closures and it is understood that the staff
34 will prepare a document for this committee to take a look at. I
35 have some names that have been suggested for inclusion on this
36 committee.
37
38 We don't want this committee to be too big that we cannot pay
39 for it or too big that it's difficult to work with and so I have
40 here the names that have been suggested. It's Daryl Bryan,
41 David Olsen, Eddie Schuster, Barbara Kojis, Graciela Garcia-
42 Moliner, Kate Quigley, Roy Pemberton, Carlos Farchette as the
43 Chair and Chair of this committee. Then we have two members of
44 the National Marine Fisheries Service and remember, we can pay
45 for our members and we cannot pay for the federal, but we are
46 suggesting to have Bill Arnold as part of this committee and a
47 representative from the Southeast Fisheries Science Center, if
48 warranted.

1
2 This committee will meet as soon as possible and so by the time
3 that you meet on August 13 and 14, you will have a document from
4 this committee to you with some specific recommendations.

5
6 If the committee is approved now, the next step will be for us
7 to prepare an agenda and send it to the Federal Register and for
8 that, I believe that we need to allow the Chair to contact these
9 members and see the availability of them.

10
11 Also, a reason for having this number is that we can have a
12 quorum and the quorum will be half plus one, because sometimes
13 it's very difficult to have everybody there, but when we have a
14 quorum, all the other members should be contacted and given the
15 information for them to make comments.

16
17 Again, the names of the people are Daryl Bryan, David Olsen,
18 Bill Arnold, Eddie Schuster, Barbara Kojis, a representative
19 from the Southeast Fisheries Science Center, Kate Quigley from
20 the staff, Graciela Garcia-Moliner, Roy Pemberton, and Carlos
21 Farchette as Chair of the committee.

22
23 We have to be flexible on this one, because I don't know whether
24 Dr. Ponwith will have money for that person, but this meeting
25 will be conducted at the council office and we will have Go to
26 Meeting and so if he or she cannot attend, they can do it as
27 they are doing it now through the internet. Mr. Chairman, those
28 are the recommended names for the ad hoc committee.

29
30 **MIGUEL GARCIA:** So moved.

31
32 **CARLOS FARCHETTE:** We need a second.

33
34 **NELSON CRESPO:** Second.

35
36 **CARLOS FARCHETTE:** Motion by Miguel Garcia and it was seconded
37 by Nelson Crespo. Any further discussion?

38
39 **MARA LEVY:** Do you want to write in your motion what the motion
40 actually is?

41
42 **CARLOS FARCHETTE:** It's an ad hoc committee to develop a
43 framework or mechanism to --

44
45 **MIGUEL ROLON:** It's to appoint an ad hoc committee to examine
46 socioeconomic impacts of yearly closures and other
47 accountability measures. Now you can shoot at it.

48

1 **MARA LEVY:** I am not sure there are other AMs, but that's fine.
2 Do you want them to do anything else other than examine?
3 Meaning, do you want them to make recommendations for action to
4 minimize or address -- If they just examine it, you're not
5 really asking them to give you anything.

6
7 **MIGUEL ROLON:** We can add "and make appropriate recommendations
8 to the council at the next meeting in August". It has pointed
9 out to me that we are missing a fellow from Puerto Rico and we
10 have a fisherman who offered to participate, Mr. Carlos
11 Valasquez. Miguel, do you have any opposition? You are the
12 owner of the motion.

13
14 **MIGUEL GARCIA:** That's fine.

15
16 **BILL ARNOLD:** Will you pull that motion up, please? It says to
17 appoint an ad hoc committee to examine the socioeconomic
18 impacts. I think what you want to say is "of the timing of
19 yearly closures", because that's really what we want to look at.
20 It's not the --

21
22 **ALICIA BARNES:** I think we want to examine all aspects of the
23 closures and so I think we need to say that, because in our
24 discussions this morning, we spoke to the timing and we spoke
25 also to them being established to begin with and so I think we
26 need to make it a bit more comprehensive, to just examine all
27 aspects of the yearly closures, I think, to capture everything
28 that we discussed this morning, but that's just a
29 recommendation.

30
31 **MIGUEL ROLON:** Would that cover your comment?

32
33 **ALICIA BARNES:** I would say to appoint an ad hoc committee to
34 examine the socioeconomic impacts of all aspects of annual
35 closures. Instead of saying "of the timing", I would say "of
36 all aspects of yearly closures".

37
38 **MARA LEVY:** I guess my question would be because you've
39 indicated that you're going to direct staff to come up with some
40 sort of paper or document to present to this committee, with it
41 being very broad like this, what are you asking them to do?

42
43 We originally started out saying maybe you all want to develop
44 something that would give you more flexibility as to the
45 mechanism of how you set the closures, so you could do it at
46 different times, et cetera, in a more expedited way.

47
48 When we say all aspects, if you want to examine other things,

1 that's your prerogative, but I don't think staff is going to be
2 able to develop something without more guidance about what all
3 those aspects are and also, keep in mind that you're asking them
4 to develop it in a very short period of time and so the more you
5 can focus what you want them to do, the better document you're
6 going to have to present to this committee.

7
8 **MIGUEL ROLON:** I would like to offer this and it's to ask the
9 question and then for this time around, just keep to the timing
10 and then you can have another motion that further in the process
11 you would like to see other aspects of the closure examined by
12 the CFMC. That way, you will leave the door open and when we
13 finish with the timing thing, we can attack the other issues
14 that are related to the closures. Do you agree with that?

15
16 **ALICIA BARNES:** I just want to ensure that we capture what we
17 discussed this morning as the basis to even develop this ad hoc
18 committee. I just want to ensure that if it was simply a matter
19 of timing, then that's fine, but I just think we need to
20 recollect what we discussed this morning, to ensure, number one,
21 that the motion speaks to that and then also, two, in terms of
22 what you said, Mara, relative to recommendations, I think we
23 probably need to focus some more in terms of what these
24 appropriate recommendations -- What we're looking for and
25 whether they're parameters or whether it's a streamlined process
26 or whether it's a guidance document.

27
28 I think, in the essence of time, being mindful that we're
29 looking for something by August, we probably need to not only
30 hone in on what we want to have examined, but what the desired
31 outcomes are, with some greater degree of specificity.

32
33 **BONNIE PONWITH:** If I may, I am just -- I think this is very
34 good, to make sure that the council has complete clarity in
35 their minds in what they're requesting this group to do, because
36 the more clarity in the charge, the more refined the product
37 from the group is going to be.

38
39 Just recalling testimony from people that fish in each of these
40 platforms, one of the common things that I heard was that the
41 end of a calendar year is the most horrible time, from an
42 economic standpoint, to have a closure. Any time, of course, it
43 represents an economic challenge, but the end of year
44 particularly so, for a series of reasons.

45
46 My understanding, when this was originally brought up, was is
47 there a way to look at what the fishing tempo is like at
48 different times of the year and contemplate having a closure

1 when an accountability measure kicks in and being set up so that
2 there are other choices than just the end of the year for that
3 accountability measure to kick in.

4
5 If that indeed is the charge, from a science side, I think the
6 starting point is to look at what levels of landings look like
7 when you partition the year in smaller pieces and see if you
8 wanted to reduce by some percent to prevent an overage, how much
9 time, at different times of the year, would you have to close to
10 achieve that?

11
12 For example, I heard someone say let's close during the
13 hurricane season. Well, if the weather is really bad in
14 September usually, closing in September isn't going to be the
15 same yield, the same kind of percentage reduction in landings as
16 one might expect if you closed in December, if the fishing is
17 good and the effort is high.

18
19 I think it would be possible to look at what a typical year
20 fishing pattern would look like to be able to weigh different
21 times of the year from both achieving a desired outcome, which
22 is to meet the demands of the accountability measure, but do it
23 in a way that minimizes the impact to the industry. Is that the
24 kind of conversation you would like this group to have?

25
26 **MIGUEL ROLON:** Yes, that's exactly it. That's the original idea
27 and that's why I said that we should divide the question and
28 between here and -- There's not much that I can get you from
29 here until November with this committee that is not examination
30 of the landings per month and see which one is less hurtful than
31 others.

32
33 For example, the fishermen were telling me that April is a good
34 month to close if you are going to close something, versus
35 December, because the demand, the high demand they have in the
36 wintertime, especially December, for the species that they are
37 fishing during this year.

38
39 That's why if you want, you can go back to the original yearly
40 timing thing and then you can have another language, another
41 motion, to go further into the year and discuss all aspects of
42 the closure and the AMs. That way, you don't leave that hanging
43 there.

44
45 **ALICIA BARNES:** I would draw the "all aspects" language and we
46 can revert to the initial language of timing, with the
47 understanding that it captures all elements of what we discussed
48 this morning.

1
2 I would like us to probably look at the appropriate
3 recommendation language and see if we can make it a bit more
4 specific in terms of the desired outcome.

5
6 **BILL ARNOLD:** I am hoping we're not getting a little off track
7 on this. What I originally envisioned was simply that we
8 conduct a primarily economic analysis of the value of a fish for
9 each day of the year, to keep this as simple and straightforward
10 as possible.

11
12 What's the value of this fish on this day? Then you can say,
13 okay, if we have to have a closure that reduces catch by 30,000
14 pounds, when is the best time to have that closure, to make sure
15 that that 30,000 pounds is removed from the fishery, but to
16 minimize the economic damage of that?

17
18 This idea about hurricanes and things like that is great, but if
19 you've got a period of time when consistently the fishery
20 doesn't have much activity, because of storms or something like
21 that, and you want to put your closure then, and they're only
22 catching ten pounds of fish a day instead of a hundred pounds of
23 fish a day, you can put your closure at that time, but it's
24 going to be a much longer closure, because you still have to
25 meet your overall goal reduction, reduction goal.

26
27 You guys can go beyond this if you want to, but the idea is if
28 you're going to reduce by 5,000 pounds or whatever, why reduce
29 when the fish is worth ten-dollars, when you can get that same
30 goal achieved when the fish is worth five-dollars and cut the
31 damage to the fishermen by 50 percent, just as an example.

32
33 That's really where my focus was on this. We have an economist
34 coming on the council staff and she is ideally situated and
35 trained to conduct such an analysis and while the committee is a
36 great idea, et cetera, et cetera, I think the real heavy lifting
37 on this will have to be done by her and maybe I am wrong, but,
38 like I said, this is my perspective and original thoughts on
39 where we were going with this.

40
41 **MIGUEL ROLON:** I agree with all of that. The idea of the
42 committee is that this way, we have more people participating in
43 the report, of that report. That way -- At the end of this, you
44 may end up closing exactly the same days you are closing now.
45 Don't fool yourself that this will change everything that we
46 have already on the table.

47
48 I believe and I am sure that if this committee receives the

1 information they have and they can validate that information
2 with the realities of life that they see every day, you will
3 have a better informed council for any decision that you have to
4 make in August.

5
6 I agree with Bill that Kate will have a lot of work to do
7 between here and that place. I don't know if she is very happy
8 to go to this meeting, but that's what she is going to do.
9 Anyway, Mr. Chairman, if everybody agrees, you can vote and move
10 into something else.

11
12 **CARLOS FARCHETTE:** We are going to go for a vote and we'll start
13 on my right.

14
15 **BILL ARNOLD:** Yes.

16
17 **NELSON CRESPO:** Yes.

18
19 **ROY PEMBERTON:** Yes.

20
21 **MIGUEL GARCIA:** Yes.

22
23 **WINSTON LEDEE:** Yes.

24
25 **CARLOS FARCHETTE:** One absent, Genio Piñeiro. Yes. **It's**
26 **unanimous and the motion carries.**

27
28 **MIGUEL ROLON:** How much time do you need, Barbara, to finish
29 your report?

30
31 **BARBARA KOJIS:** Five minutes.

32
33 **MIGUEL ROLON:** I suggest that we allow Dr. Kojis to finish her
34 report and I have four fishermen who are waiting and David Olsen
35 also waiting to address the group.

36
37 **BARBARA KOJIS:** It's almost over. There's just a summary
38 statement, where the SSC indicated that both the results and the
39 information presented from that new approach that was used
40 suggests that overfishing is not occurring. However, the
41 assessment is too uncertain to be confident and there isn't much
42 room for further development of the fishery.

43
44 It was pointed out that the analysis shows some probability that
45 overfishing is occurring. Somebody wanted to make sure that was
46 mentioned from the SSC and the SSC is concerned about the
47 reliability of expanded catch data and uncertainty in life
48 history estimates.

1
2 This really pertains to the ABC. The SSC concluded at this time
3 that there was no scientific basis for modifying the ABC and I
4 think that's it.

5
6 **MIGUEL ROLON:** Mr. Chairman, we suggest that the fishermen and
7 Dr. Olsen have been waiting for some time. This is the time
8 that we have the final action in the agenda for the queen
9 snapper closed season, but although we haven't said it yet, we
10 don't have any rationale to change what we have for 2013. Mara,
11 I don't think that we need to say anything else or do we?

12
13 **MARA LEVY:** No, I don't think so. There really is no -- This
14 isn't something that you would necessarily have to put on the
15 agenda, meaning there is no -- There was nothing for you to take
16 final action on.

17
18 If you determined that this was an emergency, as established by
19 the guidelines published, then that would be one thing, but
20 that's not something you need to put on here as final action.

21
22 **MIGUEL ROLON:** It's just sometimes we don't put it and then we
23 need it and then sometimes we put it and we don't need it and so
24 we're better off not needing it.

25
26 **MARA LEVY:** Except I would caution that in terms of particular
27 circumstances like this, where an emergency might occur because
28 of some change that was not anticipated, that it undermines the
29 rationale for saying it's an emergency if you put it on the
30 agenda as an action item.

31
32 It's either something that comes up sort of out of the blue that
33 you need to address as an emergency or it's something you plan
34 for as an action item.

35
36 **MONF3 FINDINGS**

37
38 **MIGUEL ROLON:** Then I want to go to the public comment period
39 and so that's why I'm getting rid of this. The MONF 3 Findings,
40 we did not receive the document expected.

41
42 The Pacific Council is addressing this and it is on the
43 internet. You had one-hundred-and-twenty-something findings at
44 the managing of our fisheries 3 conference and basically, what
45 the organizers are going to do is to have three or four columns
46 of which actions, of those findings, can we do without changing
47 the law.

48

1 Which changes can we do with just adding a regulation under the
2 law and which other of those findings, meaning recommendations
3 from this national conference, have to be done via amending the
4 Magnuson-Stevens Act, meaning that you have to recommend -- You
5 as citizens have to recommend to the appropriate committees in
6 Congress to modify the MSA accordingly.

7
8 As we speak, we have the Pew Foundation and we have a bunch of
9 other people that have taken these findings and they are already
10 working in Congress to submit the appropriate language for
11 Congress to consider, to the Congress staffers.

12
13 At the meeting, at the Capital Ocean Week meeting, several of
14 the congressional staff approached our kiosk to eat queen conch
15 and lobster and we had a chance to talk to them about this and
16 they are encouraging people to submit to them information that
17 is relevant to the Magnuson Act reauthorization.

18
19 We probably, by the next meeting in August, we may find some
20 specific language that we will share with you and I believe that
21 after the public comment period, we have Other Business and we
22 have two issues to discuss, Mr. Chairman.

23

24

PUBLIC COMMENT PERIOD

25

26 **DAVID OLSEN:** As you're aware, there is an accountability
27 measure on the books to close the St. Thomas grouper fishery in
28 December and I believe that that's based on 2011 data and I
29 think that 2011 is the first year of the new data form, in which
30 there's a radically different approach to gathering the data.

31

32 Instead of just assembling individual daily reports, indicator
33 species are being reported and those are being compared to TIP
34 data to calculate what the total landings are.

35

36 For example, in the case of groupers, if there was 50,000 pounds
37 of red hind reported and red hind were 90 percent of the
38 landings, the grouper landings, in TIP, that would mean that the
39 grouper landings then would be around 55,506 pounds, something
40 like that, approximately.

41

42 That is a very different approach to the approach that was in
43 place to calculate the accountability measures and I think,
44 under the section that Barbara cited earlier, that Action 7 in
45 the final EIS for the 2011 that there was a provision made for
46 whether or not the increased landings are the result of
47 administrative or improved reporting.

48

1 I think there's sufficient suspicion to say that this new
2 reporting is the reason why there's an overage. I was looking
3 into this and I discovered, for example, that when the Science
4 Center calculated that there had been an overage they had not
5 included, in the TIP date, the coney and graysby and a couple
6 of other minor grouper species, because of a problem in the
7 database.

8
9 Even the Science Center is having some issues with calculating
10 what the grouper landings are and I think that it would be
11 appropriate to invoke that section, that the overage is a result
12 of new and improved reporting. That's all I have to say.

13
14 **BILL ARNOLD:** I don't disagree with David. I think this is
15 going to be more of an issue because the reporting forms have
16 changed and as we get into 2012 and 2013 and start using those
17 average landings, we're going to have some problems, but I did
18 want to point out that the grouper data used to determine where
19 we were relative to the ACL on St. Thomas was an average of 2010
20 and 2011.

21
22 The new reporting forms came into play, I'm pretty sure, in July
23 of 2011 and so there would be six months of data out of twenty-
24 four and I'm not trivializing by any means, but I just want to
25 make sure the record is straight on this, that six of the
26 twenty-four months would be under the new form. What the
27 effects of that are, I can't fully say, but, again, it's a point
28 well made by David.

29
30 **MARA LEVY:** I just want to add that, according to the procedures
31 set up by the accountability measure, the Science Center did
32 look at whether certain species perhaps exceeded the ACL because
33 of better reporting as opposed to just increased landings.

34
35 The SSC reviewed that and you had action taken or not taken
36 based on those determinations and so that provision was applied
37 and I believe you all looked at it at the December 2012 meeting
38 and so it did happen.

39
40 I believe that the determination was, for that particular group,
41 that it wasn't because of reporting. I don't want it to seem
42 like that piece of the accountability measure didn't happen,
43 because it did happen.

44
45 **DAVID OLSEN:** At the December 2012 meeting, the 2011 data
46 probably weren't even complete and the only actions that the
47 Science Center recommended were for those species which weren't
48 even on the prior forms.

1
2 I think it, at the very least, warrants a reconsideration and
3 the Science Center can get back as it pleases, but they are
4 clearly having problems, as evidenced by the fact they didn't
5 have the complete TIP data to make those calculations with.
6 That's that.

7
8 **BILL ARNOLD:** The actual Federal Register wording is, I believe,
9 improved reporting. My issue is not so much with whether the
10 reporting has been improved or not, but I'm just concerned with
11 the fundamental fact that the reporting will have changed and so
12 eventually, and I think that's a near-future eventuality, we are
13 going to be comparing apples to oranges, to some degree, and
14 somehow we're going to have to address this, because the ACLs
15 we've established are based upon a different era of reporting
16 relative to the data we're going to be using to compare against
17 those ACLs. Again, this is not an improved reporting issue.
18 This is a change in reporting that needs to be considered.

19
20 **GRACIELA GARCIA-MOLINER:** In addition to that, one of the
21 recommendations from the SSC was that there are ways of looking
22 at the data, as reported from the fishermen, to track fishermen
23 along the history of their fishing, to determine when you have
24 increases that belong to fishers that were not part of the
25 fishery in a historical basis.

26
27 There are a number of recommendations by the SSC to look into
28 the data little bit further and determine if that made a
29 difference.

30
31 We have been in touch with the Puerto Rico DNER to look into
32 specifically that, especially when there was that big influx of
33 the recreational into the commercial. We are working on that,
34 also.

35
36 **CARLOS FARCHETTE:** We are going to start by bringing in the
37 fishermen from Puerto Rico and Miguel Davila.

38
39 **MIGUEL DAVILA:** (The presentation by the speaker was in
40 Spanish.)

41
42 **MIGUEL ROLON:** Mr. Miguel Davila is the President of the
43 Fishermen's Association in Fajardo and he is also the President
44 of Asociacion de Pescadores of Puerto Rico, which is a larger
45 group of fishers from different parts of Puerto Rico.

46
47 **MIGUEL DAVILA:** (The presentation by the speaker was in
48 Spanish.)

1
2 **MIGUEL ROLON:** He has a concern, because they were under the
3 impression that there was going to be a permanent closed season
4 for the silk snapper and given the price and the cost of fuel,
5 most fishermen stay close to shore, because it's better for them
6 to fish for the yellowtail, for example, than pursuing the silk
7 snapper.
8
9 **MIGUEL DAVILA:** (The presentation by the speaker was in
10 Spanish.)
11
12 **MIGUEL ROLON:** Given what he just said before, he feels that
13 although the fishermen are there and willing and able to go and
14 fish for the silk snapper, they do not go out, because of the
15 realities of the costs involved. He doesn't see a need for
16 having a closed season for the silk snapper at this time.
17
18 **MIGUEL DAVILA:** (The presentation by the speaker was in
19 Spanish.)
20
21 **MIGUEL ROLON:** Another point is in the Fajardo area, where he is
22 from, the eastern coast of Puerto Rico, although they don't fish
23 for silk snapper, there are fishermen from other areas of Puerto
24 Rico who may come to Fajardo to fish and they also fish in their
25 respective municipalities for the silk snapper.
26
27 He has another concern, probably more important, he says, that
28 the recreational fishers are beginning to fish for the silk
29 snapper.
30
31 **MIGUEL DAVILA:** (The presentation by the speaker was in
32 Spanish.)
33
34 **MIGUEL ROLON:** And they do not report their catches.
35
36 **MIGUEL DAVILA:** (The presentation by the speaker was in
37 Spanish.)
38
39 **MIGUEL ROLON:** What he is saying is that although he knows a
40 decision is made, if ever this is addressed again, to extend the
41 nine nautical miles to further off, it will benefit the
42 fishermen of Puerto Rico.
43
44 **MIGUEL DAVILA:** (The presentation by the speaker was in
45 Spanish.)
46
47 **MIGUEL ROLON:** Although he believes that it is already
48 discussed, but in the case of the blue tang and the queen

1 trigger, it's a fish that is not caught in Puerto Rico, because
2 it doesn't have a demand. It is only by chance that somebody
3 requests the fishermen to bring queen trigger or blue tang.
4 Blue tang in Spanish is doctorfish and the only time that they
5 bring the doctorfish is when somebody is sick and they want to
6 prepare a soup and that is why they do not fish it and they
7 believe that the population of these two species in Puerto Rico
8 is healthy and that they have a lot of queen trigger and
9 doctorfish.

10
11 **MIGUEL DAVILA:** (The presentation by the speaker was in
12 Spanish.)

13
14 **MIGUEL ROLON:** To finish, he would like to invite all to the
15 Fisher's Festival in Fajardo on the 29th of June through 30th of
16 June. They will have music and they will have seafood, Puerto
17 Rican style, with the local species.

18
19 **BILL ARNOLD:** My question is why is silk becoming more popular?
20 I would take this from the angle of is it becoming more popular
21 because other, more easily caught fish are becoming less
22 abundant? That would be a concern.

23
24 **MIGUEL ROLON:** What is the first part again?

25
26 **BILL ARNOLD:** Why are they becoming more popular with the
27 recreational fishers?

28
29 **MIGUEL DAVILA:** (The presentation by the speaker was in
30 Spanish.)

31
32 **MIGUEL ROLON:** These recreational fishers on the east coast,
33 where he is from, they have fast boats, sixty to seventy feet,
34 and they can reach the deepwater areas further from shore and
35 they fish for silk snapper and they sell it and the motivation
36 is to get money from the fish.

37
38 He also believes that when they come to the shore and sell their
39 fish, they sell it underpriced and when the commercial fishermen
40 go to the market to sell their fish, it's already flooded and
41 they cannot sell their catches and he believes that the same
42 holds true for the dolphinfish and in the case of the
43 dolphinfish, this is intercepted by recreational fishers out
44 there and when the fishermen go out close to shore, they don't
45 have much opportunity to catch a dolphinfish.

46
47 **CARLOS FARCHETTE:** Next is Kendrick Bragg.

48

1 **KENDRICK BRAGG:** (The beginning of the presentation by the
2 speaker was in Spanish.)

3
4 My name is Kendrick Bragg and I am a member of the Asociacion de
5 Pescadores in Las Croabas, Fajardo, and I'm also a member of the
6 Fishermen's Federation under the direction of Miguel Davila.

7
8 I wanted to state that one of our main problems with the snapper
9 is that the recreational fishermen have found a -- They have
10 found a loop in the law, an open window, a way to become a
11 commercial fisherman very easily, and they've been -- They have
12 licensed themselves as commercial fishermen, basically for the
13 main principle reason of that they save a lot of money on the
14 license tag on their boats.

15
16 Instead of paying \$300 or \$400 or \$500 for licensing on their
17 boats a year, they pay \$5 a year, which saves them a pretty
18 penny and to maintain that license, what they're doing is that
19 they report statistics, because if they don't report the fishing
20 statistics, their license will be revoked and since they don't
21 know what they're doing, they go way overboard and we're paying
22 the consequences of that right now. Basically, that's all I
23 have to say.

24
25 **MIGUEL ROLON:** Next in the list we have is Roberto Reyes.

26
27 **ROBERTO REYES:** Good morning. My name is Roberto Reyes and I
28 think am the only recreational fisherman in the room and I have
29 a few statements. First of all, I agree with my commercial
30 fishermen friends that the recreational fishermen have been
31 fishing for queen snapper and yelloweye snapper and they took a
32 commercial license and now, it looks like it has increased the
33 amount of fish that you guys are seeing on the statistics.

34
35 It looks like that amount of fish has always been -- The
36 statistics were not there, but they were taking those fish.
37 These recreational fishermen were named as illegal fishermen and
38 they get their commercial license and they get legalized, but
39 then, they are affecting the usual commercial fishermen and I am
40 also concerned.

41
42 It seems like it's 2,000 of them and I am also concerned that if
43 they take away this commercial license, they will be illegal
44 again and they will be fishing the same, because the real
45 problem here is there is no law enforcement and they will be
46 fishing again and then those statistics will change dramatically
47 and then, again, the commercial fishermen will have another
48 problem with that.

1
2 I don't know what you guys are going to do, but it's a problem
3 and it's there and you have to think very, very carefully about
4 it and I have something else to say.
5
6 I see that you are making a committee that is going to be
7 concerned about socioeconomic closures and stuff and I don't see
8 any charter business or recreational business or recreational
9 fishermen in that committee and I am concerned about that and I
10 would like one to be in there, please. That's about it and
11 thank you very much.
12
13 **MIGUEL ROLON:** Roberto Reyes requested to be part of the
14 committee that will be discussing the closed seasons, the
15 socioeconomic impacts of it. The two ways we can do that is to
16 make sure -- These meetings are public, by the way, and so he
17 can come as an observer to the meeting or he can be invited to
18 be part of the meeting. We have the money, but I need to know
19 from the council members, what is your reaction to his request?
20
21 **ALICIA BARNES:** I think his request has merit and he is correct
22 that if we are evaluating socioeconomic impacts that we should
23 have all key stakeholders, to the best extent that we can. That
24 is a stakeholder target group and so I am in agreement.
25
26 **MIGUEL ROLON:** Mara, the Chair has the authority to add another
27 member to the already approved ad hoc committee?
28
29 **MARA LEVY:** I would just say since you made the committee
30 membership a part of your motion that you may just want to amend
31 that motion to add him and just an all in favor say aye type of
32 agreement.
33
34 **MIGUEL GARCIA:** I would like to set a motion to include another
35 member on the committee, one in particular from the recreational
36 sector, and I would propose Mr. Roberto Reyes for that position.
37
38 **ALICIA BARNES:** Second.
39
40 **CARLOS FARCHETTE:** All in favor say aye. The motion carries.
41
42 **MIGUEL ROLON:** We now have Mr. Roberto Silva.
43
44 **ROBERTO SILVA:** (The presentation by the speaker was in
45 Spanish.)
46
47 **MIGUEL ROLON:** His name is Roberto Silva and his company is
48 Father and Son. He's a bona fide fisherman from Rincon, Puerto

1 Rico and he believes that this issue is being treated as an
2 emergency and for them, it is an emergency.
3
4 **ROBERTO SILVA:** (The presentation by the speaker was in
5 Spanish.)
6
7 **MIGUEL ROLON:** He believes that we are taking a decision here
8 based on statistics that are superfluous and that they don't
9 represent reality.
10
11 **ROBERTO SILVA:** (The presentation by the speaker was in
12 Spanish.)
13
14 **MIGUEL ROLON:** This started when the recreational fishers were
15 not allowed to use a snapper reel on their boats and they
16 decided, through a loophole, to ask for a commercial fishing
17 license and then they started submitting data that was not --
18 Well, that's not true, the data.
19
20 **ROBERTO SILVA:** (The presentation by the speaker was in
21 Spanish.)
22
23 **MIGUEL ROLON:** For ten-dollars, a recreational fisherman can
24 become a commercial fisherman and he will have the category of
25 beginner commercial fisherman and he can be sitting in the
26 marina as a recreational fisherman, but with that commercial
27 fishing license.
28
29 **ROBERTO SILVA:** (The presentation by the speaker was in
30 Spanish.)
31
32 **MIGUEL ROLON:** Not to point fingers, but if you take a closer
33 look at the statistics that is being submitted by this sector,
34 you have to be a commercial fisherman to realize that these
35 statistics are absurd.
36
37 **ROBERTO SILVA:** (The presentation by the speaker was in
38 Spanish.)
39
40 **MIGUEL ROLON:** The shelf area of Puerto Rico is being affected
41 by pollution and the coral bleaching that it's been suffering.
42 However, there is a viable commercial healthy deepwater snapper
43 fishery on the shelf of Puerto Rico.
44
45 **ROBERTO SILVA:** (The presentation by the speaker was in
46 Spanish.)
47
48 **MIGUEL ROLON:** They are closing the doors on alleviating the

1 problem that we have on our shelf area and allowing it to
2 recuperate.
3
4 **ROBERTO SILVA:** (The presentation by the speaker was in
5 Spanish.)
6
7 **MIGUEL ROLON:** Given the situation close to shore, the fishermen
8 have to invest to go further off to catch their fish and with a
9 lot of respect, but the management measures that you are
10 implementing are affecting the fishermen using statistics that
11 are not real.
12
13 **ROBERTO SILVA:** (The presentation by the speaker was in
14 Spanish.)
15
16 **MIGUEL ROLON:** Just to show, he will invite anybody who wants to
17 go with his boat and he will show that with ten hooks he can get
18 seven silk snappers and two without bait, but the point is that
19 ten hooks will allow you to catch seven snappers.
20
21 **ROBERTO SILVA:** (The presentation by the speaker was in
22 Spanish.)
23
24 **MIGUEL ROLON:** We can go fishing a quarter mile at a time close
25 to the edge of the shelf and you will see that the fishery is
26 almost virgin and it's not affected at this time.
27
28 **ROBERTO SILVA:** (The presentation by the speaker was in
29 Spanish.)
30
31 **MIGUEL ROLON:** But now we'll be affected and not the silk
32 snapper, but the fishers, because of the closure.
33
34 **ROBERTO SILVA:** (The presentation by the speaker was in
35 Spanish.)
36
37 **MIGUEL ROLON:** His intention since the beginning was to not
38 leave this room without telling you that the project that he
39 calls the closure that we have is based on vicious data, wrong
40 data.
41
42 **ROBERTO SILVA:** (The presentation by the speaker was in
43 Spanish.)
44
45 **MIGUEL ROLON:** We have 2010 and 2011 and 2012 and now 2013, but
46 it's uncertain when the government of Puerto Rico will be able
47 to solve this problem.
48

1 **ROBERTO SILVA:** (The presentation by the speaker was in
2 Spanish.)

3
4 **MIGUEL ROLON:** Thank you. Any questions? Just for the record,
5 Roberto Silva is from Fajardo and the next person in line is
6 Tommy Fuertes.

7
8 **TOMMY FUERTES:** Good afternoon. To start, I have a question
9 that you asked, Bill, about why the recreational fishermen were
10 fishing for these deepwater snappers. For the record, my name
11 is Tommy Fuertes. It's a challenge for them. It's something
12 that's a challenge and it's a real good eating fish and it's a
13 real good commercial fish and that's why they go after it.

14
15 Another thing is something that I'm worried about is if Natural
16 Resources of Puerto Rico does something about these 2,000
17 licenses and this amount of catches reduces, it should be a
18 little bit -- I should be a little bit worried that you guys
19 don't think that the fish are being over caught and we're not
20 catching an amount of fish.

21
22 When you have, right now, like 800 licenses of really commercial
23 fishermen and like a hundred fishermen fish for that type of
24 fish and you take out 2,000 licenses of these commercial
25 recreational fishermen and you stop them from fishing, the
26 amounts of catch are going to decline.

27
28 All of a sudden, now they're not catching all these deepwater
29 fish and they're going to be gone. They're going to think that
30 they're going to be gone.

31
32 Like right now, these amounts are increasing because these
33 people are saying that they're using them for commercial use,
34 which they're not, and when you take them out of it, if Natural
35 Resources does anything about it, when they come down, it will
36 be a problem, too.

37
38 I'm a little bit worried about that and I guess that's about it,
39 but it's something to be concerned. If they ever stop them or
40 do something about it, that when it declines, then they think
41 that we overfished for them. It's very important that you have
42 that in mind.

43
44 **BILL ARNOLD:** Tommy, I appreciate that concern and understand
45 where it's coming from and it's valid, but really, our baselines
46 right now are derived from the prior to the introduction of all
47 of these pseudo commercial fishermen.

48

1 If we saw landings come back down to levels that were more
2 characteristic of the 1999 to 2005 time period, I think we would
3 recognize that as a return to normalcy and not a collapse of the
4 fishery.
5
6 **TOMMY FUERTES:** That's good to know and it's something positive
7 about the commercial fishing industry.
8
9 **BILL ARNOLD:** We are anxious to get this returned to normal.
10
11 **TOMMY FUERTES:** Thank you very much.
12
13 **MIGUEL ROLON:** The last person for the round is Juan Feliciano.
14
15 **JUAN FELICIANO:** (The presentation by the speaker was in
16 Spanish.)
17
18 **MIGUEL ROLON:** My name is Juan Feliciano from the town of
19 Catano, Puerto Rico, and I have a concern that is also the
20 concern of most of the fishermen present here.
21
22 **JUAN FELICIANO:** (The presentation by the speaker was in
23 Spanish.)
24
25 **MIGUEL ROLON:** He wants to address the issue that was presented
26 by Mr. Davila, Miguel Davila, regarding the nautical miles.
27 Where he comes from, he fishes -- The group of fishers go to
28 eleven miles offshore to fish for the silk snapper and other
29 species.
30
31 However, there are barges of mud and garbage that drop
32 everything that they carry on the shelf between the shoreline
33 and these areas, hurting corals and other species in the shelf
34 of Catano and San Juan area, all the way from Catano to Rio
35 Grande de Loíza on the northeast.
36
37 **JUAN FELICIANO:** (The presentation by the speaker was in
38 Spanish.)
39
40 **MIGUEL ROLON:** Given the situation of the pollution created by
41 these barges, they are forced to fish between Culebra and St.
42 Thomas and to the south of St. Thomas, from fourteen miles they
43 come out.
44
45 **JUAN FELICIANO:** (The presentation by the speaker was in
46 Spanish.)
47
48 **MIGUEL ROLON:** The point is if you cannot fish within the nine

1 nautical miles and then you have to fish in the federal waters,
2 which is beyond nine nautical miles, and that area is closed,
3 how can we fish the snapper?

4
5 **JUAN FELICIANO:** (The presentation by the speaker was in
6 Spanish.)

7
8 **MIGUEL ROLON:** He has a misunderstanding. He thought that the
9 EEZ was going to be closed all year-round to the snappers and I
10 am clarifying that it's September 21, 2013 to December 31, 2013.
11 Are there any questions for Mr. Juan Feliciano? Okay. Then,
12 Mr. Chairman, we have Dr. Bonnie Ponwith waiting to address the
13 group on Other Business, the discussion of an initiative to get
14 better data collection.

15
16 **MIGUEL GARCIA:** I am going to make one point and I am going to
17 address the fishermen in Spanish for a second.

18
19 (Whereupon, Dr. Garcia addresses the stakeholders in Spanish.)

20
21 **MIGUEL GARCIA:** I was telling to our stakeholder fishermen that
22 the administration in the department, the Secretary is very
23 participatory and she's always asking us to follow up and
24 fishermen, among others, are very important to her and she has
25 done much in a very short period of time and so I more than
26 welcome it and I invite you to submit any petition and even go
27 in person to the office and go ahead and make any petition
28 official to the department. Don't stay talking between
29 yourselves, among yourselves. Go to the department and complain
30 and ask for attention, please.

31
32 **OTHER BUSINESS**

33
34 **CARLOS FARCHETTE:** Thank you, Miguel. Okay, Bonnie, it's all
35 yours now.

36
37 **BONNIE PONWITH:** Thanks very much. I think the common theme
38 that we've heard over the course of the day, and certainly it's
39 not new today, is the need for better and more timely data in
40 the Caribbean to be able to address some of these very basic
41 questions.

42
43 In fact, it's an issue that we're feeling in the Pacific Islands
44 as well, the same kind of struggle with getting adequate data.
45 I think we're all aware that some of the data challenges faced
46 both in the Pacific and in the Caribbean are unique and they're
47 just different issues than are facing some of the other
48 councils.

1
2 To address that, NOAA Fisheries wants to announce today that
3 we're going to be allocating a modest amount of additional
4 funding in 2013 to the Caribbean to help us kick off a
5 territorial science initiative and the amount that we're going
6 to be able to invest this year, over and above what we've been
7 doing, is an additional \$125,000.

8
9 This is just a start. If Congress does fund the FY2014
10 President's budget request, our expectation is to expand the
11 territorial science initiative to be able to enhance both the
12 agency's and the local fisheries science capacity and under the
13 President's budget, we would fund this initiative at \$1 million
14 in FY2014.

15
16 That would be a half-million in the Caribbean and a half-million
17 in the Pacific Islands and the focus of this money will be to
18 improve the commercial landings data. It would be to get out
19 there and enhance the validation of commercial landings and
20 certainly to enhance the biological sampling and that's in the
21 collection of those biological samples.

22
23 We heard today how important it was to get additional lengths of
24 some of these fish, but also to be collecting hard parts, to be
25 able to age them, and that's what these resources would be used
26 to do.

27
28 Right now, we have a concrete commitment to \$125,000 and pending
29 the outcome of the appropriation -- We've got a request in the
30 President's budget for an additional half-million in 2014.

31
32 **MIGUEL ROLON:** Thank you, Bonnie, for good news at the end of
33 the day. You have really made our day. Mr. Chairman, Genio has
34 to leave, because he is going to Canada the day after tomorrow,
35 but he included in Other Business an item here.

36
37 Today is -- Well, the next meeting of the council is on August
38 13 and 14 and between here and the next meeting, I don't think
39 that we will have another meeting of the council and Mr. Winston
40 Ledee has been with us for quite some time now, six years, and
41 we have gone through bad times and good times and accidents and
42 no accidents, rebuilding.

43
44 Actually, Mr. Ledee is a good example of how the fishermen get
45 together when one of them is in trouble and we would like to
46 thank Winston for your dedication and we hope that you will be
47 able to participate with us in other meetings and hopefully we
48 will see you at hearings and at hearings, nobody can bring you

1 for anything and so you will be a free bird.

2
3 Just in the name of Genio and all the council members and staff,
4 we just want to say thank you for your service for these years
5 and we might invite you to meetings here and there and so I hope
6 that you can be able to come.

7
8 **WINSTON LEDEE:** It's been an honor serving as a council member
9 and it's also been an honor serving everybody involved in the
10 process and I hope I contributed to maintaining a sustainable
11 fishery. Thank you for having me.

12
13 **MIGUEL ROLON:** Now we can have a round of applause. The next
14 council meeting will be on August 13 and 14 and it will be held
15 in Puerto Rico. Given that this was kind of a start of our
16 meeting, we want to keep the rotation and so the next meeting
17 will be in Puerto Rico, followed by one in St. Thomas in
18 December and then again in St. Croix in March.

19
20 In between, if we are in need of any other meeting like this, we
21 will do so and we will announce it, in due time. We are getting
22 into interesting times with these ACLs and all this and the
23 reauthorization of the Act is this year, probably, or next year
24 and it will bring some changes.

25
26 I don't know what changes, but the point is that we need to
27 continue working on this. I would like to personally thank the
28 fishermen from Puerto Rico.

29
30 Thank you to the fishermen of Puerto Rico and that in the next
31 meetings, we will have a policy that we will have translation in
32 all meetings in Puerto Rico, so people can participate. I
33 encourage them to keep coming to the meetings and offer them
34 their input and discuss whatever we have at this meeting with
35 their fellow fishers back home.

36
37 **CARLOS FARCHETTE:** We have come to the end of the 146th Caribbean
38 Fishery Management Council meeting. I want to thank you all for
39 participating and this meeting is now adjourned. Thank you all.

40
41 (Whereupon, the meeting adjourned on June 24, 2013.)

42
43 - - -