

1 **CARIBBEAN FISHERY MANAGEMENT COUNCIL**  
2 **149<sup>TH</sup> REGULAR COUNCIL MEETING**  
3 **Divi Carina Hotel**  
4 **St. Croix, USVI**

5  
6 April 22-23, 2014

7  
8 APRIL 22, 2014

9  
10 The Caribbean Fishery Management Council convened at the Divi  
11 Carina Hotel, St. Croix, USVI, Tuesday morning, April 22, 2014,  
12 and was called to order at 9:00 o'clock a.m. by Chairman Carlos  
13 Farchette.

14  
15 **CALL TO ORDER**

16  
17 **CARLOS FARCHETTE:** Good morning. This is the 149<sup>th</sup> Caribbean  
18 Council meeting held at the Divi Carina Bay Hotel. It's April  
19 22 and 23, 2014. There are a couple of housekeeping items.  
20 These microphones are new and so you have to actually press and  
21 once the green light is on, you can talk and make sure you turn  
22 it off.

23  
24 If we can, we can put our cellphones on vibrate or off. The  
25 restrooms are right outside the door here and also, where you  
26 give away your hard-earned money is upstairs. We are going to  
27 start with the roll call and I'm going to start on my left.

28  
29 **NELSON CRESPO:** Nelson Crespo, Puerto Rico.

30  
31 **SHANNON CASS-CALAY:** Shannon Cass-Calay, Southeast Fisheries  
32 Science Center, Miami.

33  
34 **BONNIE PONWITH:** Bonnie Ponwith, NOAA Fisheries.

35  
36 **SHEPHERD GRIMES:** Shepherd Grimes, NOAA Office of General  
37 Counsel, Southeast Section.

38  
39 **ROY CRABTREE:** Roy Crabtree, NOAA Fisheries.

40  
41 **EUGENIO PIÑEIRO:** Genio Piñeiro, council member, Puerto Rico,  
42 Vice Chair.

43  
44 **CARLOS FARCHETTE:** Carlos Farchette, Chair.

45  
46 **MIGUEL GARCIA:** Miguel Garcia, council member, Puerto Rico.

47  
48 **TONY BLANCHARD:** Tony Blanchard, St. Thomas, council member.

1  
2 **MORGAN FOWLER:** Lieutenant Morgan Fowler, U.S. Coast Guard.  
3  
4 **BILL ARNOLD:** Bill Arnold, National Marine Fisheries Service.  
5  
6 **GRACIELA GARCIA-MOLINER:** Graciela Garcia-Moliner, council  
7 staff.  
8  
9 **MIGUEL ROLON:** Miguel Rolon, council staff.  
10  
11 **KATE QUIGLEY:** Kate Quigley, council staff.  
12  
13 **ALIDA ORTIZ:** Alida Ortiz, Outreach and Education Advisory  
14 Panel.  
15  
16 **RICHARD APPELDOORN:** Richard Appeldoorn, SSC Chair.  
17  
18 **PHIL STEELE:** Phil Steele, NOAA Fisheries.  
19  
20 **JEFF RADONSKI:** Jeff Radonski, NOAA Enforcement.  
21  
22 **LETA DUNMIRE:** Leta Dunmire, Pew Charitable Trust.  
23  
24 **TONY IAROCCI:** Tony Iarocci, Puerto Rico.  
25  
26 **THIERRY LEDEE:** Thierry Ledee, STFA.  
27  
28 **KEN STUMP:** Ken Stump, Pew Charitable Trust.  
29  
30 **MICHAEL NEMETH:** Michael Nemeth, independent marine scientist.  
31  
32 **RENI GARCIA:** Reni Garcia, UPR Mayaguez, SSC member.  
33  
34 **ALEXA COLE:** Alexa Cole, NOAA General Counsel, Enforcement.  
35  
36 **LOREN REMSBERG:** Loren Remsberg, NOAA General Counsel,  
37 Enforcement.  
38  
39 **MIKE MASTRIANNI:** Mike Mastrianni, U.S. Coast Guard.  
40  
41 **HELENA ANTOUN:** Helena Antoun, contractor.  
42  
43 **ROY PEMBERTON:** Director Pemberton, DPNR.  
44  
45 **DIANA MARTINO:** Diana Martino, council staff.  
46  
47 **CARLOS FARCHETTE:** First on the agenda is Adoption of the  
48 Agenda.

1  
2 **ADOPTION OF AGENDA**  
3

4 **MIGUEL ROLON:** Mr. Chairman, in my report, I will have Bonnie  
5 Ponwith address an issue with a proposal regarding the SEDAR  
6 process and then we are going to touch on Clay Porch's idea  
7 about some scientific issues.  
8

9 Under Other Business, we have Tony Iarocci is going to be giving  
10 a presentation on the spiny lobster project and the trap  
11 reduction proposal. I believe, Graciela, you mentioned that  
12 there is another item for Other Business?  
13

14 **GRACIELA GARCIA-MOLINER:** Under Other Business, the NOAA habitat  
15 blueprint, we will have a presentation from them and then Toby  
16 Tobias will be here to give an update on the USVI pilot project,  
17 MRIP pilot project.  
18

19 **MIGUEL ROLON:** That's not in Other Business.  
20

21 **GRACIELA GARCIA-MOLINER:** Sorry, yes.  
22

23 **CARLOS FARCHETTE:** Would that blueprint be Other Business for  
24 today or for tomorrow?  
25

26 **GRACIELA GARCIA-MOLINER:** Tomorrow.  
27

28 **EUGENIO PIÑEIRO:** At this time then, with all the changes made,  
29 I would like to -  
30

31 **GRACIELA GARCIA-MOLINER:** There is one more. Sorry, Mr. Vice  
32 Chairman, but may I interrupt? There is an additional issue  
33 that needs to be considered and those are the island ACLs for  
34 this season, the AMs and the ACL that has been exceeded and  
35 therefore, the closure that will come into place and so do you  
36 want to do that under discussion of the control rule or do you  
37 want to do it under Other Business?  
38

39 **MIGUEL ROLON:** It should be under the ACL control rule.  
40 Anything that is ACL is --  
41

42 **EUGENIO PIÑEIRO:** With no more changes, I would move adoption of  
43 the agenda.  
44

45 **CARLOS FARCHETTE:** All those in favor? Any abstentions?  
46 Hearing none, the motion carries. Next on the agenda is  
47 Consideration of the 148<sup>th</sup> Council Meeting Verbatim  
48 Transcription. Are we all good with the transcript or do you

1 need more time?

2

3 **CONSIDERATION OF 148<sup>TH</sup> COUNCIL MEETING VERBATIM TRANSCRIPTIONS**

4

5 **EUGENIO PIÑEIRO:** With no comments or changes, I move that we  
6 adopt the council meeting transcription.

7

8 **NELSON CRESPO:** Second.

9

10 **CARLOS FARCHETTE:** The motion is made by Genio and seconded by  
11 Nelson Crespo. All in favor say aye; any abstentions or no.  
12 Hearing none, the motion carries. We will move forward to the  
13 Executive Director's Report.

14

15

**EXECUTIVE DIRECTOR'S REPORT**

16

17 **MIGUEL ROLON:** Thank you, Mr. Chairman. This will be very  
18 brief. Regarding the budget for 2014 and 2015, we still have  
19 not received the final word on our budget for 2014 and 2015.  
20 Actually, for 2014 and possibly we have some glitches in the  
21 system, but we will be able to operate without any problems once  
22 this is solved and once the monies are at NMFS and given to us,  
23 we will inform you at the next council meeting and it seems that  
24 we will be able to carry on all the work that we said we would  
25 do in 2014.

26

27 Then Bonnie Ponwith will discuss the -- We were discussing the  
28 ways that we can do the ways that we assess the stocks that we  
29 have in the U.S. Caribbean and I asked Dr. Bonnie Ponwith to  
30 give us a presentation while she's here with Shannon on this new  
31 alternative.

32

33 **BONNIE PONWITH:** Thank you, Mr. Executive Director. We have  
34 been in discussion with staff at the Southeast Fisheries Science  
35 Center in response to discussions that were held over the last  
36 two council meetings over some frustration with the pace of  
37 stock assessments in the Caribbean, due to the fact that so many  
38 of the species here in the region are data-poor species.

39

40 The stock assessment process works quite well for stocks that  
41 have robust data sources and multiple data sources, meaning  
42 they've got good landings data from both recreational and  
43 commercial and they've got good fishery-independent data and  
44 they've got good biological sampling.

45

46 Sometimes that's not the case with stocks that we're assessing  
47 here and for things like the assessment process, where you would  
48 need a very refined tool in situations where the data may not

1 support a tool of that level of sophistication.

2  
3 I will pause right now and take this opportunity to introduce to  
4 you Dr. Shannon Cass-Calay. Shannon is the new Branch Chief for  
5 the branch that's responsible for stock assessments in the  
6 Caribbean and Gulf of Mexico and she has been working closely  
7 with Dr. Clay Porch, the Division Chief responsible for stock  
8 assessments.

9  
10 Shannon is here today to have an opportunity to meet the council  
11 face-to-face and have a chance to get to know you a little bit  
12 and see how the council needs are conducted, because if in the  
13 future we have a situation where I'm unable to come, Shannon  
14 would be one of the candidates that would come and represent the  
15 Science Center and answer any questions you may have related to  
16 science and so we look forward to Dr. Calay having a chance to  
17 get to know each of you.

18  
19 Just to recap, the way stock assessments are done, the more  
20 traditional approach under SEDAR is a three-workshop process,  
21 where we have a data review. That's fishermen together with the  
22 scientists and look at what data we have and get the local  
23 governments to find out what data are available and find out  
24 which of those data streams are adequate for being incorporated  
25 into an assessment.

26  
27 Then we hold an assessment workshop, where the assessment itself  
28 is actually conducted and then the third workshop is the peer  
29 review workshop, where the actual stock assessment for that  
30 stock is given a thorough independent peer review to make sure  
31 that it meets the quality standards that we have for decision  
32 making for management.

33  
34 That's how it's done now and here's how we are proposing to make  
35 some changes. First of all, a data workshop for a whole suite  
36 of key species in the region and this would be getting together  
37 fishermen and people from the governments, the federal  
38 government and from Puerto Rico and the Virgin Islands and  
39 getting together the scientists and going through all the  
40 holdings for data and creating a massive catalog for all the  
41 data and then what species are included in those data.

42  
43 Then part of that data cataloging process will be to run a  
44 diagnostic utility on the quality and quantity of those data, to  
45 help us understand what modeling approaches data of that type  
46 could support and then model selection will be based on these  
47 diagnostics.

48

1 The next step will be a SEDAR-like stock assessment and instead  
2 of creating a three-step process, we will hold a big workshop,  
3 just like we did for the data. We would hold a big workshop to  
4 look at what data-poor analytical tools exist and what the data  
5 would --

6  
7 After these two workshops, all of these data that are available  
8 and we have a catalog of data and assessment tools, the next  
9 step is to -- Instead of holding a three-step workshop for each  
10 individual species, we would have one workshop, which is a data  
11 and assessment workshop combined.

12  
13 We would picture fishermen involved in that, to the extent that  
14 scientists need to know how the fishery is carried out. Peer  
15 reviews will be done on the process rather than on the  
16 individual assessments. It is that the process for conducting  
17 the assessment has been peer reviewed and the notion is then  
18 that the assessment itself should meet the standards required  
19 for fishery management.

20  
21 This will also require modification to the ABC control rule, to  
22 ensure that that control rule is set up to accommodate some of  
23 these data-poor methods and, again, it will benefit strongly  
24 from fishers and stakeholders and the scientific advice would be  
25 reviewed after the assessment was done. It would be reviewed by  
26 the council's SSC and then that product would be used to set the  
27 ABC according to this revised ABC control rule.

28  
29 So what does it cost us? What it costs us is instead of picking  
30 the next stock that we think has enough data available to do a  
31 more traditional stock assessment process, it's stepping back  
32 from that whole model completely and trying this new approach,  
33 where do this massive data cataloging and a workshop that's  
34 looking at all of the methodologies to create a catalog of the  
35 analytical methodologies.

36  
37 Once those two things are done, we will be set to do these  
38 assessments that we need in a way less officious method that's  
39 more geared towards the situation we have here, because right  
40 now, the way SEDAR is designed, it's really designed  
41 specifically for those more traditional stock assessments, where  
42 there's a large dataset available.

43  
44 I will stop there and see if there are any questions. What I am  
45 interested in is what your view is in making this rather  
46 dramatic departure from the way we've been conducting things in  
47 response to the request you've made of us saying we need to do  
48 something different and this isn't working.

1  
2 **MIGUEL ROLON:** One question before we get into the discussion.  
3 I understand that this is all legal and it's all within the  
4 boundaries that we have and so we've got that out of the way and  
5 also, what is the time schedule that something like this can be  
6 done and it can be run parallel to the SEDAR that we have right  
7 now or should we stop SEDAR the way we have it now and move into  
8 this other --

9  
10 **SHANNON CASS-CALAY:** Currently on the schedule, we are  
11 conducting a red hind assessment and that assessment will be  
12 completed towards the end of fiscal year 2015 and so right now,  
13 we have a space on the calendar that could be the first data  
14 triage exercise in the Caribbean in fiscal year 2015.

15  
16 We would envision that during that process, which would begin in  
17 2015, we would do the data triage, at least the assessment  
18 workshop. The timing of that has not yet been planned and we  
19 would envision that this would take place of the current  
20 Caribbean SEDAR assessment, because it does take virtually all  
21 of our staff to support this exercise, but the benefit would be  
22 that within a one-year to eighteen-month timeframe, we might  
23 have a fast assessment process in place for multiple species.

24  
25 The list would need to be defined and so we would be looking for  
26 information about what are the most important species we would  
27 consider to begin this process with. It would have to be a list  
28 that was, I am guessing, five to seven species, something like  
29 that, to begin this. It would replace the current SEDAR  
30 process, but hopefully it would result in more assessments  
31 faster.

32  
33 **EUGENIO PIÑEIRO:** Good morning, Dr. Ponwith and Shannon. Since  
34 Miguel asked the question, I won't ask it, but I just want to be  
35 very brief and say that I support the effort.

36  
37 **ROY PEMBERTON:** Good morning. You're saying you're looking at  
38 maybe five to seven species.

39  
40 **SHANNON CASS-CALAY:** In my words, and these are not the words of  
41 the Science Center, but I do envision that it would be helpful  
42 to us to at least prioritize the list of species and that some  
43 species would have obviously more data than others and so that  
44 list of species that are high priority and have the most data  
45 would probably be the easiest to assess and then we can work  
46 downwards towards the others.

47  
48 We don't have a firm commitment to a certain number of stocks.

1 We plan to throw essentially all of our available staff into  
2 this exercise and conduct as many as we can during this process,  
3 but a prioritized list would be very helpful.

4  
5 **BONNIE PONWITH:** I would add to that, because that is a good  
6 question. It's obvious that if we're going to give something,  
7 which is to use a stock assessment slot to do this data  
8 workshop, you want to know what you're going to get and so  
9 that's a very germane question.

10  
11 Another part of the answer is it depends. The reason is because  
12 we are doing the data workshop to collect all the data and  
13 evaluate the quality and we'll also do the methods workshop to  
14 accumulate all the modeling methods and the next step is we'll  
15 make partnerships. What data will support what modeling  
16 approach?

17  
18 What I can picture from that first suite of species is the  
19 criteria of what species are most important to you, but also  
20 another question might be what species could all use this  
21 modeling approach, so that when you do a collection of three or  
22 four or five or more species, what you do is start a like  
23 modeling approach and we may use that as one of the criteria to  
24 say this is going to be used in all the species that meet this  
25 test and next year, we'll do a species that meets a different  
26 test.

27  
28 Until these diagnostics are done, it's hard to say how many, but  
29 the short answer is that it will be as many as -- It will  
30 certainly be more than one, which is what we're more or less  
31 doing now. It will depend on those types of situations.

32  
33 **TONY BLANCHARD:** That sounds like a good strategy. The problem  
34 with a strategy is they don't always turn out the way you want  
35 them to turn out. Looking good on paper don't necessarily mean  
36 it's going to follow that it actually says should follow.

37  
38 Now, the question is this. I think the SEDAR process, I think  
39 it's pretty obvious -- What timeframe are we going to use to  
40 decide whether this -- When we are looking at data, whether we  
41 are going to keep it or discard it?

42  
43 The thing is you don't want to commit to something. You have to  
44 decide how far down the road you're going to get, because you  
45 don't want to be doing this for an extended period of time  
46 before you decide this just ain't working, because you could  
47 actually be taking a worse -- Taking a more not-so-good approach  
48 to assessing the stocks than what we're working with now.



1  
2 **BONNIE PONWITH:** That's another good question. Right now, with  
3 some of our data-poor species, the way we're managing it is  
4 using landings to set the ABCs and we believe that for some  
5 stocks that's the way we best can do it, but for other stocks,  
6 there are data that we think we would like to incorporate.

7  
8 What we picture, as Dr. Cass-Calay said, is that in 2015 that we  
9 can do data triage, basically what data are out there, and then  
10 hold that big workshop and then soon thereafter, whether it can  
11 also be in 2015 or whether it has to be in 2016, do that  
12 modeling workshop, where we look at what tools are available and  
13 get those tools in place and peer reviewed.

14  
15 That's when we would refine this first suite of species to the  
16 process and I think it's really important, this kind of adaptive  
17 approach, to circle back with the scientists and circle back  
18 with the council and with the SSC, to see how did this work and  
19 how did it perform relative to the status quo approach, the  
20 SEDAR approach, and what changes might we want to make and this  
21 is the process that we want to continue with.

22  
23 I would envision this to be a highly adaptable approach where we  
24 would have feedback from the council and the SSC and the  
25 scientists themselves in the Center to evaluate the performance  
26 of this approach.

27  
28 **TONY BLANCHARD:** I would like to make a suggestion. I think  
29 before we begin with multiple species, but before dumping  
30 several species into this, we take it two or maybe three months  
31 and see how it works from there, instead of adding ten different  
32 species to the list.

33  
34 **MIGUEL ROLON:** Don't worry so much about how many species. I  
35 think what we have right now, you have two or three species.  
36 You analyze, for example, red hind now and take about three or  
37 four years -- You are competing with the other two councils to  
38 get the next species analyzed.

39  
40 The approach that has been described here is -- Actually, it's a  
41 lot of work done and a lot of people will have to be working and  
42 looking at this information and so the idea is if we have -- She  
43 called it a triage approach to this.

44  
45 We will be able to look at other species that we have now that  
46 they have enough information to do a classical stock assessment  
47 and then we have another group of species that we don't have  
48 enough information to use the approach that we have now, where

1 we have a lot of information for one particular species and you  
2 do the analysis and it would be a group of species that you have  
3 life history. You have how big it gets and what is the maximum  
4 and what time they reproduce and all that.

5  
6 Then you have information that is not -- They collect  
7 independent information from the landings. Those datasets could  
8 be used for assessing this model and there are people around the  
9 nation looking at data-poor situations.

10  
11 The SSC at the national level has discussed this and another  
12 bunch of assessment scientists and there's a worry now that  
13 across the nation you have species that are supposed to have,  
14 under the Magnuson Act, stock assessments, from sea urchins all  
15 the way to species that you have much information.

16  
17 It says under the Act that you have to address this and the  
18 situation that we have here is when the scientists tell you a --  
19 This approach will allow us to have in a year an idea of whether  
20 this will work or not.

21  
22 The other thing that we need to do in this approach is that we  
23 will be able to have a toolbox that will allow us to -- Let's  
24 say that you have a species like spiny lobster where you have a  
25 lot of information. You have one tool in the toolbox that will  
26 allow you to do the stock assessment, but then you have another  
27 one of those cryptic species that are still caught by fishermen,  
28 but you don't have enough information to do the analysis with  
29 the approach that you used for lobster and you have another tool  
30 in the toolbox that you can use.

31  
32 Flexibility is an issue that has been discussed, especially for  
33 this area and even in Alaska, they have sea urchins and other  
34 species that are important for certain communities, but they are  
35 not part of the big type of fisheries.

36  
37 The idea, to us today, as I said, is the tip of the iceberg, but  
38 if the council decides this is worth the time, then we will have  
39 to set the wheels in motion with the Center and people here on  
40 the council can assist with all the staff we have, Graciela and  
41 Kate, and they can come up with some species that they can work  
42 with.

43  
44 By the end of 2015, we will have a clear understanding of how  
45 much -- The group of species that you would be prioritizing.  
46 The priority of those species should be based on the SSC, the  
47 advisory panel, and the council input. We have some species of  
48 concern to the local government that I would share and you may

1 like to include them in the priorities that you have.

2  
3 The fishermen have fish or invertebrates that they believe that  
4 should be important because they are important for their fishery  
5 and so those are the concerns that we will use in our criteria  
6 for prioritizing the datasets.

7  
8 This reminds me of a time when I went to the American Fisheries  
9 Society because in the agenda Mike Sissenwine had a presentation  
10 of models of the future and species approaches. I went there  
11 and I thought that we were talking about a hundred species at a  
12 time, but the maximum was six and they still had problems.  
13 Bonnie, what do you need from the council at this stage to move  
14 the project forward?

15  
16 **BONNIE PONWITH:** The next step, from the council's perspective,  
17 is the fact that we have scheduled a SEDAR Steering Committee  
18 meeting and at the SEDAR Steering Committee, your  
19 representatives on that committee, who are your Executive  
20 Director and your Chair and Dr. Crabtree and myself, as  
21 representatives for all of the councils we represent -- At those  
22 meetings, we discuss process issues and we also discuss species  
23 priorities.

24  
25 If the council decides that this is a worthwhile exploration,  
26 what would go forward on behalf of the Caribbean in terms of  
27 their views on what an important stock would be for 2015 would  
28 be instead of doing one single or two stock assessments, that we  
29 would put forward this data triage and the beginnings of the  
30 methodologies triage workshops instead, to be able to kick off  
31 this process.

32  
33 That would be what would be required and so my sense is that  
34 today is, is the council behind making this investment in  
35 changing the way we do business here in the Caribbean? If the  
36 answer is yes, then that message would be carried to the SEDAR  
37 Steering Committee, which impacts the scheduling.

38  
39 **MIGUEL ROLON:** Dr. Crabtree, what is your take on this approach?

40  
41 **ROY CRABTREE:** We haven't had much success with the way we have  
42 been doing it and so I think we do need to try something  
43 different and this seems to be the plan that the Center has put  
44 on the table and so I would say let's try it and see if it  
45 performs better than what we've been doing. Certainly we need  
46 to make a change and I'm glad the Center has come up with a  
47 proposal and so I guess my view is let's give this a try.

48

1  
2 **MIGUEL ROLON:** Mr. Chairman, we will need a motion to --  
3  
4 **CARLOS FARCHETTE:** We need someone to make a motion to approve  
5 this process.  
6  
7 **EUGENIO PIÑEIRO:** I move that we approve this process.  
8  
9 **MIGUEL ROLON:** (The comment is not audible on the recording.)  
10  
11 **EUGENIO PIÑEIRO:** Move that we approve this process as proposed  
12 by the Southeast Fisheries Center.  
13  
14 **CARLOS FARCHETTE:** Do we have a second? Second by Blanchard.  
15 Any discussion? I have one question. This data from landings,  
16 would that include also the discards on the new CCR?  
17  
18 **BONNIE PONWITH:** Yes, it would be looking at all the data that  
19 are available and making determinations on whether they meet the  
20 quality standards for inclusion in this assessment and so yes,  
21 it would include the discards.  
22  
23 **EUGENIO PIÑEIRO:** I would point out that for years SEDAR has  
24 served us not in the way we wish it had, but it has served well  
25 and a lot of people have worked very hard and a lot of  
26 dedication and I just want to say this for the record, that --  
27 We have to look back and thank people who have worked so hard  
28 for that and have advanced the cause.  
29  
30 **MIGUEL GARCIA:** (The comment is not audible on the recording.)  
31  
32 **BONNIE PONWITH:** We would anticipate the players being very much  
33 the same. If there are players who have new data, for example,  
34 if a scientist has data and can share those data to incorporate  
35 in the process, that might represent a new entrant, but for the  
36 most part, it's people who are the most familiar with the  
37 fishery are going to be the people who are the most valuable to  
38 this process.  
39  
40 **CARLOS FARCHETTE:** Any more comments?  
41  
42 **GRACIELA GARCIA-MOLINER:** There is an effort by Walter from the  
43 Southeast Fisheries Science Center to look at the ecosystem  
44 models. Is this part of what you envision to become part of the  
45 process?  
46  
47 **BONNIE PONWITH:** It is a separate process. That incorporation  
48 of ecosystem principles in the stock assessment is an area that

1 we are working towards making advancements on, but in the  
2 general case, this would be something different and ultimately  
3 as that whole process matures, we could anticipate incorporating  
4 that in, but right now, what we're trying to do is do the best  
5 job we can on the basics and make sure the basics of the stock  
6 assessment are well understood here and that puts us in a good  
7 position to take better advantage of the more sophisticated  
8 approaches down the way.

9  
10 **BILL ARNOLD:** Bonnie, as you know, as part of our move to  
11 island-based management, we are reconsidering the species we're  
12 actually managing. Do you think that this new process will  
13 inform us of the selection of those species or simply follow the  
14 selection of those species?

15  
16 **BONNIE PONWITH:** My sense is that it could actually be quite  
17 informative, in fact. The data triage to help us understand  
18 what data are available, once the triage is done, those data are  
19 available and are metadata stamped so we know where they are and  
20 what the bumps and warts on them are and puts them in the best  
21 condition for being used for just exactly that type of decision.  
22 Does that capture what you think about this?

23  
24 **SHANNON CASS-CALAY:** Yes and one of the issues we had when we  
25 put together the data request for that exercise was determining  
26 for which species we actually had enough information to provide  
27 useful management advice and so this will absolutely inform that  
28 selection. We'll be able to tell you what species we have and  
29 information that will satisfy basic assessment-level  
30 requirements and for what species we have information to inform  
31 even data-limited approaches and so I suspect it will be very  
32 helpful.

33  
34 Also, as far as Graciela's question, the basic data triage  
35 necessary to conduct any assessment, including the ecological or  
36 the ecosystem, the techniques that Walter is suggesting, this  
37 will be the baseline information available for a variety of  
38 different techniques.

39  
40 **TONY IAROCCI:** Data triage, I like it. I want to applaud the  
41 efforts of the Center to move forward in a different way and  
42 Tony Blanchard's comments. Bonnie, I love what you just said  
43 about the importance of involving the people within that certain  
44 fishery you're going to be working with and the importance of  
45 involving the specific fishermen, whether they're from St.  
46 Thomas or St. Croix or Puerto Rico.

47  
48 It's key to get the industry at the table at the beginning and

1 involve the people through this process, because I know, from  
2 dealing with SEDAR in the states and here, I see there's that  
3 crack, where they're there, but they're not really there.

4  
5 They need to be involved and, Shannon, you've dealt with  
6 fishermen in other places and this a whole new world down here.  
7 Each island is different and each fishery is different from  
8 island to island and it's going to take a little bit to start  
9 with.

10  
11 You've got people like Tony Blanchard and Thierry here and  
12 people from Puerto Rico, different places, that will be there  
13 and those are the people you need to be involved with from the  
14 beginning and I think this is a great idea.

15  
16 **GRACIELA GARCIA-MOLINER:** There are two other efforts with the  
17 fishery-independent workshop that's being put together, to see  
18 if any of those datasets can be used. That's coming up in 2014.

19  
20 The other one is the effort of the EPA with coral expert group  
21 and they branched out to include fish and so they have been  
22 preparing a huge database with information and they have it for  
23 different reefs and different areas and we're going to have  
24 people from the Southeast Fisheries Science Center working in  
25 collaboration with the EPA and so that's a huge database that is  
26 also going to become available fairly soon and so all these  
27 efforts are moving towards the same end.

28  
29 **MIGUEL ROLON:** We should vote on this and I'm sure that Graciela  
30 will introduce all that information to Shannon, because the idea  
31 is that we are not deviating that much from the SEDAR approach.  
32 What we are doing is to make it more productive and one do one  
33 shot and take more species at a time.

34  
35 This is an important point, because Congress doesn't want us to  
36 create levels of fishing -- This is one place that they are now  
37 pressuring more and more and there's a lot of pressure to have  
38 the best available data, but also the best available approach  
39 and this may help us.

40  
41 As Tony said, it doesn't mean that this is the approach, but it  
42 also could be a -- At least we have one approach that is in  
43 compliance with the regulations and also an approach that can be  
44 viewed by the fishers and the scientists and come up with the  
45 information they need to make the decisions they have to make.  
46 We have a lot of things and so can you vote on this one?

47  
48 **CARLOS FARCHETTE:** Okay. All in favor say aye; any nay or any

1 **abstentions? Hearing none, the motion carries.** Next on the  
2 agenda is -- Have you still got more?

3  
4 **MIGUEL ROLON:** The last part is that now we have information  
5 that is understood by scientists that we need the public to  
6 understand as well and so we need to convey the message in a way  
7 that everybody can understand and we have experts that tell us  
8 that if you are going to -- You should avoid using too technical  
9 language.

10  
11 Clay Porch and others in the Center are looking at this with  
12 interest and they would like to participate in the Outreach and  
13 Education Panel that we have with Dr. Alida Ortiz. That way, we  
14 can discuss processes or tools that we can use that would allow  
15 us to convey the right message in the right language to the  
16 general public. Do you have anything to add to that?

17  
18 **SHANNON CASS-CALAY:** What we envision is an opportunity to meet  
19 with stakeholders as well as other interested parties to discuss  
20 the stock assessment process and the data needs and how  
21 fishermen could better contribute to the process and how we can  
22 also better communicate to the fishermen and we envision that  
23 this workshop would take place both in English and Spanish.

24  
25 We have Adyan Rios, who is from Puerto Rico, on our staff and  
26 she has volunteered Mandy Karnauskas, who also speaks fluent  
27 Spanish, to conduct the same process in Spanish. It would be a  
28 wonderful opportunity, because as you probably do know, knowing  
29 the biology of the species and the stock assessment techniques  
30 is only one part of the process.

31  
32 We need a deeper understanding of the fishing behavior and of  
33 the fishing methodologies and techniques that are employed and  
34 the effect of management regulations on your fishing experience  
35 and so this is all lacking in the SEDAR process right now or at  
36 least it's rarely touched upon.

37  
38 We hope to, through this outreach, get a much better  
39 understanding of how the fisheries operate in the Caribbean and  
40 a much better opportunity to collaborate with you to develop  
41 appropriate science advice.

42  
43 **MIGUEL ROLON:** Mr. Chairman, Alida Ortiz, our Chairman of the  
44 Outreach and Education Advisory Panel, we will conduct some  
45 outreach and education and then we can develop some strategies  
46 to have a meeting to address this and develop this through the  
47 Outreach and Education Panel.

48

1 Also, the Outreach and Education Panel is flexible enough so  
2 when we need people from different sectors, we can plug them in  
3 and so that will be the next step.

4  
5 **ROY PEMBERTON:** Just the most important thing is the  
6 socioeconomics and the markets. You have three different  
7 markets here and if you talk about the coast of St. John, it's  
8 probably four and it's very important to understand the way  
9 things are.

10  
11 I have worked for NOAA for a couple of years and just trying to  
12 get it across that this is a fishermen-directed consumer economy  
13 and it's market driven and so you've got science considerations  
14 that have no bearing on -- You have to -- That's the best way to  
15 go about it and keep the fishermen involved, like Tony was  
16 saying. They have a lot of knowledge.

17  
18 **MIGUEL ROLON:** One more thing is that Helena Antoun is a liaison  
19 between the council and the Department of Natural Resources in  
20 Puerto Rico and she has been conducting education for commercial  
21 fishers and it has been historic, because the fishers who attend  
22 these meetings, they are presented with methodologies in a way  
23 that they can understand and they are using it to conduct --.

24  
25 The interest from the fishers has been surprising and it's  
26 interesting, because these workshops last for a couple of days.  
27 Also, behind the whole thing, they would like to participate in  
28 the decision making process and they want to be informed,  
29 because when you are participating like this or any other  
30 meeting and you have a scientist across the table talking a  
31 language that you don't really get it, it's very difficult.

32  
33 The scientists already know that, but they know it's important  
34 to share with the fishers, because right now, we need to have --  
35 I was talking to Kitty Simonds from the Western Pacific and they  
36 are confronting the same issues.

37  
38 They are advanced a little bit with it, because they have been  
39 working with it, and they are using the fishers and the  
40 information and the fishers -- They plug it into the decision  
41 and it -- This is something that has already been started and we  
42 can continue it, especially since we have Alida working with the  
43 group.

44  
45 We have the right moment at the right time and so during the  
46 months of 2014 that we have left until December 31, we are going  
47 to be working on this and when we have something ready for you,  
48 we will bring it to the next meeting. The next meeting we will



1 have an Outreach and Education Advisory Panel meeting report.  
2 We will have a report that we can bring to your attention and  
3 with that, Mr. Chairman, I am finished.

4  
5 **CARLOS FARCHETTE:** Thank you, Miguel. Next on the agenda, we  
6 have Dr. William Arnold and a brief overview of Management  
7 Issues Under Development. Bill, it's all yours.

8  
9 **MANAGEMENT ISSUES UNDER DEVELOPMENT**

10  
11 **BILL ARNOLD:** Thanks, Carlos. I just want to give a brief  
12 overview on issues, to help the council audience keep track as  
13 we move forward in our council meeting process. This will be  
14 pretty quick.

15  
16 The first thing we're working on is the annual catch limit  
17 control rule. The current status of this, we have a public  
18 hearing draft and we will be discussing this today. Our next  
19 steps, ideally, and not necessarily and it's up to the council  
20 and these are just suggestions, would be to select alternatives  
21 and publish the public hearing draft and hold public hearings  
22 this spring or summer.

23  
24 The second is the Abrir/Bajo/Tourmaline consistent regulations  
25 within federal waters. We will also discuss this today. This  
26 is one that's been going on for a while. We have developed a  
27 public hearing draft and we are looking to get guidance from the  
28 council as to whether they wish to select preferred alternatives  
29 and what those would be and then, ideally, if so, we would take  
30 this out to public hearings sometime this summer.

31  
32 It's really a western Puerto Rico issue and so it may just be a  
33 matter of having public hearings at one or two or three sites  
34 along the west coast and northwest coast of Puerto Rico and then  
35 potentially we could deal with this at the August meeting. If  
36 that's too soon, we could deal with it at the December meeting  
37 as far as moving it forward for secretarial review. We're  
38 certainly not trying to rush this process, but we just want to  
39 make sure we get it out there in the open and, like I said,  
40 we'll be talking about it today.

41  
42 Next are the island-based fishery management plans. This is  
43 really the big move getting away from species-based management  
44 and moving to island-based management. There's a lot of things  
45 that go into this. I just found out about another one, which is  
46 the new assessment process and how that may inform the selection  
47 of the species. It's an important component of this entire  
48 process.

1  
2 Right now, we're ready to develop the draft environmental impact  
3 statements and public hearing drafts, but there's still a lot to  
4 talk about on this issue and we'll be discussing that today as  
5 well.

6  
7 This is the timing of accountability-based closures and does  
8 everything start on December 31 and count backwards or are we  
9 going to develop techniques to spread these things out a little  
10 bit better, maybe to better manage the socioeconomic impacts of  
11 the necessary closures to maintain harvest within the annual  
12 catch limit?

13  
14 We are going to present a scoping document today and we would  
15 like to publish that scoping document and have scoping meetings  
16 this spring or summer. We would bring those scoping outcomes  
17 back to the council at their August meeting.

18  
19 Finally is the development of federal permits. We were  
20 requested to develop a white paper on this, which we will bring  
21 to the August meeting. That should be a pretty wide-ranging  
22 white paper discussing all aspects of this and what the options  
23 and opportunities are with respect to federal permits.

24  
25 That's it. That's the things we really have going on right now  
26 and as I said, I wanted to let everybody know before we started  
27 into the meat of the meeting. Thanks.

28  
29 **CARLOS FARCHETTE:** Thank you, Bill.

30  
31 **MIGUEL ROLON:** Bill, that's excellent, the roadmap. All the  
32 items that you have there will be discussed between here and  
33 August and then after August, do you envision that this will be  
34 just a tentative schedule and that it will take probably the  
35 rest of 2014?

36  
37 **BILL ARNOLD:** It depends upon the issue. Again, for example,  
38 the white paper would just be us bringing it to you and saying  
39 here's the lay of the land and do you want to give some guidance  
40 on developing permits?

41  
42 Then there's what I call the buffer reduction and that is the  
43 change from 15 percent to 10 percent or back, based on the  
44 overfishing status. That's something that we could probably  
45 make pretty good progress on. Like I said, we'll discuss it  
46 today, but that's something that we may be well advanced on by  
47 the August meeting.

48

1 As far as island-based is concerned, we've got a long way to go  
2 on that, but the management of seasonal closures, I think that's  
3 coming along and we'll have discussion on that topic.

4  
5 **MIGUEL ROLON:** Thank you, Mr. Chairman and Bill. Mr. Chairman,  
6 my suggestion is that almost all of the items that Bill  
7 discussed will be discussed in here and some of them, we may  
8 need to -- My suggestion is rather than waiting for the agenda  
9 and the five-minute period is if anybody wants to have something  
10 that they want to have discussion of the timing of the items  
11 that we have in the agenda that you allow them the opportunity  
12 to discuss it and give us their input, especially for the  
13 scoping meetings, so we have some idea of what will be  
14 discussed. That may affect the schedule that we have.

15  
16 **CARLOS FARCHETTE:** Thank you, Miguel. We're going to move on  
17 the agenda with Island-Based Fishery Management and we will  
18 begin with Dr. Richard Appeldoorn on the SSC Meeting Report.

19  
20 **ISLAND-BASED FISHERY MANAGEMENT**  
21 **SSC MEETING REPORT**  
22

23 **RICHARD APPELDOORN:** Thank you very much. The SSC met for three  
24 days or two-and-a-half days in April and we discussed the  
25 criteria for excluding or not species into the island-based FMP.

26  
27 To do this, we had a number of steps. One was to review the  
28 National Standard and from that was the draft criteria that was  
29 developed that was looked at and modified. We then looked at  
30 these criteria and applied them against sort of test species.  
31 This was a fairly iterative process. There was an application  
32 then to how well the criteria seemed to work and from that, we  
33 went back and looked at the draft criteria again.

34  
35 As I said, it was kind of an iterative process and in the end,  
36 we also came up with the idea of using some thresholds to make  
37 some decisions.

38  
39 Relative to the National Standards, National Standard 1 requires  
40 a description of the species that would be involved and so  
41 really are they going to target stocks, non-target stocks, or  
42 ecosystem component species? That's part of the things that we  
43 need to consider.

44  
45 National Standard 3 says a stock should be managed throughout  
46 its range and so range is going to be important and the choice  
47 of a management unit may be organized biological, geographic,  
48 economic, technical, social, or ecological perspectives. All of

1 those are things that we had to consider as well.

2  
3 Then National Standard 7 says that management measures shall  
4 minimize costs or avoid unnecessary duplication and factors  
5 typically considered for inclusion include importance, the  
6 biological condition, the management by other programs or other  
7 agencies, competing interests or conflicts, economic condition,  
8 needs of the fishery. All of these costs have to be balanced  
9 against the benefits.

10  
11 One of the things that we looked at specifically when discussing  
12 the draft criteria is whether federal management would improve  
13 the situation or not and we said if it didn't, it was going to  
14 be ranked lower.

15  
16 This was the draft criteria that was brought to the table and  
17 the bottom one, market demand, was added to our discussions.  
18 When we discussed the values of these, we said this was an  
19 iterative process. We went through this list first and then we  
20 went -- To actually try some of these things, we went back and  
21 we refined these.

22  
23 Very quickly, we got rid of four of them as either being  
24 something that is a duplication. For example, cultural  
25 considerations and market demands are something that are going  
26 to be wrapped into economic importance.

27  
28 These are the draft criteria we finally came up with and so  
29 biology really revolved around the question of vulnerability  
30 versus productivity and is a species particularly at risk  
31 because of its biology.

32  
33 Habitat specificity was also a question of vulnerability, due to  
34 perhaps particular dependence on limited or vulnerable habitat  
35 during a life stage that would require it to be managed.

36  
37 Range was defined as whether species is either effectively  
38 limited to local waters or limited to the EEZ. The third was  
39 whether it spanned both or fourth was is it a highly migratory  
40 species.

41  
42 Economic importance was defined as total economic value and not  
43 just ex-vessel price and this would include, for example, non-  
44 consumptive uses, recreational value, sociocultural importance,  
45 et cetera. There are ways that economists have to put value on  
46 those kinds of activities and we figured this could be  
47 considered.

48

1 Whether a species is a target species or a bycatch is of  
2 importance. Obviously if you're a target species, you're more  
3 likely to be included than if you're a bycatch. Landings, and  
4 these were being primarily used to establish upper and lower  
5 thresholds and I will talk about that a little later.

6  
7 Ecological value was defined as having a unique or large  
8 ecological function relative to habitat, especially coral reefs  
9 in our situation, or trophic community structure, such as  
10 keystone species, apex predators, key forage species, such that  
11 management is needed to sustain that ecological function.

12  
13 Protected or management status was defined as whether the  
14 species is fully protected or is it also partially protected or  
15 managed under other arrangements, either other federal  
16 jurisdictions or other local jurisdictions.

17  
18 We selected six species to potentially model or apply those  
19 criteria, to see how they worked in reality. We were limited to  
20 the underlined ones, due to the time considerations, the spiny  
21 lobster, dolphinfish, and octopus.

22  
23 This is a range of species where we are -- In the case of spiny  
24 lobster, we know it's going to be included. Dolphinfish may be  
25 included under this and octopus, who knows? We wanted to see  
26 how we could use these criteria across a range of species and  
27 available information.

28  
29 The data that was presented to us by the Southeast Center ranged  
30 as shown on the screen here and these data are the same data  
31 that were -- The starting dates are the same data that was used  
32 to establish ACLs and the final dates are the most recent  
33 available data.

34  
35 In looking at that data, it was very obvious that the 2005  
36 correction factor for Puerto Rico was having a substantial  
37 impact and so we would up making a specific recommendation that  
38 that correction factor be reexamined by the Puerto Rico DNER  
39 with the assistance of the Southeast Fishery Science Center.  
40 That's not new and SEDAR, I think, made the same recommendation.

41  
42 Here is what we did looking through the species. You can see we  
43 have spiny lobster, dolphinfish, and octopus here and we have  
44 the criteria going across and what we tried to do is basically  
45 rank things as low, medium, and high. High would mean you are  
46 more likely to be included and low, you're less likely to be  
47 included as a fisheries management unit.

1 There was a lot of discussion about each of these species and  
2 each of the topics and so this is the part when we say what do  
3 we mean by ecological value and what do we mean by whether it's  
4 protected or managed or whatever? That helped drive those  
5 definitions that I gave you before.

6  
7 Nevertheless, we were able to come up with these things and  
8 sometimes it was hard to break it down into high, medium, and  
9 low and so spiny lobster got very high, but it seemed to work  
10 reasonably well for all the three species that we considered.

11  
12 That's as far as we got with that. While we have a ranking of  
13 high, medium, and low, we did not look at how we would weigh the  
14 various criteria, if ecological function is more important than  
15 landings, et cetera, or how they would be combined. If we go  
16 across that screen, are we looking at a mean score or a median  
17 score? Again, we did not get that far, nor did we get to the  
18 point of how we would interpret the score.

19  
20 Once we got a score, did that mean that yes, it's included or  
21 it's not included or it's somewhere in between and so we haven't  
22 gotten that far yet. Perhaps we're being a little analytical in  
23 this, but we're trying to come up with something that once it's  
24 established, it works really quick.

25  
26 Moving in that direction, we came up with the idea of having  
27 thresholds and this chart -- Depending on the threshold, if you  
28 were above it or below it, you are automatically in or you're  
29 automatically out.

30  
31 The first thing was is a species protected or managed in some  
32 way, such that fishing really cannot occur? If it's a protected  
33 species, it's going to be included and just so the management  
34 plan reflects the need for that protection.

35  
36 Then if the range is only in the state waters, that would tend  
37 to say you're not included. If landings are above an upper  
38 threshold, it's going to go in and if its landings are below a  
39 lower threshold, it's going to go out.

40  
41 After that, any species that hasn't been automatically included  
42 or excluded, we'll start looking at that table and coming up  
43 with rankings and deciding from there what should go in or out.

44  
45 Considering the thresholds, first of all, the actual thresholds  
46 were not developed and the use of thresholds did not take into  
47 consideration possibly some species with low landings being  
48 considered as potential ecosystem component species. We were

1 thinking more of the species that are going to be -- The kind  
2 we're going to do stock assessments on on a reasonable basis and  
3 so that part didn't work out.

4  
5 Relative to the actual threshold, the SSC is requesting help  
6 from the Southeast Fisheries Science Center to develop graphs of  
7 species landings, both in pounds and ex-vessel value, that could  
8 be used to see if there are obvious threshold breaks.

9  
10 If we look at species, are there gaps to say, okay, right here  
11 we can go out and say anything below that isn't a strong  
12 contributor to the fishery and we really don't need to put it in  
13 the management plan or perhaps we want to do it later as an  
14 ecosystem component or is it something above a certain level and  
15 everything above that level is going in and we don't even have  
16 to do the consideration.

17  
18 Two other things that we looked at very briefly, because, as I  
19 said, almost all the time was developing the criteria, but one  
20 was the ACL control rules and this was discussion was motivated  
21 by the scalers that were used in the management buffer, which  
22 are the 0.9 and 0.85 for species that are either under normal  
23 status determinations or the species is undergoing overfishing.

24  
25 The question was raised of Bill Arnold or we put out what do you  
26 do when you go from one to the other and back to the other and  
27 how do you change that scaler? It was also pointed out that for  
28 the overfished stocks, which are the first ones that were  
29 analyzed by everyone, including the SSC, in terms of setting  
30 ACLs, that that whole process was before the ORCS process, Only  
31 Reliable Catch Species. Those buffers were set up before the  
32 ORCS process was developed.

33  
34 Our recommendation, first of all, is the SSC wanted guidance on  
35 the role of the SSC for setting the ABCs. We recommended that  
36 given the five years of experience working with ACLs, both here  
37 in the Caribbean and elsewhere, in data-poor situations that the  
38 whole process of setting ACLs be revisited from start to finish  
39 prior to developing the guidance for island-specific plans. I  
40 think that reflects what Bonnie was talking about in terms of  
41 triage criteria for data.

42  
43 Until then, we recommend that you keep using the current control  
44 rules, based on the rationale that was developed at the time  
45 that they were employed.

46  
47 The last slide is we had this on the agenda, the ABT closures,  
48 but we did not get to it, other than to say that we would like

1 to be able to review the scientific information relative to  
2 those ABT closures before a final decision is made by the  
3 council and so that's it.

4  
5 **CARLOS FARCHETTE:** Thank you, Richard. Any questions for Dr.  
6 Appeldoorn? I have a quick one. When you refer to economic  
7 importance and you mentioned non-consumptive use, is that like a  
8 catch-and-release program?

9  
10 **RICHARD APPELDOORN:** Yes, exactly. The catch and release or it  
11 could be scuba diving and appreciation of looking at fish and  
12 those things that generate economic importance that we're  
13 actually not collecting dollars on, but economists have ways of  
14 assigning value to those activities. An economic evaluation of  
15 the coral reefs of Puerto Rico is now underway, fishing in both  
16 the consumptive and non-consumptive.

17  
18 **CARLOS FARCHETTE:** Any more questions for Dr. Appeldoorn?

19  
20 **BILL ARNOLD:** Richard, can you explain what an ecosystem  
21 component species is?

22  
23 **RICHARD APPELDOORN:** I will tell you what my understanding is.  
24 It would be a species that at the moment is not harvested to a  
25 level that is in any way significant enough to impact the  
26 species, but it's something that, because of its ecological  
27 importance, we want to keep tabs on it or it might be something  
28 that eventually might become an important component of the  
29 fishery.

30  
31 It's not a species that is not fished, although it could be  
32 that. It's just not fished to a level that we're worried about  
33 it from a fishing point of view, but we are worried about it  
34 from an ecological point of view or its potential in the future.  
35 Is that --

36  
37 **BILL ARNOLD:** That's pretty good. It's a species that's not  
38 overfished or undergoing overfishing and not likely to become  
39 overfished or undergo overfishing and the key thing that's  
40 prevented us from using them in the U.S. Caribbean is that it's  
41 generally not retained for sale or personal consumption.

42  
43 Since most species that are caught are landed, we haven't really  
44 been able to use the EC category, which could be very valuable  
45 in the U.S. Caribbean.

46  
47 **RICHARD APPELDOORN:** I think there's wiggle room on the for the  
48 most part not retained. I don't know if we want to seek legal



1 guidance on that, but my reading of it was not something that  
2 said even though you're not catching very much of it, if you  
3 sell it all, you rule it out. In the very beginning, you  
4 weren't catching much of it.

5  
6 It seems, to me, if we took the definition that you were saying  
7 and cut it right there, that would, as you said, pretty much  
8 eliminate any species getting that designation and I don't think  
9 that's what the intent was.

10  
11 **CARLOS FARCHETTE:** Any more questions for Dr. Appeldoorn?

12  
13 **GRACIELA GARCIA-MOLINER:** Both the Southeast Fisheries Science  
14 Center -- Miguel was there at the SSC meeting and Kevin and the  
15 -- This Go to Meeting was excellent for the SSC meeting, because  
16 it was back and forth and so for the first time, it actually, I  
17 think, worked very well and we were able to look at the data at  
18 the same time that we were discussing the criteria and so it was  
19 just a very well -- Everyone working together was just excellent  
20 and I have to say that, because I thought it was very well put  
21 together.

22  
23 **RICHARD APPELDOORN:** It did work very well, until we lost  
24 connection and we had to -- At that point, I think we had pretty  
25 well established a process and certainly to move that forward,  
26 we were going to need that same data cooperation from the  
27 Southeast Center, because, as Graciela said, it did work very,  
28 very well.

29  
30 **MIGUEL ROLON:** Thank you, Richard. Again, I am going to ask the  
31 council to support -- Richard has summarized, in a very concise  
32 way, three days of work and what they have done has implications  
33 on the next couple of agenda items.

34  
35 Let me say this for the record before we go on. When we discuss  
36 the scoping meetings, people are going to be confused about  
37 scoping meetings and public hearings and the outcome of both and  
38 because the council has already made the decision to have a  
39 table for criteria, because that was something -- The table  
40 impacts people, when you see a table like that with all those  
41 columns.

42  
43 If you proceed to the scoping meetings, you don't need to have  
44 any table at all, but if you do have a table that includes we  
45 need the help of the scientists and the fishers to help develop  
46 the table a little bit better and also we discussed that you  
47 will see that there are two or columns that people would like to  
48 address the criteria.

1  
2 Richard has mentioned one fact of market driven and especially  
3 in the area of St. Thomas, market driven is of high concern,  
4 because when you're using landings, you have just the middle of  
5 the size distribution and it may give some indication of the  
6 wrong way.

7  
8 I believe that you will have to go back to Richard with some --  
9 Also, we would like to have the AP and if the council decides to  
10 have a -- Some of the AP will join to discuss in detail all of  
11 this information.

12  
13 **CARLOS FARCHETTE:** Any more questions from council members or  
14 comments? Hearing none, we're going to take a fifteen-minute  
15 break.

16  
17 (Whereupon, a brief recess was taken.)

18  
19 **CARLOS FARCHETTE:** We are going to get started again and keep  
20 going with the agenda and island-based fishery management. We  
21 have Outcomes from the Second Round of Island-Based Scoping  
22 Meetings with Dr. Graciela Garcia-Moliner and William Arnold.

23  
24 **OUTCOMES FROM THE SECOND ROUND OF ISLAND-BASED SCOPING MEETINGS**

25  
26 **GRACIELA GARCIA-MOLINER:** What we're going to do is we're going  
27 to go over this presentation that we took to scoping meetings  
28 and the comments that the public submitted for the council to  
29 consider.

30  
31 The scoping meetings took place between April 7 and 14 in five  
32 places around Puerto Rico and one each in St. Thomas and St.  
33 Croix. These meetings are hosted at the time when most people  
34 have requested that they will be hosted, so that people won't be  
35 out fishing or they won't have time to come and attend the  
36 meetings.

37  
38 After consideration of all the recommendations for times, et  
39 cetera, and we have tried different times, these are the times  
40 that most people show up, seven to ten in the evening, and so  
41 that's when we host the meetings.

42  
43 This is the table that we usually look at in terms of the people  
44 who come to the meetings and the deponents we have. As you can  
45 see, we didn't have too many people show up at the scoping  
46 meetings this time around. The little stars that you see behind  
47 the number of attendees represent the number of fishing  
48 associations that were present, either their president or vice

1 president or someone from the association where they are  
2 representing them. In Naguabo, you had five of these fishing  
3 associations from the east coast and one group that was  
4 represented by a fairly large number. That was the one that we  
5 had the most attendees.

6  
7 Anyhow, you have the number of deponents for each of them and  
8 what we've done here is that we've put the sectors that were  
9 represented at any one of those meetings and so most of the --  
10 The common denominator is the commercial fishermen. We had a  
11 couple of recreational fishers present at some of the meetings.  
12 We had a number of NGOs and local governments, local scientists,  
13 also came to the meetings. Even when there were not many people  
14 attending, as you see, it was pretty varied in the group that we  
15 had.

16  
17 In terms of the actions that were considered for each of the  
18 islands, there were very few and you will see them in red as we  
19 go look at the actions and alternatives that were presented to  
20 the specific recommendations to the council regarding the  
21 actions and alternatives that we have taken to the scoping  
22 meetings.

23  
24 In terms of Action 1, which is to identify the species to  
25 include in the FMP, at the St. Croix scoping meeting, it was  
26 recommended that we just do the no action and just do everything  
27 that is already regulated and don't look at anything else and  
28 start with that. I didn't attend the meetings in St. Croix and  
29 St. Thomas and so Bill was there.

30  
31 **MIGUEL ROLON:** This is as a first step, we prepare an action  
32 plan for everything that we have now and then we can think about  
33 new species and new ways of incorporating species. They are not  
34 locking in stone that we are getting any of the species, but  
35 they would like to see us put all this together and actually the  
36 response by Bill was that if they want to do that and the  
37 council decides that's what we will do, it can be done within a  
38 year, within 2014.

39  
40 Then there would be some language to the effect that they will  
41 be looking in the future at other species. The other important  
42 part is that some members of the audience wanted to have a  
43 management plan for the entire range of the species, from zero,  
44 the beach to the EEZ, and not only for the description, but also  
45 for implementation of management measures and that's something  
46 that the council needs to discuss further. It has some legal  
47 implications.

48

1 **GRACIELA GARCIA-MOLINER:** In fact, in some of the meetings in  
2 Puerto Rico, that was also the case, that the compatibility  
3 between the states and the federal waters, so that the species  
4 would be treated throughout its range and so that was also one  
5 of the comments that we received throughout.

6  
7 In terms of Alternative 2 and 3, which is to include the species  
8 with the historical landings data, most of the comments that the  
9 council received had to do with the fact that landings  
10 information -- People are not very happy. They are not very  
11 happy with the ACLs and so they want to select species based  
12 only on landings information.

13  
14 They discussed the fact if you include species that have a  
15 predetermined threshold of historical landings -- There might be  
16 some species that are important for one reason or another that  
17 might not have landings and so comments were made that we have  
18 to look at other species that might not have landings, either  
19 from the commercial or the recreational sector, that might be  
20 important.

21  
22 Finally, most of the information, at least from Puerto Rico,  
23 came when we discussed the species that meet a predetermined  
24 criteria.

25  
26 The SSC, by the time we went to scoping meetings, had actually  
27 produced a draft report that we were able to incorporate into  
28 the presentations and the actual table that we had discussed,  
29 making sure that everyone understood that this was the  
30 preliminary information from the SSC and that it was not  
31 determined that this was the way things were going to go.

32  
33 We did look at an interactive exercise with people in the public  
34 regarding the table that you say that Richard presented and  
35 that's what I'm going to show you next.

36  
37 We told them what the criteria that the SSC had discussed. We  
38 went through examples of what it meant in terms of the  
39 vulnerability of the species regarding this preset criteria and  
40 one thing that -- You see it in red on the screen, that  
41 sociocultural importance. That was something that kept being  
42 brought up along the way.

43  
44 We explained that even though the SSC hadn't done that in the  
45 economic aspects of the criteria, people kept mentioning the  
46 fact that some of these species are very important socially and  
47 culturally and that perhaps that should be kept as a separate  
48 criteria and looked at. I will explain that in a little bit

1 more detail as we come to the results of the comments received.  
2  
3 These are basically the same criteria that Richard discussed and  
4 we also went through how you would choose species to be included  
5 or not. We looked at the state versus federal waters and if  
6 they were in the state waters, they would be excluded and that's  
7 when most of the comments came up that had to do with the fact  
8 that they would like to see, even if they are only in the state,  
9 that they should be managed federally.  
10  
11 One of the reasons for that is because some of the species that  
12 are in the state waters are species that are needed for the  
13 federally-managed species, for a food source, for example, or --  
14  
15 **MIGUEL ROLON:** Actually, that's one of the issues. That was  
16 brought up in different areas, especially in Puerto Rico. Can  
17 you expand a little bit on that, Graciela?  
18  
19 **GRACIELA GARCIA-MOLINER:** It was not only for species, but they  
20 also talked very specifically about baitfish. For example, some  
21 of the baitfish that are reported in the landings are skipjack  
22 and ballyhoo. If you look at the total amount of landings that  
23 are reported there, it's 5,000 or maybe a thousand pounds.  
24  
25 They are very small species and so therefore, they waste very  
26 little, but they are extremely important for fisheries such as  
27 the yellowtail snapper and the tiger grouper. They are used as  
28 life bait and some of the sardines are used as chumming.  
29  
30 We have a problem, because a lot of the sardines that are  
31 harvested for chumming in Puerto Rico don't go into the catch  
32 reports. If they are harvested alive, they don't go into the  
33 catch reports and in some areas, it's vice versa. Baitfish is  
34 something that they take very seriously and this is one of the  
35 group of species that was discussed on the north coast because  
36 apparently the north coast is one of the main producers of bait  
37 for quite a number of these fisheries.  
38  
39 The fisheries are not only commercially-driven fisheries, but  
40 they are also recreational fisheries, such as the marlins, et  
41 cetera, that require ballyhoo, although there are many that use  
42 lures, but ballyhoo is still a very sought after species.  
43  
44 The deepwater snappers also use skipjack and so you harvest  
45 skipjack not to sell into the market as food fish, but you might  
46 harvest it for your own use or you might sell it as bait for  
47 other fisheries and so that's one aspect of these fisheries that  
48 are in state waters.

1  
2 The other aspect of that is that they actually serve as food for  
3 the large forage fisheries for the fisheries that are both in  
4 state and federal waters, such as the groupers. Groupers that  
5 do use shallower near-shore areas when they are growing up are  
6 feeding on these smaller forage fish that are either also used  
7 as baitfish or as forage fish for these species.

8  
9 That took place in almost every single of the scoping meetings  
10 in Puerto Rico, that discussion on the forage and the baitfish  
11 and that's why I brought it into the arena of if they are only  
12 in the state waters, should they be managed or federally or not?  
13 That's one of the questions.

14  
15 They are, by default, excluded then. You will see it in the  
16 table and Richard explained this, but there are other criteria  
17 to be met in order to decide whether they're going to be  
18 included or not and that's the way they saw the table.

19  
20 This is what we did. We actually went to the public with the  
21 same thing that the SSC had created and everything that is in  
22 dark color, the low, medium, and high, that's what the SSC said.  
23 Everything that you see in red is what the public said and what  
24 I've done is I've taken the comments from every single scoping  
25 meeting that anyone said anything about any of these criteria  
26 and put it here. In some cases, it almost looks like green,  
27 but, for example, the spiny lobster and the dolphinfish --

28  
29 **MIGUEL ROLON:** Graciela, but did the people that you collected  
30 information from agree on it before or they just were discussing  
31 it just in case they agree on it?

32  
33 **GRACIELA GARCIA-MOLINER:** In Naguabo, they made a specific  
34 recommendation, but the specific recommendation to look at the  
35 Alternative 4 that looks at these criteria and just that if it  
36 should be federally managed, it should include a committee of  
37 commercial fishers and recreational fishers. People who have  
38 knowledge should be at the table also providing information.

39  
40 There was a lot of information that was coming in from the  
41 commercial fishers in terms of the depth, for example, of  
42 certain fisheries, so that there can be regulations set in terms  
43 of the maximum depth or a specific depth where a species can be  
44 harvested and not harvested from shallower or deeper water. The  
45 information that they provided, they wanted to keep on bringing  
46 it to the SSC and the council.

47  
48 **MIGUEL ROLON:** Just to save time in St. Thomas and St. John, the

1 people who addressed this issue said that if Number 4 is the one  
2 selected by the council, then they would like to have more time  
3 to look at the table and also they would like to have an ad hoc  
4 committee to specifically address the species and also they  
5 would like to hear more discussion about the rationale behind  
6 the different criteria.

7  
8 Bill explained to them that this was just an example and people  
9 were confused. We had the example of the octopus and lobster  
10 and the other one and they thought that that was it, but then  
11 Bill explained to them that no, there's a long list of species  
12 that you need to address if this is selected.

13  
14 The key point is that we tried to explain to the people  
15 attending that this is not a done deal. We have two other  
16 actions and these are four alternatives that we will discuss and  
17 then they agreed that if this is the alternative that we can  
18 work with the council or work with whoever and they -- The  
19 people said they should have more time and they should have an  
20 ad hoc committee composed of fishers and scientists and local  
21 government officials and council members from that area before  
22 the council decides they can send this to public hearings.

23  
24 **GRACIELA GARCIA-MOLINER:** The other thing is that they are very  
25 much interested in receiving information. For example, when we  
26 talked about the life history of the octopus and the fact that  
27 it lays eggs, the octopus is extremely important for the  
28 groupers. Groupers do quite well at harvesting octopus, but  
29 octopus also is a feeder of shellfish, including small conch.

30  
31 They know these things, because they are underwater. The divers  
32 are diving five to seven days a week and they didn't know about  
33 the egg laying of the octopus and they said they were willing to  
34 go search for them and then the problem becomes if you harvest  
35 the octopus before the eggs hatch, will the eggs hatch and  
36 therefore, what would be the impact on the fishery if you're  
37 harvesting them beforehand?

38  
39 That's the kind of information that really want to exchange and  
40 the other thing, in terms of the octopus specifically, is that  
41 most of us think of the octopus vulgaris and most of the octopus  
42 from the islands are fairly small.

43  
44 In Naguabo, they showed me pictures of 7.5 pound octopus and  
45 that was the biggest that they harvest, but anywhere between  
46 four and six pounds is their normal harvest and so it depends  
47 upon whether you have someone to sell it to or not, because most  
48 people prefer the smaller size octopus.

1  
2 That's the kind of information. I haven't received the picture  
3 of the octopus yet, but they promised that they would send it in  
4 and he actually has the measurement of the octopus next to the  
5 person who harvested it. The exchange of information was  
6 incredible while we were working on this table.

7  
8 One thing that everyone at the scoping meetings -- One thing  
9 that people were very vocal about talking about is that the  
10 reason why they think that the sociocultural aspects should be  
11 the front runner in terms of the fisheries is because it impacts  
12 not only their fisheries in terms of when they go out and how  
13 much they harvest, but also the markets related to that.

14  
15 The comments all over the place was what do you do when you want  
16 to celebrate an anniversary, at least in Puerto Rico? What do  
17 you do when you want to take someone out? You go out and have  
18 lobster at a restaurant and so that aspect of the holidays, of  
19 bringing the fishery to the forefront -- Although it is part of  
20 the economy, part of the economic aspects of the fisheries,  
21 everyone kept bringing it up as a sociocultural thing rather  
22 than an economic venture.

23  
24 **MIGUEL ROLON:** Graciela, also they mentioned that the  
25 sociocultural makes a difference as to the time and the group of  
26 species that you fish for and in the case of the parrotfish in  
27 St. Croix, it's number one and in Puerto Rico and in St. Thomas  
28 and St. John, it's not such.

29  
30 Also, they addressed that issue that tradition included in the  
31 sociocultural areas, the traditions in terms of the species and  
32 species size that they use in each one of the areas. In the  
33 case of Puerto Rico, for example, the octopus is very important  
34 in one part and not as important on the east coast.

35  
36 **GRACIELA GARCIA-MOLINER:** That's one of the things I think in  
37 terms of the coasts in Puerto Rico. That's one thing that they  
38 kept bringing up, that the north coast is very different from  
39 the east and very different from the south and very different  
40 from the west.

41  
42 In terms of what species you go after, what species are part of  
43 your local market, how much of that you fish for, they say that  
44 we should look at the information for Puerto Rico for each  
45 coast.

46  
47 Even if we don't do a plan for each coast separately, to have  
48 the information analyzed by coast separately and look at what



1 species are harvested and what are the most important in terms  
2 not only of landings, but in terms of how they are used and what  
3 they are used for.

4  
5 The exercise showed, for example, information in terms of the  
6 ecological value of the dolphinfish that the SSC had said had a  
7 poor score, but the landings, specifically at the scoping  
8 meeting in Mayaguez, because we had Grisel Rodriguez, who has  
9 done quite a bit of work with dolphinfish, and also the presence  
10 of commercial fishers, who actually presented the information on  
11 the high ecological value of the dolphinfish.

12  
13 This is a picture of turtles and I am trying to decide if they  
14 are alive still or not, but there were something like twenty-  
15 something turtles inside the stomach of the dolphinfish. There  
16 is documentation on the fact that most of those things you find  
17 in the dolphinfish stomachs are -- rather than anything else,  
18 but, again, this is not the first time that they've seen it and  
19 I am trying to track down if they have more information on this.

20  
21 Then dolphinfish is not only what they call an apex predator,  
22 and this is coming from the public to us, but it's also prime  
23 food for orcas and dolphins. Not the fish, but dolphin the  
24 mammal and other species.

25  
26 In terms of being part of a food chain that is seasonally  
27 available, because dolphinfish is not available throughout the  
28 year, it is very important not only for that, but it's also a  
29 migratory species and your fishery depends on what comes from  
30 someplace else and you are going to impact the fishery that is  
31 going to someplace and so this is all information that I -- I  
32 was not providing this information and the rationale, but the  
33 public was filling out the table.

34  
35 One of the things that we had done to -- I think we took this to  
36 San Juan, because they had asked us to look at something like  
37 that, but it was to actually look at the information of poundage  
38 by year for the top species landed and so this was the south  
39 coast and we were doing this because of the octopus.

40  
41 The octopus, Daniel Matos reported at the scoping meeting in  
42 Mayaguez, is one of the landed species on the south coast and it  
43 has been for apparently eleven years or so and the poundage is  
44 significant. The number next to the poundage is the ranking in  
45 terms of the year and so definitely lobster is the top species  
46 landed in the south coast and it's probably pushed by two or  
47 three towns only and so they highest landings come from Guayama  
48 and Penuelas and I can't remember the other, but there are three

1 specific towns that push the south coast total landings of  
2 lobster.

3  
4 Notice among octopus being the top species landed and lane  
5 snapper also and so this is very significant, because that's one  
6 species that is completely from one of the other coasts and it  
7 provides a living for quite a number of people and it's one of  
8 the preferred species, both in terms of market and food habits.

9  
10 That's everything that had to do with that table and so it  
11 created a lot of discussion and they understood that this is not  
12 final and that we were just exercising and it was explained that  
13 we have twenty-three fishery management units and eighty-  
14 something species that we would have to work this for if we were  
15 to go this route.

16  
17 Action Number 2 had to do with establishing management reference  
18 points and the only specific recommendation was to actually  
19 revise the actual reference points and these have to do with the  
20 ACL overages that we've had over the past years. They  
21 recommended that we revise everything that we currently have on  
22 the FMPs.

23  
24 The final action that we took to scoping meetings was to  
25 describe essential fish habitat and a recommendation came that  
26 we have enough information to describe the EFH based on the  
27 functional relation of the species life history and this was  
28 also a recommendation specific from Naguabo. Any new species  
29 that would be included, they think that we probably have enough  
30 information to include it for there, but we need to help in  
31 providing that information for the description of the EFH.

32  
33 What people want, in terms of everything that we took to scoping  
34 meetings, because they are really broad actions and alternatives  
35 that we took to the public, but in general terms, in Puerto  
36 Rico, they wanted everything analyzed by coast, even if we put  
37 it altogether in the same FMP, but they wanted to see the  
38 differences among the coasts.

39  
40 One comment that kept coming up was that if we were going to  
41 describe essential fish habitat, what we were going to go do --  
42 What could the council do in terms of pollution and  
43 contamination and the loss of habitat because of that and not  
44 because of overfishing.

45  
46 **MIGUEL ROLON:** Graciela, from the list that you have there, it  
47 is understood that some of those ideas the people is one guy or  
48 the majority of the group?

1  
2 **GRACIELA GARCIA-MOLINER:** One person brought the information to  
3 the table, but there would be someone who would second that and,  
4 in some cases, even the recreational fishers who were there also  
5 supported the information that came from the commercial fishers.  
6

7 **MIGUEL ROLON:** The point is, for the council members, is the  
8 list that Graciela has there is all the items that came through  
9 the scoping meetings and we are presenting it to you if only one  
10 guy suggested it and so you will be able to discuss it there. I  
11 don't see there a request for more time to discuss these  
12 actions.  
13

14 In the case of the U.S. Virgin Islands, it was presented to us  
15 an official letter from the Pew Commission that they would like  
16 to have more time to discuss it and in St. Croix, we had one  
17 person say that they would like to have more time to discuss it.  
18 However, the majority believes that Action 1 is the one that  
19 they prefer.  
20

21 In the case of the statement that we received from the Pew  
22 Commission, they would like to see ninety days extra time to  
23 discuss these actions thoroughly, especially the action that  
24 deals with the criteria to select the species.  
25

26 **GRACIELA GARCIA-MOLINER:** We have not gotten to the written  
27 comments yet, but you pretty much summarized what they -- Some  
28 of the information that came from one of the written comments,  
29 and this is something that was also talked about throughout the  
30 scoping session, was what are we going to do about the  
31 recreational fishers, not only in terms of the conflict that  
32 there is between the commercial and the recreational when the  
33 fish flood the market, but that there are regulations in place  
34 that are not being enforced. Until we bring that information  
35 into the FMPs and deal with them, then there's going to be a big  
36 gap in the FMP.  
37

38 There were specific recommendations in terms of management and  
39 one of them has been repeated over and over at scoping meetings  
40 and that is to reduce the size of the carapace length of the  
41 spiny lobster from 3.5 to three-inches and the request of the  
42 people to bring it to the council.  
43

44 There was also a request to open the EEZ to the fishing of queen  
45 conch as it's done in St. Croix, either establish a quota that  
46 can be taken from the EEZ or limit the number of people who can  
47 actually harvest or limit the harvest to a certain depth,  
48 because there are safety issues in the EEZ, but they are aware

1 of reports that have been presented to the council where the  
2 population of the deeper water seems to be in fairly good shape  
3 and the problem is a safety issue with diving.

4  
5 The north coast information regarding the mutton snapper has to  
6 do with the fact that they keep saying they keep seeing snapper  
7 with gonads year-long and I don't think the studies found mutton  
8 snapper with reproductive biology that include samples from the  
9 north coast.

10  
11 Whether there is a difference because of the narrow shelf or the  
12 Atlantic versus the Caribbean or temperature or whatever, that's  
13 something that we need to cooperate and have some kind of a  
14 study done.

15  
16 They would like to see information in Spanish, at least in  
17 Puerto Rico, and so they would like to receive more information  
18 in that language and they would like to receive more information  
19 in general regarding the work that is done, the surveys that are  
20 conducted, and the information that we're trying to put  
21 together.

22  
23 In Puerto Rico particularly, everyone is wishing for management  
24 of bait fish, because of the impact that it has on our  
25 fisheries, and the compatibility between the federal and state  
26 waters is something that they are very concerned about.

27  
28 We are done with the second set of scoping meetings, but this  
29 was a little bit different. The first set of scoping meetings  
30 that you hosted, that the council hosted, had to do with  
31 dividing up the FMPs by island and that was really the issue  
32 that was being discussed.

33  
34 This, in terms of how you're trying to do it, the first set of  
35 scoping meetings. Now we need direction in terms of what the  
36 council wants to do.

37  
38 **MIGUEL ROLON:** Did you cover the written comments already or  
39 they are all included?

40  
41 **GRACIELA GARCIA-MOLINER:** The written comments were in that  
42 table, except for what you mentioned regarding additional time.  
43 The reason I was giving that at the end is because we explained  
44 that we were coming to scoping meetings with this information,  
45 but this was going to be a long process and it wasn't going to  
46 be done overnight.

47  
48 **MIGUEL ROLON:** Yes, but the point is that the only person who

1 can add more time or not is the council. There was one letter  
2 of the St. Thomas -- The concept of the island-based management  
3 plans, the concept that they had at the time was that when you  
4 say St. Thomas/St. John, you would have an FMP, but also, the  
5 advisory panel and people from the SSC from the St. Thomas/St.  
6 John area would work together to develop management for that  
7 area.

8  
9 They thought that the way that we presented it was that it was  
10 something that we were doing outside and we explained to them  
11 again that the whole concept is still being discussed and at  
12 that time, the way that we incorporate or not the species into  
13 the management unit that you would be addressing in each one of  
14 the areas, period.

15  
16 That's why then they said okay, if that's what you are doing  
17 here, then we would like to participate actually in the decision  
18 making process as to which species would be included or excluded  
19 in the area and actually, they sent a letter and actually it's  
20 part of the packet that you have and it was submitted by Dr.  
21 David Olsen on behalf of the St. Thomas Fishermen's Association.  
22 There was some discussion there that he wants to -- That's for  
23 your perusal.

24  
25 We have also a letter here from the Pew Commission and we  
26 distributed that and did we receive any other written comments  
27 after the scoping meetings, Graciela, that you know of?

28  
29 **GRACIELA GARCIA-MOLINER:** No, but you do have the supplemental  
30 information to the letter that you had already received and,  
31 again, the two key things are, number one, time to develop the  
32 huge idea that it's having an island-specific FMP and the need  
33 to actually do good research and analysis of the information  
34 before proceeding with anything.

35  
36 **MIGUEL ROLON:** We already decided to have the three-island FMP.  
37 What we need to discuss now is what will be the management unit  
38 in each one of those areas and what is the process to select  
39 those units and the species that we are going to include. I  
40 believe that that's what the discussion is.

41  
42 Overall, I believe that all the people present want some  
43 participation from fishermen and NGOs and scientists and the  
44 local governments into the decision making process.

45  
46 The other thing that we need to hear from the council is whether  
47 you would like to have a ninety-day or sixty-day or thirty more  
48 days to discuss this and what will be the next step? Do you

1 want to go back to scoping meetings in 2014? I want specifics.  
2 Do you want to address the scoping meetings or are you ready to  
3 instruct the staff to prepare a document that will be taken to  
4 public hearings?

5  
6 It doesn't mean that we have to do all this in 2014. We all  
7 agree that these are complicated issues, but, again, we need to  
8 concentrate on the actions that we have to take and the way that  
9 we incorporate the species into the management unit and the  
10 management units that you have for each one of the areas.

11  
12 **TONY BLANCHARD:** Can you refresh my memory a little bit on the  
13 decision that we had put on the table for the St. Thomas/St.  
14 John meeting that we would give the opportunity to the fishers  
15 to come up with a bottom-up approach instead of a top-down  
16 approach? I think we need to take a look at that, because I  
17 think it's actually a better pill to swallow.

18  
19 Allow them the opportunity to give it to us instead of us -- See  
20 how we could meet in the middle, because -- Being a partnership  
21 here, it's give and take and so I think we need to take the  
22 stance of giving them the opportunity to come to the table with  
23 their plan and see how it can be fixed or tweaked or however you  
24 would like to put it.

25  
26 **MIGUEL ROLON:** Tony, can you explain how you envision this  
27 happening?

28  
29 **TONY BLANCHARD:** I am pretty sure we agreed to having the group  
30 as the Director be -- Coming from the recreational to commercial  
31 and the divers and anybody that uses the water, even the public.  
32 To a certain extent, we always overlook them, but they are a  
33 part of this user group themselves and so have them come to the  
34 table, instead of us trying to figure out which way we need to  
35 go. Give us the direction and we'll figure out if it is the  
36 right direction.

37  
38 As far as the extension, I don't know how much meeting there would  
39 be, but that decision and what is being asked for the extension,  
40 but I think if we give an extension to the Pew Commission, the  
41 extension also needs to be extended to everyone else.

42  
43 **MIGUEL ROLON:** Just to that point, the Pew Foundation are not  
44 asking for this. It is not for them. The Pew would like to see  
45 the process expanded for ninety days so everybody and anybody  
46 who has something to say can come to the table.

47  
48 **EUGENIO PIÑEIRO:** Bill, what guidance -- Would be the steps?

1 Can you do it in sixty days or ninety days or thirty days? What  
2 guidance would you give us about this point before we -- If we  
3 are going to make motions relative to this?

4  
5 **BILL ARNOLD:** We are going to request sixty additional days of  
6 comment on this. This is sixty days in which anybody can  
7 comment on where we are with regard to the development of  
8 island-based fishery management plans.

9  
10 As Graciela mentioned, we're not talking about whether we're  
11 going to island-based management. That decision has been made  
12 and now we're talking about exactly how we're going to go about  
13 doing this and how we're going to go about this gets more  
14 complicated every day.

15  
16 If we put the sixty-day comment period out there for where we  
17 are right now, certainly we're happy to take comments on  
18 anything. We would also suggest that this ad hoc committee be  
19 formally convened sometime soon, within the next couple of  
20 months, and they go over these issues.

21  
22 Then what I would like to see is the ad hoc committee to meet  
23 and discuss and then for those outputs to be taken to the SSC,  
24 also sometime this summer, prior to the August council meeting.  
25 Then we would bring these inputs back to the August council  
26 meeting for further discussion.

27  
28 Now, there's a lot of work that remains to be done with respect  
29 to developing the fishery management plans for island-based  
30 management. Bonnie is saying, and I am totally supportive of  
31 this, but Bonnie is saying that the new assessment approach  
32 might help form which species are actually chosen for management  
33 and that certainly is going to extend that process, and maybe in  
34 a very valuable and positive way, but we still have to take  
35 these things into account.

36  
37 It's going to be very step-wise and it's going to be probably  
38 pretty gradual and certainly we want to get everybody's input  
39 and bottom up is great, because that's what we need. We're just  
40 going to have to be patient and develop this process in a very  
41 slow and methodical manner. That would be my advice.

42  
43 **EUGENIO PIÑEIRO:** Miguel, this one is for you. If council  
44 members agree with this, what steps would we need for the staff  
45 to work forward with the process?

46  
47 **MIGUEL ROLON:** We have to decide whether to expand it to sixty  
48 days or thirty days or ninety days.

1  
2 **EUGENIO PIÑEIRO:** Bill is saying sixty days.

3  
4 **MIGUEL ROLON:** If we want to discuss this at the August meeting,  
5 we can add the sixty days and within that period, we will  
6 announce that we have the sixty days, so people can go through  
7 the list of actions and the alternatives under the actions and  
8 the council can see the comments.

9  
10 Remember, the sixty days start when we have that published in  
11 the Federal Register and -- If you tell us to go ahead and  
12 announce the sixty days, then we have to prepare it and send it  
13 to the Federal Register.

14  
15 The other part is that we need to decide what to do with St.  
16 Croix, because if you decide St. Croix that no action is the way  
17 to go, which was requested by them, then we need to instruct the  
18 staff how we do it or we explain it or Bill explains it.

19  
20 We are trying to illustrate that it would be easier to look at,  
21 because we already have all the management units in the  
22 management plans that we have now. You have four management  
23 plans and so it would be a matter of getting the appropriate  
24 document and identify all the species in the management units  
25 and put it in a management plan that you involve St. Croix  
26 fishermen.

27  
28 Then you have to have some language there that will indicate,  
29 once the management plan is in place, there will be a process to  
30 assess how many species or which species should be included in  
31 that management plan. That's something that can be done  
32 parallel to this or however you decide it, you have to address  
33 that part.

34  
35 The other one, which is Puerto Rico and St. Thomas/St. John,  
36 people are asking for more time. You already have a petition to  
37 have an ad hoc committee and, for example, when we discussed it  
38 at the meeting in St. Thomas, you have people like Julian and  
39 Roy Pemberton and other fishermen that were there.

40  
41 Tony made the point that we want to make sure that if we have  
42 this ad hoc committee that we have all sectors represented,  
43 divers and other recreational groups and other fishermen that do  
44 not belong to any association that are there and other concerns  
45 of the local government that can be addressed by the local  
46 government and so you have Roy and some of his staff participate  
47 and people from the Center and the Regional Office may help us  
48 with the agenda and the presentations and, of course, Graciela



1 with the --

2  
3 Probably we have this ad hoc committee, we will have to have a  
4 couple of meetings before we prepare all of what is needed for  
5 the council to receive anything from them.

6  
7 **BILL ARNOLD:** I want to make sure we're clear on one thing.  
8 We've got species-based management plans that cover all the  
9 islands in the Caribbean and so, for example, spiny lobster  
10 includes St. Thomas, St. Croix, and Puerto Rico.

11  
12 Because of that, these new island-based plans will replace those  
13 species-based plans. You can't just implement a new FMP for St.  
14 Croix without extemporaneously implementing new FMPs for St.  
15 Thomas and Puerto Rico, because when you implement these new  
16 FMPs, you've got to get rid of the old FMPs and we can't have  
17 multiple -- We can't have species-based FMPs at the same time we  
18 have island-based FMPs, because that species-based FMP for spiny  
19 lobster also includes St. Croix and so now you're going to have  
20 two different fishery management plans for St. Croix, one that's  
21 island-based and one that's species-based.

22  
23 You can have two of these things done in the next two weeks and  
24 the other one takes ten years, but nothing happens until that  
25 other one is done ten years from now.

26  
27 **MIGUEL ROLON:** There is another angle and I don't know if you  
28 mentioned it, but there's also a petition by some other members  
29 who attended that said don't touch spiny lobster. You have a  
30 3.5 carapace length that is working and so if you adopt new  
31 management measures, make sure that the spiny lobster has the  
32 same carapace length.

33  
34 A couple of people in Puerto Rico would like to go from 3.5 to  
35 3.0, but the local -- The other species like Nassau grouper and  
36 the species that you are not supposed to fish, that will be  
37 across the three islands. The species that are protected some  
38 other way, by other laws and regulations, they will remain as  
39 such and that's something that people need to keep in mind.

40  
41 The other part that you mentioned is having the complication of  
42 having one management plan island-based in St. Croix, for  
43 example, at the end of 2014 and you still have the other  
44 management plan and so that also has to be --

45  
46 The other thing is that this can be as simple or as complicated  
47 as you want to make it. It might take a couple of years and  
48 remember, really fast in the federal government is three years,

1 unless it's an emergency. If you think this will be implemented  
2 by the end of 2014, it's not going to happen, unless something  
3 drastic happens.

4  
5 Again, we say that we want to do the right thing and that means  
6 that there's a lot of considerations and my suggestion is that  
7 the council look at the things that are -- Then say, okay, all  
8 the management plans will have this and other management plans  
9 will have all of this other stuff, but then you can identify the  
10 complications that are unique to each one of the areas and then  
11 focus on those.

12  
13 **ROY PEMBERTON:** This is just a follow-up to Tony Blanchard. The  
14 make-up of the committee, you have a Fisheries Advisory  
15 Committee in both districts and so you also can utilize their  
16 representatives -- (The next part of the comment is not audible  
17 on the recording.)

18  
19 **ROY CRABTREE:** A couple of things. I don't think you need to  
20 get too concerned about extending the scoping period. That's  
21 really something the Fisheries Service can just do and we'll do  
22 that and we'll extend it sixty days or whatever and that will  
23 happen relatively soon and so I don't think you need to worry  
24 about that.

25  
26 Miguel is right that this is going to take a long time to get  
27 this done and I'm guessing this is a couple of years of work for  
28 the council. When you talk about this ad hoc committee, you're  
29 talking about an advisory panel, I assume, and are you talking  
30 about establishing one for each of islands, so there would be a  
31 St. Croix ad hoc AP and a Puerto Rico ad hoc AP and a St.  
32 Thomas/St. John ad hoc AP? That seems like what we would do.

33  
34 If you want to do that, then it seems to me that you're going to  
35 need to make motions to create those APs and then you're going  
36 to have to solicit applications and then we're going to have to  
37 come back in and review the applications and appoint people to  
38 them.

39  
40 Our next meeting is in August and so between now and August, we  
41 could do that, but we wouldn't even be able to appoint those  
42 people to the APs until the August meeting.

43  
44 I think the critical decision here is I don't think we ought to  
45 be worrying about what the size limit on spiny lobster is. I  
46 don't think this is the place to be talking about specific  
47 management measures like that.

48

1 The real decision here that I regard as the biggest one is what  
2 species are we going to manage and include in each of these  
3 island FMPs. I don't think you can just take a list of species  
4 and import it in and say one group has no action on that.

5  
6 We have guidelines and things for setting up fishery management  
7 plans that go through things you have to consider when you  
8 decide what species to include and you're creating a new fishery  
9 management plan now and so it seems, to me, you have to go  
10 through that process and go through the guidelines and decide  
11 what species should be included in it and so it's really, I  
12 don't think, a viable option to just say we're going to pull all  
13 of these species in.

14  
15 I think you're going to have to go through that process and I  
16 think the SSC has made a good start at looking at criteria and  
17 things and we'll have to figure out how we're going to do that.  
18 I think that's the biggest part of this whole thing.

19  
20 I think you're going to manage different species on each island,  
21 because different species are important fisheries on one island  
22 and not on others and so that's my two-cents on where we are.

23  
24 **MIGUEL ROLON:** The other point that we wanted to emphasize to  
25 the council is that Bill said it very well. We want a process  
26 that will cut it legally and that will be defended at different  
27 levels, from the scientific point of view and from the industry  
28 point of view.

29  
30 Also, we want a process that has fishermen's ideas and we want  
31 to make a process that will work for everybody and to the point  
32 of the AP, I believe that what the group wanted was these three  
33 APs and also, we would have the -- The committee has a process  
34 and they want to speed up everything, but Roy mentioned  
35 something.

36  
37 If the council decides at this meeting that we will have those  
38 three APs, advisory panels, then we can initiate the process and  
39 we can bring it to your attention at the next council meeting a  
40 possible list of candidates that we wanted and also, we need to  
41 decide how big and how small and remember, the size of the AP  
42 has an impact on the budget.

43  
44 Let's say that you want a hundred people on the AP and we only  
45 have money for thirty-five, that also gets into the costs, but  
46 also, you can have a meeting in St. Thomas, the St. Thomas area,  
47 and it's cheap, because I don't have to pay anything. They are  
48 there and so they can take part.

1  
2 If the council considers this, Mr. Chairman, the next step would  
3 be to address what Dr. Roy Crabtree is saying and then decide  
4 whether we would like to establish those three advisory panels.

5  
6 In the case of the expansion of the comment period, the National  
7 Marine Fisheries Service has done it and so be it and we don't  
8 have to work with that.

9  
10 **TONY BLANCHARD:** I would have to agree with Mr. Crabtree. The  
11 specific ad hoc committees for the different islands, it should  
12 -- It don't make no sense for St. Thomas and St. John to have  
13 one and Puerto Rico wouldn't have one and St. Croix wouldn't  
14 have one.

15  
16 As for the approach, I would just take into consideration the  
17 species that are already looked at by what we're looking at  
18 already and I don't think we need to take an approach -- If we  
19 are going with that new plan, we have to start fresh. You can  
20 use them, but you've got to look at it from the outside in and  
21 you just can't say, okay, we can take this and put it over here.

22  
23 You've got to really start a new plan and what you're doing is  
24 you're just taking a different approach on the same old plan and  
25 so if you want a new plan, you've got to start with a new plan  
26 and then --

27  
28 I think that approach for the ad hoc for each island is good for  
29 the new action on St. Croix, which really don't make too much  
30 sense, but I can't speak too much for St. Croix. I don't think  
31 that is the approach we should take, from my understanding, and  
32 there might be -- By me looking at this, it just don't make too  
33 much sense doing that.

34  
35 **CARLOS FARCHETTE:** I know for St. Croix, I think what we are  
36 going to concentrate on is using our FAC members, with the help  
37 of representatives from other fishing methods, and also the  
38 assistance of Fish and Wildlife and enforcement.

39  
40 **MIGUEL ROLON:** Mr. Chairman, I think that the thing to do would  
41 be to decide whether you are agree or not with Dr. Crabtree's  
42 suggestion and if you do, then we should have a motion to get  
43 three advisory panels and, again -- We can have three motions to  
44 have these three advisory panels created. St. Thomas/St. John  
45 would one and St. Croix another one and then Puerto Rico.

46  
47 Roy Pemberton mentioned that you already have two advisory  
48 bodies, one in St. Thomas/ST. John and one in St. Croix. Those

1 members could be members of those advisory panels and each one  
2 represents a sector and then you need to look at the different  
3 sectors and then incorporate those people in the sectors.

4  
5 (The next part of the comment is not audible on the recording.)

6  
7 **EUGENIO PIÑEIRO:** I move to establish three advisory panels, one  
8 from each island.

9  
10 **TONY BLANCHARD:** Second.

11  
12 **CARLOS FARCHETTE:** It's seconded by Tony Blanchard. Any further  
13 discussion on this?

14  
15 **SHEPHERD GRIMES:** You want to establish these APs consistent  
16 with, I guess, the recommendation of the comments you had and  
17 these APs are going to provide you input on which species should  
18 or should not be included in the plan or are they just for the  
19 development of the FMP?

20  
21 **MIGUEL ROLON:** The idea is if the APs are approved and  
22 established, then you have these three APs and they will provide  
23 any information that the council may need for the management  
24 plans. Also, in the discussion, we need to decide how many.  
25 Should it be twenty or fifteen or you could leave that to the  
26 discretion of the Chair.

27  
28 My suggestion is we start with fifteen and incorporate those  
29 seven and other people that we need and see what happens. If we  
30 need more or less, we can modify it.

31  
32 **CARLOS FARCHETTE:** I think St. Croix has nine voting members.

33  
34 **BILL ARNOLD:** Just as a suggestion, you might want to think  
35 about what kind of representation you need, say here we want a  
36 commercial guy and here we want a recreational guy and here we  
37 want an NGO person and these are the slots and now fill the  
38 individual slots, instead of just saying we want fifteen people,  
39 because one group may have twelve of one group and there's  
40 underrepresentation here and overrepresentation there and so  
41 it's a little bit different approach, but it's one that you  
42 might want to think about.

43  
44 **MIGUEL ROLON:** Actually, if we copy what we have in others,  
45 that's exactly what -- That's why I said fifteen, because we  
46 want to make sure that all the sectors that are already  
47 represented in most areas, like the U.S. Virgin Islands, will be  
48 also in it, in these advisory panels. Also we need to have NGOs

1 and we need to have the local government officials.  
2  
3 (The next part of the comment is not audible on the recording.)  
4  
5 **BONNIE PONWITH:** Will you be developing a terms of reference for  
6 this AP?  
7  
8 **MIGUEL ROLON:** Yes and you have to develop a charge for each  
9 one.  
10  
11 **CARLOS FARCHETTE:** Any more comments? I know I would like to at  
12 least have both.  
13  
14 **NELSON CRESPO:** (The comment is not audible on the recording.)  
15  
16 **MIGUEL ROLON:** In the case of Puerto Rico, what we have done  
17 what we have done -- That is to get each sector represented and  
18 then incorporate other people as we need to and you will need to  
19 have not only the four coasts, but you need to have  
20 representation from Vieques and Culebra.  
21  
22 Every time that we go to the APs and they ask me this is for the  
23 local government -- Now these management plans are different and  
24 they might be affected and so they should participate. In  
25 Puerto Rico, my suggestion is, if this is approved, we will  
26 circulate an announcement and will have that and make sure --  
27 For example, Helena Antoun has a list of representatives and  
28 groups and we want to make sure that the recreational sector and  
29 NGOs and anybody that has something to contribute to this  
30 process will be present. Remember all these meetings are open  
31 to the public and so everybody is invited to come to these  
32 meetings.  
33  
34 **SHEPHERD GRIMES:** Just a couple of things. First, I would  
35 encourage you to have some flexibility as to the size of the  
36 panels. I wouldn't think you would need to have them the same  
37 size on every island. Puerto Rico is a larger area and maybe  
38 you would need more people there than the other areas.  
39  
40 Before you move forward and populate these APs, it would seem to  
41 me that you would have a good idea of what you would want them  
42 to do and develop the terms of reference and that charge and  
43 once you have that, it should inform how big you want to make it  
44 and what representation you want on the AP.  
45  
46 Finally, just relative to species that get included, I don't  
47 intend this to be offensive in any way, but it's not a  
48 popularity contest or a political decision for what species are

1 in need of conservation and management.  
2  
3 I may have a favorite species, but that doesn't necessarily mean  
4 it needs to be in the FMP and needs conservation and management  
5 and there should be clear, identifiable criterion used to  
6 evaluate whether species get included or not.  
7  
8 **MIGUEL ROLON:** That's exactly what we're trying to tell the  
9 people, that the table that the SSC came up with is probably a  
10 step in the right direction, because we're trying to have  
11 criteria that apply from the point of view of science that are  
12 germane to the issues that we have here and also from the point  
13 of view of the industry and the governments.  
14  
15 **ROY CRABTREE:** It seems, to me, we would appoint these APs in  
16 August and so that's plenty of time to ask staff to work on  
17 terms of reference and a charge. I guess we're planning to have  
18 another SSC meeting over the summer or something, to finish  
19 work.  
20  
21 We would have the SSC's criteria worked out and that would be  
22 something we could take to these APs to get their comments on,  
23 but I think when we come in in August that we ought to have a  
24 charge and a terms of reference of what we need these APs to do  
25 and what we want them to work out and to review.  
26  
27 **MIGUEL ROLON:** Also, we need to decide what to do with the other  
28 AP. Do we dissolve it?  
29  
30 **CARLOS FARCHETTE:** Any other comment from council members?  
31 Hearing none, we're going to take a vote. I will start on my  
32 right.  
33  
34 **TONY BLANCHARD:** Yes.  
35  
36 **MIGUEL GARCIA:** Yes.  
37  
38 **ROY PEMBERTON:** Yes.  
39  
40 **EUGENIO PIÑEIRO:** Yes.  
41  
42 **ROY CRABTREE:** Yes.  
43  
44 **NELSON CRESPO:** Yes.  
45  
46 **CARLOS FARCHETTE:** Yes. Any nays or any abstentions? Hearing  
47 none, the motion carries.  
48

1 **ROY CRABTREE:** Miguel, I think it would be premature to dissolve  
2 the APs. I think we need to get a lot farther down the road  
3 before we get to that point, because we've still got other  
4 amendments we're working on that we're going to talk about this  
5 week that we may want to get our existing APs to comment on and  
6 so I don't think we need to worry about dissolving APs at this  
7 stage.

8  
9 **MIGUEL ROLON:** Between here and December, there will be only the  
10 three APs, but you're right and the reason I ask you that is  
11 because I am scheduling a meeting in the summer to address all  
12 this.

13  
14 **CARLOS FARCHETTE:** All those AP members are also members of all  
15 these other committees and our FACs are AP members also.

16  
17 **MIGUEL ROLON:** The plan that Roy is talking about is a  
18 mechanism.

19  
20 **CARLOS FARCHETTE:** Okay. We will break for lunch. There is a  
21 cafeteria upstairs if you want to or there is a restaurant  
22 downstairs in the hotel if you want to eat lunch. We will come  
23 back at 1:30.

24  
25 (Whereupon, the meeting recessed for lunch on April 22, 2014)

26  
27 - - -

28  
29 April 22, 2014

30  
31 TUESDAY AFTERNOON SESSION

32  
33 - - -

34  
35 The Caribbean Fishery Management Council convened at the Divi  
36 Carina Hotel, St. Croix, USVI, Tuesday afternoon, April 22,  
37 2014, and was called to order at 1:30 o'clock p.m. by Chairman  
38 Carlos Farchette.

39  
40 (There is a gap of unknown length in the audio recording.)

41  
42 **GRACIELA GARCIA-MOLINER:** -- do you want any specific actions to  
43 be included? Do you want us to develop any further what's in  
44 the plan, what's in the paper that we have, or keep working with  
45 the SSC?

46  
47 **MIGUEL ROLON:** At least for the AP, establish the terms of  
48 reference and we will be flexible around fifteen and also, we



1 want to ensure that we announce to the public that the council  
2 is looking for candidates to these three panels.

3  
4 The question to the council is there any other action that we  
5 need to take and also, NMFS will increase the time for the  
6 comments and so the question will be, for the council, if any  
7 action can be taken with the scoping meetings.

8  
9 **ROY CRABTREE:** Then we're going to have the SSC meet at some  
10 point and keep working on the table and the criteria?

11  
12 **MIGUEL ROLON:** Also, the advisory panel will meet in August with  
13 some members of the three communities to discuss the tables and  
14 other issues related to management unit criteria.

15  
16 **BILL ARNOLD:** I just want to make sure I'm clear on things. The  
17 council has to approve membership on these new advisory panels  
18 and is that correct? If it is, then either we wait until August  
19 or I would suggest you might think about having a one-day June  
20 meeting at which you could address this and then later on, when  
21 we're dealing with the buffer reduction, we would were going to  
22 request a one-day meeting to move that forward as well and so  
23 that's something you might want to think about. Also, what we  
24 were planning on asking for was a sixty-day reopening of the --

25  
26 **MIGUEL ROLON:** What was the first part? Bill, what was the  
27 first part?

28  
29 **BILL ARNOLD:** The first part is it's my understanding the  
30 council has to approve the membership on the advisory panels and  
31 so they would either have to do that at their August meeting or  
32 you will have to have a meeting before the August meeting to get  
33 that done.

34  
35 We want to have an SSC meeting -- We want the sequence to be we  
36 convene the APs and they talk and they take -- What comes out of  
37 there goes to the SSC and what comes out of there goes to the  
38 August council meeting and you need to get those APs in place  
39 early.

40  
41 I was thinking, just above my grade a little bit, that you might  
42 want to have a one-day meeting, a call-in-type of meeting, in  
43 June, at which you could finalize the membership on those AP  
44 panels and then they could meet sometime after that and the SSC  
45 could meet sometime after that, before the August meeting. Then  
46 we would have this information to work with at the August  
47 council meeting.

48

1 **MIGUEL ROLON:** The problem with that would be rushing, but I was  
2 talking to Richard Appeldoorn and the first meeting, this group  
3 should receive a presentation just like the one today from the  
4 SSC as to the criteria and all the other discussion they had, so  
5 they have some of the discussion what was involved.

6  
7 Then whatever comes out of that meeting could come to the  
8 council, but you are right that if we are going to have forty-  
9 five members appointed here in August, we need to start right  
10 after this meeting, put together the charge and the terms of  
11 reference and all that.

12  
13 Then send out a notice and also, we said that we are going to be  
14 sure that we include all the sectors that are needed and we need  
15 to send that message out and so it will take us about sixty days  
16 just to do that.

17  
18 **BILL ARNOLD:** Okay and so then the time sequence becomes you  
19 validate membership on the APs at the August meeting and then we  
20 want those advisory panel outcomes to go to the SSC and -- The  
21 SSC would have to occur after that and we would be shooting for  
22 the December meeting, which is fine, but we need to make sure we  
23 get our timing and get this all lined up properly.

24  
25 **GRACIELA GARCIA-MOLINER:** Originally, the idea was to have the  
26 SSC -- Actually, the SSC had requested input from the AP, the  
27 way that it's set up now. You had mentioned earlier that there  
28 might be an AP meeting coming up before the ad hoc committees  
29 are formed and then --

30  
31 **MIGUEL ROLON:** We don't call them ad hoc anymore. They are  
32 advisory panels. We can have an ad hoc this afternoon if I  
33 needed to, because the authority resides in the Chair to appoint  
34 them. We just said this morning we will keep the advisory  
35 panels as is and we will try to have this meeting before the  
36 SSC, so they have a reaction to the SSC table and all that.

37  
38 Then there will be an AP meeting before and that particular  
39 meeting -- Remember, all of the meetings of the advisory panel  
40 at this time are at the council office, but if we are going to  
41 invite more people, we can go outside and have a meeting or  
42 something like that.

43  
44 Maybe for that meeting, we can invite nonmembers of the advisory  
45 panel that may have something to contribute to the discussion  
46 and that will be more or less the schedule between here and  
47 August and then we need to make sure what Bill said -- We need  
48 to have the schedule and so between here and December, we need

1 to have one or two meetings of the SSC and a couple of meetings,  
2 at least one, of the three advisory panels.

3  
4 **GRACIELA GARCIA-MOLINER:** With that schedule, we won't be going  
5 to either other scoping meetings or scoping meetings until next  
6 year and am I right?

7  
8 **MIGUEL ROLON:** The scoping meeting period will be expanded to  
9 sixty days. I don't know what else we're going to get during  
10 those scoping meetings that we haven't gotten already, except  
11 for a brief statement here and there. We already have the table  
12 that was presented at the scoping meetings and people suggested  
13 index species or indicator species and some other people's  
14 comments were -- If we do something like that and the -- That  
15 will be taken to the three advisory panels and this panel now.

16  
17 We will have input for the August meeting and the action of the  
18 SSC at the August meeting, but between here and August, we have  
19 an advisory panel meeting with some members added and we have  
20 the SSC. We will not have no more scoping meetings unless you  
21 decide to have some additional scoping meetings.

22  
23 At the August meeting, you may end up having more scoping  
24 meetings between August and December and certainly you will have  
25 the meetings of the advisory panels and we will concentrate the  
26 discussion at the advisory panels on the criteria that will be  
27 the number one criteria for selecting the species and other  
28 elements of the development of those management plans.

29  
30 Remember these advisory panels are not the ones who are going to  
31 develop the FMPs, but it will be very important to the process  
32 and so that means that there will be papers in between that we  
33 need to make sure that the staff has time to prepare those  
34 papers.

35  
36 **TONY BLANCHARD:** It just come to me as to how we could get a  
37 broader spectrum of people with the -- To pull from, as for the  
38 AP members, I think they're getting out -- When they go to  
39 register the boats, you have the commercial and you have the  
40 recreational and you just have people with boats that would be  
41 coming to register their boats.

42  
43 I think if the word is given out by Roy or his staff and then --  
44 That would catch a larger, I would say -- More people and then I  
45 suspect that they will talk to other people and go to other  
46 people and I think the best way to get out our information is  
47 word of mouth and that's just me.

48

1 **MIGUEL ROLON:** Also, we need to draft the terms of reference  
2 that can be distributed that this is what the council expects of  
3 our advisory panel and we will meet this many times and we will  
4 addressing this and that. With that information, we can  
5 distribute that information at that time.

6  
7 Also, initially we have an approach which is to publish the  
8 announcement in the local newspapers and so we will get a broad  
9 spectrum and actually, I don't think that we need to have on the  
10 advisory panel a person that doesn't fish, but I remember that  
11 even a housewife who is receiving the fish has something to say.

12  
13 In other councils, that's what they do. They announce that we  
14 need to have candidates for this meeting and we have vacancies  
15 for this meeting or this AP or whatever and people submit their  
16 application. Also, we need to make clear the sectors that we  
17 are looking to fill on each one.

18  
19 **BILL ARNOLD:** Regarding this reopening of the comment period,  
20 we're not wed to sixty days. We thought sixty days would be  
21 enough, but if there's any strong objections to that and  
22 somebody really, really, really wants ninety days, we haven't  
23 filed the Federal Register notice yet and so we could change and  
24 particularly with this timeline, I don't think it's going to  
25 make much difference. If somebody doesn't speak up, we will  
26 probably hold the sixty days, but we're flexible on that.

27  
28 **MIGUEL ROLON:** (The comment is not audible on the recording.)

29  
30 **GRACIELA GARCIA-MOLINER:** You had, at the beginning of the  
31 meeting, a comment period for the public to comment on each of  
32 the sections that we have in the agenda and so we've come to the  
33 end of the island-specific discussion.

34  
35 **CARLOS FARCHETTE:** Okay. We will open the comment period if  
36 there's anyone that would like to talk about island-based  
37 fishery management. With no comments, we will move forward.  
38 Next on the agenda is Annual Catch Limit Control Rule by Dr.  
39 William Arnold.

#### 40 41 **ANNUAL CATCH LIMIT CONTROL RULE**

42  
43 **BILL ARNOLD:** Now we're going to talk about the annual catch  
44 limit control rule and what this really is, it's determining if  
45 our reduction from the ABC to the ACL or from the OFL to the  
46 ACL, depending upon which one we have established for that  
47 reduction, is going to be 10 percent or 15 percent. That's the  
48 issue at hand.

1  
2 I am going to put the purpose and need up here and the council  
3 should certainly comment on this purpose and need, because we  
4 want to make sure that they're in agreement with it and that  
5 they have a firm rationale for why we're doing this. It is  
6 absolutely essential as we move forward with any of our actions.  
7 The purpose and need is always the foundation of these things.

8  
9 The purpose is to establish a control rule to modify the buffer  
10 reduction that is applied to the overfishing limit or to the  
11 acceptable biological catch and we have a mix of those,  
12 depending on the species that we're talking about, to derive an  
13 ACL, in response to the changes in the overfishing status of any  
14 U.S. Caribbean fishery management unit.

15  
16 The control rule would apply specific buffer reductions, based  
17 on the current status of the FMU, as determined by National  
18 Marine Fisheries Service. That would be an annual  
19 determination.

20  
21 Each year, the National Marine Fisheries Service makes a  
22 determination as to whether a species is undergoing overfishing  
23 or not and if that designation changed, this buffer would change  
24 as well.

25  
26 Establishing this control rule would provide the council and  
27 NMFS with the flexibility to respond quickly to changes in the  
28 fishery and that is positive changes if the fishery is doing  
29 well. You can reduce the buffer and negative is the fishery is  
30 undergoing overfishing and we need to establish a more  
31 conservative approach to that species or unit.

32  
33 **SHEPHERD GRIMES:** I just wanted to clarify and be clear about  
34 when we're talking about this. The first sentence there, that  
35 the reduction buffer is going to be applied to the ABC if we  
36 have been provided one. As we know, the SSC provides the ABC  
37 recommendation and they determine what buffer would exist  
38 between the OFL and the ABC, but in some cases, they did not  
39 provide an ABC and we only have an OFL, in which case we really  
40 treat that as the ABC and it's a management decision as to how  
41 much of a buffer to put between the OFL and the ACL. This is  
42 just talking about the buffer between the ACL and whatever catch  
43 level recommendation we have from the SSC.

44  
45 **BILL ARNOLD:** I agree 100 percent. Need for action, the need is  
46 to establish the mechanism that describes this relationship  
47 between overfishing status and the reduction buffer that's  
48 applied to the ABC or, if there is no designated ABC from the

1 SSC, then to the OFL and it's used to determine that ACL.  
2  
3 The proposed mechanism would adjust the buffer reduction, as  
4 appropriate, to reflect the change in classification to the  
5 FMUs. This amendment will provide for a new and straightforward  
6 process that will allow for ACL revisions based on OFL or, more  
7 importantly or more commonly, ABC steps.  
8  
9 The key word in there is "process". What we're looking to do is  
10 to establish a process, so that when something happens, that  
11 process is put into effect to make the response to change and  
12 that's something that does not require a full plan amendment  
13 each year and so it's a little bit more of an automatic response  
14 to the change. This happens and we do this and this is the  
15 outcome. Any questions about this? All right.  
16  
17 This is just a table of what kind of changes in the ACLs will be  
18 realized if this was in effect right now. I think that's what  
19 it is and so anyway, for the 2010 stocks, if you remember, we  
20 had two groups. We had 2010 ACL species and those are the ones  
21 that at the time were undergoing overfishing. It's basically  
22 snappers and groupers and parrotfish and queen conch.  
23  
24 Then the second group down below are the 2011 stocks and those  
25 are all the other species that we named that were not designated  
26 as undergoing overfishing. They may have been designated as  
27 unknown, but they weren't designated as undergoing overfishing.  
28  
29 What would happen almost immediately from this, if it's put into  
30 place, is those 2010 stocks may well change from undergoing  
31 overfishing to either unknown or not undergoing overfishing and  
32 so in the present scenario, if this process was in place, most  
33 of those had a 15 percent buffer reduction and that would change  
34 to a 10 percent buffer reduction and essentially the allowable  
35 catch, the ACL, would go up by 5 percent.  
36  
37 It's not a huge amount, but that's still dollars in fishermen's  
38 pockets and it's sustainable dollars in fishermen's pockets and  
39 that's kind of what we're looking for.  
40  
41 For the 2011 stocks, as I said, those were already designated as  
42 either unknown or not subject to overfishing and so there would  
43 be no change for those, but for these or any other ones, if  
44 later designations were that it is undergoing overfishing, your  
45 jacks or your squirrelfish or something, it could now have a 15  
46 percent buffer reduction applied instead of a 10 percent buffer  
47 reduction.  
48

1 The control rule, and this would be very much a control rule,  
2 would shift the buffer applied, depending upon overfishing  
3 status. It would simplify the process of adjusting ACLs, if  
4 needed, in the future and it would provide for more responsive  
5 management.

6  
7 This is a single action that we're talking about here and that  
8 action is to establish a control rule. That control rule would  
9 adjust the buffer reduction applied to the OFL or the ABC, used  
10 in regard to the ACL, to reflect the change in overfishing  
11 status of the stock and there are four alternatives.

12  
13 Of course, there's the no action alternative and that's  
14 Alternative 1. Nothing changes and we don't do this.  
15 Everything stays the way it is right now. There are three  
16 alternatives.

17  
18 Alternative 2 is a blanket change. For all FMUs, the ACL would  
19 equal the OFL or the ABC times 0.85 for those designated as  
20 undergoing overfishing and the ACL would equal the OFL or the  
21 ABC times 0.9 for those determined to be not undergoing  
22 overfishing or for which an overfishing status is unknown.

23  
24 The third alternative is the same as Number 2, but it allows for  
25 exceptions and this is important, because we made a variety of  
26 exceptions when we were establishing the ACLs and I'm going to  
27 talk about those. Those would be subalternatives.

28  
29 For parrotfish, as with snappers and groupers, we applied a 0.85  
30 buffer reduction, but then if you remember on St. Croix, we  
31 applied an additional 5.8822 percent reduction to parrotfish to  
32 get them down to a certain level.

33  
34 This Subalternative 3a would allow that 5.8822 percent reduction  
35 to stay in place and that was really separate from the OFL.  
36 This was a management decision and so it sort of stands alone  
37 and this alternative would make sure that that additional  
38 reduction stayed in place.

39  
40 Alternative 3b is for surgeonfish and Alternative 3c is for  
41 angelfish. Both of those were designated as playing an  
42 important ecological role on coral reefs, one as a grazer,  
43 surgeonfish, and the other as a spongivore, the angelfish. They  
44 got applied a 25 percent reduction and so you multiply 0.75 for  
45 those two.

46  
47 If you want that to stay in place, it would stay. No matter  
48 what their overfishing status is, they would continue with 0.75

1 multiplier instead of the 0.85 or the 0.9.

2  
3 For queen conch, queen conch the SSC established an ABC for that  
4 species and that's for St. Croix federal waters, because there  
5 is no harvest of queen conch in St. Thomas or Puerto Rico  
6 federal waters and so that ABC of 50,000 pounds was left at  
7 50,000 pounds and it was not reduced at all and so this  
8 alternative would leave it at 50,000 pounds.

9  
10 If you don't implement this Subalternative 3d, then that ABC  
11 would have a, depending upon whether it's overfished or  
12 undergoing overfishing or not, either a 10 percent or a 15  
13 percent reduction applied to it and so the actual ACL coming out  
14 of that would be less than 50,000 pounds.

15  
16 For the other one, 3e, that's the aquarium trade species and  
17 that's really specific to Puerto Rico, because aquarium trade  
18 harvest is not allowed in the U.S. Virgin Islands. If I'm  
19 missing something, Roy, let me know, but I think that's correct.

20  
21 That also was set at 0.75 because of the diversity of species  
22 and really for a lot of different subtle reasons that have to do  
23 with no clear understanding of what's being harvested and no  
24 real management of how it's being harvested, et cetera, et  
25 cetera.

26  
27 That's not to say that it's a bad fishery, but it's just to say  
28 that we didn't have tight controls on it and so to manage that,  
29 we reduced it by 25 percent. Those are the subalternatives.

30  
31 Just to summarize the changes, if Alternative 2 is chosen,  
32 snapper grouper and parrotfish for all islands and sectors would  
33 increase by 5 percent. Like I said, the 5.8822 percent for St.  
34 Croix is a separate issue. That kinds of stands out there,  
35 because it was put in as a management adjustment and not as an  
36 ACL setting procedure.

37  
38 Queen conch ACL would be reduced and the ACL for angelfish and  
39 surgeonfish and the Caribbean-wide aquarium trade would all go  
40 up, because they wouldn't be getting that extra reduction  
41 anymore. Likely they would be getting only a 10 percent  
42 reduction.

43  
44 If Alternatives 2 and 3, and only if subalternatives are chosen,  
45 the basically grouper and snapper are going to go up by 5  
46 percent under the present scenario and queen conch, parrotfish,  
47 surgeonfish and all the others would basically remain as they  
48 are right now. That's what all the exemptions do.



1  
2 This would be a comprehensive plan amendment. This would go in  
3 within the context of the species-based FMPs that we presently  
4 have in place. There would be a plan amendment for each of  
5 them, because even in the corals and reef-associated plants and  
6 invertebrates, we have aquarium trade species and, of course,  
7 the reef fish would get adjusted and queen conch get adjusted  
8 and spiny lobster would get adjusted and so it's comprehensive  
9 to all four of our presently existing management plans.

10  
11 The overfishing status would continue to be evaluated annually  
12 by NMFS. That's something we do and then that most recent  
13 determination would be what is applied to determine which buffer  
14 reduction is going to be used and then overfishing is determined  
15 when that OFL is exceeded that we have set for each of these  
16 things.

17  
18 Right now, it's a Caribbean-wide OFL and so it can be very  
19 difficult to exceed that OFL. I can give you, as an example,  
20 Snapper Unit 2. Snapper Unit 2, for the 2010 and 2011 average,  
21 the ACL was 150,000 pounds in western Puerto Rico, for reasons  
22 we've discussed many times, and they actually harvested a  
23 reported harvest of around 300,000 pounds, which is double the  
24 ACL.

25  
26 The ACL was exceeded drastically and the Puerto Rico OFL was  
27 exceeded too, but we use a Caribbean-wide OFL and so for that,  
28 you have to take the Puerto Rico OFL and add it to the St.  
29 Thomas and St. Croix OFL and that total is what they would they  
30 have to exceed and that total is above 300,000 and so they  
31 didn't exceed it.

32  
33 Particularly if you're using a Caribbean-wide OFL, it can be  
34 very difficult to exceed these and that's something you may want  
35 to think about.

36  
37 The way we do this, a letter would be written from NMFS to the  
38 council stating which species are undergoing overfishing and  
39 that would be notification to the council that this change is  
40 going to be made.

41  
42 **TONY BLANCHARD:** The scenario that you just brought up, snappers  
43 being overfished in Puerto Rico and you use a Caribbean-wide  
44 approach, that would also work by --

45  
46 **BILL ARNOLD:** I'm not sure exactly what you mean, Tony.

47  
48 **TONY BLANCHARD:** If you put the three islands together, Puerto

1 Rico, St. Thomas/St. John, and St. Croix, and the ACL that was  
2 given for the snappers was not exceeded by Puerto Rico, because  
3 it was over three-hundred-and-something-thousand pounds. Can  
4 that also be used as a penalty? If they're over and if you're  
5 using it to come up with an average to justify -- Maybe use  
6 another word and not justify, but to see whether they exceeded  
7 the ACL, if they have over exceeded the ACL by using that  
8 approach, wouldn't everybody suffer a penalty?

9  
10 **BILL ARNOLD:** Just to make sure -- We're not talking about the  
11 ACL. Each island has their own ACL. We're talking about OFL,  
12 which is Caribbean wide and yes, if, as an example, Puerto Rico  
13 has exceeded their -- If by themselves they had exceeded the  
14 entire U.S. Caribbean OFL, then the overfishing designation and  
15 the response to that overfishing designation would be applied  
16 Caribbean-wide and not just to Puerto Rico.

17  
18 **TONY BLANCHARD:** I understand and that's exactly what I thought  
19 it was.

20  
21 **BONNIE PONWITH:** In one of the earlier slides, before you went  
22 into the subalternatives, the 15 percent reduction versus the 10  
23 percent reduction, included in the 10 percent reduction were  
24 cases where the stock was not undergoing overfishing and where  
25 the status is unknown. It seems counterintuitive to have stocks  
26 with unknown status having a smaller buffer than the other  
27 stocks.

28  
29 **BILL ARNOLD:** I certainly understand what you're saying, Bonnie,  
30 and that's how these things all fleshed out in the 2010 and 2011  
31 amendments, because so many of them were unknown and we did not  
32 -- Unless it was specifically designated as undergoing  
33 overfishing, it was not considered to be undergoing overfishing.  
34 We basically broke it into those two groups.

35  
36 **ROY CRABTREE:** Because we have OFLs now, why do we have unknowns  
37 for overfishing? Under the OFL, it seems to me we shouldn't  
38 have -- Unknown for overfished, yes, but not for overfishing.

39  
40 **BILL ARNOLD:** I would agree with that and that's probably  
41 something we need to work out with headquarters, to get that  
42 straightened out.

43  
44 **ROY CRABTREE:** Back to Tony, I can tell by the way you reacted  
45 to the answer that you don't like that situation. I understand  
46 that and that's something that we can come back to in the  
47 island-specific plans and maybe we do differently when we get to  
48 that point, but for right now, that's how it's set up.

1  
2 **TONY BLANCHARD:** I don't agree with that. I don't agree with  
3 OFL when you take into consideration the three islands, the  
4 Caribbean-wide approach. When we went into the ACLs and the  
5 OFLs, each individual island, why are we taking a three-island  
6 approach?  
7  
8 I am still suffering a penalty from -- In the cases that you're  
9 -- I am being penalized once again. -- We have a problem and we  
10 need to get this Caribbean thing here and be dealt with on a  
11 one-to-one basis, island-wide.  
12  
13 **ROY CRABTREE:** I hear what you're saying, but that's the way the  
14 council set it up when did the ACLs and so to change that, we've  
15 got to go through the process and that's one of the things that  
16 I think will go into these island-specific FMPs. That would  
17 enable you to do that.  
18  
19 Just looking at the alternatives here, Alternative 2 is a  
20 problem, it seems to me, because, one it would eliminate some of  
21 the buffers we put into place for reasons that were different  
22 than uncertainty in the buffers to begin with.  
23  
24 Queen conch, I think we reduce the queen conch both under  
25 Alternative 2 and -- If we came in and tried to raise the  
26 parrotfish ACLs, we would have to go through a whole biological  
27 opinion and all of that and bear in mind that we're still  
28 involved in litigation over the last biological opinion and  
29 that's not fully resolved and so it seems, to me, we would be  
30 ill advised at this point to do something like that.  
31  
32 **I would make a motion that our preferred alternative be**  
33 **Alternative 3 and all of the Subalternatives 3a, 3b, 3c, 3d, and**  
34 **3e.**  
35  
36 **CARLOS FARCHETTE:** We need a second.  
37  
38 **EUGENIO PIÑEIRO:** Second.  
39  
40 **GRACIELA GARCIA-MOLINER:** Can we just type in preferred for  
41 everything that you said?  
42  
43 **ROY CRABTREE:** It's basically Alternative 3 and all of the  
44 subalternatives.  
45  
46 **MIGUEL ROLON:** The motion is to have the preferred alternative  
47 be Number 3 with all the subs, a through e or whatever the  
48 number is. It's from 3a to 3e. Does that reflect your motion?

1  
2 **ROY CRABTREE:** Yes, that's it.  
3  
4 **CARLOS FARCHETTE:** Any further discussion?  
5  
6 **SHEPHERD GRIMES:** I would just note that this is essentially the  
7 same policy that this council chose and the same path this  
8 council followed in the 2010 and 2011 ACL Amendments. It's just  
9 putting it in the form of a control rule, so that these  
10 adjustments would be automatic in the future and the council  
11 won't have to come in and take one regulatory action after  
12 another to pursue the policies that you essentially have. It's  
13 not really status quo, but it's kind of status quo.  
14  
15 **CARLOS FARCHETTE:** I have a question here. Since we have agreed  
16 to have -- I know the issues with the parrotfish and the  
17 biological opinions, but since we have already approved size  
18 limits on parrotfish, do we need that 5.8822 at all?  
19  
20 **ROY CRABTREE:** I would advise against it. That would require a  
21 whole new biological opinion and I think it would stir up a big  
22 controversy and, as I said, the litigation over the last  
23 biological opinion -- Remember that we won on a lot of things,  
24 but we lost on one specific count relative to the incidental  
25 take statement.  
26  
27 If you raise that quotas, that would require a new incidental  
28 take statement and so I would recommend against doing anything  
29 like that and remember too that we've talked about, at previous  
30 council meetings -- We did have a petition to list a whole list  
31 of additional coral species.  
32  
33 There was a proposed rule that was published some time ago that  
34 proposed to list several additional species of corals and I  
35 think the timeline we're on now is to have a final rule at some  
36 point during the summer and I don't remember the exact date.  
37  
38 Once we get to that point, we'll have to at some point  
39 reinitiate consultation on the whole issue and go through it  
40 again, but I certainly wouldn't advise taking any steps to try  
41 and change those catch limits until the current litigation is  
42 done.  
43  
44 **CARLOS FARCHETTE:** Another question. Bill, when you said about  
45 angelfish and surgeonfish going from 25 to 10, what about 25 to  
46 15?  
47  
48 **BILL ARNOLD:** They're not presently listed as undergoing

1 overfishing and so they wouldn't get assigned a 15 percent  
2 reduction. They would get assigned a 10 percent reduction if we  
3 didn't exempt them and so it's either 25 percent, which is the  
4 specific reduction that you assign to them, or it's the 10  
5 percent reduction that applies to all of the species not  
6 undergoing overfishing.

7  
8 **ROY CRABTREE:** The biological opinion and the issue you're  
9 raising with parrotfish, it wasn't just parrotfish, remember.  
10 It was surgeonfish and angelfish and all of them and so any of  
11 the herbivorous species are going to essentially open up all the  
12 same issues.

13  
14 **CARLOS FARCHETTE:** Any more comments?

15  
16 **BILL ARNOLD:** I would just remind you that it was the SSC that  
17 came up with the 25 percent reduction for angelfish and  
18 surgeonfish. They felt it very important to add additional  
19 protections.

20  
21 **MIGUEL ROLON:** The point is you already went through all of this  
22 already and the only thing you're doing here is to establish a  
23 mechanism that would be semi-automatic and so you don't have to  
24 go one-by-one again every time that you come up with these  
25 discussions. That way, you wait until -- Any of this part that  
26 you open again, you might regret it.

27  
28 **CARLOS FARCHETTE:** Any more comments before we vote? **Hearing**  
29 none, I will start on my left with Nelson.

30  
31 **NELSON CRESPO:** Yes.

32  
33 **ROY CRABTREE:** Yes.

34  
35 **EUGENIO PIÑEIRO:** Yes.

36  
37 **ROY PEMBERTON:** Yes.

38  
39 **MIGUEL GARCIA:** Yes.

40  
41 **TONY BLANCHARD:** Yes.

42  
43 **CARLOS FARCHETTE:** Yes. Any nays or any abstentions? **Hearing**  
44 none, the motion carries.

45  
46 **BILL ARNOLD:** This is the timeline for getting this thing done.  
47 This is the timeline that would take place if you scheduled a  
48 June meeting to address this issue. Today, the council reviews

1 the public hearing draft and the EA that goes along with it and  
2 you saw the preferred alternatives and you approve those for  
3 public hearings and we schedule these public hearings and get  
4 out there and get them done.

5  
6 We would hold public hearings in Puerto Rico and in the USVI.  
7 This is a Caribbean-wide issue and then in June of 2014, the  
8 council will discuss outcomes of the public hearings and  
9 consider comments on the amendment.

10  
11 They would revise and approve, as necessary, and then approve  
12 this amendment for submission to the Secretary of Commerce for  
13 approval.

14  
15 In September, the amendment and the environmental assessment and  
16 the proposed rule would publish with a comment period and then  
17 in early December, NOAA would publish the comprehensive  
18 amendment, et cetera, et cetera, and the final rule would become  
19 effective in the first week of January, 2015, so that these new  
20 ACLs, as they are, would be applicable in the 2015 fishing year.  
21 That's with a June meeting and so you guys need to decide  
22 whether you want to have one or not.

23  
24 With an August meeting, which is what we're presently scheduled  
25 for, everything would be the same today, but instead of the June  
26 events, those would be August events.

27  
28 That's when you would discuss the outcomes of the public  
29 hearings and you would approve the amendment for secretarial  
30 review and we would get that done in November and it would be  
31 more like March when this would actually become effective and so  
32 you're talking about a roughly two-month difference, which isn't  
33 necessarily critical, but it could affect how we manage species  
34 in 2015.

35  
36 The next steps are to approve or disapprove the public hearing  
37 draft with the identified preferred alternatives. You did that  
38 and then either a separate motion or included in that motion,  
39 however you want to do this, schedule public hearings for early  
40 summer of 2014 and that's where we are. Thank you.

41  
42 **GRACIELA GARCIA-MOLINER:** We've already selected preferred  
43 alternatives.

44  
45 **MIGUEL ROLON:** The Chair can tell us when and where to have the  
46 public hearings. The document is ready and Bill Arnold and I  
47 will sit down and look at the time and places, but right now,  
48 what we need to decide whether to have the preferred schedule as

1 the first schedule or the second schedule. Do you want to have  
2 a June meeting or do you want to just discuss this at the August  
3 meeting and then you will end up finishing two months after  
4 December?  
5  
6 **BILL ARNOLD:** We need two things. We need you to approve the  
7 public hearing draft for us to take out to public hearings and  
8 then we need you to choose your schedule.  
9  
10 **ROY CRABTREE:** I move we approve the public hearing draft.  
11  
12 **EUGENIO PIÑEIRO:** Second.  
13  
14 **CARLOS FARCHETTE:** Any more comments? Hearing none, we will  
15 take it to a vote.  
16  
17 **NELSON CRESPO:** Yes.  
18  
19 **ROY CRABTREE:** Yes.  
20  
21 **EUGENIO PIÑEIRO:** Yes.  
22  
23 **ROY PEMBERTON:** Yes.  
24  
25 **TONY BLANCHARD:** Yes.  
26  
27 **CARLOS FARCHETTE:** Yes. One absent, Miguel Garcia. Any nays or  
28 any abstentions? **Hearing none, the motion carries.** There is  
29 one more thing on this same subject. We had put ACL overruns,  
30 Bill, one the same topic.  
31  
32 **MIGUEL GARCIA:** Wait, do you want to do the first schedule or  
33 the second schedule? Do you want to finish in December or do  
34 you want to finish in March?  
35  
36 **BILL ARNOLD:** If you're asking me, I want to get this done as  
37 soon as possible, but it's your meeting.  
38  
39 **MIGUEL ROLON:** But you're the one doing this and so if you want  
40 us to --  
41  
42 **BILL ARNOLD:** The council has to be available for a June  
43 meeting. I can't just say you guys have to have a June meeting,  
44 but a June meeting would --  
45  
46 **GRACIELA GARCIA-MOLINER:** Does it have to be face-to-face?  
47  
48 **BILL ARNOLD:** I think it would require a vote.

1  
2 **ROY CRABTREE:** What would do at the June meeting? We would go  
3 over this and then -- If we had a June meeting, Miguel, could we  
4 at that stage review the applications for the three APs and deal  
5 with that at that meeting as well? Is there anything else we  
6 would do or would that be pretty much it?  
7  
8 **BILL ARNOLD:** I think we should go over the island approach, the  
9 seasonal closure timing, and the ABT and you may or may not  
10 decide that you could do something with that at the June  
11 meeting.  
12  
13 **ROY CRABTREE:** I think it's up to you guys. You could have a  
14 conference call meeting or something. We've done that before  
15 and you can vote on those. It's harder to have a discussion and  
16 it's harder to really get into things and it's not as convenient  
17 for the public, but it doesn't require all the travel time. I  
18 think it's up to you.  
19  
20 **MIGUEL GARCIA:** For the timing, if I were going to make a  
21 decision, I would think the second one. It's not critical. I  
22 know that Bill would like to get this off his desk so he can  
23 work on something else, but at the same time, I don't want -- If  
24 we have the public hearings this summer and then we have a  
25 meeting in August to discuss this, we may have another half-day  
26 in August, but we could do it there, because we have the AP  
27 meetings in the summer and we have found that when you ask the  
28 fishermen to come to a meeting to discuss three topics at the  
29 same time, it's difficult.  
30  
31 **TONY BLANCHARD:** I think we need to go just like Miguel said.  
32 Two months really ain't going to make a difference. I think  
33 when you start pressing for time that you start mistakes. As  
34 for conference calls, I ain't too fond of that. I say look  
35 across the table and see what I see.  
36  
37 **MIGUEL GARCIA:** We tried before and we tried to have listening  
38 stations and I know that the people didn't know what the  
39 listening stations were and so can we do it in August? For  
40 that, you don't need a motion. Just let the Chair pick one and  
41 then by the time we meet again in August, we will have all this  
42 in the agenda and we have more time for consulting with Bill and  
43 Graciela when we develop the agenda for that meeting.  
44  
45 **TONY BLANCHARD:** Let me stop beating around the bush. I think  
46 we need to hold it in August.  
47  
48 **SHEPHERD GRIMES:** I was just going to ask Dr. Arnold. Approving



1 it earlier doesn't mean that the ACLs are going to increase for  
2 2015. Well, I guess you would say approving it later will not  
3 prevent the ACLs from increasing, the ones that are adjusted  
4 from 15 to 10 percent. They are going to increase in 2015 at  
5 some point. Doing it later in the year doesn't mean it isn't  
6 going to happen in 2015, correct?

7  
8 **BILL ARNOLD:** I don't really think it's going to make that much  
9 difference if we have a June meeting or not, honestly. I think  
10 we'll end up at about the same place. The fishermen were very  
11 anxious for this and I was trying to accommodate their desires,  
12 but I think we'll be fine either way.

13  
14 **MIGUEL ROLON:** They are anxious when they think that -- They  
15 will be not anxious when -- I always like your caveats that this  
16 will go this way or that way, but just make sure to provide one  
17 and no promises.

18  
19 **CARLOS FARCHETTE:** August it is.

20  
21 **SHEPHERD GRIMES:** Based on the last motion that passed approving  
22 the public hearing draft, that means you're going to send it to  
23 public hearing between now and August?

24  
25 **MIGUEL ROLON:** Yes, between here and August. Usually when we  
26 have these hearings, we have two in the USVI, one in St.  
27 Thomas/St. John and one in St. Croix, and maybe four in Puerto  
28 Rico. We do them in the same place, because we like to go to  
29 all four coasts.

30  
31 **CARLOS FARCHETTE:** Do you want to go ahead, Bill, and talk about  
32 the ACL overruns that we put on the schedule here under the same  
33 topic?

34  
35 **DISCUSSION OF ACL OVERRUNS**

36  
37 **BILL ARNOLD:** Sure. Each year, we have to evaluate the  
38 appropriate year sequence of landings and calculate averages for  
39 those year sequences and compare them to the established annual  
40 catch limits for each species we manage.

41  
42 If we find that in any case the annual catch limits have been  
43 exceeded, we have to apply accountability measures for that  
44 unit. There's only one accountability measure basically that we  
45 have right now and that is shortened seasons by the length of  
46 time necessary to ensure that the annual catch limit is not  
47 again exceeded.

48

1 We have been through this for -- We applied these in 2013. We  
2 shortened the Snapper Unit 2 fishery to September 20 or  
3 something like that and so that was when the season ended,  
4 because everything -- We start on December 31 in every case and  
5 we count backwards.

6  
7 We did that for 2013 and we did it for 2014 back at the December  
8 council meeting, but at that time, we did not yet have Puerto  
9 Rico 2012 commercial landings. We did have the necessary  
10 sequence of landings for both the USVI islands and we did have  
11 the necessary sequence of landings for the recreational sector  
12 in Puerto Rico.

13  
14 We found no instances where the ACLs were being exceeded and so  
15 there were no accountability measures applied and we still had  
16 to finish up these Puerto Rico commercial fisheries.

17  
18 We got that data about two weeks ago and Andy Strelcheck and  
19 Mike Larkin have done the calculations to determine where things  
20 stand and I will have something to say about queen conch in St.  
21 Croix, but let me finish this Puerto Rico thing first.

22  
23 What we found was that wrasses, commercially-harvested wrasses  
24 in Puerto Rico, and commercially-harvested Snapper Unit 2 in  
25 Puerto Rico both exceeded their annual catch limit. I don't  
26 have the numbers up there, but what we found was I think -- The  
27 Snapper Unit 2 were over, but not substantially and let me see  
28 if I have that data. I want to be able to give you the actual  
29 pounds that each one exceeded their ACL.

30  
31 Snapper Unit 2 exceeded their ACL by about 103,000 pounds and  
32 wrasses in Puerto Rico exceeded their 54,000-pound ACL by about  
33 7,500 pounds.

34  
35 As a result, and it depends upon the fishing rate you want to  
36 use, but as a result, if you just use your 2010 catch rates and  
37 how were they fishing in 2010 and how rapidly were they catching  
38 these species and then applying that catch rate to Snapper Unit  
39 2, you would close on June 3.

40  
41 If you used the 2011 catch rate, which is lower, because we have  
42 been through all of this, that they're pulling people out of the  
43 fishery and the rates have been reduced as the fishery has been  
44 refocused back on true commercial fishermen, you would close the  
45 24<sup>th</sup> of September.

46  
47 If you use the 2012 catch rates, which are the most recent and  
48 most reflect the present status, because now all these people

1 have been out and gotten back, as Genio has explained to us,  
2 gotten back to the true Snapper Unit 2 fishermen, you would  
3 actually have no closures. At the rate they're fishing, they  
4 won't hit their ACL until the end of the year.

5  
6 If you use the average of 2010 through 2012, you would close on  
7 August 4. Now, when we did these things for 2013, we used the  
8 most recent single year, which was I think the 2011 catch rate.  
9 Consistency would dictate that you use the 2012 catch rate, but,  
10 of course, that's something the council could discuss.

11  
12 For Puerto Rico commercial wrasses, it's just the opposite,  
13 because they've been catching more. 2010 doesn't apply to  
14 wrasses. Wrasses were a species that were not undergoing  
15 overfishing and so when we do their average, we start with the  
16 year 2011.

17  
18 If you use the 2011 catch rate, there is no closure and if you  
19 use the 2012 catch rate, because now they're catching wrasses at  
20 a faster rate, you would close on the 7<sup>th</sup> of October, but I would  
21 certainly personally argue that you should use the same catch  
22 rate for both of them.

23  
24 We also have St. Croix conch here, because what's happening with  
25 queen conch is they're allowed to hit their 50,000-pound quota  
26 based on reported landings. When they hit 50,000 pounds, if  
27 that happens before the end of the season, then the state closes  
28 state waters and we close federal waters, but after that, late  
29 reports come in that drive that total for the year above it.  
30 Usually we're seeing 7,000 or 8,000 pounds above the 50,000-  
31 pound quota.

32  
33 Now, from the federal perspective, we probably don't want to  
34 continue to allow that to happen, but as it stands, even for  
35 queen conch, using these more recent catch rates, you're not  
36 going to have a closure anyway at the present time.

37  
38 I know that's a little bit confusing, but the fact is they catch  
39 different rates each year and generally you would consider the  
40 most recent year for which we have data is going to give you the  
41 most likely representation of how they're catching in the  
42 present year.

43  
44 **MIGUEL GARCIA:** Bill, under that guidelines, then we will pick  
45 2012?

46  
47 **BILL ARNOLD:** It's up to you guys, but yes, 2012 would be the  
48 most recent year of data that we have that we can use to

1 determine how they're catching these species in the most recent  
2 history.

3  
4 **MIGUEL GARCIA:** We would go for 2012, because we are eliminating  
5 -- That way, we aren't using that old data, when we know that  
6 there were commercial fishermen fishing the resource and so if  
7 you use the 2012 data, you've got the people that are fishing  
8 for the Snapper Unit 2 for sure.

9  
10 **BILL ARNOLD:** I agree with that. I would point out that you  
11 shouldn't be picking your catch rate year because this gives the  
12 best outcome. You should pick it because it has the strongest  
13 logic behind it and I really think the council should establish  
14 a policy for this and say we are always going to use the most  
15 recent year's catch rate to make these determinations and then  
16 you remove that bias and the opening that would create for  
17 potential litigation.

18  
19 Keeping in mind, of course, that next year's catch rate may not  
20 be as favorable as this year's catch rate, but that's why I'm  
21 saying it really should be policy-based and not event-based.

22  
23 **MIGUEL ROLON:** What's the status quo at this time? I remember  
24 we discussed that and we were thinking about, using that most  
25 recent. I thought we did that and it seems that we did.

26  
27 **BILL ARNOLD:** I think you may have, Miguel, and I don't have the  
28 verbatim minutes in front of me, but the previous time, you did  
29 choose the most recent catch rate, single year catch rate, to  
30 make the determination as to when the season should close.

31  
32 **MIGUEL ROLON:** This is very important for Shep to tell us and we  
33 need to have it -- I think I remember we, in some of the  
34 alternatives that we have, that we picked three years to have  
35 the average and then we're saying here we have that and we're  
36 mixing the two and it confuses people.

37  
38 **ROY CRABTREE:** I think if you want to go into the plan and  
39 specify that ACLs are based on multiple years or averages,  
40 that's one thing, but I think the job of determining if the  
41 quota has been caught or not is up to the Fisheries Service to  
42 do and I think that's where those decisions ought to be made.  
43 Unless you want to change something that's in your plan, that's  
44 okay, but otherwise, I don't think you need to do anything.

45  
46 **MIGUEL ROLON:** What will that be? What do you think that  
47 decision would be?

48

1 **ROY CRABTREE:** We will review the data and make the best  
2 determination and I think Miguel has a good point that the  
3 number of permits is changing in Puerto Rico and so clearly  
4 using the last year of data is not going to be appropriate and  
5 we're going to have to make an adjustment based on what we think  
6 the likely levels of effort are going to be and that's why I  
7 don't think you can just pick a policy that says this is how  
8 we're always going to do it, because there may be unusual  
9 circumstances that would lead you to doing it differently and I  
10 think that's something that's just best left to the Fisheries  
11 Service to determine, based on the science that we have, of  
12 here's what we think the catches will be and here's when we  
13 think the quotas will be caught.

14  
15 **MIGUEL ROLON:** For that, we don't need to do anything else and  
16 just leave it?

17  
18 **ROY CRABTREE:** I don't think you need to do anything right now.  
19 I think you're okay with that approach.

20  
21 **NELSON CRESPO:** If anything, I 100 percent agree with Dr.  
22 Garcia, because everybody knows that the 2011 is bogus and it's  
23 not confident and in 2012, we have special permits. We don't  
24 have special permits in 2011, but now, we have special permits  
25 that we have only around sixty fishermen that are in that  
26 fishery right now and that's the best data we have on hand right  
27 now, but 2011, that data is not fair.

28  
29 **MIGUEL ROLON:** I don't want to drag this out, but that's not  
30 true. You may have a group that you selected because of  
31 whatever reasons, but if they have people fishing outside of  
32 that group, you need new data and you're responsible for the  
33 allocation at this time. I love the idea of allowing National  
34 Marine Fisheries to come up with it, rather than us discussing  
35 it up and down.

36  
37 **MIGUEL GARCIA:** We are aware of that. We knew that the special  
38 permits for Puerto Rico under those circumstances, reacting to  
39 an ACL, was not fixing everything for sure and we knew that, but  
40 it was a good beginning and the first time we did that, it was  
41 very well received and we are still having a problem with other  
42 people, but in my opinion, it was very good and we are very  
43 happy with what we have accomplished until now.

44  
45 **ROY CRABTREE:** I think that we'll need to work with Miguel and  
46 folks in Puerto Rico to get some estimate of how much a separate  
47 reduction program is likely to affect catch rates and get with  
48 our number crunches and figure out where that leaves us, because

1 we'll have to be able to explain how we're doing it.

2  
3 I agree that there's been an important change here and it should  
4 bring the catches down, but exactly how much it brings them  
5 down, I don't know at this point and we'll have to figure that  
6 out.

7  
8 **CARLOS FARCHETTE:** Any further discussion?

9  
10 **GRACIELA GARCIA-MOLINER:** The wrasses in Puerto Rico, it's  
11 probably mostly hogfish, which comes in waves, because we didn't  
12 have information looking at the reasons for that increase, but  
13 it's all due to improvements in the data collection efforts,  
14 correct? Wrasses are going to have a closure, but they have  
15 been included in the data base and changes have been made to the  
16 way that data are reported. I am wondering if that's still a  
17 consideration to be looked at or if the data have already been  
18 assessed to the determined that it's due to improvement in data  
19 collection efforts.

20  
21 **BILL ARNOLD:** I don't think so, because I think that all the  
22 Southeast Fisheries Science Center and the SSC considered for  
23 those species we had identified as undergoing overfishing,  
24 angelfish, squirrelfish, and wrasses in St. Thomas and St.  
25 Croix.

26  
27 Those were all over their ACL, but the reason was because  
28 reporting had improved since they had added them to the  
29 reporting forms. That's not necessarily the case for Puerto  
30 Rico wrasses. In Puerto Rico wrasses, we didn't have the 2012  
31 data and so we didn't have these averages and they weren't  
32 considered by the SSC and the Southeast Fisheries Science  
33 Center.

34  
35 Really, to do this correctly, that should be considered. The  
36 problem with that is that I'm afraid that by the time we get all  
37 that done, it's going to be so close to the end of the year that  
38 we can't get the season closure in place in time and so that's a  
39 concern.

40  
41 **MIGUEL ROLON:** What do we do now? Do we have to do anything or  
42 look at it a little bit more or what?

43  
44 **ROY CRABTREE:** I think that's just something the Fisheries  
45 Service and the Center will have to take a look at and see what  
46 we can figure out.

47  
48 **SHEPHERD GRIMES:** What's our long-term plan for addressing the

1 ACLs for species where reporting has improved? It seems we've  
2 set ourselves up that we're going to exceed it every year and  
3 we're going to be making the same determination and at some  
4 point, we need to go back and assess ACLs based on the actual  
5 newly-reported landings.

6  
7 **ROY CRABTREE:** I think that is right. The question is how many  
8 years of data do we need to get before we can tell how much to  
9 increase it and do we have to go back to the SSC and redefine  
10 the ACLs based on a recent time series? I am not sure if we're  
11 at a point right now where we would be able to do that.

12  
13 **BONNIE PONWITH:** That certainly is a consideration and something  
14 that we'll have to discuss. I will say that the approach we  
15 discussed this morning on revamping the way we do stock  
16 assessments in the region would help get us out of that  
17 conundrum, because for species for which we were able to succeed  
18 in doing a data-poor approach for a stock assessment, that stock  
19 assessment would yield management advice, rather than basing the  
20 ABC exclusively on the landings.

21  
22 **CARLOS FARCHETTE:** Thank you. We are going to move on, although  
23 I have some concerns with the conflicts. Since I've already  
24 been fighting a losing battle, I will just leave it alone. Next  
25 on the agenda is Timing of Accountability Measure-Based Closures  
26 Actions by Dr. Kate Quigley.

#### 27 28 **TIMING OF ACCOUNTABILITY MEASURE-BASED CLOSURES ACTION**

29  
30 **BILL ARNOLD:** I will do this one. The way we're doing things  
31 now is if we have to have an accountability-based closure, then  
32 that closure starts on December 31 and counts backwards by as  
33 many days that are necessary to achieve the desired closure  
34 period.

35  
36 That has created a couple of problems, mostly socioeconomic, the  
37 first being that almost assuredly you're going to take the  
38 Christmas season out of the rotation for whatever species has  
39 exceeded their ACL. Even with like a ten-day closure, like we  
40 had for grouper in St. Thomas last year, December 20 was the  
41 closure date and, of course, to them that's very key, being the  
42 Christmas season.

43  
44 The second problem is if you have more than one accountability  
45 measure-based closure for a particular island, then, for at  
46 least some period of time, those closures are going to overlap  
47 and so you double or triple or whatever whammy these guys,  
48 because now you're taking species out of the rotation.

1  
2 That can mean even more of a problem when you're operating a  
3 trap fishery, because now you're getting these species in your  
4 traps along with other species that it is legal to harvest and  
5 things just get messy and really, just the bottom line is no  
6 control over when the closure takes place.

7  
8 One of NOAA's goals and obligations is to achieve the optimum  
9 yield and optimum yield includes economics and social  
10 considerations, et cetera, et cetera. The idea is can we devise  
11 a means of getting away from this December 31 back closure  
12 approach?

13  
14 There are a lot of different ways to do this. What we have been  
15 talking about, and the reason Kate was assigned this topic, is  
16 the closure model. Can we use the closure model each year to  
17 look at this species needs to be closed for this number of  
18 pounds and not a certain amount of days, but a certain amount of  
19 pounds that have to be taken out of the fishery to keep it under  
20 the ACL?

21  
22 Now, given that amount of pounds, when can we do it and how long  
23 is it going to last and what holidays is it going to go over and  
24 what's the value of the fish, et cetera, et cetera?

25  
26 Kate developed a beautiful model to deal with this. The problem  
27 with that is -- I'm getting a little bit away from my  
28 presentation, but the problem with that is to do this on a year-  
29 to-year basis as a customized approach, you have to develop a  
30 rule each year and developing a rule can take a year.

31  
32 You are unable to start this process until the end of the year  
33 preceding the closure year and if it's going to take a year to  
34 develop the rule, then you're through the closure year before  
35 you get the rule in place and so it's kind of a very nice catch-  
36 22.

37  
38 We need to come up with some other way to get away from the  
39 December 31 closure, but do it in a way that it stands from year  
40 to year and you don't have to develop a rule each year to  
41 address the issue. That's what this is all about.

42  
43 What we have is a draft scoping document working on this issue.  
44 The purpose of the scoping document, the purposes are to  
45 identify the issues and solicit input from the public on ways to  
46 deal with those issues and, of course, we'll put some ideas out  
47 there, but they're just ideas to stoke the fires and they're not  
48 anything that's preordained. Then we need to develop the



1 scoping document and we'll provide some means of addressing  
2 these problems and proposing solutions.

3  
4 The purpose of the action -- Again, the council needs to make  
5 sure they're comfortable with this purpose and need. The  
6 purpose is to develop and establish a mechanism and consider  
7 economic and social effects when setting accountability  
8 management measure-based closures.

9  
10 The goals are to remain within the corresponding annual catch  
11 limits and minimize the socioeconomic impacts and that basically  
12 sums the whole thing up.

13  
14 The need for action is to establish a policy and create an  
15 environment that provides the council and NMFS with closure  
16 options other than the default end-of-the-year closure in the  
17 event of an ACL overage, thus lessening the socioeconomic  
18 impacts of those accountability measures to the fishermen.  
19 There's no reason why we can't achieve our ACL goals and do it  
20 within a socioeconomic environment that is beneficial to all.  
21 That's what we're after here.

22  
23 There are interrelated biological, economic, and sociocultural  
24 goals for the proposed action. Biological is stay within the  
25 ACL and economic is to maximize revenue and sociocultural is to  
26 avoid negative sociocultural and market impacts, such as closing  
27 during Lent or closing during Christmas or something like this.

28  
29 Our objectives are to evaluate potential mechanisms for choosing  
30 AM-based closure dates, establish a new process to follow when  
31 accountability measures are triggered, if you want to do it at  
32 all, and to get that new policy into the council's fishery  
33 management plans to guide when AM closures are implemented.

34  
35 There are several possible approaches, the first being the  
36 default accountability measure closure date. This is basically  
37 the no action alternative, leave it December 31 and we ride with  
38 that. If you need a ten-day closure, it starts on December 31  
39 and goes back. If you need a thirty-day closure, it starts on  
40 December 31 and counts back. That's where we are right now.

41  
42 The advantage of this is that it guarantees time needed for that  
43 closure is available to you, because you've got all 365 days of  
44 the year. If you need a 360-day closure, you've got 360 days to  
45 work with. Some of the other things we propose may not give you  
46 those lengths of time you may need, but there is some caveats  
47 that go along with that.

48

1 The fishers have noted that that results in some negative  
2 socioeconomic consequences and it's not just the fishers that  
3 have pointed that out. If several units exceed their ACL during  
4 the same year and AMs are required from the same island, and I  
5 mentioned this earlier, they're going to overlap, just  
6 magnifying the impact to the fishers and to the community and  
7 not just the fishing community, because this affects markets and  
8 restaurants and folks that sell this stuff, et cetera, et  
9 cetera.

10  
11 Closing from December 31 backward essentially results in the  
12 fisheries being closed during the culturally and economically-  
13 important Christmas season and so that's the status quo.

14  
15 The second is a customized process or mechanism. This is the  
16 model-based approach. You conduct an analysis every year for  
17 each species that exceeded its ACL and choose the best dates  
18 based on the outcomes of that model and proceed.

19  
20 Keep in mind that this closure model approach, straightforward  
21 is you analyze each one every year, but there is an alternative  
22 to this and that is that you use the model just for a one-time  
23 determination of when you want to close and then that  
24 determination is established and it goes forward, but the model  
25 is still used to help guide that and that's part of Number 3, I  
26 think.

27  
28 Here are the advantages and disadvantages of this approach. The  
29 advantages are that it provides annual flexibility when applying  
30 the AMs. The caveats, and not necessarily disadvantages, but  
31 the caveats are the closures may not be implemented in time for  
32 it to be effective by the start of the next fishing year and  
33 maybe not even in time to get the full closure into place.

34  
35 It may not be practical, because of time requirements. The  
36 revised landings data are generally not available, particularly  
37 for the USVI, until late in the year.

38  
39 The last council meeting, or the one before that, I brought you  
40 our timing sequence for this. We really don't have the data in  
41 hand until September 1 and then we would go through a sequence  
42 of events to determine when those closure are going to take  
43 place.

44  
45 September 1 is late in the year and using the customized  
46 approach, you never get it done and in place in time, as I  
47 mentioned earlier. The timing for the regulatory process, the  
48 council has to meet and they have to publish the proposed and

1 final rules and you have to have public comment periods. As you  
2 guys know, these things can take a very long time and that's why  
3 it's not real practical as things stand now.

4  
5 There may be alternatives that might allow this to take place,  
6 but those alternatives would have to require some adjustments to  
7 the way we manage and those adjustments aren't in place yet.

8  
9 The third alternative is the upfront timing approach. You set  
10 dates other than December 31, but you set them up front. They  
11 are predetermined and they stand from year. You change the  
12 default accountability measure closure date. We can do this.  
13 The council has the authority to do it.

14  
15 It's a one-time predetermination establishment of a closure  
16 date. For example, you use the front of the year and say we're  
17 going to close on January 1, assuming you get everything in  
18 place in time, and then we're going to close for the amount of  
19 time going forward needed. That has an advantage  
20 meteorologically, of course, because those are usually the  
21 roughest times of the year.

22  
23 The disadvantage of that, and I'm just throwing this out, is I'm  
24 not sure we can get everything in place. Here, we are talking  
25 about our 2014 closures and it's April and so if we had a  
26 January start date, we would be basically creating a problem for  
27 ourselves.

28  
29 It doesn't have to be January 1. For example, you could say  
30 we're going to pick a middle date and it's going to start on May  
31 15 or it's going to start on July 15 and we're going to count  
32 out half the days from there forward and half the days from  
33 there backwards. That's another alternative.

34  
35 You could do a beginning date or you could do an ending date or  
36 you could do a middle date. There's a lot of different  
37 combinations, but the key to this is it's a set date and it's  
38 established from year to year, so you don't have to go back and  
39 create a new rule each year. It's there and you just apply the  
40 number of days needed to close and you go out whichever  
41 direction would apply.

42  
43 The start and end date would not have to be the same for each  
44 fishery management plan. You could say for Snapper Unit 2 we're  
45 going to do May 15 as our mid date or lobster, we're going to  
46 use September 31 as our end date or any combination. They don't  
47 have to be the same. For the islands, it's a little more  
48 difficult now, but when we get into island-based management, you

1 could certainly customize these things even more.

2  
3 **MIGUEL ROLON:** For example, those are dates that have to be  
4 picked based on the science behind it, all the statistics behind  
5 it. We don't take, for example, September for a particular  
6 species because it's rough weather. We have to take September  
7 because the --

8  
9 **BILL ARNOLD:** Kind of, Miguel, but if you want to get 10,000  
10 pounds, you want to get 10,000 pounds. You can go in a period  
11 when they're catching 1,000 pounds a day and take ten days or  
12 you can go when they're catching a hundred pounds a day and it  
13 takes a hundred days.

14  
15 From our perspective, and, Roy, correct me if I'm wrong, we just  
16 need to get the 10,000 pounds out and the question is how do we  
17 get those 10,000? As an example, how do we get that poundage  
18 out with minimum social and economic impacts?

19  
20 At that point, it doesn't have to be science-based. That's when  
21 you can pull Kate's model in and say we're going to take all  
22 this stuff into account and determine when we want to set this  
23 date and you can say we're going to run the model for lobster  
24 and pick a date and we're going to run the model for grouper on  
25 St. Thomas and we're going to pick a date, et cetera, et cetera.

26  
27 **MIGUEL ROLON:** That's precisely my point. We are discussing  
28 this because when we went to talk to people, especially fishers,  
29 they talked about moving the date from December to this  
30 particular date because it's rough weather and they would do it  
31 and I told them that no, we're talking about the poundage.

32  
33 **BILL ARNOLD:** We've got to get the poundage.

34  
35 **MIGUEL ROLON:** They say you pick a date for this particular  
36 species of June 15 and you need to have your numbers checked  
37 first and you say on June 15 we can do ten days before and five  
38 days after and we achieve our goal and that's something that we  
39 need to discuss so people really understand it.

40  
41 **BILL ARNOLD:** I want to emphasize that again. It's a poundage  
42 that has to be removed from the harvest. You went over by a  
43 certain number of pounds and you have to remove that amount of  
44 pounds from the harvest. It's not a set number of days.

45  
46 If you chose January 1 going forward and they don't fish for  
47 that species for three months, then for the first three months,  
48 you will harvest zero pounds and you will have gotten nowhere.

1 You still have to go into a period when you're actually catching  
2 the fish and then you have to close a number of days, however  
3 many days it takes, to achieve that reduction in the total  
4 pounds harvested.

5  
6 All we're trying to do is set a sustainable annual catch level  
7 and we just want to maintain the fishers within that sustainable  
8 annual catch level. That's the goal of this whole thing.

9  
10 **EUGENIO PIÑEIRO:** My question could be to either Miguel or Dr.  
11 Ponwith. Would electronic data reporting make the data more  
12 available or in an expedited way and would this benefit that?

13  
14 **BILL ARNOLD:** Kind of. When you start getting into in-season  
15 data availability, you start getting into a whole new world of  
16 management and the season, which is by far the best way to do  
17 this. We probably wouldn't be dealing with these sorts of rules  
18 for a species like that at all, but if we're getting, in a  
19 perfect world, we're getting the actual landings every day  
20 during the year, we can pretty much keep track of things and  
21 say, warning, warning, you're within 10,000 pounds of your ACL  
22 and we're going to close you, all the cool things they do in the  
23 South Atlantic and Gulf that we only can dream about here in the  
24 Caribbean. That is the goal we strive to achieve, but we're not  
25 anywhere near that so far. This is a solution for the lack of  
26 in-season data.

27  
28 **MIGUEL ROLON:** Why can't we do the cool things they do in the  
29 Gulf and South Atlantic?

30  
31 **BILL ARNOLD:** Start with a checkbook.

32  
33 **BONNIE PONWITH:** The reason we're able to do in-season closures  
34 in the Gulf and the South Atlantic is recognizing that it's  
35 still a combination of real data plus projections and because  
36 we've got an electronic dealer reporting system set up.

37  
38 Every dealer is required to report their purchases on a weekly  
39 basis within two days of the end of the week and they are  
40 required to report electronically with that information.

41  
42 If they didn't buy any fish over the course of the week, they  
43 are required to send a no fish report, so we can differentiate  
44 between that versus I am just late and I am not going to tell  
45 you what I bought. In those situations, we extrapolate what  
46 their purchases were to help us round out what the landings  
47 activities were.

48

1 We take those real-time data and use the catch rates we see  
2 reflected in them and project out and say if they're catching  
3 this many pounds a week, how many more days or weeks can the  
4 fishermen go before we think it's going to need to be closed and  
5 then use that to project what the end day of the season is in  
6 near real time.

7  
8 What it would take here is electronic dealer reporting and I am  
9 sure you will recognize the challenges there. In the other  
10 regions, those dealers are in large ports or towns where the  
11 vessels aggregate and all sell to handful of licensed dealers  
12 and that makes for a more manageable system.

13  
14 What is a dealer in Puerto Rico or the U.S. Virgin Islands? It  
15 may be someone showing up in a pickup truck at the beach and so  
16 it makes it a much more challenging situation to do a similar  
17 type of program.

18  
19 **MIGUEL ROLON:** I just want you guys to remember this discussion,  
20 because tomorrow you will receive a presentation of electronic  
21 reporting and you may have seen it before, but, again, we want  
22 to do things the way it has been discussed now and we need to  
23 invest time and effort, especially the local governments, into  
24 this electronic reporting.

25  
26 In the meantime, we have our paper reporting and that we are  
27 stuck with until we have a better data system, so that we can  
28 submit that information. The question here, Bill, is we have  
29 three actions that you are presenting here or three alternatives  
30 and then what will be the next step for these scoping meetings?  
31 These are scoping meetings that we're talking about.

32  
33 **BILL ARNOLD:** This is a scoping document. We would like to  
34 prepare a scoping document and take that scoping document and go  
35 out to scoping and get public input, because they may have some  
36 other ideas that are even better.

37  
38 **MIGUEL ROLON:** What you have there is the timeline?

39  
40 **BILL ARNOLD:** Yes.

41  
42 **MIGUEL ROLON:** Can you describe it?

43  
44 **BILL ARNOLD:** Sure. We are on today, April of 2014, and you are  
45 receiving, in your briefing book, it is there, the draft scoping  
46 document. What we would like is scoping meetings to be  
47 scheduled for summer of 2014 and so obviously we're talking  
48 about, between public hearings and scoping, several different

1 events that to some degree -- Some may be able to be scheduled  
2 together and others probably shouldn't be, because when you put  
3 things together, as you know, Miguel, it's just too much time  
4 and not enough organization.

5  
6 Then we would come back in August of 2014, at the August  
7 meeting, and consider those scoping outcomes and then the  
8 council would pass a motion, ideally, to develop a public  
9 hearing draft on this topic and the environmental assessment --  
10 We anticipate it would be an environment assessment and not an  
11 environmental impact statement.

12  
13 We would come back in December and the council would review that  
14 public hearing draft and it would select the preferred  
15 alternatives and direct us to take those to public hearings.

16  
17 We would do the public hearings sometime during the spring of  
18 2015 and bring those back to the spring 2015 council meeting and  
19 ideally, the council would review the public hearing inputs  
20 relative to the preferred alternatives. Again, it would ideally  
21 approve a public hearing draft for submission to the Secretary  
22 and then the rest of the time through the end of 2015 would be  
23 getting the rule in place and the codified text, et cetera, et  
24 cetera.

25  
26 That's a rough timeline. You guys should never hold us too  
27 tightly to these timelines, because, as you see, they do tend to  
28 get stretched out, because things come up. I like to give you  
29 timelines so you at least have some way to figure out where we  
30 are on these things, even if the timelines aren't perfect.

31  
32 **MIGUEL ROLON:** Now you need, from the council, the go-ahead for  
33 the scoping meetings and the timeline?

34  
35 **BILL ARNOLD:** Yes.

36  
37 **CARLOS FARCHETTE:** We need a motion.

38  
39 **EUGENIO PIÑEIRO:** I move to instruct staff to --

40  
41 **MIGUEL ROLON:** If I may, move to instruct staff to go ahead and  
42 schedule the scoping meetings for the summer of 2014 on -- Bill,  
43 what is the title?

44  
45 **GRACIELA GARCIA-MOLINER:** Timing of Accountability Measure-Based  
46 Closures Action.

47  
48 **MIGUEL ROLON:** Yes, what we have in the agenda. Genio, do you

1 agree with the language there?  
2  
3 **EUGENIO PIÑEIRO:** Yes.  
4  
5 **CARLOS FARCHETTE:** We need a second.  
6  
7 **NELSON CRESPO:** Second.  
8  
9 **CARLOS FARCHETTE:** Second by Nelson Crespo. Any further  
10 discussion? Hearing none, we will take it to a vote. I will  
11 start on my left with Nelson.  
12  
13 **NELSON CRESPO:** Yes.  
14  
15 **ROY CRABTREE:** Yes.  
16  
17 **EUGENIO PIÑEIRO:** Yes.  
18  
19 **ROY PEMBERTON:** Yes.  
20  
21 **MIGUEL GARCIA:** Yes.  
22  
23 **TONY BLANCHARD:** Yes.  
24  
25 **CARLOS FARCHETTE:** Yes. Any nays or any abstentions? **Hearing**  
26 **none, the motion carries.**  
27  
28 **MIGUEL ROLON:** Bill, are you finished?  
29  
30 **BILL ARNOLD:** Yes.  
31  
32 **MIGUEL ROLON:** Now the next step will be Graciela and Bill will  
33 work together with me and come up with a schedule for the  
34 scoping meetings. We already have scoping meetings for some  
35 areas and we may need also to -- That's why Bill was saying that  
36 it's good to have a schedule, but we need to have the  
37 flexibility to accommodate each one of the scoping meeting  
38 actions that we have for the summer.  
39  
40 **CARLOS FARCHETTE:** We will take a quick break, about ten or  
41 fifteen minutes.  
42  
43 (Whereupon, a brief recess was taken.)  
44  
45 **CARLOS FARCHETTE:** Next on the agenda we have  
46 Abrir/Bajo/Tourmaline Consistency of Regulations by Dr. Graciela  
47 Garcia-Moliner.  
48



1                   **ABRIR/BAJO/TOURMALINE CONSISTENCY OF REGULATIONS**

2  
3   **GRACIELA GARCIA-MOLINER:** We have through Go To Meeting the guys  
4 from the Regional Office, Maria, Brittany and Miguel. They're  
5 all listening in and have been participating actively, in spite  
6 of everything that is happening. Thank you very much.

7  
8 We have for your consideration the public hearing draft for  
9 developing consistent regulations for the three seasonally  
10 closed areas off Puerto Rico, Abrir la Sierra, Bajo de Sico, and  
11 Tourmaline.

12  
13 You do have a copy of the public hearing draft and I'm just  
14 going to read for the record the purpose of these amendments.  
15 It's to establish consistent regulations covering the three  
16 territorial areas as a means of ensuring protections of spawning  
17 aggregations of reef fish and the benthic habitat supporting  
18 those aggregations, which also serves as residential,  
19 recruitment, and foraging habitat for a variety of species.

20  
21 Then you have the need. There is a need to modify the seasonal  
22 closures to ensure continuous and constituent provision of the  
23 important ecological services they provide, including  
24 recruitment, residential, foraging, and spawning aggregation  
25 habitats for commercially and recreationally important reef fish  
26 and shellfish, as well as sea turtles.

27  
28 There is also a need to establish consistency from the three  
29 closed areas to facilitate enforcement and avoid confusion among  
30 constituents.

31  
32 You have a little section on goals and there are three very  
33 specific goals. The overfishing one is to achieve regulatory  
34 consistency among the three areas. Two of them have the same  
35 regulations and one of them changed in 2010.

36  
37 You also have additional -- A reason for doing this is to  
38 protect the spawning aggregations that take place at these  
39 sites. The additional goals are to request Puerto Rico to  
40 implement compatible regulations at two of these areas that we  
41 manage. They are seventy, sixty, forty, fifty, fifty federal  
42 and state shared areas. Also to achieve compatibility with the  
43 HMS, highly migratory species.

44  
45 This is western Puerto Rico here and that's Tourmaline. The red  
46 line in between is the nine-nautical-mile boundary. Abrir la  
47 Sierra is 100 percent in federal waters. You have, in these two  
48 areas, since 1996, since Tourmaline began, but in 1996, when the

1 three areas, Bajo de Sico, Tourmaline, and Abrir la Sierra, came  
2 under federal management and by Administrative Order of the  
3 DNER, also compatible regulations were established in 1997 to  
4 protect the red hind spawning aggregation and areas were closed  
5 between December 1 and the last day of February of each year.

6  
7 Now, all fishing is prohibited in those two areas and that  
8 includes compatibility with the HMS species. In federal waters  
9 in 2006, you prohibited all bottom-tending gear and that is  
10 compatible between the state and federal waters and so everyone  
11 prohibits all types of bottom-tending gear.

12  
13 Bajo de Sico, however, has a different season when it's closed  
14 and that's between October 1 and 31 and the 31<sup>st</sup> of March. There  
15 is no anchoring allowed at Bajo de Sico, while there is  
16 anchoring permitted as long as there is a retrieval system on  
17 those anchors at the other two sites and, again, all bottom-  
18 tending gear was prohibited.

19  
20 The regulations of Bajo de Sico date back to 1996 when the three  
21 areas were compatible and in 2010, the regulations changed at  
22 that site.

23  
24 What you have in yellow in the table, this is the management  
25 that you have in place. These are the three areas and  
26 everything that you have on the top is EEZ and the second line  
27 is Puerto Rico state waters.

28  
29 You have a difference in the number of months that you have a  
30 closure established. In Bajo de Sico, it's October 1 through  
31 March 30 and in Tourmaline and Abrir la Sierra, it's December 1  
32 to the 28<sup>th</sup> of February.

33  
34 For the gear that you're allowed, all bottom-tending gear is  
35 prohibited and so that's fully compatible. For the species that  
36 are managed, Bajo de Sico switched from a prohibition on all  
37 fishing to just managing reef fish. Queen conch is prohibited  
38 in the EEZ, starting at 64 degrees west, 10 minutes in the  
39 federal waters.

40  
41 However, in Tourmaline and Abrir la Sierra, all fishing is  
42 prohibited, including all pelagics, lobster, reef fish, queen  
43 conch, and HMS.

44  
45 In terms of species being managed in the state waters, there is  
46 no changes to that for the regulations of 2010. Anchoring is  
47 prohibited in Bajo de Sico, but it's allowed with a retrieval  
48 system in the other two areas. Puerto Rico actually mentioned

1 that there is a prohibition on the anchoring in these three  
2 areas, but the regulations speak to Abrir la Sierra only when  
3 it's only federal waters.

4  
5 You do have additional seasonal closures in place for the red  
6 hind and that's state and federal waters on the west coast of  
7 Puerto Rico.

8  
9 Snapper Unit 1 is between October and December and Grouper Unit  
10 4 is February to April and mutton snapper is April to June and  
11 lane snapper is April to June and queen conch is the whole year.  
12 You also have the species that are managed by Puerto Rico and  
13 the red hind is the one that's compatible, because silk and  
14 blackfin are only two of the species in Snapper Unit 1 that are  
15 under regulation. Yellowfin grouper is the only one of the  
16 Grouper Unit 4 that has regulations in Puerto Rico state waters.  
17 Mutton snapper, there is a difference of one month and queen  
18 conch, it closes between August and October.

19  
20 In terms of the council, the first thing is to deal with the  
21 consistency among the three areas with the three parts of these  
22 areas that are in the federal waters.

23  
24 The original purpose, dating back to 1996, was because fish  
25 aggregate and highly susceptible to capture by a variety of  
26 gears, a total ban on all fishing is needed to protect the  
27 spawning aggregations and to facilitate effective enforcement of  
28 these measures. In 1997, as I said, the DNER signed  
29 compatibility measures through an Administrative Order. We also  
30 had a management measure that was considered and rejected.

31  
32 **MIGUEL GARCIA:** Graciela, can you go back one slide? What  
33 happened to the 1997 compatibility Executive Order?

34  
35 **GRACIELA GARCIA-MOLINER:** The Administrative Order, because they  
36 had a fishing law that came into place and a set of regulations  
37 that came into place in 2004 and then was revised in 2010 and  
38 the only regulation that stayed in the rules, as far as I can  
39 tell from the regulations, is that the three areas, and they  
40 have the same coordinates that we do, have a prohibition on  
41 bottom-tending gear. They don't speak to any months of closure  
42 except for the bottom tending gear and so that went off the  
43 books.

44  
45 **MIGUEL ROLON:** We need to have address what we have now and then  
46 check if we have compatible regulations in the federal zone and  
47 then ask Puerto Rico whether they are willing or able to do  
48 compatible regulations in the three areas of Tourmaline, Bajo de

1 Sico, and Abrir la Sierra and whether they are prohibiting  
2 something they don't have authority to prohibit. That's where  
3 we are at.

4  
5 **GRACIELA GARCIA-MOLINER:** You are going to deal with the federal  
6 regulations in these areas to determine what, if any, of the  
7 alternatives that are considered you want to deem preferred and  
8 take them as preferred to the public hearings. Remember you can  
9 also take a document to public hearings without establishing a  
10 preferred alternative. You do that that option.

11  
12 You also have, back in 1996, management considered and rejected  
13 and one of those measures was to close the area for red hinds,  
14 but allow fishing for other species, because, at the time, the  
15 way that these areas were set up was because the fishermen knew  
16 that they were hot spots for red hinds.

17  
18 SEAMAP was able to confirm, for a number of years, that there  
19 were hot spots in these areas for red hind, but we were going on  
20 a basic functionality type of approach. Because they were  
21 spawning in there, we thought that there would be other species  
22 spawning there and it wasn't until 2005 or 2006 or so that you  
23 first have the characterizations for the areas. For the recent  
24 years, you have information on other groupers that are actually  
25 using the areas for spawning.

26  
27 The reason for not considering this at the time is that it's not  
28 possible for fishing to take place over a red hind spawning  
29 aggregation and selectively fish for other species. None of the  
30 gear, except for someone actually spearing, could selectively  
31 fish for other species other than red hind.

32  
33 Fishing gear used in these areas does not discriminate by  
34 species. In addition, enforcement will be almost impossible if  
35 fishers are allowed in the closed areas and so this was the  
36 thinking back in 1996 when the three areas were established.

37  
38 The intention of the council is to achieve consistency in the  
39 EEZ among the three areas, remember the two of them, the 60/40  
40 and the 50/50 sharing with Puerto Rico. Therefore, we request  
41 from Puerto Rico to implement compatible regulations and we have  
42 included the action to request HMS compatible regulations. The  
43 council doesn't have decision over the HMS. That's under the  
44 purview of the Secretary, but they have been involved in the  
45 process.

46  
47 There is a long history of what we've been trying to do with the  
48 ABT, Abrir la Sierra, Bajo de Sico, and Tourmaline. It began in

1 2011 and so you have a little bit of the history here.

2  
3 You have been asking for this to be done and we have presented  
4 the white paper and we prepared a summary of the available  
5 options and we've held scoping hearings held in Mayaguez and we  
6 had a public hearing draft and that's what you're considering  
7 now.

8  
9 There have been a number of council presentations regarding the  
10 information that's available from these sites and you've also  
11 received presentations on the baseline characterization of the  
12 three mesophotic reefs.

13  
14 Going into the actions now, this is where you have to decide  
15 what is going to be your preferred alternative, if any, to take  
16 to public hearings and Action 1 deals with modifying the lengths  
17 of the closed season and so in terms of the action, you have the  
18 no action, just leave everything the way it is and Bajo de Sico  
19 has a six-month closure, October through December, and Abrir la  
20 Sierra and Tourmaline have a three-month closure of December  
21 through February.

22  
23 The Alternative 2 would modify Bajo de Sico and bring it back to  
24 the same way it was, December through February. The Alternative  
25 3 would be to take Abrir la Sierra and Tourmaline into the realm  
26 of the management in Bajo de Sico and so it would be October  
27 through March. That way, the three of them will be compatible  
28 with the six-month closure.

29  
30 Alternative 4 would be to establish the closed season, but  
31 change it from December 1 to May 31 and that would be for the  
32 three areas and so they would be under a six-month seasonal  
33 closure at the same time and finally, to modify the seasonal  
34 closure to an all-year closure and so these are the alternatives  
35 that we have in the public hearing draft.

36  
37 The science behind it, and you have heard a number of  
38 presentations at the council meetings, is that you do have a  
39 confirmation on Abrir la Sierra, Bajo de Sico and Tourmaline for  
40 December, January, and February spawning months of the red hind  
41 specifically, but it has been recently confirmed that there are  
42 other groupers using the area.

43  
44 You do have the spawning season of the red, the black, the  
45 tiger, the yellowfin, and the yellowedge grouper during the  
46 months of February, March, and April. You do have confirmation  
47 of Nassau grouper finally moving back into the areas that they  
48 used to spawn and so this is the science behind it.

1  
2 The October, November, December closure had to do with silk  
3 snapper and now there is compatible regulations between the  
4 state and the EEZ in terms of the silk snappers and so there is  
5 a seasonal closure for silk snapper everywhere.

6  
7 Finally, you have a confirmed spawning season of the red hind  
8 and so what you have to decide now is what you want to do  
9 regarding the months of the closure. We have prepared a little  
10 table and if you want, we can go through this and fill it out  
11 yes or no or you can tell me which of the --

12  
13 **MIGUEL ROLON:** How many actions do you have for us to consider?

14  
15 **GRACIELA GARCIA-MOLINER:** Five.

16  
17 **MIGUEL ROLON:** Can you go through the five and then come back  
18 one-by-one?

19  
20 **GRACIELA GARCIA-MOLINER:** We can do that.

21  
22 **MIGUEL ROLON:** Go ahead, please.

23  
24 **GRACIELA GARCIA-MOLINER:** Okay. The Action Number 2 is to  
25 modify the reef fish fishing activity and the reason for this is  
26 that all fishing is prohibited in Abrir la Sierra and  
27 Tourmaline, but only reef fish are managed in the Bajo de Sico  
28 area now and so we have to decide whether the council is going  
29 to take no action and leave Bajo de Sico under the management  
30 that it is now and Abrir la Sierra and Tourmaline with a no  
31 fishing prohibition.

32  
33 Alternative 2 is to prohibit fishing for council-managed reef  
34 fish in Bajo de Sico during the seasonal closure established in  
35 Action 1. If you change in Action 1 your seasonal closure from  
36 October through March to December through May or December  
37 through February, then you also have to deal with the fishing  
38 activities that take place at that time.

39  
40 This one specifically talks that there is a difference -- There  
41 is a prohibition on fishing and a no possession and so those are  
42 two things that have to be dealt with. You can either prohibit  
43 fishing and allow possession or you can prohibit fishing and  
44 also possession and all of these alternatives are considered  
45 here.

46  
47 Alternative 3 would be to prohibit fishing for and possession of  
48 council-managed reef fish during the seasonal closure

1 established in Action 1 and that would be for Abrir la Sierra  
2 and Tourmaline, because remember they have a no fishing ban and  
3 so this would be changing it to only managing reef fish in this  
4 action.

5  
6 Alternative 4 is to allow spearfishing for council-managed reef  
7 fish during the seasonal closure established in Action 1 and  
8 this would be for the three of them.

9  
10 Action 3 is what we talked about, but it's also to modify the  
11 spiny lobster fishing activity. Abrir la Sierra and Tourmaline  
12 have a no take prohibition on all fishing, including lobster,  
13 during the December through February closure, but in this case,  
14 you can take no action and leave Bajo de Sico open to fishing  
15 for lobster, as long as it's not done with any kind of bottom-  
16 tending gear. That basically allows you to hand and snare.

17  
18 You can prohibit fishing for spiny lobster in Bajo de Sico  
19 during the seasonal closure that you've selected in Action 1 and  
20 so there is no prohibition on the possession of spiny lobster.

21  
22 Alternative 3 is to prohibit fishing for and possession during  
23 the seasonal closure that you have selected in Action 1 and that  
24 would be for the three areas. Alternative 4 is to prohibit  
25 fishing for spiny lobster year-round from the three areas and  
26 Alternative 5 is prohibit fishing and possession of spiny  
27 lobster year-round from the three areas and so that's Action 3  
28 and that modifies fishing for spiny lobster for the three areas  
29 or not, depending on what you decide to take to public hearings.

30  
31 Action 4 is prohibit anchoring. There is a prohibition on  
32 anchoring at Bajo de Sico, but that's not the case in Abrir la  
33 Sierra and Tourmaline and so that would be the no action, don't  
34 change anything.

35  
36 Alternative 2 is prohibit anchoring during the seasonal closure  
37 that you have selected in Action 1 and this would be for the  
38 three areas and Alternative 3 is to prohibit anchoring year-  
39 round from Abrir la Sierra and Tourmaline, which will bring it  
40 to the same type of regulations that is in place at Bajo de Sico  
41 now.

42  
43 Finally, Action 5 is to modify the HMS fishing activities. As I  
44 said, the council is not going to do these changes. It is going  
45 to request from the HMS group to do compatible regulations with  
46 the reef fish and the spiny lobster.

47  
48 The actions here are the no action and then Alternative 2 is to

1 request that the council prohibit bottom longline fishing for  
2 HMS year-round in Bajo de Sico. Alternative 3 is upon request  
3 of the council, prohibit fishing for HMS in some or all of the  
4 three areas during the time period established in Action 1.  
5 That's for the three sites.

6  
7 Alternative 4 is upon request of the council, prohibit fishing  
8 for HMS in some or all of the three areas during the time period  
9 established in Action 1, with the exception that only surface  
10 trolling as defined in Section 635.21(a)(4)(iv) for all HMS and  
11 spear gun fishing gear for albacore, yellowfin, and skipjack  
12 tunas. That would be for the three areas and this request is to  
13 get the HMS group into gear to then do a -- I suppose they need  
14 to do scoping meetings or do a framework to change the  
15 regulations.

16  
17 That's the actions that you have, but that doesn't go into the  
18 request for the compatibility through the state waters. Do you  
19 want me to go back now one-by-one? Action 1, what's the  
20 pleasure of the council?

21  
22 **MIGUEL ROLON:** Do you also have a table, that table that you  
23 presented at the scoping meeting in Mayaguez, of all the areas  
24 and all of the management measures? Could you refresh our  
25 memories of that?

26  
27 **GRACIELA GARCIA-MOLINER:** The one that I presented here?

28  
29 **MIGUEL ROLON:** Yes and can you repeat what you said before, so  
30 we can go back and do it one-by-one?

31  
32 **GRACIELA GARCIA-MOLINER:** Seasonal closures, Bajo de Sico is now  
33 closed between October and March and so it's a six-month  
34 closure. Abrir la Sierra and Tourmaline are closed for three  
35 months, December through February. That's Action 1. What is  
36 the pleasure of the council regarding that?

37  
38 **MIGUEL ROLON:** Your choice here is either to close for six  
39 months and if you reject the March, then you need to decide  
40 whether you would like to have the ability -- You already  
41 decided that that's one of the objectives, to have compatibility  
42 and so you need to decide between three and six months.

43  
44 Then, if you look at the six months, you are talking about  
45 October to March and the three months that you have now are  
46 compatible, December 1 through February 28. This is to protect  
47 the red hind at that time and if you close for six months, you  
48 will be protecting other species besides the red hind.



1  
2 When you go back to the Action 1, modify the length of the  
3 closed season, you have those five alternatives and those  
4 alternatives reflect the yellow section that you have there and  
5 so you have to look at the alternatives that you have and select  
6 which one would fill the essence of what you desire and that's  
7 what you need to do. Then with the others, we can do the same.

8  
9 **TONY BLANCHARD:** I've just got a question. If we were to move  
10 from the six-month closure at Bajo de Sico to a three-month  
11 closure that would be the same as Tourmaline and Abrir la  
12 Sierra, what would last in those three months? In other words,  
13 what impact would be done? What would be the difference of just  
14 going for the three months, since the two of them have three  
15 months alone, compared to six months?

16  
17 **MIGUEL ROLON:** Basically, the three months are mostly for the  
18 protection of red hind and maybe one or two other species, but  
19 when you have six months, you will be protecting other species  
20 other than the red hind.

21  
22 If you look at the alternative of October through March 30, you  
23 will include the first of December through February 28 and, in  
24 essence, what you are doing is to expand the protection to more  
25 species by expanding the time that you have a closed season.  
26 Some of the species spawn during or after the 28<sup>th</sup> of February or  
27 before.

28  
29 **TONY BLANCHARD:** Okay. I'm just looking at it from this  
30 standpoint. I could understand going to the six months because  
31 of the protection for the other species, but what I'm trying to  
32 figure out right now is why the HMS species is throw into the  
33 loop.

34  
35 Really, from what I'm gathering here, it was intended to protect  
36 the grouper species and the reef fish and so why isn't the  
37 closed season and the HMS species in any one of these?

38  
39 **MIGUEL ROLON:** In the case of the HMS species, you are talking  
40 about trolling the water column and that will not affect this  
41 part here and so you may have the water column open to those  
42 species as long as you do not interfere with the species in  
43 those three areas.

44  
45 **TONY BLANCHARD:** I guess the point I'm trying to make is I don't  
46 see the sense in staying closed to the HMS species to the  
47 fishermen and the user groups when action is being targeted as  
48 the reef fish and there's two separate water columns. One is

1 the bottom dweller and the other one is up higher in the water  
2 column.

3  
4 Really, to the best of my knowledge, when the fish come up to  
5 spawn, it would be in the nighttime and most people don't troll  
6 in the night and so I think it would be a give and take here, in  
7 my opinion, as to closing it to six months for the reef species,  
8 but opening it year-round for the HMS species.

9  
10 **EUGENIO PIÑEIRO:** That's a good point. What happens is that, as  
11 it is right now, the water column at Bajo de Sico has been open  
12 365 days a year. In the other two areas, the water column is  
13 closed and you can't even fish nearby and so what we're trying,  
14 the objective, is to make the management measures -- It's to  
15 have the three areas open to the water column so you can fish  
16 and troll all year-round. That's what we asked for.

17  
18 **ROY CRABTREE:** HMS is more than just trolling around. I don't  
19 know exactly what happens in these areas, but it's also bottom  
20 longline for sharks and this wasn't just to protect reef fish.  
21 It was to protect the corals and that's why we prohibited  
22 anchoring and I guarantee you that if you have bottom longline  
23 gear out there that you're going to have a lot of damage to  
24 corals. I don't know if any of that happens in these places,  
25 but it seems to me that's not something we would want to happen.

26  
27 **MIGUEL ROLON:** I suggest that you stick to one point at a time.  
28 Here is only the closed season and we are going to address all  
29 of those concerns in the other actions, but at this time, what  
30 we need to do is let's say that you close for six months and  
31 that's fine, you're closed for six months. Then you discuss  
32 whether the water column will be open or not and whether HMS  
33 will be included.

34  
35 At this time, the question is, so you can go one-by-one, is do  
36 you want to close for three or six months? Remember, this is  
37 the EEZ only and then select or do you want to leave it as is?  
38 The five alternatives that you have on the right, you have no  
39 action and you leave it as is and so the yellow area would  
40 remain as written and then you have other alternatives, October  
41 to March 30. Then you look at the yellow and it's October to  
42 March 30.

43  
44 Then you have Number 4 and it's December 1 to May 31 and that  
45 December 1 means that it leaves the first one out, but it will  
46 extend all the way to May 31 and that's the alternative that you  
47 should be addressing at this time.

48

1 **TONY BLANCHARD:** The reasoning why I asked that is because that  
2 would be during the nighttime and I would be looking at it just  
3 to be compatible with everybody with the six months, with the  
4 stipulation that we also open the water column to the HMS  
5 species.

6  
7 Dr. Crabtree is saying the issue is the longline and we just  
8 prohibit the longline and other ways of fishing that would  
9 affect the grouper species and the rest of the reef fish instead  
10 of keeping them out of using the HMS species when really it was  
11 designed for -- The intent was to protect the grouper species.

12  
13 **MIGUEL ROLON:** Graciela, can you go very quick on the other four  
14 actions? I just want to tie what Tony is saying with the other  
15 four actions. This one modifies reef fish activities and  
16 addresses the issue of what you're going to do in those areas  
17 that are closed now and with the gear.

18  
19 Number 3 is to modify spiny lobster and Number 4 is to prohibit  
20 anchoring. In the case of prohibit anchoring, you have  
21 essential fish habitat and coral reef protection and others and  
22 anchoring, if you look at the yellow one, you have Bajo de Sico  
23 it's prohibited and Tourmaline it's allowed with the retrieval  
24 system and I asked all the fishermen and I haven't found a  
25 fisherman yet using the retrieval system.

26  
27 Then you have Abrir la Sierra with the same and so that would  
28 take care of that protection and also, we need to address the  
29 longline, bottom longline.

30  
31 Number 5 is modify HMS activities, which is what we were  
32 addressing before and so we can go back to Number 1 and you can  
33 reserve your final vote on this one or you can table it for a  
34 moment and go look at the other possibilities of 2 through 4 and  
35 see what the combinations are for what you want to achieve. In  
36 the case of HMS, Graciela, those are the -- We have no action  
37 and what are the other four?

38  
39 **GRACIELA GARCIA-MOLINER:** You can request that HMS be prohibited  
40 from all three areas or you can also request that you prohibit  
41 HMS during the period of the closure, except in surface  
42 trolling. It would allow that method of fishing and spear gun.

43  
44 **MIGUEL ROLON:** That will take care of the longline thing. What  
45 is Number 4?

46  
47 **GRACIELA GARCIA-MOLINER:** That you would only surface trolling  
48 and spear gun for bigeye, albacore, yellowfin, and skipjack

1 tunas.  
2  
3 **MIGUEL ROLON:** Remember, when we request something from HMS,  
4 it's up to them to accept it or not.  
5  
6 **NELSON CRESPO:** Every day I talk with fishermen and we always  
7 agree that we have to have compatible regulations, the same  
8 compatible regulations that we have in Bajo de Sico. I think we  
9 should select the Alternative Number 3 in the Action 1, because  
10 that's what all the people in the west area of Puerto Rico want.  
11  
12 **MIGUEL ROLON:** Nelson, if you feel strongly about something like  
13 this, you can make a motion and then we'll discuss it and they  
14 will decide whether to accept it or not. Graciela, can we go to  
15 the blank page of motions?  
16  
17 What you're saying is -- Let me say this and see if I can  
18 capture your thinking. That the alternative -- The preferred  
19 alternative will be Action 1, Number 3, all three areas will  
20 have October through March 31 and the closed season? Nelson,  
21 does that capture your thinking?  
22  
23 **NELSON CRESPO:** Yes.  
24  
25 **CARLOS FARCHETTE:** We need a second.  
26  
27 **ROY CRABTREE:** So you're selecting Subalternatives a and b as  
28 preferred here, right? Alternative 3 and just make that clear  
29 in the motion.  
30  
31 **CARLOS FARCHETTE:** We need a second.  
32  
33 **TONY BLANCHARD:** Second.  
34  
35 **CARLOS FARCHETTE:** Second by Tony Blanchard. Any discussion?  
36  
37 **EUGENIO PIÑEIRO:** Nelson, in order to have clear the spirit of  
38 what you just said, have you decided what you want for  
39 compatibility for the closure of Abrir la Sierra, Tourmaline  
40 Bank, and Bajo de Sico? Basically, the idea of all this is to  
41 have Tourmaline and Abrir la Sierra follow suit with the Bajo de  
42 Sico management regime.  
43  
44 **MIGUEL ROLON:** Remember, this is for the EEZ and then we need to  
45 address local government concerns, but at this time, the motion  
46 is to have compatible management measures in the EEZ for those  
47 areas.  
48

1 **MIGUEL GARCIA:** Under the current administration, the Secretary  
2 seeks to have the advice of the Fishing Advisory Board and it  
3 has not been discussed and I just want to say that.

4

5 **MIGUEL ROLON:** What does that mean, potentially?

6

7 **MIGUEL GARCIA:** It means that we're going to be having a meeting  
8 next May, the second week, and we have to put it on the agenda  
9 to have a discussion with the advisory board before having an  
10 official decision from our side.

11

12 **ROY CRABTREE:** I support the motion. It gets us to the purpose  
13 and need in that it will bring consistency to the timing of the  
14 closure in all three areas and it should increase the amount of  
15 protection to spawning aggregations at Tourmaline and Abrir la  
16 Sierra and so I think those are good things and they're in the  
17 right direction.

18

19 **CARLOS FARCHETTE:** Any more discussion?

20

21 **RICHARD APPELDOORN:** I appreciate the efforts of what Nelson is  
22 trying to do here to bring harmony both to the biology and the  
23 people in the fishery, but if your goal is really to protect  
24 those spawning aggregations, you really need to be talking  
25 December through May and so please keep that in consideration  
26 with your deliberations on that, the science behind that, before  
27 any final determinations are made.

28

29 **MIGUEL ROLON:** Just for the record, Richard, it's a preferred  
30 alternative and it doesn't mean that it will be the final  
31 alternative.

32

33 **ROY CRABTREE:** Richard, we would achieve better protection if we  
34 went with December through May, which is -- The alternative we  
35 have is Alternative 4, which is December through May, which is  
36 six months. The amount of time they are closed is the same.

37

38 **GRACIELA GARCIA-MOLINER:** It's just shifted to protect the other  
39 groupers that are coming into the aggregation at the time,  
40 because December, January, and February, the red hind and rock  
41 hind will come in and the groupers and the council has been  
42 working on gathering data to provide additional confirmation of  
43 the groupers that are coming into the aggregations.

44

45 **ROY CRABTREE:** It makes me have second thoughts about it though  
46 and I'm wondering if we wouldn't be better off with the December  
47 to May closure and I'm curious as to whether -- The amount of  
48 time closed is the same for either Alternative 3 or 4, but does

1 it make a big difference to fishermen of one over the other?  
2

3 **EUGENIO PIÑEIRO:** I think less, because we will be closing  
4 October, November, and December for the snapper unit and I have  
5 a question. I do believe that the closure is from February to  
6 the end of April and not May. As the regulations stand right  
7 now, it's not May and it's April, right? It's February to  
8 April.  
9

10 **GRACIELA GARCIA-MOLINER:** That's correct, but this is not the  
11 regulations. This is the changes that were suggested to cover  
12 the period of time when the groupers are at the spawning sites  
13 and so that May comes in addition to the Grouper Unit 4 that is  
14 protected for February and March and April, because there are  
15 other groupers other than the ones in Grouper Unit 4.  
16

17 **MIGUEL ROLON:** The thing is if you go from October to May 31,  
18 you have three months where the fishermen can't fish where the  
19 market is not that great. If you go from December 1 through May  
20 31, you have Easter and the big market that you have around  
21 Easter time that affects it and that's one of the concerns that  
22 the fishermen expressed to us.  
23

24 **ROY CRABTREE:** I take the SSC hasn't -- Have they reviewed this  
25 and then they had questions? Is that what I'm hearing?  
26

27 **GRACIELA GARCIA-MOLINER:** As Richard had said this morning, they  
28 didn't get to -- They had a three-day meeting and they didn't  
29 get to that part and so I just put it in the agenda for the next  
30 SSC meeting.  
31

32 **ROY CRABTREE:** Which will be when, this summer?  
33

34 **GRACIELA GARCIA-MOLINER:** Sometime this summer, yes.  
35

36 **SHEPHERD GRIMES:** I was just going to say if we're looking to  
37 protect spawning aggregations and we get the SSC's preference  
38 for that time period, I think we should pay a lot of deference  
39 to that and I don't mean to suggest that we can't consider the  
40 social and economic impacts, but if the primary purpose is to  
41 protect spawning aggregations and according to the SSC that  
42 means we should go into May, I think we should be giving a lot  
43 of deference to that.  
44

45 **NELSON CRESPO:** If you see the chart, the groupers have a  
46 closure already through May.  
47

48 **GRACIELA GARCIA-MOLINER:** May 1 or to April 30.

1  
2 **NELSON CRESPO:** They are going to be protected already.  
3  
4 **SHEPHERD GRIMES:** My only response to that would be that they're  
5 caught and you have barotrauma issues associated with it and  
6 they can't be harvested, but you can fish for them and you're  
7 still going to have associated mortality and that's the point of  
8 closing the area to all reef fish fishing activities.  
9  
10 **MIGUEL ROLON:** Can we go without a preferred alternative?  
11  
12 **SHEPHERD GRIMES:** Yes, you can go without a preferred  
13 alternative. I was just talking to Dr. Crabtree about that, but  
14 you should go with a preferred alternative if you have one.  
15 There is no problem with changing the dates and given the  
16 structure of all this, my advice would be that you go in and  
17 pick preferred alternatives.  
18  
19 If you can't settle on a date, then leave the date open, but  
20 with the other actions, the gear restrictions and what species  
21 and anchoring and those types of things, you should go ahead and  
22 pick a preferred if you can agree on one.  
23  
24 **MIGUEL ROLON:** Personally, I believe we should go to the public  
25 with a preferred alternative, either one or the other, so that  
26 the public will be clear on what your preferred alternative is.  
27 Every time we go, especially to the area of the west coast of  
28 Puerto Rico, this is a very sensitive issue for the west coast  
29 fishers. If this is what you would like to have -- We have to  
30 always look at the biology of the fish and the socioeconomics of  
31 the fish. That's why the law is written the way it is.  
32  
33 Probably if we go one way or the other, you need to provide more  
34 information as to the rationale of your preferred alternative,  
35 either right now on the record or sometime in between and  
36 August. Certainly from the biology point of view, we already  
37 have the statement by Dr. Richard Appeldoorn that has a lot of  
38 weight from the scientific point of view.  
39  
40 **ROY CRABTREE:** We have a motion up there and I had come in  
41 thinking that Alternative 3 was the way to go. I guess I am  
42 still okay with the motion, but if the SSC reviews this and  
43 comes in with a strong recommendation that the protection would  
44 be better if it was December through May and that's the way to  
45 go, then I am going to probably change my mind and want to  
46 change it to Alternative 4.  
47  
48 **MIGUEL ROLON:** The SSC has to come up with a recommendation

1 based on the biology and the socioeconomics and they cannot say  
2 I like the fish during this month and I don't know anything  
3 about the economy of the fishery and so be it. I need from the  
4 SSC information on the economy of the darned thing and the  
5 biology of the fish before you make a sound decision on this  
6 one.

7  
8 I personally don't care one way or the other, but I'm just  
9 saying this is the process and we need to make that very clear.  
10 Also, I want to ask Kate, between here and whenever we meet  
11 again, is there any information regarding this area as to the  
12 economy or the socioeconomics of the fishery or is there any  
13 information on that?

14  
15 **KATE QUIGLEY:** The information that we have is not broken down  
16 in a small enough scale and so we actually would have to rely  
17 upon anecdotal information from the fishermen from the public  
18 hearings and scoping and so we weren't able to quantify what the  
19 ex-vessel revenue impacts would be and so we really need to rely  
20 upon the anecdotal information from the fishermen.

21  
22 **EUGENIO PIÑEIRO:** I want to remind everybody that specially  
23 fishermen off the west coast of Puerto Rico have suffered  
24 greatly by blunders made by a lot of people and they come a long  
25 way, but we want to protect the species that precisely we as  
26 fishermen -- I was a commercial fisherman myself and we said if  
27 there's this species there, let's protect it.

28  
29 What Nelson is trying to tell you now is let's protect October  
30 and protect the first few months, but let's also protect the  
31 groupers and let's also protect the corals, but let's also these  
32 guys to live. They are in bad shape and they cannot give you  
33 more than what they are giving and so I would say that I would  
34 leave this the preferred alternative and let's move on that and  
35 I would support Nelson's motion to go from October, because  
36 let's see what happens in the public hearings and what comes out  
37 next, but at the same time, I strongly support and I intend to  
38 promote Nelson's motion.

39  
40 **MIGUEL ROLON:** There is a mechanism. We can call the question  
41 and vote and move and I am not --

42  
43 **EUGENIO PIÑEIRO:** Let's call the question. I am calling the  
44 question.

45  
46 **ROY CRABTREE:** I will support the motion. I think it is heading  
47 in the right direction and I think it is better than status quo,  
48 but I really want to see what the SSC says when they come back,



1 but at least for right now, I think Alternative 3 is superior to  
2 the status quo.

3  
4 **SHEPHERD GRIMES:** I was just going to suggest that we go to your  
5 SSC and perhaps some of the feedback you would specifically  
6 request is that the effects of the seasonal closure are going to  
7 vary by species and as we know, Mr. Piñeiro just mentioned  
8 moving it up to protect snappers and moving it back in the year  
9 does more for groupers. If you solicit that kind of feedback  
10 from the SSC, it might also help you with your rationale to  
11 support whatever you choose.

12  
13 **TONY BLANCHARD:** I am going to stick with Genio and Mr. Crabtree  
14 and Nelson on this one, because even if you're trying to protect  
15 the species and other species are coming up in those areas, you  
16 don't go there to catch a fish to throw back overboard. It  
17 don't work that way. All you're doing is wasting your time,  
18 number one.

19  
20 I agree it's adding trauma to the fish, as you say, and so the  
21 tendency would be to keep all the closed areas and avoid that  
22 situation. That would be my take on that and like Nelson said,  
23 some of the grouper species is still protected through May and  
24 so I mean, like I say, it comes down to dollars and it don't  
25 make no sense to catch a fish and throw it back overboard. I  
26 would just rather --

27  
28 **CARLOS FARCHETTE:** We will take it to vote and I will start on  
29 my left with Nelson.

30  
31 **NELSON CRESPO:** Yes.

32  
33 **ROY CRABTREE:** Yes.

34  
35 **EUGENIO PIÑEIRO:** Yes.

36  
37 **ROY PEMBERTON:** Yes.

38  
39 **MIGUEL GARCIA:** Abstention.

40  
41 **TONY BLANCHARD:** Yes.

42  
43 **CARLOS FARCHETTE:** Yes. Any nays? We have one abstention. **The**  
44 **motion carries.**

45  
46 **MIGUEL ROLON:** A point of order, Mr. Chairman. When somebody  
47 calls the question, you stop the discussion and vote, just for  
48 next time.

1  
2 **CARLOS FARCHETTE:** The next action is --  
3  
4 **GRACIELA GARCIA-MOLINER:** The next action that you have on the  
5 left side of the screen is to modify the reef fish fishing  
6 activity. The no action would keep Bajo de Sico and the  
7 prohibition on the take of council-managed reef species and keep  
8 the total prohibition on fishing at Abrir la Sierra and  
9 Tourmaline.  
10  
11 You have three alternatives and one of them is to prohibit  
12 fishing for council-managed reef fish in Bajo de Sico during the  
13 closure that you just selected of October through December and  
14 so that's what it is and prohibit fishing for and possession of  
15 council-managed reef fish during the seasonal closure and you  
16 have selected October through March for Abrir la Sierra and  
17 Tourmaline and this will bring these two areas consistent.  
18  
19 **MIGUEL ROLON:** Graciela, I don't see -- We need to choose  
20 between reef fish only and queen conch within the EEZ, which is  
21 Bajo de Sico, and Tourmaline and Abrir la Sierra and can you  
22 read that for us, please?  
23  
24 **GRACIELA GARCIA-MOLINER:** You have to select between prohibiting  
25 fishing for the council-managed reef fish species in Tourmaline  
26 and Abrir la Sierra or prohibit all fishing at Bajo de Sico.  
27 You're only dealing with the reef fish species sat Bajo de Sico  
28 and Tourmaline and Abrir la Sierra, but that action also  
29 includes an alternative to allow spear fishing for council-  
30 managed reef fish during the seasonal closure established in  
31 Action 1.  
32  
33 **MIGUEL ROLON:** Status quo in Bajo de Sico on queen conch, what  
34 is it?  
35  
36 **GRACIELA GARCIA-MOLINER:** The EEZ is closed to queen conch and  
37 it's just to make sure that queen conch is closed where it's  
38 represented by both federal waters and the state.  
39  
40 **ROY CRABTREE:** One concern I have is with just prohibiting  
41 fishing. It seems to me that prohibiting fishing but allowing  
42 possession really makes this almost unenforceable. How do you  
43 say you're fishing for this? The only way you say someone is  
44 fishing for it is because they've got them in the boat and I  
45 guess I would like to hear Coast Guard's comments on that and  
46 Jeff Radonski is with NOAA Law Enforcement, but it seems, to me,  
47 that just prohibiting fishing but not prohibiting possession is  
48 going to be a real problem.

1  
2 **MORGAN FOWLER:** When you get into transit provisions or  
3 something where someone is transiting through that area and we  
4 board them and they have it on the boat, then who's to say  
5 whether they caught it outside of that area or they caught it  
6 inside?

7  
8 If we don't physically see them in the act of fishing for it,  
9 but they have it onboard, they obviously landed it and they say  
10 they didn't catch it inside of this area and they caught it  
11 maybe farther offshore and I'm on my way in, there's no way for  
12 us to enforce that and so exactly.

13  
14 **ROY CRABTREE:** Jeff, would you concur with that or do you want  
15 to add anything?

16  
17 **JEFF RADONSKI:** I concur with that as well. Fishing is going to  
18 be the primary thing that we're going to have. Having the act  
19 of fishing is going to be the act that we need to establish a  
20 violation in there if mere possession is not illegal within the  
21 closed area.

22  
23 **EUGENIO PIÑEIRO:** In other words, the Coast Guard is very clear.  
24 They are telling the fishermen to put away their gear and make  
25 sure that they have fish of that species onboard and usually  
26 what they do, they -- That's the easy part, but that's what it's  
27 for, is for transit.

28  
29 **MIGUEL ROLON:** With that rationale, we're looking at Number 3,  
30 fishing and possession of council-managed species is not  
31 allowed.

32  
33 **ROY CRABTREE:** I will make a motion to establish Alternative 3,  
34 Subalternative a and b, as the preferred.

35  
36 **TONY BLANCHARD:** Second.

37  
38 **CARLOS FARCHETTE:** It's seconded by Tony Blanchard. Any  
39 comments? I have a question. You're talking about those three  
40 areas, but since one of them falls partly in territorial waters,  
41 if you possess that fish, you will still have issues?

42  
43 **GRACIELA GARCIA-MOLINER:** The reason is that this will become  
44 compatible with Bajo de Sico, because in Bajo de Sico, already  
45 the regulations read to prohibit fishing and possession of  
46 council-managed reef fish during the seasonal closure and so  
47 Abrir la Sierra and Tourmaline will be the same as Bajo de Sico.

48

1 **MIGUEL ROLON:** Remember that we are addressing only the EEZ at  
2 this time and then when we finish this process, we will talk  
3 with the local government and have a meeting and we will address  
4 this and then pass the word to the Secretary for consideration.  
5 At the end of the year or whenever we finish this, if everything  
6 goes smoothly, we may have compatible regulations throughout the  
7 range of the areas, but at this time, we need to address only  
8 the EEZ.  
9

10 **CARLOS FARCHETTE:** We will take it to a vote and I will start on  
11 my right.  
12

13 **TONY BLANCHARD:** Yes.  
14

15 **MIGUEL GARCIA:** Abstention.  
16

17 **ROY PEMBERTON:** Yes.  
18

19 **EUGENIO PIÑEIRO:** Yes.  
20

21 **ROY CRABTREE:** Yes.  
22

23 **CARLOS FARCHETTE:** Yes. Any no? We have one abstention. **The**  
24 **motion carries.**  
25

26 **GRACIELA GARCIA-MOLINER:** You still have one more issue to  
27 consider under Action 2 and that's this Alternative 4 here to  
28 allow spearfishing for council-managed reef fish during the  
29 seasonal closure established in Action 1.  
30

31 Spearfishing for -- We prohibit spearfishing in Tourmaline and  
32 Abrir la Sierra during the seasonal closure and so we have to  
33 bring it into compliance with the other.  
34

35 **MIGUEL ROLON:** Can we go back to the yellow? From the timing of  
36 the --  
37

38 **GRACIELA GARCIA-MOLINER:** It's just that all fishing is  
39 prohibited in Tourmaline and Bajo de Sico and so, therefore, all  
40 gears were prohibited and so we still have the problem with  
41 spearfishing and you can spear fish for wahoo and dorado and all  
42 those other things. In Abrir la Sierra and Tourmaline, you  
43 prohibited all fishing, including fishing for dorado and wahoo.  
44 There is a group of divers that actually free dive for  
45 spearfishing these species. That's one of the considerations in  
46 Action 5, when you can go spearfishing for those.  
47

48 **MIGUEL ROLON:** Do you want to address this in Action 2 or do you

1 have some other place to address the spearfishing?

2  
3 **GRACIELA GARCIA-MOLINER:** It's in the two actions. It's here  
4 because it would have to deal with the regulations that you're  
5 implementing and the other one in Action 5 is you are requesting  
6 from the HMS to allow or prohibit it, whatever you decide to do.

7  
8 **MIGUEL ROLON:** Actually, it would be another action, but anyway,  
9 Shep, this is okay to have two alternatives for the one action?

10  
11 **SHEPHERD GRIMES:** Yes, the way it's structured is fine. It's a  
12 little curious to me that we can allow spearfishing -- The way  
13 it's set up now and if you go forward with this as your  
14 ultimately approved alternative, you're going to prohibit all  
15 fishing and possession of council-managed reef fish and so you  
16 can't spearfish for them and you can't vertically fish for them  
17 and you can't fish them, period.

18  
19 Now, if you want to allow some spearfishing for other species,  
20 you would create the exception, except for trolling for species  
21 in the water column. Right now, none of that stuff is covered  
22 and so you could go out and spearfish for the other species, as  
23 Graciela just mentioned.

24  
25 If you wanted to allow spearfishing for council-managed reef  
26 fish, you would have to pick Alternative 4 as a preferred, but  
27 that doesn't make any sense to me, I guess, in terms of how  
28 you're going to tell -- There's discussion about this that says  
29 spearfishing is selective and you can tell when a fish is not  
30 participating in spawning. I don't know how you do that just by  
31 looking at it underwater, but that's discussed in the document.

32  
33 **EUGENIO PIÑEIRO:** This brings me to my question. If it's not  
34 allowed today, at this point, in the closed season to spear,  
35 either in Tourmaline Bank or for Abrir la Sierra, and we want to  
36 make compatible regulations, my preference would be if it's not  
37 allowed to spear in Bajo de Sico or Tourmaline, then we  
38 shouldn't allow spearfishing in Abrir la Sierra, which is legal  
39 right now.

40  
41 **ROY CRABTREE:** I don't want to allow spearfishing for reef fish  
42 in these areas. I think that will undermine the whole thing.  
43 The prohibition on possession then is out the window and I don't  
44 believe for a minute that you can count on not spearing the ones  
45 that are spawning versus the other. They are going to go down  
46 and spear fish. I think that will be a problem and we shouldn't  
47 allow it.

48

1 **EUGENIO PIÑEIRO:** We should be consistent and then, Shep, how  
2 are we going to tackle the issue of divers that only spear for  
3 wahoo? Can we have no spearfishing allowed in the closed  
4 season? Would that be the answer?

5  
6 **SHEPHERD GRIMES:** No, I think if you approve this, you would get  
7 the codified text back and you would see it in the codified  
8 text, but I think we would work off of the regulations for Bajo  
9 de Sico as a model, which prohibit fishing for and possession of  
10 reef fish during the closure. It would not speak at all to  
11 harvesting coastal pelagics or whatever and it wouldn't speak to  
12 the gear that you use to harvest those.

13  
14 There are some gear-specific restrictions in Bajo that you're  
15 going to address later, which would be no bottom longline year-  
16 round and no traps or pots, but, then again, those restrictions  
17 are all aimed at protecting habitat more than they are spawning  
18 aggregations.

19  
20 **EUGENIO PIÑEIRO:** The question for Bill Arnold and Graciela is  
21 is there an alternative there that would prohibit spearfishing  
22 in the closed season for all the areas across the board, for all  
23 council-managed species during the closed season?

24  
25 **GRACIELA GARCIA-MOLINER:** No, because once you prohibit fishing  
26 and possession of those all the year, it's prohibited.

27  
28 **EUGENIO PIÑEIRO:** Is there one for the three areas?

29  
30 **SHEPHERD GRIMES:** What I think Mr. Piñeiro is asking is can we  
31 go in -- Is there an alternative that would prohibit  
32 spearfishing for all council-managed species, which would  
33 include managed coastal pelagics during the six-month closure?  
34 During the six-month closure, you can't go there with a spear  
35 gun to shoot anything.

36  
37 **GRACIELA GARCIA-MOLINER:** Coastal pelagics are not under  
38 management by the council right now. We are working on the  
39 island-specific, but that's not -- These are the alternatives  
40 that we had in the public hearing draft and so you could address  
41 it now and we could write in another alternative.

42  
43 **EUGENIO PIÑEIRO:** I was talking with Dr. Garcia-Sais this  
44 morning and he is our expert and he says there is a lot of  
45 people spearfishing there and so if it's not allowed in  
46 Tourmaline and Abrir la Sierra, we need to be consistent with  
47 what we want to bring to the table, a management regime that is  
48 consistent, then we need an action to prohibit spearfishing

1 across the island. Miguel, what are you --  
2  
3 **MIGUEL ROLON:** That's why I said it's -- That Number 4 doesn't  
4 make any sense under Action 2 and you already picked Number 3 as  
5 your preferred alternative and you want to have a clear  
6 understanding by the public of what you want to do.  
7  
8 If you are going to address the spearfishing, have an action  
9 addressing spearfishing and then you have a no action and then  
10 you can have spearfishing and then pick one that will make sense  
11 to you as a preferred alternative.  
12  
13 **GRACIELA GARCIA-MOLINER:** We can make it more --  
14  
15 **ROY CRABTREE:** I think that Miguel is right. If we want to do  
16 this, I would add another action in that looks at prohibiting  
17 spearfishing and then you could have an alternative to prohibit  
18 it for council-managed species and you could have an alternative  
19 to prohibit spearfishing, period. It seems cleanest to put that  
20 in as a separate action, to me.  
21  
22 **MIGUEL ROLON:** In deference to the staff, can we allow the staff  
23 to write this tonight or this afternoon and so tomorrow morning  
24 we can address that, Graciela and Bill, or do you want to do it  
25 right now and get it over with? It's up to you.  
26  
27 **GRACIELA GARCIA-MOLINER:** If you add an action, the action would  
28 be to address spearfishing and modify spearfishing --  
29  
30 **MIGUEL ROLON:** Graciela, we will allow you to draft it, a  
31 paragraph or two, and then we can address it tomorrow morning  
32 and then we can proceed with the other actions. In this case,  
33 we remove Alternative 1 for Action 2 and if we can comply with  
34 NEPA and we don't need three alternatives, then you have the  
35 preferred alternative already of no possession and then we can  
36 move to the other action that we haven't covered yet.  
37  
38 **GRACIELA GARCIA-MOLINER:** Okay. For Action 3, you have to  
39 modify spiny lobster fishing activities in Bajo de Sico. There  
40 is no regulation on fishing for lobster except that you're not  
41 allowed to have any bottom-tending gear and so lobster has to be  
42 fished using your hand or a snare. Other gear types are  
43 prohibited for fishing for spiny lobster.  
44  
45 The alternative of no action would keep the no take for lobster  
46 in Tourmaline and Abrir la Sierra and would retain the spiny  
47 lobster fishery open in Bajo de Sico during the seasonal  
48 closure. The Alternative 2 would prohibit fishing for spiny

1 lobster during the seasonal closure.  
2  
3 Alternative 3 will prohibit fishing of and possession of spiny  
4 lobster during the seasonal closure and then bring it for the  
5 three areas, Abrir la Sierra, Bajo de Sico, and Tourmaline.  
6  
7 Alternative 4 will prohibit fishing for spiny lobster year-round  
8 and Alternative 5 will prohibit fishing for and possession of  
9 spiny lobster year-round. You have just regulate the fishing or  
10 regulate the fishing and possession and we can do it only for  
11 the seasonal closure, the one that you've selected in Action 1,  
12 or you can have it for the whole year.  
13  
14 **MIGUEL ROLON:** No action will allow for the fishing of spiny  
15 lobster in Bajo de Sico by snare and by hand. The other three  
16 prohibit it and so now is the time to pick one.  
17  
18 **ROY CRABTREE:** My concern about it is I have watched divers fish  
19 for spiny lobster and I'm seeing them do a lot of damage to  
20 corals and things on the bottom. Some of these guys go in there  
21 with bars and things and the lobsters pull back into those  
22 crevices and they beat the hell out of things to get the lobster  
23 out.  
24  
25 While it sounds like fishing spiny lobster should be pretty  
26 benign, I think over the years though there could be quite a bit  
27 of damage to the corals done by it.  
28  
29 **SHEPHERD GRIMES:** My point would be that it seems that this  
30 again is a habitat issue and it's not a spawning aggregation  
31 issue and so it would seem that if you think it's a habitat  
32 problem, then you should address it year-round and not on a  
33 seasonal basis, unless I'm missing something, and I don't think  
34 I am. This is one that if it's a problem, you should address it  
35 year-round and if it's not, then obviously you wouldn't have to  
36 do anything.  
37  
38 **MIGUEL ROLON:** Nelson and Genio fish in that area and could you  
39 tell us what happens here?  
40  
41 **NELSON CRESPO:** For me, we should select the Alternative 1, no  
42 action, because there is not many people that target lobster  
43 there. You can count with your fingers the divers that target  
44 lobster at Bajo de Sico and so I don't think they're going to  
45 harm the corals.  
46  
47 **MIGUEL ROLON:** I have twenty fingers and if we have twenty  
48 fishermen fishing in that area with crowbars, it makes a



1 difference and so we go back to the question of whether this is  
2 an essential fish habitat protection measure or not and also  
3 whether prohibiting the lobster fishery in the Bajo de Sico area  
4 -- It's already prohibited in the other two and would it have a  
5 significant impact on the lobster fishery economy for that  
6 fishery?

7  
8 **EUGENIO PIÑEIRO:** I think what we would like to have is  
9 compatibility of regulations in here and so whatever we want to  
10 choose in one area, we would be able to choose it in the other  
11 ones. We want compatible regulations and one single management  
12 regime.

13  
14 In this alternative, we should ponder if we're going to do the  
15 same in the other ones. Graciela, at this time, it's prohibited  
16 during the closed season to fish lobster, right?

17  
18 **GRACIELA GARCIA-MOLINER:** In Abrir la Sierra and Tourmaline. If  
19 you look at Alternative 3, prohibiting fishing and possession of  
20 spiny lobster during the seasonal closure, then you would have  
21 no fishing for council-managed reef fish and no fishing for  
22 lobster during the same period of time in the three areas and so  
23 there will be consistency in the regulations for the three  
24 areas.

25  
26 **EUGENIO PIÑEIRO:** That's what we're looking for and that's what  
27 we wish to do.

28  
29 **ROY CRABTREE:** Partly, except remember that we ban anchoring  
30 year-round in a lot of these and if the concern here is  
31 protecting the reefs from damage from divers digging around for  
32 spiny lobster, it does seem to me you would allow it year-round  
33 then.

34  
35 I would say bottom longline gear, we shouldn't allow that at all  
36 and anchoring, we shouldn't allow that. The things we think are  
37 going to damage these corals, we shouldn't allow them in there  
38 at all.

39  
40 **EUGENIO PIÑEIRO:** I agree. The thing is that people follow the  
41 buoys. A diver ties a buoy and the boat follows the buoy and  
42 they don't anchor and we have no one anchoring there. I don't  
43 think anyone wants anchoring in any of those areas and so that's  
44 settled, but I am talking about is compatibility. For those  
45 three months that it's closed for fishing for lobster, shouldn't  
46 they be the same three months?

47  
48 **GRACIELA GARCIA-MOLINER:** You are changing now to six months in

1 your -- Your preferred alternative is six months, October  
2 through March, for the three areas, and you have done that for  
3 reef fish and now you're working on spiny lobster.

4  
5 **MIGUEL ROLON:** Thank you, Graciela, because if you follow the  
6 logic that you have now, the only thing that you're doing now is  
7 deciding whether you -- Whether you have spiny lobster or not in  
8 this motion that you have for Alternative 3. That's all you're  
9 doing.

10  
11 You have rationale by just what Roy mentioned, a possibility of  
12 a diver upsetting the environment and the essential fish habitat  
13 and the corals and all that and then if you -- Action 3,  
14 Alternative 3 for ABT as your preferred and see what people say.  
15 You have consistency in what you already decided.

16  
17 The year-round thing, they have to consider it, because if you  
18 do the year-round thing for the spiny lobster, you should go  
19 back to reef fish and do the same thing.

20  
21 **SHEPHERD GRIMES:** I think the problem with a six-month  
22 prohibition on harvesting spiny lobster is that it's not tied to  
23 the habitat. If you're worried about -- The six-month closure  
24 is to protect aggregating fish.

25  
26 If you're worried that someone is going to go down harvesting  
27 spiny lobster and inadvertently harvest a spawning red hind, you  
28 would prohibit those activities at the same time. That's not  
29 rational and so if there are habitat impacts that you want to  
30 prevent from occurring, then why are those habitat impacts only  
31 a problem during the six months and not the other six months of  
32 the year?

33  
34 The rationale needs to be consistent with the action that you're  
35 taking and if you've got a rationale for why habitat impacts are  
36 only a concern for six months out of the year, I suggest that  
37 you offer that and include it in your motion to make that the  
38 preferred alternative.

39  
40 **MIGUEL ROLON:** To that point, if it's the habitat, then you have  
41 to close the darned thing to all fishing year-round in order to  
42 protect the --

43  
44 **ROY CRABTREE:** Fishing for spiny lobster is different. They are  
45 down in the holes a lot more than these aggregating grouper when  
46 the grouper are aggregating. We are prohibiting bottom-tending  
47 gear year-round in here and so I think Shepherd is right and I  
48 think divers going down for lobster is kind of different than

1 reef fish.

2  
3 **EUGENIO PIÑEIRO:** I wouldn't worry too much about the  
4 environment, because -- They are going to be allowed to use a  
5 spear and so I think the rationale should be closing during the  
6 closed season, to have a uniform management regime. That would  
7 be the rationale that I would offer, to have it closed --

8  
9 **MIGUEL ROLON:** Guys, my job is to make sure that you develop the  
10 rationale on the record for whatever you do. For the spiny  
11 lobster, aside from the essential fish habitat consideration,  
12 you don't have a rationale for closing that fishery.

13  
14 Lobster is healthy and there is no point in messing with that,  
15 with the 3.5, but if you give weight and you have information  
16 that the taking of spiny lobster has the capacity of destroying  
17 significantly coral reef and essential fish habitat, that should  
18 be your motivation for that prohibition and not the closed  
19 season issue. That's what Shep is saying.

20  
21 **TONY BLANCHARD:** To my understanding, the intention of closing  
22 these places was for grouper and so really, I think we're  
23 running away from what this intended action to close these areas  
24 was and so just like Mr. Crabtree said, if people are inside  
25 with snares, that shouldn't really affect the reef, unless  
26 you're going with dynamite and just destroying the place and  
27 that's one thing, but if you're going inside and snaring  
28 lobster, I don't see how that's damaging the reef to that  
29 extent, if any.

30  
31 You already prohibit the anchoring in certain places and so why  
32 not let them go in and catch a lobster, if that's what they  
33 choose to do, because they ain't damaging the reef and they're  
34 not anchoring and they are following a buoy, because they're not  
35 anchoring and so that's not affecting the reef anyway.

36  
37 **MIGUEL ROLON:** The original idea behind the whole thing was the  
38 protection of red hind. What happened was it was fifty square  
39 miles of sand and in an area where the fishermen used to go  
40 through from the fishing grounds to the fishing ports and they  
41 need that place, because otherwise, they have to go around and  
42 for them, it was significant and so they offered these three  
43 sacrificial places instead of the fifty square miles and we  
44 ended up with Abrir la Sierra and the others for the protection  
45 of red hind.

46  
47 Then it evolved into coral reef protection and we ended up with  
48 what we have now and what Roy was saying is that he has seen

1 fishermen fishing for spiny lobster and they do affect,  
2 negatively, the coral reef. I have seen that in la Parguera  
3 myself, actually.

4  
5 If you want to err on the side of essential fish habitat and the  
6 corals, then you should have the consideration of fishing for  
7 spiny lobster. If you're only addressing the closed season and  
8 making it compatible with the reef fish, then the only thing  
9 you're doing is adding spiny lobster to the other group of  
10 species that you already decided you have a preferred  
11 alternative and that's where we are now.

12  
13 **SHEPHERD GRIMES:** One thing I just realized in the discussion  
14 with Dr. Crabtree is we don't have an alternative in here that  
15 would allow spiny lobster harvest everywhere and so we need to  
16 make sure that gets added to the document so we have a  
17 reasonable range and it sounds like that may be the way we go,  
18 but I would just mention that.

19  
20 Right now, the no action alternative would allow the existing  
21 regulations in Bajo, which allow spiny lobster harvest, but in  
22 Abrir and Tourmaline, they wouldn't allow spiny lobster harvest  
23 and so we don't have an alternative that would just allow it in  
24 all three areas and I don't see how that's an unreasonable  
25 alternative and so it's something we need to add to the  
26 document. That's regardless of what way you end up going with  
27 the preferred.

28  
29 **MIGUEL ROLON:** Can you add that language for tomorrow, Graciela,  
30 so tomorrow we have an alternative addressing the issue of spiny  
31 lobster? Alternative 5, Graciela, is that the last one?

32  
33 **GRACIELA GARCIA-MOLINER:** You have Number 4, to prohibit  
34 anchoring. Alternative 2 prohibits anchoring during the  
35 seasonal closure and so the ones that you selected in Action 1  
36 at these three sites.

37  
38 The no action would keep Bajo de Sico with a prohibition on  
39 anchoring, but Tourmaline and Abrir la Sierra would be open to  
40 anchoring as long as you have a retrieval system and you can  
41 also prohibit anchoring year-round, as it is in Bajo de Sico, in  
42 the other two areas. That Alternative 3 will make it compatible  
43 among the three areas.

44  
45 **ROY CRABTREE:** I think, given the value of the coral in these  
46 areas, we definitely want to prohibit anchoring year-round. I  
47 would move Alternative 3 as the preferred alternative,  
48 Subalternative a and Subalternative b.

1  
2 **EUGENIO PIÑEIRO:** I second.  
3  
4 **CARLOS FARCHETTE:** It's seconded by Genio Piñeiro. Any  
5 discussion? We will take it to a vote, starting on my left.  
6  
7 **NELSON CRESPO:** Yes.  
8  
9 **ROY CRABTREE:** Yes.  
10  
11 **EUGENIO PIÑEIRO:** Yes.  
12  
13 **ROY PEMBERTON:** Yes.  
14  
15 **MIGUEL GARCIA:** Yes.  
16  
17 **TONY BLANCHARD:** Yes.  
18  
19 **CARLOS FARCHETTE:** Yes. Any nays or abstentions? **The motion**  
20 **carries.**  
21  
22 **GRACIELA GARCIA-MOLINER:** The final action in the document is to  
23 modify HMS fishing activities. Remember that you are selecting  
24 a preferred alternative to recommend or request from the HMS  
25 people to do as you request.  
26  
27 The bottom longline is already prohibited year-round from the  
28 three areas. However, there is some bottom longline that is  
29 used under the HMS fisheries and so the first one is the request  
30 of the council to prohibit bottom longline fishing for HMS year-  
31 round in Bajo de Sico and a request from the council to prohibit  
32 fishing of HMS in some or all of the three areas during the time  
33 period established in Action 1, which is October through  
34 December.  
35  
36 Alternative 4 is to prohibit fishing for HMS in some or all of  
37 the three areas during the time period established in Action 1,  
38 October through March, with the exception that we allow only  
39 surface trolling, as defined in the regulations for all HMS, and  
40 spear gun fishing gear for the bigeye, albacore, yellowfin, and  
41 skipjack tunas. This addresses the divers that use the area for  
42 that. What do you want to request of HMS?  
43  
44 **MIGUEL ROLON:** I have a comment. We are going to public  
45 hearings and we will request to HMS and so I don't see the  
46 point. When we finish, maybe we can tell HMS that this is what  
47 we did and they can think about it, but I don't know --  
48

1 **SHEPHERD GRIMES:** It's my understanding that HMS is going to  
2 participate in all this concurrently and we're going to do one  
3 rulemaking. They will go around and do public hearings in  
4 conjunction with you and so you don't pick a preferred for this  
5 part of the document because it's not your decision.

6  
7 It's an HMS decision, but when the council at least makes a  
8 request, HMS will indicate a preferred alternative from an HMS  
9 perspective and this document will analyze it altogether and  
10 we'll go out for one round of public hearings together and then  
11 do a rulemaking together and so there are two pieces, but it's a  
12 joint action and it will all go through the system at the same  
13 time.

14  
15 You have to decide what your preferred -- You don't pick a  
16 preferred alternative, but you request that HMS implement  
17 alternative whatever and it will seem that maybe you just want  
18 compatible restrictions, like no bottom longlining, which seems  
19 pretty straightforward and I haven't heard much discussion that  
20 would support allowing bottom longlining.

21  
22 Then you would have to decide what you would want in terms of  
23 other compatible restrictions, whether or not you allow surface  
24 trolling, which your restrictions would allow, at least  
25 according to your current preferences, and then this spear gun  
26 thing, which is in limbo at this point.

27  
28 Depending on what you do for spear gun, you may want HMS to  
29 implement something other than what they have here in the  
30 document. They don't have the alternative that you want  
31 implemented in here, because Alternative 4 is the only one that  
32 addresses spearfishing and the thought was that spearfishing  
33 would be allowed and there seems to be some question about that.

34  
35 **MIGUEL ROLON:** That's my question. This is okay that we go out  
36 to public hearings with this?

37  
38 **SHEPHERD GRIMES:** I think HMS is planning to participate in the  
39 public hearings. They are going to go out and gather  
40 information at the same time and my guess is that they're  
41 probably going to implement, or at least go to public hearing  
42 suggesting that they will implement, compatible regulations if  
43 you request them. They will add HMS preferred to the document  
44 and go out at the same time. At least that's my understanding  
45 of it.

46  
47 **MIGUEL ROLON:** That's what I wanted to make clear, because this  
48 is our document and it's not an HMS document, but if we are

1 concurring --

2  
3 **SHEPHERD GRIMES:** It's everybody's document. The EA and the  
4 NEPA analysis, it's a joint thing. I am working on the team and  
5 HMS staff are writing this part of it and Caribbean Branch staff  
6 are writing the Caribbean parts of it.

7  
8 **GRACIELA GARCIA-MOLINER:** This is especially in response to what  
9 we already have in the books, which is we are already compatible  
10 with Abrir la Sierra and Tourmaline and that is Alternative 3  
11 specific to the HMS bottom longline.

12  
13 **MIGUEL ROLON:** My concern is not what is written there, but just  
14 that we do the right thing, but Shep just clarified that. If I  
15 understand it, Mr. Chairman, we don't need to have a preferred  
16 alternative at this time and it seems like you have just  
17 finished.

18  
19 **EUGENIO PIÑEIRO:** One quick thing. It's a good thing that we  
20 don't have to pick a preferred alternative and at least we know  
21 that the council will formally ask HMS to implement for albacore  
22 and bigeye, because we don't harvest them in there. We do  
23 harvest blackfin tuna and it's similar to the bigeye, but it's a  
24 smaller size. We don't have the -- Albacore is in cold waters  
25 and so we don't get that.

26  
27 **SHEPHERD GRIMES:** That's how they manage this. It's what they  
28 call BAYS and it's bigeye, albacore, yellowfin, and skipjack.  
29 It's an acronym and the restrictions are all towards BAYS tunas  
30 and so that's where that comes from. Again, like I said, you're  
31 not really picking a preferred alternative, but before you leave  
32 this meeting tomorrow, this council needs to know what it wants  
33 HMS to do, assuming everyone is onboard with that, so when you  
34 go to public hearings, the public has an idea of what the  
35 preferred alternative would be.

36  
37 While you're not going to say that our preferred alternative is  
38 Alternative 2 and Alternative 4, you need to say we want HMS to  
39 prohibit bottom longlining in Bajo de Sico and we want them to  
40 implement Alternative 4, if that's what you are --

41  
42 **MIGUEL ROLON:** Speaking of going to the public, if we don't have  
43 a preferred alternative --

44  
45 **SHEPHERD GRIMES:** You give them an indication of what you want  
46 to request of them and if you want compatible HMS measures, then  
47 HMS will indicate that those are their preferreds in the  
48 document and then it goes to public hearing and everybody will

1 see what the preferred alternatives are and you will get more  
2 meaningful comment guided directly by your preferred actions.

3  
4 **MIGUEL ROLON:** Thank you for that, because my concern is when I  
5 am sitting there with Graciela or Bill, I want to be sure what I  
6 can tell the public regarding this section here and he just told  
7 us.

8  
9 **RICHARD APPELDOORN:** Now that I've heard all this discussion, I  
10 have two comments relative to the SSC. One is we're going to  
11 want to see, obviously, whatever scientific information we have  
12 on the biology. If it's just going to be something like the  
13 timing of spawning of these species or when is the timing of the  
14 most catches of these species and is that related to the  
15 spawning seasons and anything we can do to say something about  
16 the biology and what species do we actually know spawn in these  
17 areas, as opposed to just it's the spawning season, but we don't  
18 know exactly where.

19  
20 In addition, as was brought up, that needs to be balanced  
21 against the socioeconomic and cultural information and so when  
22 are the big demand seasons? I know Easter obviously is a really  
23 big one and what are the -- Christmas may be another one.

24  
25 We need that kind of information so we can balance that. The  
26 other point is that, listening to the conversation, we're going  
27 to want to know what your rationale is here, because so far I've  
28 heard protecting spawning species and protecting habitat and  
29 making enforcement easier.

30  
31 **GRACIELA GARCIA-MOLINER:** All of the above.

32  
33 **RICHARD APPELDOORN:** That might be, but the point is you're  
34 actually bringing up different types of rationale for the  
35 various things that you're looking at and if we're going to  
36 evaluate that, we need to know what the rationale is.

37  
38 One would hope that it's across the board and I would think if  
39 you're going to go to HMS and ask them to pick something, you  
40 have to give them a rationale of what you're trying to achieve  
41 and I don't think I really heard that being consistently stated  
42 upfront. What are we trying to achieve, other than  
43 compatibility? I think that was clear, but compatibility to do  
44 what? I don't think that was clear.

45  
46 **ROY CRABTREE:** I think we clearly have dual purposes here. One  
47 is to protect the habitat, the corals, but the other is to  
48 protect the spawning aggregations that are associated with the



1 coral and so the one thing I see in Action 5 that it seems clear  
2 to me that we would want to do is Alternative 2, which is ask  
3 them to prohibit bottom longline fishing. Beyond that, it's not  
4 so clear to me what we would be doing, but I guess we'll come  
5 back to that tomorrow.

6  
7 **EUGENIO PIÑEIRO:** Is it prohibited in Bajo de Sico, bottom  
8 longline? I believe it is.

9  
10 **GRACIELA GARCIA-MOLINER:** No, this is an HMS bottom longline,  
11 but it's a gear capable of fishing for other species, especially  
12 the larger groupers, and damaging the habitat.

13  
14 **SHEPHERD GRIMES:** There's sort of a convoluted history with all  
15 of these different areas, but HMS -- Your regulations are  
16 codified in 50 CFR Part 622. Highly migratory species  
17 regulations are codified in 50 CFR Part 635.

18  
19 For Tourmaline and Abrir, HMS did what they call a backstop,  
20 meaning you prohibit bottom longlining and it's worded towards  
21 council-managed species, reef fish bottom longlines and the  
22 like. They implemented them under 635, which is geared towards  
23 HMS.

24  
25 It's just a backstop so there's no loophole that nobody goes out  
26 there and sets a bottom longline and is impacting spawning  
27 aggregations of grouper, but claiming they're trying to harvest  
28 some shark species that you don't have the authority to prohibit  
29 it because it's HMS activity, which is regulated only by the  
30 Secretary and not subject to council authority.

31  
32 **MIGUEL ROLON:** Mr. Chairman, I believe that if you guys --  
33 Tomorrow, Graciela will bring the language for the two actions  
34 that we are talking about.

35  
36 **GRACIELA GARCIA-MOLINER:** Apparently Brittany has been listening  
37 and so she already emailed something, but also, please consider  
38 Alternative 4, if you want it the way it is or if you want it  
39 separated for trolling on one and spear guns.

40  
41 **MIGUEL ROLON:** We will discuss it tomorrow and I would like to  
42 take the time here, and I was discussing it with Bill, but this  
43 guy has made a tremendous work, Graciela and Bill, but we have  
44 Miguel and Brittany and the whole Caribbean Branch that have  
45 worked on this and we are very grateful.

46  
47 I can't forget about Shep. Actually, you know what I do after  
48 each meeting? When I get the transcript, I copy everything that

1 you have said, but thank you for that, because we have changed  
2 the way that we operate and the council prepares a document and  
3 sends it to the Regional Office for compatibility and all that  
4 and we -- At the Regional Office, Roy Crabtree and Phil Steele  
5 and the group, we have come a long way. I call these guys  
6 honorary staff members, because they do a lot of work and I  
7 believe that they believe some thanks.

8  
9 **GRACIELA GARCIA-MOLINER:** Also, the Science Center has seen  
10 request after request for the information to be used for these  
11 documents.

12  
13 **MIGUEL ROLON:** Tomorrow, Mr. Chairman, first thing in the  
14 morning, we will do what is left of this.

15  
16 **ROY CRABTREE:** I don't know if I told you all or not, but I have  
17 to leave in the morning. Phil will be filling in for me.

18  
19 **MIGUEL ROLON:** Any important words?

20  
21 **ROY CRABTREE:** Make really smart decisions.

22  
23 **CARLOS FARCHETTE:** Thank you, everyone, for your participation  
24 and hard work. I will entertain comments on some of these items  
25 tomorrow, but as of right now, this meeting is in recess and  
26 we're going to move to the Administrative.

27  
28 **MIGUEL ROLON:** No, we don't do that anymore. We go through the  
29 agenda items and SEDAR-35 and the Outreach and Education. I  
30 believe that you guys -- Probably we should move these two for  
31 the first thing in the morning, the SEDAR Report and the Alida  
32 Ortiz report.

33  
34 I promise that we all will be awake tomorrow to hear what you  
35 have to say and then what we have done is that now we have move  
36 through each agenda item that is public matters and for people  
37 who have suffered through us during the day and the ones who  
38 stay here, they can meet, but if not, the meeting is open to the  
39 public and we can jump into the three items.

40  
41 **GRACIELA GARCIA-MOLINER:** Except for the closed session. You  
42 have a closed session.

43  
44 **MIGUEL ROLON:** The only part that we will close it is when we  
45 get to the SSC considerations and so non-members of the council  
46 should leave. I already did address the budget issue. We have  
47 a problem with something called SAM.

48

1 In order for you to receive money, you have to have a mechanism  
2 that you will identify you and we have some glitches with that,  
3 we the people who are running the grants in Washington and the  
4 people who wrote the webpage. Anyway, they are through it and  
5 now we are able to enter the information.

6  
7 In 2014, as I said today, we have enough money to cover our  
8 expenses through the year, but we need to wait until the funds  
9 are received. We received the money from the habitat --

10  
11 **GRACIELA GARCIA-MOLINER:** No, that was the \$300,000 that we  
12 requested for the council.

13  
14 **MIGUEL ROLON:** They are still there, but the money from the  
15 habitat will be available and the money for the council. At  
16 this time, Mr. Chairman, we have a five-minute break, so we can  
17 address the SSC membership.

18  
19 **CARLOS FARCHETTE:** We will take a quick five and the balance of  
20 the meeting will be closed to the public.

21  
22 (Whereupon, the meeting recessed on April 22, 2014)

23  
24 - - -

25  
26 April 23, 2014

27  
28 WEDNESDAY MORNING SESSION

29  
30 - - -

31  
32 The Caribbean Fishery Management Council convened at the Divi  
33 Carina Hotel, St. Croix, USVI, Wednesday morning, April 23,  
34 2014, and was called to order at 9:07 o'clock a.m. by Chairman  
35 Carlos Farchette.

36  
37 **CARLOS FARCHETTE:** Good morning. We're going to get started  
38 here. This is the second day of our 149<sup>th</sup> Caribbean Fishery  
39 Management Council meeting. It is April 23, 2014 and at the  
40 Divi Carina Bay Hotel and it's 9:07 a.m. I believe we have a  
41 continuation of where we left off yesterday with Abrir, Bajo,  
42 and Tourmaline. First, we need to do a roll call.

43  
44 **GRACIELA GARCIA-MOLINER:** Graciela Garcia-Moliner, council  
45 staff.

46  
47 **TONY BLANCHARD:** Tony Blanchard.

48

1 **BILL ARNOLD:** Bill Arnold, NOAA Fisheries.  
2  
3 **MORGAN FOWLER:** Morgan Fowler, U.S. Coast Guard.  
4  
5 **TONY BLANCHARD:** Tony Blanchard again.  
6  
7 **MIGUEL GARCIA:** Miguel Garcia, council member.  
8  
9 **DIANA MARTINO:** Diana Martino, council staff.  
10  
11 **MIGUEL ROLON:** Miguel Rolon, council staff.  
12  
13 **CARLOS FARCHETTE:** Carlos Farchette, council chair.  
14  
15 **EUGENIO PIÑEIRO:** Genio Piñeiro, council vice chair, good  
16 morning.  
17  
18 **PHIL STEELE:** Phil Steele, NOAA Fisheries.  
19  
20 **SHEPHERD GRIMES:** Shepherd Grimes, NOAA Office of General  
21 Counsel, Southeast Section.  
22  
23 **BONNIE PONWITH:** Bonnie Ponwith, NOAA Fisheries.  
24  
25 **SHANNON CASS-CALAY:** Shannon Calay, NOAA Fisheries.  
26  
27 **NELSON CRESPO:** Nelson Crespo, council member, Puerto Rico.  
28  
29 **VIVIAN RUIZ:** Vivian Ruiz, council staff.  
30  
31 **TONY IAROCCI:** Tony Iarocci, Florida.  
32  
33 **LETA DUNMIRE:** Leta Dunmire with the Pew Charitable Trust.  
34  
35 **MICHAEL NEMETH:** Michael Nemeth.  
36  
37 **HELENA ANTOUN:** Helena Antoun, contractor.  
38  
39 **HOWARD SCHNABOLK:** Howard Schnabolk, NOAA Fisheries.  
40  
41 **JEFF RADONSKI:** Jeff Radonski, NOAA OLE.  
42  
43 **RICHARD APPELDOORN:** Richard Appeldoorn, SSC Chair.  
44  
45 **ALIDA ORTIZ:** Alida Ortiz, Outreach and Education Advisory  
46 Panel.  
47  
48 **KATE QUIGLEY:** Kate Quigley, council staff.

1  
2 **THIERRY LEDEE:** Thierry Ledee, STFA.  
3  
4 **TOBY TOBIAS:** Good morning, Toby Tobias, St. Croix Fisheries  
5 Advisory Committee.  
6  
7 **KEN STUMP:** Ken Stump working with Pew.  
8  
9 **LOREN REMSBERG:** Loren Remsberg, NOAA General Counsel  
10 Enforcement Section.  
11  
12 **ALEXA COLE:** Alexa Cole, NOAA General Counsel Enforcement  
13 Section.  
14  
15 **CHARLES STEINBACK:** Charles Steinback, Point 97.  
16  
17 **RENI GARCIA:** Reni Garcia, UPR Mayaguez.  
18  
19 **RENE ESTEVES:** Rene Esteves, fish liaison.  
20  
21 **CARLOS FARCHETTE:** Thank you. I guess we will hand it over to  
22 Bill and Graciela for discussion or continuation of Abrir, Bajo,  
23 and Tourmaline consistency of regulations.  
24  
25 **GRACIELA GARCIA-MOLINER:** Just a brief reminder, we are dealing  
26 with the public hearing draft for developing consistency  
27 regulations for the three seasonally closed areas off of Puerto  
28 Rico, Abrir la Sierra, Bajo de Sico, and Tourmaline.  
29  
30 I will remind you that the purpose of this amendment is to  
31 establish consistent regulations covering the target areas as a  
32 means of ensuring protection of spawning aggregations of reef  
33 fish and the benthic habitats supporting those aggregations,  
34 which also serves as residential, recruitment, and foraging  
35 habitat for a variety of species.  
36  
37 The need, and this is stated in the document, is there is a need  
38 to modify the seasonal closures to ensure continued and  
39 consistent provision of the important ecological services they  
40 provide, including recruitment, residential, foraging, and  
41 spawning aggregation habitats for commercially and  
42 recreationally important reef fish and shellfish, as well as sea  
43 turtles.  
44  
45 There is also a need to establish consistency among the three  
46 closed areas to facilitate enforcement and avoid confusion among  
47 constituents.  
48

1 Yesterday, when we left off, you requested that we look at --  
2 Yesterday, you selected a number of preferred alternatives and  
3 those were in Action 1 to modify the length of the closed season  
4 and you selected as a preferred alternative Alternative 3 and  
5 Subalternatives a and b and that was to modify the closed season  
6 to be October 1 through March 31.

7  
8 **MIGUEL ROLON:** Yesterday, we missed two and so the only thing we  
9 need to do now is to go through the language of those two.

10  
11 **GRACIELA GARCIA-MOLINER:** Okay. You requested an action and  
12 alternatives to modify spearfishing and Brittany -- You also  
13 have Maria and Brittany and Miguel Lugo and Rick Pearson, I  
14 believe, on Go to Meeting. They sent us this yesterday and  
15 we've modified this a little bit today.

16  
17 This would be a new action and it would be Action 6, modify  
18 spearfishing activities. You have an alternative of no action,  
19 retain the existing spearfishing regulations in each of Abrir la  
20 Sierra, Bajo de Sico, and Tourmaline.

21  
22 You have an alternative to prohibit spearfishing for council-  
23 managed reef fish during the seasonal closure that you've  
24 established in Action 1. Alternative 3 is to prohibit  
25 spearfishing for all species during the seasonal closure  
26 established in Action 1.

27  
28 Alternative 4 prohibits spearfishing for all species year-round  
29 and Alternative 5 is to allow spearfishing year-round in all of  
30 the seasonally-closed areas and so those are the five  
31 alternatives under the new action to modify spearfishing, which  
32 you had requested to include a couple that allow spearfishing in  
33 these areas. Do you want me to discuss all of them or do you  
34 want to go one-by-one and make a decision now?

35  
36 **SHEPHERD GRIMES:** Just a housekeeping comment. Then I guess  
37 we'll remove Alternative 4 from Action 2 that deals with  
38 spearfishing now, because it will be in here. That's something  
39 the IPT can do, but I just didn't want it to catch any of you  
40 off guard. Thanks.

41  
42 **EUGENIO PIÑEIRO:** In this action, I would support the use of  
43 spears. It's a very selective gear and no harm done and then we  
44 have a group of divers and we have also a group of people who  
45 fish in those places and I want it to be uniform and consistent  
46 and I think that we should allow the use of spear.

47  
48 **SHEPHERD GRIMES:** Spear for what species? All species or non-

1 reef fish species?

2  
3 **EUGENIO PIÑEIRO:** Not the council-managed species in the closed  
4 season, but all the other species, yes, because the divers  
5 target basically the wahoo and the coastal pelagics.

6  
7 **SHEPHERD GRIMES:** If I understand that then, you would be  
8 looking at Alternative 2, all three subalternatives, and it's  
9 phrased the opposite of what you just phrased, but it's  
10 prohibiting spearfishing -- Wait a minute. It's prohibiting  
11 spearfishing for council-managed reef fish during the seasonal  
12 closure. That would mean you would allow spearfishing for other  
13 species year-round and spearfishing for council-managed species  
14 when it's outside the closure.

15  
16 **MIGUEL ROLON:** Genio and I were talking about this and we also  
17 were discussing the gear in conjunction with the scuba diving  
18 and in Puerto Rico, only commercial fishermen are allowed to  
19 fish with spear and scuba diving equipment.

20  
21 In this area, do you want to extend that regulation to the EEZ,  
22 which means that only commercially-licensed fishermen can be  
23 allowed to fish with scuba or not or whether you want to ban  
24 scuba altogether and if you are spearfishing, you do so, but you  
25 only do it skin diving? That could be another iteration of the  
26 alternative.

27  
28 Also, we were talking about to ask Reni about his experience and  
29 Nelson, the fishermen out there, of what is the usual gear they  
30 use and do you know of fishermen, commercially-licensed  
31 fishermen, that fish in that area with scuba diving and spear?

32  
33 **NELSON CRESPO:** The fishermen that usually use the scuba diving,  
34 they are -- Most of them are going to target lobsters, but they  
35 bring their spear gun just to -- If they see a big fish, they  
36 shoot it, but it's a complement, because their main target is  
37 lobsters.

38  
39 **MIGUEL ROLON:** If you pick Number 2, they will not be allowed to  
40 spear anything and they will be allowed only to catch lobster by  
41 hand or snare.

42  
43 **GRACIELA GARCIA-MOLINER:** That would be only during the seasonal  
44 closure.

45  
46 **MIGUEL ROLON:** Yes, I am talking about the seasonal closure.

47  
48 **GRACIELA GARCIA-MOLINER:** No one should be able to spear fish

1 during the seasonal closure, council-managed reef fish species.  
2 That's what Alternative 2 says.

3

4 **NELSON CRESPO:** The species managed by the council, no.

5

6 **MIGUEL ROLON:** But that's the point. What you just said, that  
7 would be in violation of Number 2, is they occasionally fish  
8 something else but lobster with a spear.

9

10 **GRACIELA GARCIA-MOLINER:** But that would be during the seasonal  
11 closure and so October through March, even commercial fishers  
12 would not be allowed to spear fish that are managed by the  
13 council and that would include any of the groupers or snappers  
14 or jacks or boxfish, et cetera.

15

16 **NELSON CRESPO:** That's right.

17

18 **CARLOS FARCHETTE:** I have a question. If it's a 2010 and 2011  
19 species, wouldn't that just be about every fish?

20

21 **GRACIELA GARCIA-MOLINER:** I am just saying that they would be  
22 looking for very large snappers or groupers or something like  
23 that and so none of the twenty-three species listed in the FMU  
24 units would be allowed.

25

26 **SHEPHERD GRIMES:** Just to be clear though, the way it's set up,  
27 you could be in possession of a spear gun and you could take it  
28 down, but you just couldn't shoot reef fish with it. You could  
29 shoot dolphin or you could shoot wahoo or mackerel or I don't  
30 know what else they're really going to shoot, but you wouldn't  
31 be able to shoot reef fish.

32

33 Those are the species, or at least some of those species, that  
34 are going to be aggregating and spawning so we don't want to  
35 take the chance and allow anybody at that time, but you could  
36 still be in possession of spear gun. They could take it down  
37 and if they saw a non-reef fish species, a big fish swim by,  
38 they could shoot it.

39

40 **TONY BLANCHARD:** I would have to back Genio on this, because  
41 when you're dealing with a spear gun, it's a very selective  
42 thing and you can't mistake something for something else. You  
43 are actually picking your target and so I think that's a very  
44 selective way of taking what you want and so it shouldn't really  
45 have any discrepancies as to what the fish is or you make a  
46 mistake. He didn't get hooked on a line and instead, you're  
47 shooting him with a gun and so you're seeing exactly what you're  
48 shooting.



1  
2 **PHIL STEELE:** Some of the concerns that have been brought to me  
3 about this is, first of all, we don't have a lot of enforcement  
4 out there and to allow a spear fishermen to have this gear  
5 available, even during the closed season, it does allow you the  
6 opportunity to pop the occasional reef fish and these are the  
7 concerns that have been brought to me and I think it's something  
8 the council certainly needs to consider.

9  
10 You will have the opportunity. There is not much enforcement  
11 and so there is the potential for people to illegally take these  
12 council-managed species during the closed season if you allow  
13 spearing and so that's just something for the council to think  
14 about.

15  
16 **EUGENIO PIÑEIRO:** On the other hand, commercial fishermen are  
17 not going to -- They are not the problem. They are not the ones  
18 who shoot these species and the recreational fishing in Puerto  
19 Rico, they are not allowed to use scuba gear. These are fairly  
20 deep areas and so it is very unlikely that they will do it. In  
21 fact, most of the recreational divers who use those waters, they  
22 just stay in the water column and go for wahoo or something like  
23 that, apnea divers, which I don't recommend. I don't see the  
24 fun of it, but they do it.

25  
26 **TONY BLANCHARD:** I understand Phil's concerns, but it's just  
27 like you having a permit to walk with a gun. Just because  
28 you're walking with it, it don't necessarily mean you're going  
29 to use it and so I understand the point of enforcement, but you  
30 have to let's say put some kind of trust in the guys that are  
31 going there that they're going to do the right thing.

32  
33 Now, we all don't always do the right thing and that's just  
34 human nature, but sometimes you have to put some kind of trust  
35 in people and have them decide, you know what, I just ain't  
36 going to do this, because it ain't right. It's against the law,  
37 number one, and if I get caught, number two, I'm going to have  
38 to suffer the penalties.

39  
40 You could also look at it from that standpoint and so I  
41 understand the concerns for enforcement, but somewhere you've  
42 got to be able to give something, because if people feel you  
43 don't trust them -- You don't trust me already anyway and so  
44 what's stopping me from doing what I want to do if you don't put  
45 no trust in me. It's a trust issue.

46  
47 It's giving somebody the opportunity to do the right thing.  
48 Sometimes just by giving them the opportunity, they does do the

1 right thing, instead of always assuming that they're going to do  
2 the wrong thing.

3  
4 **CARLOS FARCHETTE:** We also have a situation on St. Croix, which  
5 I'm assuming -- Maybe the divers in Puerto Rico are also doing  
6 it, but they carry a spear gun with them even if they're lobster  
7 divers for their protection actually, for sharks or something  
8 like that.

9  
10 **GRACIELA GARCIA-MOLINER:** One issue with the spear gun is the  
11 following. Spear gun, it is true that it's a very selective  
12 gear, but it's also very selective for the larger fish in the  
13 population and so therefore, you will be removing the bigger  
14 spawners or the bigger animals in the population, which are the  
15 most fecund.

16  
17 That's the other part of spearfishing and once the seasonal  
18 closure is over, the fish that will be moving out of these  
19 spawning aggregations are going to be the larger fish that came  
20 over.

21  
22 In addition to that, if you're removing the larger fish in  
23 groupers, for example, you will be removing the males and so you  
24 will have that aspect of groupers that makes them vulnerable  
25 also to overexploitation and so those are aspects of the  
26 spearfishing activity that have to be thought about.

27  
28 You are discussing prohibiting it during the spawning season and  
29 you also have a prohibition for all species year-round and so  
30 that's another alternative that you are considering and the  
31 science behind it would be that you would be removing the larger  
32 individuals of the population.

33  
34 **PHIL STEELE:** Do we have any idea of the magnitude of the  
35 spearfishing fishery out there in these areas and how much  
36 they're actually taking? Is this a large concern? Is it a  
37 small amount of take? Do we know? Do we have any idea how big  
38 this fishery is?

39  
40 **CARLOS FARCHETTE:** I would defer that question to Miguel Garcia.

41  
42 **MIGUEL GARCIA:** We don't know and I don't know if Reni Garcia  
43 wants to talk about this, Reni or maybe Nelson or Genio, but my  
44 understanding is that it's not a big business, because it's very  
45 deep water where they can't fish and it's not very safe to do  
46 that anyway.

47  
48 **MIGUEL ROLON:** We asked the same question about ten years ago

1 and we're still waiting for the report. Nobody knows how many  
2 people fish there or what they fish or what they do. The only  
3 people who really have stated that they use the water column for  
4 sport are the apnea group and occasionally you see a commercial  
5 fisherman diving for lobster there and they shoot anything that  
6 moves.

7  
8 Don't tell me that they will go there and -- That's not what is  
9 happening. I have seen boats coming from that area with Nassau  
10 grouper and with big fish and a lot of lobster and there are not  
11 a lot of them, but the people who do fish in that area and carry  
12 the spear guns, they do fish the big fish and Graciela keeps  
13 reminding us that we are talking about the closed season.

14  
15 They can have the rest of the year to shoot whatever moves in  
16 there and so your decision is when you have a closed season, the  
17 six months or whatever, do you want to allow spearfishing in  
18 that area? Do you want to allow spearfishing for the species  
19 managed by the council or do you want to allow spearfishing  
20 during the closed season for those species that are not managed  
21 by the council?

22  
23 Then the enforcement concern is that it is very difficult to  
24 enforce a situation where you are allowed to fish in the same  
25 place for some species but not others. You are in possession of  
26 a spear gun capable of fishing all the species, the prohibited  
27 ones and the not prohibited ones. Both are things you need to  
28 discuss and make sense out of this.

29  
30 Then you can put it the other way around. Think about what you  
31 want to do and if you can do it. Then look at the actions that  
32 you have there and if they meet your criteria, that will be your  
33 preferred action, but from the discussion I am hearing now and  
34 before, one, you don't have any data on how many people fish  
35 there and so if you err on the side of the resource, you should  
36 prohibit the spear gun.

37  
38 If you want to allow spear guns, then you have to decide whether  
39 the commercial fishing, in conjunction with scuba equipment,  
40 could be allowed or not and the other point is that you have two  
41 areas where Puerto Rico has done nothing yet and they are may be  
42 moving into compatible regulations, but if they allow spear gun  
43 in their area -- We are talking about a place that if you put a  
44 big boat with the Coast Guard, it will cover both areas.

45  
46 You will have people coming in and out of the local and federal  
47 area with spear guns and there's no way you can manage that. I  
48 believe that those are the issues.

1  
2 **CARLOS FARCHETTE:** From that statement, I can see where  
3 Alternative 3 would prohibit all species during the closed  
4 season and when the season is open, I guess they can spear, but  
5 for their safety, I don't know if you want to prohibit  
6 possession of a spear gun in the area.

7  
8 **JORGE GARCIA-SAIS:** I am going to give you my opinion regarding  
9 the use of fisheries that I've seen in Bajo de Sico. I may have  
10 been there, during our study, for thirty or thirty-five days.  
11 Most of the boats that I saw around fishing were trolling for  
12 migratory pelagics.

13  
14 There is a group of people that fish there that are the apnea  
15 guys. They fish without scuba tanks and they are mostly looking  
16 for pelagic fish. I am not sure to what extent they go down.  
17 The minimum depth at Bajo de Sico, at the shallowest peak, is  
18 seventy-five feet. That is a very small area. It gets to  
19 eighty-five or ninety or a hundred feet quite fast.

20  
21 I do not know if they actually go down for groupers. I wouldn't  
22 know that. The times that I saw them there, which were two or  
23 three times, they were -- Somebody that actually has some kind  
24 of charter business that takes people to go spearfishing at Bajo  
25 and that guy targets groupers.

26  
27 What is the amount of fish that he extracts from there? I don't  
28 know. He usually goes for one fish, one big fish, and comes  
29 out. I don't know what has been his yield over the years, over  
30 a year, and so I wouldn't know.

31  
32 I also want to comment on in terms of the seasonality. Bajo de  
33 Sico is a place where there is very few snappers. Actually  
34 there is a big population of schoolmaster snappers and that's  
35 about as much as I've seen. I've seen maybe one or two cubera  
36 there, but it's not a snapper area. It's big grouper, black and  
37 yellowfin and mostly Nassau grouper area. I don't know if  
38 extending the season for protection of snappers has any  
39 meaningful application, but that is my take on that.

40  
41 **MIGUEL ROLON:** Reni, these people that you have seen fishing  
42 there, do they fish with scuba tanks?

43  
44 **JORGE GARCIA-SAIS:** I have never seen anybody spearfishing with  
45 scuba tanks there, no. The apnea people, they just don't even  
46 carry them in their boats. They use strings or some flashing  
47 lights and stuff they use to attract the pelagics and they are  
48 quite good at it. They have records and all that stuff. I have

1 never seen commercial divers for lobster there and I haven't  
2 seen -- Actually, those are the only people that I have seen  
3 fishing there.

4  
5 I only worked there for a year or a year-and-a-half and it's not  
6 that I am a local at Bajo. I was there for about a year-and-a-  
7 half and I may have gone there thirty or thirty-five times and I  
8 did see a lot of -- Well, some effort for trolling fisheries,  
9 migratory pelagics, and the apnea people. I never saw a big  
10 commercial thing going there for commercial fishermen, nor in  
11 Tourmaline and not even in Abrir la Sierra, which was more  
12 heavily visited.

13  
14 Actually, we left everybody behind, because most of the  
15 commercial fishermen there, they fish at the shallow area and  
16 they don't go beyond eighty feet and we start at a hundred and  
17 so within that hundred to 165, which is where we work, actually  
18 down the insular slope, we didn't see anybody fishing there and  
19 I'm sorry, but we just did not.

20  
21 There is some people going further outside for deepwater  
22 snapper, but the area that we work, very few people that we saw  
23 actually, even bottom fishing -- They do bottom fish and they do  
24 a lot of diving within that shelf, but not beyond the first  
25 shelf edge.

26  
27 Abrir la Sierra has sort of like a false shelf edge that goes to  
28 a deep base and then comes up again for the true shelf edge,  
29 where the shelf ends. Beyond that first drop, very few people  
30 go there. I know that there is some kind of effort, because we  
31 saw a lot of -- Not a lot, but we have seen some broken conch  
32 shells and so we know that at some point in time that people  
33 were fishing there, one-hundred-feet-plus, fishing for conch,  
34 but the effort that I've seen -- We never saw people  
35 spearfishing or fishing with tanks near Bajo de Sico nor at  
36 Tourmaline nor at Abrir la Sierra.

37  
38 Altogether, it was about four years or a little bit more that we  
39 were there within that zone. There is some effort, but the  
40 effort is shallower and not that deep and at Bajo, the apnea  
41 people.

42  
43 **GRACIELA GARCIA-MOLINER:** I thought you said that there was a  
44 charter operating in the area that went for the one big grouper.  
45 Didn't you say that?

46  
47 **JORGE GARCIA-SAIS:** I was told that and in a meeting, I met the  
48 guy. He was at a council meeting once and he told me that and

1 he even gave me a card. He would take people fishing for these  
2 exotic big fish and so Fred or something is his name, I believe,  
3 but I don't know, but he was here. He was here and he spoke and  
4 everything and he has some kind of charter operation essentially  
5 to go and get one fish and come back, but over time, I don't  
6 know how many fish he can take. The other thing is that there's  
7 not a gigantic population of black groupers there and so it's a  
8 very finite population.

9  
10 **MIGUEL ROLON:** If you don't know how many people are there and  
11 there are so few of them, you can close the entire thing during  
12 the closed season area and you will not be affecting that many  
13 people anyway.

14  
15 Genio was telling me the name of the guy fishing, but we are on  
16 record and so I'm not going to say, but anyway, he's a crazy  
17 guy. He's the only one I have seen fishing in that area  
18 shooting everything and so he doesn't fish there anymore.

19  
20 If you want to err, again, on the side of the resource, close  
21 the entire thing during the closed season and then let them fish  
22 the hell out the other six months. Then the issue of the apnea  
23 group, they came to a scoping meeting of the council in Mayaguez  
24 and they told us that they would like to be allowed to fish, the  
25 sport that they have.

26  
27 You may have a special consideration in that case, if you wish  
28 to, but the main point is whether you will allow a gear capable  
29 of fishing managed species under your FMP during the closed  
30 season or not.

31  
32 The enforcement angle, it's easier or a more effective tool for  
33 them to enforce if you have a total closure on possession of the  
34 gear capable of fishing those species during those six months.

35  
36 **EUGENIO PIÑEIRO:** I have been listening to what Dr. Garcia-Sais  
37 has to say and Reni is a man that I respect a lot and I see no  
38 other alternative than to prohibit the spearfishing in the  
39 closed season, but then we have a question.

40  
41 What do we do with the apnea divers, the people who fish in the  
42 water column? Can we move that they are allowed to use their  
43 spears if they are not targeting bottom fishing and then during  
44 the closed season no spear and then no tanks and spear allowed?  
45 That's my question.

46  
47 **MIGUEL ROLON:** The consideration is what you are doing is  
48 allocation to a sector of a fish and actually, if you look at

1 the species they target, they are not even under management, the  
2 wahoo and the dolphins and the other fish. They can shoot  
3 whatever they want as long as they are not fishing managed  
4 species by the council, but the point, again, is whether you  
5 would like to close the gap of allowing somebody capable with a  
6 spear gun in hand, capable of hurting the little guys that you  
7 want to protect.

8  
9 The first thing that you need to do is to decide whether you  
10 want to allow a spear gun or not here and then you have a motion  
11 and vote on that one, no spear guns during the closed season.

12  
13 Then the second thing is to discuss the apnea group and whether  
14 it's still within your area of authority to prohibit something  
15 that you are not managing. The other angle is personally, I  
16 believe, if I'm an apnea person or a sport fisherman, do I  
17 really need those six months to fulfill my activities or sport  
18 activities? I don't know. Is it my desire to get a lot of  
19 desire to get a lot of adrenaline during those two months? Do  
20 they fish the warmer months or the winter months, because we are  
21 closing the winter months.

22  
23 **GRACIELA GARCIA-MOLINER:** The winter months are usually the  
24 running of the dolphin and the wahoo. It's usually November,  
25 one of the calmest months. In terms of the species, the  
26 pelagics would be available during that time of the year.

27  
28 **PHIL STEELE:** Just two more things and this is going to go out  
29 to public hearings and so we'll get some good input on this, I  
30 think. The two things we should certainly ask the public at  
31 that time is do you have concerns and what Graciela brought up  
32 today is very important. You see the divers all over go for the  
33 biggest fish, the spawners. That's just the way it is. Is that  
34 a concern?

35  
36 Number two, allowing spearing, are we going to see an increase  
37 or some level of illegal spearing during the closed season?  
38 Again, I want to reiterate those two points and we'll get some  
39 public hearing input on this, I'm sure.

40  
41 **CARLOS FARCHETTE:** I agree and I met those apnea guys in  
42 Mayaguez and they're a unique set of guys who free dive and take  
43 training to free dive to 110 feet. I mean they're amazing what  
44 they do and I would like to find a way that we can either get  
45 some kind of alternative or special permit for these guys to do  
46 their coastal pelagic spearing.

47  
48 **MIGUEL ROLON:** Mr. Chairman, I suggest to take a preferred

1 alternative and go to public hearings and let the apnea group  
2 defend themselves and when you come back, you will have a  
3 rationale to decide one way or the other how you do it.  
4 Remember, we are working only in the EEZ. Puerto Rico may allow  
5 the apnea group people to fish all year round and it's up to  
6 them.

7  
8 **MIGUEL GARCIA:** We already met with the apnea people, a couple  
9 of months ago maybe, and had some conversation with them and  
10 there is an intention, and this is not official yet, to let them  
11 fish for pelagics in the state waters of the sites. That's an  
12 intention and it hasn't been decided and the regulation hasn't  
13 been put out yet, but that's the intention so far and the  
14 discussion that we had with them.

15  
16 **MIGUEL ROLON:** Year round?

17  
18 **MIGUEL GARCIA:** We were not specific. Maybe we can come to a  
19 happy medium, if we can call it that, but we have the intention  
20 of letting them fish pelagics in the state side of the sites.

21  
22 **EUGENIO PIÑEIRO:** Given what Dr. Steele here has said, then I  
23 think we should move forward and choose a preferred alternative.  
24 **I would like to move the no spearfishing during the closed**  
25 **season and go to public hearings and let them hammer out and**  
26 **come up with their positions, but let's move forward and see**  
27 **what happens at the public hearings.**

28  
29 **CARLOS FARCHETTE:** Is that your motion?

30  
31 **EUGENIO PIÑEIRO:** Yes, that's a motion.

32  
33 **TONY BLANCHARD:** Second.

34  
35 **SHEPHERD GRIMES:** I would suggest the easiest way to do that is  
36 that you're moving that Alternative 2, Subalternatives a, b, and  
37 c be your preferred alternative.

38  
39 **GRACIELA GARCIA-MOLINER:** It would be Alternative 2, council-  
40 managed reef species, right? It reads: Prohibit spearfishing  
41 for council-managed reef fish during the seasonal closure  
42 established in Action 1. Subalternative a is Abrir la Sierra  
43 and Bajo de Sico and Tourmaline Bank are b and c.

44  
45 **MIGUEL ROLON:** What Genio said actually is Number 3, prohibit  
46 fishing for all fishing, and let them come to the council at  
47 public hearings and discuss the issues and then you can come  
48 back and maybe you can move to another alternative, but the



1 preferred of what Genio said was Number 3, prohibit spearfishing  
2 for all species under the seasonal closure established in Action  
3 1 and 2, Subsection a, b, and c. Then at the public hearings,  
4 people will come and discuss the issue.

5  
6 **SHEPHERD GRIMES:** We need to think about this and it's fine and  
7 you can set this as your preferred alternative, but in terms of  
8 developing rationale to support whatever final action we take,  
9 think about -- There are dual purposes in this area, protecting  
10 habitat and protecting spawning aggregations.

11  
12 The spawning aggregations are reef fish and so prohibiting  
13 fishing for those reef fish makes sense, because those are the  
14 things you're primarily trying to protect.

15  
16 If you're going to prohibit spearfishing or fishing for other  
17 species that aren't the ones you're trying to protect, what's  
18 the logic behind doing that? I would say that the logic would  
19 be that you don't want a potential enforcement loophole for  
20 people to be down there who say I'm shooting wahoo and then a  
21 big Nassau swims by and he can't resist shooting that one.

22  
23 That's completely reasonable, but anyway, just have that in  
24 mind. I don't think you need to offer it now, because you're  
25 not taking final action. You want to get public input on this  
26 and you don't want to set your position in stone and so just be  
27 ready for the next meeting to present whatever rationale in  
28 support of your final preferred alternative.

29  
30 **CARLOS FARCHETTE:** Looking at it now, 2 would give the apnea  
31 guys the opportunity to fish for coastal pelagics. They just  
32 can't go to the bottom for reef fish, but they can stay in the  
33 water column and spear.

34  
35 **MIGUEL ROLON:** The only rationale you have for Number 3 is  
36 enforcement. Number 2, you open the window for people. An  
37 apnea guy can fish to a hundred or 110 feet and you heard Dr.  
38 Garcia here that that's where the groupers are in some of the  
39 areas. Maybe we are talking about something that is  
40 insignificant, but it's just the principle that we're talking  
41 about and the legalities of what we do.

42  
43 If you want to go to public hearings to call the attention of  
44 the people, you prohibit everything as your preferred  
45 alternative and let the people convince you that they should be  
46 excluded.

47  
48 **CARLOS FARCHETTE:** We're back to Genio's motion and so we've got

1 to figure this one out.  
2  
3 **EUGENIO PIÑEIRO:** My intention here, of course, is to shut down  
4 the --  
5  
6 **CARLOS FARCHETTE:** We are going to take a quick break here and  
7 then we'll allow Genio to come up with his plan of action.  
8  
9 (Whereupon, a brief recess was taken.)  
10  
11 **CARLOS FARCHETTE:** Can we all have a seat again? We had the  
12 break and the meeting of the minds got together here and I think  
13 they came up with a proper alternative.  
14  
15 **EUGENIO PIÑEIRO:** Thank you, Mr. Chair. I think we do have a  
16 quorum. **I would like to move that we adopt as a preferred**  
17 **alternative Alternative Number 3, prohibit spearfishing for all**  
18 **species during the closed season of the three areas.**  
19  
20 **NELSON CRESPO:** I second.  
21  
22 **CARLOS FARCHETTE:** Second by Nelson Crespo. Any discussion?  
23  
24 **PHIL STEELE:** I would like to get some input from Jeff from OLE  
25 on this whole situation if we could, Mr. Chairman.  
26  
27 **CARLOS FARCHETTE:** Sure. Could we get a microphone?  
28  
29 **JEFF RADONSKI:** Just talking about closed areas and  
30 enforceability, one of the things you have to understand is this  
31 is strictly -- When we close an area off, it's going to be  
32 strictly an at-sea operation and we aren't going to be able to  
33 do much dockside work on it or at the marketplace.  
34  
35 For OLE, that kind of takes us out of the game, because we don't  
36 have the assets or the personnel to do at-sea patrol and so we  
37 would have to leave it up to the Coast Guard and our JEA  
38 partners.  
39  
40 In doing that, if we want to have the consistency and close it  
41 off, we've got to have clear regulations that will make it easy,  
42 because the first element they're going to have to prove are the  
43 vessel and persons are in the closed area. That's going to be  
44 key number two and then go to the activity that might be  
45 illegal.  
46  
47 I do like where the council is heading with Number 3 and looking  
48 at that, but I think we have to always keep in mind

1 enforceability of a program and small closed areas offshore is  
2 one we are not going to get 24/7 coverage on. I know the Coast  
3 Guard would not have those capabilities and JEA partners and so  
4 that's just some of the points I wanted to make.  
5  
6 **CARLOS FARCHETTE:** Any further discussion? Hearing none, we're  
7 going to take it to a vote starting on my left.  
8  
9 **EUGENIO PIÑEIRO:** Yes.  
10  
11 **NELSON CRESPO:** Yes.  
12  
13 **PHIL STEELE:** Yes.  
14  
15 **MIGUEL GARCIA:** Abstention.  
16  
17 **TONY BLANCHARD:** Yes.  
18  
19 **CARLOS FARCHETTE:** Yes. Any no? One abstention and one absent,  
20 Roy Pemberton. **The motion carries.**  
21  
22 **ROY PEMBERTON:** Yes.  
23  
24 **CARLOS FARCHETTE:** For the record, Roy Pemberton is yes and so  
25 there were no absences. The next item on the same topic?  
26  
27 **GRACIELA GARCIA-MOLINER:** You also requested that we make some  
28 modifications to Action 3, the spiny lobster fishing activities.  
29 You specifically requested that we come up with an alternative  
30 to allow fishing for spiny lobster year-round and so these are  
31 the two alternatives that can be added to the Action 3.  
32  
33 Alternative 6 reads to allow fishing for spiny lobster year-  
34 round and Subalternatives a, b, and c are Abrir la Sierra, Bajo  
35 de Sico, and Tourmaline. Alternative 7 is allow fishing for  
36 spiny lobster during the seasonal closure established in Action  
37 1 and, again, for all three areas.  
38  
39 **CARLOS FARCHETTE:** I know yesterday I had something to say about  
40 this, but I'll wait until maybe any other council member wants  
41 or I should just go ahead and make my statement? Okay.  
42  
43 I know we had some discussion on this yesterday and they were  
44 talking about the coral reefs and, of course, Dr. Crabtree made  
45 the comment about how he's seen them dig out and destroy coral  
46 and stuff, but we have commercial divers or our commercial  
47 divers, which are 90 percent of Puerto Rican descent, and when  
48 they fish for lobsters, they just don't go down there and tear

1 up just to get the lobster and practically knock it unconscious  
2 before they get it out of the hole.

3  
4 They are very careful about what they're doing, because they  
5 cannot sell a lobster that is missing its legs or whatever part  
6 or anything, because they know, first of all, the lobster dies  
7 real fast and so they want that lobster whole and intact with  
8 all its legs and stuff in order for it to live long enough and  
9 also get it sold.

10  
11 You've got to hold on to the rock or the coral or something when  
12 you're diving for lobsters to reach into the cave. If you are  
13 looking to protect the reef or if you're going to prohibit  
14 lobster fishing, because of the habitat or what it may cause to  
15 the habitat, then really you should do that for the whole U.S.  
16 Caribbean, because everywhere there are lobster, it's a habitat  
17 and so I don't know which way anybody wants to go. This is  
18 really for Puerto Rico's decision on how they want to proceed  
19 with this.

20  
21 **EUGENIO PIÑEIRO:** Since we are not going to be allowing  
22 spearfishing down there and those are EFH areas and no pots and  
23 no traps and no trammel nets, the only thing that the divers are  
24 going to be allowed to use is the snare, which causes no harm to  
25 the habitat. **I would move that we allow spiny lobster fishing**  
26 **all year-round.**

27  
28 **CARLOS FARCHETTE:** Is that your motion?

29  
30 **EUGENIO PIÑEIRO:** Yes, that would be a motion.

31  
32 **NELSON CRESPO:** Second.

33  
34 **GRACIELA GARCIA-MOLINER:** Just to remind you, the no action of  
35 this alternative is that you would change Abrir la Sierra and  
36 Tourmaline to have a prohibition on the take of lobster during  
37 the closed season and Bajo de Sico allows the take of lobster  
38 during the whole year and so you would make them consistent.

39  
40 **EUGENIO PIÑEIRO:** That would be Number 6, right, Graciela?

41  
42 **GRACIELA GARCIA-MOLINER:** Yes.

43  
44 **EUGENIO PIÑEIRO:** Then Number 6 it is.

45  
46 **CARLOS FARCHETTE:** That was seconded by Nelson Crespo.

47  
48 **SHEPHERD GRIMES:** Again, I am not looking to cement your

1 rationale, because I think you want to get public comment on it,  
2 but we ought to look and see what additional information we can  
3 find out relative to the impacts of harvesting spiny lobster on  
4 coral resources, having heard what you said that you're not  
5 concerned about the stuff that Dr. Crabtree raised about pry  
6 bars or what have you, but you did hear that you've got to hold  
7 on to the coral communities to do that.

8  
9 I hear your point that while we -- If that's our concern, we  
10 would prohibit lobster harvest everywhere, but I think that's a  
11 bit of a red herring. These are special resources or a special  
12 area, or at least this is the position the council has taken.  
13 It's unique and we're looking to protect just that area.

14  
15 If you're going to end up sticking with this as your preferred  
16 alternative, I think your logic has to be that holding on to the  
17 coral in order to access the cave to harvest the lobster doesn't  
18 present much of a significant potential for adverse impacts to  
19 the coral. I am not the person to answer that and it would be  
20 best if you had some corroboration of that via scientific  
21 studies, but keep that in mind before you take final action,  
22 please.

23  
24 **PHIL STEELE:** I don't think you can disregard the impacts of  
25 diving for lobster on coral reefs. I have worked in this  
26 fishery in the Keys and I know some of the damage they can do.

27  
28 Given that, to go along with the conservation theme we have here  
29 of protecting these spawning areas and their habitats for the  
30 six-month area, I am thinking this is a theme we should follow.  
31 If nothing else, maybe we want to consider a six-month. That's  
32 just my comments on that and I'm not making a motion for that,  
33 but it's just something else for part of this discussion that we  
34 may want to do.

35  
36 Diving and lobstering does have an impact on the habitat. I've  
37 done it and I've seen it myself. I still have concerns about  
38 that and with the theme we're following with the six-month  
39 closure in this area, allowing diving for lobsters out there  
40 will allow more people out there on this habitat and who knows  
41 what else they're going to be doing besides diving for lobsters.  
42 Prohibiting this will keep the people out of the area and that's  
43 kind of my thoughts on it.

44  
45 **EUGENIO PIÑEIRO:** When I was at the MPA, people say, with all  
46 due respect, which means that I really don't care what anyone  
47 else is saying, but I understand your concerns and Shep's  
48 concerns, but let's face it. Let's face reality. The divers

1 who use the snare, they really don't even touch the rock. They  
2 barely -- They don't do that much at all.

3  
4 **TONY BLANCHARD:** Now, I just want to back Genio on this here,  
5 because I know in Florida, and correct me if I'm wrong, but a  
6 lot of them do -- They catch the lobsters by hand. Going in by  
7 hand to catch a lobster is where I feel they would make the most  
8 damage, because you've actually got to go in and grab it.

9  
10 How we do it down here is with a snare and so what you're  
11 actually doing is standing outside the hole and passing the loop  
12 behind the lobster tail and pulling him out and so I am not  
13 saying that it probably doesn't have some kind of impact, but I  
14 don't think that the impact that Phil is thinking is the same  
15 kind of impact that we have here.

16  
17 Nobody don't go down with no crowbar here to try to get a  
18 lobster out of a hole. That's crazy. We don't fish that way  
19 here and I'm not saying that they don't do it that way in  
20 Florida, but to the best of my knowledge, I think Genio is right  
21 on target and it's very minimal contact with the reef and, like  
22 I say, we all use snares here and nobody goes down to try to  
23 grab the lobster. That's not the practice that we use.

24  
25 **PHIL STEELE:** I understand that and some of the divers in  
26 Florida use snares too, but it's just not the activity of  
27 catching the lobster itself. It's the diver's presence on the  
28 reef itself, whether it's standing on the reef or the fin  
29 damage.

30  
31 This thing is well documented. It's well known that divers do  
32 impact reefs, whether they're catching them with snares or ropes  
33 or by hand. That's the concern too and it's just not the actual  
34 action of catching that lobster. It's his presence standing on  
35 that reef and so there is impacts. There is damage done.

36  
37 **ROY PEMBERTON:** I understand the concerns about the way the  
38 Florida fishery operates and everything and I caution NOAA folks  
39 all the time that you've got to come down here with a different  
40 perspective.

41  
42 Like what my fellow council member, Tony Blanchard, is saying,  
43 guys just don't stand up on the reefs. I understand that we  
44 have the issue in Florida where it's like a derby fishery and  
45 the minute the season opens, you have all kinds of yahoos out  
46 there fishing.

47  
48 This is a particular area where you've got to know what you're

1 doing, for the most part, to head all the way out to that far  
2 reaches to do this fishery, if you're going to participate in  
3 it.

4  
5 I think you have enough protective measures by banning traps and  
6 so forth, which can cause a whole hell of a lot of damage of the  
7 reef, comparatively speaking, but you have to give them  
8 something.

9  
10 You are closing the area and I understand you're protecting it  
11 and you're trying to do what you can for the resource. You can  
12 go about and put some other protective measures in there, six  
13 months or what have you, but these guys are really not going to  
14 have much to fish for, if anything else, on that western end and  
15 so you have to give them some kind of opportunity, or else  
16 they're just go right back to poaching.

17  
18 **TONY BLANCHARD:** Yes, exactly.

19  
20 **MIGUEL ROLON:** I encourage you to move. You are only talking  
21 about preferred alternatives to take to public hearings and  
22 here, you're pretending to have your whole discussion that is  
23 supposed to happen after the public hearings and forget about  
24 Florida. There are other places in the world that we can talk  
25 about the same thing that we have here and we have other stuff  
26 to cover. Graciela, did we finish with Bajo de Sico and the  
27 ABT?

28  
29 **GRACIELA GARCIA-MOLINER:** No, you have one more action to deal  
30 with, which is the HMS.

31  
32 **MORGAN FOWLER:** I just want to say, from an enforcement  
33 perspective, as Jeff was saying, it's a lot easier if you close  
34 it for the six months if you close it for everything.

35  
36 If we see someone out there that is fishing for lobster, then  
37 now we have to get onboard and check and make sure that they  
38 don't have any fish and that they only have lobster and so it  
39 would be easier for us if for that six months you close it for  
40 fishing and you close it for lobster and you don't allow  
41 anchoring and so if there's no vessels in there, it's extremely  
42 easy for us to enforce that.

43  
44 **BILL ARNOLD:** I am just curious, but these are deepwater coral  
45 habitats and they're structured a lot different from the  
46 shallow-water habitats and I don't know if anybody can comment n  
47 this, but perhaps they're more susceptible to diver damage  
48 because they're plate corals and you have to dig under them or

1 maybe this isn't a problem, but I would be curious as to any  
2 insights in that regard.

3  
4 **MIGUEL ROLON:** That's the beauty of the whole thing. We don't  
5 know anything about it. At least we haven't documented it. I  
6 have friends and Reni and people who have dove these areas and  
7 actually, if you look at the pictures they have, it's almost  
8 pristine, but, again, the -- Anyway, when you deliberate this  
9 kind of thing, you have to take into consideration -- Right now,  
10 we're talking about safety and the biology of the fish and the  
11 socioeconomics and the enforcement.

12  
13 The only issues you have here really that stop you from -- Well,  
14 that is important is enforcement. If you want to have ease of  
15 the work of enforcement, to make it more effective, you should  
16 be looking at a total closure, but, again, I believe, Mr.  
17 Chairman, that we can vote on this, if we haven't voted yet,  
18 call the question, because you have two others and those two  
19 others may take some other discussion.

20  
21 **CARLOS FARCHETTE:** Okay and since it has to go to public hearing  
22 anyhow.

23  
24 **EUGENIO PIÑEIRO:** In that case, I will call the question and let  
25 them hammer it out at public hearings.

26  
27 **CARLOS FARCHETTE:** We're going to take it to a vote and start on  
28 my left with Crespo.

29  
30 **NELSON CRESPO:** Yes.

31  
32 **PHIL STEELE:** Yes.

33  
34 **EUGENIO PIÑEIRO:** Yes.

35  
36 **ROY PEMBERTON:** Yes.

37  
38 **MIGUEL GARCIA:** Yes.

39  
40 **TONY BLANCHARD:** Yes.

41  
42 **CARLOS FARCHETTE:** Yes. Any nays or abstentions? **Hearing none,**  
43 **the motion carries.** Next on the list?

44  
45 **GRACIELA GARCIA-MOLINER:** The last action is Action 5 --

46  
47 **EUGENIO PIÑEIRO:** No, that's not the last action. We still have  
48 to work out the water column.



1  
2 **GRACIELA GARCIA-MOLINER:** That's Action 5 with the HMS.  
3  
4 **EUGENIO PIÑEIRO:** With that water column? Is that so?  
5  
6 **GRACIELA GARCIA-MOLINER:** Yes, you have a request to the HMS  
7 group and these are -- You have on your left --  
8  
9 **MIGUEL ROLON:** Graciela, refresh our memories. What are the two  
10 pending actions?  
11  
12 **GRACIELA GARCIA-MOLINER:** You have to select, if you want to, or  
13 request that HMS do something and that's Action 5 over there.  
14 You had requested that we look at the -- Let me make this bigger  
15 so you can see it.  
16  
17 **MIGUEL ROLON:** If I recall, we wanted to add something to the  
18 action that we wanted to request to the HMS, but also we said  
19 that we would like to go with our preferred alternative to HMS.  
20 Am I right or am I missing something?  
21  
22 **GRACIELA GARCIA-MOLINER:** What you wanted to do with Alternative  
23 4, which includes both the allowing trolling, surface trolling,  
24 for HMS and allows spear gun fishing for the BAYS, for bigeye  
25 and albacore, et cetera. That is the Alternative 4 and whether  
26 you want to divide it up or --  
27  
28 **MIGUEL ROLON:** What we said yesterday was that we wanted to have  
29 a separate action for that one, isn't it?  
30  
31 **GRACIELA GARCIA-MOLINER:** It is a separate action. It's Action  
32 5 and you can separate the alternative in two and have surface  
33 trolling separate from spearfishing allowance.  
34  
35 **MIGUEL ROLON:** Okay and so that's a question you have for the  
36 council at this time.  
37  
38 **GRACIELA GARCIA-MOLINER:** Exactly.  
39  
40 **SHEPHERD GRIMES:** My recollection of the discussion yesterday  
41 was that the only new action that was going to be added was  
42 spearfishing and we've already covered that one and I believe  
43 that means this is the only action remaining for which the  
44 council has not selected a preferred alternative.  
45  
46 Then once you have a preferred alternative, you will approve the  
47 document for public hearing and we'll go out to public hearing.  
48 Now, given what your preferred alternatives are in the rest of

1 this document, based on what you just selected here a few  
2 minutes ago, the only thing that you're allowed to harvest  
3 during the closure is spiny lobster, correct, because your  
4 preferred alternative was to prohibit all fishing during the  
5 six-month closure, again except for the harvest of spiny  
6 lobster.

7  
8 If you're going to go ahead and indicate a preference for what  
9 HMS implemented, it would seem that you want them to do the same  
10 thing that you have, right, which would be harvest nothing  
11 during the six-month closure and then when it's open, just  
12 prohibit bottom longline and traps and that kind of stuff.

13  
14 **CARLOS FARCHETTE:** I see your point. That means after the  
15 public hearing, we would have to request -- If they wanted, we  
16 would have to request HMS to go along with the BAYS only.

17  
18 **SHEPHERD GRIMES:** I don't think you have an alternative in here  
19 -- Let me look to make sure.

20  
21 **GRACIELA GARCIA-MOLINER:** On the left, that's all the HMS  
22 alternatives that we have in the document.

23  
24 **MIGUEL ROLON:** Graciela, what he's saying is do we have an  
25 alternative that reflects what he just said?

26  
27 **SHEPHERD GRIMES:** I guess if you went with Alternative 3, upon  
28 request of the council, prohibit fishing for HMS in some or all  
29 of these three areas during the time period established in  
30 Action 1.

31  
32 I think, if I have this correct, then your current preferred,  
33 consistent with all of your other preferreds in the document,  
34 would seem to be Alternative 3, all the subalternatives, which  
35 means no HMS fishing during the closed period for all three  
36 areas, knowing that you may change your mind after public  
37 hearing and you would ultimately request something different  
38 from HMS, but right now, it sounds like this is where you're  
39 headed.

40  
41 Understand that HMS is going to do their public hearings in  
42 conjunction with you, I believe, and so I would prefer to have  
43 some formal vote to acknowledge that that's the way the council  
44 is leaning. Thank you.

45  
46 **CARLOS FARCHETTE:** Actually, we wouldn't need to touch Action 5  
47 right now.

48

1 **MIGUEL ROLON:** No, what he's saying is that your preferred  
2 action should be Alternative 3 of Action 5 and that will  
3 indicate, as per your current discussion, the wish of the  
4 council to the HMS and the public.  
5

6 **EUGENIO PIÑEIRO:** Shep, the purpose for this measure was to open  
7 the three -- To have a consistency, we were opening all the  
8 three closed areas and have a replica of Bajo de Sico and so our  
9 intent is to open the closed areas, the water column, open the  
10 water column.  
11

12 **MIGUEL ROLON:** That's the point. You haven't done that. You  
13 have done the opposite.  
14

15 **EUGENIO PIÑEIRO:** That's what we want to do, but from day one,  
16 from the first minute, we told that we wanted to have that open.  
17

18 **GRACIELA GARCIA-MOLINER:** Can I say something? Do you want to  
19 go through the Action 1, which is the --  
20

21 **MIGUEL ROLON:** Wait, wait, wait. Don't mess it up.  
22

23 **GRACIELA GARCIA-MOLINER:** It indicates the council-managed reef  
24 species that you have prohibited.  
25

26 **MIGUEL ROLON:** What you have done today is during the closed  
27 season, you don't allow anything but lobster to be fished in  
28 that area. That's what you have done and whether the intent was  
29 something else, that's something else, but if you follow the  
30 logic, if you follow the logic, that's what you have done so far  
31 and that's what Alternative 3 will follow.  
32

33 You may also say I don't need a preferred alternative for HMS at  
34 this time and you may also rethink the whole thing after you  
35 come from public hearings about the water column issue, but the  
36 point that Shep is bringing to attention is if you follow the  
37 logic and the steps you have taken today, in essence what you  
38 have done is to close the entire thing.  
39

40 Now, if you follow that -- If everybody dies today and HMS comes  
41 tomorrow and sees our record, they will choose Number 3. That's  
42 where we are now.  
43

44 **EUGENIO PIÑEIRO:** I cannot support to go to public hearings,  
45 send anything to public hearings, that says that we're going to  
46 close the water column. My intention all the time, and that's  
47 why I asked for discussion of 2 or 3, was to keep the water  
48 column open and that has been the intention all the time, since

1 day one, and so I cannot support sending this document to public  
2 hearings, because that is not the -- I don't think that is the  
3 intent of the council to close off those areas. I don't see it.

4  
5 **MIGUEL ROLON:** But, Genio, with all due respect and everything  
6 that you said before, you are only one person here and so  
7 whether you voted by mistake or not, that's your problem, but  
8 when you follow the logic -- As a council, as a group, what  
9 you're doing now is to go to public hearing, but this is not the  
10 last word on this one and so that's what I told you on the  
11 break. We need to develop the record as to what you want to do,  
12 but also we need to follow what you have already written.

13  
14 **EUGENIO PIÑEIRO:** I would like to have a motion to add another  
15 alternative to have the water column open.

16  
17 **SHEPHERD GRIMES:** This has gotten fairly chaotic all of a  
18 sudden. I think what's on the board is inaccurate, because I --  
19 In hearing Mr. Piñeiro, when he first wanted to make the motion,  
20 I thought he was saying prohibit just reef fish fishing and  
21 allow fishing for these other species.

22  
23 We had some discussion between you guys that that was not what  
24 he was intending and you made the motion to have no fishing,  
25 right? What's on the board has Preferred Alternative 3, Action  
26 2, Alternative 3, but it was my understanding --

27  
28 **GRACIELA GARCIA-MOLINER:** It would be council-managed species.

29  
30 **SHEPHERD GRIMES:** Yes, but it's my understanding that after the  
31 break it was Alternative 2, no fishing during the six-month  
32 closure. That's what discussion we had.

33  
34 **MIGUEL ROLON:** No, it was the other way around.

35  
36 **GRACIELA GARCIA-MOLINER:** It was no spearfishing.

37  
38 **EUGENIO PIÑEIRO:** No spearfishing, Shep.

39  
40 **GRACIELA GARCIA-MOLINER:** If I may, Mr. Chair, Action 1 closes  
41 October to March and Action 2 allows fishing in the water  
42 column, but it closes the council-managed species and so there  
43 is no fishing for that. Spearfishing is a different story and  
44 that's what you did today.

45  
46 Now, the question is whether you want to allow spearfishing for  
47 BAYS and have that requested to the HMS group or not or if you  
48 want to allow trolling for HMS or not. You have already -- What

1 you have done regarding the spearfishing is specifically to  
2 prohibit spearfishing for all species, but it's by spearfishing  
3 and so you still have to decide whether you want to do the same  
4 with HMS and tell them prohibit all spearfishing of BAYS and  
5 allow trolling or if you want to tell them don't allow anything  
6 or if you want to tell them to allow everything. That's the  
7 Action 5 that you have to deal with today.

8  
9 **EUGENIO PIÑEIRO:** Thank you, Graciela, for the explanation and  
10 thank you, Shep. At this time then, I would like to add an  
11 alternative to open the water column in the three areas.

12  
13 **SHEPHERD GRIMES:** With that clarification, thank you, Graciela.  
14 Then we don't have an alternative in here that would implement  
15 compatible regulations with our current preferred alternatives,  
16 because compatible HMS regulations would prohibit spearfishing  
17 during the closed six months, but would still allow surface  
18 trolling activity.

19  
20 They could troll for highly migratory species, but they couldn't  
21 spearfish, presumably for the same reasons we wouldn't want  
22 somebody down there with a spear gun to be tempted to shoot an  
23 aggregating spawning reef fish.

24  
25 **CARLOS FARCHETTE:** It could potentially change after the public  
26 hearing.

27  
28 **SHEPHERD GRIMES:** Absolutely, which is why I said nothing is set  
29 in stone and we've been generally discussing things and not  
30 setting any concrete rationale to support our preferred  
31 alternative, because you want to get input from the public and  
32 we'll develop that at the last meeting.

33  
34 **MIGUEL ROLON:** If you are confused and you have been working for  
35 us for ten years, do you think the public will understand  
36 everything that you are saying in the meetings? If your  
37 intention all along is to open the darned water column, say so.  
38 I want to open the water column and then let Graciela and Bill  
39 figure out how we do it.

40  
41 With Graciela's explanation, actually the water column is open  
42 for the species you are talking about. We are not saying that  
43 we are opening the water column, but we are saying that we allow  
44 for trolling and blah, blah, blah, which is equivalent to having  
45 the water column open, but for the record, you need to clarify  
46 the intention of the council and also the poor soul who is going  
47 to be chairing these hearings who has to explain to the public  
48 exactly what you want.

1  
2 **GRACIELA GARCIA-MOLINER:** Your Alternative 4 under Action 5 is  
3 to modify the HMS fishing activities. Following the logic that  
4 you have followed so far, you would like to delete from there  
5 "and spear gun fishing gear for bigeye, albacore, yellowfin, and  
6 skipjack tunas". This allows for surface trolling and it takes  
7 away the use of spear gun.  
8  
9 **CARLOS FARCHETTE:** I guess I would like to get some input from  
10 the fishers to get their opinion as to -- We know what it's  
11 going to be and like Miguel just said, we want to open the water  
12 column for these apnea guys and also allow for trolling for the  
13 HMS or the coastal pelagics.  
14  
15 **GRACIELA GARCIA-MOLINER:** But what Shep is saying is that you  
16 prohibited, in the previous action, the use of spear gun for all  
17 species in these areas and so in order to be consistent with  
18 what you've done so far, you take away the spear gun section of  
19 this alternative or make a new alternative only to allow surface  
20 trolling and then you select this one as telling the HMS guys  
21 that you want only surface trolling.  
22  
23 **CARLOS FARCHETTE:** Yes, because -- I know what the response is  
24 going to be. It's going to be the same thing that we got in the  
25 scoping meetings. They want to be able to spear these fish,  
26 because that's what they train for, these coastal pelagics and  
27 also the BAYS. I don't know if we have to go back to  
28 Alternative 3.  
29  
30 **GRACIELA GARCIA-MOLINER:** I will type up a new alternative.  
31  
32 **EUGENIO PIÑEIRO:** Right. Type a new alternative to open the  
33 water column. I think that's what we want.  
34  
35 **SHEPHERD GRIMES:** Again, keep in mind that this is not really  
36 our section of this document. This is HMS and so what I would  
37 suggest we do is let the HMS staff -- Rick is probably listening  
38 to this right now and hopefully he's not as confused as some of  
39 us, but he can develop the language for the alternative, but the  
40 bottom line is right now the council is leaning towards HMS  
41 implementing regulations consistent with the current preferred  
42 alternatives, which would allow surface trolling during the  
43 closed period, but not allow spearfishing.  
44  
45 What I think you should do is make a motion to that effect, so  
46 that the record is fairly clear. They can develop that  
47 alternative and add it to the document and take it out to public  
48 hearing and get comment on it and then you would come back and

1 respond to that information.  
2  
3 **MIGUEL ROLON:** Can you provide the language, so somebody can say  
4 so I move and it's easy on Graciela, because she has to write  
5 it.  
6  
7 **SHEPHERD GRIMES:** I guess the motion would be to move to inform  
8 HMS that the council's current preferred alternatives would  
9 support HMS implementing consistent regulations to allow surface  
10 trolling only during the closed period or during the closure.  
11  
12 **EUGENIO PIÑEIRO:** It's for the whole year.  
13  
14 **SHEPHERD GRIMES:** Well, but just during the closure. When it's  
15 not closed, it's open season on everything anyway and so you're  
16 just addressing what regulations they would implement during the  
17 closure, which means surface trolling only, no spearfishing  
18 activity, no bottom longlines. They should know what to do with  
19 that. If that doesn't make sense to them, I hope they're  
20 listening and they send me a message real quick and I'll make  
21 sure we take care of it.  
22  
23 **EUGENIO PIÑEIRO:** Thank you, Shep. **So I move.**  
24  
25 **CARLOS FARCHETTE:** Second by Nelson Crespo.  
26  
27 **MIGUEL GARCIA:** I just wanted to add that that's the intention  
28 of our agency, to allow the surface trolling in the area and the  
29 open column, for sure.  
30  
31 **CARLOS FARCHETTE:** If there are no more comments, we will go to  
32 a vote, starting on my right.  
33  
34 **TONY BLANCHARD:** Yes.  
35  
36 **MIGUEL GARCIA:** Yes.  
37  
38 **ROY PEMBERTON:** Yes.  
39  
40 **EUGENIO PIÑEIRO:** Yes.  
41  
42 **PHIL STEELE:** Yes.  
43  
44 **NELSON CRESPO:** Yes.  
45  
46 **CARLOS FARCHETTE:** Yes. Any nays or any abstentions? **Hearing**  
47 **none, the motion carries.**  
48

1 **MIGUEL ROLON:** Are we finished, Graciela?  
2  
3 **GRACIELA GARCIA-MOLINER:** You need to instruct the staff that  
4 you adopt the document or approve it to take to public hearings.  
5  
6 **EUGENIO PIÑEIRO:** I would like to make a motion to bring this  
7 document to public hearings.  
8  
9 **CARLOS FARCHETTE:** Should that include to instruct the staff to  
10 prepare the document to take to public hearing? Should that be  
11 in there or it's not necessary?  
12  
13 **MIGUEL ROLON:** Scratch "bring" and write "take". That's what  
14 they are saying.  
15  
16 **GRACIELA GARCIA-MOLINER:** Do you want the schedule for the  
17 summer?  
18  
19 **MIGUEL ROLON:** No, leave that to the discretion of the Chair and  
20 the staff and so it allows you to prepare it and all that and  
21 also, I believe that, according to what we said yesterday, the  
22 Chair would open some time for public input.  
23  
24 **CARLOS FARCHETTE:** Okay. That was a task. We will take it to a  
25 vote, starting on my left.  
26  
27 **NELSON CRESPO:** Yes.  
28  
29 **PHIL STEELE:** Yes.  
30  
31 **EUGENIO PIÑEIRO:** Yes.  
32  
33 **ROY PEMBERTON:** Yes.  
34  
35 **MIGUEL GARCIA:** Yes.  
36  
37 **CARLOS FARCHETTE:** Yes and one absent, Blanchard. Any nays or  
38 abstentions? **Hearing none, the motion carries.** Now we're going  
39 to allow for public comment on the Abrir, Bajo, and Tourmaline,  
40 the discussions that we just had, if there's any comment from  
41 the public. We are giving you five minutes.  
42  
43 **LETA DUNMIRE:** Good morning. My name is Leta Dunmire and I'm  
44 with the Pew Charitable Trust. We are certainly very interested  
45 in this issue. This is the Abrir, Bajo, and Tourmaline  
46 consistency issue and we wish to provide meaningful input based  
47 on science.  
48



1 I have some general thoughts that I've been trying to capture  
2 over the last day of the discussion. I think right now we can't  
3 really provide specific actions and alternative recommendations.  
4 The version that was posted online that we were working from for  
5 the last few months is actually not the most recent. We got the  
6 most recent one as the discussion was starting yesterday.

7  
8 It would really help us and other stakeholders to provide more  
9 meaningful input if the council can post and provide updated  
10 versions of council documents as soon as possible. With that in  
11 mind, I am just going to provide some sort of general comments  
12 based on trying to pull them together, like I said, in the last  
13 twenty-four hours here.

14  
15 Fish spawning aggregations are unique life history events that  
16 take place at specific places and times. They are highly  
17 vulnerable to overfishing, even at moderate harvest levels, and  
18 increasingly, the target of fishing pressure.

19  
20 Since aggregations may represent the primary source of the  
21 species reproduction, losing an aggregation may severely deplete  
22 the local population and cause recruitment failure.  
23 Historically throughout the Caribbean, grouper and snapper fish  
24 spawning aggregations have disappeared due to overfishing and  
25 have not recovered. Such a loss can create economic hardships  
26 for local fishing communities and result in localized population  
27 extinctions.

28  
29 A seasonal or year-round fishery closure is one effective  
30 management tool for protecting spawning aggregations. This  
31 approach has yielded the recovery of aggregations of groupers,  
32 such as the Hind Bank and the Nassau grouper aggregation in the  
33 Cayman Islands.

34  
35 Abrir, Bajo, and Tourmaline each contain known aggregations of  
36 large-bodied grouper and snapper, including Nassau, and reef-  
37 building corals, including species that may soon be listed as  
38 threatened or endangered under the Endangered Species Act.

39  
40 Compatible, enforceable regulations among the three protected  
41 areas are critical for their effectiveness in protecting  
42 spawning fish and critical coral reef habitat. Science has  
43 shown that spawning activity is highest at those areas during  
44 the months of December, January, February, March, April, and May  
45 and enforcement is easiest and most effective when no fishing  
46 activity is allowed at a defined area during a defined time.

47  
48 Given the lack of resources for enforcing fishing rules in this

1 region, the rules need to be simple and as easy to enforce as  
2 possible, to ensure meaningful protections for these  
3 aggregations.

4  
5 There has been a lot of discussion of closing and opening water  
6 columns, but we would strongly encourage you to consider no  
7 fishing for and no possession during the spawning season closure  
8 of six months, December to May, and a year-round prohibition on  
9 anchoring at these three sites to protect the coral reef  
10 habitat. That's all for now and we look forward to engaging as  
11 the discussion moves on.

12  
13 **CARLOS FARCHETTE:** Thank you, Leta. Any more public comment?  
14 Hearing none, we will move forward on the agenda to SEDAR-35 Red  
15 Hind Update with Dr. Graciela Garcia-Moliner. Before, I want to  
16 talk about the SEDAR here and I want to address this to Dr.  
17 Ponwith.

18  
19 I know we had discussion about the methodology we're going to be  
20 using now with this assessment and stuff, but I know that -- I  
21 believe 2015 is SEDAR lobster and queen conch assessment, on the  
22 schedule. That would still continue, right? Just because we  
23 decided on something else, that wouldn't stop that? I think  
24 that's important for us.

25  
26 **BONNIE PONWITH:** The notion would be to actually not carry those  
27 out, because I'm not certain we could actually carry those out  
28 and do the large data workshop at the scale that we think it  
29 needs to be done to be successful and so it's an important  
30 decision.

31  
32 **CARLOS FARCHETTE:** Yes and I'm very concerned with it.

33  
34 **MIGUEL ROLON:** Those species can be included in the three  
35 island and so you would kill two birds with one big stone.

36  
37 **BONNIE PONWITH:** That's absolutely correct. Part of the data  
38 triage would include collecting data on those. It's just that  
39 the traditional stock assessment on those two stocks wouldn't be  
40 carried out in 2014.

41  
42 **CARLOS FARCHETTE:** Okay and so if I wanted to make sure that  
43 happened or see that, that would be one of our top-priority  
44 species or something that we can do?

45  
46 **SHANNON CASS-CALAY:** I think that's very fair to list those as  
47 high priority from the council, as a council recommendation  
48 even.

1  
2 **CARLOS FARCHETTE:** Okay, great, because I know that I'm still on  
3 this conch battle. I lost the battle, but I ain't losing the  
4 war.  
5  
6 **MIGUEL ROLON:** Okay and because this is supposedly easy and  
7 fast, can we move that those two species be included as top  
8 priority and then say so I move?  
9  
10 **CARLOS FARCHETTE:** We need a --  
11  
12 **TONY BLANCHARD:** So moved.  
13  
14 **MIGUEL ROLON:** Give Vivian some time to write it. It's to  
15 include spiny lobster and queen conch as top priority in the  
16 list of species that will be considered by the new approach for  
17 analyzing and provide stock assessment to the CFMC-managed  
18 species.  
19  
20 **CARLOS FARCHETTE:** We need a second.  
21  
22 **MIGUEL ROLON:** Who moved it?  
23  
24 **CARLOS FARCHETTE:** Tony Blanchard made the motion.  
25  
26 **MIGUEL ROLON:** It's Tony and seconded by Genio Piñeiro.  
27  
28 **CARLOS FARCHETTE:** All in favor say aye; any nays; any  
29 abstentions. Hearing none, the motion carries. Now we can go  
30 ahead with SEDAR-35.  
31

#### 32 **SEDAR-35 RED HIND UPDATE**

33  
34 **GRACIELA GARCIA-MOLINER:** Just a very short report. We hosted  
35 the SEDAR data workshop and the one -- We are still trying to  
36 collect some of the data that are out there and are needed to  
37 establish some indices, but we were able to get the information  
38 from Rick Nemeth, because we're working on the red hind, and  
39 that was extremely useful and very important information,  
40 because it's really the only long-term monitoring specifically  
41 of the red hind and the MCD.  
42  
43 Fishers were there and Tony was there and the fishers from  
44 Puerto Rico were there and it was very valuable information,  
45 what they brought to the table. We looked at all the data that  
46 had been provided by the Southeast Fisheries Science Center and  
47 the local governments for red hind specifically.  
48

1 Aida Rosario is working with Walter Ingram from the Science  
2 Center also in making a copy of the SEAMAP data and so that  
3 should be available pretty soon and that's something that we're  
4 all really looking forward to. It would be GIS spatially  
5 explicit information.

6  
7 We are still missing some data, but the effort that has gone  
8 into collecting the information and not only for red hind, but  
9 any of the surface surveys that are out there has been very big  
10 and so there were big issues with the correction factors for  
11 Puerto Rico and Daniel Matos and company are working on those.

12  
13 We are proceeding with the assessment workshop, but this is  
14 going to be in the form of a webinar and it's going to take  
15 place between May and July. There will be five webinars to  
16 assess the condition of the red hind and a final review workshop  
17 in September in Miami.

18  
19 That's ongoing work. Red hind is one of the species that  
20 probably has the most information available and I don't know if  
21 we have any news in terms of what have we been able to do. We  
22 have had conference calls, webinars actually, to answer some of  
23 the questions that were raised at the SEDAR meeting, for example  
24 some of the MRIP data.

25  
26 **MIGUEL ROLON:** Graciela, according to the schedule, we should  
27 expect a final product by when, more or less?

28  
29 **GRACIELA GARCIA-MOLINER:** The review will take place September 3  
30 in Miami and that's one week and so when would the final report  
31 be?

32  
33 **SHANNON CASS-CALAY:** I believe the final report is due on  
34 October 6. That's the dissemination of the final report.

35  
36 **GRACIELA GARCIA-MOLINER:** Then that will come to the SSC and  
37 then to the council.

38  
39 **MIGUEL ROLON:** Exactly. The council should expect a final  
40 product reviewed by the SSC at the December 2014 meeting and  
41 that's all we need to say about red hind at this time. Now,  
42 finally we have Alida Ortiz with the Outreach and Education. I  
43 tried to allow her to talk the first day, but sorry, Alida.

44  
45 Outreach and education is usually the last thing that you  
46 consider when managing a fishery, but it's probably one of the  
47 most important aspects of managing a fishery, is to allow the  
48 public to understand what you do and convey the right message.

1 Alida, are you ready?  
2

3 **OUTREACH AND EDUCATION REPORT**  
4

5 **ALIDA ORTIZ:** It's good to be here. We were supposed to give  
6 this yesterday and so we celebrate Earth Day. We're one day  
7 late, but it's all year-round.  
8

9 I am going to give a very short update of what the outreach and  
10 education products and activities have -- What state that  
11 they're in and from this meeting, we get today a lot of outreach  
12 to do, a lot of outreach to do.  
13

14 We will be changing the newsletter to make it a bulletin and  
15 shorter and with more of the highlights of the meetings and I  
16 think that much of the information that we have been talking  
17 about this meeting should be in like information for people to  
18 review and to sort of refresh the content.  
19

20 There are so many concepts and there are so many -- So much  
21 information that is managed in the management of the species  
22 that the stakeholders have to have it in a different language  
23 and so we will work with the documents that are now in the  
24 process for public hearings, for scoping meetings, and we hope  
25 to make them more digestible, let's say, to make decisions.  
26

27 Please, if you have any activities that you know of, send us the  
28 information so that we can put it in there and we are working on  
29 the design and preparation of the calendar for next year and  
30 these are some of the activities that we presented in the last  
31 meeting.  
32

33 We have worked with Sea Grant to develop the Caribbean Fisheries  
34 Resource Book as some part of the modules that they have been  
35 doing on habitats. A fishing app for Smartphones will be  
36 presented in the August meeting of the council and also, we will  
37 have, we will have, the CFMC brochure by August.  
38

39 At this time, Helena has been collaborating with the Department  
40 of Agriculture and La Ruta del Pescado. This is like a  
41 promotion tourism action for the coastal products in Puerto Rico  
42 and at this time, we also have something that we presented in  
43 the last meeting to have the visual aids so that we can see  
44 what's really happening in the habitats, coastal habitats, that  
45 are considered essential fish habitats, but in the eastern part  
46 of the island.  
47

48 In August, we will present the product. We have taken two field

1 trips already and there are some videos that are being  
2 completed. Marcos Hanke will be with us.

3  
4 **MIGUEL ROLON:** Alida, in the case of La Ruta del Pescado, the  
5 link with us is that this is a webpage and also it will be an  
6 application where anybody can punch it and look at the areas  
7 where the fishers have facilities, where they can sell the fish.

8  
9 There are two things that we want to achieve. One is to promote  
10 the uniqueness of those areas, so the fishermen will have a  
11 better income and be proud of what they have, but also, we will  
12 include management measures so that won't consume fish that  
13 aren't properly managed and all that and that's the important  
14 part of the La Ruta del Pescado.

15  
16 The important part is that this is an outreach and education  
17 activity that is promoting sustainability of the fish and we  
18 would like to -- What we are trying to do is to create a  
19 consciousness of the public.

20  
21 **ALIDA ORTIZ:** Actually, I think most of the people that buy  
22 fish, seafood, in the restaurants, know very little or nothing  
23 about what are the closed seasons and why they shouldn't request  
24 any species that is in closed season and so this should be part  
25 of that, but we will let you know more in the next meeting, when  
26 we see what are the results at this time.

27  
28 **EUGENIO PIÑEIRO:** Alida, I would like to add to it that a  
29 special thanks to Gustavo Garcia from the DNR and, of course,  
30 our Helena Antoun who did the tremendous job there and also  
31 Miguel Lugo from SERO. He was there and he assisted us and he  
32 was there all the way and so those guys did a great service to  
33 La Ruta del Pescado and the best interests of sustainability.  
34 Thank you.

35  
36 **ALIDA ORTIZ:** Actually, the Virgin Islands is working on the  
37 sustainable fish and Lia is working on that and we will try to  
38 be part of that.

39  
40 **MIGUEL ROLON:** It's called Sustainable Seafood Initiative.

41  
42 **ALIDA ORTIZ:** Yes and we will try to try to tie that into that  
43 Ruta del Pescado. Let's talk a little bit about the USVI  
44 outreach and education. That's the Marine Outreach and  
45 Education VI Style that Lia coordinates in St. Croix and St.  
46 Thomas and St. John.

47  
48 The Don't Stop Talking Fish is well advanced and it will be

1 celebrated on June 28 and we have an announcement that she sent  
2 yesterday. There are more activities in the USVI and they have  
3 received -- They participated in the outreach and education when  
4 the Nancy Foster mapping mission was here and they did workshops  
5 for managers and K-12 students in science, technology,  
6 engineering, and math for students and teachers and so they are  
7 sort of pitching in any activity where outreach and education  
8 can have a good space.

9  
10 They received funding from NOAA for the fiscal year 2014 and  
11 they will be working in the increasing fishing community  
12 awareness and compliance project. This is the orientation to  
13 the fishers in their licensing process and Lia is coordinating  
14 that.

15  
16 The sustainable seafood campaign that we mentioned, they had a  
17 workshop where ten restaurants were recognized as reef  
18 responsible and this is very similar to what Miguel was saying  
19 about la Ruta del Pescado.

20  
21 *Fuete y Verguilla*, the special issue that will be produced or is  
22 being produced for St. Croix, this is just a cover, but it will  
23 be ready by the end of May and Lia has been working with UPR Sea  
24 Grant and it is like a history of how the social and cultural  
25 aspects of the fishing communities in St. Croix have developed  
26 throughout the years. They are filming and the writing group,  
27 the editing group, was here for I think two weeks and Carlos was  
28 part of that project here. Carlos, you will see the product in  
29 May. It's beautiful.

30  
31 Now, we will talk a little bit about the activities in Puerto  
32 Rico and Helena Antoun is our field presence with the fishermen  
33 and Helena will talk a little bit about this.

34  
35 **HELENA ANTOUN:** Good morning, everybody. Just a brief recap of  
36 what the commercial fishing program is, or PEPCO, but this is an  
37 initiative that started because the commercial fishers on the  
38 island were having a lot of issues with their licenses.

39  
40 There were a lot of problems that they were not getting their  
41 licenses on time and there was a lot of misinformation out in  
42 the field and so DNR and the CFMC got together and we decided  
43 that we were going to create this program that's going to clear  
44 out all the cobwebs and just get straight down to the point and  
45 make sure that everybody understands exactly what they need to  
46 do and how to do it. Then also take advantage of that and then  
47 just add a couple of other important information that all  
48 commercial fishers need to know.

1  
2 It also expanded a little bit to include the Department of  
3 Agriculture and so it was a collaboration between the three  
4 agencies, CFMC, DNR, and the Puerto Rico Department of  
5 Agriculture.

6  
7 The general content or what is offered in this course is this is  
8 about a six-hour course that is given and so people are there  
9 and they're the whole day there and, like I said, we go over  
10 from A to Z everything that you need to know and do to acquire  
11 your commercial license and permits and all that sort of stuff,  
12 clear up all the questions and all the misconceptions and all  
13 the doubts.

14  
15 Then we also go into fisheries statistics and data reporting and  
16 so the port agents, these are the people that are actually  
17 offering these workshops. They will go into detail step by step  
18 of how to fill out that data reporting information and not only  
19 that, but what happens after that?

20  
21 Once that information is given to the lab, where does that  
22 information go and how is it digested and how is it used? Who  
23 are the people that take care of it and then how and what are  
24 the implications of this data reporting and fisheries  
25 management, or the lack of information for that.

26  
27 We really hit it hard right there of how important it is to do  
28 the data reporting and what the implications are and then, of  
29 course, once fishermen -- Once they have all their licenses and  
30 they have all their certifications and everything, the Puerto  
31 Rico Department of Agriculture has programs for commercial  
32 fishers.

33  
34 These are incentives where they can get all kinds of financial  
35 help and they can become a certified -- A bonified fisherman  
36 certification and so the Department of Agriculture collaborates  
37 here and they get the -- If you do all this and you get all your  
38 licenses and everything here and you do the statistics, this is  
39 the stuff that you can get, all the advantages and stuff.

40  
41 Then, of course, we go over the regulations and then, finally,  
42 people that complete the course, they are given a certification  
43 at the end.

44  
45 Between February 19 and March 27, we did a total of six regional  
46 workshops or six regional courses. We covered all of these  
47 areas in the island and our participation was excellent. It was  
48 way more than what we expected and in fact, we actually had --



1 After the first two, we actually had to put a cap and say no  
2 more than so many people, because we were really getting packed.  
3  
4 The feedback was great and we had a total of about 179  
5 participants that completed the course and of the participants  
6 at the end of each course, everybody is given an evaluation form  
7 and asked for their comments and recommendations and so  
8 everybody pretty much evaluated the program as between excellent  
9 and good.  
10  
11 Among the many comments that they did give us, there was  
12 requests to do this more often and at more fish villas and so  
13 they do want it. They do want to see this in their areas.  
14  
15 I have a follow-up meeting scheduled now for the end of April or  
16 maybe beginning of May, depending on everybody's schedule, with  
17 the DNR Fisheries Laboratory. We're just going to sit down and  
18 go over all of this and decide if we need to add anything or  
19 change anything or modify anything and what our next steps are  
20 going to be.  
21  
22 We already have requests from other villas to go visit and offer  
23 the workshop and so we're going to be continuing doing this  
24 around the island. This is just a quick table of that  
25 evaluation form. I just pulled all the information together, if  
26 anybody wants to take a quick look at it or have any questions.  
27 Before I go into this, is there any questions regarding PEPCO?  
28  
29 **MIGUEL ROLON:** Do you plan to continue PEPCO in 2015?  
30  
31 **HELENA ANTOUN:** Yes, I hope so.  
32  
33 **BILL ARNOLD:** I just want to say I hope you continue it too,  
34 because I think it's an incredibly important program.  
35  
36 **HELENA ANTOUN:** Okay and so now just going into the GMRI, or the  
37 Gulf of Maine Research Institute, Marine Resource Education  
38 Program, a quick recap on this. A year back, one of our  
39 fishermen from Naguabo was one of the first fishermen from  
40 Puerto Rico to participate in this program.  
41  
42 He came back totally psyched and said it was awesome and we need  
43 to do this over here and then we sent another fisherman for the  
44 second half and he also came back totally psyched and said we  
45 need to do something like this over here.  
46  
47 We spoke with the people at MREP and we had our first planning  
48 committee meeting this past March of 2014 and we had a small

1 group of people that got together, including, of course, the  
2 program coordinator of MREP, Alexa Dayton, and we all agreed  
3 that yes, MREP is interested in opening a chapter for Puerto  
4 Rico and we're going to be working on that.

5  
6 We have a steering committee scheduled for May 9 and so we're  
7 going to be bringing in a couple more people, mostly fishermen,  
8 hopefully to start really seriously talking about bringing an  
9 MREP chapter to the island and doing this broad marine resource  
10 education program.

11  
12 **MIGUEL ROLON:** Helena, can you briefly explain what the program  
13 is, the Marine Resource Education Program?

14  
15 **HELENA ANTOUN:** Sure. The Marine Resource Education Program is  
16 a program that was developed first by the Gulf of Maine Research  
17 Institute. It started out as a program for fishermen by  
18 fishermen.

19  
20 Tony Iarocci can probably elaborate a little more, if I'm  
21 missing anything, but it was basically a program that the  
22 fishermen requested, because they wanted to get rid of the all  
23 the scientific jargon of council meetings and all this data and  
24 all this information and just simplify things and make it easier  
25 so that fishermen could understand how the council works and  
26 what the process is and how their information is being used and  
27 taken for management decisions and also, very importantly, how  
28 they can be more involved in the management decision and in the  
29 management process.

30  
31 The program, I participated in the management section, where it  
32 basically broke down the entire -- This entire scenario that  
33 we're having right now, they broke it down and explained how  
34 this is done and what's going on and what are Roberts Rules and  
35 all that sort of stuff and all the details and just bring it so  
36 that fishermen cannot be so intimidated by the council.

37  
38 It was just basically to give them an idea of how this works and  
39 how they can become more involved and then there's also a  
40 science section, which I'll let Tony talk a little more about  
41 that, because I wasn't in that one. Tony, if you can give a  
42 little bit.

43  
44 **TONY IAROCCI:** Thank you, Helena. I can't stress the  
45 importance of a project like this for the commercial fishermen.  
46 My first time going through this, it was up in New England in  
47 Newport, Rhode Island, in a big snowstorm. We got snowed in  
48 Newport, of all places to get snowed in.

1  
2 I was a fisherman at a roundtable and it's fishermen to  
3 fishermen from different areas and so fishermen were able to  
4 communicate and learn from the get-go.  
5  
6 You have a mock council setting, from the management end to the  
7 science end, and it brings the fishermen from the boat to the  
8 table with the management process and it's simplified fisheries  
9 management to teach the fishermen to be a part of it.  
10  
11 I think Eddie Schuster was at one and Nicky went to one, but  
12 Carlos Valasquez was so excited when he did go to that and he  
13 brought that enthusiasm back to carry this forward and I hope we  
14 can keep moving this forward and get not only people from Puerto  
15 Rico, where they're very excited, but I think there's a very big  
16 need for this in St. Thomas and St. Croix, for some of the  
17 fishermen to be able to go to that.  
18  
19 It's very good for anybody working into the council process, to  
20 get them better educated through your outreach program, and even  
21 a new council member, unlike our Tony Blanchard here, who does  
22 not need any of that guidance and help. He's already got all  
23 that stuff covered, but anybody else would be considered and  
24 this would be a great learning curve and I highly support the  
25 program.  
26  
27 **MIGUEL ROLON:** The program in Puerto Rico will be financed  
28 mostly by the council. We have Sea Grant also who will join in  
29 and an NGO that will join in and the meeting that I attended,  
30 they also this is something biblical.  
31  
32 The idea is to bring twenty-five people to learn this so they  
33 can go back to their places and pass the word around and also,  
34 we want to continue this. If this works, the idea is to  
35 transfer the same approach to the U.S. Virgin Islands, so we  
36 have another similar workshop in the Virgin Islands.  
37  
38 The one that I attended, we had a presentation by Dr. Roy  
39 Crabtree explaining the National Marine Fisheries Service way of  
40 working and we had Shep Grimes and other lawyers providing  
41 information about aspects of the law that we need to abide by.  
42  
43 Also, we found that there were fish dealers and recreational  
44 fishers and commercial fishers and charterboat operators all  
45 interested and there was one fisherman who has his own webpage  
46 and he came to the table to provide all the information.  
47  
48 I need to officially thank Tony Iarocci, because he was the one

1 who came with the crazy idea of hey, Miguel, I have this thing  
2 that is good for fishermen and we were able to secure three  
3 seats for our fishers there.

4  
5 We probably will be informing the schedule after the May 9  
6 meeting. Helena will need to work with the group and also, can  
7 you briefly tell us the approach that we have? The facilitators  
8 will be two fishermen, rather than two people from outside, and  
9 can you elaborate a little bit about that? It's key to the  
10 program.

11  
12 **HELENA ANTOUN:** Like we mentioned, this is a program that's  
13 supposed to be fishermen for fishermen and so we really want the  
14 fishermen to have a big part in this and one of the things that  
15 we will be doing is the facilitators of the workshops will be  
16 fishermen.

17  
18 We are going to get two of them and one will be commercial and  
19 one will be recreational, so that each can -- You're getting  
20 both sides and that's pretty much it. The steering committee  
21 will be working on the curriculum and that's what the whole May  
22 9 meeting is going to be mostly about, like what is the focus  
23 and where are we going to go and what do we need and who are the  
24 key people that we need to bring and how are we going to get  
25 this out? How are we going to do the outreach for this program  
26 and bring people in and then figure out the logistics?

27  
28 **SHANNON CASS-CALAY:** I just wanted to let you know that the  
29 Southeast Fisheries Science Center staff is also very  
30 enthusiastic about this opportunity. It's a fantastic  
31 opportunity for not only the stakeholders, but also those of us  
32 who could benefit from learning better collaboration and  
33 communication with the stakeholders and the managers here in the  
34 Caribbean.

35  
36 I supervise the staff that's responsible for the stock  
37 assessments that are conducted in the Caribbean and we would be  
38 very interested in helping out however we can.

39  
40 **HELENA ANTOUN:** Thank you. Yes, we will definitely be looking  
41 forward for that.

42  
43 **TONY BLANCHARD:** I think it's a good program, but I think we  
44 need to incorporate the public into this program, because a lot  
45 of times, because of how our community is set up, we interact  
46 with the same people and they want to know why something is a  
47 certain way.

48

1 I think in the translation between the fishermen and the  
2 scientists and whoever, the message would come across as to why  
3 more clearly things are done a certain way and in that, that  
4 message will be passed on.  
5

6 **ALIDA ORTIZ:** I think this aspect of communication between the  
7 scientists and the public is most important, not only for the  
8 fishermen that have to understand, but to the scientists it has  
9 to be understood and the language that we use on both sides is  
10 not always as clear as it should be and on the other side, when  
11 we say participation of the public, we have to have an educated  
12 public to participate.  
13

14 Each one of these documents that are produced for the options  
15 papers and for scoping meetings and for public hearings, they do  
16 carry a vocabulary that is very technical and that is very  
17 narrow to law and narrow to the biology or to the oceanography  
18 or the ecology, but we have to translate that and we do have the  
19 vocabulary. We just have to sort of substitute and interpret  
20 without changing the meaning, but something that makes sense to  
21 the people who have to make a decision or have to make a  
22 recommendation.  
23

24 This, I think, is where MREP, on one side, will professionalize  
25 without making it too elitist, the function of the fishermen.  
26 They will understand better and they will be also more able,  
27 more capable, of giving recommendations that make sense and  
28 recommendations that they can stand by, because they understand  
29 the basis for that.  
30

31 **MIGUEL ROLON:** Are you finished?  
32

33 **CARLOS FARCHETTE:** Before you finish, right on the heels of  
34 Alida and Helena's presentation, in yesterday's St. Croix paper,  
35 there was a reef responsible initiative for a sustainable  
36 seafood initiative that was officially launched at the 2014  
37 Taste of St. Croix, which is a big event here on St. Croix.  
38

39 I am not going to read through the whole thing, but just a  
40 couple of captions. Nature Conservancy U.S. Virgin Islands  
41 Program, partnered with the Division of Fish and Wildlife, NOAA  
42 Fisheries, UVI Marine Science, St. Croix Reef Jam, and Taste of  
43 St. Croix launched the initiative and partner organizations  
44 worked to develop a suite of outreach materials and provide  
45 training to local restaurants on St. Croix.  
46

47 These restaurants receive information on seasonal closures, size  
48 restrictions, and a good choice of what to eat and what not to

1 eat. It's not only important for our fisheries, this initiative  
2 will also help to improve the health of our coral reefs and they  
3 also mention about the importance of coral reefs to our marine  
4 habitat and coastal defense.

5  
6 By making conscious decisions about the seafood that we catch,  
7 purchase, prepare, and serve, we can all become reef responsible  
8 and, very importantly, support our local commercial fishers.  
9 Purchase seafood when in season or within the correct size  
10 restrictions and support our reef responsible-certified  
11 restaurants and the list of the ten restaurants that you have up  
12 there are here and so I will leave this out and it's a full page  
13 ad and that's very expensive here and so I think that was a good  
14 job. This was an initiative with Lia and Nature Conservancy and  
15 it was supported by the St. Croix Fisheries Advisory Committee.

16  
17 **ROY PEMBERTON:** I just wanted to add that along those lines, we  
18 had several meetings over the course of the last year or year-  
19 and-a-half where we actually developed a calendar and on that  
20 calendar will then be all those different information about the  
21 seasonal closures and what fishes are good to eat or not to eat  
22 and so forth.

23  
24 We developed the calendar so that they can place it in the  
25 restaurant, in the back. It's laminated so that the cooks in  
26 the kitchen can just look right up on the wall and see here's  
27 what I'm supposed to be looking at for this month or this  
28 particular part of the season.

29  
30 The next step to this is actually working and developing a list  
31 of licensed fishermen that are willing to then participate with  
32 the restaurants in terms of selling fish and that way, the  
33 restaurants will have a list of actual real licensed fishermen  
34 and not necessarily people that are doing it the illegal way and  
35 trying to sell fish under the table.

36  
37 **ALIDA ORTIZ:** That's great.

38  
39 **CARLOS FARCHETTE:** Right and also attached on the list that Roy  
40 was talking about, they have a list that's provided for the Go  
41 Slow and Good Choice and on good choice, they put like  
42 dolphinfish and lionfish and tuna and wahoo and go slow so that  
43 you don't overfish and they list the groupers, grunts, jacks,  
44 parrotfish, queen conch, snappers, surgeonfish, spiny lobster,  
45 swordfish, triggerfish, and whelk and under don't eat, they put  
46 Nassau grouper and the three large parrotfish of midnight, blue,  
47 and rainbow.

1 **ALIDA ORTIZ:** That's great and I hope that we will be able to  
2 partner with Lia and see how we can do that in Puerto Rico,  
3 where fish and seafood restaurants are getting very, very, very  
4 popular. Any questions?

5  
6 **TONY IAROCCI:** Two comments. Today, yesterday and today, there  
7 is a meeting in Florida and there's two representatives, Helena,  
8 from the Caribbean at that meeting that's being held and there  
9 will be opportunity for more, hopefully more, and there will be  
10 funding and support for this to send up other people.

11  
12 Also, what Shannon and what Tony had said and the importance of  
13 your comments. When I was a fisherman before -- I am looking at  
14 myself coming into MREP before I got on the council and before I  
15 got involved in management and stuff.

16  
17 I was always -- I drew the line. I was a commercial fisherman  
18 and he was a recreational fisherman and they were a council  
19 member and there was the NGOs and I kept them all -- I always --  
20 Now, and I think the other day, Genio, you said we need to form  
21 a perfect marriage with the NGOs and I said, well, maybe a  
22 relationship, but not a marriage. We talked about that and I  
23 won't get into that.

24  
25 The time has come where we are all at the same table dealing  
26 with the same issues and times are changing in the Caribbean  
27 right now. We've got to prioritize these issues and sit at the  
28 table and work together and I think, through this program,  
29 Caribbean-wide issues, Puerto Rico to start with, and you bring  
30 in the NGOs as equals with the scientists and the fishermen and  
31 talking about the same things and mock management decisions and  
32 habitat decisions, where this thing will help the process go  
33 along and enlighten everybody and not just the fishermen. You  
34 talk to some NGOs about some issues and they need to be as  
35 educated as the fishermen do and I will leave it at that.

36  
37 **ALIDA ORTIZ:** Yes, definitely.

38  
39 **EDWARD SCHUSTER:** This question goes out to Director Pemberton.  
40 With the calendar that you guys brought out, was it shared among  
41 the FAC? I would like to see it and maybe just a thought out  
42 there for you guys is to probably -- If you come to St. Croix,  
43 is to incorporate the hotel association and maybe the chefs and  
44 make them aware of species when in season and when out of season  
45 and how to identify an undersized species, especially lobster,  
46 and how to measure them.

47  
48 Gerson and I took it upon ourselves, when we had a flaw in the

1 measuring scale and we went around to restaurants that we  
2 supplied at the time and educated their chefs and the owners of  
3 measuring the lobsters with the scales that we have to identify  
4 an undersized lobster to keep it out of the fishery or in our  
5 fishery, but out of their tables or in the restaurants.

6  
7 It worked and they rejected a lot of illegal fishers that were  
8 bringing in undersized lobsters through the back door and so  
9 that's just food for thought.

10  
11 **CARLOS FARCHETTE:** Roy, I know that the calendar was put on a  
12 PowerPoint presentation at our FAC.

13  
14 **ROY PEMBERTON:** Yes, it was done several months ago. TNC came  
15 in several months ago.

16  
17 **TONY BLANCHARD:** Since I'm going to be head-to-head with Ed  
18 here, I'm going to ask to see our calendar before it goes out.  
19 I am kind of curious of what it looks like.

20  
21 **ROY PEMBERTON:** The calendar is just the closed seasons and it's  
22 not something that's developed outside of that. It's just  
23 giving the restaurant folks an idea of when to close seasons for  
24 whatever different federally-managed and locally-managed fishing  
25 species are.

26  
27 It just goes along the lines of this part of the month and say,  
28 for example, right now we have the mutton snapper closure and  
29 the areas that's closed and so it's always designated on the  
30 calendar for that particular time period. Any new regulations  
31 that come in, of course the calendar would have to be updated.

32  
33 **CARLOS FARCHETTE:** It's similar to the calendar that the council  
34 put out and I don't know if you've seen that one, but it has the  
35 same thing.

36  
37 **HELENA ANTOUN:** I just wanted to say, for the record, a big  
38 thank you also has to go to TNC, because they did, for all these  
39 PEPCO -- The Nature Conservancy, because for all the PEPCO  
40 workshops that we did that were like six hours long and those  
41 fishermen were sitting there with us for six full hours, pretty  
42 much a whole day, they did feed us and that was -- It sounds  
43 like a little thing, but it's a pretty big thing and it goes a  
44 long way and so a big thank you there for them.

45  
46 **CARLOS FARCHETTE:** Thank you and kudos to them also. We will  
47 continue.

48



1 **MIGUEL ROLON:** Now you can get to the agenda of today.

2  
3 **CARLOS FARCHETTE:** We have the Planning for FY14 Funds Received  
4 to Support Improvement in Data Collection Management in the U.S.  
5 Virgin Islands and Puerto Rico and Dr. Bonnie Ponwith.

6  
7 **UPDATE: PLANNING FOR THE FY14 FUNDS RECEIVED TO SUPPORT**  
8 **IMPROVEMENTS IN DATA COLLECTION MANAGEMENT IN THE U.S. VIRGIN**  
9 **ISLANDS AND PUERTO RICO**

10  
11 **BONNIE PONWITH:** Thank you, Mr. Chairman. Two things have  
12 happened recently that I think are very, very good news for the  
13 region. First of all, if you will remember last year, at the  
14 end of July, we sent out a notice to inform everybody that the  
15 Saltonstall-Kennedy annual call for proposals included a special  
16 territorial science initiative component as a priority area.

17  
18 Last year, the call for proposals was for up to \$10 million  
19 worth of work nationwide. It was a nationwide competition and  
20 last year's call included six priority areas. One of those six  
21 priority areas was the territorial science initiative.

22  
23 What that meant was \$1 million was pulled out of the ten and set  
24 aside and the only people that could compete for that were  
25 people who were making proposals to improve science or fisheries  
26 management in the Western Pacific and the U.S. Caribbean. That  
27 dramatically reduces the number of competitors for that piece of  
28 money.

29  
30 Unfortunately, I am not convinced there was the level of  
31 engagement for the proposals coming in from the U.S. Caribbean  
32 that we had hoped there would be and so the call for proposals  
33 for 2014 hasn't come out yet and so we don't know what's in it,  
34 but I think it would be valuable to take a look at the 2013 call  
35 and consider looking that over really carefully and using it as  
36 a point of departure.

37  
38 If the 2014 call looks like 2013 and includes the territorial  
39 science initiative again this year, it represents a really  
40 unique opportunity for getting some good proposals funded that  
41 don't have to compete with New England or Alaska. The  
42 competition is just among people proposing to do work in the  
43 U.S. Caribbean and the Western Pacific.

44  
45 Again, I think that's a really good opportunity for us to get  
46 some of the work done that we're desperate to get done in the  
47 region. It represents a really unique opportunity and  
48 capability of getting that work done.

1  
2 The rules on it are NOAA Fisheries is not an eligible recipient  
3 and so it would be the local governments and it would be  
4 academic researchers and it could be fishing groups coming up  
5 with proposals.

6  
7 The competition, in my experience, is very rigorous and so they  
8 have to be really good proposals, but it could be a way of being  
9 able to get additional data that we're all really eager to have,  
10 data like the topics that Director Pemberton had brought up and  
11 that is making sure we have really solid biological sampling.

12  
13 Not just biological sampling from the landed catch, but  
14 biological sampling from fishery-independent efforts as well, so  
15 that we understand what the length frequency and fecundity and  
16 age at first maturity of these species in their natural  
17 environments are.

18  
19 That's one piece of news and the other piece of news, completely  
20 separate from that proposal process, is that the Southeast  
21 Fisheries Science Center, under its expand annual stock  
22 assessment budget line, received a half-million dollars to  
23 devote to work on improving data collections and data processing  
24 in the U.S. Caribbean.

25  
26 If you will remember last year, in the summertime, we made the  
27 announcement that we were receiving a plus-up and it was under  
28 \$200,000 last year and we got it very late in the year, but we  
29 used that to beef up the staffing in Puerto Rico and used that  
30 staff enhancement to be able to clear some of the backlog that  
31 we were experiencing in data entry for the commercial landings  
32 data.

33  
34 That was a very successful partnership and we really achieved  
35 what we set out to do with those resources and so that was a  
36 happy day for us.

37  
38 This year, what we're looking for the plus-up that we received  
39 is, first of all, to let a contract that will focus on a  
40 sampling design to groundtruth self-reported commercial landings  
41 data. We get those data and what we're looking for is a port  
42 sampler program, where those landings can be intercepted in a  
43 way that's random and statistically sound.

44  
45 In those landings intercept sampling, we would be looking at  
46 what the catch is and collecting biological samples from the  
47 catch length and gonads for fecundity and other types of  
48 measurements and we would use that then to calibrate and

1 groundtruth the self-reported data, to make sure that the data  
2 we're using to manage these fisheries are the very highest  
3 quality.

4  
5 The contract will be to create the study design to do that work  
6 and then as that progresses, the second step will be to actually  
7 bring on additional port samplers in both the U.S. Virgin  
8 Islands and in Puerto Rico, so that we have more encounters with  
9 those fish, more boots on the deck, on the docks, so to speak,  
10 to be able to have more encounters with the fishermen and with  
11 their catches, to improve the quality of those data.

12  
13 Those are two things I wanted to bring to your attention. The  
14 earlier thing I talked about, the SK, that's Saltonstall-  
15 Kennedy, the code name for it is SK. When you see an email come  
16 through that says "SK", pay attention to that one. There's a  
17 half-million-dollar prize, potentially, associated with it if  
18 indeed it does include that focus area for the U.S. Caribbean.

19  
20 Even if it doesn't, my hope is that we would still see lots of  
21 proposals coming through from the U.S. Caribbean, because  
22 there's nothing preventing us from competing for the other focus  
23 areas when that comes out. Last year, the SK call for proposals  
24 was released on the 31<sup>st</sup> of July and there was a sixty-day  
25 turnaround for when those proposals were due and so it's a short  
26 amount of time.

27  
28 My suggestion is don't wait to see the call for proposals, but  
29 use last year's as a point of departure and begin thinking about  
30 who your partners could be and what ideas you think are good for  
31 writing those proposals and make good headway on those proposals  
32 now, so that when the call comes out, you can then refine those  
33 proposals based on the actual call.

34  
35 **CARLOS FARCHETTE:** Thank you, Bonnie, and that's great news on  
36 the possibility of increasing port samplers in the U.S.  
37 Caribbean.

38  
39 **TONY BLANCHARD:** That was along the lines I was thinking and so  
40 this money could be taken from -- Let's say Roy puts in a  
41 proposal and it's accepted. He could actually bid for this SK?  
42 That would solve some of your money problems, Roy, and so I  
43 would suggest that if it comes around, bid for it.

44  
45 **CARLOS FARCHETTE:** That's great and now all we've got to do is  
46 find funding for enforcement officers, but that's got to be a  
47 recurring funding. If it's not recurring, we can't hire.

48

1 **MIGUEL ROLON:** Graciela is always checking on this and so what  
2 the council can do is we will fetch the 2013 and Graciela will  
3 be in communication with you and then we can send it to SSC  
4 members and AP members and local governments, anybody we can  
5 think of, contacts that we have.

6  
7 **GRACIELA GARCIA-MOLINER:** We did it last year. We sent it all  
8 around.

9  
10 **MIGUEL ROLON:** I know that we did it, but the point is we want  
11 to do it again with 2014 before we get it. That will be our two  
12 contributions to the effort, but you know people who are  
13 researchers, like Richard and others at the universities, they  
14 know how fast these proposals move. Yea or nay will come within  
15 sixty days of when they are announced and we mostly will be  
16 competing with the Pacific area, the South Pacific and all the  
17 islands that belong to the U.S. in the Pacific.

18  
19 It's really a contest and that doesn't mean that we'll be out of  
20 the picture, but I encourage anybody who has anything to  
21 contribute to participate.

22  
23 **BONNIE PONWITH:** If I may, the NOAA Fisheries Service employees  
24 are not eligible recipients of the funding, as I had mentioned  
25 before, but there is no prohibition of us being involved. If  
26 you have questions of is this more important than that or if we  
27 wanted to do this, is it better to do it this way or that way,  
28 those kinds of discussions are fine and that doesn't break any  
29 rules.

30  
31 We are encouraged to engage, because anything we can do to make  
32 these important programs stronger is good, but we just can't be  
33 a recipient of the money.

34  
35 Then the second thing related to this is last year, you will  
36 remember, in June we hosted a peer review and the whole idea is  
37 we work so hard together to make our data better and last year,  
38 we held a peer review of our data collection programs that feed  
39 into stock assessments for Magnuson-Act-managed species.

40  
41 In continuing with those efforts, this year we're going to host  
42 a peer review of the stock assessments themselves, the process  
43 we use and the methods we use to assess stocks in the U.S.  
44 Caribbean and in the South Atlantic and in the Gulf of Mexico.

45  
46 I will send out an email to Miguel, but I wanted to make sure  
47 you're aware of the dates. The dates we're holding that meeting  
48 will be the 8<sup>th</sup> through the 11<sup>th</sup> of July and it will be in Miami.

1 We are going to hold the meeting at a hotel. The contract for  
2 the hotel is still being negotiated and so I can't release that  
3 information until we're sure we've got that nailed down, but,  
4 again, it's the 8<sup>th</sup> through the 11<sup>th</sup>.

5  
6 We will be extending an invitation to your Executive Director  
7 and your Council Chair, but it's an open meeting and anybody who  
8 wishes to participate and watch this unfold is welcome to and  
9 the format of it is we'll have a panel of five esteemed  
10 scientists come in and hear presentations from the staff at the  
11 Southeast Fisheries Science Center explaining how stock  
12 assessments are done and get feedback from this esteemed panel  
13 of scientists to see areas that they believe that we have  
14 opportunities to improve that process.

15  
16 Each of the three days, the three days that the meeting is going  
17 to be held to do those exchanges, will be Tuesday, Wednesday,  
18 and Thursday and so it's the 8<sup>th</sup> through the 10<sup>th</sup> and there will  
19 be a public testimony opportunity at the close of each of those  
20 days, so people who are there to observe will also have an  
21 opportunity to bring important points forward to the panel for  
22 their consideration. Thank you, Mr. Chairman.

23  
24 **CARLOS FARCHETTE:** Thank you, Bonnie.

25  
26 **TONY IAROCCI:** Bonnie, I really appreciate those comments about  
27 your support with this process and Graciela and Director  
28 Pemberton and what Tony had said earlier, we've got the three  
29 associations from Puerto Rico, St. Thomas, and St. Croix who are  
30 very interested in doing some sort of research or getting  
31 funding for something that would be a priority within the  
32 council process.

33  
34 I look to Graciela and Roy and yourself and Shannon now to look  
35 at maybe prioritizing, because the fishermen want to be a part  
36 of it, but they need direction and they need guidance in this  
37 process.

38  
39 If we could outline for them what would work for the  
40 associations to be involved and maybe kind of talk about  
41 priorities for this and then look at maybe a grant writer to put  
42 forth something, because, like you said, before you know it that  
43 date is there and you've got sixty days and if you don't start  
44 outlining and addressing your priorities and concerns for this,  
45 you blow the show and you're too late.

46  
47 I think any way we can move forward with this and get funding  
48 for the fishermen to be a part of this and to do something

1 that's a priority with the council, I am all for it.

2  
3 **TONY BLANCHARD:** I would just like to touch base on what Tony  
4 said and then I've got a question for you. Like he said, our  
5 association would be competing against people that know how to  
6 write a grant. Right now, we don't have anybody that could  
7 write a grant and so basically, you know what is happening. Our  
8 paperwork is getting discarded if it comes down to it, because  
9 we just don't have somebody that could write a grant.

10  
11 Basically, we're competing against people that have got the  
12 money to back and the grant writers to back what they want to  
13 bring forward and the government may have grant writers, but  
14 they basically deal with the government. That's the first  
15 statement.

16  
17 The second statement is the group of people that you say look at  
18 how data is collected this year is a complete separate set of  
19 people from the -- Let's say like the council would collect data  
20 in a way and let's say Nelson would collect data in a way or  
21 whichever groups are involved. The people that look at this  
22 data and analyze it is a completely different group than what is  
23 submitting the data.

24  
25 **BONNIE PONWITH:** Just for clarification, last year was the year  
26 that we did a peer review on how all the data are collected and  
27 managed to feed into the stock assessment process and that  
28 included the federal players and it included the state and local  
29 government players and it included the academics, anybody who  
30 collects data that we use in stock assessments.

31  
32 That whole process was peer reviewed and the peer review panel  
33 gave us some recommendations on here's some things you should  
34 think about doing that would make your process better. This  
35 year, in July, that same kind of a peer review is going to be  
36 held, but it will be on the stock assessments themselves. How  
37 do we determine the health of a stock in its environment  
38 relative to the way we're fishing on it?

39  
40 Those stock assessments, the process and the actual modeling  
41 approaches we're using to doing those stock assessments, is  
42 going to be peer reviewed this summer.

43  
44 **TONY BLANCHARD:** I probably was a little confusing as to the  
45 question. The people that are doing the peer review -- In other  
46 words, let's say is the council doing the peer review? For  
47 example, would they be overseeing their own data collection?  
48 That was the question.

1  
2 **BONNIE PONWITH:** For the peer review -- You're asking who is  
3 going to be on the peer review panel?  
4  
5 **TONY BLANCHARD:** Right and if they're the same ones that are  
6 analyzing their own data.  
7  
8 **BONNIE PONWITH:** For this peer review -- Let me say in general  
9 when you see the word "independent" in front of "peer review",  
10 what that means is that there are people who are completely  
11 outside of the process involved in the peer review.  
12  
13 When we do a peer review of a stock assessment for the  
14 Caribbean, for example the red hind assessment, that will  
15 include people who were watching from an arm's length away the  
16 process and so they're familiar with how the assessment was  
17 done, but in addition, some people who have had absolutely  
18 nothing to do with it.  
19  
20 The tradition is you never ask someone to peer review their own  
21 work, because there's a conflict of interest. For this review,  
22 the reviewers, the one that's going to happen this summer, it's  
23 not on one stock assessment. It's on the whole process and the  
24 peer reviewers, it will be a fisheries scientist from Europe,  
25 from the UK. He's actually from the UK. He is involved in  
26 stock assessments for the UK.  
27  
28 It's going to be a fisheries scientist from the Great Lakes area  
29 who is accustomed to doing catch at age assessments, but in a  
30 completely different region, and it will include a peer of mine  
31 from a completely different Science Center. Basically, these  
32 are people who have nothing to do with our day-to-day stock  
33 assessments.  
34  
35 **MIGUEL ROLON:** I want to know who is Bonnie's hero? Who is the  
36 person who is hero of yours, the person that you mentioned? The  
37 reason I ask you is I am supposed to put together a panel of  
38 people for the western Caribbean on some aspect of lobster and  
39 queen conch and I am looking for names. It's selfish.  
40  
41 **BONNIE PONWITH:** I would be happy to touch bases with you to  
42 find out what your requirements are and then we can get you some  
43 recommendations.  
44  
45 **GRACIELA GARCIA-MOLINER:** Whatever happened with the Cooperative  
46 Research Program? Is that still ongoing, because that's one  
47 that was used here a couple of times to actually get fishermen  
48 involved in research.

1  
2 **BONNIE PONWITH:** The Cooperative Research Program is alive and  
3 well. The call for proposals comes out usually in June and so  
4 the new call for proposals will be coming out very, very soon.  
5 That, again, is also very competitive and it has the same  
6 problems.

7  
8 We love to see fishermen involved, because that's part of the  
9 strength of the Cooperative Research Program, but it creates  
10 challenges, because fishermen are good at fishing and they are  
11 good at understanding the ecosystem, but they may not have as  
12 much experience on how to write a proposal.

13  
14 To me, the ideal collaboration in cooperative research is for  
15 the fishermen to get together with academic scientists or the  
16 fishermen to get together with government scientists, whether  
17 they be federal or non-federal government scientists, to work  
18 together to craft those proposals. In that case, we are  
19 strongly urged to be cooperators in helping to craft proposals,  
20 for at least a part of those.

21  
22 **CARLOS FARCHETTE:** Thank you. We are going to break for lunch  
23 and you'll get an hour-and-a-half. We'll be back at 1:30.

24  
25 (Whereupon, the meeting recessed for lunch on April 23, 2014)

26  
27 - - -

28  
29 April 23, 2014

30  
31 WEDNESDAY AFTERNOON SESSION

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34  
35 The Caribbean Fishery Management Council convened at the Divi  
36 Carina Hotel, St. Croix, USVI, Wednesday afternoon, April 23,  
37 2014, and was called to order at 1:30 o'clock p.m. by Chairman  
38 Carlos Farchette.

39  
40 **CARLOS FARCHETTE:** We are going to get started again. Next on  
41 the agenda is MRIP Caribbean Report by William Tobias.

42  
43 **MRIP CARIBBEAN REPORT**

44  
45 **TOBY TOBIAS:** Good afternoon. We've heard about MREP this  
46 morning and this afternoon, we're going to learn about MRIP, the  
47 Marine Recreational Information Program, in the U.S. Caribbean,  
48 specifically though in the U.S. Virgin Islands.



1  
2 To give you a little bit of background about this program, in  
3 2012, Dr. Kojis and I were contracted to conduct two workshops,  
4 one in Puerto Rico and one in St. Thomas, U.S. Virgin Islands.  
5 Puerto Rico has been involved in an MRIP program since about  
6 2000 and so they had about twelve years worth of data that they  
7 had been collected.

8  
9 The emphasis of their workshop was to look at the information  
10 they had been collecting and see what type of problems they had  
11 and how to work through those problems. For the U.S. Virgin  
12 Islands, the topic of the workshop was quite a bit different,  
13 because we have not had an MRIP program in the U.S. Virgin  
14 Islands.

15  
16 The subject matter was to take a look at the recreational  
17 information that had been collected through the years by the  
18 Division of Fish and Wildlife and to see what might be  
19 applicable to expand into a marine recreational information  
20 program for the U.S. Virgin Islands. What would be possible?  
21 It was not necessary for us to follow the norm of how MRIP had  
22 been operating in the states.

23  
24 What I would like to present to you this afternoon is a proposal  
25 which has been funded for 2013 to look at the boat-based  
26 recreational fishing effort in the U.S. Virgin Islands.

27  
28 The team leaders in this project are Roy Pemberton from Fish and  
29 Wildlife, Dr. Bill Arnold from NOAA Fisheries, myself and Dr.  
30 Kojis, as Virgin Island consultants, Graciela Moliner from the  
31 Caribbean Fishery Management Council, and Dr. Virginia Lesser,  
32 our consultant from Oregon State University.

33  
34 This project is actually laying the ground work and a first year  
35 project of a multi-year effort to collect baseline information  
36 on the recreational fishery of the U.S. Virgin Islands and to  
37 characterize the boat-based recreational fishery by utilizing  
38 the boater registration database that's maintained by the  
39 Department of Planning and Natural Resources Division of  
40 Environmental Enforcement and to conduct a pilot study of these  
41 registered boat owners.

42  
43 Our objective is to determine if the frame for surveys of  
44 recreational boat-based fishers can be derived from the boater  
45 registration database maintained by DPNR. This gives you an  
46 idea of the hard copy files that are maintained by the Division  
47 of Environmental Enforcement.

48

1 This is a St. Thomas picture. There may have been fifteen or  
2 twenty of these file cabinets and the St. Croix database of hard  
3 copies was considerably less than that, about half.

4  
5 The project methodology involved several tasks. The first was  
6 to obtain and proof the vessel registration database. This  
7 meant that all those files that you saw in the picture, all  
8 those hard copy files, had to be compared with the electronic  
9 database that was provided by the Division of Environmental  
10 Enforcement.

11  
12 We want also to compare this registration database with the HMS  
13 and saltwater angler registry databases and to categorize the  
14 vessels capable of participating in this recreational fishery.

15  
16 Status of Task 1, we have converted the vessel registration  
17 database from Access to Excel and proofed the electronic  
18 database hard copy files using the complete calendar year of  
19 2013. In St. Thomas, there were almost 3,500 vessels and in St.  
20 Croix, 1,242.

21  
22 We categorized the vessels by boat type, using powerboat,  
23 sailboat, rowboat, Jet Ski, and kayak. Any of these could be  
24 used as a recreational fishing surface platform and in progress  
25 yet is the comparison of the registration databases from HMS and  
26 the saltwater angler registry.

27  
28 Task 2 was to develop a survey instrument to characterize the  
29 boat-based recreational fishery, using the help of stakeholders  
30 and the MRIP team. We were able to conduct public meetings,  
31 along with Dr. Theresa Goedeke. Dr. Goedeke, with the NOAA  
32 Biogeography Team, had received a Coral Reef Conservation  
33 Program grant also looking at the recreational fishery, but a  
34 different aspect. She was looking at the shoreline anglers and  
35 is currently involved in a shoreline angler survey on St. Croix.  
36 We were able to develop, pretest, and revise both a mail and  
37 phone survey instrument.

38  
39 Some of the examples of questions that are on this survey are do  
40 you participate in commercial, recreational, charter, or  
41 subsistence fishing? In other words, do you use your boat for  
42 this activity? Do commercial fishers recreationally fish? If  
43 they do, where do they record that information?

44  
45 Why do you fish and what type of boats do you use? How often do  
46 you fish and where do you fish, in regard to territorial water  
47 or federal waters? Where and when do you land your catch and  
48 what are the types of fishing methods you use? What are your

1 target species and when during the year do you fish for them?  
2 What comments do you have about recreational fishing in the  
3 Virgin Islands? There are nineteen questions in the survey.

4  
5 Task 3 is to identify statistically-valid recreational boat-  
6 based fishery sector sample sizes, develop a protocol for both  
7 the mail and telephone surveys, conduct a pilot study for both,  
8 and compare the response rates for both.

9  
10 The ultimate goal we're after here is what is the proper mode,  
11 the most successful mode, with the highest response rate to  
12 collect recreational fisheries information? Is it phone or is  
13 it mail or is it both?

14  
15 We have identified sample sizes by district and these sample  
16 sizes are proportional to the vessel categories that were  
17 previously mentioned, powerboat, sailboat, Jet Ski, kayak, or  
18 rowboat.

19  
20 For St. Thomas/St. John and St. Croix, the sample sizes are  
21 going to be the same, 200 mail and 200 phone surveys. We have  
22 developed a protocol for both surveys. The phone survey  
23 protocol consists of, on day one, pre-letters go out. These are  
24 letters informing the public that we intend to contact them  
25 either by phone or by mail. This letter is also going to be  
26 prepared in Spanish.

27  
28 After day six or seven, we start initiating our contact  
29 attempts. We are going to require our interviewers to make six  
30 attempts to contact that individual by phone. The contact  
31 attempts are going to be at different times of the day and  
32 different days of the week and the results of those contact  
33 attempts will be recorded.

34  
35 Mail survey, we're using a four-step approach. The first step  
36 is going to be similar to that of the phone survey. It's going  
37 to consist of a pre-letter. However, in that pre-letter, we're  
38 going to include a stamped, self-addressed postcard asking them  
39 whether they want to receive their survey in Spanish or in  
40 English.

41  
42 Six to seven days later, the first survey mailing goes out. We  
43 are going to also test the possibility or I should say the  
44 results of using an incentive in that mail survey. Half of the  
45 individuals to receive mail surveys will receive an incentive.

46  
47 That incentive will be simply a \$2 bill thanking them in advance  
48 for their assistance and we'll compare then the response rates

1 of those that did not have the incentive versus those that did  
2 have the incentive.

3  
4 After days thirteen and fourteen, there will be a follow-up  
5 postcard if they have not responded and sent something back to  
6 us and at day twenty-eight, a second mailing, once again, if we  
7 do not have that questionnaire returned.

8  
9 The pilot mail and telephone surveys have not been started as  
10 yet. We are in the process of preparing those Spanish  
11 translations of the documents and as of this part in time, of  
12 course, we have not been able to compare response rates, because  
13 we're not there as yet. We're anticipating to start by the end  
14 of this month.

15  
16 The ultimate goal is to utilize the information from this pilot  
17 study to develop into a standard method for surveying boat-based  
18 recreational fishers in the U.S. Virgin Islands. Thank you.  
19 Are there questions?

20  
21 **TONY BLANCHARD:** I don't really have a question, but I've just  
22 got a statement. When I hear you say that you're going to give  
23 some incentives and others are not going to get incentives and  
24 see who will return what, I think you just might not get a  
25 reaction because of that. I think either you should go all in  
26 and give everybody an incentive or don't give anybody an  
27 incentive. That's just my opinion.

28  
29 **TOBY TOBIAS:** Thank you, Tony. We will take that into  
30 consideration. However, we feel that it's necessary, with this  
31 pre-survey, to test to see whether that incentive is even  
32 necessary.

33  
34 Some individuals, of course, I guess they will know one another  
35 and the word will get around and I'm sure that's what you're  
36 thinking about. We have not started this as yet. I believe we  
37 may have sufficient funds to be able to provide incentives to  
38 everyone and if that is a suggestion to take from this council,  
39 then we will consider that. However, it's not going to be  
40 possible then to test those that receive versus those that have  
41 not.

42  
43 **TONY BLANCHARD:** I wouldn't say it was a suggestion from the  
44 council. I was just speaking from my standpoint that just  
45 observing from what you say. I just don't think it's a good  
46 idea.

47  
48 I think because you're going to cause one group looking at

1 another group and why you got an incentive and I didn't get it,  
2 because you know in the Virgin Islands, just about everybody  
3 knows everybody and I think you might get a negative reaction  
4 and a backlash there and that's just me thinking and maybe I  
5 could be completely wrong, but I am just standing on the outside  
6 and listening and think that it's going to be a problem  
7 somewhere along the line.

8  
9 **BILL ARNOLD:** I am just curious, Toby, but is it possible to not  
10 have an internal means of testing the success of it and instead  
11 comparing the previous surveys done in other areas to -- Say if  
12 we're getting a 33 percent return rate, typical return rates are  
13 50 percent or typical return rates are 10 percent, and would  
14 that give you that measure of success that you need without  
15 having to get wrapped up in this incentive thing? I am just  
16 asking and I'm certainly not suggesting.

17  
18 **TOBY TOBIAS:** In order to compare the response rates, we need to  
19 have at least a 20 percent response rate from both groups. I  
20 know that this was a recommendation that was made by Dr. Lesser  
21 in a survey that she had done and we were simply going to be  
22 following suit in that regard.

23  
24 **TONY BLANCHARD:** Something just come across my mind that it  
25 might be a good idea to go to some of the local festivities and  
26 just have somebody there and go through the crowd, a local face  
27 that a lot of people know, and just ask them the questions. Do  
28 you recreationally fish? Just basic questions and see the  
29 response you get.

30  
31 I don't really -- To the best of my knowledge, that phone thing  
32 I don't think is going to work, because if you ever get a phone  
33 call on a survey and sometimes you just don't want to be  
34 bothered by it and so you just dismiss it. I think I am not  
35 sure what the percentage is by the dismissal, but I think that's  
36 going to be an issue.

37  
38 I think if you want to reach the masses that use, you need to go  
39 to where the crowds is. I think the festivals and the ag fair  
40 and different stuff like that, you might get a better response,  
41 but, like I said, that's just my opinion.

42  
43 **GRACIELA GARCIA-MOLINER:** It's a very valid one. We are  
44 developing the approach and we're trying to follow the MRIP, the  
45 way that things are done. We're trying to figure out how it's  
46 going to work in the Virgin Islands, because a previous survey  
47 that was conducted was not really successful.

48

1 We are trying to find our way and the same thing was done for  
2 Puerto Rico. We examined what we had done up to date and how we  
3 can change things. At the beginning, we even had more  
4 incentives. We were thinking about hats and cup holders and  
5 things like that, because that's part of what is in the  
6 literature and what people have done to get people to answer.

7  
8 We had that discussion and, as Toby said, we're following  
9 recommendations. There was a group of consultants who do this  
10 all the time and it's just one of the things that we have.

11  
12 We will probably think about it. Do we really answer mail  
13 surveys here in Puerto Rico and the Virgin Islands? We don't,  
14 but MRIP has a section that goes through the steps and so we're  
15 going to most likely show that it doesn't work and that our  
16 response rate is very low, so we get that out of the way.

17  
18 Our next step is to figure out a way on how to do it. We were  
19 thinking about accessing the points where people go fishing and  
20 we talked about the problem of doing that at night, when people  
21 go for mutton, for example, from the shoreline and things like  
22 that.

23  
24 This is basically trying to see how MRIP will not fit in the  
25 Caribbean, if I may put it like that, because we're checking  
26 boxes and we're trying to integrate the survey into that big  
27 system.

28  
29 We have been talking about whether this is going to be done on a  
30 yearly basis versus doing it like that, pilot studies or pilot  
31 work, but the idea about the festivals and things like that,  
32 that might be -- That is not part of the --

33  
34 **TOBY TOBIAS:** That's very interesting. We actually will be  
35 having three recreational information surveys going on. I  
36 should say not three, but one Marine Recreational Information  
37 Program survey, which is ours, but we have two Coral Reef  
38 Conservation Program survey grants going on as well.

39  
40 I mentioned Dr. Theresa Goedeke's survey of shoreline anglers  
41 and Dr. Jim Berkson also has a survey of boat ramp areas on St.  
42 Croix and so he's going to be surveying recreational fishers  
43 that use boat ramp facilities and that's not scheduled to start  
44 until October, I believe. Dr. Goedeke's survey is ongoing right  
45 now and our survey will be starting shortly and will end prior  
46 to the start of Dr. Berkson's.

47  
48 **EDWARD SCHUSTER:** The effort is good. My concern is just what

1 happened in the past when the legislature had the stir-up when  
2 we tried to do it from our FAC. Maybe some sort of approach,  
3 maybe a flyer or maybe just letting them know -- I think the  
4 Department of Health does it sometimes, saying that you might  
5 receive a phone call or something and to participate in the  
6 information.

7  
8 People get hesitant to divulge the information, because they  
9 start thinking about, wait a minute, they're going to stop is  
10 from recreational fishing and just to make them aware of the  
11 information and it's not going to harm them or take away their  
12 recreational fishing. That might be something to educate them  
13 prior to the survey. That's just a thought.

14  
15 **GRACIELA GARCIA-MOLINER:** The Coral Reef Conservation Program  
16 paid for the development of recreational fishing regulations for  
17 the Virgin Islands and so that went all the way up to the  
18 lawyers making sure that if the Commissioner or the legislature  
19 were going to sign off, it was ready to go.

20  
21 That already happened and many meetings took place and people  
22 being aware, but, again, there would have to be a fee, most  
23 likely, for the recreational fishing license and that's where  
24 the effort basically stopped.

25  
26 **MIGUEL ROLON:** The what?

27  
28 **GRACIELA GARCIA-MOLINER:** You would have to charge for the  
29 license and the idea was that people would have a recreational  
30 fishing license, but at the time, they would be submitting  
31 landings data, because that's one big gap that we have, but  
32 that's where it stopped. We developed that between 2006 and  
33 2010 and that's all I know about whatever happened to the  
34 legislation.

35  
36 **CARLOS FARCHETTE:** I know that Goedeke's project is ongoing and  
37 her interviewer is going out at night, on the beaches, and early  
38 morning. I had a suggestion for the recreational boat fishers.  
39 First of all, I want my \$2 bill to be a silver certificate, but  
40 maybe if you can put a body in the St. Croix enforcement office  
41 and the St. Thomas in June, when it's boat registration time.

42  
43 They can actually -- Anybody that comes to register their boat,  
44 they can do the questionnaire with them right there and you can  
45 get that feedback from them. That will be probably immediate.  
46 That's just a suggestion.

47  
48 **TOBY TOBIAS:** That's a very interesting suggestion. We hadn't

1 thought of that in particular. It has been a good time to catch  
2 individuals as they do come in though and collect information.

3

4 **MIGUEL ROLON:** Toby, are you finished?

5

6 **TOBY TOBIAS:** Yes.

7

8 **MIGUEL ROLON:** I was going to mention that when Graciela and I  
9 went to the MRIP Steering Committee meeting in Baltimore, the  
10 idea came up to see if we can copy what the Western Pacific is  
11 doing in their area, which is to have a panel of local people  
12 and the council and NMFS, both the Southeast Fisheries Science  
13 Center and the Regional Office.

14

15 They would come to a meeting twice a year, once to receive  
16 presentations like this and another to plan ahead, a five-year  
17 plan. The idea was to see if we can get enough information from  
18 the recreational sector to assess the information that we need  
19 for ACLs, because we are missing that part.

20

21 Right now, one of the issues that we discussed at that time is  
22 that there's a lot of people doing research here that at some  
23 level we don't know what they're doing and who is doing it and  
24 what is the relationship that it has with the data that we need.

25

26 Just for your presentation, which, by the way, thank you very  
27 much. It was very concise and to the point. We are learning,  
28 at least in the St. Croix area, that you have three projects  
29 going or through history, you have four, because you also have  
30 the one that was mentioned by Graciela.

31

32 In Puerto Rico, we have some others. The other issue was that  
33 Puerto Rico lost some money, because of whatever reasons. Then  
34 there were some people in the Gulf that were not very happy,  
35 because they put a lot of money into this project and that money  
36 could be sent to the Gulf or to the South Atlantic, but it was  
37 sent here and because the local government did not comply with  
38 what they were supposed to, we lost that and we're talking about  
39 \$180,000.

40

41 Anyway, the point is that we asked the group of people whether  
42 it was a good idea and we met with Miguel and Roy and they  
43 believed that it was a good idea, but then when we sent out a  
44 request for an opinion from the Regional Office and the  
45 Southeast Fisheries Science Center, I don't know whether we did  
46 it wrongly or whatever, but we never got any response.

47

48 I have to interpret that two ways. One is that it's in our



1 interests to have that committee or, two we did it wrongly. I  
2 decided to pull out of that exercise and leave it the status  
3 quo, because I don't want to get the council involved in  
4 something that will cost money or create some problems.

5  
6 The idea was that the two local governments will have this  
7 committee and the chair will be shared by Puerto Rico and the  
8 Virgin Islands, similar to what they do with SEAMAP.

9  
10 That way, the local government and federal government will be on  
11 the same page as to what are the data needs and where is the  
12 money coming from and who is going to do what to collect the  
13 information that we need to satisfy the needs of the local  
14 governments and the federal government and, of course, the  
15 council in terms of the data that we need.

16  
17 That's all I have and I believe that we will remove from the  
18 project and we will continue the way that we are, which is the  
19 local governments and whomever has the money will hire private  
20 consultants to do the work. Maybe in the future we can have a  
21 plan, but there's still a need for the council to receive that  
22 information on the recreational sector that we're missing.

23  
24 So far, Puerto Rico -- I don't think that you have been able to  
25 implement, Miguel, the fishing license and every time that  
26 Miguel comes here, he shies away from promising that next month  
27 we're going to approve it, because Miguel and I have talked  
28 about this privately and it seems that we are far away from  
29 implementing a fishing license in Puerto Rico, meaning that we  
30 are not -- We're not in compliance, but we are not voluntarily  
31 joining the MRIP at the national level.

32  
33 When you see the need for registration and you fish in the  
34 federal waters, you have to register with NMFS. Puerto Rico is  
35 not accepted as a valid permit or whatever. That's the status,  
36 Mr. Chairman, of the recreational MRIP.

37  
38 **CARLOS FARCHETTE:** Thank you, Miguel.

39  
40 **BILL ARNOLD:** To provide the council with some context on this,  
41 is going to be a multiphase, multiyear process just to develop  
42 the sampling design and then, of course, it will take multiple  
43 years to get enough data to actually start drawing conclusions.

44  
45 We badly need recreational information for the USVI and it's  
46 going to take a while to get it and so I don't want anybody  
47 getting anxious about this, because there's a lot left to be  
48 done.

1  
2 **MIGUEL ROLON:** Do we have, from Puerto Rico, something that we  
3 can use in the near future?  
4  
5 **BILL ARNOLD:** We are using MRIP data from Puerto Rico. That's  
6 how we divided out the commercial and recreational sectors when  
7 we set the ACLs. At least we have something there and it's not  
8 perfect, but nothing is, but we have nothing in the USVI, no  
9 real usable recreational harvest or activity information at all.  
10  
11 **MIGUEL ROLON:** In the case of Puerto Rico, my understanding is  
12 there are some doubts as to whether we will be collecting the  
13 information in the future or have you been able to secure  
14 funding for continuation of collecting that information, Miguel?  
15  
16 **MIGUEL GARCIA:** We have a new project about recreational data,  
17 but it's going to be for focusing on going over the data that we  
18 already have and that's all I know for now. I don't want to  
19 comment about the license again, but we'll see.  
20  
21 **MIGUEL ROLON:** The point is that although we use the best  
22 available data from Puerto Rico for the past years, the next  
23 five years, there's some doubt as to whether we're going to have  
24 that data again and so there will be a gap in terms of the data  
25 that you need to manage these fisheries.  
26  
27 Probably, at the end, we will have better datasets from the U.S.  
28 Virgin Islands, but then we have disparity again with Puerto  
29 Rico and you will be better off the way that you are doing it,  
30 because according to your presentation, not only do you have a  
31 pilot project, but also you will have a methodology that can be  
32 applied in the future to collect that information on a timely  
33 basis.  
34  
35 The last thing that I was going to say is that you will hear an  
36 electronic reporting pilot project report on a meeting that  
37 Carlos and I attended. There were some ideas as to how to  
38 collect the recreational fishing data.  
39  
40 In the Gulf, they have iSnapper and in other states, they have  
41 electronic reporting systems and we need to decide in the future  
42 whether we can have that electronic reporting system for the  
43 recreational fishers as well as the commercial.  
44  
45 **CARLOS FARCHETTE:** I know that we're getting a lot of pushback  
46 from our legislature and I'm pushing back also and so let's see  
47 who wins the tug-of-war. Like Bill Arnold was saying, it's  
48 going to take so many years, I want to push for at least -- If

1 not a license program immediately, at least a bag limit on  
2 recreational harvest.

3  
4 If we can get that going through our St. Croix FAC, at least it  
5 will resolve some of the issues we're having between the  
6 commercial and the recreational fishers.

7  
8 **GRACIELA GARCIA-MOLINER:** For the EEZ, you already have bag  
9 limits for all of the reef fish.

10  
11 **CARLOS FARCHETTE:** Yes and it's the territorial waters that I'm  
12 fighting with.

13  
14 **ROY PEMBERTON:** It's a complex issue and I think a lot of it is  
15 fear. From my understanding of a lot of folks that have been  
16 coming forward, their understanding of it is something to shut  
17 them down and they don't understand that these programs are well  
18 established in the U.S. and there's also an age disparity issue.

19  
20 Folks figure that I'm going to go after the grandparents out  
21 there trying to take their grandchildren fishing or something to  
22 that effect and so there definitely needs to be an education  
23 process that goes on amongst the public and so I do agree with  
24 the outreach. That's probably going to be the most important  
25 factor in trying to get the word out of how important it is.

26  
27 I can tell you what Mr. Blanchard did two weeks ago fishing. I  
28 can't tell you what any of these recreational guys -- I am  
29 hearing about pictures of big mutton snappers and things like  
30 that, but we don't have any documentation that's worthwhile for  
31 that.

32  
33 **CARLOS FARCHETTE:** Okay. Thank you, Toby. Next on the agenda,  
34 we have Electronic Reporting Project for Puerto Rico and the  
35 U.S. Virgin Islands by Point 97.

36  
37 **ELECTRONIC REPORTING PROJECT FOR PUERTO RICO AND THE U.S. VIRGIN**  
38 **ISLANDS**

39  
40 **CHARLES STEINBACK:** Good afternoon. I am going to give a  
41 presentation on kind of an overview of where we're at with an  
42 electronic catch reporting system and then also talk about  
43 lessons learned and next steps, based on kind of those lessons  
44 learned and some recommendations that we've come up with. I  
45 also have a handout that kind of summarizes all of that  
46 information as well.

47  
48 As a quick reminder, the goal of this project was to develop,

1 test, and implement an electronic catch report system to support  
2 improved tracking and quality of fisheries data and demonstrate  
3 how it could potentially aid in looking at ACLs and different  
4 management decisions. You will get a sense for that when I  
5 present the dashboard.

6  
7 It would provide fishermen with their own catch data and so as  
8 they enter data, they have access to that data themselves and  
9 then also to kind of demonstrate and work with the agencies here  
10 and the council on being a leader in the field of electronic  
11 reporting.

12  
13 As Miguel mentioned, the workshop that he and Carlos attended, I  
14 attended that as well in Seattle and nationwide, there are only  
15 a handful of I would say fisheries that are actually  
16 implementing or piloting electronic reporting and the USVI and  
17 Puerto Rico is one of those examples.

18  
19 The first phase of the project was where we're at now. I will  
20 go through the timeline on the next slide, but the main elements  
21 here were to work closely with fishermen to design what this  
22 platform would look like, work with them and kind of do a needs  
23 assessment of their exposure to technology and their exposure to  
24 Smartphones. How do they currently fish out their catch reports  
25 and what are the key elements of those catch reports, so that we  
26 could really focus in and tighten up the design of the app?

27  
28 There's a lot of emphasis on user experience and as Tony can  
29 definitely attest to, multiple iterations of different designs  
30 and bug fixing to get it stable and make sure it's robust.

31  
32 We recruited and trained fishermen from -- Fifteen from St.  
33 Thomas, seven from St. Croix, and four in Puerto Rico. In  
34 addition to the app that the fishermen used, we also produced a  
35 dashboard, where the data, as it's being collected and  
36 submitted, goes to a dashboard that then worked closely with the  
37 agency staff to think about how they would want to be able to  
38 access that information to review for quality control and  
39 assurance and then different ways in which they would want to be  
40 able to ask questions of that information.

41  
42 Just a quick rundown of the different folks that we worked with,  
43 partners on this project. This is a one-year project that began  
44 last summer and we'll be wrapping up in June.

45  
46 The beginning phase was a needs assessment and then, like I  
47 mentioned, we designed the system and then we did a lot of  
48 testing, active testing, multiple trips out to the U.S. Virgin

1 Islands and Puerto Rico. Right now, we're in the implementation  
2 or the system expansion and kind of next-steps phase.  
3  
4 This slide and the next slide are two screenshots of what the  
5 app looks like. These are just kind of selections within the  
6 app. This one is the -- As you guys know, the USVI catch report  
7 and the Puerto Rico report are different. Both are within the  
8 same app and the user can kind of select do I fish from the USVI  
9 or do I fish from Puerto Rico and they get different experiences  
10 based on how those apps are designed.  
11  
12 This here kind of shows how the catch report for the USVI is  
13 organized and designed around gear types and so an aspect of it  
14 is that you're able to select the gear type and then associate  
15 the species caught with that gear type.  
16  
17 One kind of advancement we made areas, in identifying the areas,  
18 is actually building an interactive map within the app and so  
19 instead of fishermen typing in the catch areas, they could  
20 actually grab the map or come to the map and select the  
21 different areas in which that catch was associated with.  
22  
23 I think this also kind of gets -- There was a lot of confusion  
24 when we first came out, at least in the USVI, about what blocks  
25 are we reporting to. There seemed to be different versions of  
26 grid systems that fishermen were using versus what the agencies  
27 wanted them to use and so this I think will kind of help  
28 alleviate some of that as well.  
29  
30 There is one system or one set of blocks that's kind of -- It's  
31 been authorized by all agencies as the one to be using and I  
32 think it will minimize the confusion of do I enter P or do I  
33 enter T or J, which we came across quite a bit.  
34  
35 The same thing, but for Puerto Rico. As you guys know, Puerto  
36 Rico's catch report is actually -- Instead of kind of grouped or  
37 organized around gear type, it's organized around species and so  
38 it reflects that and it's also all translated into Spanish as  
39 well and a similar type of experience and design and layout,  
40 access to a map that has those same catch blocks.  
41  
42 This is a slide of the dashboard and so as it is being  
43 submitted, it goes to an online database and to give you --  
44 There is different views of the dashboard and this is kind of  
45 the landing page of the dashboard that agencies would have  
46 access to.  
47  
48 On the upper left, you can see the total number of reports that

1 are coming in and then there's this kind of review process  
2 that's also built into it, so you can get a snapshot of like how  
3 many need to be reviewed. This is on our development server and  
4 so all of them need to be reviewed. We haven't been reviewing  
5 them and just testing.

6  
7 Then there's the component of flag and so there's this built-in  
8 ability, as you're reviewing the catch reports that are coming  
9 in, if there's a potential error or a question about what was  
10 being reported, then the administrator of the system can flag it  
11 and then send a comment directly back to the fisherman through  
12 the app and then the fisherman can fix the error or respond to  
13 the potential question.

14  
15 Then this is also giving you an example of the administrator can  
16 go in and set different targets around the ACL and then, if this  
17 was an active system fully being utilized by all fishermen, data  
18 could then start to populate in real time and measure progress  
19 around those ACL targets fairly actively.

20  
21 You can select by region and for the U.S. Virgin Islands and  
22 Puerto Rico, but also for just St. Croix or St. Thomas/St. John  
23 or Puerto Rico.

24  
25 You can also look at the catch report data itself and so what's  
26 not being shown on this dashboard, but what is active is you can  
27 filter by date range, in addition to those different regions.  
28 Then that search down there, you can search on any species and  
29 then it would basically filter down to that species for that  
30 date range and that region and show the total landings and then  
31 it would populate the map with the areas that were associated  
32 with that catch.

33  
34 This is a screenshot of being able to review the catch reports  
35 and so this is kind of a staff view, where they can go in and  
36 they can search on a fisherman's ID or their name, any of the  
37 variables that are in the system. It's a pretty robust search.

38  
39 They can then click on one of those red tabs and then the tab  
40 will expand and it will have the full catch report, where they  
41 can go in and review it and then either flag as it needs follow  
42 up or if it's a good report, then it's good and it's fully in  
43 the system and can be used for further management.

44  
45 This is a screenshot of it being used in the field. That was,  
46 as you can tell, one of our -- The screen is different or the  
47 design is different and this was early on in the project, when  
48 we first were testing the system and it has since evolved.

1  
2 In terms of usage statistics over the last seven months, we've  
3 had, like I said, twenty-seven fishers using the app. 428  
4 fishers have submitted reports in the last seven months and so,  
5 on average, about sixteen per fisherman, but that varies.  
6 There's a range there. A few guys have only submitted a couple  
7 and we have, on the other hand, a few who have a submitted  
8 sixty-five and in the fifties and forties as well.

9  
10 The dashboard is now complete, or at least meets kind of the  
11 minimal viable specs for testing and we've also been working  
12 with the Southeast Fisheries Science Center on their ability to  
13 be able to extract data from this system and so that part still  
14 needs to be tested, but I've been working with their staff to  
15 understand what their needs are in terms of exporting the data  
16 to pull into their system.

17  
18 This is myself and Thierry working on his phone. One other  
19 aspect of the dashboard that we just built and haven't had a  
20 chance to roll out yet is not only can they now submit their  
21 catch reports using the app on the phones, but a lot of  
22 fishermen expressed interest in just being able to go online on  
23 their desktop at home or their laptop or whatever they have at  
24 home and be able to enter their catch report that way as well.

25  
26 That's now available, where they can log on to the dashboard and  
27 sign in with their user ID that they use to sign into their  
28 phone, where they can add a new catch report. As long as they  
29 have an online connection, they can do it at home through their  
30 computer as well. They also have access to all their previous  
31 catch reports as well.

32  
33 Key lessons, for us, these are some of the kind of take-aways  
34 that we've learned over the course of the project. Developing  
35 the app with fishers was key. We, from the onset, worked with  
36 that group of twenty-seven fishermen to just really closely with  
37 -- And the agencies as well, to really understand not only how  
38 to design the app, but the toughest part, I think, has been not  
39 necessarily the technology or the app itself.

40  
41 Sure, there were bugs and things that we had to get through, but  
42 really, the toughest part was understanding their traditional  
43 habits in terms of entering data and how do we modify those and  
44 work with them to -- Are they submitting their reports or  
45 filling out their reports currently right after they go fishing?  
46 Most likely not.

47  
48 It may be at the end of the week or the end of the month or

1 whatever the potential requirements are, but this system will  
2 allow them to -- It's pretty easy and it takes about five  
3 minutes to run through and submit their catch report.  
4  
5 Now, I think it's probably -- We're trying to figure out and  
6 work with fishermen to kind of build those new habits around as  
7 soon as you're done fishing and go home and take shower and  
8 you're relaxing, just fill out your catch report and it's that  
9 simple. It sounds simple, but it's actually -- Those habits are  
10 somewhat kind of hard to create.  
11  
12 In terms of the project structure, one of the kind of key  
13 lessons for us or things that was difficult was project  
14 distance. We're located on the west coast of the United States  
15 and at times, we're four hours behind and so that -- It would be  
16 nice and I think things could have probably -- Some of those  
17 habit-forming things and some of the connection and relationship  
18 building could have been a bit better if we were closer or we  
19 had on-island support and that's part of our kind of  
20 recommendations of moving this project forward.  
21  
22 Limited resources, just in terms of budget. We had some  
23 hardware issues, both in terms of -- We first set out to design  
24 the app using android phones and we ran into some issues with  
25 that and had to switch over to iPhones.  
26  
27 We had some interesting issues with data plans as well and AT&T  
28 on St. Thomas and some unexpected things there. That said, it  
29 does work on both iPhone and it will be working on Android by  
30 the end of the month.  
31  
32 Fishing schedules really -- It wasn't until probably about the  
33 second or third trip that we got a pretty good sense of like the  
34 weekly schedules for fishermen and when they go fishing and when  
35 they're in the markets and where the markets are at and how to  
36 kind of track them down. I think, as Tony and Thierry and  
37 others can attest -- They might think I have some sort of  
38 tracking device on their phone, so I know where they're at at  
39 all times, to track them down.  
40  
41 Then thinking through like what are the incentives and how they  
42 need to be aligned with fishers' interests and that will, I  
43 think -- I think that will change over time.  
44  
45 I think the next incentive that -- That's part of kind of the  
46 next phase, is lining incentives around -- Like right now, the  
47 fishermen have been great and they've been awesome, given that  
48 they also have to fill out paper catch reports in addition to



1 testing this out for us themselves.  
2  
3 I think one of those incentives, moving forward, is figuring out  
4 kind of what that roadmap is for implementation with the  
5 agencies, so that we get to a point where it's viable option and  
6 they only have to submit an electronic catch report and not do  
7 double duty on both filling out the paper record as well as the  
8 electronic submission.  
9  
10 Also, I think by having the desktop and being able for them to  
11 log on online on their laptop or tablet and submit through --  
12 Not necessarily on the phone will help recruit more fishers into  
13 the program.  
14  
15 Recommendations, we've got a lot of great momentum on this  
16 project. The guys that we've been working with have been, like  
17 I said, amazing and really supportive and I think, even before  
18 we showed up, there was a lot of interest in wanting to have a  
19 program where they could submit their catch reports  
20 electronically.  
21  
22 I think we want to figure out how to best capitalize on the  
23 current investment and momentum that we have in the region. We  
24 want to make -- What are the things that we can do to make this  
25 scalable and adoptable to the region?  
26  
27 Like I mentioned, us being on the west coast of the United  
28 States, for this to really take hold, we would be looking to, in  
29 the next phase, look to find staff locally on each of the  
30 islands to really work closely with the fishermen and kind of  
31 just hound them, really, about did you submit your catch report,  
32 did you submit your catch report, did you submit your catch  
33 report, or providing access to public computers, so that they  
34 can submit their catch reports, things like that.  
35  
36 I think, moving forward, one of the things that we want to  
37 figure out and kind of move away from is we supplied all the  
38 phones and data plans and that's difficult for us to do and so  
39 we want to work towards fishermen -- I know this will be a tough  
40 issue that needs to get figured out, but that they're using  
41 their own phones and their own data plans to submit via phone.  
42  
43 We're in the process of making the apps available in the app  
44 store and so they will both be available in the app store, as  
45 well as Google Play.  
46  
47 There's some work that we have to do. We've had some back and  
48 forth with some of the agencies about that. In order to do

1 that, we kind of need to put some sort of -- Security is not  
2 necessarily the best word, but some sort of verification system,  
3 so not just anyone can download this. They would have to like  
4 download and then submit maybe their fisherman ID into the  
5 system in order to be able to access the app. If anyone was  
6 downloading it, then anyone could be submitting data to the  
7 dashboard and that just wouldn't be good.

8  
9 Then just kind of -- We didn't get a chance to do a lot of  
10 coordination with the agencies around report accounting. What I  
11 mean by that is looking at the submissions submitted  
12 electronically and then comparing them to paper records and then  
13 just doing a verification of are we seeing the same thing and  
14 are we getting the same thing. We just didn't have a chance to  
15 get to that point yet.

16  
17 Then this last recommendation here is around codifying paper  
18 list process for participants and so what are going to be the  
19 next steps that we need to work with, the agencies on both the  
20 USVI and Puerto Rico, as well as NOAA and the Southeast  
21 Fisheries Science Center, to move this in the direction of this  
22 is a viable option for fishermen to be able to submit their data  
23 as compared to a paper system.

24  
25 Kind of building on that -- I've got this slide and then another  
26 slide that kind of lays out the costs associated with each one  
27 of these phases or each one of these components of the second  
28 phase.

29  
30 We are nearing the end of Phase 1 and based on that are some of  
31 our further recommendations about what Phase 2 would look like.  
32 There is three things that we want to tackle and pretty much in  
33 this order.

34  
35 There's expansion of use and so attract thirty additional users  
36 and get the app in the app stores and then also deliver the  
37 desktop app. Like I said, the desktop piece is built, but we  
38 just haven't had a chance to work with fishermen to sign them up  
39 and get them to use it.

40  
41 Then the big component I think for us too is this roadmap to  
42 implementation. Like I just mentioned on the previous slide,  
43 that electronic submission is a viable option and working with  
44 the different partners to identify what's the checklist and  
45 what's the list of steps and timeline and identify the different  
46 policies and regulations and legal framework that needs to be  
47 put in place as well as standards.

48

1 What are going to be the electronic standards that the Southeast  
2 Fisheries Science Center and the agencies put in place to accept  
3 electronic data?

4  
5 That's just not an issue that's unique to the USVI and Puerto  
6 Rico. That is a U.S. national issue of creating standards for  
7 electronic submission of catch report data and then the third  
8 piece is continuing -- Just continuing kind of the tech piece,  
9 the development of the system itself.

10  
11 There's a laundry list of things that were brought to our  
12 attention or as we're implementing this work, oh, wouldn't it be  
13 nice to provide access to moon phases and compare that with  
14 their past catch history to fishermen or there's a list, believe  
15 me, a list of more development that could be done. Again, that  
16 would be done working closely with the fishermen and the  
17 agencies.

18  
19 With that, we have one proposal -- We are seeking additional  
20 funding and we have one proposal that's in right now with NFWF,  
21 National Wildlife and Fish Foundation. That work is to expand  
22 into Puerto Rico specifically and so it would tackle portions of  
23 the expansion of use as well as begin to work on the roadmap to  
24 implementation.

25  
26 In addition to that, that just kind of covers one piece of it  
27 and so the total amount that we're looking to go and raise money  
28 around to carry out this second phase is \$375,000 and then it's  
29 kind of broken up into these different phases.

30  
31 The expansion online support is getting additional users, but  
32 also having funding to contract or staff locally on each island  
33 to work closely with the fishermen to carry out the expansion  
34 and then the second component, like I touched on the last slide,  
35 is roadmap for implementation and then just continue development  
36 is more of kind of software development piece and so with that,  
37 I am happy to answer questions.

38  
39 **MIGUEL ROLON:** Before I forget, there is a fisherman, Carlos  
40 Valasquez, and he was expecting to be part of the first line,  
41 but somehow, he didn't receive the equipment and so I encourage  
42 you, if you go to the second phase, to please include that  
43 group, because they fish different from the west coast.

44  
45 The question I have before the council discusses the whole thing  
46 is we have, at the national level, an initiative to go, as much  
47 as possible, to push for electronic reporting systems wherever  
48 applicable.

1  
2 We are going to be discussing it in the near future, the  
3 initiative with National Marine Fisheries Service. This  
4 initiative is about reporting, electronic reporting, and also,  
5 we discussed with Puerto Rico the proposal that was presented  
6 here by the Dr. Gonzalez and I don't know what happened with  
7 that, but we need to ask Miguel.

8  
9 The point is that the Point 97 project is way ahead of what we  
10 expected so far. They discussed money and you need talent and  
11 you need the concurrence of the fishers and so forth and we need  
12 to discuss here what the council would like to do with this  
13 pilot project and also the local governments.

14  
15 You mentioned it lightly, but we need three points. We need a  
16 person at the Southeast Fisheries Science Center or a machine  
17 and the software and another one in Puerto Rico and another one  
18 in the Virgin Islands, to make sure that the records that are  
19 sent are correct and they have bells and whistles there that  
20 they can track that or we can have just two people, one in  
21 Puerto Rico and one in the Virgin Islands, as we do now, to make  
22 sure that the data is correct and then the data will be  
23 forwarded to the Southeast Fisheries Science Center when  
24 cleared.

25  
26 The other part is that Charles and some of the guys from Point  
27 97 were talking about the possibility of the council giving a  
28 letter of support to the proposal that you have, because it  
29 costs a lot of money and I don't know whether we will have money  
30 from government sources to pay for this local and federal.  
31 Those are the points that we need to discuss and the idea is to  
32 have some clear direction as to where the council wants to go  
33 with this.

34  
35 **NELSON CRESPO:** I showed this application to a few fishers on  
36 the west coast of Puerto Rico and when they get familiarized  
37 with the application, all of them all agree that it's more easy  
38 to fill this form instead of the one that is the traditional  
39 trip ticket that they usually use to fill and then send to the  
40 DNR Lab.

41  
42 They also all agree that they can maybe bring the data in the  
43 same day that they are going fishing or maybe during the week  
44 and that is perfect in the scenario of the deepwater snapper  
45 that we have to be looking at the reports, because this -- Maybe  
46 in the near future, if we find the funds, maybe this council can  
47 consider to add the deepwater snapper fishers to this project,  
48 in conjunction with the local government.

1  
2 **CARLOS FARCHETTE:** So I guess you're agreeing on the letter of  
3 support.  
4  
5 **GRACIELA GARCIA-MOLINER:** No one else can see the fisher's  
6 report, right? Only he can see it and the public can actually  
7 see the total amount? Can we see the total amount or not yet?  
8  
9 **CHARLES STEINBACK:** Not even the total amount. It's all secure  
10 and so fishermen can only see their information and nobody  
11 else's information and administrators of the system, like the  
12 agencies, can see the total amount, as well as each fisherman's  
13 information.  
14  
15 **TONY BLANCHARD:** I think, from working with Charles, they've got  
16 a lot of potential. I see it going in the right direction and a  
17 lot of the guys would all agree that this ain't a bad idea. The  
18 only problems that I see with it is that for some of the older  
19 guys, you have to ask them for the investment of a computer and  
20 some of them don't want to learn how to use a computer and  
21 that's a mindset and I will include myself in that group.  
22  
23 It's not the ability of not knowing how to work it if I choose  
24 to do it, but it's just that I don't want to. I have no  
25 interest in that.  
26  
27 As for the phones, once you incur a computer and a phone, that's  
28 another bill to pay and we all know how tight money is and so  
29 some of the younger guys, they're into the phones and all the  
30 rest of the gadgets and gizmos that go with it, because that's  
31 just their thing.  
32  
33 The older guys, I see them sticking to the paperwork and this  
34 could be adapted, like Charles says, if you're going through the  
35 computer. You have a base where they go to and they give them  
36 the paper trail and somebody there enters it into the computer  
37 to avoid a problem, but I don't think that it being standing by  
38 itself to ask a fisher to go out and make an investment of a  
39 phone if he chooses not to and to have to get the internet,  
40 because you need internet access for this and I'm pretty sure  
41 about that, or to get a computer. You're asking them to incur  
42 another bill.  
43  
44 Like I say, if you have a station where they could go to and  
45 have somebody that knows how to use the computer log it in, I  
46 could see it working to pretty much probably a ninety-something  
47 percentage on the working side.  
48

1 **MIGUEL ROLON:** Tony, as we discussed, it's an excellent idea and  
2 just to give you some information, we discussed this with some  
3 of the fishers that represent the fishermen associations in  
4 Puerto Rico and also, I discussed it at a meeting that was held  
5 in Puerto Rico and they have special projects.

6  
7 They all concurred that whenever the local government develops a  
8 reporting system and/or the federal government a reporting  
9 system that the majority of the fishermen are willing to  
10 participate, provided they have a station such as the one that  
11 you just described.

12  
13 The reason, one, is some of them don't even know how to read or  
14 write and their daughters, their children, their wife, they do -  
15 - They are knowledgeable about this and they are the ones who  
16 take care of the number crunching.

17  
18 If this flies, and I hope that it will, we have mechanisms to  
19 accommodate the type of fishermen that you were talking about  
20 through these stations.

21  
22 Also, in the case of Puerto Rico, what Nelson brought to the  
23 discussion, some of the fishers that work for the deepwater  
24 snapper grouper, the fishers, they are in the -- Supposedly all  
25 of them should be in the program, limited entry program or  
26 special permit program, that Puerto Rico implemented through an  
27 executive order.

28  
29 They could do it voluntarily at this time or they could do it --  
30 If you want to be in, you have to go into the reporting. The  
31 reason for that is that the ACLs and this fishery are linked in  
32 a way that's kind of special, if you compare it to the rest of  
33 the island, but that's a possibility, to have the electronic  
34 system for these people.

35  
36 The other angle that we were talking is that this presentation  
37 is only for commercial fishermen and we are not including at  
38 this time recreational fishers, but that will be another stage.  
39 Two points. Can we go ahead with this type of project, if the  
40 council is going to support it? We would like to hear comments  
41 from the local government and the federal government as to  
42 feasibility of having something like that.

43  
44 Then if it's yes to this question, then we have to sit down and  
45 prepare a plan of action, similar to what the National Marine  
46 Fisheries Service is trying to do at this time.

47  
48 **ROY PEMBERTON:** Tony, we don't want to make this more of a

1 hardship for any of the commercial guys. We have talked about  
2 this in-house and the possibility of setting up a terminal  
3 there, where fishers can come in and input the information that  
4 way electronically or what have you.

5  
6 There is also talk with working something out with VINGN in  
7 local areas around the various districts, where there will be  
8 the possibility of a portal available for fishers to utilize to  
9 kind of get their data inputted.

10  
11 In terms of the rapid uplink of the data, I think it's very  
12 important that we can get the data that quickly, because then we  
13 can make some management decisions, particularly when it comes  
14 to some of our quota-based fisheries like queen conch and so  
15 forth.

16  
17 Everything being ACL driven, we can make sure that we can stay  
18 out of the problem areas of having to deal with ACL overages and  
19 so I think it's a positive thing. From the beginning, we have  
20 supported this project and we're very much looking forward to it  
21 going to a different level also, the possibility of taking it to  
22 the recreational fishing group.

23  
24 I know that's further down the road, but that's something that  
25 we were looking at it as well, as a possibility, especially  
26 since it could be potentially app-driven and that potential for  
27 the community being able to download it to utilize it and upload  
28 information, along with a picture of the catch.

29  
30 A lot of folks like to show off that kind of information and so  
31 we would be willing to push that forward and it will have full  
32 support from my division.

33  
34 **EUGENIO PIÑEIRO:** In fisheries management, as in life,  
35 everything winds up to pitting costs versus benefits. In our  
36 case, or in the case of Puerto Rico specifically, Nelson's  
37 Snapper Unit 2, they really had a lot of economic damage caused  
38 to them and I believe that with good use of this electronic data  
39 reporting system that this can be avoided in the future and I'm  
40 pretty sure that our brethren in the Virgin Islands will be able  
41 to deal with that and use it for their benefit, too.

42  
43 **TONY BLANCHARD:** I think the council should support it. I think  
44 it's a good -- We are headed in the right direction. I think we  
45 just might need to adjust certain things to accommodate for a  
46 period of time.

47  
48 What I would also like to see is in the program if you could

1 have the information to all the fishers that plug into it of  
2 where we are sitting from the ACL to the fish species. In other  
3 words, if we're going to meet the grouper ACL, how far we is  
4 from it, like a countdown, like a clock countdown. I think that  
5 would be beneficial to all of us.

6  
7 That way, we're going to know whether we need to scale back or  
8 whatever and give us an idea of where we're sitting for us to  
9 decide how we're going to deal with it. That's just a  
10 suggestion to me, which I think that you probably could do it.

11  
12 **CARLOS FARCHETTE:** Thank you and you know, you were talking  
13 about -- Roy Pemberton mentioned VINGN and that's Virgin Islands  
14 Next Generation Network, where the VI government got funded like  
15 \$100 million to bury high-speed internet.

16  
17 They've already gone all through all that, but the company now  
18 is mandated to provide mitigation opportunities and if Lia was  
19 here, she would talk more about it, because she's going to take  
20 it and run with it, because we agreed where they could have  
21 stations that the fishermen can actually go in there now and put  
22 in their information.

23  
24 **CHARLES STEINBACK:** Yes, we talked to Lia yesterday and she  
25 mentioned this as well.

26  
27 **CARLOS FARCHETTE:** We will talk some more down the road, but I  
28 also want to talk about -- I know in St. Thomas I was mentioning  
29 about being able to -- When you Dropbox the discards, if it's  
30 species identified or if not, can they type it in or not and  
31 we'll talk more about that.

32  
33 **CHARLES STEINBACK:** That's a good point and to be clear, we just  
34 took the existing catch reports and turned that into an app and  
35 so I think one of the nice things about it being electronic is  
36 if changes need to be made to the catch report, like the one you  
37 suggested or if there are future ones, instead of making that  
38 change and printing out thousands of paper catch reports, you  
39 can just make the change within the app and push a new version  
40 of the app out and you would see that information being  
41 available for them to fill out.

42  
43 **MIGUEL ROLON:** This may be a business question, but do you  
44 envision Point 97 selling the software once it's finished to the  
45 local governments, to the local people, so they can finish  
46 whatever or do you envision yourself attached to this forever?

47  
48 **CHARLES STEINBACK:** That's a good question. I think where we



1 would like to get to -- I think if we could get through this  
2 second phase of expansion, adoption, and fix some enhancements  
3 to the system, I think where we would like to end up is  
4 basically like licensing the system to the local government,  
5 like on a kind of yearly license subscription.

6  
7 Really, what that would cover, and I don't know the cost of it,  
8 but it wouldn't be a lot. Basically what that would be is just  
9 continued like technical support. At that point, there would  
10 probably be, hopefully, in place like the on-island support to  
11 kind of do the leg work on the system, if there's the on-ground  
12 technical support covered by the agencies or local partners.

13  
14 I think we're still a few years off on that and that's the model  
15 that -- We have projects like this in a few other places as well  
16 and we're kind of advancing the projects to get to that point of  
17 implementation and then once they're implemented, then it's  
18 basically the software would then just be licensed to the  
19 administrating entity.

20  
21 **MIGUEL ROLON:** The other question is we are discussing this one  
22 company and one project and one pilot study, but if the day  
23 after tomorrow, I announce that this area is interested in  
24 developing that, maybe we'll have a myriad of people coming in  
25 and then we have to follow the process that we are not familiar  
26 with, bidding processes and everything.

27  
28 Personally, I doubt it very much that they will be as far as you  
29 have gone, but one lesson that we learned at the national  
30 meeting in Seattle was that this works only when you have the  
31 people from the base up working together, meaning the fishermen.

32  
33 Every project that we have presented to us at the meeting in  
34 Seattle, and this meeting had people from Europe and people from  
35 Africa and all over the United States, and they all agreed that  
36 the constituents had to be involved from the get-go.

37  
38 They also agreed that it should be easily accessible, meaning an  
39 application that can be used on your tablet or on your cell  
40 phone or a desktop and that will make the difference, actually.  
41 He said that once you get into the desktop, you probably will  
42 have a lot more people involved in getting into this.

43  
44 The other point is that the local government must have a person,  
45 a warm body, dedicated to this work, because otherwise, you  
46 won't be able to validate the data that you need to do to submit  
47 it to the local government.

48

1 Also, this is not the first time we do something similar,  
2 because already the data is collected for the TIP Program, the  
3 Trip Interview Program. It's entered into an electronic format  
4 and sent to the Southeast Fisheries Science Center and this is  
5 the only data that we have now, basic stuff, done that way.

6  
7 The other thing that I like about this project is the dashboard.  
8 This morning, we were talking about how difficult it is to know  
9 where you are with the ACLs, but if we ever get into an  
10 electronic reporting system that will cover X percent of the  
11 total amount of fish that is landed here, then you will be able  
12 to assess where you are in terms of the ACLs. You will be able  
13 to pinpoint what time of the year you should close and what time  
14 of the year you should keep it open, et cetera.

15  
16 At this point, Mr. Chairman, what we need from the council is  
17 whether you would like to submit the letter of support and also  
18 the reaction from the Southeast Fisheries Science Center and the  
19 Regional Office, if any. You don't have to say anything, but I  
20 am curious.

21  
22 **PHIL STEELE:** You made a good point a few minutes ago, Miguel,  
23 that the national incentive is to go towards electronic  
24 monitoring and electronic reporting. Both the Gulf and the  
25 South Atlantic have taken actions to require electronic  
26 reporting from their dealers, number one, and that's just passed  
27 as a final rule.

28  
29 We also passed a rulemaking this year to require electronic  
30 reporting from our headboats and we are somewhat down the road a  
31 little bit requiring electronic reporting from our charterboats.

32  
33 It's all about the ACLs and providing more accurate and timely  
34 data and this was kind of the rationale we've used in a lot of  
35 ways to let -- The buy-in from the fishermen is critical and if  
36 they see that we get more accurate and timely data, instead of  
37 having to use projections and so forth, they stand a better  
38 chance of having a longer or a better fishing season and so this  
39 is the hook that we use.

40  
41 We're certainly in support of this. Now, to go forth with this  
42 same message here, we're doing it, I think, but to go forth with  
43 requiring electronic reporting, of course, we'll have to go  
44 through rulemaking and the whole process that we normally do,  
45 but, like I say, buy-in from the fishermen, the idea being  
46 better and quicker. It's better for you and those ACLs and so  
47 we certainly support it.

1 **TONY IAROCCI:** Phil, you pretty much covered a lot of the issues  
2 I was going to say, but this is the future, this kind of  
3 reporting. I remember yesterday, in Bonnie's presentation,  
4 where she said the cool things that the South Atlantic and the  
5 Gulf are doing and to support what Nelson Crespo had stated  
6 about the deepwater snapper fishery on the west coast of Puerto  
7 Rico.

8  
9 It is a very unique fishery and you have mainly one dealer and  
10 you talk about dealer reporting and the efficiency of the dealer  
11 reporting and Genio Pennetta is pretty much -- He buys most of  
12 that stuff and I think if you carried this to the next step and  
13 had him put the data together for the fishery there, because I  
14 think is the majority -- Nelson, correct me if I'm wrong, but he  
15 does buy the majority of the fish there and so it would be one  
16 reporting and it would be like a dealer reporting and that would  
17 take the time and get the efficiency of getting the data  
18 quicker.

19  
20 **CARLOS FARCHETTE:** Thank you, Charles. If there's no other  
21 questions, we would like to go in support of the letter for  
22 expansion and implementation of this. Everybody say aye; any  
23 nays; any abstentions. Hearing none, the motion carries.

24  
25 **MIGUEL ROLON:** Charles, when will you know whether your proposal  
26 has been approved or not? What will be the schedule of your  
27 next steps as you presented today?

28  
29 **CHARLES STEINBACK:** Good question and so the one that we have in  
30 now, we'll know probably in June and so we'll get it submitted.  
31 It's due at the end of this week and so we need that letter  
32 soon.

33  
34 We will know about that one in June and then we have a couple  
35 other prospects that we're going after right now to raise the  
36 rest of the funds and so it's high on my list of things to raise  
37 money around and so we'll definitely be in close communication  
38 on that.

39  
40 One other thing is we actually have two other proposals actually  
41 that were NOAA opportunities that weren't funded already and so  
42 we're looking to repurpose those as well.

43  
44 **CARLOS FARCHETTE:** Thank you. We're going to bump the fishery-  
45 independent data workshop plans and I have Shannon Calay. Then  
46 after that, we're going to have Lang Bank Report by Dr. Jorge  
47 Garcia-Sais. Actually, trap reduction and then Lang Bank.

48

1                                   **FISHERY-INDEPENDENT DATA WORKSHOP PLANS**

2  
3   **SHANNON CASS-CALAY:** Thank you very much and I will endeavor to  
4 make this short, since I think most people would like to have a  
5 cookie. This is work that Bill Arnold and I have been working  
6 on together, along with Meaghan Bryan and Jennifer Shull at the  
7 Southeast Fisheries Science Center.

8  
9 The title of this proposal was "U.S. Caribbean Fishery-  
10 Independent Survey Workshop to Evaluate Extant and Novel  
11 Fishery-Independent Surveys in the U.S. Caribbean in Order to  
12 Maximize Utility for Stock Assessment".

13  
14 Just so I don't forget to say it, the tentative workshop dates  
15 for this event are the second or third week of September of 2014  
16 and this workshop will occur in Miami, Florida. The  
17 participation is still open to negotiation. We would very much  
18 like to have expertise from the U.S. Caribbean. If you are  
19 interested in participating in this workshop, contact Bill,  
20 myself, or Graciela.

21  
22 The specific objectives of this workshop are to evaluate the  
23 design, data collection methodologies, et cetera, of the  
24 available fishery-independent surveys that exist in the  
25 Caribbean and to explore the utility of these surveys with  
26 respect to stock assessment.

27  
28 In many cases, we have not successfully used some existing  
29 surveys in the stock assessment context, due to some temporal or  
30 spatial -- Well, basically they're short duration, often, and  
31 they're often spotty or small locations or discontinuous  
32 locations.

33  
34 What we would like to do is really evaluate the methodologies  
35 for each of these surveys that exist and make some short-term  
36 and long-term recommendations on how to improve data collection  
37 methodologies to enhance the utility of this information for  
38 stock assessment, recognizing that many of these surveys occur  
39 for different purposes other than stock assessment. They need  
40 to remain consistent to the objective of those surveys, while  
41 enhancing our ability to use them for stock assessment.

42  
43 We would also examine some of the costs and benefits that could  
44 be obtained from this enhancement and the group would also try  
45 to discuss some action items, some things that could be done  
46 over a shorter term that would greatly benefit these surveys in  
47 the context of stock assessment.

1 The scope of the work, we intend to focus on the U.S. Caribbean,  
2 but there may be something we can learn from surveys that exist  
3 in other areas, such as the Dry Tortugas or the Florida Keys,  
4 but the focus will be on the U.S. Caribbean.

5  
6 We intend to examine all the available fishery-independent  
7 surveys, including historic surveys that no longer occur. For  
8 example, diver-based visual surveys, which are critical here in  
9 the Caribbean, SEAMAP Caribbean survey, the St. Croix trap  
10 study, trap studies in general, as well as ROV studies, camera  
11 surveys, or deep diver surveys.

12  
13 Just a brief walkthrough of the agenda, this is a three-day  
14 meeting that we envision and on the first day of the meeting, we  
15 would review the available models that we're using in the United  
16 States Caribbean to conduct stock assessments and their data  
17 requirements.

18  
19 We would discuss current practices that exist and this would be  
20 just a short primer to how we conduct business today in the U.S.  
21 Caribbean and how we use indices now. The afternoon session  
22 would be -- We would begin to describe each index and so I kind  
23 of mentioned what we would want to know, but, for example, the  
24 selection of the sampling locations. For example, are they  
25 stratified by habitat?

26  
27 The sampling intensity, including the temporal spatial coverage  
28 of the sampling effort, and the frequency of occurrence of  
29 relevant species. We would also like to know the data that's  
30 collected, in terms of number of species, length information,  
31 gender, age, sampling for hard parts, and the training and  
32 equipment needs for these surveys.

33  
34 We envision identifying a point of contact for each of the  
35 surveys that we know to exist and have that point of contact  
36 prepare a thirty-minute presentation to describe these  
37 variables. We will be reaching out to many who have expertise  
38 in these fishery-independent surveys between now and September.

39  
40 This discussion would continue into day two, but in the  
41 afternoon of day two, we intend to look at the integration of  
42 these surveys into stock assessment and enhancement and so we  
43 would be describing the strengths and weaknesses of the surveys  
44 with respect to assessing the status of stocks and we would be  
45 looking at what we're calling a gap analysis, which just means  
46 is there sufficient spatial and temporal coverage?

47  
48 Are there animals or taxa that cannot be observed by a survey?

1 For example, are there deepwater fisheries but we're using a  
2 shallow-water methodology or are there diver shy species or  
3 cryptic species that cannot be observed? There are plenty of  
4 other things that could occur on this list, but these are the  
5 ones that came to mind.

6  
7 Then on day three, we would discuss what additional sampling  
8 might be required to enhance the utility of an extant survey for  
9 stock assessment purposes and the predicted benefits that could  
10 be obtained from that enhancement.

11  
12 Finally, in the afternoon of day three, we intend to develop our  
13 workshop summary and recommendations and so those would be the  
14 consensus recommendations from this working group, if possible,  
15 and also some action items that we recommend take place in the  
16 shorter term and I have reached out to many.

17  
18 This is a list of the folks who have gotten an email from me to  
19 date. We would also like to find additional participation from  
20 the U.S. Virgin Islands and Puerto Rico and Graciela has  
21 provided me with an additional list and, like I said, this is an  
22 open workshop.

23  
24 We have a small amount of money to fund some travel, but we  
25 don't intend to turn away people who can arrange their own  
26 travel funding and so I think this is an exciting opportunity  
27 and I hope that many of you will reach out and be involved if  
28 you have important work to describe to us.

29  
30 Anyway, if you need to contact somebody, you can go ahead and  
31 contact Bill Arnold or myself or Graciela and we will make sure  
32 we circulate that communication. Thank you very much.

33  
34 **MIGUEL ROLON:** We have been dragging \$10,000 since last year  
35 that was a contribution to this and Bill and I have been in  
36 conversations and we would like to use that money as best as  
37 possible and so I will rely on you and Bill to allocate those  
38 funds the best way and, also, we were talking about the  
39 possibility of in-kind contributions to provide the recording of  
40 the meeting and I believe the meeting will be someplace in  
41 Miami. Do you have the actual dates in September or it's too  
42 premature for that?

43  
44 **SHANNON CASS-CALAY:** I wish I had the actual dates, but I don't.  
45 We have narrowed it down to two weeks in September and it's the  
46 second and third week of September and it's just a matter of  
47 finding availability either at the Science Center itself or,  
48 preferably, across the street at the laboratory, but I will get

1 that information very shortly.

2  
3 As far as additional support from the council, we are very  
4 grateful for that offer and I hope that we can make that work.  
5 That would be very helpful and we do intend to write a report as  
6 the deliverable product of this meeting and I know we had some  
7 discussion of a translation to Spanish too for that report and  
8 so we would be very interested in that. I think this could be a  
9 very productive collaboration and so I thank you very much.

10  
11 **MIGUEL ROLON:** Also, I discussed briefly on the side, and not on  
12 the record, but there is a lot of countries in the Caribbean  
13 that when I talk to some of the key people, they are looking at  
14 the product of this workshop and now that we are on record that  
15 it's going to happen, once we have a product like this, we can  
16 distribute it to the Secretary of WECAFC and OSPESCA and the  
17 Caribbean Regional Mechanism for Fisheries and, as I said, they  
18 have a lot of scientists that are looking forward to this,  
19 because they have done similar exercises, but this will be kind  
20 of comprehensive and in one place.

21  
22 **CARLOS FARCHETTE:** Thank you. We are going to move forward with  
23 Tony Iarocci and Lobster Committee and Lobster Trap Program.

24  
25 **LOBSTER COMMITTEE AND LOBSTER TRAP PROGRAM**

26  
27 **TONY IAROCCI:** Thank you, Mr. Chairman. I want to start off  
28 with a quick report of the Spiny Lobster Management Committee  
29 from St. Thomas. First, the committee would like to thank the  
30 council and DPNR for their support in helping the fishermen co-  
31 manage their fishery with a bottom-up approach that all user  
32 groups have a say in the management process.

33  
34 The committee has been addressing their goals, priorities, and  
35 objectives. As with the fish trap plan, the main goal of the  
36 lobster committee is sustainable management of the resource, but  
37 not reduction planning, as it was with fish traps.

38  
39 They want to preserve and protect the historical and cultural  
40 Virgin Islands lobster fishery and make sure all user groups are  
41 represented and involved. They want to address the ACL with  
42 better data.

43  
44 They are very concerned about, and this has been said and I'm  
45 glad Howard is here to hear this, but the sale of undersized and  
46 imported tails to be documented, because that's addressing their  
47 market. They want to improve enforcement and they have concerns  
48 about the lobster habitat and there is some issues with opening

1 of a lagoon on St. Thomas.

2  
3 They would like to stabilize the lobster fishery with the right  
4 amount of traps and they do have data requests. They want a  
5 breakdown of each gear type in the landings and we will be  
6 scheduling a next meeting and address some of these issues in  
7 the future. At this time, I would like the new President of  
8 STFA to maybe say a few words about the committee and his  
9 involvement in the process.

10  
11 **THIERRY LEDEE:** Good afternoon. My name is Thierry Ledee and  
12 I'm President of the St. Thomas Fishermen's Association. I am  
13 looking forward to working within the council process and  
14 representing the St. Thomas Fishermen's Association and the  
15 fishermen of St. Thomas.

16  
17 Also, Julian Magras sends his regrets for not being at this  
18 meeting, but looks forward to working with everyone in the  
19 future. Finally, thanking the council for their support in the  
20 fish trap reduction plan and hopefully finalizing the plan.  
21 Last, but not least, I have been through a couple of these  
22 meetings, but this one has been the most interesting.

23  
24 **CARLOS FARCHETTE:** Thank you for that.

25  
26 **TONY IAROCCI:** Thank you, Thierry, and I think we all appreciate  
27 your involvement now as the new president and also being at  
28 these meetings. I know it's hard to take, like you said, four  
29 days away from the meeting.

30  
31 Next, I would like to start in on the trap study that we're  
32 doing and we do have -- I want to thank Tom Matthews for taking  
33 the time to be here for this project. He is here and he will  
34 get a few things to say, but just a little background on this  
35 project.

36  
37 We do have four sites with a hundred traps per site being built  
38 by the fishermen. Area fishermen will build their own traps and  
39 haul their own traps and gather data from each haul. Tom is  
40 finalizing the data sheet right now and he does have copies of  
41 that and we'll have it both in English and Spanish. Hopefully  
42 someday this can be done electronically, similar to what we've  
43 talked about earlier.

44  
45 The proposed research addresses research needs identified in the  
46 ACL draft amendment to the United States Caribbean to determine  
47 fisheries-independent CPUEs for principle gear in the Caribbean  
48 and develop and implement effective sampling programs for



1 fishermen.

2  
3 The latter recommendation highlights the need for information  
4 that can be utilized for assessment in the pending SEDAR review  
5 for spiny lobster. We will test alternative trap designs tested  
6 in Florida to reduce bycatch of fish traps, movement in storms,  
7 and also use pop-ups and leads on the ropes.

8  
9 To date, I spent one week in Rincon building traps and one week  
10 in Naguabo. This week, I am here on St. Croix and I think,  
11 Helena, if you're prepared, we could maybe go into your  
12 presentation and then I can phase into Tom with his stuff, so  
13 they can see exactly where this thing is going.

14  
15 (Whereupon, there was a video presentation showing construction  
16 of lobster traps.)

17  
18 **MIGUEL ROLON:** Helena, I believe that this video can also be  
19 used for PEPCO, to expand the word that this project is going  
20 on.

21  
22 **CARLOS FARCHETTE:** Great job and great job by Helena with that  
23 video.

24  
25 **MIGUEL ROLON:** We have three good pictures of Helena, but she  
26 was modest. Also, she went and worked with the fishermen  
27 building traps and that's the way of doing it, working with the  
28 fishermen and participating. That's one of them and so thank  
29 you, Helena.

30  
31 **TONY IAROCCI:** I can't begin to thank you, especially with the  
32 accompaniment of Bill Arnold on drums along with that. That  
33 went very well and, Helena, I know a special thanks from all the  
34 fishermen too because of your involvement.

35  
36 You made this project so much easier to work with and that right  
37 there, hopefully everyone will get a chance to see that and the  
38 importance of especially that one picture with that funnel, when  
39 Carlos had that six-and-a-half or seven-pound lobster going in  
40 and out, because they all, at the beginning, they all said these  
41 little traps will not work and we work big traps and they won't  
42 go in that funnel and they won't go in the top of the trap.

43  
44 Then you saw a picture is worth a thousand words. You did see  
45 how these traps do work and they're able to fish differently,  
46 where now they can pick these smaller traps up and put them on  
47 the boat and move them to where they're catching lobster and  
48 they fish more efficiently and not have to worry about that big

1 heavy trap and dealing with that, especially with the smaller  
2 boats.

3

4 I will address some other stuff, but while we do have Tom and I  
5 know it's getting late, I would like Tom Matthews to come to the  
6 table and address the group.

7

8 **TOM MATTHEWS:** Thank you, all. I am really looking forward to  
9 working down here again. I know about half of you at the table,  
10 but I actually haven't done that much work in the Virgin Islands  
11 and Puerto Rico.

12

13 I am sort a one-species kind of a guy. Lobsters is pretty much  
14 all I've ever done, but it's a good species to work with. I've  
15 been doing that with the State of Florida for twenty-three years  
16 now. I actually am pretty familiar with the Caribbean.

17

18 I've got nine other projects, mostly building casitas and  
19 managing MPAs, in three other countries, but this actually will  
20 be the first time I've been working in the U.S. Caribbean.

21

22 **CARLOS FARCHETTE:** Any questions for Tom Matthews or Tony  
23 Iarocci?

24

25 **ROY PEMBERTON:** I'm glad you guys are onboard and I really  
26 appreciate the hard work you guys have been doing between here  
27 and Puerto Rico. I have a couple of just technical questions in  
28 terms of the weight on the traps. How much weight are you  
29 putting in these traps?

30

31 **TOM MATTHEWS:** These traps are actually bigger than the ones  
32 I've originally designed. Do you know how much -- Are they  
33 twenty-four-thirty-sixes?

34

35 **TONY IAROCCI:** Twenty-four-thirty-twos.

36

37 **TOM MATTHEWS:** Thirty-twos. The angle of the picture looked a  
38 little bit larger and generally, it's about seventy pounds,  
39 which is about fifty pounds of concrete. They can use a little  
40 bit less or use a little bit more, but they're a little more  
41 buoyant at the beginning and so I suspect some fishermen might  
42 actually put some sort of bricks in them initially that they  
43 could subsequently remove.

44

45 **MIGUEL ROLON:** Tom, what was the origin of this trap design?

46

47 **TOM MATTHEWS:** We have been doing trap impacts on the reef in  
48 Florida for about ten years and this was some work that Pete

1 Sheridan and Ron Hill started around ten years ago. They have  
2 no idea this is what we started this on and we were looking at  
3 traps on the reef and we were pretty pleased with our results  
4 not impacting the fishermen.

5  
6 There is only about the size of hand damaged when a trap was  
7 raised and lowered. About 2 percent of our traps were actually  
8 on the reef and then, unfortunately, December came and we got a  
9 cold front and our cold front is twenty-knot winds and these  
10 traps on the reef were moving, at the most, about twenty meters,  
11 but, on the average, about four-and-a-half meters.

12  
13 I think of it as the old shaving commercial. The first  
14 stretches out the gorgonian and the second cuts it off and  
15 that's when we got into the idea of trap movement.

16  
17 Subsequently, we've worked with the fishermen in the Florida  
18 Keys to try to design different things, different buoys,  
19 different ropes, legs on traps. We actually tried thirty-six  
20 different options on a trap.

21  
22 Pretty much the only thing that worked was replacing wood with  
23 wire. We couldn't go all wire, because that increased the  
24 bycatch of fish quite a bit and even though we weren't really  
25 keeping that many of the fish, even if you bring that trap up  
26 from ten meters, most of the smaller fish were embolizing and  
27 dying.

28  
29 Keeping one side of the trap wood, the fish seemed to be moving  
30 out of it very regularly and we've had -- The mortality we've  
31 seen in the traps is so low that we can't statistically analyze  
32 it and so it is really a rarity for a fish to die in the trap,  
33 but the effectiveness of the trap, the critical thing is to keep  
34 the fish out.

35  
36 Lobsters have an antagonistic relationship with every fish and  
37 so whoever is in the trap first, if it's fish, that will tend to  
38 lower the lobster catch. If you can get lobsters in there  
39 first, that will largely exclude the fish and so that's why  
40 making a more effective lobster trap that actually excludes the  
41 fish seems to improve catch quite a bit.

42  
43 **MIGUEL ROLON:** They say that you cannot build a better  
44 mousetrap, but you did it.

45  
46 **TOM MATTHEWS:** Quite honestly, the fishermen have been using  
47 this design for quite a while. We basically did not change the  
48 throat or anything like that. We just really went from a bay

1 trap, which was all wood, to what some fishermen were using to  
2 keep turtles out and make the trap a little sturdier. Sometimes  
3 it's a little better to use in deep water and so really,  
4 fishermen have been using this trap for a long time and we just  
5 sort of have done the work to point out what it was doing.

6  
7 **MIGUEL ROLON:** Anyway, we would like to thank you for all your  
8 efforts in being here, but I have a question to both of you and  
9 we talked it over and I feel like Johnny Carson asking the  
10 question after I know the answer, but there is a possibility of  
11 expanding the project into other areas of Puerto Rico with a  
12 minimum amount of money.

13  
14 I wanted to ask both of you what would be the possibility,  
15 because now that the word has been spread, there are fishermen  
16 in the Virgin Islands and Puerto Rico who are interested in  
17 following this and in order -- Rather than finishing this up and  
18 then come back with another iteration of the project, probably,  
19 it will be easier to add that area and have some set of traps  
20 and other fishermen involved and so can you address that, Tony  
21 and Tom?

22  
23 **TONY IAROCCI:** Thank you, Miguel. This subject came up -- It  
24 started in Rincon, when I started working with the fishermen  
25 there. They came to me and once they accepted me as a fisherman  
26 and we started getting the project going, they started to talk  
27 to me fisherman-to-fisherman.

28  
29 We like to address other problems in the fisheries and a couple  
30 of them brought up these trammel nets and they addressed these  
31 trammel nets that are being used to catch lobsters and I asked  
32 to be taken to look at these trammel nets and they are nylon and  
33 they're a three-wall trammel net.

34  
35 I think anybody in the room that knows what a trammel net is and  
36 what it catches and what it can do and not only the damage to  
37 the habitats, the turtles, the birds, the dolphins, the Nassau  
38 grouper, they were addressing all these issues.

39  
40 We had talked about, and Helena can chime in on this also, but  
41 we had talked about maybe expanding this to an area where these  
42 guys who are using trammel nets and also, in particular, there's  
43 an area, and Helena can address this later.

44  
45 One of the fishermen in Naguabo named Tonito is a great guy and  
46 he was a diver that got the bends and he can't dive anymore and  
47 this is a great alternative, this trap, for these divers and  
48 they're smaller traps and they're easier to use than the big,

1 heavy-duty wire trap to target lobster.

2  
3 He is tickled to death, because he knows the places where he  
4 wants to put these traps that he can't dive anymore and he can  
5 address that. I, myself, like I said, I'm going to try to keep  
6 the cost down as much as I can so we will have money, hopefully,  
7 left over or figure out how we can expand to these other areas  
8 and I hope -- I know Tom's time is -- He has got other areas and  
9 other things to do, like myself, but I am going to make all the  
10 time I can to address these issues in these areas too and  
11 hopefully work very closely with Helena and the council to  
12 address these areas.

13  
14 **MIGUEL ROLON:** Then I will wait for your signal of whenever  
15 you're ready and have a -- It will be a matter of adding a  
16 couple of paragraphs to what you already have and then we can  
17 address it, the new areas.

18  
19 **TOM MATTHEWS:** As you sort of know, the biggest cost is always  
20 personnel and so one of the -- It's actually not overly  
21 expensive to get gear into the fishermen's hands. It's a little  
22 bit difficult to ship it here and get the parts and things here,  
23 but some of the observers to be on the boat to actually improve  
24 the data gathering, that was actually a fairly substantial cost.

25  
26 Depending on if we tweak the goals to more get acceptance of  
27 this particular kind of gear versus improved data management,  
28 those goals actually are part of the cost.

29  
30 **MIGUEL ROLON:** I will leave that to you three, especially you  
31 two, and please let me know, but the point to bring this to the  
32 attention of the council is that by putting \$7,000 or \$8,000  
33 more, we will have a lot of bang for the buck on this project.

34  
35 **TONY IAROCCI:** I want to thank everybody involved and especially  
36 the fishermen and I've dealt with the fishermen and, like I  
37 said, we'll be doing this project in St. Croix and a follow-up  
38 in St. Thomas, but I want to especially thank the guys in  
39 Rincon, Tito and Richard, and Carlos Velasquez in Naguabo and  
40 some of the other guys.

41  
42 They accepted me as one of the boys, so to say, and I couldn't  
43 have did this without Nelson and I think, Miguel and Carlos, you  
44 followed the problem we had paying the different importation  
45 taxes and the shipping and all that stuff. I was so frustrated  
46 and it absolutely -- It got so mad to not be able to -- I wanted  
47 to get this thing done so fast and get it rocking and rolling,  
48 but I have to say this.

1  
2 Everyone in this room needs to go to Rincon and go out on one of  
3 these boats at that boat ramp and see what these guys have to do  
4 every day when they go fishing.

5  
6 They not only have to go down this boat ramp where the surf  
7 mostly breaks by the break wall, but you've got surfers and body  
8 surfers and boogie-boarders and people swimming and all these  
9 young girls in bikinis in the way, too, and so it's kind of a  
10 deterrent for the fishermen. It's a different, different setup.

11  
12 I thank everybody, and especially the council too, and Genio.  
13 You're there and I know you're with the marketing and helping  
14 these guys get the stuff and we can identify some of the other  
15 areas to address the needs and get some of these traps for  
16 alternative fisheries. Thank you.

17  
18 **CARLOS FARCHETTE:** Thank you, Tony. I want to also thank Dr.  
19 Crabtree for bringing Tony Iarocci down to the U.S. Caribbean.  
20 You have done good here, Tony, and we plan to keep you. Next on  
21 the agenda will be Lang Bank Report by Dr. Jorge Garcia-Sais.

22  
23 **LANG BANK REPORT**

24  
25 **JORGE GARCIA-SAIS:** Good afternoon to all of you. Today, I want  
26 to start by acknowledging the participation of my colleagues,  
27 most of them former students of mine, in this work. It has been  
28 a series of work in areas far away from land and it's been many  
29 long navigation trips with heavy seas and very deep water diving  
30 and so I am very grateful for their help and participation and  
31 collaboration in this project.

32  
33 I also want to express my gratitude to the Caribbean Council for  
34 trusting us in this mission of characterization of these series  
35 of important fish habitats that have been federally regulated.

36  
37 Today, I am going to be presenting the work that we have done so  
38 far in Lang Bank. All the field work has now been completed.  
39 This is a preliminary report. We have not still finished all  
40 our statistical and data analysis, but I have here a  
41 presentation of the point where we are so far in the process and  
42 so here we present the work that has been done in Lang Bank.

43  
44 Lang Bank is on the eastern tip of St. Croix. It's about eight  
45 miles offshore from the tip of St. Croix and it was about a  
46 fifteen-mile run from where we were staying in Christiansted.  
47 The area had been surveyed in multibeam bathymetry by the Nancy  
48 Foster in 2006 and previous from that, by Geophysics GPR, where

1 they did a side scan sonar of the area.  
2  
3 Us from Puerto Rico, we have never dove or knew Lang Bank and so  
4 we had to design our characterization survey by starting by the  
5 multibeam bathymetry blueprints and so we did some preliminary -  
6 - Let me go through the objectives first.  
7  
8 They were pretty much the same that we have carrying on in the  
9 different studies that we have done so far in the different  
10 areas that we have worked, including Tourmaline, Abrir la  
11 Sierra, Bajo de Sico, and El Seco in Vieques.  
12  
13 We wanted, in these areas, to provide a quantitative and  
14 qualitative characterization of the both benthic and fish  
15 communities associated with the principle mesophotic reef  
16 habitats within a depth range of thirty to fifty meters.  
17  
18 Then produce, from the direct diver observations, a map of  
19 benthic habitat distributed within this depth range and usually  
20 we -- What precludes our work is the work of the Nancy Foster in  
21 terms of the multibeam bathymetry and so this kind of blueprint  
22 of multibeam bathymetry depth information is essential for our  
23 benthic habitat map productions.  
24  
25 We analyzed the relationship between benthic and fish community  
26 structure with physical factors, such as habitat depth,  
27 substrate rugosity and slope, and then evaluate the function of  
28 these habitats in the life cycle of the most important  
29 commercial reef fish and shellfish populations.  
30  
31 In this particular work, as long as some of the others do, we  
32 wanted to provide a fishery-independent survey of the  
33 composition and size frequency distribution of the most  
34 commercially-important fish and shellfish, mostly referring to  
35 the queen conch and spiny lobster, associated with the  
36 mesophotic habitats within the thirty to fifty depth range.  
37  
38 In terms of sampling design, what we were trying first to do was  
39 to provide a depth and physiographic zone stratified sampling  
40 design and so what I am mostly referring from this is that for  
41 each physiographic zone, since we didn't know what type of  
42 habitats we were going to find there, we were going by  
43 physiographic zones and within each physiographic zone, we  
44 wanted to provide a depth-stratified analysis to see what kind  
45 of variations we could have within habitats. Essentially, it's  
46 a two-stage stratification by depth and by physiographic zone,  
47 which then can be converted into depth and habitat  
48 stratification design.

1  
2 Then we started by setting up a series of ten stations at the  
3 outer shelf edge with one to ten-meter linear photo transects  
4 for the benthic characterizations, each at thirty, forty, and  
5 fifty.

6  
7 We took the outer shelf of Lang Bank and established the ten  
8 stations, which I'm going to show pretty soon. At each of those  
9 lines, we sampled at thirty, forty, and fifty meters. Then we  
10 set one transect at ten meters and continued for benthic and  
11 small fish and then continued to twenty meters for larger fishes  
12 and shellfish.

13  
14 Also, we added ten transects at the inner wall of the shelf edge  
15 and ended up working a total of forty-three transects within the  
16 deep basin, which we found interesting stuff there. Also,  
17 there's an area identified as a spawning aggregation site for  
18 the red hind and we set up a couple of transects also within the  
19 main habitat of the spawning aggregation site.

20  
21 Also, in terms of the fishery-independent effort, we included  
22 thirty, at least thirty, transects that went from 100 meters,  
23 100 meters long, by four meters wide. This is what we call belt  
24 transects for fishery-independent surveys of the commercially-  
25 important fishes and shellfishes and we include there like conch  
26 and lobster and lionfish, mutton snapper, groupers and snappers.

27  
28 We ended up surveying -- This is our approximate areas and since  
29 I still don't have the final nitty-gritty of all of this, but,  
30 more or less, we end up at habitats identified as the bank coral  
31 reef, we had nine fishery-independent transects for 3,600 square  
32 meters.

33  
34 The coral pavement habitats, which includes most of the outer  
35 shelf edge area, fourteen for 6,800 and the colonized rhodolith  
36 reef, a few areas that we found, small areas, but important, was  
37 1,200 and for the spawning group, we had four transects in  
38 search for red hinds associated with the spawning aggregation,  
39 which, in fact, we occupied -- On one of our four trips, we  
40 occupied the season, the day before the full moon and after,  
41 trying to coincide with their aggregation, and we did not.

42  
43 We analyzed our data, among other ways, by a multivariate  
44 analysis of the relative abundance of individuals in transects  
45 for both assessing benthic and fish populations and I'm going to  
46 show you a little bit of that.

47  
48 There is our initial design. Our original design, as you can



1 see, the setup of the equidistant stations at the shelf edge in  
2 a depth-stratified way and also at the inner wall. We did this  
3 and then we set up a series of stations within the first shelf  
4 edge, first drop of the shelf edge, and then we tried to  
5 accommodate different sampling stations without falling into the  
6 huge holes, which all these areas are much deeper than fifty  
7 meters.

8  
9 We're trying to essentially stay within our depth limits and not  
10 fall into the blue holes. This place that has gaps that go more  
11 than 200 feet at some points and so we couldn't actually drop  
12 into those black holes and so trying to reach the divable areas  
13 and to look beyond without knowing really what to expect.

14  
15 That's what we proposed. That was on paper, before going into  
16 the water. That was what we had on paper and I'm going to show  
17 you a little bit more of what we did afterwards without being  
18 able to provide today here the benthic habitat map that we  
19 produced based on these observations.

20  
21 These are the benthic habitats that we found there. We found  
22 bank coral reef, which had been previously described by Nemeth,  
23 et al., call for the MCD and also by us for El Seco. This  
24 environment has been pretty well described already.

25  
26 We have a colonized pavement habitat, which is very variable and  
27 includes several physiographic zones. We had a colonized  
28 rhodolith reef, which I have described in detail this habitat,  
29 because it's the one that prevails at Abrir la Sierra. There is  
30 a lot of conch there and the spur and groove reef, which is a  
31 very typical formation of shelf edge reefs and which is the site  
32 for the spawning aggregation site and then sand abiotic  
33 habitats, which I'm not going to talk about here.

34  
35 I'm going to just show you some of the images of the different  
36 habitats where we worked at and this is the bank coral reef.  
37 It's an extensive and impressive formation. This is mostly one  
38 species of coral actually and it's what we used to refer to as  
39 *Montastraea franksi*, or boulder star coral. Now the name has  
40 changed to *Orbicella annularis* or *Orbicella franksi*, in this  
41 case. We see a lot of that covering much of the substrate.

42  
43 This is a combination of corals, but all this laminar coral  
44 growth is what is called boulder star coral. You see in some  
45 places some of these laminar colonies overlap with each other  
46 and create areas of very high coverage.

47  
48 These are the spur and groove reefs and this is -- Actually, we

1 worked on this reef right at the edge, because this reef  
2 actually ends at 100 feet, or thirty meters, which is the upper  
3 limit of our depth range for the study.

4  
5 This reef actually goes from about sixty, seventy, eighty,  
6 ninety and ends almost at a hundred feet and where it ends is  
7 where the spawning aggregation has been identified and there  
8 where there are instruments from the people from the UVI. We  
9 knew we were in the right place, but at that time, we could not  
10 see the fish aggregated there, but we still did some work at the  
11 spur and groove reef.

12  
13 Here, I show you the area of the outer shelf, which we call a  
14 colonized pavement area. It's very variable degrees of  
15 colonization and it's an interesting slope. Gorgonians and  
16 sponges predominate in this area and I'm going to show you the  
17 actual -- Close to the shelf edge, there is a lot of rock  
18 formations and there's a lot of lionfish and lobsters and good  
19 stuff.

20  
21 This is close to the base of the inner wall and this is what we  
22 call the rhodolith reef. It's like a deposit of crystals, algal  
23 nodules. They look like rocks, but when you take them, they  
24 don't weigh anything, because they are made out of carbonate  
25 deposits by algae and so they come in different sizes.

26  
27 In places like Abrir la Sierra Desecheo, they usually harbor --  
28 They serve as substrate for the growth of corals and sponges and  
29 you can actually -- These things almost form a reef or sometimes  
30 form a reef, but they are completely unattached to the bottom  
31 and you can actually lift the entire thing with the coral and  
32 everything.

33  
34 **GRACIELA GARCIA-MOLINER:** What's the depth there?

35  
36 **JORGE GARCIA-SAIS:** The depth there can be in the range of  
37 forty-five to fifty meters and let me tell you that I have never  
38 dove in any place where the visibility has been so incredible.  
39 We could see the bottom on Lang Bank from 200 feet from the  
40 surface sometimes and so it was something out of range for us,  
41 working in Puerto Rico.

42  
43 Essentially this is what we ended up doing and here, this is  
44 what we have. This is our preliminary work for the benthic  
45 habitat. You can see, from here, we identified our dives. We  
46 ended up doing 110 dives and in each dive, essentially we did at  
47 least one transect, where it was fishery-independent or for  
48 benthic and demersal fish.

1  
2 We have preliminarily identified these points and these points  
3 outside here. These are colonized pavement, bank coral reef,  
4 rhodolith reef. We saw a couple of patch reefs and we have now  
5 merged the data with the coral reef and then the ones that we  
6 found on the spur and groove.

7  
8 The FIT transect is what we call the fishery-independent  
9 transects and there is about thirty of them distributed around  
10 the area and, again, you know there's a big section of Lang  
11 Bank, even within what we called the Deep Terrace, that we could  
12 not go in because it was so deep. It was just too deep, deeper  
13 than 150 meters.

14  
15 For the bank coral reef, I am going to show you an image, so you  
16 have the image of the habitat that I am referring to. Here is a  
17 little graph showing the main benthic categories and the mean  
18 percent reef substrate cover by each of these categories and it  
19 usually always includes live coral, octocorals, sponges, benthic  
20 algae, and abiotic.

21  
22 You see that for the bank coral reef it's very close to 30 and  
23 sometimes gets up to 40 percent of live coral coverage and that  
24 is very high. That ranks as high as the best shallow reefs in  
25 Puerto Rico.

26  
27 Even the areas that are covered by -- That you see here covered  
28 by benthic algae, it's the spaces that are not covered by coral  
29 that for one reason or another -- For example, these areas here,  
30 where there is no coral, but actually there is very little area  
31 that there is gaps, big gaps, in the reef.

32  
33 It's actually coral-dominated. It's certainly a coral-dominated  
34 area and you always know that when these two guys are very low,  
35 both octocorals and sponges are low, usually live coral or  
36 benthic algae, in this case, but live coral at 30 to 40 percent  
37 coverage, it's a very high cover for any reef.

38  
39 The bank coral reef is an extensive and impressive bank reef  
40 formation of scleractinian corals and it's distributed mostly  
41 within the deep outer shelf, as I showed you on the map, the  
42 outer shelf basin, at depths between thirty-five and fifty  
43 meters, plus.

44  
45 We ended up doing transects at Lang Bank where we started at 160  
46 feet and ended up at 173 feet and we believe that there is coral  
47 there down to 180 feet and this is not strange, because we have  
48 been doing work with other fiber optic cable companies and we

1 have seen reef growths to 190 feet south of St. Thomas and so  
2 this is not a -- It was not a big surprise.

3  
4 The main structural build is of *Orbicella franksi* or the bolder  
5 star coral. It's growing in the typical large table-shaped  
6 colonies of the deep water. We identified, within the bank  
7 coral reef, twenty-eight scleractinian coral species, twenty  
8 octocorals, sixty-two sponges, and sixty-seven out of 102 fish  
9 species identified that we identified from Lang Bank and this is  
10 a preliminary count as far as we have analyzed the data.

11  
12 The mean substrate cover by corals is 29 percent, of which  
13 bolder star coral represents 23.1 percent, or 80 percent of the  
14 total cover by stony corals. This habitat, we based on the  
15 structural composition of the benthic categories. It presented  
16 the highest similarity within the habitat transects measured at  
17 Lang Bank of 57.8 percent. The main contributors to the  
18 similarity is the main structural coral builder, *Orbicella*  
19 *franksi*, and also *Porites astreoides*, which is what drives the  
20 similarity within the transects within the bank coral reef  
21 habitat.

22  
23 This is a multidimensional scaling plot and what this does is it  
24 takes every single transect that we did on the reef and based on  
25 the relative abundance and composition of its components, of its  
26 structural components, it provides a value which can only -- It  
27 only is good to see in relation to others and so you can see  
28 that there is an area here that separates from everything else  
29 and that is for the bank coral reef.

30  
31 See how this area pretty much holds together, although there is  
32 a variation. That variation is the next step in our analysis  
33 process, because it may be that this separation here is because  
34 of the depth difference in which we had done our transects,  
35 because remember that I mentioned that our design was habitat  
36 and depth stratified.

37  
38 I am showing here the habitat stratification, but merging all  
39 the depths together and if you see, for example, coral for  
40 colonized pavement, how the spread is much higher. That may be  
41 that it's not only depth, but actually there are differences  
42 within the habitat that may be associated with depth. It's one  
43 initial step in our analysis of the composition of the different  
44 habitats.

45  
46 For the colonized pavement habitat, this is almost as extensive  
47 as -- I still don't have the numbers of the areal cover and you  
48 see that the live coral here is much, much less and the sponges

1 actually prevail over the corals and the dominant is benthic  
2 algae.

3  
4 You see all this area here and it looks like sand and when we  
5 look closer, it's what we call turf algae. It's a very short,  
6 articulated algae and it serves like a mat and covers much of  
7 the hard substrate and so gorgonians and sponges and it varies.

8  
9 This level of colonization varies with depth very, very strongly  
10 and so we have not go to that point in the analysis, but it's  
11 what we expect to find and also there is a considerable abiotic  
12 cover of the bottom as well.

13  
14 These are usually low-relief, hard-bottom habitat and it's  
15 usually along the shelf edge of the deep shelf basin and at the  
16 insular shelf edge and slope. We have identified there eighteen  
17 scleractinian corals, eighteen octocorals, fifty-two species of  
18 sponges, and fifty-one species of fish.

19  
20 The benthos is mostly colonized by turf algae, sand rubble,  
21 sponges, octocorals, and scleractinian corals are about 4  
22 percent. The corals don't form reefs. They are isolated coral  
23 heads and they're not forming reefs and they're sometimes in  
24 bioherms with sponges. The main components of the benthos are  
25 *Orbicella annularis*, *Porites astreoides*, and *Siderastrea*  
26 *siderea*.

27  
28 Within habitat similarity, it's very low. It means that there  
29 is a lot of variation within the habitat and it may be because  
30 of the different physiographic zones and the inner wall versus  
31 the outer wall and different depths within the outer wall and  
32 all that and that is further on in the analysis and I don't have  
33 that data yet.

34  
35 The colonized rhodolith reef, it's a very high composition of  
36 algae and abiotic. It's mostly flat, homogeneous bottom of  
37 crustose algal nodules deposited over sand. We found it to show  
38 a small mesophotic areal extension of Lang Bank, contrary to  
39 Abrir la Sierra and to Bajo de Sico. Actually, most of the area  
40 that we expected to see rhodolith deposits is actually colonized  
41 by the bank coral reef here. We believe that perhaps the  
42 increased water transparency has allowed coral to grow to much  
43 deeper than in Abrir la Sierra and Bajo de Sico.

44  
45 We identified here eleven corals and five octocorals and forty-  
46 one sponges. It's a sponge algal dominated thing, dominated  
47 habitat, and these are the main fish assemblages, demersal fish  
48 assemblages, but it's the most important habitat for queen conch

1 here as well as everywhere else that we have studied mesophotic  
2 habitats so far.

3  
4 Queen conch are found in greatest densities right at this  
5 rhodolith, colonized rhodolith, reef habitat, which people in  
6 Puerto Rico call fundo de bolillos. De bolillos means little  
7 balls and so that is what these things are called. That allows  
8 me to -- That's my cue for the fishery-independent data.

9  
10 I am going to show just some, because we have a lot of  
11 information, but I am presenting here what I think that is going  
12 to be of most interest to you.

13  
14 This is the distribution in terms of density, individuals for  
15 1,000 square meters. It's very close to the area that we  
16 surveyed. We surveyed around 800 meters and then all our  
17 previous data is in individuals per 1,000 meters within other  
18 units being reported, but we're going to stick with ours,  
19 because we have done that for our previous work.

20  
21 This is the distribution of densities, the variation of  
22 densities of red hind in Lang Bank on the different habitats  
23 that we studied, the bank coral reef, the colonized pavement.  
24 Evidently it is more common on the bank reef and the colonized  
25 pavement and also the spur and groove than on the rhodolith,  
26 although we have seen very juvenile red hinds in this colonized  
27 rhodolith reef at 160 feet and I am talking about red hinds that  
28 are inches long.

29  
30 I thought that this might be of interest to you, which is a  
31 comparative analysis of the densities and not of the total  
32 population. I can give you an estimate of the population of red  
33 hinds as soon as I have the areal extensions of the habitats  
34 that we are calculating as I speak here.

35  
36 It gives you an idea of how the density of red hinds -- This is  
37 across all habitat studied. This is an average across all  
38 habitats. This is the total.

39  
40 I actually merged also the length frequency data, just to --  
41 This is a double-whammy here, but see that it is very much like  
42 Abrir la Sierra and Desecheo in terms of the length frequency  
43 distribution, although I think that we saw more bigger animals  
44 here and for the data that I saw from Nemeth, I believe that  
45 this is a tendency for larger red hinds in the Virgin Islands  
46 than in Puerto Rico, although in Desecheo, we have seen the  
47 biggest ones, but that's only a few individuals.

48

1 Consider these data in the red hind workshop. I promised this  
2 data and so Graciela is going to have it in her hands pretty  
3 soon.

4  
5 For mutton snapper, distribution among habitats, it's pretty  
6 much everywhere. Mutton snapper is probably one of the snappers  
7 that is one of the main predators here of the colonized  
8 rhodolith reef. They also like a lot people cleaning queen  
9 conch and so they sense the divers and they immediately show up,  
10 because they are looking for queen conch scraps.

11  
12 This is interesting stuff. It doesn't look pretty, but it  
13 carries a lot of interesting information, this graph right here.  
14 See that mutton snapper -- We have dove a lot in these places,  
15 but mutton snapper, we saw a good amount of them in Lang Bank  
16 and also in Abrir la Sierra. Note that the oceanic size of Bajo  
17 de Sico and Desecheo, there is mutton snappers.

18  
19 What we think is that these areas have -- These oceanic areas  
20 lack the recruitment habitats that these areas that are close to  
21 land, and that's shallow reefs and mangrove areas, seagrass  
22 beds, that kind of thing.

23  
24 For queen trigger, they are pretty much everywhere and  
25 particular queen trigger is one of the main predators here of  
26 the colonized rhodolith reef and it's quite common here. Look  
27 at the comparison of the densities of queen trigger of Lang Bank  
28 with other sites and it's almost out of the chart. They're  
29 pretty big ones, too.

30  
31 Lionfish has become one of my favorite fish, because we're  
32 seeing it everywhere, except for the colonized rhodolith reef,  
33 because there is no protection there. There is no protective  
34 habitat there and so it doesn't hang out there and so we have a  
35 lot of data and then there is this very interesting note here to  
36 see that for Lang Bank we have bigger animals and I believe that  
37 it is just the -- This is just because we are doing the Lang  
38 Bank study two years after and they have kept growing.

39  
40 We started these surveys at Desecheo when the first invasion of  
41 Desecheo and Bajo de Sico and then Abrir la Sierra, when the  
42 fish were just recently colonizing this Puerto Rico and USVI  
43 habitats.

44  
45 Then as the years have gone by, they have kept growing and  
46 growing and growing and since Lang Bank has been a more recent  
47 survey site, they show the biggest animals and so I'm almost  
48 sure that's what it is.

1  
2 Queen conch, there is very few queen conch everywhere in Lang  
3 Bank except in those very small areas of the colonized rhodolith  
4 reef that we found, but where we found them, they were in very  
5 high densities and this graph shows pretty much it's head-to-  
6 head with Abrir la Sierra and there is a lot of queen conch in  
7 Abrir la Sierra and the same site, the same habitat, rhodolith  
8 reef. They really like -- For some reason, they really, really  
9 like that habitat there.

10  
11 Spiny lobster, except for colonized rhodolith reef, we found in  
12 dispersed groups. We found some of them on colonized pavement  
13 also and, in fact, most of the -- Even though the densities are  
14 lower, this is where we found most of the lobster in Lang Bank,  
15 particularly in the reef associated with the outer shelf edge  
16 and small coral heads and lots of lobster and really big too.  
17 I'm going to show you now.

18  
19 It's off the charts compared to other sites, spiny lobster, and  
20 the size distribution shows up well, that there is more bigger  
21 spiny lobster here than everywhere we had worked before in terms  
22 of mesophotic habitats in Puerto Rico.

23  
24 **TONY BLANCHARD:** This is more like a statement. I have been  
25 noticing that you're saying that the hind, the snappers, and  
26 lobsters are much bigger. The question is this. How deep is  
27 the water outside of Lang Bank on the deep side?

28  
29 **JORGE GARCIA-SAIS:** How deep, do you mean?

30  
31 **TONY BLANCHARD:** Yes, how deep does it slope off to?

32  
33 **JORGE GARCIA-SAIS:** We only worked to fifty meters, but it goes  
34 beyond. We are not surveying anything beyond fifty meters.

35  
36 **TONY BLANCHARD:** Right. The point that I'm trying to bring here  
37 is maybe why the fish and the lobster are so big here is because  
38 the nutrients are being pushed up from the deeper water, like  
39 for the pelagics. You find the baitfish hanging on the edge,  
40 because the nutrients are being pushed up from the deeper water.

41  
42 It could be that the nutrients are being pushed up from the  
43 deeper water and you have this scenario here, as well as --  
44 That's just what I'm thinking, as well as you know in a smaller  
45 area that it's going to hold -- It might hold bigger fish and  
46 bigger lobster, but it's also going to hold a smaller population  
47 and so that would be my analysis of what you're just saying  
48 here. That's just me.



1  
2 **JORGE GARCIA-SAIS:** It may well be. It may well be. It could  
3 be more food available. In this case, I believe that it -- It  
4 may be a reflection of lower fishing pressure compared to Puerto  
5 Rico. It could be. These are lobsters in the three to five-  
6 pound and these are lobsters in the over five pounds these are  
7 lobsters of two and three pounds, but we saw more bigger  
8 lobsters certainly at Lang Bank than at other places.  
9  
10 **CARLOS FARCHETTE:** Reni, do you know how much more time you're  
11 going to need?  
12  
13 **JORGE GARCIA-SAIS:** Here is my conclusions. Some of the  
14 preliminary conclusions is that Lang Bank has an impressive and  
15 extensive coral reef system within mesophotic depths. The  
16 predominant coral reef formation is the bolder star coral, which  
17 is distributed throughout a deep outer shelf terrace right  
18 before the shelf edge.  
19  
20 The reef top at the shelf edge is an important habitat for spiny  
21 lobster and red hind and the colonized rhodolith reef habitat  
22 has limited extension, but, where found, it sustains dense  
23 populations of queen conch and the shelf edge and slope are  
24 mostly featureless and dominated by lightly colonized pavement.  
25 If you have any further questions, I will be happy to answer.  
26  
27 **TONY BLANCHARD:** Reni, I would just like to throw a statement  
28 out at you and see what you think. You said the possibility of  
29 them being bigger in that area is just because -- It could be  
30 because the area is not being fished, but we also have to take  
31 into account that there is no fences around this area either and  
32 so there's nothing stopping them from moving in and moving out.  
33  
34 We all know with lobsters, and I'm pretty sure the guy from  
35 Miami, Tom, might be able to verify this, but lobsters run by  
36 barometric pressure, correct? There is nothing stopping the  
37 lobsters from moving in and out either. They get driven with  
38 the barometric pressure from up by Florida down the chain and so  
39 there's nothing stopping them from being confined to that area  
40 is the point I'm trying to make.  
41  
42 **JORGE GARCIA-SAIS:** I am not arguing against you. It may very  
43 well be. It's a possibility. It has not been perhaps confirmed  
44 by a study, but that observation is important. The reasons why  
45 it is like it is is actually beyond my research, which is mostly  
46 a characterization of what we found there.  
47  
48 There are some trends that I tried to carry across from the

1 observations on the different studies and we had noted, for  
2 example, the fact that there are more bigger red hinds here.  
3 When I attended this red hind workshop, and I believe that you  
4 were there, we noted that. There is a bigger fish here in the  
5 USVI, particularly from the MCD.

6  
7 We are not sure if it's because of the protection, because in  
8 Puerto Rico, even the protected areas are full of lines and  
9 hooks and stuff on the bottom and so it means that there is very  
10 little enforcement whatsoever, but there is the possibility of  
11 perhaps their habitats reaching deeper depths and being -- When  
12 you look at this 165 or 175 feet, that is very close to the  
13 thermocline.

14  
15 By having a deeper distribution, the animals can be influenced  
16 by cooler water and cooler water means lower metabolic rates and  
17 the fish can grow bigger and so all of these are possibilities.

18  
19 I would very much like to carry out a plankton analysis of these  
20 waters, to see if they are more productive, as you say. That  
21 would be nice to see, because I could answer the question with  
22 an analysis of zooplankton abundance and composition. It's  
23 interesting to note.

24  
25 **TONY BLANCHARD:** I think you might be right on target when you  
26 say because of the clarity of the water and that's why you have  
27 the coral growing in the deeper water than in some other places,  
28 because of the clarity in the water column.

29  
30 **TOM DALEY:** I have fished this area for the past thirty or forty  
31 years and the only fisherman who can say that. It's a  
32 challenging area and it's an area that protects itself. It's  
33 the only place on St. Croix with a gradual decline, the area  
34 surveyed now with a gradual decline.

35  
36 It's a place that you cannot hurt and our chart shows it. On  
37 the chart, it says it rolls in bad weather and what that means  
38 is if you don't have a boat like my boat, like the Mona Queen,  
39 who once used to ferry passengers from Mona Island to Mayaguez,  
40 you can't fish Lang Bank on certain times in the year.

41  
42 Even on any given time, Lang Bank fishery is only an eight-month  
43 fishery, even with the Mona Queen and so that area there, that  
44 is why I am so much against -- I have told the Caribbean Council  
45 this. Without what I'm saying, human intervention -- They have  
46 it closed now and it's bad for Lang Bank and you must have --  
47 Nature must be able to balance itself and that's that area. You  
48 have to have somebody going in there and equalizing, because now

1 that lionfish is in there and they are going to be bigger than  
2 any other place, because that's the area.

3  
4 If you want to see a place where grouper is, right there is  
5 where it is and I don't want to tell anybody that, because I  
6 don't want divers to go up there and destroy it, but I'm telling  
7 you if you go to Lang Bank at the right place, you will see fish  
8 that you wouldn't even -- On my fathometer, if you go there  
9 sometimes, the amount of noise that that will make, it's the  
10 fish that you find on that area and it's an unusual area. It's  
11 the only area if you fish there -- There is no place on Earth  
12 that is like there.

13  
14 **JORGE GARCIA-SAIS:** Lang Bank is a scary place to be.

15  
16 **TOM DALEY:** It's the truth.

17  
18 **JORGE GARCIA-SAIS:** We have been there in really rough weather  
19 and ended up saying it's either this way or no way, because the  
20 weather is not getting any better. It's always like this and  
21 you have to work in six and seven feet of waves and there's no  
22 way around it. You cross your fingers that it's six and seven  
23 feet and there is no current. You cross your fingers.

24  
25 **TOM DALEY:** I have brought fishermen down from up there through  
26 the years that they were heading in the wrong direction to come  
27 home.

28  
29 **JORGE GARCIA-SAIS:** At least I can say we held pretty good, as  
30 best I can tell you, but you're right that it's really a  
31 challenging place to be.

32  
33 **TOM DALEY:** Thanks for the study.

34  
35 **CARLOS FARCHETTE:** Yes, thank you very much, Reni. We are going  
36 to take a --

37  
38 **GRACIELA GARCIA-MOLINER:** Just one thing. This work has been  
39 done, the characterization of the mesophotic reefs, through the  
40 Coral Reef Conservation Grant Program. They are the ones who  
41 have been funding this kind of research over the years.

42  
43 This is really the first characterization of Lang Bank to the  
44 depth that you are presenting. Rick Nemeth and UVI have been  
45 working on very specific sites along the bank, but this time, we  
46 have covered most of the area, at least to give you a first  
47 glimpse of what's there.

48

1 The Nancy Foster this year was here in St. Croix and was able to  
2 fill in the bathymetry down to a thousand meters and so we will  
3 have all that habitat information to a thousand meters within  
4 the next year or so.

5  
6 **CARLOS FARCHETTE:** We need to take about five minutes, so that  
7 the recorder can do some adjustments here.

8  
9 (Whereupon, a brief recess was taken.)

10  
11 **CARLOS FARCHETTE:** We are going to get back online, since we  
12 don't have much time left and we want to finish up the agenda.  
13 We have now on the agenda Queen Conch Minimum Size Limit  
14 Clarification of Regulations in 50 CFR Part 622.492 with Dr.  
15 William Arnold.

16  
17 **QUEEN CONCH MINIMUM SIZE LIMIT REQUIREMENTS - CLARIFICATION OF**  
18 **REGULATIONS IN 50 CFR PART 622.492**

19  
20 **SHEPHERD GRIMES:** I will do this. This should just take about  
21 fifteen seconds, tops. If you look up here on the screen, on  
22 the right-hand side, you have the existing codified text for the  
23 size limit, minimum size limit, for queen conch.

24  
25 You can see in red there is an "and" in that first sentence and  
26 the record, or at least the council action, and I don't know if  
27 it was a framework or a plan amendment, but anyway, the  
28 council's intent, as clearly expressed in the second sentence,  
29 was that queen conch need only meet one of these two size  
30 limits, either the length or the lip thickness.

31  
32 If you read the rest of the regulatory text now, I think it's  
33 fairly clear, but people have expressed concern that the "and"  
34 in that first sentence is confusing and they think that you have  
35 to meet both the lip thickness and the length and so we're going  
36 to change it and we're going to change that first "and" to an  
37 "or", to make it abundantly clear that you only have to meet one  
38 or the other and that's really it.

39  
40 **CARLOS FARCHETTE:** Thank you. That was one of the big concerns,  
41 about the "and". I am glad for that clarification and we'll  
42 spread the word out to the fishermen that that will be taken  
43 care of. Now we are going to go to Enforcement Reports and  
44 we're going to start with Puerto Rico DNER.

45  
46 **ENFORCEMENT REPORTS**  
47 **PUERTO RICO DNER**

48

1 **MIGUEL GARCIA:** It's going to be a quick presentation from  
2 Puerto Rico. There have been, since January to March, thirty-  
3 seven interventions. Most of them were related to fish gear,  
4 using illegal fish gear.

5  
6 You can see from here the second one was undersized fish and  
7 protected species, fishing for protected species, fishing  
8 licenses, and protected areas.

9  
10 I just put in this graph, because the last time that we were  
11 presenting some of the information, the use of trammel nets was  
12 the most reported intervention, with twelve in that year. We  
13 are still seeing that the use of illegal fishing gear is one of  
14 the major problems in Puerto Rico.

15  
16 This happened last April, during this April, April 13. It was  
17 in la Parguera and you can see it was a net, an illegal mesh  
18 size net. It is my understanding that people are still using  
19 this illegally to fish and interestingly, the fisherman who owns  
20 this net went to claim, to get it back, and so there is an  
21 investigation ongoing on this time and so that's my report from  
22 Puerto Rico.

23  
24 **CARLOS FARCHETTE:** Thank you, Miguel. Any questions for Miguel  
25 Garcia? Hearing none, we're going to move to Director Forbes  
26 and Enforcement DPNR.

27  
28 **U.S. VIRGIN ISLANDS DPNR**

29  
30 **HOWARD FORBES:** Good afternoon. I'm Howard Forbes for the  
31 Department of Planning and Natural Resources. This report  
32 reflects the JEA report for January through March of 2014.  
33 Dockside boarding hours was 140 hours and sea patrol was thirty-  
34 six hours and vessel hours was twelve hours and fisheries  
35 warnings issued were twenty-nine written warnings that was  
36 issued. Contacts was 136 and outreach hours was nineteen hours.

37  
38 In early March, the St. Thomas District received a patrol vessel  
39 and it's, once again, able to sea patrol for fisheries  
40 inspection in addition to providing law enforcement  
41 capabilities.

42  
43 Presently, we are working to complete repairs of a second vessel  
44 for the St. Thomas District, with funding from the JEA. This  
45 will refurbish all electronics, electrical wiring, and cosmetic  
46 repairs. The target date will be hopefully by late summer and  
47 that's my report for the Virgin Islands.

1 **CARLOS FARCHETTE:** Thank you, Howard. Any questions for  
2 Enforcement for the Virgin Islands? Hearing none, we move to  
3 the U.S. Coast Guard.

4  
5 **U.S. COAST GUARD**  
6

7 **MIKE MASTRIANNI:** Thank you, Mr. Chairperson. My name is  
8 Lieutenant Mike Mastrianni and I'm sitting in for Lieutenant  
9 Morgan Fowler, who is the normal representative to the council  
10 from the U.S. Coast Guard.

11  
12 I run the Regional Fishery Training Center and so basically I  
13 run the school that teaches all the Coast Guard law enforcement  
14 officers how to enforce the regulations from the council and the  
15 NOAA regulations that apply to fishing in the Caribbean.

16  
17 Anyway, since January of 2014, we have had the Coast Guard in  
18 this area conduct twelve boardings, all in federal waters, with  
19 twice as many queries, three of which of those queries were off  
20 of -- In February, we did an op over into the western side of  
21 Puerto Rico, in the Bajo de Sico area.

22  
23 We found three vessels in the area, two of which were in state  
24 waters. We queried them just over the radio and one was in  
25 federal waters. The vessel came alongside and actually looked  
26 inside the vessel and spoke to the person onboard and did not  
27 find any apparent violations at the time.

28  
29 I did want to pass along that, as always, we encourage anybody  
30 with knowledge of any type of violations or anybody that thinks  
31 that the Coast Guard isn't aware of some type of violation,  
32 whether it be a multiple repeat violator, a single person, or  
33 just an ongoing violation of somebody fishing where they  
34 shouldn't be or using gear they shouldn't be that they always  
35 should, and we encourage them, to contact us, whether it be over  
36 the radio at the time, VHF Channel 16, or via the local phone  
37 number if they don't want to broadcast their position or who  
38 they are at the time.

39  
40 They can always just call us on the phone to pass us that  
41 information. We will either be able to take action then or we  
42 will use that information for future planning purposes. That's  
43 all I have, sir.

44  
45 **CARLOS FARCHETTE:** Thank you and, once again, I always mention  
46 this, but I want to thank the U.S. Coast Guard for their  
47 participation and the partnership with both Puerto Rico and the  
48 U.S. Virgin Islands state JEA partnership. Thank you for that.

1 Your assets are invaluable to us and so thank you. I wrote down  
2 here NOAA OLE and I'm not sure if there is any, but since -- We  
3 won't have that.

4  
5 **EUGENIO PIÑEIRO:** Jeff is gone, but it might be good to point  
6 out that the grand jury accused an individual of poaching  
7 turtles and he was convicted in federal court and he got fifteen  
8 days in jail. That was a couple of weeks back. Thank you.

9  
10 **CARLOS FARCHETTE:** Thank you. Moving on.

11  
12 **MEETINGS ATTENDED BY COUNCIL MEMBERS AND STAFF**

13  
14 **MIGUEL ROLON:** For meetings attended, we have one. The Chair  
15 and I went to the WECAFC meeting, the Western Central Atlantic  
16 Fishery Commission. We learned a lot and germane to this  
17 council is that this council -- The CFMC is recognized as one of  
18 the partners within the area of the WECAFC, which is all the  
19 Caribbean countries that have any fisheries, from Central  
20 America all the way to the islands and the coast of the United  
21 States.

22  
23 The meeting was attended from the U.S. by Nancy Daves,  
24 representing the Office of International Affairs of National  
25 Marine Fisheries Service.

26  
27 What we are going to do is, following our initiatives in 1996,  
28 we are going to help WECAFC and OSPESCA, which is a central  
29 Atlantic fishery body, and the CRFM to develop a management plan  
30 region-wide for the entire Caribbean to try to manage the queen  
31 conch on a harmonized basis.

32  
33 We already have the concurrence of Cuba and Mexico is willing to  
34 participate and then we will have a team of experts that are  
35 going to meet during this year and prepare a draft fishery  
36 management plan.

37  
38 We are not starting from scratch. Almost every country has a  
39 fishery management plan. In the 1980s, I participated on a team  
40 that developed a recipe book for fishery management plans and so  
41 we had a manual that was paid for by the council.

42  
43 If everything goes okay, we are going to have the meeting  
44 probably in November and we can report to you back in December.  
45 The idea is that the countries will identify those management  
46 measures that can be implemented across a range of the species.  
47 So far, we have the queen conch three-month closure from July  
48 through September, July, August, and September. Everybody

1 agreed except for Puerto Rico to move it out, but anyway, that's  
2 another story.

3  
4 We are going to have that one adopted throughout the range of  
5 the species and now they are also talking about marine reserves  
6 probably and they are also talking about reducing the amount of  
7 boats that fish for queen conch in some areas.

8  
9 In addition, in some parts of the Caribbean, you are not allowed  
10 to fish with scuba for queen conch and it's only free diving.  
11 They are going to address monitoring, electronic monitoring,  
12 which is different from electronic reporting. In electronic  
13 monitoring, you have some device in the boat that will tell the  
14 people who are tracking the movement of the boat where are they  
15 at all times. That's all we have.

16  
17 We are cooperating with WECAFC in other areas, like the Nassau  
18 grouper and other species that aggregate. We initiated that  
19 last year and we are going to continue helping by hiring, for a  
20 second time, Dr. Yvonne Sadovy, to finish that report. That's  
21 about it and those are the two that we are supposed to be the  
22 conveners.

23  
24 **CARLOS FARCHETTE:** Thank you, Miguel. I have always said that  
25 this partnership that we're doing with this regional plan is  
26 important, because we fall within that Caribbean Basin and  
27 whatever happens around us affects us and particularly the  
28 island of St. Croix, who sits completely inside the Caribbean  
29 Sea. I think this will be a success story when we're finished.  
30 Going into the Other Business, we have the NOAA Blueprint by  
31 Howard.

32  
33 **OTHER BUSINESS**  
34 **NOAA BLUEPRINT**  
35

36 **HOWARD SCHNABOLK:** Thank you, Mr. Chairman. My name is Howard  
37 Schnabolk and I'm from Charleston, South Carolina and I work for  
38 NOAA's Office of Habitat Conservation in the Restoration  
39 Division. I am currently serving as the co-chair of the Habitat  
40 Blueprint Focus Area Selection Team.

41  
42 Before I start, I just want to say thank you to Graciela for  
43 helping facilitate this presentation on short notice. I know  
44 it's getting late so I will be kind of quick and interesting.

45  
46 Quickly, some background on the habitat blueprint. Basically,  
47 it's NOAA's framework for increasing our internal coordination  
48 on habitat programs. Prior to the blueprint, we found that



1 there is very different programs and line offices within NOAA  
2 who are working on habitat conservation and not communicating  
3 and so this is -- A big part of this blueprint is increased  
4 internal coordination to produce better results.

5  
6 Some of the guiding principles, which are pretty  
7 straightforward, are to prioritize resources and activities  
8 across NOAA to improve conditions and make decisions in an  
9 ecosystem context, leverage partnerships, and also improve the  
10 delivery of habitat science to facilitate decision making.

11  
12 I see it as a clear benefit to the council. If we're doing  
13 increased conservation efforts, obviously hopefully we'll see  
14 increased benefits to managed species and also hopefully we'll  
15 have better habitat science to facilitate decision making for  
16 all of you.

17  
18 Under these four key approaches, I am really just focusing today  
19 on Number 2, the establishment of habitat focus areas.  
20 Basically, this is a -- The idea is for NOAA to identify these  
21 focus areas to concentrate efforts and concentrate resources in  
22 one particular geographic region to show some dramatic effects  
23 over both the short term and the long term. The short term is  
24 three to five years and the longer term.

25  
26 As I mentioned, it's partly an internal NOAA exercise. We are  
27 drawing information from the Ocean Service and from Fisheries  
28 and from the Weather Service to improve these efforts, but it's  
29 equally as important to reach out to the public and to our  
30 stakeholders and we consider the council a key stakeholder and  
31 that's why I'm here today.

32  
33 Really, there is an opportunity that exists now for the council  
34 to provide priority habitat ideas to this process, to help us  
35 not only make the right selection for the right area, but once  
36 we get to that area and we start implementing activities,  
37 hopefully you will be a key partner and help to implement them.

38  
39 Here is a map, just to give you kind of an idea of how this is  
40 working nationally around different NOAA regions. This is  
41 occurring out west and there was a pilot project that has  
42 already identified habitat focus area and also in a few other  
43 areas.

44  
45 The western project in California is already beginning to  
46 implement activities and their focus area is the Russian River  
47 Watershed. I also want to point out that several of these  
48 regions have decided to select two habitat focus areas and

1 that's also the same instance for the South Atlantic and the  
2 Caribbean. We have decided to find one area between the  
3 Carolinas and Florida and then also we will identify an area  
4 somewhere within the Caribbean.

5  
6 One further point too about those other efforts around the  
7 country. In all those regions at some point, the councils were  
8 notified in presentations or in some manner were given sort of  
9 like what I'm doing now and so you will see in the next few  
10 slides actually how the council can be involved at this point.

11  
12 Here's some examples of the objectives, just to give you a sense  
13 of what would occur in these habitat focus areas. I don't want  
14 to belabor all of this stuff at this late hour, but I thought  
15 the example of the Hawaiian focus area was similar to what we  
16 might see here in the Caribbean and basically that's focusing on  
17 reducing land-based pollutants and sediments and that kind of  
18 thing and also addressing climate change effects on coral reefs  
19 and also building community capacity. I know before lunch we  
20 heard a lot about some of the efforts that are already occurring  
21 in that regard.

22  
23 Back to the actual selection of the habitat focus areas.  
24 Currently, there is a team of NOAA scientists. There is about  
25 twelve or fifteen of us and they are all from different line  
26 offices. Some are from Fisheries, but, again, we have tried to  
27 pull in people from different disciplines to help with this  
28 process.

29  
30 That group eventually, with input from partners such as  
31 yourselves, will make that decision to where those focus areas  
32 are, but these are just some of the line offices that are  
33 represented.

34  
35 Just also to give you an idea, these are the criteria we came up  
36 with when we're going to look at all these candidate areas. We  
37 are now in the process of just compiling all these potential  
38 areas to analyze, but these are how we're eventually going to  
39 score them and make a selection.

40  
41 The first one is the blueprint outcomes and basically the five  
42 areas there are increase fish populations, how the area affects  
43 threatened and endangered species, are protected areas involved,  
44 are resilient communities considered, and also increased  
45 recreation. The list goes on and, as I mentioned earlier, we  
46 would like to demonstrate long-term impacts, but also some  
47 impacts in the short term.

48

1 It's real important to have, as I have been talking about,  
2 cross-NOAA collaboration from different line offices and then  
3 external partnerships, as I've explained. Increased scientific  
4 understanding of habitats and so all of these components will be  
5 tied in, leveraging capital and resources and also consistent  
6 with what's already happening in these regions.

7  
8 Lastly, the three considerations we have are the transferability  
9 of what we learn, the benefits to local economies and the  
10 communities, and building off of existing activities and  
11 relationships and investments.

12  
13 Here is the timeline for our selection process. We have been at  
14 it since January and we formed the team and we're moving pretty  
15 rapidly with this initiative. We finalized the criteria that I  
16 just went through and at this point, we're going through and  
17 designing a stakeholder strategy and part of my visit to you is  
18 implementing that stakeholder strategy.

19  
20 In the next month, like I said, we're trying to identify  
21 candidate areas and so this is the point where people can speak  
22 up, mostly to our team or our partners, to come up with ideas  
23 and present them to us.

24  
25 We will eventually narrow those lists of focus areas and our  
26 team will have a workshop in July to select the area and then  
27 hopefully in the fall the areas will be identified and we'll  
28 start in the implementation process.

29  
30 Back to the stakeholder engagement and, again, we look at the  
31 council as a key stakeholder. Right now, we're obviously in  
32 April and this is where we're reaching out to key stakeholders  
33 such as yourselves and asking for suggestions on any potential  
34 focus areas.

35  
36 Then later in the summer, once we have our candidates together,  
37 we are going to look to you all or maybe a representative from  
38 your group to help review what our candidate areas are and to  
39 provide some important feedback to guide our selection. Then,  
40 like I mentioned earlier, hopefully once we select that area, we  
41 will continue the communication and involvement of the council  
42 to help implement some of these actions.

43  
44 That was a real rapid presentation, but, as I mentioned, I'm the  
45 co-chair, along with George Sedberry. Here is my contact  
46 information and I will continue to be in contact as we go  
47 through this process, but I am willing to answer any questions  
48 at this point.

1  
2 **CARLOS FARCHETTE:** Thank you. Are there questions?  
3  
4 **MIGUEL ROLON:** I imagine that you will work with our local  
5 Puerto Rico habitat person, Jose Rivera?  
6  
7 **HOWARD SCHNABOLK:** I don't know if -- Our representative from  
8 Puerto Rico is from Sea Grant. They are participating.  
9  
10 **MIGUEL ROLON:** National Marine Fisheries Service has stationed  
11 an FTS, Jose Rivera, and he is charge of habitat issues and the  
12 council relies on National Marine Fisheries Service on this type  
13 of discussion, but also a question is if you would like to see  
14 the council involved with this a little bit further, please let  
15 us know and send us a note, besides this meeting, and Graciela  
16 and I can help you with that. Also, at the SSC level, our SSC  
17 panel, we have experts on habitat that can help you with that,  
18 along with the local governments.  
19  
20 **HOWARD SCHNABOLK:** Great. Thank you.  
21  
22 **GRACIELA GARCIA-MOLINER:** It just came to mind when you were  
23 talking about the selection of an area. I don't know if you saw  
24 the film where they were building the traps. The bay behind  
25 that, it is continuously being bombarded with use waters and  
26 it's a very shallow area.  
27  
28 They don't actually fish there, but the boats come into that  
29 area. They do have restaurants around the area and so it's not  
30 very nice when you're walking around inside that and so would  
31 that be the kind of area that -- It used to be a nursery ground  
32 habitat and I have no idea what's left in that area anymore, but  
33 would that be the kind of areas that we would be looking at?  
34  
35 **HOWARD SCHNABOLK:** Yes, I think so. I think some of the main  
36 points is if we can improve the habitat and I think the thought  
37 is if it eventually could be very productive.  
38  
39 You have a lot of partners involved locally and I think those  
40 are probably the biggest benefits that we'll weigh and so the  
41 answer is yes. I can provide some of our materials to document  
42 these potential areas and they're pretty straightforward and  
43 easy to fill out at this point.  
44  
45 **CARLOS FARCHETTE:** Any further questions or comments? Thank  
46 you, Howard. We are going to move to Approaching the End of the  
47 Grouper 4 Rebuilding Plan with Bill Arnold.  
48

1                   **APPROACHING THE END OF THE GROUPEUR 4 REBUILDING PLAN**

2  
3 **BILL ARNOLD:** This is just a reminder. Back in 2005, the  
4 Sustainable Fisheries Act Amendment listed four species as being  
5 overfished: Grouper Unit 1, Nassau grouper; Grouper Unit 2,  
6 goliath grouper; Grouper Unit 4, which was five species; and  
7 queen conch.

8  
9 Each of those had a rebuilding plan established. The shortest  
10 of those was for Grouper Unit 4 and that was ten years and so it  
11 expires basically in 2015 and so that's going to have to be  
12 addressed one way or another. Maybe NMFS will do it, but I just  
13 wanted to make sure the council was aware of this.

14  
15 There's a corollary concern with that and that is since that  
16 Grouper Unit 4 was established as being overfished, it's been  
17 split into two separate units and so we've got that complicating  
18 factor and we don't really know, or I don't know, which of the  
19 species led to the overfished designation and whether those  
20 species are still in Grouper Unit 4 or if they're now in Grouper  
21 Unit 5 or if they crossed that boundary.

22  
23 This is something that we want to stay ahead of the game on, so  
24 that we're ready when the rebuilding plan ends to address it.  
25 It was put on the rebuilding plan using expert opinion and so  
26 one way to deal with what its status is going to be going  
27 forward is to convene another panel of experts to determine  
28 where we are with Grouper Unit 4.

29  
30 Just so you know, the original Grouper Unit 4 was yellowfin,  
31 red, tiger, yellowedge, and misty. Please correct me if I'm  
32 wrong. Now we have Grouper Unit 4 is yellowfin, red, and tiger  
33 and we added black in the 2010 Caribbean ACL Amendment. Then in  
34 that same amendment, we took yellowedge and misty out and put  
35 them in Grouper Unit 5. That's it and I just wanted to make  
36 sure that we got this into the pipeline.

37  
38 **MIGUEL ROLON:** That approach will be 2015 or within 2014?

39  
40 **BILL ARNOLD:** The rebuilding plan would end in 2015. Exactly  
41 when in 2015, I don't know, but probably ten years from the  
42 formalization date of the SFA Amendment and I don't know exactly  
43 what that is, but it will be in the Federal Register notice for  
44 that SFA Amendment.

45  
46 **GRACIELA GARCIA-MOLINER:** The only information that we really  
47 had at the time came from the tiger grouper aggregations off of  
48 Vieques and they have not been monitored since five or six years

1 ago and so we will probably have little information on that.  
2  
3 Yellowfin, however, is one of the groupers and black that are  
4 being monitored at Bajo de Sico and Mona, et cetera, and so we  
5 should have a little bit of information to bring to the expert  
6 panel.  
7  
8 **MIGUEL ROLON:** The point is, for the report, is do you expect  
9 some action in 2015? Some people thought that after the end of  
10 the rebuilding period that it would be automatically opened, but  
11 no. We have to assess the status of the fishery and maybe we  
12 have to have another rebuilding period extended, but that will  
13 occur in 2015 and not today at this time.  
14  
15 **BILL ARNOLD:** You have to check and see if you met your  
16 rebuilding goal. You can't just assume that you're where you  
17 want to be and I would also point out that, five years down the  
18 road, queen conch had a fifteen-year plan and Nassau had a  
19 twenty-year plan and correct me if I'm wrong on this.  
20  
21 **GRACIELA GARCIA-MOLINER:** Twenty-five.  
22  
23 **BILL ARNOLD:** Twenty-five for Nassau and maybe thirty for  
24 goliath. They're still down the road and so we don't have to  
25 worry about those yet, but we should be thinking about Grouper  
26 Unit 4 and I wouldn't be waiting, necessarily, until 2015 to  
27 tackle this issue. We at least need to be thinking about it,  
28 because if you're going to convene the expert panel, that alone  
29 could take a while to compose the members and get them together  
30 and make progress on the issue.  
31  
32 **MIGUEL ROLON:** Do you think we can have a one-page addressing  
33 this by August, the experts that we need and all that, or should  
34 we do it for December?  
35  
36 **BILL ARNOLD:** I would suggest December.  
37  
38 **MIGUEL ROLON:** Okay.  
39  
40 **CARLOS FARCHETTE:** You know for the years that I've been going  
41 into the market, I don't see yellowfin grouper. I think I saw  
42 one yellowfin grouper in the market on St. Croix and I don't  
43 know why that is. Reni, did you see any out there?  
44  
45 **GRACIELA GARCIA-MOLINER:** They are called *Mycteroperca venenosa*  
46 for a reason.  
47  
48 **CARLOS FARCHETTE:** We don't get much ciguatera in St. Croix.

1  
2 **GRACIELA GARCIA-MOLINER:** The other thing is that the yellowfin  
3 and tiger and the ones in this group are hardly seen during most  
4 of the time. They used to be fished at the time of the  
5 aggregation and so it's not until recently that, because of the  
6 depth, that the diver surveys would not see them.

7  
8 **MIGUEL ROLON:** Just remember all that for December.

9  
10 **CARLOS FARCHETTE:** I know they are harvested on St. Thomas, the  
11 yellowfin.

12  
13 **MIGUEL ROLON:** We are all tired, but I don't know if you can  
14 clap your hands, but today is Secretary's Day. Yesterday was  
15 Earth Day and Earth Day is important, but, to me, Secretary's  
16 Day is as important. I don't know about you guys, but me  
17 without a secretary is lost. My wife is also a retired  
18 secretary and so figure that out yourself, but at this time, I  
19 would like to recognize publicly our three secretaries.

20  
21 We have two at the office, Iris and María Pastrana and  
22 especially Iris. You know her. She is always there for  
23 everybody and Diana here. I keep forgetting she is my  
24 secretary, because she is always kicking me under the table and  
25 saying don't do that and do the right thing. At this time, I  
26 would like to recognize them by just saying how we appreciate  
27 the work and a round of applause for these ladies who make our  
28 lives easier. Thank you, Mr. Chairman.

29  
30 **CARLOS FARCHETTE:** We have a five-minute comment period if there  
31 is anybody from the public that wants to make comments. It's  
32 your time to shine. I guess the next council meeting, I think  
33 that's already set for August and it's on the website. That's  
34 the tentative date.

35  
36 **MIGUEL ROLON:** It's tentative unless we have a hurricane. We  
37 already have the contract signed. It will be in Puerto Rico and  
38 it will be the 12<sup>th</sup> and the 13<sup>th</sup>. We hope to see all of you in  
39 Puerto Rico in August.

40  
41 **CARLOS FARCHETTE:** That draws us to the end of the 149<sup>th</sup>  
42 Caribbean Fishery Management Council meeting. This meeting is  
43 adjourned. Thank you very much and I think this was a  
44 successful meeting.

45  
46 (Whereupon, the meeting adjourned on April 23, 2014)

47  
48 - - -