

1 **CARIBBEAN FISHERY MANAGEMENT COUNCIL**
2 **151ST REGULAR COUNCIL MEETING**
3 **Marriott Frenchman's Reef and Morning Star Hotel**
4 **St. Thomas, USVI**

5
6 December 9-10, 2014
7

8 The Caribbean Fishery Management Council convened at the
9 Frenchman's Reef and Morning Star Hotel, St. Thomas, USVI,
10 Tuesday morning, December 9, 2014, and was called to order at
11 9:00 o'clock a.m. by Chairman Carlos Farchette.

12
13 **CALL TO ORDER**
14

15 **CARLOS FARCHETTE:** Good morning. We are going to start our 151st
16 Regular Meeting for the Caribbean Fishery Management Council.
17 It is December 9, 2014 at Frenchman's Reef and we're going to
18 start with a roll call starting on my left with Vivian.

19
20 **VIVIAN RUIZ:** Vivian Ruiz, council staff.
21

22 **MIKE MASTRIANNI:** Mike Mastrianni, U.S. Coast Guard.
23

24 **MORGAN FOWLER:** Morgan Fowler, U.S. Coast Guard.
25

26 **TONY BLANCHARD:** Tony Blanchard, St. Thomas/St. John
27 representative.
28

29 **ROY PEMBERTON:** Roy A. Pemberton, Jr., DPNR.
30

31 **MIGUEL GARCIA:** Miguel Garcia, Puerto Rico, council member.
32

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

36 **EUGENIO PIÑEIRO:** Good morning. Genio Piñeiro, Puerto Rico,
37 commercial fishing.
38

39 **CARLOS FARCHETTE:** Carlos Farchette, council Chair.
40

41 **DIANA MARTINO:** Diana Martino, council staff.
42

43 **ROY CRABTREE:** Roy Crabtree, NOAA Fisheries.
44

45 **SHEPHERD GRIMES:** Shepherd Grimes, NOAA Office of General
46 Counsel, Southeast Section.
47

48 **BONNIE PONWITH:** Bonnie Ponwith, NOAA Fisheries.

1
2 **MARCOS HANKE:** Marcos Hanke, charter operator, council member.
3 I am happy to be here and thank you.
4
5 **BILL ARNOLD:** Bill Arnold, NOAA Fisheries.
6
7 **GRACIELA GARCIA-MOLINER:** Graciela Garcia-Moliner, council
8 staff.
9
10 **KATE QUIGLEY:** Kate Quigley, council staff.
11
12 **PHIL STEELE:** Phil Steele, NOAA Fisheries.
13
14 **IRIS LOWERY:** Iris Lowery, NOAA Office of General Counsel,
15 Southeast Section.
16
17 **EDWARD SCHUSTER:** Edward Schuster, AP Chair.
18
19 **ALIDA ORTIZ:** Alida Ortiz, Outreach and Education Advisory Panel
20 Chair.
21
22 **RICHARD APPELDOORN:** Rich Appeldoorn, SSC Chair.
23
24 **STEPHANIE BOLDEN:** Stephanie Bolden, NOAA Fisheries.
25
26 **RICK PEARSON:** Rick Pearson, Highly Migratory Species Management
27 Division.
28
29 **HOLLY BINNS:** Holly Binns, Pew Charitable Trust.
30
31 **HOWARD FORBES:** Howard Forbes, DPNR.
32
33 **KEN STUMPF:** Ken Stumpf, Ocean Foundation.
34
35 **TONY IAROCCI:** Tony Iarocci, Virgin Island law enforcement.
36
37 **RAY CAMPBELL:** Ray Campbell, St. Thomas FAC, commercial
38 fisherman.
39
40 **JIM ESTRACA:** Jim Estraca, sport fisherman.
41
42 **GRACIELA GARCIA-MOLINER:** Mr. Chair, we have a number of people
43 online if you would like to call on them for them to identify
44 themselves.
45
46 **CARLOS FARCHETTE:** Yes, good idea. Those that are on Go to
47 Meeting, can you identify, for the record.
48

1 **MIGUEL ROLON:** Miguel Rolon, council staff.
2
3 **BRIAN KENNEDY:** Brian Kennedy with NOAA's Office of Ocean
4 Exploration and Research.
5
6 **VIVIAN RUIZ:** Maria Lopez is another attending.
7
8 **CARLOS FARCHETTE:** Thank you. Before we go any further in the
9 agenda, we want to have a moment of silence for Omar Munoz-
10 Roure.
11
12 **DIANA MARTINO:** Omar Munoz-Roure was our first Executive
13 Director and he just passed away two weeks ago and so we would
14 like to have a moment of silence.
15
16 (Whereupon, a moment of silence was held in memory of Omar
17 Munoz-Roure.)
18

19 **ADOPTION OF AGENDA**
20

21 **CARLOS FARCHETTE:** Thank you. First off on the agenda is the
22 Adoption of the Agenda. We are going to have a change on this
23 and if there's any questions, somebody can so say something.
24 For the ABT, Reconsideration of Closure Period and Guidance on
25 Next Steps from the Council, we want to move that for right
26 after lunch, because there are some fishers in Puerto Rico who
27 are out at sea right now, but want to attend the meeting or
28 listen through Go to Meeting at the Sea Grant Office and so they
29 requested to move this to one o'clock and is there any concerns
30 or problems with this? Okay. So we will move that ABT to 1:00
31 P.M., right after lunch.
32

33 **GRACIELA GARCIA-MOLINER:** You also have, under Other Business,
34 the Clarification of the AMS in Fishery Management Plans. Shep
35 will be presenting that, I think, or Bill. Bill will be
36 presenting that.
37

38 **CARLOS FARCHETTE:** That's for Other Business tomorrow or today?
39

40 **GRACIELA GARCIA-MOLINER:** Tomorrow is fine. You also will have
41 a brief presentation by Brian Kennedy on the Okeanos Explorer,
42 which would be sometimes this morning.
43

44 **CARLOS FARCHETTE:** Did you say that was for some time this
45 morning? Okay. Consideration of the 150th Council Meeting
46 Verbatim Transcriptions. Hold on one second. I forgot about
47 the move for the adoption.
48

1 **EUGENIO PIÑEIRO:** So I move that we adopt the agenda.
2
3 **TONY BLANCHARD:** Second.
4
5 **CARLOS FARCHETTE:** It's moved by Genio Piñeiro and seconded by
6 Tony Blanchard. All in favor say aye. All right, Shep.
7
8 **CONSIDERATION OF THE 150TH COUNCIL MEETING VERBATIM TRANSCRIPTION**
9
10 **SHEPHERD GRIMES:** Thank you, Mr. Chairman. Bear with me. I do
11 have a few things here. First, just reviewing the minutes from
12 the last time, we need to make sure that the Chair reads the
13 text of all motions just prior to voting so that the text of
14 those motions is adequately reflected in the minutes. This last
15 time, we did a really poor job of that and it's hard to follow
16 some of the discussion as a result.
17
18 Page 54 indicates that the responses were in Spanish and not
19 transcribed and there were a series of questions and responses.
20 The Magnuson Act requires that we keep detailed minutes and so
21 we need to transcribe the discussions and keep these detailed
22 minutes regardless of what language the discussion occurs in.
23
24 Then I do have a few changes. Page 87, line 29, there is a word
25 missing there and so I would like to add the word "species"
26 between the words "very" "sought". Page 108, line 37, the word
27 "ways" should be "was". Page 166, line 27, "change" should be
28 "challenge". Page 174, line 24, insert the word "one" between
29 the word "note" and "other". That is all for me, Mr. Chairman,
30 and thank you.
31
32 **CARLOS FARCHETTE:** Thank you, Shep. Any other changes?
33
34 **EUGENIO PIÑEIRO:** Being none, I move that we adopt the 150th
35 Council Meeting Transcription.
36
37 **CARLOS FARCHETTE:** Have we got a second?
38
39 **TONY BLANCHARD:** Second.
40
41 **CARLOS FARCHETTE:** All in favor say aye.
42
43 **MARCOS HANKE:** Because we are being so sharp with the way we do
44 it, it's the 151st Council Meeting and not 150 or did I hear
45 wrong?
46
47 **TONY BLANCHARD:** No, it's 150. That was the last meeting.
48

1 **MARCOS HANKE:** Okay. I am sorry. That was just clarification.
2 I am sleepy.

3
4 **CARLOS FARCHETTE:** Thank you, Marcos. Now we are moving to the
5 Executive Director's Report or Shep first.

6
7 **SHEPHERD GRIMES:** Thank you, Mr. Chairman. I just want to take
8 a minute of your time and you heard her say her name as we were
9 going around the room, but I would like to take a minute to
10 introduce Iris Lowery. She's a new attorney with GC in St.
11 Petersburg. I guess they are phasing me out and so they want to
12 bring her around to all the council meetings, but she is right
13 here behind me and please say hello if you have the opportunity
14 this week. Thank you.

15
16 **CARLOS FARCHETTE:** Thank you and welcome aboard. We are going
17 to move to the Executive Director's Report and we have Miguel
18 Rolon on Go to Meeting.

19
20 **EXECUTIVE DIRECTOR'S REPORT**

21
22 **MIGUEL ROLON:** I believe everybody is glad not to see my face
23 there, but I will be at the meeting the whole time. I don't
24 have much to report, except that today, this afternoon, we are
25 going to talk about the budget and, as you know, we are going to
26 be -- We are not going to have an increase for 2015 and that
27 means that some of the projects that we have thought about for
28 next year will not be taking place.

29
30 It's expected that the next four years, 2016, 2017, 2018, and
31 2019, all councils will be expected to receive up to a 10
32 percent increase for those years, but for the next year, we
33 really have to tighten our belts and be mindful about how much
34 we spend, but the budget projection that we have so far or the
35 budget that Angie prepared covers all of our activities plus the
36 new District Advisory Panels and we are okay for next year,
37 except keep in mind that we won't be able to have any extra
38 projects, such as the trap reduction program probably will have
39 to be finished this year and other projects that we have with
40 the fishers that Tony Iarocci is finishing next year and so that
41 is with this year's monies, through a no-cost extension, and so
42 we are okay.

43
44 We have one item for next year that probably we need to allow
45 the Chair to move some money from the budget items which is a
46 workshop that we probably will be able to put together in the
47 first half of 2015 and the idea came out of the workshop that
48 was held during the summer of best practices for fishery

1 management of councils and NMFS.

2
3 At that meeting, we found that the way that the Western Pacific
4 Council and the Pacific Council use for assessing the status of
5 stocks and then the mechanism that they have for implementing
6 management measures is more adaptive to data-poor areas and so
7 we may be able to have a workshop, a meeting of the minds.

8
9 Phil Steele will be free and so we might be able to have his
10 assistance in that workshop. The idea is to review the way that
11 we collect the information in the Southeast and compare it to
12 the way that they do it in the Western Pacific and see if we can
13 adopt any of those practices in this area.

14
15 Aside from that, I don't have anything else, but I believe that
16 the Okeanos presentation that Graciela mentioned can be
17 presented during this time, so we don't disturb the rest of the
18 time of the agenda and if you have any questions.

19
20 **CARLOS FARCHETTE:** Thank you, Miguel. Any questions for Miguel?

21
22 **BONNIE PONWITH:** Thank you, Miguel, and, of course, it's heavy
23 on our minds the fact that traditional stock assessments are
24 challenging when the data are limited. For that very reason,
25 this council has agreed to step away from the more formal SEDAR
26 process in doing those full, heavily quantitative stock
27 assessments and finding that it's not yielding the results.

28
29 We have had those discussions and we hear you loud and clear and
30 that's why we've agreed to set up a two-step process and I will
31 talk a little bit more about that during the agenda item.

32
33 Our agreement was that in 2015 we would hold the -- We're
34 calling it sort of our data blitz and it's to go and find all
35 the data, fishery-dependent data, that we have and fishery-
36 independent data that we have and work through those data and
37 document where it came from and what its time series is and what
38 the formats are and do that one time instead of doing it species
39 by species over and over again.

40
41 By doing that, we have a broader feel for what data are
42 available to help us make wise decisions about the types of
43 analyses that those data lend themselves to and that the second
44 year would be a focused stock assessment using data-poor
45 techniques on stocks that we agree, based on that data blitz,
46 are ready to be assessed, where we would evaluate the type of
47 data available and use that information to decide what the stock
48 assessment -- What data-poor tool is appropriate for that.

1
2 We are actually in very, very good shape already to do exactly
3 what Miguel is talking about and my view is that at this meeting
4 our goal would be to work toward getting that first workshop set
5 up.

6
7 As is always the case, one of the number one considerations in
8 all assessment is it all starts with the data and so we feel
9 like that's going to be a very productive way to begin this
10 process.

11
12 **CARLOS FARCHETTE:** Thank you, Bonnie. Anyone else for comments
13 on Miguel's report? Hearing none, we are going to move directly
14 to Brian Kennedy from Okeanos.

15
16 **PRESENTATION ON OKEANOS EXPLORER**

17
18 **BRIAN KENNEDY:** Thank you, Mr. Chairman, and I appreciate all of
19 you giving me the time, a few minutes, this morning. My name is
20 Brian Kennedy and I am the Expedition Coordinator for the
21 upcoming Okeanos Explorer cruise to the Caribbean and I wanted
22 to take a few minutes to tell you a little bit about our program
23 and what we're doing and how all of you can participate.

24
25 A little bit of background on the Okeanos Explorer. She is
26 America's ship for ocean exploration and her assigned task is to
27 go to areas of the ocean that we know little or nothing about
28 and collection baseline characterization, kind of a first line
29 dataset on those areas.

30
31 All of our expeditions are very interdisciplinary and they are
32 community based. We don't have necessarily a PI. We build a
33 science team of experts from the area from multiple different
34 fields to come together and inform the exploration of that area.

35
36 The idea is not to be a hypothesis testing vessel, but to be a
37 hypothesis generating vessel. We don't spend a lot of time in
38 one area. It's really kind of a rapid characterization and then
39 move on.

40
41 The couple of scientists that do sail are asked to represent the
42 oceanographic science community and not their own research. All
43 the data we collect are publicly available as soon as possible
44 unless it's prohibited by law. Some marine archeology sites and
45 stuff like that are protected for sensitivities, but all the
46 other data collected by the Okeanos is published as rapidly as
47 possible in the national archives and is available to anyone to
48 download after we're done.

1
2 We also, one of our major goals is to engage others and to
3 innovate training and education and outreach in the areas that
4 we're operating in.

5
6 Previous expeditions from all around the globe have yielded a
7 diverse use of our dataset, from charting, to protected area
8 management, fisheries management, and many, many others. I'm
9 sure there are numerous applications from our data that we're
10 not even aware of because of its public nature. We don't always
11 even know how it's being used once it hits the archives.

12
13 This proves the power of the baseline characterization of truly
14 collecting interdisciplinary, generic information that can be
15 used to foster follow-on research and for numerous other
16 applications.

17
18 I am going to talk just a few minutes very briefly about the
19 actual physical capabilities of the vessel, to give you all an
20 idea of the kind of work that we can do and that we will be
21 conducting in the Caribbean this spring.

22
23 The ship has three primary scientific sonars and I will go
24 through each of those very quickly. The first one, kind of our
25 primary sonar, is our multibeam sonar. It has three data
26 products that it produces and one is just generic bathymetry, as
27 you see in the top left. It also is capable of seafloor back
28 scatter, which gives you an idea of the relative hardness of the
29 sea floor.

30
31 The image to the right, the harder bright returns, the lighter
32 colors, are generally expected to be harder seafloor and the
33 darker areas are expected to be softer seafloor. We use this
34 information to inform where we go with our ROV dives and there
35 is some additional work using it for fish habitat
36 characterization and that kind of utilization.

37
38 Then on the bottom, we also are able to image water column
39 activity with the multibeam as well. We primarily use this for
40 looking for bubbles in the water column, whether it be cold
41 seeps from methane gas or potentially even carbon dioxide or
42 something from volcanic activity.

43
44 We can also see some biological life in the water column, but
45 that's kind of new for multibeam sonar and so that's not been
46 well explored yet.

47
48 We also have an EK 60 split beam transducer. We only have a

1 single frequency, for those of you in the fisheries management
2 community that use these extensively, but this also helps us
3 find seeps in the water column and some biomass in the water
4 column as well.

5
6 Our final scientific sonar is our EK 60 subbottom profiler and
7 this allows us to see geographic strata below the seafloor. In
8 good conditions, we can see as deep as eighty meters into the
9 seafloor, to give an idea of geological structures and stuff
10 like that.

11
12 The kind of water depths we generally operate, we are a
13 deepwater platform. The minimum mapping depth we can do
14 reliably is about 250 meters. Generally we like to say 500
15 meters and deeper. The sonar is rated down to 7,000 meters, but
16 we have pushed it further, almost down to 8,000 meters, as well.

17
18 Kind of the second major capability of the vessel is our ROV
19 package. We have a two-body system, shown here on deck. The
20 vehicle is very new and this is only the second year in
21 operation and its state-of-the-art cameras and navigation
22 packages and the two-body system gives it a lot of benefit of
23 being able to see one vehicle working and give kind of a forest
24 and the trees perspective of looking at the macro scale and the
25 broader scale at the same time, having the two different ROVs
26 working in tandem.

27
28 To give you a sense of the kind of imagery that we produce, here
29 is a good shot of a brittle star on a coral from the New England
30 seamounts. The primary dataset that we bring back is the video.

31
32 Because we are just doing baseline characterization, we
33 generally try and, like I said earlier, make a fairly quick to
34 visit an area and groundtruth the sonar data and get an idea of
35 the kind of habitats in that area and then we move on, with the
36 expectation that after we've done that initial documentation
37 that specialized teams with specific interest in the area will
38 return to do follow-up work with specialized teams in those
39 areas if unique things are discovered or found.

40
41 The ROV is rated to 6,000 meters. We don't dive anything
42 shallower than about 500 meters. We kind of take an Alvin-style
43 daily dive where we put the vehicle in the water in the morning
44 and it stays in the water for eight to twelve hours and then we
45 recover the vehicle in the afternoon and evening and then move
46 on to another site, rarely staying in the same location more
47 than one day.

48

1 The average distance covered on the seafloor is anywhere from
2 half a kilometer to a kilometer. It can vary pretty greatly
3 depending on how rugged the terrain is or how interesting it is
4 what we do, but we don't cover a lot of ground, intentionally to
5 allow for a really detailed description and observation in a
6 certain area, to make sure we get a good sense of the place for
7 that area.

8
9 One of the truly unique things about the Okeanos Explorer is
10 what we call telepresence. The ship has a high bandwidth
11 satellite connection that allows us to stream everything we're
12 doing on the vessel to shore in real time.

13
14 These are images of different places around the country that
15 operate with us routinely, from Silver Spring, Maryland, to
16 Seattle and the University of Puerto Rico Mayaguez also has what
17 we call an exploration command center that they're developing to
18 participate with us this spring, but you are not limited to
19 participating in one of these specialized locations.

20
21 Much of the data and video is also available on the internet
22 with any kind of broadband internet connection and so frequently
23 we will actually -- Normally we only sail with two scientists
24 onboard the vessel and they rely on a shore-based science team
25 to provide the majority of the science knowledge in the
26 interdisciplinary nature of the expedition.

27
28 The last cruise in September, when we were working in the North
29 Atlantic, we had two scientists on the vessel and fifty-eight
30 scientists participating through telepresence from shore.

31
32 One of the major goals, aside from the actual exploration, is
33 leveraging telepresence in what we do for outreach. Anyone can
34 watch the live video on the website and follow along with daily
35 updates through the RSS feed through our Ocean Explorer website,
36 as well as we likely will do some form of tour on our port day
37 while we're in San Juan one day, this spring.

38
39 That's kind of the quick overview of the vessel and the program.
40 This spring, our plans are to have three cruises in and around
41 Puerto Rico, two dedicated to mapping and possibly a few survey
42 of opportunity opportunistic things with other data packages
43 onboard and then in April, April 9 through 30, will be an ROV
44 cruise operating in and out of San Juan.

45
46 The real goal of this is to follow on from mapping work that
47 Ocean Exploration sponsored in the early 2000s and the cruise
48 worked on by OER-sponsored -- The Exploration Vessel Nautilus

1 did the last two years and explore different areas than were
2 last time.

3
4 The exact areas of operation are still to be determined, but the
5 cruises will be coming in and out of San Juan and so they will
6 likely stay inside the U.S. EEZ or maybe just a little bit in
7 the Dominican or BVI waters.

8
9 That kind of brings me to the point of today's discussion or why
10 I'm talking to you and that's how to participate. Because the
11 Okeanos is not a PI-driven vessel and it is a community-driven
12 vessel, we rely on organizations like yours, the fishery
13 management councils, and other state and local governments to
14 help us understand where the critical needs are for exploration.

15
16 I have talked to Graciela and a few others already who are in
17 the room to help determine these, but this is the kind of input
18 we need from all of you and if the council as a whole could
19 produce a list of areas or things that are of interest to you as
20 a management agency in the area in deep water that we could
21 assist in collecting data that would be useful for you in making
22 further management decisions, please let us know.

23
24 That's very much the stage we're in right now. Anywhere in the
25 image on the screen is probably fair game for us to dive if
26 there was strong enough science interest and so we look to you
27 all to help guide where you need, as local experts, data to help
28 you make informed decisions.

29
30 As well as that part of the determining where we visit and what
31 kind of priority areas we need to look at, we're also always
32 open for partnerships and education outreach.

33
34 We can do live interactions from the vessel with school groups
35 and with communities and with science centers and we look for
36 partners to help us facilitate that and so those of you who
37 already have strong education and outreach connections, I would
38 love to talk to you more about opportunities to leverage
39 telepresence and to use the Okeanos while she is in Puerto Rico
40 as an education tool.

41
42 Then the last kind of step is we look at -- The participation in
43 the actual science team onshore is very much a volunteer basis
44 and it's open to anyone to join and so those of you who would
45 like to participate in daily operations from shore, please let
46 me know. We are always looking for new people to help the ship
47 and especially provide local expertise in the area.

48

1 That's the quick rundown and I would be happy to take any
2 questions. If you would like more information beyond today's
3 thing, please email me at the email address on the screen or
4 talk to Bill Arnold or Graciela, who have already been helping
5 me some as well. Thank you for your time.

6
7 **CARLOS FARCHETTE:** Thank you, Brian. We have Marcos Hanke.

8
9 **MARCOS HANKE:** Hello and thank you for your presentation. I
10 have two points that I want to ask. When you mentioned the
11 characterization or the study of seamounts and at the same time
12 you mentioned that it was more than, and correct me if I'm
13 wrong, 500 meters or below that, once you study the seamount,
14 the shallower water seamount, you go through the wall all the
15 way to the top, even though they are shallower than 500 meters?

16
17 **BRIAN KENNEDY:** The previous seamounts we've worked on have been
18 the North Atlantic seamount chain, which are all very deep, but
19 the tops of those seamounts are about 1,800 meters, but no, we
20 generally try and keep the vehicle deeper than 500 meters, just
21 as an efficiency.

22
23 We have a vehicle capable of 6,000 meters and there are not many
24 of those. There are many more vehicles capable of shallow-water
25 operations and so we focus on the deepwater areas. 500 meters
26 is not a rigid line, but we generally don't pick dive sites any
27 shallower than that.

28
29 **MARCOS HANKE:** Okay and on that line, I would like to make a
30 comment, just in terms of the council perspective and the
31 fishery that we deal with. For example, in the south of Puerto
32 Rico, we have Grappler Bank and the two seamounts close to
33 Vieques and Yabucoa, about seventeen miles from the shoreline.

34
35 They are fishing grounds for many different species and we don't
36 fish that deep, but those seamounts are very important to have
37 better data about them and if there is any way that you guys can
38 work them and get better information on it, I think it will be
39 for the council, in the future, valuable information.

40
41 **BRIAN KENNEDY:** Excellent. That's the kind of input we are
42 absolutely looking for.

43
44 **MARCOS HANKE:** The other question I have is I would like to have
45 guidelines on how to organize groups to participate. For
46 example, the University of Humacao students, to make a group
47 there and for them to participate onshore for these efforts, at
48 the university or any site you guys recommend to be or however

1 you guys recommend us to do it.

2
3 **BRIAN KENNEDY:** Absolutely. The easiest thing to move forward
4 is just to email me and we'll start our conversation and figure
5 out who best to talk to and how to get you all involved.

6
7 **GRACIELA GARCIA-MOLINER:** Thank you, Brian, and thank you, Bill,
8 for putting us in contact with Brian. We have been talking
9 about a number of places and we have been looking through some
10 old documents that were produced from specifically the Virgin
11 Islands and there are a couple of very interesting seamounts and
12 these appeared to be deeper than the ones that we have off the
13 west coast.

14
15 We will be looking at those documents and putting them together
16 to see if Tony can help us -- Tony Blanchard is a council member
17 also from St. Thomas and they were found off the north coast of
18 St. Thomas and that's really fertile ground for the marlins, et
19 cetera, and so there must be some at least deep seamounts in
20 that area. I was hoping that we could include that in the list
21 of places to visit.

22
23 **BRIAN KENNEDY:** Okay and so what would be most useful for me is
24 if members of the council could work amongst themselves and kind
25 of put together a priority list and send it our way as a package
26 deal and then we will keep that as a data layer as we plan and
27 get input from other organizations and the academic community as
28 well and that's nothing -- I don't need anything fancy, just a
29 KMZ or a Google Earth element or something with areas of
30 interest and a little explanation of why they're of interest
31 would be incredibly useful for us.

32
33 **TONY BLANCHARD:** I've got a question. You say that basically
34 you would like to have the interest of the public that they
35 could come on the ship, to my understanding, and the question is
36 this. How young -- Let's say you go into the schools to find
37 kids that are interested in going on this trip and how young are
38 these kids that they can be to be on these boats?

39
40 **BRIAN KENNEDY:** We generally don't take the general public to
41 sea with us, but they can participate via telepresence and
42 watching the video and communicating with people about the
43 cruise from shore through an internet connection, but we
44 actually have a -- The ship is kind of small and we don't have
45 any extra bunks for riders, generally, but when we're in port,
46 we do frequently bring on school groups and things like that to
47 tour the vessel while we're tied up.

48

1 **MIGUEL ROLON:** When he finishes the report, I need to ask
2 something else.
3
4 **CARLOS FARCHETTE:** Okay.
5
6 **BILL ARNOLD:** Brian, when these guys are putting together
7 suggestions for areas, do you just want them to circle a place
8 on a map or do you want them to give lat/long coordinates or how
9 detailed information do you want them to provide to you?
10
11 **BRIAN KENNEDY:** A circle on the map or lat/long. I can pretty
12 much take anything, but just a general area and an idea of the
13 geographical area and what specifically in that area is of
14 interest.
15
16 **CARLOS FARCHETTE:** Any more questions for Mr. Kennedy? What
17 about St. Croix? Is that on your agenda, since we're a little
18 off the beaten path?
19
20 **BRIAN KENNEDY:** The agenda is still being determined and so if
21 there is strong scientific interest in areas and it's within a
22 day or two sail of Puerto Rico, we can certainly talk about it.
23 Nothing is completely off the table yet.
24
25 **CARLOS FARCHETTE:** Okay. Great.
26
27 **BILL ARNOLD:** Brian, you mentioned all the port calls are going
28 to be San Juan and is it possible to pull into St. Thomas or St.
29 Croix to give tours or would everybody have to come to San Juan
30 Harbor to get that?
31
32 **BRIAN KENNEDY:** It looks like we are going to be limited to San
33 Juan.
34
35 **CARLOS FARCHETTE:** Any more questions for Mr. Kennedy? Hearing
36 none, I think Miguel wants -- Thank you, Brian, for the
37 information. I think it will be very valuable for the council.
38
39 **MR. KENNEDY:** Thank you very much and I appreciate your time and
40 I look forward to working with many of you in the future to help
41 with the detailed planning and to participate once we are down
42 there.
43
44 **CARLOS FARCHETTE:** Okay and I'm not sure if Miguel wants to ==
45
46 **MIGUEL ROLON:** It's not for Brian, but it's for when he's
47 finished.
48

1 **CARLOS FARCHETTE:** Okay, Miguel. It's all yours.

2
3 **MIGUEL ROLON:** I forgot to mention that the Caribbean Council
4 has convened a queen conch working group under WECAFC, the
5 Western Central Atlantic Fishery Commission. We coordinated and
6 conducted a meeting on the queen conch management plan for the
7 entire Caribbean and it was a successful meeting and actually,
8 the Chair was there and so tomorrow he can add more or right now
9 if you want to, Carlos, but the council hired Dr. Martha Prada
10 and with the assistance of Richard Appeldoorn, they put together
11 a management plan draft for the entire Caribbean to manage the
12 queen conch in a harmonized way and it was -- The meeting was
13 attended by more than twenty countries and all of them pledged
14 to work together to have this management plan adopted in the
15 near future.

16
17 The idea is for all countries to adopt whatever is appropriate
18 and each country to manage the queen conch and the plan
19 addresses best practices for collecting data and analysis and
20 how to improve the management systems for the queen conch off of
21 each one of the areas.

22
23 In 2015 and 2016, there will be other activities.
24 Unfortunately, for 2015, our participation will be sort of
25 minor.

26
27 The other thing that we are working on and involved in is the
28 Nassau grouper and other species that aggregate workshop and we
29 will be working in 2015 and 2016, depending on the budgetary
30 constraints, on an international effort to manage the Nassau
31 grouper.

32
33 As you know, the Nassau grouper is being proposed for ESA in the
34 USA and people are concerned about this issue and so they will
35 be meeting in 2015 and all of 2016 to address not only the
36 Nassau grouper, but the other species of snappers and groupers
37 that aggregate to spawn.

38
39 The group that met with the queen conch, they all were very
40 pleased to hear that the National Marine Fisheries Service did
41 not include the queen conch in the ESA at this time and they
42 will all be mindful that they have to put their act together to
43 manage the queen conch, so we won't get into a situation that
44 more drastic measures have to be taken with this species.

45
46 As you know, it's the second-most valuable species after the
47 lobster of the invertebrates in the Caribbean and so all the
48 countries are really, really interested in how we can best

1 manage the queen conch. The council, since the get-go, has had
2 one of the goals to promote Pan-Caribbean management of the
3 species and so this is sort of a success story.

4
5 The next step for the queen conch is that Dr. Martha Prada is
6 going to finish the draft queen conch FMP and once that is
7 finished, we will distribute that to the other countries and of
8 course to the council members, so you will know what is
9 happening with the queen conch in other areas.

10
11 Because we depend on whatever happens to the queen conch
12 upstream, it is important that we have the harmonized fishery
13 management for the queen conch species and that's all, Mr.
14 Chairman, and thank you very much.

15
16 **CARLOS FARCHETTE:** Thank you, Miguel. Any questions for Miguel?

17
18 **BILL ARNOLD:** Miguel, last night the St. Thomas lobster
19 management group got together and one topic that came up was the
20 potential need for regional lobster management and would WECAFC
21 have any interest in that and how do they go about, if they did,
22 scheduling that funding that, et cetera, et cetera?

23
24 **MIGUEL ROLON:** They just had a meeting in Panama, the scientists
25 working group, and the idea is to adopt a Pan-Caribbean
26 management strategy for the lobster, but at this time, they are
27 concentrating on the science behind the lobster fishery.

28
29 The lobster is a little bit more complicated than queen conch,
30 because you have more countries involved and the stakes are
31 higher, but the goal of the groups, like, for example, OSPESCA,
32 which encompasses the Central American countries, and CRFM, the
33 Caribbean Regional Fisheries Mechanism, that has countries that
34 belong to CARICOM and other services involved, they already have
35 put together management plans for the lobster.

36
37 Right now, the OSPESCA and CRFM are combining their efforts to
38 harmonize a fishery management strategy for the spiny lobster.
39 We were able to secure at least a minimum size for all the
40 lobster that are caught in the Caribbean of 2.74, which is close
41 to 3.0 inches carapace length that we have in Florida.

42
43 The idea is to secure at least two or three spawning times for
44 the lobster before they are caught and that would be probably
45 the only management measure that we have at this time that
46 covers all the countries.

47
48 As you know, WECAFC is not a management tool as such, but it's a

1 gathering of the minds for the countries to discuss issues that
2 are relevant to other countries in the Caribbean, but the WECAFC
3 does not have any management force to force countries to adopt
4 any management strategy or any management measure and so it was
5 very important that they adopted the 2.74 carapace length for
6 the spiny lobster.

7
8 It can be higher, but it should not be lower than 2.74 and the
9 equivalent of the lobster tail if you want to export your spiny
10 lobster and so the WECAFC group is going to be working in 2015,
11 2016, and 2017 on promoting a management plan or a set of
12 management measures for the entire Caribbean to protect the
13 spiny lobster.

14
15 The lobster has two components, the small-scale fishery or
16 artisanal fishery and the large high rollers. In the case of
17 Brazil, they lost the high seas fishery, as they call it, or the
18 big industry vessels. They only the small-scale fishery now and
19 so the other countries do not want to follow the same pattern
20 that the Brazilian fishery suffered and so that's why they are
21 so interested in having acceptable management measures that can
22 be adopted throughout the Caribbean.

23
24 By the way, in the case of the queen conch, the CITES, which is
25 the Convention for the International Trade of Endangered or
26 Threatened Species, was a key component of that meeting and the
27 only way that we have been able to get the attention of
28 countries is by working with the CITES group.

29
30 In each country, they have a fishery official and they also have
31 a CITES official that the CITES official has to be -- He is
32 empowered to decide whether a species is exported or not from
33 that country, because other countries agree that only species
34 that come from sustainable fisheries can be traded and the queen
35 conch shall not be traded if it comes from an area within a
36 particular country that is not sustainable.

37
38 The countries would not like to see the spiny lobster going the
39 same route of the queen conch and that's why they are pushing to
40 have, number one, a better science approach to the spiny lobster
41 data collection and analysis. The U.S. is working very hard on
42 this one, along with the WECAFC group, and also they would like
43 to see sustainability at all levels of the spiny lobster.
44 That's it.

45
46 **CARLOS FARCHETTE:** Any more questions for Miguel? Thank you,
47 Miguel. Next on the agenda is the SSC Outcomes from the
48 November One-Day Webinar Meeting and Including Status of Species

1 Selection Criteria Table. I think this is Dr. Appeldoorn.

2
3 **SSC OUTCOMES FROM NOVEMBER ONE-DAY WEBINAR MEETING, INCLUDING**
4 **STATUS OF SPECIES SELECTION CRITERIA TABLE**
5

6 **RICHARD APPELDOORN:** Thank you and good morning. We had a one-
7 day web-based meeting in November. It was a somewhat
8 challenging environment to discuss some of the things that we
9 did and that affected what the agenda items were that we
10 actually worked on.

11
12 The first thing that we looked at were the reported overages and
13 the status for those. In the Puerto Rico recreational fishery,
14 there were no overages for the ACLs. In the Puerto Rico fishery
15 for the 2010 species, and these were the ones that were first
16 given ACLs, and these include the parrotfish, conch, snappers,
17 and groupers, the Snapper Unit 2, which is driven by the queen
18 snapper, still has a substantial overage.

19
20 This results still from including the 2010 data, which is the
21 highest peak that drives that overage. At this point, we do not
22 have the 2013 data from Puerto Rico, but we're confident that
23 once that data comes in and that gets included into the three-
24 year running average and 2010 drops out that this problem will
25 be resolved.

26
27 For the 2011 species, only the wrasses were over and it's a
28 slight overage. Again, it does not include the 2013 data and so
29 we will have to see how that actually plays out once that data
30 becomes available.

31
32 In the Virgin Islands, where they have full data and that is to
33 say it includes the 2013 data, the angelfish, squirrelfish, and
34 wrasses were the ones that were over, both in St. Croix and St.
35 Thomas.

36
37 In St. Croix, for like squirrelfish and wrasses, we're talking
38 literally maybe a hundred pounds. It's a little bit more
39 substantial for St. Thomas. The percentage overages were
40 substantial, because the ACLs were set really low for these
41 things.

42
43 However, if you go back to the previous slide, what we
44 determined, looking at these data, was based on the limited data
45 available and that these species, the angelfish, squirrelfish,
46 and wrasses, were not on the reporting list until July of 2011
47 for St. Thomas, St. John and St. Croix and that there's no
48 scientific basis for determining otherwise, the landings

1 overages are assumed to result from enhanced reporting and so
2 this applies to the data from 2011 and 2013 and so we don't
3 think -- There's no basis for saying that these are due to
4 overfishing, but rather they are due to enhanced reporting.

5
6 The next thing we looked at was the report for the SEDAR process
7 on the assessment for red hind. Generally speaking, the SSC
8 accepts the general output of the analysis, which showed a
9 decrease in mortality in the 1990s for Puerto Rico.

10
11 We recognize that this is difficult to determine, what is the
12 current status, because we require absolute values of some of
13 the input parameters and for some of those we only had ranges of
14 possibilities.

15
16 However, given that the council defines overfishing as a greater
17 than 50 percent probability of a spawning potential ratio of 20
18 percent, but you're below that, and given that the SEDAR chose
19 to use a much more conservative value for its determination and
20 the probability of fishing is in fact less than 50 percent, it
21 suggests that there is no strong evidence for undergoing
22 overfishing in Puerto Rico at this time.

23
24 For St. Croix, the low sample sizes available to estimate mean
25 length in recent years precludes any determination of stock
26 status or probability of overfishing.

27
28 For St. Thomas, the SSC believes that due to the closures in the
29 1990s, fishers moved from fishing at the aggregations where
30 large fish were readily available to fishing other sectors of
31 the red hind population and that's to say other locations where
32 these larger individuals were not readily available. That is to
33 say the analysis actually showed a decrease in the size of red
34 hind over the long timeframe.

35
36 Therefore, this resulted in a reduction in size due to change in
37 location rather than an increase in mortality and this could be
38 checked by examining the data during the spawning and non-
39 spawning periods, but we think the analysis, which showed there
40 was actually an increase in fishing mortality, is an artifact of
41 the change in the fishery that occurred over the last twenty
42 years, as the initial Hind Bank and the larger Marine
43 Conservation District regulations were put into place.

44
45 Concerning the recommendations that were made by the independent
46 evaluators of the SEDAR report, the SSC agrees with most of the
47 comments of the CIE reviewers on how to improve the assessment,
48 but in evaluating these comments, the SSC feels that overall the

1 approach used by the SEDAR-35 process was valid and the CIE
2 recommendations to improve the analysis were incorporated into
3 the subsequent research recommendations. That is to say the
4 SEDAR process took to heart what their comments were.

5
6 The SSC accepted the explanations of the SEDAR working group
7 that surplus models were data limited and reliable projections
8 into the future were not possible, given the data and the viable
9 approaches used. The age slicing method that was recommended
10 also has problems with the length of the datasets and we did not
11 feel that was going to be a valuable approach to spend a lot of
12 effort on.

13
14 The length-based method used seems to be the most appropriate,
15 given the limitations of the data, but we also recognize that
16 this model has its own limitations, which we think were
17 addressed in the research recommendations.

18
19 Generally, the SSC accepted the list of research recommendations
20 made by the CIE and these were as follows: more research on the
21 basic fish biology, especially to get specific age and growth
22 information and length and length at age and maturity and
23 fecundity information.

24
25 These are the kinds of absolute values we need to put in the
26 models to be able to say with some more certainty what the
27 actual status is of the population. They also recommended that
28 gear selectivity studies be conducted specifically looking at
29 discards and continue improvement of data collection programs.

30
31 Briefly, we had a quick overview of what's coming at the 2015
32 National SSC Meeting, which is going to be in February in
33 Honolulu.

34
35 This is just a list of the kind of topics that will be discussed
36 at that meeting and so allowable biological catch and
37 specification for data-limited and model-resistant stocks is
38 going to be the main focus of most of the meeting and so some of
39 these are subheadings of that, like implementation of National
40 Standard 2 in the face of uncertainties and evaluating existing
41 ABC control rules and issues, challenges, and solutions.

42
43 We will spend a little bit of time incorporating ecological,
44 environmental, and climate variability in the stock assessment
45 and ecosystem-based fishery management and, lastly, building
46 habitat condition into the stock assessment process and fishery
47 management strategies and so that's going to be the focus of the
48 meeting in February and so hopefully we will have a report on

1 that after that meeting.

2
3 We briefly also looked at the development of our five-year
4 research plan. At the moment, that has five areas that we're
5 focusing on of stock status and data needed for that, assessment
6 of effective and current federal management regulations,
7 ecosystem-based research, fishery associated with the human
8 communities, and new and alternative sampling techniques.

9
10 In looking at the data, the draft as it looks now, it's really
11 rather uneven in its development and some areas are rather
12 unfocused and they look almost like bullet points of things I
13 would like to do rather than things we need and so we decided as
14 a first step to come up with summary statements for each of
15 these areas that would allow us to target what we should expect
16 the goals to be in the short and long term. What is it that
17 we're exactly working towards, so that these can then be used to
18 focus what those priorities are going to be? We will be taking
19 a look at that actually between now and the next meetings.

20
21 Lastly, we were looking at species selection criteria for
22 island-based FMPs and -- Did we lose the rest of that? Can we
23 take a pause and we will fix that?

24
25 **CARLOS FARCHETTE:** Sure. We will pause for a second and also
26 the recorder can check his stuff, because I think once in a
27 while he needs to.

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

30
31 **CARLOS FARCHETTE:** We are back online.

32
33 **RICHARD APPELDOORN:** I apologize for that. I think I forgot to
34 save the end of it before I passed it over. The last thing and
35 one of the more important things we were looking at, but also
36 one of the more difficult things to talk about in a web-based
37 environment was looking at the species selection criteria for
38 the island-based FMPs. In particular, we were looking at the
39 concept of using thresholds.

40
41 The questions we were looking at are there upper and lower
42 thresholds in terms of either pounds or economic value for the
43 inclusion or the exclusion of species? That's something that
44 right off the top we could say we're going to deal with these
45 species or right off the top we're going to say we're not going
46 to deal with these species.

47
48 The second question is where would these thresholds be applied

1 and so to give you an example, and this is not anything final
2 and it was just an example so I could illustrate the idea of how
3 we would try to apply these things. In other words, we would
4 have a series of steps and we would look at the species and say
5 yes, you're in or no, you're not or we don't know and go to the
6 next criteria.

7
8 When we talk about where should these thresholds be applied,
9 here's an example. We might say, okay, if you're fully
10 protected you're in and if you're not, you go to the next
11 criteria. Are you only in state waters? If you are, maybe we
12 would exclude you. If you're in both or in the EEZ, you would
13 come down here.

14
15 Then maybe is this the place where we want to put in a threshold
16 and if you're above a certain level, you're in and if you're
17 below a certain level, you're out or should this be applied
18 someplace else, because eventually we come down to another set
19 of criteria which we've been working on, and there is eight of
20 them here, that would come into play.

21
22 Should thresholds be applied someplace up here or do they come
23 in down at this kind of level? Where should we apply those?
24 Tied into this is the concept of ecosystem component species and
25 how can we apply that to the species list that we're looking at.

26
27 To give you an idea of what we're facing in St. Thomas and St.
28 John, we were given a list of 101 species or I should say groups
29 of species. What they really are are reporting taxonomic
30 categories and so there could be multiple species in those.

31
32 In St. Croix, the list was ninety-species and in Puerto Rico,
33 the commercial list was 174 species and the recreational list
34 was 226 species and so there is a lot of species we need to deal
35 with and anything that is included in the management plans is
36 going to have to have an ACL associated with it, unless it's
37 considered an ecosystem component species.

38
39 Just to give you an example of the kinds of things we were
40 talking about and facing, and I just use Puerto Rico as the
41 example because I happen to have that on my computer, we were
42 looking -- If we just look at the 99 percent cumulative landings
43 level, and that's to say the level if you add all the species in
44 rank order by their average landings over a couple of years, we
45 find that there are only forty-eight species that fit the top 99
46 percent of the species and there is 125 species that are, if you
47 will, outside of that. The other 1 percent makes up 125
48 species.

1
2 Of those 125 species, the landings range from about 3,000 pounds
3 to down to one pound, on average, and so there's not a lot of
4 harvest going on for most of those species, but those did
5 include some notable things we would like to keep an eye on,
6 like Nassau and goliath grouper, which are currently closed to
7 fishing, yellowfin and yellowedge groupers, rainbow parrotfish,
8 the cubera, dog, gray, schoolmaster, and mahogany snappers and
9 almost all the sharks and rays.

10
11 It doesn't seem that using that kind of cutoff as some place
12 where you would make it high in your list is a way to go,
13 because we would be probably eliminating species that we do or
14 are mandated to take a look at. Things like Nassau and goliath,
15 we are mandated to take a look at.

16
17 Also we'll be looking at the data problems with FMUs and so what
18 we saw was this complete species taxa list and not grouped by
19 FMU and so where species would fall in that percent ranking
20 would change and there's a lot of data, at least for Puerto
21 Rico, that's grouped at the family level and so you might get
22 Nassau grouper and red hind and some other things individually,
23 but you also have a huge amount that's just reported as groupers
24 and so it's not known how we would petition that out.

25
26 Anyway, while we haven't come to a conclusion, I think it's
27 fairly safe to say that from looking at the data as we did that
28 we are not going to be able to use a threshold to eliminate
29 species at a very high level in the process. It will be one of
30 those other eight criteria that we were looking at when we come
31 down to that and we'll have to do it by a species-by-species
32 basis, but it will still be information that will be used.

33
34 Using a criteria to automatically include species is something
35 that does look viable, although we did not get to the point to
36 where that percentage might be and so I think that's it. Any
37 questions?

38
39 **TONY BLANCHARD:** I've got a question for you, Richard. For the
40 SEDAR-35 findings on the red hind, in layman's terms, tell me
41 what was the findings as to the status of the red hind?

42
43 **RICHARD APPELDOORN:** It's not something I have memorized and so
44 I would be much more comfortable going and looking it up and
45 then giving it to you in layman's terms, but I think for St.
46 Croix in particular it was very inconclusive and this was
47 because of the nature of the data that was collected shifted
48 dramatically over time, from primarily --

1
2 I apologize that I can't remember which years were which, but
3 data from early in the time series came from one type of gear,
4 which had a certain selectivity, and from the end of the time
5 series came from another type of gear, which had a different
6 selectivity.

7
8 If my memory serves me correct, the early part was traps and the
9 later data was spearfishing and because of those selectivity
10 changes, what patterns we were seeing were really driven by the
11 method and not what was happening biologically with the
12 population.

13
14 St. Thomas, as I mentioned, the analysis was saying there seems
15 to be a really big increase in fishing mortality because the
16 average size of the fish had dropped. Again, this is looking
17 over the long term, but that we felt was fairly easy to explain
18 by the change in the fishery that had to occur in response to
19 the closures of the areas where the aggregations were.

20
21 Again, that change was not reflective of the biology of the
22 species in terms of the fishing pressure, but a change in how
23 fishing had to be done relative to the regulations available.

24
25 It was only in Puerto Rico where there was some data to really
26 indicate what might be going on and there is still problems with
27 that data as well and, as I mentioned, there is some uncertainty
28 as to what particularly the growth patterns were and having a
29 good idea of this is really important for determining where we
30 are in the potential range of things.

31
32 What was done that was fairly clever was to kind of do a
33 simulation across the whole range of available -- What we think
34 might be the biological range of these potential parameters and
35 for each of those generated a probability of whether the model
36 predicts whether overfishing was occurring.

37
38 This was done many, many times and you get a probability
39 distribution that says, okay, I now think that there's X
40 probability of overfishing occurring, based on each one of these
41 model runs.

42
43 For Puerto Rico, there were significant probabilities that
44 overfishing might be occurring, according to this model, and I
45 really caution about the application of the model, because it's
46 not really predicting whether overfishing is actually occurring
47 or not, but it's predicting, given the range of parameters, what
48 would the data say?

1
2 Since we don't know what the actual parameters are, it's just
3 telling you what the probabilities might be across the -- It
4 could possibly be this and that's kind of the way it's looking
5 at it and so SEDAR took a -- I think it was a 50 percent
6 spawning potential ratio as their target for overfishing.

7
8 As I mentioned, the council has already determined that 20
9 percent is the official target and that you have to have a
10 probability of 50 percent or more to hit that.

11
12 We were getting values that are probably 20 percent probability
13 of overfishing at that 50 percent spawning potential ratio and
14 so when you bring that down to the actual legal limits that have
15 been defined as overfishing, we weren't close to that and so it
16 was saying for Puerto Rico there really isn't a basis for saying
17 there is overfishing going on.

18
19 **TONY BLANCHARD:** And for St. Thomas?

20
21 **RICHARD APPELDOORN:** We can't tell from the data, because the
22 data is so affected by the closure and the change in fishing
23 behavior that that swamps the signal that would be coming in.
24 There are indications that things are getting better, but the
25 data were not -- There are some other datasets that seem to, as
26 we would hope, show different changes, like the SEAMAP data
27 that's collected, but that's -- There wasn't enough of that data
28 to run the model and so it would support an argument, but it
29 wouldn't be sufficient to prove an argument that things were
30 getting better.

31
32 **TONY BLANCHARD:** I've got something for you to look at and I'm
33 going to ask Graciela to bring it up on the screen for me. This
34 was a study that was put out by Rick Nemeth on spawning
35 aggregation in St. Thomas.

36
37 This paperwork, as you can see, was put out by CFMC and COPACO
38 and FAO and according to Rick, the spawning aggregation is the
39 only spawning aggregation that has shown recovery in the
40 Caribbean and so my question is this. Is this, Rick Nemeth's
41 study, are we backing this study, because, according to Rick,
42 things are looking good, or are not backing this study and we
43 are contradicting ourselves? That's the question.

44
45 **RICHARD APPELDOORN:** I am willing to give my personal opinion on
46 that. I don't think I can speak for the SSC, because we haven't
47 discussed it in those terms, but the SEDAR process did in fact
48 spend a lot of time working with Rick's data.

1
2 I think if there is -- I think there is a real lesson to be
3 learned by this and I would hope that the council would push to
4 resolve this. The data that -- I mean I agree with the data
5 that Rick shows. It shows the higher densities and it shows
6 larger sizes.

7
8 When you put those into an analysis, what we were finding was
9 that his early data is really robust and his later data, when he
10 no longer had funding to do his assessment, and so he was
11 basically -- More or less on his way out to Grammanik Bank he
12 would stop at the Hind Bank and do like a survey.

13
14 He went from having a dozen or twenty surveys early in the study
15 to having one or maybe three in the later years and that breaks
16 down a lot when you try to put this into a model context.

17
18 The people who were actually doing the analysis, the modelers,
19 have problems doing this and I personally and Michelle Scharer
20 and a couple of others were really pushing the NOAA people who
21 were crunching the numbers to try to incorporate this and how
22 can we interpret this data, because, as you know, the numbers
23 will go up and down depending on what day of the aggregation
24 you're actually there and we were trying to come up with a way
25 to calibrate that, but it turns out we don't have a long enough
26 time series from say the passive acoustic stuff to be able to do
27 that. We only actually had one year and we would have needed at
28 least a couple more years to be able to do that.

29
30 In the end, we were kind of left hanging with yes, this seems to
31 support that things are okay in St. Thomas, but there wasn't a
32 way to show this other than the graph looks really nice, but at
33 the end it's based on very few samples and that's where it falls
34 apart from a statistical sense.

35
36 The lesson here, and the real sad thing, is because we have this
37 really I think incredible effort by Rick to keep this program
38 going, to at least get some samples if he can every year,
39 despite not having the funding to do that, and what we need is
40 some sustained effort to look at some of these aggregation sites
41 over the long term and understand the frequency at which these
42 aggregations are forming.

43
44 It's very clear that they are forming one, two, or sometimes
45 three aggregations every year and Rick is going out and hitting
46 it on one day and so if he's not on the major aggregation of
47 that year, and it's not easy to predict yet what that is, we're
48 missing the full story.

1
2 We have the tools and we have the capability and we have the
3 personnel to do these kinds of long-term studies and if we want
4 to get away from looking at landings data and be able to use
5 things like this to be able to drive our ACLs, that's what we're
6 going to need to do and so that's my pitch for funding
7 priorities, but I agree with you. I look at Rick's data and I
8 say what is wrong with this system that we can't use this?

9
10 **TONY BLANCHARD:** I could tell you what I think is wrong with the
11 system. Clearly you stated at the beginning that Rick was
12 studying the Bank on a steady basis and then he had a point in
13 time where he cut back on the study on the Bank and he had less
14 studies on the Bank and so if I was analyzing this, I would look
15 at what it told me when he was really studying the Bank heavy,
16 because nothing has changed on this Bank.

17
18 That would give me a good idea and tell me that the numbers are
19 actually getting bigger instead of just having a cutoff point
20 because he wasn't in there like he used to be.

21
22 I think the whole problem here is how we analyze things and that
23 ain't telling the whole story and my question is this. We went
24 and we put in all this effort in the SEDAR process and
25 everything else and I was there for the meeting and I was there
26 and you was there, I am pretty sure, and do you remember when I
27 questioned Rick and Rick clearly stated that he was only
28 sampling a very small part of the Bank?

29
30 I turned to Rick and I told him, I said if you want to find the
31 bigger fish, you've got to go lower down on the Bank. We are
32 running a survey here on a very small portion of our Bank that
33 is fourteen square miles long and so what is it telling me is
34 going on lower down on the Bank? What it's telling me is that
35 they've got more aggregations lower down on the Bank.

36
37 Then you come back to me again, and this was the problem that I
38 have, just like I stated at the last meeting, that nothing was
39 going to come about this again, even though we pick up all this
40 information, and coming back to me and telling me we can't do
41 nothing with the hind.

42
43 Then you want me to go back to my fellow fishermen and tell
44 them, well, listen, you know if we overrun this thing that we
45 have to take a cut this year again when clearly, unless we are
46 contradicting ourselves here, Rick stated this Bank is in good
47 condition and it's the only one that is in this condition, as
48 far as his findings.

1
2 My question is this. Are we backing these findings or we ain't
3 backing it, because when I checked one of the insignias up
4 there, that's CFMC. That's us and so that is my question. Are
5 we fooling our people and putting out what we want to put out or
6 are we actually backing what we're saying? That's in layman's
7 terms.

8
9 **RICHARD APPELDOORN:** There is two parts of that. One is that
10 the council's name is on this because the council sponsored the
11 meeting. The people who were at that meeting were coming as
12 independent experts to report what they knew about the various
13 aggregations that they were studying and so Rick was certainly
14 one of those.

15
16 This does not mean that any of those organizations which
17 sponsored the meeting fully endorse any of the statements that
18 were made by the people there and they were there expressing
19 their own areas of expertise.

20
21 I would hope that the council will back this kind of activity
22 and so the second part is what can we do about it? I don't
23 think this -- What it said from St. Thomas is the analysis, as
24 was looked at, couldn't tell, because we were looking at the
25 catch data primarily and the other datasets were not
26 sufficiently robust and large enough to stand on their own, but
27 those datasets did indicate, and Rick's dataset and also the
28 SEAMAP data, did indicate that there seemed to be trends that
29 were indicating more and larger fish, but the data weren't large
30 enough to make that in a statistical statement.

31
32 What this points out to, perhaps more than anything else, is we
33 need to really seriously think about how we're collecting the
34 data that's not landings-based and if we're going to need
35 routine data collection, it can't be based on the kind of
36 standard mechanism that academics are working with, which is a
37 year-to-year call for proposals or maybe a two-year cycle, at
38 best, and getting some renewals on that and when that's no
39 longer a priority for the funding agency, we have to move on to
40 something else and basically try to squeeze continuation of that
41 work into other sources of funding on the side and that's really
42 not the basis to do a broad monitoring program that's going to
43 be helpful to manage our species.

44
45 I, for one, personally believe that these are things that are
46 important that we need to do. We need to get away from a lot of
47 just the landings-based analyses.

48

1 The report, in that sense, is inconclusive, but it actually
2 leans toward saying that things might be getting better in St.
3 Thomas. I think where this is going to come into play is that
4 at some time, and it's going to be soon, and it's either going
5 to be in response to going into the island-based plans or it's
6 going to come as a response to the now species-specific data
7 that's being collected, is that the ACLs are all going to have
8 to be reset based on the new data.

9
10 That's why we're getting overages of a lot of species, is
11 because we're now getting data on these that's specific. If
12 that's the case -- That's really what I think the fishermen want
13 to see, is the ACL raised in response to what looks like a
14 better fishery. That is still coming and this report does not
15 preclude that.

16
17 **TONY BLANCHARD:** You know, I think we're ducking a shot here and
18 I'm going to tell you why. You say that we are basically
19 funding this, but let me tell you something. When you put your
20 name on a piece of paper, that means you agree to this and so
21 what you're telling me is we put this out and we didn't look at
22 the information that went out? That's number one.

23
24 I am not putting you on the spot to say, Richard, but you just
25 happen to be the guy delivering the message and the point is
26 this, don't put your name on something if you ain't going to
27 back it or if you ain't going to read what you're signing. I am
28 sure Shep would appreciate what I just said there, because he's
29 our attorney. That's number one.

30
31 Number two is if I was asking you personal, your personal
32 opinion on this hind thing, would you say we need to raise the
33 ACL on it?

34
35 **RICHARD APPELDOORN:** Yes.

36
37 **TONY BLANCHARD:** Good. Point blank. That's what I appreciate,
38 a straight answer.

39
40 **RICHARD APPELDOORN:** I will leave it to Miguel if he wants to
41 address the question of the sponsorship of the meeting, but I
42 agree with you.

43
44 **MARCOS HANKE:** I didn't want to interrupt and I want Tony to
45 listen carefully to what I am going to say, because I think I am
46 going to complement your thoughts. I have many questions on
47 your presentation, but right now, I am just going to address the
48 point that Tony was bringing to the table.

1
2 I hope this same urge from the SSC to close -- When they use to
3 close fishing activity or to implement a restriction to the
4 fishermen with poor data available, the same urge to give credit
5 to the fishing community when the data that is not so poor is
6 available, like the example that Tony just brought to the table.

7
8 This is an effort that I think has been successful and is a
9 really bad message, because we don't have the wishing list of
10 data available to fit on the models, but complement with the
11 data available, the best available science available, to show
12 the recovery, along with other things. We can give the credit
13 and the benefit to the fishermen and that's point one.

14
15 Point two is -- I am doing them from the back of my mind and
16 please correct me if I'm wrong. If the data on the aggregation
17 before it was closed, originally made by Rick, is collected in a
18 great number and the very valuable data is there, the density of
19 that aggregation is documented and everything is on, my question
20 is on the recent time, when they revisited it, this one or two
21 or three trips or whatever few trips that they made to document
22 the aggregation, how dense or how healthy it is, that number, on
23 the core of density of the original numbers, is on the up or the
24 lower or on the mid side?

25
26 **RICHARD APPELDOORN:** It bounces around actually a fair bit, but
27 if you compare it to say the late 1980s or early 1990s before
28 the closures, everything is up.

29
30 **MARCOS HANKE:** That's my point, because that's one way to look
31 at this, that even with small sampling, we are on the positive
32 side of that curve, of the density of aggregation. Maybe I am
33 crazy, but this is the way I am reading on this.

34
35 I know that we need more data and more effort and we should
36 follow up on what we do as a scientific community and so on, but
37 that's my point on this observations that Tony did and I don't
38 totally agree with the little things that he did, but the
39 general idea, I totally endorse what he said.

40
41 Now I am going to change switches and go to the questions from
42 your presentation. When you mentioned about the Honolulu
43 February meeting that you guys are going to address the climate
44 variability, this is addressing how climate can limit the
45 fishing time or the fishing effort on the resource or what does
46 that really mean? That's one question. Please answer this and
47 then I will do the other one.

48

1 **RICHARD APPELDOORN:** To be honest, I don't know what it means,
2 because we are still working on that agenda and who is going to
3 be presenting information, but generally the concern is that
4 ACLs are being set in kind of a static environment, but the
5 environment is not static and so there is concern over the
6 system changing and how do we make sure that we have a robust
7 system that can accommodate those changes?

8
9 Those changes could be some populations increase and some
10 populations decrease and some populations stay the same and we
11 don't know. The question is how can we start approaching that?

12
13 We are a long, long way away from I think the actual application
14 of this, but it's something that is coming and if we don't start
15 looking at it, we are not going to be in place to deal with it
16 when we start seeing these changes. I think we already are
17 seeing the changes, but we haven't had the studies to really
18 look at that.

19
20 Out of the three-day meeting, that's the third day we're going
21 to be looking at that and so I don't know what's going to come
22 out of it. It's going to be literally a first step for
23 everybody there.

24
25 **MARCOS HANKE:** The way I see this and I want to use this as an
26 opportunity, because when you attend the meeting as a council
27 meeting, I would like to have the analysis on two different
28 approaches in terms of climate, global climate change and the
29 effect on the resource, the opinions and the variability on
30 that, with the global warming and so on, and the climate as the
31 weather more better related, the way the weather varies
32 throughout the year, and that limits the fishing effort, because
33 of bad weather and whatever conditions. Also, the analysis on
34 that matter, which is closer to our day-by-day routine as a
35 fisherman.

36
37 **RICHARD APPELDOORN:** Thanks for that and I can make sure that
38 that gets at least asked at the meeting and hopefully they will
39 attend to it.

40
41 **MARCOS HANKE:** I am sorry to take so much time, but I have a few
42 questions. I have one more important question and an
43 observation. When you mentioned that we have different sizes,
44 and I congratulate the SSC to give credit to the fishing
45 community on that analysis, the different size of the red hind
46 on the catch composition or on the reporting side is due to the
47 different rounds that red hinds fish nowadays that is less
48 specific on that bigger class age of the aggregation and we are

1 talking a mixed bag of many different sizes, because they are
2 just doing different things on different spots for different
3 reasons.

4
5 This distribution of size of red hind that we have now, it shows
6 a balance on juveniles, intermediates, and adults or super big
7 fish on the data? Is that something that can say or we can look
8 at it as a healthy distribution or we have some gaps to fill, in
9 terms of size?

10
11 **RICHARD APPELDOORN:** I think that's one of the questions that
12 the analysis and the analyzers were struggling with, because to
13 answer that question specifically, you need very specific
14 information, particularly on their growth rates, and make some
15 assumptions about what recruitment patterns might look like.

16
17 If you can do that, then you can say under a certain mortality
18 regime the population should look like this and how that would
19 be reflected in the catch. Since we don't know exactly where
20 that is, you are left with making some very general
21 visualizations, but the fact that we are seeing larger fish, and
22 I understand from the east coast of Puerto Rico there is also
23 substantial large fish that show up, is only a good sign.

24
25 It can't be really viewed in any other way, unless somehow you
26 discovered some secret spot where all of these fish have been
27 hiding for all of these years, which I don't think is the case.

28
29 You can make some general consensus that if you're seeing older
30 fish, your population is certainly going to more healthy than if
31 you don't and so certainly what we're hearing, and Rick's data
32 is the most quantitative stuff, but certainly what we're hearing
33 from people like you and Tony and other fishermen is there are
34 larger fish out there that are showing up in the catch as
35 decades ago weren't being that way. It's hard to interpret this
36 anything but things are improving, but to what degree, that's
37 the question.

38
39 **MARCOS HANKE:** Thank you very much and now one last -- Now it's
40 a fisherman perspective observation only. On the east coast of
41 Puerto Rico, we get the benefit of those closed areas for red
42 hinds that trickle down to us and probably one of the reasons
43 that we sustain a good amount of red hind and quantity size-
44 wise, but on the last three to four years, and I have been
45 reporting this to Graciela, kind of informative, because I do it
46 on the side and with specific places and so on, but we are
47 having now, during those periods of time, areas of very shallow
48 water on Fajardo and Saba and different other places in which

1 quintata was the predominant grouper, little grouper, on those
2 reefs.

3
4 Now, the red hind are taking over sometimes or competing or
5 being there in bigger quantity with them. I mean the
6 composition of the landing or the interactions with the smaller
7 red hind are very evident and it's not just big fish. We have a
8 lot of small groupers everyone on different habitats and we
9 working in some way with that with the project that we are
10 dealing with, but I want to state that on the record for
11 everybody to be aware of this.

12
13 **RICHARD APPELDOORN:** Yes and I can tell you that the NCRIP
14 sampling program that's being done all around Puerto Rico was
15 recently working out of Vieques, a week or two ago, and Michelle
16 Scharer was in that group and she was just telling me that they
17 were finding red hind, even big red hind, in a wide variety of
18 habitats and basically all over the place and so that exactly
19 supports the observations that you're making.

20
21 **ROY PEMBERTON:** Good morning, Rich. To listen to the
22 presentation that Rick made at that SEDAR was very painful. I
23 echo a lot of what Mr. Blanchard is saying and feeling in terms
24 of it seems that we were very close in getting the information
25 that we needed on Rick's study, but it's just that he lacked a
26 certain amount of extra days at sea or support.

27
28 I kind of made like a handshaking agreement with Rick after that
29 meeting that if he did need any support to please come to the
30 Division of Fish and Wildlife to find out ways that we can work
31 with him, as well as we will work with you, to kind of get this
32 information.

33
34 It seems like all he needed was an extra diver or extra support
35 out on a boat and it was just so critical, but we never had that
36 communication before and it was very painful to hear that,
37 because it seemed like he was so close in getting a lot of that
38 data that he needed, but he just didn't have the funding or the
39 boat time to do it.

40
41 Since I have come onboard here with the support of the previous
42 Commissioner, Alicia Barnes, and also the current Acting
43 Commissioner, Jean-Pierre Oriol, we have strived to do more with
44 the fishers and support with them, along with the scientists,
45 and trying to get that coupling a little better.

46
47 Rick admitted to us a lot about the bigger and larger size
48 classes of fish that he has seen in these aggregations and as

1 you could hear from Mr. Blanchard, a lot of those areas that
2 Rick is looking at is nowhere near where a lot of the bigger
3 fish are, which is lower down on that Bank.

4
5 We kind of need to get an opportunity to kind of look at that as
6 well and that only comes about with this interaction that we
7 have with the fishers and I stress this in that we tend to, as
8 managers, be very conservative, as normal, and sometimes we
9 don't give the fishers the benefit of the doubt and I think with
10 this case of red hind, I think, just echoing what Marcos is
11 saying and Tony, we kind of need to give them a little bit of
12 the benefit of the doubt on this with regards to red hind.

13
14 One of his research students is actually one of my employees and
15 I have supported that relationship between him and Rick to kind
16 of get these studies out of the door. They have been working
17 over here on this side and also on the other side of the basin
18 at the red hind aggregation side off of the east end of St.
19 Croix.

20
21 Preliminarily, what they have seen is also an increase in the
22 average size of the hind over there, as well as a bimodal
23 distribution in terms of sex distribution, which is also
24 indicative of more healthy and larger population to boot.

25
26 Both sides of the rim are showing that and we kind of have to
27 have some kind of way of incorporating this information to these
28 models and these statistical ramifications are going to limit
29 it, yes, but we have to look at trends and the trend is
30 definitely in the direction of a positive than it is a negative
31 in terms of red hind.

32
33 I do stress one of the things that I think we're going to go in
34 the direction of and I saw you listed it up by one of the
35 recommendations, is looking at the discards. Part of the issue
36 that has not come to the table is how much red hind these guys
37 are actually leaving out there.

38
39 **RICHARD APPELDOORN:** Exactly.

40
41 **ROY PEMBERTON:** I mean it's incredible. I watched these guys
42 just this past weekend trying to move fish all the way until one
43 o'clock and two o'clock in the afternoon, because there is
44 nobody really buying fish at this point. The amount of fish
45 that they're bringing in is substantially lower in the last
46 three years that I have been a director, comparatively speaking,
47 because there is just not the economic need.

48

1 Again and again over this time period, the hind and all the
2 other species of fish, including the other small groupers and
3 larger groupers, have benefited, because there is nobody out
4 there trying to get at them.

5
6 On a commercial basis, I think we need to get a better
7 understanding of these discards, which I am planning to do with
8 this next go-round of S&K funds, to kind of elucidate that
9 aspect of what's going on. I mean you can do all the port
10 sampling you want, but that's only going to tell you what the
11 customers or the potentially want of the people, because that's
12 all they're doing. They are bringing in what the people want.

13
14 There is a whole lot of fish out there that are above that plate
15 size that nobody is talking about or bringing in and one last
16 thing I would like to put on the record is that regardless of
17 how this goes, one way or the other, I think we need to improve
18 our relationship with the fishers.

19
20 I mean we've come a long way, but we've still got a long way to
21 go and we need to do more of these partnerships, because they
22 have a lot of information and in some cases they are very
23 hesitant to give it up, for fear of backlash, but I think if
24 they can get a little bit positive on the other side of things,
25 particularly in these studies, to show that things are going in
26 a positive direction and they feel more complementary in giving
27 up some more data or more information that they have, I think it
28 will assist us in getting even better ideas of what these stocks
29 are doing. Thank you.

30
31 **RICHARD APPELDOORN:** I certainly agree with all of that and I am
32 not putting Bonnie on the spot and I am actually going to give
33 her credit. The idea of revisiting how we are doing these
34 analyses and perhaps getting away from these data-intensive
35 methods that aren't serving our needs, given the data that we
36 have, might in fact free us, in substantial ways, to see these
37 kinds of responses that we're certainly hearing about from the
38 fishermen and people like Rick are starting to show in their
39 data. Hopefully we are all moving in that same direction.

40
41 **BONNIE PONWITH:** That's exactly -- I mean the council's
42 agreement was to conduct this stock assessment, because, of all
43 of the stocks we had, we were hopeful that this one would lend
44 itself to the type of analysis we set up and there was a
45 gradient in the data availability and so there was mixed results
46 in this, but it also really reinforces the decision that we've
47 made together and that is let's step away from these data-
48 intensive analytical approaches and come up with approaches that

1 are specifically tailored to the type of data that we have
2 available.

3

4 That's a two-step process. The first step is to work together
5 to determine what data do we have available, both the fishery
6 dependent and the fishery independent, the research data. For
7 all of these species, let's find it and let's get it in a
8 container, so that we don't have to go looking year after year
9 for it and we know what the data streams are and which ones were
10 special studies and which ones are annual studies and we have
11 all those data together.

12

13 Then you pick the right tool for analyzing those data based on
14 the nature of the data themselves and when you're in a data-poor
15 situation, you can use patterns that you're seeing on changes in
16 average size, patterns you're seeing in average age for the
17 fishes that can be aged.

18

19 You can use information like that in those analyses and so I
20 think the direction that we're heading is a very good direction
21 on this.

22

23 Another thing that I'm interested in doing is over and over and
24 over again, the thing we're always bumping up against, in terms
25 of having more certainty in our decisions, are the data and it
26 makes things challenging.

27

28 One of the things I would like to explore is using the
29 commercial fishers themselves as data collectors, where we
30 decide what kind of information we need to go into these new
31 analytical approaches and instead of -- I think your reflection
32 on academic research is spot on.

33

34 Academic research is wonderful for a very discreet question.
35 Here is a question we need an answer to and you collect data and
36 you do the analysis and you answer that question, but to rely on
37 academic researchers to do long-term, standardized sampling is
38 really challenging, because the people who fund that research
39 don't want that kind of research.

40

41 They want a new question every so many years, as opposed to
42 going out and doing the same thing over and over and over again.
43 That's more geared toward the government sampling regime, so
44 that the academic researchers can be constantly doing new things
45 and getting new things into the published literature.

46

47 One thing that I could envision is the government entities, the
48 federal and the non-federal government entities, working

1 together with the fishing industry to design these sampling
2 programs, where everybody in the fleet, for a certain number of
3 days a year, whether it be one day or five years, interspersed
4 throughout the year and instead of going fishing with a
5 fisherman's mindset of this is how I'm going to fish today to
6 maximize my profit margin, they go fishing to collect the data
7 that the analysts have decided are going to be the absolute most
8 crucial to inform these new assessments that we're going to be
9 doing based on data-poor processes.

10
11 We talk about the SK funding and that is a perfect source of
12 funding to pilot that idea, to see does this work and is this a
13 potential contributor to our long-term data problem.

14
15 Those are the types of projects that I think are going to be
16 really informative and I agree that we don't always want to be
17 perceived as the people that take away. When we see changes in
18 the status of a stock that are documented and they are
19 documented in a way that we statistically understand them and
20 recognize them, then we are in a position to be able to give
21 back to the industry.

22
23 The catch is it's not just we're worried about the industry and
24 we want to make sure that you can make your boat payments, but
25 it's we share a common interest in the industry in that we want
26 to do that, of course, but we want to do that in a way that
27 ensures the long-term sustainability of that stock, because
28 interfering with that as a goal creates maybe some short-term
29 one-year gains, but creates deficiencies in that stock that
30 could end up hurting the industry over a long period of time.

31
32 **GRACIELA GARCIA-MOLINER:** A couple of things. We have been
33 mentioning the idea of data mining and getting to the bottom of
34 the data that we've had for so many years and one of those
35 datasets, the catch reports from the Virgin Islands, for
36 example, do have spatial information in them for the years when
37 things changed.

38
39 2000 was the first year when we first started collecting data as
40 groups, as family groups. Therefore, that's a big chance from
41 pot fish and net fish, et cetera. It takes a while for everyone
42 to feel comfortable with the information, but if you take a look
43 at the data, and I did this last night, because I had a question
44 similar to what Tony had raised, TSW, which is St. Thomas
45 Southwest, shows the highest landings, or reported landings, for
46 groupers since the year 2001 or something like that and forever
47 ever after that.

48

1 I mean we would have to look at the data in detail and this is
2 something that will happen with the Science Center, but that
3 also comes into play with the data from the east coast of Puerto
4 Rico, because just last month, they were sending me pictures of
5 these huge, big, fat red hinds and I was wondering if they were
6 ripe this time of the year already and it turns out that they've
7 been feeding on octopus and they are really, really huge.

8
9 I showed some of the information to Yvonne Sadovy, who is an
10 expert on groupers and especially the coney from that frontier
11 between Puerto Rico and the Virgin Islands. Her comment was
12 that she had never seen coney that big. I mean we are talking
13 about huge animals.

14
15 Putting all of this together and the fact that we have one more
16 player on the table and that's that EPA has been putting
17 together also data mining information from places like the
18 monuments, that because they are not under the Department of
19 Commerce and they are under the Department of Interior, their
20 datasets kind of were up in the air.

21
22 EPA has gone through the trouble of putting all the information
23 that NOAA has collected from the monument areas regarding size
24 of fish and species that are seen in those areas, to bring it to
25 the table, because these are areas that are very considerable
26 and there is a no fishing regulation for these areas, both south
27 of St. John and in St. Croix.

28
29 Those datasets will also have to be brought to the table and
30 looked at in detail and so the effort is being made and I mean
31 the fact that we are heading in that direction is a very good
32 sign. It has taken us a while, but we're heading in that
33 direction.

34
35 **TONY BLANCHARD:** I am going to be honest with you. Sitting down
36 here, from my perspective, this is what I see here. You want to
37 go out and you want to ask the fishermen to be involved in the
38 data collection, yet every time they turn around and we seem to
39 have data collected, it's never enough data to make anything
40 change in our favor.

41
42 It always seems to point that way and Richard clearly stated it
43 by his personal opinion and that's his personal opinion and I
44 ain't putting him on the spot, but what I'm trying to tell you
45 is you want to ask me to help you and every time I help you, I
46 can't get nothing in return, although it's showing in my favor,
47 because we have restricted ourselves so tight, to be so afraid
48 to take the initiative to raise something. We would rather stay

1 back and play neutral and sit down on the fence.

2
3 I know you want me to go back and ask the rest of the guys and
4 say, listen, we need to help these people out with their data
5 and they're going to watch me and laugh at me and ask me if I'm
6 an idiot, which I don't blame them, because I would do the same
7 if they came and asked me and I was in a different position.

8
9 The thing is this. As far as I'm concerned, I don't think we
10 could have a room full of data and it will never be enough data.
11 Something will be wrong with the data, because nobody wants to
12 stand up and take the initiative and be willing to take the
13 licks and to say, well, you know we need to move in the position
14 of raising these ACLs and giving these people something, because
15 they don't want to be -- Let's say they don't want to be flying
16 around somewhere along the line, but if you is a leader, you've
17 got to take the lead and we are supposed to be leaders here and
18 so when are we going to take the lead and make an initiative,
19 make a judgment call, and say we're going to take what's coming
20 down the pipe?

21
22 Like I said, as far as I'm concerned, sitting down here, I don't
23 think we're going to ever have enough data to actually make a
24 move to raise no ACL, but I guarantee you that we will find an
25 initiative to say, well, maybe we need to drop it, because it's
26 easier to drop and play on the precautionary side than to
27 actually make an advance and so we're always on the defense and
28 we're never the aggressor. We are always the defender and maybe
29 we need to start to be the aggressor and give them back
30 something.

31
32 **BONNIE PONWITH:** That's a good observation and that's actually a
33 pretty fair characterization of dealing with uncertainty. It's
34 always easier to drop. When you're looking specifically from
35 the vantage point of uncertainty, it's always easier to drop
36 than it is to raise a catch.

37
38 I can't argue with your observation. It's a fair observation.
39 The point of all of that, of course, is I can see how it would
40 be easy to perceive this as that this is being done to
41 disadvantage the fishermen and that the fishermen are always
42 losing in this, but the fact of the matter is the purpose behind
43 making those plus-ups with a level of care, particularly with a
44 fish that's long-lived, is that you want a certain amount of
45 assurance that that increase is long term sustainable, because
46 if you are wrong -- The risk if you're wrong is not that, oh,
47 well, you were a leader and you made a bold move and you were
48 wrong, but it's that if you take more fish out of that

1 population than the fish can really withstand, it's a mistake
2 that you end up paying for over a very long period of time.

3
4 What we're trying to do is make sure that we don't make the kind
5 of a mistake with this population of fishes that ends up, from
6 just the biology of animal, requiring conservative management
7 going into the future and so it is frustrating and you are
8 correct that the natural tendency is to more careful rather than
9 less careful.

10
11 That's the reason for it, is managing that risk of making a
12 scientific error that costs the fishermen and costs the
13 population a long period of recovery.

14
15 **TONY BLANCHARD:** I think the writing is pretty much in front of
16 me here, the writing on the wall here. When we can put our name
17 to something, our signature to something, our insignia to
18 something, and we don't want to back it.

19
20 Number two, you know it's just like a baby. If that baby don't
21 ever fall, he ain't going to learn to walk you know and so when
22 are we going to start to fall in order to walk?

23
24 **MARCOS HANKE:** I am writing down -- Following the lines of the
25 discussion, and this is essentially a classic discussion of the
26 different points of view and I totally agree with Tony and what
27 he is saying and I can see what Bonnie is saying.

28
29 The problem is the discomfort or that mistrust between the two
30 groups are there and I was talking this morning and meeting with
31 somebody and I told them that the language and the approach and
32 the aggressiveness on the point, once you deliver your message,
33 had been bad for those discussions.

34
35 We need, from both sides, to find a better way, but on the
36 follow-up of the leadership required to make new things, like
37 Tony says, one thing that we are missing and we have been
38 missing throughout all my experience on the council level is we
39 sometimes say, listen, this is the best way to do the
40 management, but we need to be able to react quick, in case it's
41 not fair, let's say.

42
43 We increase the landings, but we have to create a system or a
44 way to react quick and if you are going the wrong path, we close
45 and be agile or be quick on that matter and that will decrease
46 the chance of having a really bad effect to the resource.

47
48 Every time something on that line comes along, the answer from

1 the system is it's too expensive or it's too much work or we
2 cannot do it now and we don't have personnel or whatever and
3 that ends on the back of the fishermen, because, in reality,
4 it's not an undoable thing and it's not that there is no desire
5 to follow through on something more agile or something quicker
6 to respond, because I'm sure that if the fishermen know that if
7 they electronically report that they're going to increase their
8 ACL, because if we electronic report and you guys can monitor
9 almost live what we do, we could increase the ACL, because we're
10 going to have a better hands-on on what is going on, but none of
11 those approaches are explained to the fishermen that way and
12 that quickness on the process is not taken in place or in
13 consideration. Every time the excuse or the explanation is the
14 same.

15
16 **RICHARD APPELDOORN:** I was actually going to make a comment as a
17 follow-up to something Roy had said, but he has stepped out of
18 the room, but I will make it anyway. One of the mechanisms that
19 we do have for doing long-term sampling is SEAMAP and the SEAMAP
20 Committee is meeting Friday and Ricardo will be there and one of
21 the things we are going to discuss is the monitoring of spawning
22 aggregations and so that's a place where we can start trying to
23 put into place something long term that might provide the kind
24 of rigorous information that we think we're close to and we
25 think we know how to get, but the funding hasn't been there and
26 it's going to be how can we squeeze this in, with funding levels
27 that are probably going to go down, and where our priorities are
28 going to be.

29
30 It's going to be an interesting discussion and part of that
31 discussion is not just on the spawning aggregations, but it's
32 going to be on the other species as well and how can we better
33 utilize the resources we have to have better sampling programs
34 to really target the information that we need.

35
36 **EUGENIO PIÑEIRO:** I think Marcos said it well. There is a
37 mistrust on both sides of the aisle and I concur with Blanchard
38 in here that the fishermen have gone every step of the way and
39 they don't see the rewards and I think that the agency has to
40 move swifter and hopefully with the electronic data, which is
41 going to be a mechanism to have the data immediately, with no
42 excuses, we can move forward and do better decisions, but I have
43 to concur completely with Blanchard that we have been hit too
44 hard for too long and what we see out there is a better, more
45 abundant species and size and we have got to talk.

46
47 This is a mistrust situation here and we have to break this
48 impasse and move forward and so let's give a chance to the new

1 electronic data, where we should have no excuse and we should
2 know immediately where we are.

3
4 **RICHARD APPELDOORN:** I also forgot to mention that we have
5 written a number of proposals now, both to the Cooperative
6 Research Program and a couple other programs, to try and
7 directly involve the fishermen in the collection of the data
8 that we're using for the spawning aggregations.

9
10 It would be basically giving them the video cameras and saying
11 this is how you should use them and go off and do the
12 assessments at the places that you think we need to see and we
13 have worked together with both of them to analyze the data and
14 see what it says.

15
16 It's a pilot project and as Bonnie said, this is an academic
17 thing at the moment, but what we're trying to do is show that
18 this methodology and this approach can be used so that we can
19 get routine monitoring and we want to use the commercial
20 fishermen, frankly, because they're the ones who -- They go out
21 every day and they're not intimidated by the conditions.

22
23 These spawning aggregations occur at certain times and you have
24 to do the assessments right at those times. If we were to try
25 to get recreational fishermen who say maybe I will go out today
26 or maybe not, that doesn't cut it.

27
28 We need the people who have the same investment into this that -
29 - You know their livelihoods on it and so we want to work with
30 the fishermen. We are trying to develop methods that we can
31 work with them to actually collect the data and we analyze it
32 together, so we're in agreement about what it says.

33
34 **MIGUEL ROLON:** I was thinking about the discussion that we have
35 today and we need to have an example that we can follow that
36 will be concrete and, to me, the red hind, for all the
37 discussion, is already in the agenda for the red hind white
38 paper. This is an example that we can use for let's say raising
39 the ACL.

40
41 We have to be mindful though that in the presentation that I
42 have here the red hind is not in such good shape in St. Croix.
43 It is okay in St. Thomas and St. John and maybe in Puerto Rico
44 and so this could be one of the instances in which the three-
45 island approach to the FMP could work, but I believe, number
46 one, that the red hind is okay for all concerned probably, in
47 the majority of the areas, and the fishermen could be shown that
48 if we could raise the ACL, the system works a little bit.

1
2 The system will never be quick, as Marcos was saying before,
3 because the law is the law and you have to follow whatever we
4 need to follow, but the red hind could be used as a poster boy
5 for raising the ACL and so the question is are we in a position
6 that we can raise the ACL? That's the number one question for
7 the scientists there around the table.

8
9 Number two, and maybe Bill can address it, is how long will it
10 take to raise the ACL for red hind, if ever we need to raise the
11 ACL for red hind?

12
13 **BILL ARNOLD:** I think it's important to provide some context to
14 this entire conversation, particularly in an organizational
15 context, as to exactly what needs to be done. Right now, the
16 SSC is developing species selection criteria.

17
18 Until we know what we're going to be managing moving forward,
19 it's a little difficult to determine the process that's going to
20 be involved and the timing of when we're going to reevaluate
21 annual catch limits.

22
23 Certainly it would be possible to conduct an individual
24 evaluation, a red hind or a grouper evaluation, of annual catch
25 limits. That evaluation would likely be done on a U.S.
26 Caribbean-wide basis.

27
28 When you do that, you may find that if red hind is doing pretty
29 well in St. Thomas and St. John and Puerto Rico, but poorly in
30 St. Croix, you don't really have the flexibility to deal with
31 that individually and that's why we're moving towards island-
32 based management.

33
34 I readily admit I am a little pushy on things, but that's why I
35 have been pushing the need to get the species criteria table
36 established and get it taken to the island-based AP groups that
37 need to be established and let them look it over and give their
38 comments to it and take that back to the SSC and let them look
39 it over and respond to those comments and bring that to the
40 council and let the council review the species selection
41 criteria and process and put their stamp of approval on it and
42 then start picking the species that we're going to manage.

43
44 We have already spent -- We started this criteria process
45 probably a year ago at this meeting and these things, in my
46 opinion, are taking way too long, because we're just not
47 attacking them.

48

1 I think the number one priority for this council needs to be
2 getting these new island-based management plans in place so we
3 can start moving forward with all these other things we need to,
4 because once we pick the list of species that we're going to
5 manage, then the SSC and the Southeast Fisheries Science Center
6 and SERO, for whatever part everybody else plays, can take those
7 new species that are being managed and focus their energies on
8 those and evaluate them relative to catch, determining new catch
9 periods or sticking with the old catch periods, establishing MSY
10 proxies and OFLs from that, determining what buffer reductions
11 might need to be in place and establishing new ACLs, and
12 responding to all of these concerns we're talking about.

13
14 As long as we keep dragging this process out, we are really not
15 going to get to the endpoint of reevaluating the ACLs either
16 within or not within the context of new data collection
17 processes.

18
19 The proposal I was going to bring forward is you get -- At the
20 business meeting tonight, on the agenda is to I think finalize
21 the island-based APs and task those island-based APs with
22 reviewing these criteria and they should be doing this before
23 these criteria are too far along in the process.

24
25 Otherwise, their input becomes kind of pointless and so get them
26 in early, so that they can get their comments in there, and then
27 get that back to the SSC and let the SSC respond.

28
29 I would suggest that when the council meets again in the spring,
30 they should be getting from the SSC, who should meet before that
31 council meeting, face-to-face for three days, focused on this
32 topic, their final basic outline for how these criteria are
33 going to be constructed and applied and then coming out of the
34 spring council meeting, we, whoever we may be, have clear
35 direction to actually build the list of species that we're going
36 to manage going forward. Only then can we move forward with
37 these island-based management plans and so that's just some
38 process-oriented context. Thank you.

39
40 **TONY BLANCHARD:** I've got a question for you, Bill. Miguel
41 stated that when you do the hind assessment, for example, you're
42 going to do a Caribbean-wide assessment, meaning Puerto Rico,
43 St. Thomas/St. John, and St. Croix.

44
45 He said Puerto Rico and St. Thomas might be in good shape, but
46 St. Croix might not be let's say not in too good a shape in some
47 ways and so my question is this. What's the chances of getting
48 the ACL raised on the hind then in Puerto Rico, since they're

1 looking good, and St. Thomas/St. John and leave St. Croix as is
2 for right now?

3
4 **BILL ARNOLD:** Like I said, Tony, we could address groupers,
5 because we're only really dealing with groupers as a package in
6 the USVI now, because even though reporting has changed since
7 July of 2011, I don't think that's going to be enough data.

8
9 If we're using a time sequence that is July of 2011 to December
10 of 2014, that's not a real long period of time to be dealing
11 with these species on an individual basis. Bonnie is the expert
12 on this and not me, but if we fall back on our 2000 to 2005 time
13 sequence, it's pretty much going to be groupers again.

14
15 We can do that, but I would also point out that doing that is
16 going to take a lot of effort and it's going to take SSC effort,
17 which is going to subtract from the SSC's -- In my opinion, what
18 should be certainly one of their primary missions now, which is
19 to get these criteria in place to get this species list
20 established, because the species we decide to manage may not
21 even include some of the species that were in that 2000 to 2005
22 action.

23
24 I am not expert enough to know that we would come up with better
25 numbers for Puerto Rico and better numbers for St. Thomas and
26 maybe worse numbers for St. Croix and the ACL might go up for
27 Puerto Rico.

28
29 It's pure speculation on all of our parts until we actually
30 analyze the data and so I would not even venture to guess what
31 the outcome might be, but I do think we need to focus on a clear
32 path that we're going to follow to get where we want to be.

33
34 **MARCOS HANKE:** A follow-up to what Bill just said. That
35 instruction or the question to the new AP that is getting formed
36 now, the island-specific APs, do we have to do it on the council
37 level right now or that can be done on the administrative
38 meeting later on? That's a question.

39
40 **CARLOS FARCHETTE:** That's got to be done later on.

41
42 **SHEPHERD GRIMES:** I think Vivian had an issue and somebody is
43 shuffling paper and I keep hearing that on the recording, but I
44 just wanted to say that ultimately the decision of what species
45 are subject to the measures -- Which ones are included in the
46 fishery management plan for management purposes is a management
47 question. It is inherently a policy question, it seems to me.

48

1 Clearly, like so much else that we deal with, you rely very
2 heavily on the scientific information that's available, but
3 really, it's about are we harvesting it and what condition is
4 the stock in and is there a record that demonstrates that we
5 need to be managing the species?
6

7 Once you gather all this information from the SSC and you gather
8 information from your APs, it's ultimately the council's
9 decision, based on those facts that are gathered. It seems to
10 me we're a long way from making any decision on this stuff and
11 it certainly isn't a decision that rests solely with the SSC.
12

13 **MIGUEL ROLON:** I would like to go back to what Bill was saying,
14 because we can discuss this to death, but unless we have a path
15 that we can follow, we won't get anywhere. My point is that
16 perhaps if at this meeting we can say -- At the end of the
17 meeting, you will have the District Advisory Panels.
18

19 We can say, well, in the agenda for the District Advisory Panels
20 in February, they are going to discuss the management units and
21 then they will provide the answers to what the SSC presented and
22 then we can meet the SSC again and they can react and then we
23 can have a full presentation in March or April to the council on
24 what is it that we call a management unit and how can we follow
25 them.
26

27 I had the same notes, almost word by word, of what Bill was
28 saying and I believe that probably at this time, Mr. Chairman,
29 before lunch, that we can have maybe a motion or some direction
30 from the council as to how to proceed, because that way, we will
31 have a decision made on how to proceed from the council point of
32 view at this meeting and then we will have the meeting of the
33 three District Advisory Panels in February and you will have an
34 answer and also the SSC and so you will have an answer to these
35 questions, or at least some statements that you can use for
36 discussion at the meeting in March. Then we can have sort of a
37 schedule for the next one or two or three years of how to
38 proceed.
39

40 **CARLOS FARCHETTE:** Thank you, Miguel. I do know that --
41

42 **MIGUEL ROLON:** You have to just do it, because -- Anyway, I have
43 to include all of that in our budget and I already did it, but I
44 have to switch it somehow and I need direction from the council
45 at this point.
46

47 **MARCOS HANKE:** That was why I made the question earlier of where
48 we should deal with this. Bill is helping with the wording for

1 me to make a motion in that regard, Miguel, but I just need a
2 few minutes to work on that. We can keep discussing it and I
3 will go back to it.

4

5 **CARLOS FARCHETTE:** Miguel, were you following up?

6

7 **MIGUEL ROLON:** I believe, Mr. Chairman, if the motion is
8 prepared by Bill and Marcos that that will be the way to go.
9 That way, by the time that you meet in March, you will have the
10 benefit of the new panel and the SSC recommendations on how to
11 proceed.

12

13 **TONY IAROCCHI:** Just a little while ago, I had a sidebar with one
14 of the fishermen in the back and we were talking about exactly
15 what Bill had said and what Miguel had brought up. I think we
16 have all heard about the distrust and how long the fishermen
17 have been working towards this stuff and we need more data and
18 you heard Tony go on about no matter how much data we have and
19 how hard it's going to be to do things.

20

21 I think we all realize now this island-specific management we're
22 looking at is the future of how to do things down here. This AP
23 panel, I totally agree with you, Miguel, that you need to look
24 at this and we need to move forward. Bill, you're 100 percent
25 right and, Marcos, your motion I think right now it's coming at
26 a critical time and it needs to be done before lunch.

27

28 We need to stop saying we're going to do this and we're going to
29 get funding to do this data different and we're going to -- We
30 need to do it. We don't need to keep saying that we're going to
31 do it, but we need to do it.

32

33 We have got these AP members now and we've got to put them to
34 task. We've got fishermen that are willing to do this stuff and
35 yes, Bonnie, you're right. We need to get on the fishermen's
36 boats down here and we need to get the data and we need to have
37 the fishermen show whether it's going to be good data or bad.

38

39 Who knows? You might go out there and do a study and it might
40 show that this fishery or one of the fisheries has problems, but
41 we need to do it, no matter what.

42

43 I say go ahead and let's get this thing and let's move forward
44 with it and make sure we've got the right people. We've got a
45 lot of people interested in this and we've got one of the
46 attorneys from the Virgin Islands here right now and we have got
47 Roy, who is on task to do this.

48

1 We had a great lobster meeting last night and a lot of stuff was
2 discussed and fishermen are ready to play and, Bonnie, I can say
3 we've talked about the SK funding for a while and I know it's
4 late for this year, but next year, hopefully we can have
5 somebody, because the money is there, somebody to fund some of
6 the priority funding issues for this area with the fishermen
7 involved. Thank you.

8
9 **CARLOS FARCHETTE:** I do believe that the fishermen are asking
10 for us to look at the ACLs and how they can be raised, but it's
11 not really because they want to fish to the limit of that ACL.
12 It's like Blanchard said and it's like market driven. If the
13 market is not viable, they are not going to bring them in, but
14 it's just that they want to be able to not have their fishing
15 season shortened is what's important, but while Marcos and Bill
16 set up the motion -- Marcos, do you want to speak? After that,
17 we're going to take a quick five minutes.

18
19 **MARCOS HANKE:** We are revising the language and we need a few
20 minutes more.

21
22 **CARLOS FARCHETTE:** We are going to take a quick two or three-
23 minute break, because nobody had their coffee break yet.

24
25 (Whereupon, a brief recess was taken.)

26
27 **CARLOS FARCHETTE:** We are going to look to get back online here
28 and everybody can have their seats and see if they came up with
29 that motion. We some verbiage for the motion.

30
31 **SHEPHERD GRIMES:** I was going to comment on the text of those
32 motions, but -- The first one, the council completes membership
33 to design established terms of reference and schedule for
34 meetings, I don't really understand what that means, but it
35 seems what the council first wants to do or needs to do is
36 understand what the function or purpose of these APs is going to
37 be and then the council decides how they should be designed and
38 then the council appoints members to that AP in order to
39 accomplish the design of it.

40
41 I read this as you populating it with people before you really
42 even know what it's going to do and maybe those people then
43 decide what it should do and I guess you could follow that
44 process, but I would be inclined to view that as the cart
45 driving the horse.

46
47 **CARLOS FARCHETTE:** I think Miguel has a comment.

48

1 **MIGUEL ROLON:** Along the same lines as Shep, we started
2 discussing the role of the District Advisory Panels and the role
3 was to have an all-inclusive type of approach to this and so we
4 have NGOs and commercial fishermen and local governments and
5 recreational fishermen and others involved in the discussion of
6 issues that are going to be presented to the council for the
7 island-based FMPs.

8
9 The first one is the specific criteria and all of that, but
10 perhaps during the afternoon, I, or somebody there, Graciela and
11 I, can write some terms of reference so you will have in writing
12 what are these people supposed to do and maybe Bill will help me
13 with that. Maybe Bill and Graciela, because they are there
14 physically, can write the terms of reference of what the group
15 is supposed to do for the council.

16
17 We also need to clarify what type of meetings we are talking
18 about when we say public meetings, because if we have let's say
19 workshops or scoping meetings or informal meetings or public
20 hearings -- I don't think that we are ready for public hearings
21 anyway, but we need to clarify what type of meeting we are
22 talking about.

23
24 This afternoon, we are going to receive the report from the
25 committee that reviewed the candidates for these committees, in
26 the closed session, and supposedly tomorrow we are going to
27 announce the composition of the three District Advisory Panels.
28 Maybe by tomorrow we can also have the terms of reference or
29 today, this afternoon, we can discuss it. The terms of
30 reference should be short and to the point.

31
32 **SHEPHERD GRIMES:** I think his point, or one of his points
33 anyway, is that this is on the agenda for Administrative
34 Matters. Number 1, at least the substance of Number 1, is on
35 the agenda to be discussed this afternoon.

36
37 The way I interpret all of this, then we're going to create
38 advisory panels that are island-based, or at least going to
39 review island-based draft materials, and we're going to create
40 those before we have the island-based FMPs, because they are
41 presumably going to meet to discuss the drafts and their input
42 will inform the process, the development process, of those
43 island-based fishery management plans.

44
45 **BILL ARNOLD:** Here is what I had in mind specifically for Motion
46 1. The council has already discussed the creation of these
47 island-based APs. There is going to be three of them. There is
48 going to be one for each of the island-based plans and they are

1 going to have a broad range of activities that they're going to
2 contribute to that are probably going to last for years.

3
4 This is going to take the island-based FMPs pretty much from now
5 all the way to the end and this may not be the correct approach,
6 but the way I envision it is the terms of reference that are
7 being discussed here are just for this first meeting that would
8 take place in winter of 2015, focused on only these species
9 selection criteria, reviewing the species selection criteria, et
10 cetera, et cetera.

11
12 Really, it is true that the council will meet this afternoon
13 during the business meeting to discuss these APs and their
14 composition and membership and terms of reference, et cetera, et
15 cetera, and that's essentially what the first motion addresses
16 and the idea is to put a motion in place that says you will get
17 this done.

18
19 Maybe you don't need it and if you don't, that's fine, but I am
20 anxious to keep this moving forward. Really, the way it should
21 read is: Council completes AP membership, establishes terms of
22 reference, and then schedules meetings for winter of 2015. That
23 would pretty much capture what I had in mind for that and then
24 the others fall out from that.

25
26 **MARCOS HANKE:** Because the motion is presented and the
27 instruction of our lawyer here and this is something that we are
28 discussing and not very such which was the best way to do it,
29 what I understand, and I want to make clear on the record, is I
30 think it's better to eliminate the Motion Number 1, because it's
31 already on the agenda and we're going to discuss that later on
32 and address all the issues that is discussed in there.

33
34 This way, please, the Number 1 part, I want to eliminate that
35 part on the motion. The reason is because it's already on the
36 agenda and we are going to discuss everything that is the
37 intention of that first part. It was trying to break it down
38 all the way through, but in this case it's not necessary, that
39 part.

40
41 Just to clarify the process, we are discussing the wording that
42 I put in there and do we need a second to keep going with this
43 process and changing the language, if appropriate, or we can
44 change the language first before we discuss it?

45
46 **SHEPHERD GRIMES:** I think that's up to you. I guess you could
47 have these as four individual motions and procedurally you could
48 second those and vote on them one-by-one or you could move it as

1 a single motion with a suite of items and do it all at once.
2 It's entirely up to you.
3
4 **MARCOS HANKE:** My question was different. My question is that
5 we are changing the wording of the motion that I put in there
6 and we are doing it correctly by doing it now or do we have to
7 have a second to do all of this that we are doing now?
8
9 **SHEPHERD GRIMES:** Again, it's your motion and you can decide.
10 As I said, you can make one and do it one at a time and pass
11 them that way or you can go through and wordsmith them all as
12 you would like and then pass them all at once.
13
14 **MARCOS HANKE:** My intention is for the combo, for them all.
15
16 **CARLOS FARCHETTE:** Right and then after the vote, during the
17 discussion, we can submit changes if somebody has them. The
18 motion is by Marcos Hanke.
19
20 **MIGUEL ROLON:** Carlos, a point of order. Marcos doesn't have to
21 drop the first part of the motion, because you already -- What
22 you are doing is reaffirming what you wanted to do and it
23 doesn't matter if you have it here this afternoon.
24
25 The intent of these four items in the motion is just to give
26 direction to the committees and the council and just to add
27 another -- Please put a "D" before "AP", because that's the name
28 that you adopted, the District Advisory Panels.
29
30 Marcos, that could be a motion. The first part that you dropped
31 is okay and you can just present that tomorrow, if needed.
32 Marcos, the other thing is we need to clarify what type of
33 public meetings you are talking about.
34
35 **MARCOS HANKE:** Scoping meetings.
36
37 **ROY CRABTREE:** It says meet in February and overview draft for
38 species selection and concepts and what is it they are going to
39 -- What is it that they're going to look at? What are they
40 going to overview? What does that mean?
41
42 **BILL ARNOLD:** What it should say is: Review draft criteria in
43 the species selection criteria table.
44
45 **ROY CRABTREE:** Are we going to review that table today?
46
47 **BILL ARNOLD:** You could, but that wasn't necessarily part of
48 this.

1
2 **ROY CRABTREE:** Why would we go to the AP with something until
3 we've gone through it ourselves and determined if it's what we
4 want to do? Maybe we looked at it at the last meeting, but
5 we've got SSC comments now on it?
6
7 **GRACIELA GARCIA-MOLINER:** The SSC is currently developing the
8 criteria for the species selection. That's what Richard
9 reported on, but we didn't get too far, because we only had a
10 one-day webinar.
11
12 **BILL ARNOLD:** It's a matter of when you want to bring these APs
13 into the process. Do you want to do it after you have basically
14 structured these criteria or do you want it early enough so that
15 they have valid input into the structuring of these criteria?
16 We have got the tables out there, Roy. The criteria are in
17 there.
18
19 **ROY CRABTREE:** But I don't have any sense of what the council
20 thinks about it and where the council wants to go with this and
21 I am worried that this is going to get way ahead of us, because
22 we have never really spent any time having a serious discussion
23 about any of these things and it seems to me we ought to have
24 some really serious discussions about this before we start
25 talking about scoping meetings and things like that. It seems
26 to me that all of our discussions of this have been very general
27 and very superficial at this point.
28
29 **GRACIELA GARCIA-MOLINER:** The SSC had requested that the members
30 of the island-specific APs actually meet with them to inform the
31 selection criteria that they had been discussing and so that was
32 part of the idea of having the APs at the same time that the SSC
33 was discussing that. They need that information into the SSC
34 discussion.
35
36 **BILL ARNOLD:** The scoping meetings is something that could be
37 taken out of this process and maybe you just want to form the
38 APs and have them meet in conjunction with the SSC and they all
39 get together and review this and bring it back to the council in
40 the spring and then the council can -- We can have a thorough
41 review at the spring meeting and then we could go out to scoping
42 following that. Maybe that's an approach that would appeal to
43 the council more.
44
45 **MARCOS HANKE:** It is my motion and I can do what I think is the
46 best for the process. We are going to meet and address this
47 today, later on, on the administrative meeting, and I want to
48 table that motion and that wording and after we pass through

1 that process of the administrative and we touch all those bases
2 and everything, then I will judge if we go back to this motion
3 or not. I am tabling the motion.

4
5 **MIGUEL ROLON:** I want to go back to what Dr. Roy Crabtree was
6 talking about. I believe that you should devote some time to
7 discussing what is it that you want to do, although we already
8 know more or less what we want to do. We need to formalize it.

9
10 My proposal is after the meeting this afternoon, which, by the
11 way, we don't have an administrative committee meeting anymore
12 and it's just another section of the agenda, except for the
13 closed session, but we can have half an hour maybe or an hour,
14 whatever you need, early in the morning tomorrow, before we
15 start the full agenda for tomorrow, and get this done.

16
17 In the meantime today, Graciela and Bill and I can put together
18 reference terms for 2015 and reference terms for the entire life
19 of the DAP and that way, you will have a more structured way of
20 proceeding.

21
22 I believe that somebody said that the scoping meetings are kind
23 of too premature at this time, unless we really know what is
24 going to happen. The other part is that you have to be mindful
25 of the money and to meet the SSC with the panels costs about
26 \$38,000, plus \$25,000 for the SSC.

27
28 Probably what we should do is at each meeting of the panel, the
29 Chair can go and explain what the SSC has done in terms of the
30 proposed table for each one of the areas as a criteria for the
31 species.

32
33 That way, we will have -- The first meeting of the AP, we have
34 to tell them what is it that you are supposed to be doing and
35 the first meeting also will address the first task, which will
36 be the criteria for the species.

37
38 Also, this is a process that we will all be learning as we go,
39 because these DAPs are like mini councils in each one of the
40 areas and we want to have a time to discuss thoroughly all these
41 issues before we come to the council with recommendations and
42 still their recommendations will be just that, recommendations.
43 The final word will be made by the CFMC, of course.

44
45 **CARLOS FARCHETTE:** Any comments on Miguel's statements? Where
46 did Marcos run off to?

47
48 **MARCOS HANKE:** I already stated, and I can do it again, that I

1 remove the motion. I table and leave the language the way it is
2 and after we meet and address like it is in the agenda,
3 scheduled in the agenda.

4
5 **SHEPHERD GRIMES:** Just to clarify, technically nobody moved to
6 table anything, because that requires a separate motion and a
7 vote. What you've done is withdrawn this motion and he will
8 raise it and save the text of it, because he intends to bring
9 the issue back up after we discuss it later today, correct?

10
11 **MARCOS HANKE:** Correct and thank you for the help.

12
13 **CARLOS FARCHETTE:** Okay. Any further discussion? If not, we
14 are going to break for lunch and be back at 1:15, but don't go
15 past 1:15 here. We've got a lot of work to do.

16
17 (Whereupon, the meeting recessed for lunch on December 9, 2014.)

18
19 - - -

20
21 December 9, 2014

22
23 TUESDAY AFTERNOON SESSION

24
25 - - -

26
27 The Caribbean Fishery Management Council reconvened at the
28 Frenchman's Reef and Morning Star Hotel, St. Thomas, USVI,
29 Tuesday afternoon, December 9, 2014, and was called to order by
30 Chairman Carlos Farchette.

31
32 **CARLOS FARCHETTE:** We are back to after lunch, a continuation of
33 the 151st CFMC meeting. What we are going to have to do here is
34 since we are waiting to find out if the fishermen in Puerto Rico
35 are at the Sea Grant Office, we are going to continue with the
36 agenda until we get word on that, but before we move out of the
37 island-based discussion and the status of species selection
38 criteria, there was a letter sent to the council by the Pew
39 Charitable Trust and should this be read on the record and, if
40 so, are they going to do it or should I do it?

41
42 **SHEPHERD GRIMES:** If you want to read it, you can read it, but
43 understand that any written documents or discussions, anything
44 provided at this meeting, is part of the formal record. The
45 council retains all that stuff and it's before the agency and
46 before the council in making decisions and so it doesn't have to
47 be read into the record, but I don't know that I've seen it.
48 Was it provided to us beforehand and is it in the briefing book?

1
2 **TONY BLANCHARD:** I've got a question for Shep. Does this need
3 to be read into the record?
4
5 **SHEPHERD GRIMES:** It's already part of the record. By having it
6 provided to us, it is in the record. It is part of the written
7 record and if you would like to read it into the record for
8 whatever --
9
10 **TONY BLANCHARD:** So it don't necessarily have to be read into
11 the record, because it is the record?
12
13 **SHEPHERD GRIMES:** Exactly.
14
15 **TONY BLANCHARD:** Okay and well I say we don't need to read it.
16
17 **SHEPHERD GRIMES:** Just one thing. It doesn't need to be read
18 into the record, but it is a written comment provided and I
19 would encourage everybody to actually read it, but we just don't
20 need to sit here and read it to the mic for the recording.
21
22 **CARLOS FARCHETTE:** Okay. I've got you.
23
24 **MARCOS HANKE:** I just want on the record to clarify that
25 everybody has a hard copy of this, all the council members,
26 right now.
27
28 **CARLOS FARCHETTE:** Okay and so there's a hard copy that's just
29 been distributed and so everybody read it on their time.
30
31 **GRACIELA GARCIA-MOLINER:** The letter will be forwarded. It
32 hasn't been, and I can't remember, to the SSC, because it goes
33 to the discussion that the SSC had in November regarding the
34 thresholds to determine what species should be included or not
35 in the management of the species and so it summarizes the
36 discussion and it adds additional guidance, if you will, on what
37 the council could request the SSC to do regarding the species
38 selection criteria. It will be part of the SSC discussion also.
39
40 **ROY CRABTREE:** It seems to me we're talking about island
41 management a lot, but I get the sense we're not really getting
42 anywhere and I think what we need at this point is for staff to
43 bring us in a series of alternative selection criteria that we
44 can review at the next meeting for each island and with a list
45 of here's the species that would meet it and here's the species
46 that we currently manage that wouldn't meet it and here's the
47 species that would be added and different variants on selection,
48 but we need to get to the point of where we're looking at

1 alternatives.

2
3 Once we have a series of different alternatives and different
4 species and all, then I think you're at a point where you can go
5 out to the public and ask them what they think of it, but we
6 need to get something in front of us if we're going to ever get
7 this done.

8
9 **CARLOS FARCHETTE:** For the record, I just want to summarize the
10 letter here. It's about scheduling more meetings for the SSC to
11 complete work on species selection criteria and request the SSC
12 to work out an example of how the species selection criteria
13 could be applied to evaluate possible outcomes of island FMPs
14 and have the SSC make recommendations for addressing currently
15 managed species that are reported and landed and using the SSC
16 to evaluate the use of ecosystem components, classification for
17 monitoring species that's currently in the FMPs, and also a
18 statement that the SSC did not have time to consider unmanaged
19 species, such as creating FMUs for dolphin and wahoo and forage
20 fish species.

21
22 That's basically a little summary of the letter that was
23 submitted and you all can read the total document on your own
24 time.

25
26 I guess we're going to continue here. They are ready for the
27 ABT and I want to welcome the fishermen of Puerto Rico that are
28 in the Sea Grant office. I am glad that you all made it for
29 this meeting on Go to Meeting. Welcome aboard.

30
31 **ABRIR/BAJO/TOURMALINE RECONSIDERATION OF CLOSURE PERIOD,**
32 **GUIDANCE ON NEXT STEPS FROM COUNCIL**

33
34 **GRACIELA GARCIA-MOLINER:** You have been working on the
35 developing consistent regulations for the three seasonally
36 closed areas off the west coast of Puerto Rico: Abrir la Sierra,
37 Bajo de Sico, and Tourmaline.

38
39 At the last council meeting, you changed some of your preferred
40 alternatives and had asked the staff to give you a new set of --
41 The document with the updated version of the alternatives that
42 you had considered.

43
44 Remember that we're talking about Bajo de Sico, Tourmaline, and
45 Abrir la Sierra off the west coast and these two, Bajo and
46 Tourmaline, are shared jurisdictions with the state government
47 of Puerto Rico and Abrir la Sierra is completely in federal
48 waters.

1
2 One of the main goals of the amendment is to actually create
3 consistent regulations among the three areas, because right now,
4 Bajo de Sico has a completely different set of regulations than
5 Abrir la Sierra and Tourmaline.

6
7 The first action that's considered in the amendment -- I don't
8 think you need -- Do you need any background history on what we
9 had done before? No? Okay. So we are going to go through the
10 six actions and the number of alternatives that you have in the
11 document.

12
13 The first action has to do with modifying the length of the
14 closed season and so if you -- All of them will have the no
15 action as the first alternative and that will be to retain the
16 current regulations that are in place at these three areas.

17
18 Then you have a set of alternatives that consider different
19 varying lengths of a seasonal closure and you do have the Bajo
20 de Sico, which has a six-month closure now. You will see that
21 in some of the alternatives that's not included, because it has
22 a closed season of October through March, but you have an
23 alternative to change that from December to the last day in
24 February.

25
26 Then you have an alternative to modify the closed season from
27 December to May for all three areas or any one of these areas
28 and to modify the seasonal closure to be year-round for one or
29 any of these areas.

30
31 What you had selected at the last council meeting was to include
32 an alternative that would close the three areas for four months
33 rather than the three months that Abrir la Sierra and Tourmaline
34 now have as part of the regulation and this alternative is
35 Number 6 and so it would be to modify the closed season to be
36 December 1 to March 31. That was your preferred alternative and
37 for all three areas, so that all three areas will be consistent
38 in the federal regulations.

39
40 We have recently been working with the SEAMAP Caribbean data
41 that had not been available before and so Walter Ingram and Aida
42 Rosario have been putting together maturity on MPAs and so these
43 data were not available when we -- Well, the data were
44 available, but the actual review of the data and the analysis
45 had not been available in terms of the number of species that
46 use the area, because these areas were originally closed to
47 protect the red hind spawning and it came into being that there
48 are many other groupers and snappers that have been using the

1 area for spawning and other activities, including species that
2 are protected. That includes things like turtles.

3
4 What Walter really has done is he's been trying to create a gold
5 copy of the SEAMAP, which is a fishery-independent dataset, to
6 look at what species had been sampled from these areas over the
7 years and so the information that we have now -- This is still
8 under review and this is still being developed.

9
10 It's 1991 to 1995 and then 2009 to 2012. I would like for you
11 to look at the red dots when they are coming up on the screen,
12 because those are the fish that are ripe and so they would be
13 indicative of being spawning at that time.

14
15 The green circles are when the fish are developing and the white
16 circles are when they have already spawned and so what you will
17 see is a set of data that's Bajo de Sico, Tourmaline, and Abrir
18 la Sierra and this is just the effort, the effort that has been
19 taken for this fishery-independent program to sample through the
20 years in this area.

21
22 For red hind specifically, if you look at the red dots, there
23 are red dots all over the place are concentrations of red dots
24 all over the place and if you look at the white dots, those are
25 the ones that are spent and they're kind of away from these
26 areas, but inside Tourmaline, and they are found all over the
27 place.

28
29 What Walter did is he pulled out some of the information from
30 the groupers that are within this database that had enough
31 information that we could look at this here today and he has
32 looked at the coney. Again, look at the red dots. They are
33 kind of concentrated in the areas that we are discussing here
34 today and the graysby. That's a shallower species, in most
35 cases.

36
37 There is information in this database that points to the
38 specific areas of concern and the stage of development of the
39 gonad by month and these are the number of samples and you can
40 see that they are fairly varied. You have more concentration at
41 Bajo de Sico of sampling over the years than you do at
42 Tourmaline, for example.

43
44 These kinds of data have to be reviewed and revised to determine
45 how useful they are in terms of being included for any kind of
46 analysis, but they are being considered and so they are here in
47 the form of a graphic exploration of what the data looks like
48 and so another species that the council has under management and

1 most of the spawning is taking place at Abrir la Sierra and a
2 little bit at Bajo de Sico and in some other areas too that have
3 no protection right now, either from the federal or the state
4 government.

5
6 Mutton snapper, which has a seasonal closure, kind of outside of
7 the areas, but, as I said, it has a seasonal closure and so they
8 are protected during the time of their spawning and lane snapper
9 are usually a more in-shore species and kind of spawning all
10 over the place.

11
12 Silk snapper, again, outside the areas that are protected, at
13 least the only ripe group that was found at the time, but,
14 again, it's under a seasonal closure of October, November, and
15 December.

16
17 The vermilion are kind of outside the areas of being protected,
18 but, again, it's under a seasonal protection and the yellowtail,
19 as you can see, it's all over the place and this one has a more
20 protracted spawning period and so it spawns over a longer period
21 of time rather than what groupers do. That's very concentrated
22 periods of time.

23
24 The blackfin, the blackfin are at Abrir la Sierra and at Bajo de
25 Sico and schoolmaster and tomtate are also are found -- They're
26 more shallower species. The white grunt, again at Tourmaline
27 and Abrir la Sierra.

28
29 The butterfly fish, again these have a more extended spawning
30 cycle, but they are found ripe all over the -- The fact is that
31 you will find them ripe most of the year. The butterfly fish
32 used to be under federal regulation and harvest was prohibited
33 and other butterfly fish. The blue runner and the porgy and the
34 triggerfish and the ocean surgeonfish and the tilefish and the
35 squirrelfish and, finally, a very inshore species and that's
36 part of the SEAMAP data.

37
38 This is not complete. The gold copy that is being created is
39 not finalized, but it just gives you additional information that
40 had been there and had in fact been used for the original red
41 hind amendment back in 1986 to close the two additional areas
42 other than Tourmaline to protect the red hind spawning
43 aggregation and so it's still 2009 to present and there is
44 information being collected.

45
46 Do you want me to go through all of the actions and alternatives
47 or do you want to discuss each as we go along? There are six
48 actions and many alternatives.

1
2 **CARLOS FARCHETTE:** Anyone from the council or -- I would go
3 ahead through.

4
5 **GRACIELA GARCIA-MOLINER:** Go through all six? Okay. What the
6 council had requested was to have this as a preferred
7 alternative, to have it closed between December and March. That
8 would be for four months and so it would be different for all
9 three areas, but now it will be consistent among the three areas
10 if the council stays with the preferred alternative.

11
12 The Action 2 has to do with modifying the reef fish fishing
13 activities. Bajo de Sico has a prohibition on the take of
14 council-managed reef fish species during the seasonal closure of
15 six months and Abrir la Sierra and Tourmaline, the regulation
16 that's in place is for three months and all fishing is
17 prohibited and so in this case, the council had selected as the
18 preferred alternative to prohibit fishing for and possession of
19 council-managed reef fish during the seasonal closure
20 established in Action 1. Once you determine what month you are
21 going to have for the closure, then you have to determine
22 whether you want to -- What kind of activity you want to
23 prohibit or is allowed at these places.

24
25 In this case, you don't have a Bajo de Sico here, because the
26 Bajo de Sico already has a prohibition on the fishing and
27 possession of council-managed reef fish species during the
28 seasonal closure and this would make them compatible or
29 consistent among the three areas.

30
31 The third action is to modify the spiny lobster fishing
32 activities and the way that the regulation is now for Bajo de
33 Sico, harvest of spiny lobster is allowed during the seasonal
34 closure of six months and so you had requested that the
35 alternative to modify fishing activities to make them consistent
36 through the three areas was to allow fishing for spiny lobster
37 year-round at all three areas.

38
39 There are regulations in place regarding bottom tending gear.
40 For example, traps are not allowed in any of these three areas
41 and so the harvest of spiny lobster would only be through the
42 use of hand or snares, because there is also a prohibition on
43 the use of any kind of a hook or gaff to harvest spiny lobster.

44
45 Action Number 4 is to prohibit anchoring. There is a
46 prohibition of anchoring already in Bajo de Sico through the
47 amendment that was done in 2010 and in this case, your preferred
48 alternative was to prohibit anchoring year-round at Abrir la

1 Sierra and Tourmaline and this will make a consistent set of
2 regulations throughout the federal waters.

3
4 In fact, this one would also make it compatible with the state
5 waters, because they already have a prohibition on the anchoring
6 of vessels at the three sites.

7
8 Action Number 5 is to modify the HMS fishing activity. The
9 council doesn't actually regulate HMS activities, but they can
10 request that HMS become compatible, in this case, with the
11 regulations that the council will establish for the three areas.

12
13 In this case, you have two alternatives that you decided were
14 the preferred alternatives at the last council meeting. The
15 first one is Alternative 2 and this one is a little bit of a
16 change in the wording and so upon consent to the request of the
17 council, prohibit bottom longline fishing for HMS year-round at
18 Bajo de Sico. This one is already in place at Abrir la Sierra
19 and Tourmaline and in this case, you would request that HMS
20 prohibit any kind of bottom longline for HMS, which is a little
21 bit different than for reef fish, at Bajo de Sico.

22
23 The other alternative that you had selected as the preferred
24 alternative, and I am going to read this one off, is Alternative
25 4. Upon consent to the request of the council, prohibit fishing
26 for and possession of HMS in some or all of the three areas
27 during the seasonal closure established in Action 1, with an
28 exception that it would allow surface trolling for all HMS, as
29 defined in Section 635.21(a)(4)(iv) and spear gun fishing gear
30 to fish for bigeye, albacore, yellowfin, and skipjack, the BAYS
31 tunas, and this would be for the three or any of the areas that
32 we have under federal management.

33
34 Finally, Action 6 is to modify spearfishing activities and this
35 one, the preferred alternative was Alternative 2, to prohibit
36 spearfishing for council-managed reef fish during the seasonal
37 closure established in Action 1 for all three areas or any one
38 of these areas: Abrir la Sierra, Bajo de Sico, and Tourmaline.

39
40 You have received one specific comment from Javier Hernández and
41 I think that everyone has a copy of that. It has an English and
42 a Spanish version and Javier Hernández goes through the actions
43 and alternatives that are proposed and what the council
44 discussed and is trying to figure out why we have certain
45 actions in place that are not consistent with previous actions
46 that the council has taken and I believe this is the only
47 comment that we have received since the last council meeting.

48

1 You have the letter on the screen also. That's a complete
2 version and what you have on the screen is a complete version of
3 what you should have received.

4
5 **MIGUEL ROLON:** Graciela, can you briefly summarize its main
6 points?

7
8 **GRACIELA GARCIA-MOLINER:** He suggests that we the people
9 recommend that Action 6 be eliminated altogether in the final
10 version of the draft, because this action has to do with
11 prohibiting spearfishing of council-managed reef fish species
12 during the seasonal closure, which if you go to Action 2, where
13 you are modifying the reef fish fishing during the seasonal
14 closure, you are already prohibiting fishing for all council-
15 managed species. This is making it a little bit less redundant.

16
17 Then he goes on about Action 5 and Alternative 4, which is that
18 you are allowing trolling and spearfishing for highly-migratory
19 species, and if you are going to protect the bottom and the
20 spawning aggregations, then this one is in conflict with the
21 other actions that you have taken.

22
23 At the last council meeting, you had received information, and
24 this is why the alternatives had changed, that spear fishermen
25 that go free diving for tunas, et cetera, use a spear fishing
26 gun that is specifically for that activity and so it's a fairly
27 large spear gun and that they will be only targeting the coastal
28 migratory pelagics and the HMS. That's why you changed that and
29 that's what Javier Hernández has sent you in his comments.

30
31 **MARCOS HANKE:** I have a question for the Chair. Carlos, I have
32 a work that I did since the last council meeting and I asked
33 Miguel for this opportunity to change my position during all the
34 discussions that we did on the preferred alternative and after
35 the meeting I had a lot of -- I have information and I made a
36 very extensive analysis and interview to the academia, to the
37 fishermen, to the scientists, NGOs, and so on and on and on.

38
39 I have a set of recommendations to the council of how to manage
40 this, because I think that the preferred alternative that we
41 chose is not the appropriate one, for many reasons. Whenever
42 you are ready for me to go through this, I would like to do it
43 before we visit and vote or address what we did.

44
45 **CARLOS FARCHETTE:** Okay. Go ahead, Shep.

46
47 **SHEPHERD GRIMES:** Thank you, Mr. Chairman, and just two quick
48 things. In response to the public comment, I actually raised

1 this at the last meeting and it's reflected at the bottom of
2 page 106, the bottom half of the page 106, that our spearfishing
3 action is odd in that it is a little bit redundant if you
4 maintain your current preferred alternative for council-managed
5 reef fish, but if you remember, I think it was in St. Croix, our
6 last meeting in St. Croix, we had a fairly chaotic discussion
7 and spearfishing seemed to present some different nuances and so
8 the council wanted to have its own action to cover spearfishing
9 and provide the council the full range of alternatives specific
10 to just spearfishing and that's why the document is a little bit
11 redundant in that regard and I just wanted to point that out.

12
13 Then, as I also mentioned at the last meeting, we've had a lot
14 of discussion and the council has picked preferred alternatives,
15 but we have had very little rationale provided in support of
16 those preferred alternatives and I asked last time that if we
17 were going to pick preferred alternatives and stipulate our
18 position that we provide that rationale and that the rationale
19 be guided by the purpose and need of this document, which is to
20 adequately protect fish and corals and everything in the area
21 and to make it consistent, to the extent all of that was
22 possible.

23
24 Please just keep that in mind and we need some sort of rationale
25 to support each of the preferred alternatives, because right
26 now, there is little to nothing in the document for those and
27 there has been little to nothing provided in the discussions
28 from the past meetings. Thank you.

29
30 **ROY CRABTREE:** It is concerning to me, particularly with Bajo de
31 Sico. It seems to me that we're backing off on the level of
32 protection there. Right now we've got October, November,
33 December, January, February, and March and so six months closed
34 to all fishing and we're pulling back on that to only four
35 months and we're going to allow spearfishing for some things and
36 trolling and so I am concerned about that and that, of these
37 areas, is the one that seems to me to be the biggest concern and
38 I kind of agree with Shep that we just really haven't explained
39 why that's a good thing to do and so I look forward to hearing
40 what Marcos is going to suggest to us, but I don't think I could
41 support the amendment the way it's currently laid out with the
42 current preferreds.

43
44 **GRACIELA GARCIA-MOLINER:** Marcos, do you have it set up action-
45 by-action?

46
47 **MARCOS HANKE:** No, because it's like they have the whole
48 logistic of everything together and I prefer to lay it out that

1 way and then we go, if the council feels like it, because you
2 guys have to make an opinion about it, and to act as a body.
3 Everybody give an opinion and just make a very hard work on this
4 and I can sleep well after I present this, because what we did
5 with Bajo de Sico and a few other things for the wrong reasons -
6 - That was the best information I had at that time, but I don't
7 think it's right and I am ready to present this any time the
8 council desires.

9
10 **GRACIELA GARCIA-MOLINER:** The reason why I was asking is if you
11 wanted to put it all action-by-action on the screen, but we will
12 wait on that and then you will discuss them one by one? Okay.

13
14 **CARLOS FARCHETTE:** Okay and I believe Miguel wants to say
15 something after Graciela.

16
17 **MIGUEL ROLON:** Helena and I are coordinating here some meetings
18 and we had a meeting coordinated by Helena some time ago in the
19 Cabo Rojo area and the fishers there were concerned with two
20 issues mostly, enforcement around the buoys, which is not a
21 discussion at this time, but I will send a letter to the
22 Secretary after this meeting talking about some of the issues
23 they presented, but they address the compatibility issue with
24 Puerto Rico's Department of Natural Resources.

25
26 At the August meeting, they said that they were going to bring
27 sort of a draft to this meeting about compatibility regulations
28 that they were to move forward and I don't know if they brought
29 it or not.

30
31 The other issue that the fishermen were concerned was the month
32 of May. They believe that the month of May is important for
33 Lent, economy-wise, and also they believe that some of the
34 groupers do aggregate in March, but it is three or four years
35 and -- I mean they don't do it every year. They have a cycle of
36 three to four years and whether that's true or not, I don't
37 know.

38
39 They are here and what we are discussing here and I don't know
40 what Marcos is going to say, but, Mr. Chairman, I believe that
41 we should allow them to speak whenever we discuss the closed
42 season in their area and try to develop the record accordingly,
43 because if we are going to change any of this, saying that this
44 is right or this is wrong is not going to cut it and we really
45 have to develop the rationale from the standpoint of science and
46 the socioeconomics that will satisfy MSA before we move forward
47 with this.

48

1 **CARLOS FARCHETTE:** Absolutely, Miguel. I think that they need
2 to be heard. Miguel, I understood you to say May and is it
3 March you're talking about Lent or May?
4

5 **MIGUEL ROLON:** Sorry. March. March is the month of concern for
6 the majority of the west coast fishers.
7

8 **CARLOS FARCHETTE:** Right and from what I saw in the chart, I
9 don't think that there's much spawning going on in that month.
10

11 **MARCOS HANKE:** Yes, there is.
12

13 **CARLOS FARCHETTE:** Okay and I think Marcos is itching to go
14 forward.
15

16 **MARCOS HANKE:** I want to take this off my chest, because I
17 worked very hard on it.
18

19 **CARLOS FARCHETTE:** Let me find out if the fishermen really want
20 to say something first or wait to hear Marcos. Anybody?
21

22 **HELENA ANTOUN:** Can you hear us?
23

24 **CARLOS FARCHETTE:** Yes.
25

26 **HELENA ANTOUN:** If you can hear us, they want to wait for
27 Marcos.
28

29 **CARLOS FARCHETTE:** Okay and so we will hear from Marcos first.
30

31 **MARCOS HANKE:** Hello, everyone in Mayaguez. Thank you for being
32 there and this first part I would like to do in Spanish, because
33 I want to make sure that they understand me. Is that possible,
34 Mr. Chair?
35

36 **SHEPHERD GRIMES:** I am not being overly procedurally heavy here,
37 but technically, in Roberts Rules, we are supposed to have a
38 motion and then some discussion in pursuit of that motion and we
39 obviously don't rigorously follow that, but to frame this, I
40 presume that Mr. Hanke is going to have a bunch of discussion
41 here that is eventually going to result in a motion picking
42 preferred alternatives for the actions in the ABT amendment
43 that's before us today and is that right?
44

45 **MARCOS HANKE:** That is the natural path of this, yes.
46

47 **SHEPHERD GRIMES:** Okay.
48

1 **CARLOS FARCHETTE:** Should there be a motion first and then
2 discussion or should he just go ahead and --

3

4 **MARCOS HANKE:** We don't know the motion yet.

5

6 **SHEPHERD GRIMES:** I mean technically it's supposed to be a
7 motion first, but --

8

9 **MARCOS HANKE:** Shep, the reason I am presenting this is to see
10 if the motion is appropriate in the future. We really need to
11 discuss and I need to present this the way I'm going to present
12 it to them to decide if the council desires or anybody desires
13 to make a motion, because right now, we don't have any extra
14 information to do this.

15

16 For Bajo de Sico, going back to the original few things that was
17 the way we usually manage Bajo de Sico, I am presenting a six-
18 month closure from December to May 31, allowing to fish
19 commercially and recreationally in the water column with the HMS
20 definition of trolling and the rationale for that is because the
21 HMS species are one of the main ones that are going to be fished
22 using trolling techniques.

23

24 Also, blue-water hunting for HMS species and coastal pelagics
25 and I will ask for guidance from Shep how to address this in
26 terms of the allowable species on those coastal pelagics and if
27 it's necessary to make a list, even though we don't manage them,
28 or whatever way to make this intention clear on the document.

29

30 The other element is no bottom-tending gear like lobster traps,
31 bottom gears, gigs, or any other gear, any other gear, with
32 bottom interaction and I put a little observation here to create
33 a list and this is an exercise that I will ask the council to
34 work and to help to develop that list of gears that we think
35 could affect what we are protecting.

36

37 No anchoring all year-round to protect the habitat, especially
38 fragile corals, listed and threatened species, that are present
39 on the area. This is for Bajo de Sico only.

40

41 No fishing after 5:30 P.M. and the reason of this is very simple
42 management and it's because during aggregation, even though they
43 aggregate on the area during a specific month, the cone, or the
44 formation for the spawning during the night, once the sun goes
45 down is when they are more susceptible to the fishermen.

46

47 That's one of the reasons to allow no fishing on the area after
48 5:30 and also remember that for HMS, for trolling, and for

1 spearfishing that it's also time to go back, because it's a very
2 far-away place and there is some safety issues on that and also,
3 it helps the fact that for the Coast Guard, if you are there
4 after 5:30, you are doing illegal fishing or looking for things
5 that you shouldn't be looking for.

6
7 No fishing for CFMC-managed species for Bajo de Sico and that
8 includes Nassau grouper, obviously, but just I want to highlight
9 that.

10
11 No chumming and this is very important. No chumming with live
12 or dead bait during the closed season, just for the fact that if
13 you are HMS trolling around and you are chumming with dead or
14 live bait -- In the meantime, while you are going back and forth
15 and back and forth, there is a higher possibility of rising fish
16 from the bottom and interacting with them and we don't want that
17 to happen in Bajo de Sico.

18
19 No conch or lobster fishing during the closed season on Bajo de
20 Sico and now part of the rationale that I already explained some
21 of that is -- Allow commercial fishermen to troll to catch wahoo
22 and dorado and I know that we don't manage it, but just for the
23 fishermen and for everybody to know our intention.

24
25 Allow the commercial fishermen to troll to catch wahoo, dorado,
26 yellowfin tuna, skipjack tuna, and blackfin tuna that is HMS and
27 coastal pelagics and things that we don't manage on this list,
28 but that is the intention of this management.

29
30 This activity of trolling on the area for commercial fishermen
31 is reported to be essential for the commercial fishing
32 community, either for consumption, for sale, or for bait,
33 especially the skipjack tunas and the blackfin tunas that are
34 used for the deepwater fishing activity on the area.

35
36 Allow recreational fishermen and charters to fish trolling, the
37 HMS definition, for HMS species and again, a little comment
38 about the coastal pelagic is even though we don't manage it,
39 that's the intention of this management, to allow them to
40 possess and to keep those guys throughout this area. This list
41 has to be developed or the approach has to be guided by Shepherd
42 on how we can address this.

43
44 This area is very important for charters and recreational
45 fishermen, because wahoo and billfish feed in this area and pass
46 through the area and use the area. Trolling on the area
47 presents no or minimal -- Trolling with the HMS definition
48 presents no or minimal interaction with the bottom. The

1 majority of the charter clients that choose to fish on the west
2 of Puerto Rico are hardcore fishermen that are looking to fish
3 in one of the best fishing grounds of blue marlin in the world.

4
5 We had a few years the most release and we alternate with
6 Venezuela on the most release of blue marlin in a tournament and
7 that's on the west coast of Puerto Rico and Bajo de Sico is part
8 of that. I am still with Bajo de Sico.

9
10 Due to sporadic lobster fishing activity predominant in a deep
11 depth and the fishing area and size of the lobster population,
12 lobster fishing in Bajo de Sico should not be allowed during the
13 six months. This approach is supported by a CFMC study made by
14 Garcia-Sais et. al.

15
16 The long distance traveling and the high fuel costs create a
17 great amount of logistics and its imminent risk to the
18 fishermen. This is another reason to prohibit lobster fishing
19 in Bajo de Sico and also we have to highlight that lobster
20 fishermen have many other places to perform their fishery which
21 is safer and, through the literature and the comments from the
22 fishermen, better lobster grounds.

23
24 Due to geographical distance and depth around Bajo de Sico, a
25 difference in geomorphology, and the seamount is just a limited
26 shallow-water habitat on the top, and the limited connectivity
27 presumed with other spawning grounds on the insular platform of
28 Puerto Rico, as well as a difference in the species composition
29 that aggregates to spawn on the area, Bajo de Sico should be
30 managed apart.

31
32 I am going to repeat that, because that's very important.
33 That's the main mistake on the decision that we did last time.
34 Apart from Tourmaline and Abrir la Sierra, especially knowing
35 that the greatest spawning importance for multiple grouper
36 species, including Nassau grouper, among others, take place on
37 this area.

38
39 Another important point is that if we standardize and make it
40 even for law enforcement purposes the three areas, we might be
41 cutting or adding a socioeconomic impact to Tourmaline and Abrir
42 la Sierra that I'm going to discuss next and which are much more
43 important fishing grounds for the fishing community that I
44 interviewed for the west coast. Now, I am going to change and
45 finish with Bajo de Sico and I am going to --

46
47 **CARLOS FARCHETTE:** Marcos, can you hold?
48

1 **MARCOS HANKE:** Yes, I can.

2
3 **TONY BLANCHARD:** From what you just said there, Marcos, the only
4 thing that has really changed, to a certain degree, is going
5 from four months to six months. As for the argument for the
6 divers going in to dive lobsters and it's a dangerous situation,
7 it just goes with the trade and that should not be the decision
8 of the manager to decide that we are going to keep you out of
9 there and off of a certain species because it's dangerous. This
10 is a dangerous job.

11
12 The decision should be up to the individual and really, if it's
13 that costly and it ain't worth it, they ain't going to be going
14 there to dive no lobsters.

15
16 As for the trolling, the only thing I see that really changed
17 was the chumming, because everything else is allowed for the
18 trolling and the taking of the HMS species by the fishermen too,
19 which really, we don't manage the HMS and so I think we should
20 just back off of that deal and leave the HMS to deal with the
21 HMS.

22
23 The only thing, like I said, I really see changed was the
24 chumming and the six-month period that you want to change from
25 four to six, which we agreed to at four the last time, and, like
26 I said, for the lobsters, you know the game. The game you are
27 playing, you know it already. If you go there and take that
28 chance, then obviously you feel it's worth it.

29
30 We can't manage somebody because we're afraid they'll hurt
31 themselves. That's on them. If you're willing to take the
32 gamble, take the gamble, but I think that that is not a good
33 decision to make or that shouldn't be a good reason to make that
34 decision and that's just me.

35
36 Like I said, I ain't from Puerto Rico and I'm not a Puerto Rico
37 representative and I can't tell you what's best for you, but I'm
38 sitting back here and taking a look at it from the outside and
39 that's what you're telling me.

40
41 **MARCOS HANKE:** To the point, before I keep going, and thank you
42 for your comment. The reason I mentioned, besides the fuel
43 consumption, the distance and so on, is trying to characterize
44 how much economic benefit -- In some way, how much economic
45 benefit the fishermen can take from an area that is so small and
46 that is documented that has a limited resource of lobster
47 compared to the other places.

48

1 About the risk or the danger, I disagree with you. I think that
2 if I know that that could be creating a risk problem to the
3 fishermen, I have to take that into consideration. I think
4 that's actually part of our job and I respect your opinion, but
5 that's what I judge.

6
7 **CARLOS FARCHETTE:** A follow-up, Blanchard? Then Roy Crabtree.

8
9 **TONY BLANCHARD:** Another thing that comes to mind is we're
10 talking about a spawning aggregation and Richard could correct
11 me on this, but there has never been a witness of a spawning
12 aggregation on that particular spot, because I think there needs
13 to be at least a thousand fish there, if I'm right, to have a
14 spawning aggregation. It does not?

15
16 **MARCOS HANKE:** Can I answer to that? On the part of the best
17 available data of aggregation that occurred at least one time,
18 like you just mentioned, we are talking about Nassau grouper and
19 that's one way of seeing it, but there is red hind and there is
20 many other things that aggregate there and there is new data
21 there that I've received that there is a big peak of aggregation
22 of red hind on the bank in other months taking place.

23
24 It is, for as far as my reading, an important spawning ground.
25 The best available science that we have, the way I interpret it,
26 it is an important place and it is a unique place that is a part
27 of the insular shelf, if you compare it to Tourmaline and Abrir
28 la Sierra. I just want to state that, to be clear, the way I
29 read this.

30
31 **DIANA MARTINO:** Marcos, before we continue, there is a need to
32 have it put on the screen so that we can discuss it in order and
33 they can understand it. Helena is translating on the other
34 side.

35
36 **MARCOS HANKE:** Perfect and I will ask for your patience, because
37 what comes with Abrir la Sierra and Tourmaline is part of the
38 rationale of all the three areas as a set of management for the
39 area and if I don't finish with Tourmaline and Abrir la Sierra,
40 it is going to be hanging. Please let me finish with Tourmaline
41 and Abrir la Sierra and then we'll go to full discussion.

42
43 **MIGUEL ROLON:** Marcos, if I may, the problem is we cannot follow
44 you because you have everything clumped and why don't you put it
45 on the screen and then you can say the same thing, but right
46 now, by the time that you finish, I don't know what you were
47 talking about at the beginning.

48

1 **SHEPHERD GRIMES:** This was my point in the beginning and this is
2 why Roberts Rules structures things this way. You make a motion
3 and then you talk about the motion and you have that in front of
4 you. Normally, you can make a motion and if you don't support
5 it, for the sake of discussion and have it up on the board.

6
7 The way Mr. Hanke is going through this, I am writing down what
8 he is talking about and I am getting the preferreds or what he
9 is recommending as preferreds.

10
11 Some of them are new alternatives and new things that we have
12 not even discussed up to this point and so it's going to take a
13 lot of work to put everything back together, but having gone
14 through that, I would encourage him to do what he said he wanted
15 to do in the beginning and let him keep going through it, so he
16 can hear it, and then we'll go back and cobble it together and
17 discuss it in terms of the document, because I think, as
18 confusing as it may be, if you stop now, it's going to get
19 worse.

20
21 **CARLOS FARCHETTE:** Okay, because I am already confused, but,
22 Roy.

23
24 **ROY CRABTREE:** I just wanted to point out, because there was
25 this discussion as to whether we should take into account safety
26 and, in fact, National Standard 10 says conservation and
27 management measures shall, to the extent practicable, promote
28 the safety of human life at sea. Whether something is dangerous
29 or not is something you need to take into account and be mindful
30 of.

31
32 **CARLOS FARCHETTE:** I agree with that, safety at sea. It ought
33 to be part of it. Marcos, are you going to just go ahead and do
34 Tourmaline?

35
36 **GRACIELA GARCIA-MOLINER:** What we will do is we are copying it,
37 so that he can continue reading it, but we will have it
38 available for the screen when you say that we're ready.

39
40 **CARLOS FARCHETTE:** Gotcha. Okay. We are going to take a quick
41 three minutes so we can get everything online.

42
43 **SHEPHERD GRIMES:** It's going to take more than that. Why don't
44 you say break for ten or fifteen minutes and you can get Marcos
45 there and get the bullet points of closed these months and
46 what's going to be prohibited and get that together, so we can
47 have that on the board and everybody can see that when he goes
48 through the remainder of his discussion?

1
2 **CARLOS FARCHETTE:** Okay. I will give him ten. We will take a
3 ten-minute break.

4
5 (Whereupon, a brief recess was taken.)
6

7 **CARLOS FARCHETTE:** Okay and we are back to the Abrir la Sierra,
8 Tourmaline, and Bajo de Sico and as soon as Marcos -- Marcos, as
9 soon as you put everything up on the board, the fishermen in
10 Puerto Rico would like to make comments, but at least now they
11 will be able to see exactly what we've got going on.
12

13 **MARCOS HANKE:** Once I finish with Bajo de Sico, which is the
14 harder part on the fishermen, but it presents a rationale that
15 addressed all the elements of judgment for a special area or a
16 different area, as Bajo de Sico is, and the way I presented, but
17 now I will go to Tourmaline and Abrir la Sierra.
18

19 Through my interviews and the people that I spoke with that are
20 fishermen and environmentalists and so on, they have a different
21 setting of approach that should be taken. The way I see it,
22 they cannot be mixed with Bajo de Sico, because they are totally
23 different.
24

25 On this case, from now on, there is some benefits, socioeconomic
26 benefits, to the fishermen and some measurements that will
27 address better management for Tourmaline and Abrir la Sierra.
28

29 The harder part of what I will present is the closed season and
30 instead of the four months that we have on the preferred
31 alternative, I want for Abrir la Sierra and Tourmaline, a closed
32 season from December 15 to March 15, due to the recent new
33 scientific information on this area on aggregation of red hind
34 grouper, among others, which will reduce our preferred
35 alternative to three months and March 15 is the only way I saw -
36 - I looked for the opportunity or the option of lunar cycles and
37 so on, but that's the only way we can include some of the March
38 month in which they aggregate there.
39

40 There is some peaks of spawning aggregation on those areas, but
41 it still, considering socioeconomic impacts, allows the
42 fishermen to go fishing for fifteen previous to Cuaresma and
43 some days during April. That's the way I see it. We are
44 considering the scientific and the socioeconomic impact on these
45 recommendations.
46

47 Due to biological and geomorphological connectivity between
48 those two areas, the regulations must be the same. This way,

1 helping law enforcement agents to perform their essential tasks
2 that will be translated into better fishing and socioeconomic
3 benefits in the long run around the whole area besides the
4 spawning grounds.

5
6 Commercial fishing and lobsters should be allowed during the
7 open season, maybe under a special permit. That has to be
8 discussed, but just for commercial fishermen, like I said.

9
10 This is very important for commercial fishermen to listen.
11 Anchoring for commercial fishing only on those areas of
12 Tourmaline and Abrir la Sierra and I recommend to do it only
13 under special requirement and/or permit to allow them to fish
14 for yellowtail snapper.

15
16 That will be very important and this is something that we have
17 been looking to decide in making definitions of anchoring with
18 the retrieval buoy ahead of the anchor and other things that is
19 not used in Puerto Rico and everybody knows and everybody looks
20 to the side. Nobody wants to really take a hand on this and do
21 something that is good for the fishermen and good for the
22 environment.

23
24 My recommendation in this case is to use the Grappler Bank and
25 like we know in Puerto Rico, the chain or the line is connected
26 to the base of the anchor with a weaker connection to the top
27 that if it's really -- The anchor doesn't bend over to release
28 and if you pull up, it breaks and the anchor goes upside down.
29 I can describe that once we go to the full discussion, but we
30 have to address this and that is very important to create a
31 method of anchoring that does not affect the reef and that will
32 not hurt the fishermen. That is still going to allow them to
33 fish there, the commercial fishermen, for yellowtail without
34 damaging the bottom. This also will create, in the long run, a
35 better habitat protection.

36
37 Commercial fishing for yellowtail snapper should be allowed
38 during the open season on both areas. Commercial fishermen are
39 the ones that really depend socioeconomically for the yellowtail
40 snapper fishing on the yellowtail snapper. It's a very
41 important fishery on the area and some fishermen do it
42 specifically and some fishermen do that once in a while, but it
43 is an important catch and it is an important thing done there.

44
45 Recreational fishermen should not be allowed to anchor, due to
46 the high risk and inexperience on the execution during anchoring
47 and just commercial fishermen should be allowed to anchor on
48 those places.

1
2 They don't have the gear and they don't have the grapplers and
3 they use other things and the socioeconomic impact, if you do
4 that, will not be very high and they are basically there to
5 troll and they don't need to anchor.

6
7 Recreational fishermen and commercial fishermen and charters
8 should be allowed to fish and possess HMS and coastal pelagics,
9 exactly the same as Bajo de Sico and now, if you see this, we
10 add some time to Bajo de Sico, for the reasons I explained
11 already, but we diminish some time for Tourmaline and Abrir la
12 Sierra with some of the rationale that I already explained.

13
14 That's the whole combination of activity and this is the
15 playground for the people for the west coast and this is my best
16 effort on suggesting things and I stay there and we can keep on
17 discussion for the alternatives and I am ready to receive any
18 questions and any observations and I will be more than happy to
19 answer.

20
21 **CARLOS FARCHETTE:** Thank you, Marcos. I think that the
22 fishermen in Puerto Rico -- I am not sure, but if they have
23 comments, it's open, Helena.

24
25 **NELSON CRESPO:** Hi to everybody and I am Nelson Crespo,
26 representing the Deepwater Snapper Fishermen's Association and
27 the Rincon Commercial Fishermen's Union. Regarding the six-
28 month closure of Bajo de Sico, I think that do you want to
29 paralyze the commercial fishermen?

30
31 It is not acceptable for us, this six-month closure. Our
32 economy is going down day by day. We are in a recession and the
33 months of March and April are the two months where we have the
34 higher sales season, because it's Easter time. Also, the main
35 reason for this management plan is to have the same management
36 plan for the three islands, to facilitate the enforcement and
37 eliminate the confusion between the recreational and commercial
38 and charter boats with the enforcement agencies.

39
40 I think that we depend a lot on Bajo de Sico. We have fishermen
41 that go diving to Bajo de Sico and we have charter boats and we
42 have recreational boats and we have commercial boats that go day
43 by day and this is one of the most important areas to develop
44 our jobs and so you have to take into consideration that if you
45 want to evaluate a six-month closure.

46
47 We suggest that maintain the closure from December to February
48 and everybody can develop their jobs and so I don't know if the

1 other guys want to say something.

2
3 **MR. BENITEZ:** This is -- Benitez and I am a commercial fisherman
4 from Naguabo, Puerto Rico and I am on the same page with Mr.
5 Nelson Crespo on we should do deep, deep thinking about Bajo de
6 Sico, because it's a very good place for us to fish and I'm on
7 the same page with him. We think the same and most of the
8 fishermen here, we think that when spawning -- Actually when
9 spawning is going on, it's going on everywhere on all three
10 places and so all three places, Bajo di Sico, Tourmaline, and
11 Abrir la Sierra should be managed the same way and just take
12 that into consideration, because we're really thinking hard
13 about it. Thank you.

14
15 **ROBERT LONG:** My name is Robert Long and I'm a recreational
16 fisherman and I am really surprised that we've got a really low
17 number of fishermen in here. It's just me and two other
18 fishermen and I would just really like to say that this is not
19 really the commercial -- I would suggest that this discussion
20 should be taken here to this area of Puerto Rico so that --

21
22 **CARLOS FARCHETTE:** Helena, we can't hear him speaking. We can't
23 understand him. Can you get closer or --

24
25 **DIANA MARTINO:** Helena, tell him to stand where Nelson was
26 standing.

27
28 **ROBERT LONG:** It's a bit broken up right now. Hello, can you
29 hear me?

30
31 **CARLOS FARCHETTE:** We still can't understand you very well.
32 Something is wrong.

33
34 **ROBERT LONG:** Can you hear me now?

35
36 **CARLOS FARCHETTE:** Yes, perfectly.

37
38 **ROBERT LONG:** I want to thank you all for the opportunity that
39 we have been expressing, but I would really have to suggest that
40 this discussion is taken here on the island, because there's
41 only three fishermen here present today. There is nobody else
42 and most of the fishermen that I have had the chance to speak
43 to, they really lost their faith in coming here today, because
44 they would really like to see face-to-face with the people that
45 are making these decisions.

46
47 I do believe that with such a large setback on the
48 recommendations that were made in Rio Grande that it would be

1 incredibly necessary to make a meeting over here in Puerto Rico
2 with all the fishermen that would be available to come and give
3 their suggestions and see in person these setbacks and being
4 able to express themselves, because it doesn't feel right and it
5 would be so good for it to be on the west coast of the island,
6 which is where the impact is so much larger.

7
8 I would heavily suggest it, because it really doesn't feel like
9 the right communication. It doesn't feel right, because we're
10 seeing here the screen over here and most of the time the screen
11 is jumpy and we're trying to get our ideas organized so we can
12 be -- Make justified expressions and that's not happening here
13 right now and we are just improvising with what little bit of
14 information that we could hear well.

15
16 If you can hear me over there, I would say for all the
17 fishermen, because I am here with these two commercial
18 fishermen, and we feel the same thing. We would need this to
19 happen over here in Puerto Rico with a larger audience, because
20 it doesn't feel right for a discussion of Puerto Rico to be
21 taken over to another place that we're not able to be there at
22 the time.

23
24 I have a lot of suggestions, but, for now, I would say that's my
25 biggest argument. We need for that meeting to be taken over
26 here in Puerto Rico. Thank you very much.

27
28 **CARLOS FARCHETTE:** Thank you and, Helena, do you have any --

29
30 **NELSON CRESPO:** One brief comment. It's Nelson again and just
31 one quick comment. In my opinion, we have to respect the
32 preferred alternative that you already have there. We think
33 that's the best way to go. Thank you.

34
35 **CARLOS FARCHETTE:** Thank you. Anyone else over there, Helena?
36 No? Okay. Marcos.

37
38 **MARCOS HANKE:** First, I can respect the request from the
39 fishermen for this to take over to Puerto Rico if procedural --
40 This is my desire, for this to be discussed with the fishermen,
41 even though I did my exercise.

42
43 Right now, what I present is my view and my exercise of how I
44 see the best balance, but there is no better people to make this
45 decision than the people from the west coast. One thing that I
46 want to comment to them, and I'm going to do it in English and
47 I'm going to do it in Spanish.

48

1 The alternative that is the preferred alternative that Crespo is
2 requesting, is probably beneficial for the deepwater snapper
3 fishermen, because it allows you to fish a few more months on
4 the north of Bajo de Sico, but socioeconomically affect many
5 other anglers, commercial fishermen, that fish for yellowtail
6 one month less in Tourmaline and Abrir la Sierra.

7
8 If you judge this as a commercial fishing industry or community,
9 you have to take that in balance and consider that and that's
10 the reason of my opinion. Remember that we rest one month from
11 Tourmaline and Abrir la Sierra because the information that got
12 to me suggests that and I am not against the fishermen and I am
13 advocating for a balance on this and I'm really tired of this
14 spinning around and around and we all here have fought on this
15 and I couldn't sleep with the four months evenly.

16
17 We are looking for that because of enforcement issues, but we
18 are not judging that here. Our priority here is to judge
19 fishing management, environment, the socioeconomics, and other
20 things have to be way more important than enforcement.

21
22 Enforcement is important, but it is a complement, in the way I
23 see it, and that's one of the reasons why a four-month closure
24 between all of them, just looking for enforcement overlooking
25 the environmental importance of Bajo de Sico and overlooking the
26 socioeconomic importance of Tourmaline and Abrir la Sierra, this
27 is wrong and that's why I made my explanation and I don't have
28 any intent to push this.

29
30 I want to clarify this to the fishermen and I am ready to make a
31 motion, even though it's going to delay the process. I don't
32 care. I want this to be even and I want them to participate and
33 I want to make a motion to move this discussion until -- This is
34 my motion.

35
36 **Until we hear and we create a public meeting or the next council**
37 **meeting a public exercise with the local fishermen on the west**
38 **coast to address this issue.** This has to be done correctly and
39 it was not done correctly before.

40
41 **MIGUEL GARCIA:** I was ready to make like a long argument or a
42 comprehensive argument about this issue. We were mandated to
43 develop some consistency or compatibility issues with ABT since
44 I forgot when.

45
46 Toward that end, we had public hearings and our Secretary even
47 met face-to-face with west coast fishermen and after those
48 meetings, we were ready. We were prepared for the August

1 meeting and from that meeting, there were some preferred
2 alternatives and from that meeting to this meeting, there are
3 new potential preferred alternatives.

4
5 Without going into if we agree or not with the changes in the
6 closures, we have to go back to our fishermen and get the new
7 option and information and is there scientific basis to change
8 that and make those amendments and they will have to explain
9 then why we are changing this. We didn't do that and we will
10 have to do that anyway and so it won't -- We had some preferred
11 alternatives in August and shared with them those results in
12 August and now in December we are going to be telling them that
13 those preferred alternatives that they know very well of them
14 are going to be different, out of the blue, for some of them
15 anyway.

16
17 I talked with the Secretary of Puerto Rico DNER and our fishers
18 are telling me that if we want to discuss it further or change
19 our preferred alternatives, we will have to meet with them again
20 and have another meeting, probably on the west coast, in Puerto
21 Real probably, and explain then why we are moving in a different
22 direction as we did in August and we won't be ready today to
23 make any commitment, for sure.

24
25 **ROY CRABTREE:** A point of order. He made a motion, right? I
26 think. We didn't get a second or get it up on the board.
27 Didn't you make a motion?

28
29 **MARCOS HANKE:** Yes.

30
31 **ROY CRABTREE:** I don't want to interfere with what he's saying,
32 but I --

33
34 **CARLOS FARCHETTE:** I agree and I think it has to go up on the
35 board here. Can you give that language again, Marcos?

36
37 **DIANA MARTINO:** Marcos, can you give the language to Vivian so
38 she can write it down on the board?

39
40 **MARCOS HANKE:** Postpone the decision until we consult with the
41 west coast fishermen of Puerto Rico.

42
43 **TONY BLANCHARD:** Second.

44
45 **CARLOS FARCHETTE:** Second by Tony Blanchard.

46
47 **SHEPHERD GRIMES:** Just a question or a point of clarification.
48 You want to postpone taking final action on submitting the

1 amendment to the Secretary or do you want to postpone all
2 discussion? That's a little ambiguous, to me.

3

4 **CARLOS FARCHETTE:** Decision to what?

5

6 **MARCOS HANKE:** If we don't have a timeframe of a pressure to
7 decide this, until we have a good and extensive exercise on
8 making clear for the participation of the fishermen.

9

10 **SHEPHERD GRIMES:** Do you want to postpone all discussion or just
11 the final decision?

12

13 **MIGUEL ROLON:** Mr. Chairman, a point of order. In essence, what
14 you are doing is tabling the final decision until you have a
15 consultation with the west coast fishers, but you also have to
16 continue the discussion, because otherwise, you're going to be
17 in the same spot the next time you meet and not developing
18 record enough or changing or accepting what you already have in
19 the draft document that you are supposed to be looking at today.

20

21 The other -- I also have a question when you go into the
22 discussion and that is that what type of consultation do you
23 envision, because we've already had public hearings and public
24 comments and public workshops and scoping meetings and all
25 scrambled there, but we went through all that discussion.

26

27 In addition, the fishers would like to discuss this with the
28 local government sitting next to the federal government at the
29 same table, because what they told me at the meeting that we had
30 in Cabo Rojo is that their concerns are not taken into
31 consideration by the two governments at the same time and that
32 will jeopardize the implementation of this fishery and that's
33 their comment and not mine.

34

35 My suggestion is to continue the discussion and if you need to,
36 discuss what Marcos -- If this proposal is accepted, to discuss
37 whatever we need to discuss to enhance the record and then give
38 the staff some timeframe as to when you want to consult with
39 those people and how. Thank you.

40

41 **MARCOS HANKE:** The intention is to postpone all discussion until
42 we have more information and feedback about the fishermen,
43 because now that they are seeing what is coming and everything
44 that is involved the way I explained and so on, all the elements
45 that they have to judge and to balance, they will be in a better
46 position to make a better opinion and probably they are going to
47 be more participative and that is what we all want.

48

1 I want to make -- I clarified already the intention of my motion
2 and now I want to make a comment that for the fishermen this set
3 of ideas doesn't have any intention of being the final decision.
4

5 Because my motion is going to go to a vote, if it's voted and we
6 go back to the fishermen to analyze this, this can be just a
7 guideline of discussion to accept or disapprove or whatever you
8 guys decide to do and this council, for my person, will respect
9 that.

10
11 **SHEPHERD GRIMES:** A point of order, just to get this right.
12 According to what Mr. Hanke said, the motion is to postpone all
13 discussion until we consult with the west coast. That was his
14 motion and if the seconder agrees, then I say you make that
15 change on the board and then you discuss and vote on this
16 motion.

17
18 **TONY BLANCHARD:** Yes, I agree, because really, I wouldn't want
19 to make a decision without -- Seeing the amount of people at our
20 last meeting in Ponce and there's nobody in this room here and
21 we change from one preferred and now we're throwing something in
22 the loop again and they ain't here to represent themselves and I
23 think it would be a little -- Let's say not too kosher to do
24 something like that and not have them come and represent their
25 point of view.

26
27 **MIGUEL ROLON:** Mr. Chairman, another point of order, if I may.
28 Marcos cannot tell the fishermen that we are going to respect
29 and adopt or give the impression that we are going to adopt what
30 they are going to say and you have to be careful with the choice
31 of words.

32
33 We are going to hear them, but actually, at the end, the council
34 has to make a decision based on the science and the
35 socioeconomics and all that and at the end of the whole process,
36 you might end up worse than they are right now and so I believe
37 that the intent is to hear what they have to say and get more
38 information and more elements of judgment for the council to
39 make a final decision.

40
41 **MARCOS HANKE:** To that point. Miguel, if you understand that, I
42 am sorry, but that was not my intention. My intention is just
43 that -- My intention is that in order to make a better balanced
44 decision in everything that we have to take into consideration,
45 this exercise is going to be very important and what I present,
46 it shouldn't be taken as a final imposed decision or intention.
47 This is totally open to discussion, balancing all of the
48 elements that we have to balance.

1
2 **EUGENIO PIÑEIRO:** What I would understand in here is that you
3 want to postpone -- The motion is to postpone the discussion
4 today until we consult with the west coast fishers in Puerto
5 Rico and then the intent would be to discuss or take final
6 action in Puerto Rico and is that what you want?
7
8 **MARCOS HANKE:** This motion is just to postpone today and when
9 the council decides to discuss this, the logical part is on a
10 meeting in Puerto Rico, but this is another motion. The motion
11 is the way it is. My motion is that one.
12
13 **SHEPHERD GRIMES:** Just so we're crystal clear on this, then our
14 next meeting is not in Puerto Rico and so if we have these
15 outreach efforts or discussions with the fishers in Puerto Rico,
16 then we come back not in Puerto Rico at the next meeting and
17 address this?
18
19 **CARLOS FARCHETTE:** Well, I don't see why not, as long as the
20 discussion did occur with the fishermen.
21
22 **MIGUEL GARCIA:** I want to address specifically what Miguel Rolon
23 said on the record. First, what we are going to be discussing -
24 - I don't know if "consulting" is the right term, but discussing
25 with them how -- How do we move or how do we compare the
26 preferred alternatives voted on at the August meeting with these
27 new set of alternatives?
28
29 That's basically, from our viewpoint, is the discussion, what
30 the discussion is about, and we are more than welcome to do that
31 with the CFMC people, as we did in Puerto Real last time.
32
33 **TONY BLANCHARD:** I think me and Marcos and Miguel is on the same
34 page. This is a decision for the Puerto Rican people on the
35 west coast and so I think it's only fair to them to get the
36 respect of having that decision made on the west coast of Puerto
37 Rico. I think fair is fair and I would like to make a motion --
38
39 **ROY CRABTREE:** We have a motion.
40
41 **CARLOS FARCHETTE:** But there is still discussion here and so
42 let's finish this up first.
43
44 **GRACIELA GARCIA-MOLINER:** We are confused. At the last council
45 meeting, you had looked at a preferred alternative of six months
46 for the three areas, October through March. It was six months.
47 Now you are looking at four months for the three areas and so
48 the new alternative that you are referring to is what Marcos has

1 brought to the table like no chumming and no -- We are confused.
2
3 We don't know exactly what you are referring to when you say new
4 alternatives. You have become less restrictive in the timing,
5 in the length of the seasonal closure, and so what's the new
6 alternative?
7
8 **SHEPHERD GRIMES:** Just really quick, please, a point of order.
9 As a matter of fact, there have been no motions made and there
10 are no new alternatives and there are no new preferred
11 alternatives in the document. The document stands exactly as
12 you left it at our last meeting, which I believe was Puerto
13 Rico.
14
15 You had Mr. Hanke go through with a lot of discussion and
16 provide very thoughtful rationale and explanation of where we
17 wanted to go, but he never made a motion with that. Instead, we
18 went to this motion and again, this, to me, only says -- Well, I
19 guess you took the "today" out and so postpone discussion means
20 no more discussion of this today or at any point in the future
21 until you do something to consult with the west coast fishers of
22 Puerto Rico, which I would say is a fairly general requirement
23 and could be any kind of meeting or outreach effort.
24
25 **BILL ARNOLD:** Graciela would be the boots on the ground on this
26 thing, but I think there's a couple of things to keep in mind.
27 The first thing to keep in mind is the purpose of this amendment
28 as established by the council and that purpose was to establish
29 consistent regulations governing the three target areas as a
30 means of ensuring protection of spawning aggregations of reef
31 fish and the benthic habitat supporting those aggregations.
32
33 Okay. You don't have to stay with that, but if you're going to
34 not develop consistent regulations, you're going to have to
35 change the purpose and we're basically going to be starting over
36 with this thing, which is fine if that's what you guys want to
37 do, but you are going to have to start over.
38
39 Keep in mind that when you talk about going to the west coast
40 and, quote, unquote, consulting with fishermen, depending upon
41 when you schedule that meeting, you are going to get different
42 fishermen in the audience and depending upon who is in that
43 audience, you're going to get an entirely different perspective
44 on what needs to be done with Abrir, Bajo, and Tourmaline.
45
46 It's not as simple as let's just go to the west coast and have a
47 meeting with the fishermen, because I guarantee you that there's
48 going to be fishermen that can attend that meeting and are going

1 to have a lot of really great things to say about what they want
2 and there's going to be all kinds of fishermen that cannot
3 attend that meeting who aren't going to get their two-cents in.

4
5 Then we'll have another meeting in Rio Grande like we had last
6 time and all the divers will show up. Nobody else, pretty much,
7 but all the divers and their point of view will be heard and
8 will be basically carried forward, except this time it may be a
9 different constituency.

10
11 I mean this is three years or four years we've been working on
12 this thing and you came to a consensus at not the August
13 meeting, but you came to a consensus at the April meeting and
14 then you came back at the August meeting and had a lot of divers
15 in the audience and changed that consensus and established new
16 preferred alternatives, which is fine. That's the council's
17 prerogative and I am not arguing with it, but you can go back
18 and consult with the fishermen again and come in with a new
19 group and then you're going to get another group on the
20 telephone and you can go on doing this forever and ever.

21
22 This is just my perspective on this, but you've gotten to a
23 point where everybody had pretty much their preferred
24 alternatives and had it in Puerto Rico and had public hearings,
25 as has been stated, et cetera, et cetera, or you change this
26 thing completely and change the purpose and need and at that
27 point, you might want to consider just, and I hate to say this,
28 starting over again from scratch.

29
30 Having workshops where you get everybody in the room sticking
31 stickers on the wall and the data being presented and just start
32 from goals. What the heck do we want. as Puerto Ricans and
33 federal managers of these areas, to do in these areas? I
34 thought that's where we were, but now -- I am not sure Graciela
35 would disagree, but we seem to be a little confused as to where
36 the heck we are.

37
38 **MARCOS HANKE:** Two things to the point that Bill just mentioned.
39 I think that -- That's the main reason of all the rationale in
40 the exercise that I developed with what I just presented, is
41 that looking for that consistency, we are overlooking the
42 peculiar elements that Bajo de Sico has that you cannot mix, in
43 my judgment, with Tourmaline and Abrir la Sierra. For me, that
44 was wrong.

45
46 That's one of the main reasons I presented what I presented and
47 if this back and forth thing looks very problematic and
48 confusing, it's because there is interest from the fishermen and

1 we are developing new science that just arrived about Bajo de
2 Sico and some other places and socioeconomic science that I get
3 a hand to it or whatever and we are making a better decision,
4 but it's slower and I can totally endorse and agree with Bill to
5 start over. I want to do the things the right way and that's my
6 point.

7
8 **MIGUEL ROLON:** Mr. Chairman, another point of order. What part
9 of no more discussion you are not following? Either you vote
10 for this and stop discussion or you keep going and vote the
11 motion down and keep talking about it.

12
13 **SHEPHERD GRIMES:** I just wanted to add to or perhaps contradict
14 one thing Dr. Arnold said and that is that you can change your
15 purpose and need and part of this is you thought this is the way
16 you wanted to go and Lord knows you've gotten a ton of public
17 input on it and so that swayed your mind and you can move
18 forward and come back and tailor the purpose and need to what
19 you now know and that's not a problem.

20
21 **EUGENIO PIÑEIRO:** I just want to tell you that we have to put a
22 closure to all this. I mean this is -- We have, for the past
23 two years, we've had scoping meetings with standing room only
24 and we had some public hearings with standing room only and we
25 had perhaps the best meeting ever held in Puerto Rico and the
26 Secretary spent half a day with us and they gave an ovation to
27 Blanchard and everybody was there.

28
29 We have to cut this from going back and forth. There is a
30 purpose and need that, as Dr. Arnold said, we have to keep in
31 mind. If we want to go back to Puerto Rico and deal with it,
32 let's do it, but then let's do it in Puerto Rico, but in the
33 meantime, we have to make sure that for the meeting in Puerto
34 Rico we have all the -- Everything has to be in its place. I
35 mean we have to put an end to this.

36
37 I was talking to Dr. Steele and it's been six years I think
38 we've been dealing with Bajo de Sico back and forth and the
39 purpose and need was uniformity and the protection of the Nassau
40 grouper and we had huge amounts of people making public comments
41 and we have to respect that, because our credibility is at
42 stake.

43
44 It is not a matter of every time that someone wants to change
45 something or has a good idea. I mean you can't always get what
46 you want. I mean we have to respect the sacrifices of the
47 commercial and recreational and environmental industry people
48 who came to those public hearings for the past two years.

1
2 If the council wishes to go back and start again, let's do it,
3 but I think we have to do that and we have to respect our
4 fishermen and we can -- We have to also respect the government
5 of Puerto Rico and their position regarding this and so that's
6 all I have to say regarding to this, but we've got to put a
7 closure and I think the purpose and need needs to -- We have to
8 follow through and keep our word and the commitment that we have
9 with the fishermen who attend all the of the meetings.

10
11 **CARLOS FARCHETTE:** I've got Miguel and then I think we're going
12 to take this to a vote.

13
14 **MIGUEL ROLON:** Two points. Regarding the next meeting when we
15 are going to discuss this, you can change it anytime you want.
16 Rather than going to St. Croix, you can go to Puerto Rico and
17 then you will follow the rotation in another way.

18
19 The other part that I -- When you discuss this, because you
20 haven't voted yet, but when you start the discussion, I would
21 like to know what type of meeting you envision we are going to
22 have between here and the next meeting.

23
24 **CARLOS FARCHETTE:** Right. Okay, Helena or Robert Long.

25
26 **ROBERT LONG:** This is Robert Long speaking and I really
27 appreciate that you have taken into consideration postponing the
28 issue, so that we have the change, altogether, to do this the
29 right way and I really appreciate that and we appreciate it over
30 here and I think it's really the best thing. We could
31 altogether discuss what really is to be at issue over here on
32 this side of the island and thank you very much.

33
34 **CARLOS FARCHETTE:** Thank you. Let's take it to a vote and I
35 will begin on my left with Tony Blanchard.

36
37 **TONY BLANCHARD:** Yes.

38
39 **ROY PEMBERTON:** Yes.

40
41 **MIGUEL GARCIA:** Yes.

42
43 **EUGENIO PIÑEIRO:** Yes.

44
45 **ROY CRABTREE:** Yes.

46
47 **MARCOS HANKE:** Yes.

48

1 **CARLOS FARCHETTE:** Yes. Any opposed? Any abstentions? Hearing
2 none, the motion carries. All right. That was intense.

3
4 **SHEPHERD GRIMES:** Not to belabor the point at all and I know we
5 just voted not to discuss it, but your Executive Director asked
6 you what kind of meeting you were envisioning and so we've
7 postponed all discussion of Bajo and Abrir and Tourmaline, but I
8 suggest you give some kind of guidance as to what process you
9 expect to occur and when you expect that to occur, in order to
10 inform your final decision.

11
12 **CARLOS FARCHETTE:** I agree with that.

13
14 **MIGUEL ROLON:** So tell us.

15
16 **MIGUEL GARCIA:** The meeting that we had in Puerto Real, and I
17 know this isn't the only way of doing this, but face-to-face
18 with the fishermen in Puerto Real, it was very productive and it
19 was a face-to-face interaction and our intention, the DNER
20 intention, and I would discuss it with the Caribbean Council, is
21 to do something similar to that meeting.

22
23 **MIGUEL ROLON:** Mr. Chairman, if we are going to do a meeting
24 like this, actually what we are looking at is to have more
25 information so the council will be more informed about what you
26 are going to do.

27
28 The fishermen themselves, they suggested to have a meeting in
29 Cabo Rojo and another meeting in Mayaguez to cover all the
30 bases, because of the logistics, but we can have back-to-back
31 meetings and the other important part was that they would like
32 to see DNER sitting with federal government officials discussing
33 the issues and so let me give you a scenario of how this could
34 happen.

35
36 It could be Graciela can give a presentation of all the
37 alternatives, at least of the alternatives that are in the
38 document that we prepared, and then a list of the alternatives
39 that Marcos is discussing at this time.

40
41 By the next meeting, you will be able then to bring to the table
42 of the council the preference of the group of fishers present.
43 I agree with Bill that no matter how you plan these meetings,
44 not everybody will show up, but we can also announce the meeting
45 that this will be the last meeting and if you don't come, it's
46 like the wedding and if you don't have anything to say, then
47 shut your mouth.

48

1 It's the only way that this will be able to move forward and the
2 reason I asked you what type of meeting is because if I have a
3 workshop, we can talk back and forth. If I have a public
4 hearing, I have to just sit down there and take it and so I
5 believe that what you're really looking at is more information
6 for you to make a sound decision and at that meeting also, you
7 have to include everybody, even the people who agree with you
8 and the people who disagree with you. It will be fishers and
9 scientists and whomever has anything to say about this to come
10 to the table at those workshops and discuss it. It's not only
11 with the commercial fishers or the recreational or with any
12 sector in particular.

13
14 **CARLOS FARCHETTE:** Okay. I agree with that, Miguel. I think we
15 have an idea of what they're going to be looking at and I guess
16 Miguel Garcia will be discussing it with the council and they
17 will come up with meeting dates and times and a venue.

18
19 Okay and so we are moving forward with ACL Overages,
20 Accountability Measure Application, and Enhanced Reporting
21 Status and who is doing that? Is it Bill? Okay.

22
23 **ACL OVERAGES/AM APPLICATION/ENHANCED REPORTING STATUS**

24
25 **BILL ARNOLD:** As we do every year, we have to determine if there
26 were any overages of our annual catch limits on any of the three
27 islands or island groups and in Puerto Rico, for either of the
28 two fishing sectors, commercial and recreational.

29
30 If there were, we have to determine whether those were due to
31 enhanced reporting or due to an actual increase in catch. If
32 they were due to an actual increase in catch, we have to
33 determine what the length of the closure season would be and, as
34 it stands now, when we would actually close the season. That is
35 still based upon starting on December 31 and counting backwards.

36
37 What I want to provide to the council is just an overview of
38 what the Southeast Fisheries Science Center, the SSC, and the
39 Southeast Regional Office have been working on to make these
40 determinations.

41
42 We are assessing for the 2015 fishing year and we're going to
43 determine if any closures need to take place for the 2015
44 fishing year. The years that we're using, remember we average
45 over a set period of time to determine what those average
46 landings are that we're going to compare against the annual
47 catch limit, which does not change and it's the same every year.
48 It's a set number for each fishery management unit on each

1 island.

2
3 The years we're using now are 2011, 2012, and 2013 and keep
4 those in mind and so the status of data availability, which is
5 the first step in this process, for the USVI, where we combine
6 commercial and recreational, because we don't separately collect
7 recreational data, we have data, finalized data, for all three
8 of those years.

9
10 For the Puerto Rico recreational sector, which is gathered using
11 the Marine Recreational Information Program, or really the
12 Marine Recreational Fisheries Statistics Survey, we have data
13 for all three of those years.

14
15 However, for the Puerto Rico commercial, at the present time we
16 don't have the 2013 data and that's very important to keep in
17 mind. We expect to get it, but we don't have it yet and so
18 that's where we are with the data.

19
20 Obviously that's extremely difficult to see, but this is our
21 timeline for making these decisions and announcing when closures
22 will take place. It begins at the top with an April 30 data
23 availability for recreational information and September 30 with
24 a commercial data availability and those data are then gathered
25 by the Southeast Fisheries Science Center and delivered to them
26 and then they compile and organize and deliver those data to the
27 Southeast Regional Office.

28
29 The Southeast Regional Office does the comparisons of those data
30 and determines the average landings and compares them to the
31 ACLs and determines if there are any overages.

32
33 The SSC and the Southeast Fisheries Science Center then
34 determine if those overages are due to enhanced reporting, for
35 example adding the species to the landings form more recently
36 than we actually determined the ACLs for that species.

37
38 Their determination is then brought back to SERO and for those
39 species for which a closure is required, we determine the
40 closure length and we bring that to the council, as we're doing
41 now, and then if any closures are required, we will publish them
42 in the Federal Register, ideally before January 1, and then that
43 will give everybody notice as to what the closures are going to
44 be in the 2015 year, if any.

45
46 So, what's the status for St. Thomas and St. John? Remember the
47 commercial and recreational landings are combined, as I said.
48 There were ACLs for three fishery management units that were

1 exceeded and these were angelfish, squirrelfish, and wrasses,
2 based on those 2011 to 2013 landings.

3
4 However, the Southeast Fisheries Science Center and the SSC made
5 the determination that those overages were due to enhanced
6 reporting, because each of these three species had been added to
7 the report form since the time period used to determine the
8 ACLs.

9
10 We determined the ACLs based upon one data environment and now
11 we're getting landings that are coming from a different data
12 environment. Because of this, no accountability measures will
13 be implemented and there will be no closures taking place in St.
14 Thomas/St. John for the 2015 fishing year.

15
16 Here are the actual data and this is just so you know where your
17 landings are relative to the ACLs. Conch is prohibited to
18 harvest in federal waters and so even though they catch them in
19 state waters, it doesn't have an impact.

20
21 Grouper, you guys caught about 86 percent of your ACL and
22 parrotfish was about 46 percent and snapper was forty-one-and-a-
23 half percent. I am not going to go through all of these, but
24 you can see where the angelfish in red, squirrelfish in red, and
25 wrasses in red are 200 to 325 percent overages, but, again,
26 that's because we're getting better reporting. If you have
27 questions, don't hesitate to ask.

28
29 Now St. Croix. St. Croix's status, it's basically identical to
30 St. Thomas and St. John and the same three fishery management
31 units exceeded their ACLs and the same situation with enhanced
32 reporting, because they have been added to the reporting forms.
33 Again, no AMs will be implemented and no closures will be
34 necessary for 2015.

35
36 For the St. Croix species, none were really close. The closest
37 was grouper and conch were 75 percent. You are allowed to
38 harvest conch in federal waters. Grouper, 92 percent of their
39 annual catch limit and parrotfish, surprisingly, was 53 percent,
40 but as Tony or Eddie or both had said previously, landings are
41 just down. Maybe that was Roy, but landings are down on these
42 islands and snapper is 71 percent of their total.

43
44 Here, for what we term our 2011 species, they were dealt with in
45 our 2011 Annual Catch Limit Amendment, again, angelfish,
46 squirrelfish, and wrasses are red and angelfish in particular
47 are way over, but a lot of that is because now they're reporting
48 a fish they've been catching all along, but our annual catch

1 limit is only 305 pounds and you can see they're actually
2 landing -- On their reports, they're reporting 10,000 pounds and
3 this is a significant harvest, but it just wasn't showing up
4 previously.

5
6 Squirrelfish and wrasses, not so much. Wrasses are 360 percent
7 over, but that's twenty-five pounds versus seven pounds and so
8 hogfish just aren't that sought after, apparently, in St. Croix
9 waters.

10
11 Puerto Rico recreational is, again, separated from the
12 commercial. No recreational ACLs were exceeded based upon the
13 2011 to 2013 landings and so, again, no AMs are necessary to be
14 applied and no recreational closures will be necessary.

15
16 Please keep in mind that the recreational sampling program is
17 for finfish, at least at the present time, and so they don't get
18 data on spiny lobster and queen conch and so the spiny lobster
19 and queen conch closures are dealt with based upon commercial
20 landings and so that's Puerto Rico recreational.

21
22 Like I said, going through all these, we do separate units for
23 snapper in Puerto Rico, but nothing is really close to their ACL
24 and it's not much different for the 2011 species. The closest
25 you get are jacks at 77 percent of their ACL and so that's
26 Puerto Rico recreational.

27
28 Puerto Rico commercial, again the data are not yet available.
29 We anticipate they are going to be available in late January and
30 so we're going to wait, just like we had to do for the 2014
31 fishing year. The data came in late and we waited on them and
32 as soon as we get them, we will run through a late data timeline
33 and determine whether closures are necessary. This is the ideal
34 situation.

35
36 Now, it could turn out that we don't get those data until well
37 into the year, six months or eight months in. We hope that's
38 not the case, but sooner or later, you have to start balancing
39 between how long you can wait versus how long you need to make a
40 closure and get it in place and if that's the case, we will fall
41 back on the previous year's data, with is 2010, 2011, and 2012.

42
43 The 2010, 2011, and 2012 averages resulted in closures and I
44 will talk about that. There is also some expansion factor
45 issues that the Science Center and Puerto Rico's Fisheries Lab
46 are working through. Miguel may want to comment, but my
47 understanding is they have come very close, if not settled, the
48 expansion factor issues and I don't know. If you want to

1 comment now or later, that's fine.
2
3 That's Puerto Rico commercial, but I am going to go into this a
4 little more. That, again, is the timeline for having late data
5 and instead of having specific dates, we just have time periods
6 of three weeks here and two weeks there, because we don't know
7 when we will get the data, but we do have an established
8 timeline to flow these data through the different groups and
9 come to a conclusion and get that Federal Register notice
10 published.
11
12 Like I said, Puerto Rico commercial, if all else fails, we fall
13 back on the 2010, 2011, and 2012 three landing years to
14 determine our averages. For the 2010 species, data utilization
15 began in 2010, but for the 2011 species, it didn't begin until
16 2011 and so if we have to fall back, we will fall back on a
17 three-year average for the 2010 species and only a two-year
18 average for the 2011 species and when do we fall back on the
19 previous date? Like I said, it's a tradeoff. How long can you
20 wait?
21
22 We want to use the 2013 data. We want very badly to use the
23 2013 data, but we can only wait so long and how long that is, I
24 am not going to worry about it at the present time, because I am
25 just going to keep hoping that those data are available at the
26 end of January and that should give us plenty of time.
27
28 When you look at the 2010, 2011, and 2012 averages for those
29 2011 species, which are grouper, snapper, parrotfish, and conch,
30 what you need to pay attention to is that Snapper Unit 2 was
31 well over.
32
33 When you add in the 2013 data and effort and landings have
34 dropped off, that's probably going to reduce that overage, but
35 it's likely it won't eliminate it and so I won't be surprised if
36 another Snapper Unit 2 closure has to be put into place in 2015.
37 I would anticipate it's going to be shorter. I don't know how
38 much shorter, but shorter than the closure we had in 2013.
39
40 Now, keep in mind, and I'm going to talk about this too, the
41 length of that closure depends upon the fishing rate and in
42 2014, even though they were over on their ACL, their rate of
43 fishing had dropped off so much that no closure was necessary.
44 That could happen again in 2015. It depends upon that fishing
45 rate.
46
47 Some of the others like parrotfish at 82 percent, maybe their
48 landings have gone up. If you bring those 2013 data into the

1 equation, that may push them over the ACL and we have to
2 implement a closure for them. Of course, that all depends upon
3 whether it's due to enhanced reporting or an actual increase in
4 catch.

5
6 For the 2011 species, I put some in red here that are very
7 close. Based on that 2011 and 2012 average, these guys were
8 very close to their ACLs and wrasses were even over and so if
9 landings went up for those species, including the very important
10 spiny lobster, they could go over their ACLs and closures may be
11 necessary for them. It's pure speculation on my part and we
12 have to wait and see what those most recent data say.

13
14 How do we determine the closure date or really, the length of
15 the closure, because that determines the closure date? First,
16 we determine the number of pounds by which the ACL has been
17 exceeded and that's just a matter of they caught 150,000 and the
18 ACL was 140,000 and so that's 10,000 pounds that they were over.

19
20 Now we've got to take 10,000 pounds out of the fishery and
21 there's no penalty, but you have to take time out to get them
22 back below that annual catch limit.

23
24 Then Andy Strelcheck's group at the Southeast Regional Office
25 calculates the daily rate of landings for each month for each
26 individual FMU and so they calculate a daily rate for December
27 and that may be this and then they calculate a daily rate for
28 November and we use those daily rates to determine how many days
29 it's going to take to reach that poundage that has to be removed
30 from the fishery.

31
32 Once we get that number of days, we start on December 31 and
33 count backwards until we hit that number and whatever date that
34 is, it's going to be the closure date and it's going to stay
35 closed until the end of the year and that is what we will
36 determine as our closure date and publish in the Federal
37 Register.

38
39 Now, we're talking about ACL overages, but there's also an
40 overfishing level that you can go over and that's generally --
41 Not always, but generally 10 to 15 percent above the annual
42 catch limit and this is what we fought about so much when we
43 were determining ACLs, what is that buffer reduction going to be
44 and how far below the overfishing level do you go to set that
45 ACL?

46
47 Keep in mind for some of these species like angelfish that it
48 was 25 percent, but for most of the 2010 species, snappers and

1 groupers and parrotfish on all islands but St. Croix, it was 15
2 percent and for those 2011 species, jacks and squirrelfish, et
3 cetera, et cetera, except for the angelfish and the surgeonfish.
4 They were 25 percent.

5
6 Like I said, generally, but not always, it's 15 percent and
7 generally, but not always, 10 percent, but you can still go over
8 the OFL and if you do, that becomes a much more interesting
9 outcome for NOAA Fisheries, because we track species that are
10 undergoing overfishing and species that are overfished.

11
12 It's very important to keep this in mind. As I said before, the
13 annual catch limit, if it's over, that's determined based upon a
14 three-year average, but when it comes to overfishing, that's
15 based upon the most recent year of landings, because overfishing
16 is an annual event.

17
18 It's possible that you cannot exceed your annual catch limit,
19 but still be overfishing the resource and that actually has
20 happened during 2014.

21
22 In 2014, just to give you some case studies to describe how this
23 can come out, for Snapper Unit 2, queen and cardinal snapper,
24 the landings exceeded the ACL, but they did not exceed the OFL.
25 Because the rate of fishing for the most recent data year, 2012,
26 had decreased relative to the average, no closure was
27 implemented.

28
29 For Puerto Rico wrasses, another one, hogfish, Spanish hogfish,
30 and puddingwife, they exceeded the ACL and the OFL. Because the
31 rate of fishing for the most recent data year, 2012, was equal
32 to or greater than average, the AM closure was implemented on
33 October 20, 2014. Additionally, the council was notified by
34 NOAA Fisheries by letter that the Puerto Rico commercial wrasses
35 sector was undergoing overfishing and that letter is in the
36 briefing book.

37
38 Then for Puerto Rico scups and porgies, including sheepshead,
39 jolthead, and pluma porgy, plus sea breams, the overfishing
40 level was exceeded, but the annual catch limit was not exceeded.
41 No closure was implemented, because the closures are annual
42 catch limit based and they're not overfishing level based, but
43 the council was notified by letter of an overfishing condition.

44
45 What we wrote in that letter was we anticipate, based upon
46 historic patterns of landings of these species, that the
47 overfishing exceedance was an aberration and these landings will
48 again fall below the overfishing level.

1
2 I can't promise that's going to be the case. If these species
3 stay above their overfishing level, then more stringent actions
4 are going to have to be implemented. Hopefully that's clear, at
5 least as clear as mud. That's it for the ACLs and if there are
6 any questions, I am happy to entertain them.

7
8 **SHEPHERD GRIMES:** Not a question, but just a brief comment and I
9 raised this at our April meeting and I will probably raise it
10 every time we have this discussion, but when we make these
11 determinations that we haven't exceeded the ACL because of
12 improved reporting or increased reporting, my understanding is
13 that's largely based on the fact that we now have species-
14 specific reporting for these, when before we did not, which
15 means we're going to continue to make the same determination,
16 regardless of what the catch is.

17
18 That's a little problematic and at some point we need to revisit
19 all these, at some point in the not too distant future, and
20 decide what we are going to do to remedy this situation.

21
22 **MIGUEL GARCIA:** I just texted Daniel Matos and he just confirmed
23 that they are done with 2013 commercial data and he has already
24 started working with 2014.

25
26 **CARLOS FARCHETTE:** Okay. Any more questions on the -- Any more
27 questions for Bill on the ACL overages and the AM applications?
28 Okay. Thanks, Bill. Have you got something else?

29
30 **BILL ARNOLD:** We do have an issue in our fishery management
31 plans, the way they read versus the way our regulations read and
32 how we actually do things when it comes to implementing these
33 accountability measures and how they're carried forward.

34
35 I am hoping for a lot of help from Shep on this, but the way the
36 FMPs read is that these accountability measures will stay in
37 place until rescinded by the council or I don't remember exactly
38 what --

39
40 **SHEPHERD GRIMES:** Modified.

41
42 **BILL ARNOLD:** Modified by the council, but we haven't been doing
43 that. We've basically just been saying, well, the council
44 modifies by starting a new fishing year and it's kind of hazy
45 and so what we are proposing is to revise how the fishery
46 management plans read, to get rid of that terminology and
47 actually bring the management plans in line with what we're
48 actually doing and with how the regulations read. Shep, if I

1 missed anything on that or if you want to clarify, please do.

2
3 **SHEPHERD GRIMES:** Thank you, Dr. Arnold. I think that was a
4 good synopsis of it, but the bottom line is in the 2010 ACL
5 Amendment and the 2011 ACL Amendment, you established
6 accountability measures and the text of the alternatives in
7 there is clear that once these accountability measures are
8 implemented, those seasonal closures, they shall remain in
9 effect until modified by the council.

10
11 There is very, very little discussion in the -- Well, there's no
12 additional discussion of that in the document and there is very
13 little discussion of it in the minutes. There is only an
14 exchange between myself and Dr. Crabtree as to whether we really
15 wanted that in one of the alternatives.

16
17 The discussion was that we didn't and we wanted it removed, but
18 that wasn't the preferred alternative and it was never removed
19 and so the bottom line is that's in your fishery management
20 plans now for how you're supposed to be implementing
21 accountability measures.

22
23 We do not do it that way. We implement seasonal closures and
24 they are just for that year, in order to bring harvest down.
25 Now, the way things occur in the Caribbean, if you went over one
26 year and you don't have highly variable landings, there's no
27 reason to not expect that you wouldn't have the same overage the
28 following year and so the way it was structured in the fishery
29 management plan made some sense.

30
31 Regardless, right now the fishery management plan reads
32 something different than the regulations require and what we're
33 doing. I presume you want to keep doing things the way we're
34 doing it and not have those closures remain in effect
35 indefinitely until they are modified by the council.

36
37 That means the council needs to direct staff to start a fishery
38 management plan amendment to change what was in the 2010 and
39 2011 ACL Amendments to do what we're doing now, rather than what
40 we said we would do in those amendments. I suggest, if you want
41 to do that, you need to make that motion at this meeting and
42 have staff start working on that as soon as practicable.

43
44 **CARLOS FARCHETTE:** Okay.

45
46 **ROY CRABTREE:** I move that we ask staff to begin work on a plan
47 amendment to address the problems outlined by Mr. Grimes with
48 our accountability measures and bring something to us to review

1 at the March meeting.
2
3 **CARLOS FARCHETTE:** Do we have a second?
4
5 **EUGENIO PIÑEIRO:** I second.
6
7 **ROY CRABTREE:** Direct staff to begin work on a plan amendment to
8 address the problems with accountability measures as outlined by
9 Dr. Arnold and Mr. Grimes and bring the amendment to us to
10 review at the March council meeting.
11
12 **CARLOS FARCHETTE:** Following my legal counsel's advice, I am
13 going to read the motion. The motion is to direct staff to
14 begin work on a plan amendment to address the problems with the
15 accountability measures as outlined by Dr. Bill Arnold and Mr.
16 Grimes and bring the amendment to us to review at the spring
17 2015 council meeting. The motion is by Crabtree and seconded by
18 Genio. Any discussion? Hearing none, I will take it to a vote,
19 starting on my right with Marcos.
20
21 **ROY CRABTREE:** Yes.
22
23 **EUGENIO PIÑEIRO:** Yes.
24
25 **MIGUEL GARCIA:** Yes.
26
27 **ROY PEMBERTON:** Yes.
28
29 **TONY BLANCHARD:** Yes.
30
31 **CARLOS FARCHETTE:** Yes. Any nays? There is one absent and the
32 motion carries. Next is Timing of Closures, Focus on
33 Development of Options Paper and Scheduling Additional Scoping
34 Hearings.
35
36 **TIMING OF CLOSURES, FOCUS ON DEVELOPMENT OF OPTIONS PAPER, AND**
37 **SCHEDULING ADDITIONAL SCOPING HEARINGS**
38
39 **KATE QUIGLEY:** You've all seen this before, but things have
40 changed slightly and so staff has gone ahead and updated the
41 Timing of Accountability Measure-Based Closure Amendment. It is
42 now an options paper and so some changes have been made and I'm
43 going to walk you through those and answer any questions and we
44 think it's much better organized now and more understandable.
45
46 You all know what accountability measures are. Right now, they
47 require the length of the fishing season to be shortened if it's
48 been determined that the landings exceed the ACL and you already

1 know that. Right now, the AMs are implemented beginning on
2 December 31 and go backwards for the number of days necessary to
3 achieve the reduction in the landings that's necessary.

4
5 We know why we're considering this action and it's because there
6 may be socioeconomic impacts to fishermen. Many fishermen have
7 told us that they don't want a closure during the Christmas
8 holiday or in December or other important times during the year,
9 but primarily the Christmas holiday season, because that's when
10 we have closures beginning when there is an overage.

11
12 The council has proposed to develop and implement some sort of
13 mechanism that will avoid a closure at the end of the year and
14 that closure dates may occur during times of the year when the
15 economic or cultural impacts are less severe and so we're trying
16 to find out a way to do that.

17
18 Here we have the purpose for the action and the need for the
19 action and basically the overall goal is to limit harvest to the
20 ACLs while minimizing socioeconomic effects of the AM-based
21 closures and these are changes to the Reef Fish, Spiny Lobster,
22 and Coral Fishery Management Plans.

23
24 The whole idea here is that we're going to identify dates that
25 we don't want the fishery to close during and so dates to
26 consider are the council, in corporation with their island-
27 specific APs, would be the ones to identify and pre-establish
28 for each island or island group which cultural and socioeconomic
29 events to exclude from the available suite of potential dates
30 for AM closures.

31
32 What we're trying to do here is to come up with dates for when
33 an AM closure can occur and to make sure that we exclude certain
34 dates, as identified by the council and the APs. Of course, we
35 would also consider the seasonal closures that are already in
36 place.

37
38 In this amendment, just to review, we have two actions. Action
39 1 is to select an approach to modify the timing of the closures
40 and Action 2 is to specify how often to revisit the approach and
41 so as of right now, most of our effort has been focused on
42 Action 1 and so we're going to go through that right now.
43 Instead of alternatives, because this is an options paper, now
44 we've got options.

45
46 We've got three options under Action 1. Number 1, of course, is
47 no action and Number 2 is the customized approach or mechanism
48 and that's the model that I've gone over several times, use of

1 that model, but there's also another option underneath there or
2 suboption and then we've got something called the pre-determined
3 approach. I am going to go through these right now, because
4 they are much more defined than they have been in the past.

5
6 The no action approach, the problem with it, things we've said
7 in the past, is that for some fishermen there is going to be
8 socioeconomic repercussions that they don't want to occur and so
9 Option 2, we've got the customized approach.

10
11 The idea is to modify the AM-based closure dates so that those
12 fishery management units to which AMs need to be applied in a
13 particular year, the council will choose the preferred date to
14 close the fishing season based on a specific analysis and
15 criteria.

16
17 The idea is go ahead and to use that model or some other
18 analysis to close the fishery during a specific time. This is
19 for each island or island group FMU and it's not for an entire
20 island, but it's for a specific FMU. There would be some sort
21 of analysis done for each FMU.

22
23 We have a number of different suboptions here and most of them
24 use the seasonal choices model, which is the model that I've
25 gone over in the past that uses past data.

26
27 Suboption 2a is use the seasonal choices model to choose the
28 date that maximizes ex-vessel revenue and so we get a series of
29 results with the use of this seasonal choices model and you can
30 use -- There is twenty different results or fifty different
31 results or whatever. We are looking at the top twenty results
32 and saying, well, which of the twenty do you choose?

33
34 One idea, under Suboption 2a, is to choose a date that maximizes
35 ex-vessel revenue. Under 2b, another option is to choose a date
36 that maximizes ex-vessel revenue, but that also excludes, to the
37 extent possible, any important economic and sociocultural events
38 that may be occurring at the same time, which is what the
39 council has asked for in the past.

40
41 Suboption 2c is use the model to choose a date that would close
42 the fishery for the least number of days. Some people are
43 concerned with maximizing ex-vessel revenue and others are
44 concerned with having the shortest closure time possible.

45
46 Suboption 2d is go ahead and choose the least number of days,
47 but also exclude economic and sociocultural events that are
48 occurring at the same time.

1
2 Then we have Suboption 2e that does not use the seasonal choices
3 model or that could in the background, but it does not
4 explicitly use the seasonal choices model and it basically just
5 says choose a date for each FMU to close the fishery based on
6 input from the council's advisory groups. You would just take a
7 look at what the council APs have considered and they choose the
8 dates for each island-specific FMU.

9
10 You have all seen this example in the past. This is the kind of
11 output that you would get for, in example, St. Thomas groupers.
12 You've got to cut it down by about 3,000 pounds. Under
13 Suboption 2a, if we look at the top twenty choices that the
14 model produces, ex-vessel revenue maximizing results, you get a
15 start date and the number of days the closure lasts, the pounds
16 cut, and the decrease in ex-vessel revenue compared to the
17 previous years.

18
19 2b, we went ahead and applied this suboption and we took out
20 important dates like the month of December. Instead, you get a
21 start date in August.

22
23 Suboption 2c, you use the least number of days, which is
24 sixteen. Again, that start in December though. If you cut out
25 those economic and cultural events that you're trying to avoid,
26 you get the start date in August and so a little bit of
27 repetition here. That's not going to happen with each and every
28 one of these, but this is an example. All of these were dates
29 derived from the seasonal choices model for a specific FMU.

30
31 Of course, we also have 2e though, which is leave it up to the
32 AP to choose the dates, but here's the problem with Option 2,
33 with all of the Option 2 suboptions, a through d. In e, it's
34 left up to the AP.

35
36 The IPT, which is the interdisciplinary planning team, which is
37 a group of enforcement, Science Center, regional staff, and
38 council staff and they get together to write these amendments,
39 we met over the phone, a conference call, and talked about this
40 a number of times.

41
42 Basically, once we had gone through all of the data requirements
43 and when that data would be available, we came to the conclusion
44 that Option 2 may not be feasible because of the time
45 requirements.

46
47 Basically, the revised landings data for the previous year
48 needed to make the closure determination are not available

1 usually until late in the following year. The time needed for
2 the actual analysis is also tacked on to that and so we're
3 waiting for the data, waiting for the data, waiting for the
4 data, and then the analysis needs to be done. So there's a huge
5 delay.

6
7 As a result, the final rule for whatever is decided by the
8 council may not be published and implemented until well into the
9 action year and so it may not -- Whereas you want for it to take
10 effect January 1, it may not take effect until May or June.

11
12 What happens with that is that your actual closure period takes
13 place later in the year and not when you would prefer for it to
14 occur and it could take place all the way through December,
15 which was the month you were trying to avoid in the first place.

16
17 For these reasons, the IPT for this amendment recommends to the
18 council to remove Option 2 from the options paper and there was
19 a lot of discussion and this was not done easily. We know that
20 the council kind of liked this option, because of the
21 flexibility and the ability to go and decide each and every year
22 when you want the closure to occur, if a closure has to occur,
23 but the IPT considered all of these things and because of the
24 data, when it comes in and the analysis required, determined
25 that this is simply not feasible.

26
27 If we move on to Option 3 and so really, there's three options.
28 Of course, we've got the no action. Then we've got the Option
29 2, which requires lots of data, except for Suboption 2e, which
30 relies entirely upon the AP to make decisions about when
31 closures should occur.

32
33 Then we have Option 3, which is a predetermined approach or
34 mechanism. Instead of deciding each and every year when a
35 closure can take place, the predetermined says if a closure is
36 going to -- If you have an overage for a particular FMU,
37 automatically trigger some predetermined date that would be
38 decided upon in this amendment. There is two different
39 suboptions.

40
41 Suboption 3a is to choose a closure that will apply equally to
42 all FMUs in an island or island area. You would have one
43 closure date for all of Puerto Rico and one closure date for all
44 of St. Thomas/St. John and one closure date for all of St.
45 Croix.

46
47 If there was an overage in lobsters for Puerto Rico, basically
48 you would take a look at this amendment and say, okay, what is

1 the closure date for all of Puerto Rico and they would use that
2 date and it would just close for lobsters, but it would use that
3 one date.

4
5 Then you've got Suboption 3b, which is setting AM closure dates
6 for each FMU in each island or island area. For Puerto Rico,
7 you would have a different closure date for each FMU and so
8 that's one of the main differences between Suboption 3a and
9 Suboption 3b. This just restates basically what I just said,
10 which is choose a fixed start date that would apply to all FMUs
11 for each island or island area.

12
13 This is just an example, but it basically says, okay, Puerto
14 Rico, here is a number of different suboptions that you could
15 have and St. Thomas and St. Croix and Caribbean-wide. It's just
16 an example and they happen to all have the same closure date
17 suboptions. That does not have to be how it is, but this is
18 just an example.

19
20 You can see that it identifies that the closure dates to go
21 backwards is what they say, because they are later in the year,
22 but Suboption 3b is a little bit different. It's going to be
23 for each FMU and the start date will either begin on the first
24 day of the identified month and go forward or begin on the last
25 day of the identified month and go backwards and it would change
26 for each FMU.

27
28 For Suboption 3b(i), the closure to start either the first day
29 or the last day of the month that has the highest landings or
30 ex-vessel revenues based on the most recent three years of
31 available landings data and so Suboption 3(a) basically just
32 says a blanket date and that would have to be decided upon by
33 the island-specific APs.

34
35 This Suboption 3b, we try to get a little more analytical and
36 say, okay, we're going to take a look at the landings and the
37 ex-vessel revenues over the past three years and we're going to
38 identify what month had the highest landings and let's start the
39 closure then. That's what 3b(i) says and I will show an example
40 of this in a minute and it will become a little more clear.

41
42 Suboption 3b(ii) says that instead use the lowest landings and
43 so if you have the highest landings under 3b(i), you might have
44 a very short closure and under Suboption 3b(ii), you use the
45 lowest landings and you might have a long closure, but it won't
46 be in as a crucial time of the year for fishermen than 3b(i).

47
48 Then you've got Suboption 3b(iii), which basically says start

1 the closure with a month with the least negative economic,
2 social, and cultural effects and we're going to need the island-
3 specific APs to help us identify that.

4
5 Here is an example and we actually looked at all of the data
6 that was available and so let's take a look at Snapper Unit 1
7 and so this is Puerto Rico.

8
9 You look at Snapper Unit 1 and for Suboption 3b(i), we took a
10 look at the average monthly landings for the past three years
11 that we have data for and we chose the highest landings ex-
12 vessel revenues month, which was -- It just happened to be
13 January and so we had the closure begin January 1. Under
14 Suboption 3b(i), you've got January 1 and so that's when we
15 suspect that the shortest closure might take place.

16
17 Under Suboption 3b(ii), we looked at the lowest landings month
18 and that happened to be October 1, but there is a seasonal
19 closure already in place for certain species in that snapper
20 unit and so we thought, well, you might not want October 1,
21 because that might not help you reach your goal, because a
22 closure is already taking place.

23
24 The next lowest landings month was June 1 and so here we have
25 October 1 or June 1 and that would be for the council to decide
26 and then Suboption 3b is decided upon by the island-specific APs
27 and so we have TBD, to be determined, and so we can't make that
28 decision.

29
30 For each and every one of these, we went through and we looked
31 at the highest landings month and the lowest landings month and
32 if there was a closure already occurring. You can see for
33 groupers there is a closure already occurring in March and so
34 therefore, we put down the second highest landings month.

35
36 Here is the table that we generated for St. Thomas and we did
37 the exact same thing. For some species, such as goatfish, we
38 simply did not have landings for some of those months and we
39 stated that we did not have landings for those months.

40
41 Then we have St. Croix and the same thing, use the past three
42 years of data. We took a look at the highest landings and the
43 lowest landings and so trying to figure out some way to
44 predetermine dates.

45
46 Then we've got Action 2, which is basically -- This is the easy
47 one. It's to specify how often the approach to set the timing
48 of AM-based closures selected in Action 1 should be revisited.

1 Option 1 is no action, don't specify anything. Option 2 is
2 review the approach selected no longer than three years from
3 implementation and Option 3 is review the approach five years
4 from implementation.

5
6 Reviewing the approach that sets the timing for AM closures can
7 involve reviewing the dates selected, the criteria for choosing
8 the dates, or any other aspect of the rule and so all of the
9 things that we just went through, the options that we just went
10 through.

11
12 Now assuming that you understood all of that I just went
13 through, which may not be clear, here is some possible next
14 steps for the council.

15
16 The council could decide on the options to include or exclude in
17 this options paper. If you recall, the IPT suggested that
18 Option 2 be removed. Number 2 is the council could make a
19 motion to approve or disapprove of the draft options paper,
20 given any of those changes that the council made to the options.

21
22 The council could request meetings of island-specific APs to
23 select and recommend to the council dates to go ahead and
24 populate some of these alternatives that we did not refer to
25 that go ahead and identify important economic and cultural dates
26 to exclude from a potential suite of alternatives.

27
28 The council could make a motion to schedule new scoping meetings
29 for winter of 2015, because things have changed substantially
30 from the last scoping meetings.

31
32 If the council decides to go ahead and exclude Option 2, then we
33 have a rewriting of the alternatives and the options that
34 exclude Option 2, but I am not going to go into that right now
35 until I ask if anyone has questions, first, or if there's
36 anything that I can go over again and how the council would like
37 to proceed.

38
39 **SHEPHERD GRIMES:** As a member of the interdisciplinary team who
40 recommends that you remove that alternative, it's just not a
41 reasonable alternative. Given the timelines that we have, we
42 cannot do that and we cannot go through that every year.

43
44 Maybe we reach some point where we can, but we're not there and
45 we're a long way from it. Leaving it in the document is going
46 to require a tremendous amount of effort in analyzing and
47 drafting it up and including it in all the documents and if we
48 just can't do it, there is really no point in doing that and it

1 will be a huge burden with no potential benefit in the end.

2
3 Obviously I am coming down hard on the side of somebody making a
4 motion to remove it from the document and saving us the effort
5 of having to analyze it all.

6
7 **ROY CRABTREE:** I move that we remove Action 1, Option 2 to the
8 considered but rejected.

9
10 **TONY BLANCHARD:** Can you bring up Action 1, Option 2 and let me
11 take a look at it here?

12
13 **CARLOS FARCHETTE:** I have to have a second first and then come
14 up with discussion.

15
16 **SHEPHERD GRIMES:** I think what Mr. Blanchard was saying is maybe
17 he wants to second it and so he wants to see the option up on
18 the board to decide or --

19
20 **TONY BLANCHARD:** I want to see what it is we're voting on.

21
22 **SHEPHERD GRIMES:** I wouldn't focus on the -- The suboptions are
23 the same under Option 2 and Option 3, if I have this right, and
24 what you need to look at is the text in Option -- Yes, just this
25 text. That's what is different.

26
27 The difference between this and Option 3 is that this is a
28 process and every single year, you would go through a rulemaking
29 process to determine -- Looking at landings data and going
30 through and depending on which of the subalternatives you pick,
31 making your decision based on that, but having all of the
32 procedural requirements that you would go through every year.
33 Given the timing of when we get the information, there is no way
34 you could have it done and have your closures in place by the
35 following year.

36
37 Even if the council selected this as a preferred alternative, I
38 don't see how the Fisheries Service could implement it, because
39 there's no way it's going to happen.

40
41 Option 3 does the same thing. It just sets it in place and puts
42 it in the regulations and it will stay there from one year to
43 the next. You could always come in and change that process two
44 or three or however many years down the road, but you don't have
45 to go through the same process every single year in order to
46 determine when the best months or weeks or days to close are.

47
48 **MARCOS HANKE:** This is a question for Shepherd on your point.

1 Basically let's use an example of Fish B that the council
2 analyzed the socioeconomic impacts during closures throughout
3 the year and we establish the best timing for that closure and
4 that stays like that in Option 3 all the time and we will not
5 change it and this is what you mean?
6

7 **SHEPHERD GRIMES:** Yes, it will not change automatically. You
8 could always come back in two years down the road and say we put
9 that in place and we don't like when it is and we've gotten this
10 other information and we're reconsidering that and we don't want
11 it to close in June and we want it to close in April and then
12 you could shift it there.
13

14 Under Option 2, you would get all the information and you would
15 find out what the landings were during the closure and you would
16 have the meetings and you would convene the groups and you would
17 get all the information and decide, okay, for this year it's
18 going to be June and then next year, if you have another
19 overage, you've got to through the same process again and decide
20 when you would have the closure the following year.
21

22 Given that we don't get the information until the end of the
23 year and sometimes the beginning of the year, it would be too
24 late to implement all of that process.
25

26 **KATE QUIGLEY:** I just want to clarify for folks the major
27 difference between Option 2 and Option 3 is, as Shep said,
28 Option 2 you make an annual determination about when you want a
29 closure to occur.
30

31 In Option 3, you are predetermining, for each and every species,
32 when a closure would occur. However, the information and all of
33 the modeling and all of the work that we've done for Option 2
34 that went into the seasonal choices model will all be used in
35 determination of Option 3 and so that is not a lost effort.
36

37 It's all being used in Option 3, but the major difference is
38 just that one is on an annual basis and the other one is done
39 predetermined and so it's not changed until the council decides
40 to.
41

42 **TONY BLANCHARD:** Now that I'm clear on that, I will second Mr.
43 Crabtree.
44

45 **CARLOS FARCHETTE:** Okay and is there discussion? Where does
46 that motion start? Is it the whole thing?
47

48 **SHEPHERD GRIMES:** For this one, I think just read the text of

1 the motion and I wouldn't read Option 2 and all of that.
2
3 **CARLOS FARCHETTE:** All right. Move to remove Action 1, Option 2
4 to be considered and rejected in the Timing Options Paper.
5 Motion by Crabtree and seconded by Tony Blanchard and is there
6 discussion?
7
8 **MARCOS HANKE:** My question is to whoever can answer. On Option
9 3, once the council will establish -- If I am saying anything
10 that is wrong, Kate, please correct me. We are going to decide
11 if there is new information that we want to change -- I want
12 guidance from you guys how fast we can change that AM
13 implementation or a different setting once we establish it for
14 the first time.
15
16 On Species B, we decide to close from June to August or
17 whatever, just as an example, and suddenly the industry and the
18 council wants to change and how fast can we do that?
19
20 **SHEPHERD GRIMES:** That would largely depend on the council and
21 how long the council is going to deliberate over it and how long
22 you would take to make a decision, but if it was something quick
23 and easy and you just wanted to say here's what we want to
24 change it to -- After the council decision and how long it takes
25 us to implement a rule, I think we say eight months.
26
27 If we changed the framework in your FMP to streamline that
28 stuff, then you reduce the time period by sixty days, but you
29 still have to go through the rulemaking process.
30
31 **MARCOS HANKE:** Basically what you are saying, on the worst
32 scenario, is eight months and basically what you are saying is
33 that it's doable and because we are dealing with the next year,
34 we have time to react to that and to use the new approach.
35
36 **SHEPHERD GRIMES:** I think I understand what you're getting at.
37 It would be difficult in season to make those changes, but we
38 never make those in season, but the following season, yes, we
39 should be able to get something in place.
40
41 **CARLOS FARCHETTE:** Any more discussion? Hearing none, I will
42 start with voting on my left.
43
44 **TONY BLANCHARD:** Yes.
45
46 **ROY PEMBERTON:** Yes.
47
48 **MIGUEL GARCIA:** Yes.

1
2 **EUGENIO PIÑEIRO:** Yes.
3
4 **MARCOS HANKE:** Yes.
5
6 **CARLOS FARCHETTE:** Yes. **Any nays? Any abstentions? Hearing**
7 **none, the motion carries.** We are running short on time here and
8 so we are going to Federal Permits Scoping Document and Schedule
9 Scoping Meetings.
10
11 **KATE QUIGLEY:** I think there is a couple other things to
12 consider, if we go back to the slide presentation. There are
13 some other possible actions for the council and I just want to
14 hear if you're interested in those or not. It's further along
15 and it's not the very last slide, but I can find it. It's
16 possible next steps.
17
18 The council decided to remove Option 2, but the IPT needs to
19 know if you approve or disapprove of the draft options paper and
20 any of those other things, if you're interested in doing those.
21 If you approve of the draft options paper, then we can go ahead
22 and start fleshing out the amendment and bring it back to you
23 fully analyzed.
24
25 **CARLOS FARCHETTE:** Okay. Any comments?
26
27 **MARCOS HANKE:** If we approve the draft, does that mean that it's
28 a done deal?
29
30 **KATE QUIGLEY:** It's not a done deal. It just means that we move
31 ahead in the amendment process and fully populate the amendment
32 with the scoping document that would then be taken out to the
33 public again, but we would have a fuller, fleshed-out amendment
34 for the public to look at. Before, the scoping document was not
35 fully fleshed out and now we would, especially if we had input
36 from the island-specific APs. Then we could populate some of
37 those other options.
38
39 **MARCOS HANKE:** I think, with this explanation, I am ready to
40 make a motion to --
41
42 **CARLOS FARCHETTE:** Kate, do you have some language or Shep?
43
44 **SHEPHERD GRIMES:** I think what you want to do is just -- You
45 have moved to remove Option 2 and so just direct staff to
46 continue development of the options paper with the option
47 removed and develop the next --
48

1 **MARCOS HANKE:** To develop the next steps?
2

3 **SHEPHERD GRIMES:** Yes, the next version of the document, I
4 guess. I am not crystal clear on scoping and I don't remember
5 IPT discussion of this. It may have occurred and I may just not
6 have been paying attention, but we have already scoped it.
7

8 Now, you hold scoping meetings and that's early in the process
9 to identify what the issues were and unless you have major
10 changes to what you're looking at doing, you wouldn't go back
11 out and scope it again.
12

13 The normal council process is scoping and you get the options
14 paper and you start to put that into a draft FMP amendment or a
15 framework action or whatever it is and once that's a little more
16 fully developed, councils often go out for a round of public
17 hearings and then you finalize your action and so I'm not sure
18 why we would do additional scoping.
19

20 **MARCOS HANKE:** Don't forget the input of the new AP, district
21 AP.
22

23 **KATE QUIGLEY:** I think the purpose of bringing it out to scoping
24 is because the document has changed substantially and that we
25 are looking for input from the public to populate when they
26 don't want closures to occur, so that we can go ahead and fill
27 out those alternatives. A possible motion might be move to
28 approve the draft options paper and direct staff to further
29 develop a scoping document.
30

31 **MARCOS HANKE:** I was doing the motion and I accept the language
32 and any second for me?
33

34 **ROY PEMBERTON:** I will second.
35

36 **CARLOS FARCHETTE:** Okay and it's open for discussion and should
37 that be draft options paper or just options paper is good
38 enough?
39

40 **KATE QUIGLEY:** I would say draft options paper.
41

42 **CARLOS FARCHETTE:** Marcos, do you accept that correction?
43

44 **MARCOS HANKE:** I accept the correction.
45

46 **CARLOS FARCHETTE:** Roy Pemberton seconded do you accept that
47 correction, Roy?
48

1 **ROY PEMBERTON:** Yes.
2
3 **CARLOS FARCHETTE:** Okay and it's open for discussion.
4
5 **TONY BLANCHARD:** I think that's a good motion to make. I would
6 add that I think we need to have the APs for this island-
7 specific -- The island-specific APs to deal with this and look
8 at it beforehand and have their input into this, since really
9 that's what they're there for, to give their opinion.
10
11 **ROY PEMBERTON:** I agree with what Mr. Blanchard is saying and my
12 other question along those lines is the timing, because
13 depending on when the island APs come up to speed, what timing
14 will we need to then correlate with your analysis and the draft?
15
16 **KATE QUIGLEY:** I think it's probably important for the island-
17 based APs to provide input on this document before it goes out
18 to scoping.
19
20 **ROY PEMBERTON:** Just a follow-up. So then it probably won't be
21 ready by the spring meeting then.
22
23 **MARCOS HANKE:** I just asked Kate and she is pretty much ready
24 once the district AP group is formed or we decide on that, later
25 on. This way, just for you guys to know that she has the
26 information and she just needs to have the group already set and
27 to follow through.
28
29 **CARLOS FARCHETTE:** Any more discussion? Hearing none, I will
30 start the vote on my left with Blanchard.
31
32 **TONY BLANCHARD:** Yes.
33
34 **ROY PEMBERTON:** Yes.
35
36 **MIGUEL GARCIA:** Yes.
37
38 **EUGENIO PIÑEIRO:** Yes.
39
40 **ROY CRABTREE:** Yes.
41
42 **MARCOS HANKE:** Yes.
43
44 **CARLOS FARCHETTE:** Yes. Any nays? Any abstentions? Hearing
45 none, the motion carries. Follow-up, Kate?
46
47 **KATE QUIGLEY:** Okay and just one more thing. I am going to ask
48 Vivian if you could call up that additional document that I had

1 given. I just want to let the council know that four staff
2 members went out in Puerto Rico to try to gather some
3 information about high market demand and so the document is
4 Fishermen Meetings Report.

5
6 Just three weeks ago -- This will be sent around to you
7 afterwards, but this is just a report and I'm not going to go
8 through it right now, but I'm just going to give you an
9 overview.

10
11 Helena Antoun and myself and Miguel Lugo and Bill Arnold spent
12 four days visiting fourteen fishing towns and associations in
13 Puerto Rico, because we have a lot more variation in Puerto Rico
14 than we do in St. Thomas and in St. Croix, to try to get
15 information about high market demand and low market demand times
16 when you would not or you would want a closure to take place, if
17 it had to take place.

18
19 We visited fourteen fishing associations and we gathered a lot
20 of really great information, but that was only a small sampling
21 of the number of fishing associations that exist in Puerto Rico.

22
23 Just to give you just a real quick overview, fishermen greatly
24 appreciated us coming out and we had great turnout. For
25 example, in Cabo Rojo, we had forty-four fishermen and we were
26 able to meet with many of those and see them bring in their
27 catch and talk to many of those peoples.

28
29 In Ceiba, we were able to meet with over thirty fishermen and in
30 Fajardo, we were able to visit with a group of eight fishermen
31 who actually set out in a boat to show us how they catch bait.
32 In other locations, we met with two to eight fishermen and they
33 were very generous with their time and we greatly appreciated
34 it.

35
36 We gathered lots of information about when they would or would
37 not want a closure to occur and why and when they are actually
38 targeting fish and what their high demand is.

39
40 Another thing that we learned, because we had heard from St.
41 Thomas fishermen and St. Croix fishermen that we don't want a
42 closure during December and during Christmas. Of course, Puerto
43 Rico was a little bit different. They didn't actually -- Most
44 of them did not feel that a December closure was a problem.

45
46 However, some fishermen, for example in Rincon, did feel that
47 that was a problem, because they have tourism demand during the
48 month of December. We gathered a lot of really great

1 information, because there's a lot more diversity in Puerto
2 Rico, it seemed, than there was in St. Thomas and St. Croix.

3
4 Regarding market demand, the information gathered thus far
5 indicates that Lent is, of course, the highest period of demand,
6 with Holy Week being the peak, while demand generally decreases
7 after April and demand picks up again in the summer months, but
8 then falls off again during hurricane season and when school
9 begins. Then for some towns, it picked up again at Christmas,
10 as I said.

11
12 The weather was a determinant for some of this demand and just
13 one more thing that we found is that in some areas, species
14 targeted was highly specialized and therefore, closures for a
15 particular FMU has a huge impact, whereas other areas they are
16 much more diversified, of course.

17
18 We had many more meetings though that we could have gone to and
19 many more people that we could have met with. This was just
20 kind of the tip of the iceberg and we hope to be able to
21 populate perhaps a calendar that shows monthly what is targeted
22 in each region of Puerto Rico, so that we know who would be
23 impacted and who would not be impacted and why.

24
25 We kind of hope to continue visiting some of these fishing
26 communities, so that we can create a calendar of that sort.
27 That's just a brief overview of some of the efforts we've made
28 to incorporate some of that information into this amendment so
29 that we make sure that we do it right.

30
31 **CARLOS FARCHETTE:** Okay. We are going to move forward with
32 Federal Permits Scoping Document and Schedule Scoping Meetings.
33 It's five to five and is it a long document? Do we have time?
34 Okay. Then we will leave the Federal Permits and the Red Hind
35 White Paper for tomorrow, because that Red Hind White Paper I'm
36 sure is going to take some discussion also.

37
38 Okay. What we will do is we will break for about five minutes
39 and then move into -- First of all, is there anybody in the
40 public that wants to make public comments for what transpired
41 for today? Hearing none, we will take a five-minute break and
42 then go into Administrative Matters.

43
44 (Whereupon, a brief recess was taken.)

45
46 **CARLOS FARCHETTE:** We are back to order. Before we move to
47 Administrative Matters, we are going to give a five-minute
48 presentation to a gentleman here that we have put on the agenda.

1 He wants to step forward.

2
3 **PUBLIC COMMENT**
4

5 **SHEPHERD GRIMES:** Is there anybody to give public comment? No?
6 I was told that some people wanted to provide public comment
7 this afternoon and so we have reopened for that, if anybody is
8 ready.

9
10 **ADMINISTRATIVE MATTERS**
11

12 **CARLOS FARCHETTE:** All right and so we will let him do it
13 tomorrow. Okay. It's back to Administrative Matters. For
14 Budget Update, I think we agreed with Shep.

15
16 **SHEPHERD GRIMES:** Based on earlier discussions, the SOPPs will
17 be delayed and the Budget Update is going to be delayed and I
18 see the only open thing here is SSC/OEAP Memberships and I don't
19 know what that entails, but otherwise, the rest is a closed
20 session discussion.

21
22 **DIANA MARTINO:** For the SSC, we only have Gedamke to be
23 reappointed.

24
25 **MARCOS HANKE:** Motion to reappoint Todd Gedamke.

26
27 **CARLOS FARCHETTE:** There is a motion by Hanke to reappoint Todd
28 Gedamke.

29
30 **ROY PEMBERTON:** Second.

31
32 **CARLOS FARCHETTE:** The motion is by Hanke and the second is by
33 Roy Pemberton. The motion reads: To reappoint Todd Gedamke to
34 the SSC and the motion is by Marcos Hanke and seconded by Roy
35 Pemberton and is there any discussion? Hearing none, I will
36 start my vote on the left.

37
38 **ROY PEMBERTON:** Yes.

39
40 **MIGUEL GARCIA:** Yes.

41
42 **EUGENIO PIÑEIRO:** Yes.

43
44 **MARCOS HANKE:** Yes.

45
46 **TONY BLANCHARD:** Yes.

47
48 **BILL ARNOLD:** Yes.

1
2 **CARLOS FARCHETTE:** Yes. Any nays? Any abstentions? Hearing
3 none, the motion carries. For the record, Bill was representing
4 Roy Crabtree. Now we are moving to a closed session and so
5 we're going to take a minute to have the people on Go to Meeting
6 -- Go ahead, Vivian.

7
8 **VIVIAN RUIZ:** I just want to mention all the people that have
9 been attending the Go to Meeting during today and they are Brian
10 Kennedy, Maria Lopez, Miguel Rolon, Helena Antoun, Annie
11 Clemens, Adam Bailey, Scott Sanders, and Denise Johnson. Thank
12 you all being connected during the meeting and remember that
13 tomorrow we will continue the meeting at the same time, 9:00 to
14 6:00, and we will now turn to the closed session. Thank you.

15
16 **CARLOS FARCHETTE:** Thank you, Vivian. We are going to move to a
17 closed session. We are going to clear the room here and so I
18 will take a minute to clear the room.

19
20 (Whereupon, the meeting went into closed session on December 9,
21 2014.)

22
23 - - -

24
25 December 10, 2014

26
27 WEDNESDAY MORNING SESSION

28
29 - - -

30
31 The Caribbean Fishery Management Council reconvened at the
32 Frenchman's Reef and Morning Star Hotel, St. Thomas, USVI,
33 Wednesday morning, December 10, 2014, and was called to order at
34 9:00 o'clock a.m. by Chairman Carlos Farchette.

35
36 **CARLOS FARCHETTE:** One minute here and we will get going. This
37 is the continuation of the 151st Regular Meeting for the
38 Caribbean Fishery Management Council being held on St. Thomas,
39 U.S. Virgin Islands at the Frenchman's Reef Resort and it's
40 December 10, 2014. We will do the roll call and I will start on
41 my right with Graciela.

42
43 **GRACIELA GARCIA-MOLINER:** Graciela Garcia-Moliner, council
44 staff.

45
46 **BILL ARNOLD:** Bill Arnold, NOAA Fisheries.

47
48 **MARCOS HANKE:** Marcos Hanke, council member.

1
2 **BONNIE PONWITH:** Bonnie Ponwith, NOAA Fisheries.
3
4 **SHEPHERD GRIMES:** Shepherd Grimes, NOAA Office of General
5 Counsel, Southeast Section.
6
7 **ROY CRABTREE:** Roy Crabtree, NOAA Fisheries.
8
9 **DIANA MARTINO:** Diana Martino, council staff.
10
11 **CARLOS FARCHETTE:** Carlos Farchette, council Chair.
12
13 **EUGENIO PIÑEIRO:** Genio Piñeiro, council Vice Chair.
14
15 **MIGUEL GARCIA:** Miguel Garcia, council member, Puerto Rico.
16
17 **TONY BLANCHARD:** Tony Blanchard, council member, St. Thomas/St.
18 John.
19
20 **MORGAN FOWLER:** Morgan Fowler, U.S. Coast Guard.
21
22 **MIKE MASTRIANNI:** Mike Mastrianni, U.S. Coast Guard.
23
24 **VIVIAN RUIZ:** Vivian Ruiz, council staff.
25
26 **PETER FREEMAN:** Peter Freeman, environmental contractor.
27
28 **TONY IAROCCI:** Tony Iarocci, commercial fisherman.
29
30 **RICHARD APPELDOORN:** Rich Appeldoorn, SSC Chair.
31
32 **ALIDA ORTIZ:** Alida Ortiz, Outreach and Education Advisory Panel
33 Chair.
34
35 **IRIS LOWERY:** Iris Lowery, NOAA Office of General Counsel,
36 Southeast Section.
37
38 **PHIL STEELE:** Phil Steele, NOAA Fisheries.
39
40 **KATE QUIGLEY:** Kate Quigley, council staff.
41
42 **STEPHANIE BOLDEN:** Stephanie Bolden, NOAA Fisheries.
43
44 **RICK PEARSON:** Rick Pearson, NOAA Fisheries, Highly Migratory
45 Species.
46
47 **HOWARD FORBES:** Howard Forbes, DPNR Enforcement.
48

1 **DAN CROWTHER:** Dan Crowther, Point 97.
2
3 **CARLOS FARCHETTE:** Thank you. Now we also have Go to Meeting
4 for anyone who wants to identify themselves and do we have
5 somebody onboard to ID. If you could identify yourselves on Go
6 to Meeting.
7
8 **MIGUEL ROLON:** Miguel Rolon, council staff.
9
10 **VIVIAN RUIZ:** The other attendees are Britany Lavine, Maria
11 Lopez, and that's all.
12
13 **CARLOS FARCHETTE:** Thank you. I guess go ahead, Marcos.
14
15 **MARCOS HANKE:** I want to make just a quick comment, because
16 yesterday on my presentation on Bajo de Sico and even though my
17 written comment that I read on record and was posted, I show the
18 importance of the enforcement on that written comment and it
19 looked like during all the discussion that we had that I was
20 misunderstood in terms of how I appreciate enforcement.
21
22 I do heavily appreciate enforcement and I am involved in helping
23 to train the guys for identifying the fish correctly in San Juan
24 and I want to say that on the record, because, for me, I don't
25 want to be misunderstood on that, because if we need somebody
26 engaged in this process, it's the Coast Guard and all the other
27 enforcement agents.
28
29 The other comment I want to make is that on the context of the
30 discussion, my point was, and I want to clarify, that once we
31 decide to make the consistency between all the three areas that
32 creates all the discussion from yesterday, it was mainly from an
33 enforcement purpose.
34
35 As a council member, I think that first comes all the other
36 parameters that later have to be fine-tuned to the enforcement
37 to be doable, but enforcement is very, very important and I just
38 want to state that on the record. Thank you.
39
40 **DISCUSSION OF DISTRICT ADVISORY PANELS**
41
42 **CARLOS FARCHETTE:** Thank you, Marcos. We are going to deal with
43 the appointments to the advisory panels, District Advisory
44 Panels. I think we have a motion written up here.
45
46 **TONY BLANCHARD:** Good morning, folks. I voted on an individual
47 to be put on the list and in all honesty, I didn't have my
48 glasses and I thought he was on the list and he wasn't on the

1 list and so I will stand here and take the blame. That was my
2 fault.

3
4 Today, I would like to appoint the following members to the AP.
5 I would like to switch Bryson Bryan to Winston Ledee and that's
6 a motion.

7
8 **MARCOS HANKE:** Second.

9
10 **MIGUEL ROLON:** Mr. Chairman, a point of order. You need to
11 appoint the DAP first, the motion I drafted, and then you go
12 into each one of the committees and as you go by -- Probably
13 Diana can list the names and if you have any objections to any
14 of the names or any changes, that's the panel you substitute the
15 name, but you don't have the committee yet or the panel.

16
17 **CARLOS FARCHETTE:** Okay and so we are going to take that route.

18
19 **MIGUEL ROLON:** Mr. Chairman, can I explain more of this?
20 Yesterday evening, the CFMC met to discuss, in a closed session,
21 candidates for membership to the DAPs of Puerto Rico and the
22 U.S. Virgin Islands and so you will see the list today presented
23 by the council members who are going to make the motions, but
24 today, in the morning, we need to discuss the policy, the
25 charter, of the District Advisory Panels and the implementation
26 of the District Advisory Panels, formalize the implementation of
27 the District Advisory Panels, because we need to discuss this in
28 the open.

29
30 Then the first motion will be to establish those panels and then
31 to address how they are going to operate. Once you have that
32 discussed and approved, then you have to move into the actual
33 appointments of the candidates that you have to Puerto Rico
34 first or in any order, but to each one of the areas. One motion
35 for St. Thomas/St. John, one motion for St. Croix, and another
36 motion for Puerto Rico.

37
38 Then out of that list, if you want to substitute any of those
39 members, that's the time that you should do so, once you discuss
40 the motion for appointment of the candidates.

41
42 **CARLOS FARCHETTE:** Okay.

43
44 **EUGENIO PIÑEIRO:** I move to establish three District Advisory
45 Panels, one for each area: St. Thomas/St. John, St. Croix, and
46 Puerto Rico. These panels will have fifteen members for a term
47 of three-years, twelve representing different sectors in the
48 fishing industry and three ex-officio members from Pew, TNC,

1 DPNR in the U.S. Virgin Islands and the Department of Natural
2 and Environmental Resources in Puerto Rico.

3
4 **CARLOS FARCHETTE:** Do we have a second?

5
6 **MARCOS HANKE:** Second.

7
8 **CARLOS FARCHETTE:** Are there discussions?

9
10 **MIGUEL ROLON:** If you look at the -- You have to decide today
11 whether the fifteen members should be voting members or whether
12 you would like to have any of the ex-officio members as non-
13 voting members as the council does with the Department of
14 Interior, Department of State, and Coast Guard. This is a
15 discussion that you should take on the record now.

16
17 I received a note from Bill Arnold yesterday and he believes
18 that having the fifteen members voting will be more appropriate
19 for discussing and preparing the recommendations to the council,
20 but it's up to you to decide how to play that one.

21
22 **MARCOS HANKE:** I think that not just with the participation, but
23 with the vote, we will create a stronger, solid record of each
24 of the person that are on the AP that once that opinion comes to
25 the council, we will have a better understanding of what is
26 going on and stronger record that whatever comes out of there,
27 it has already passed through a group, a body, evaluating them
28 and then it comes to here and we do the same exercise. I just
29 think that it helps everybody if everybody votes. That's my
30 opinion.

31
32 **TONY BLANCHARD:** I can't speak for Marcos, but as far as I am
33 concerned, and I think the Director is on my side here, for St.
34 Thomas/St. John we would like the NGOs as ex-officio I believe
35 is the word to use and non-voting members.

36
37 **ROY PEMBERTON:** I would concur and also, the ex-officio -- One
38 other ex-officio I wanted to add to it would be the position for
39 the government as well, but I am not sure if that's in line with
40 what Puerto Rico is doing, but that's something we should also
41 suggest as well, because we need to be advisors and let the
42 folks that are actually leaving and breathing the fishery and
43 the industry to make the decision to vote.

44
45 **MIGUEL ROLON:** Mr. Chairman, the ex-officio member of the
46 government is the DPNR in the U.S. Virgin Islands and DNER and
47 it's already included in the fifteen.

1 **ROY CRABTREE:** I can see how we might not want the government
2 official on the AP to vote, because they have a vote on the
3 council, but it seems to me the NGO members ought to vote like
4 everyone else.
5

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

8 **MIGUEL ROLON:** You have to decide in the motion whether you want
9 to have fourteen members voting and one member non-voting or
10 twelve members voting and three members not voting and you have
11 to decide that and I believe that the way the motion is written,
12 you have to make sure that you're intent, the intent of the
13 owner of the motion.
14

15 **CARLOS FARCHETTE:** Right and that's one of the things I was
16 thinking about. If you have even numbers, then who would break
17 the tie vote?
18

19 **ROY CRABTREE:** I don't think that's a problem. I mean they're
20 advisory to us and so if they vote seven to seven for something,
21 then the advice from the panel is they are split on it and I
22 don't see how that's a problem. They are not making the actual
23 decisions anyway.
24

25 **CARLOS FARCHETTE:** Okay. That sounds good. Shall we -- No more
26 discussion on this?
27

28 **MIGUEL ROLON:** Mr. Chairman, can you read the motion for the
29 record before voting?
30

31 **CARLOS FARCHETTE:** Sure.
32

33 **MARCOS HANKE:** Just to the point. Right now, the motion, the
34 way it's written, the way it reads, everybody votes.
35

36 **DIANA MARTINO:** The motion reads: Move to establish three
37 District Advisory Panels (DAPs), one of each area: St.
38 Thomas/St. John, St. Croix, and Puerto Rico. These panels will
39 have fifteen voting members for a term of three years, twelve
40 representing the different sectors of the fishing industry and
41 three ex-officio members from Pew, TNC, DPNR in the USVI and
42 DNER in Puerto Rico.
43

44 **ROY CRABTREE:** If we pass that motion, then everybody on the
45 panel gets to vote, correct?
46

47 **MARCOS HANKE:** Yes.
48

1 **ROY CRABTREE:** I am just trying to understand the intent and so
2 that is our intent, that to pass this motion, these are the
3 fifteen members and everybody gets a vote?
4
5 **CARLOS FARCHETTE:** Right.
6
7 **ROY CRABTREE:** Okay.
8
9 **CARLOS FARCHETTE:** Any further discussion? I am going to start
10 on my right with Hanke.
11
12 **MARCOS HANKE:** Yes.
13
14 **ROY CRABTREE:** Yes.
15
16 **EUGENIO PIÑEIRO:** Yes.
17
18 **MIGUEL GARCIA:** Yes.
19
20 **ROY PEMBERTON:** No.
21
22 **TONY BLANCHARD:** No.
23
24 **CARLOS FARCHETTE:** Yes. Any abstentions? We five yea and two
25 nay.
26
27 **MIGUEL ROLON:** You have to say the motion carries.
28
29 **CARLOS FARCHETTE:** **The motion carries.**
30
31 **ROY PEMBERTON:** Mr. Chair, I would like to bring up something I
32 guess, particularly for the consideration for the St. Thomas
33 panel. I wanted to make sure that we had Mr. Winston Ledee on
34 that panel as well, in terms of the fifteen members, and to
35 excuse one member, Bryson Bryan, in the commercial fisheries
36 sector. Winston has a ton more experience involved in this
37 particular aspect of the industry and also with the council
38 business and I would like to make sure that he has the
39 opportunity to take us into this area of dealing with the
40 island-management-specific plans.
41
42 **CARLOS FARCHETTE:** That would have to be in the form of a motion
43 and so we can write it up.
44
45 **MIGUEL ROLON:** Mr. Chairman, if I may, probably we should say at
46 the time now that Mr. Roy Pemberton can make a motion reading
47 the list with that change and so in one motion, you will approve
48 the whole thing.

1
2 **CARLOS FARCHETTE:** I've got you and we'll do that. We are going
3 to start with the first one here is Puerto Rico and so we'll
4 have Miguel Garcia read off his list as a motion to appoint.
5
6 **MIGUEL GARCIA:** Good morning. I move to appoint the following
7 members to the Puerto Rico DAP and I will ask Diana to read the
8 list and that's three ex-officio members representing Pew, TNC,
9 and Puerto Rico DNER.
10
11 **DIANA MARTINO:** The members for Puerto Rico are Gary Wayne
12 Rogers, Jesse Rivera, Greg Enstrong, Carlos Velazquez, Luis
13 Roman, Miguel Ortiz, Roberto Silva, Hector Padro, Carmen Rivera,
14 Cedric Taquin, Israel Umpierre, Roberto Reyes, TNC, Pew and
15 DNER.
16
17 **MARCOS HANKE:** I would like to move this list of names to be
18 appointed for the panel.
19
20 **MIGUEL ROLON:** A point of order. That's already a motion and it
21 was made by Miguel and you just have to second.
22
23 **MARCOS HANKE:** I second the motion. I'm sorry that I got lost
24 in there. I was reading something there.
25
26 **CARLOS FARCHETTE:** The motion is to appoint the fifteen members
27 that Diana Martino just listed out for the Puerto Rico DAP and
28 the motion was by Miguel Garcia and seconded by Marcos Hanke and
29 is there any discussion? Hearing none, I will take it to a vote
30 starting on my left with Tony Blanchard.
31
32 **TONY BLANCHARD:** Yes.
33
34 **ROY PEMBERTON:** Yes.
35
36 **MIGUEL GARCIA:** Yes.
37
38 **EUGENIO PIÑEIRO:** Yes.
39
40 **ROY CRABTREE:** Yes.
41
42 **MARCOS HANKE:** Yes.
43
44 **CARLOS FARCHETTE:** Yes. Any nays? Any abstentions? Hearing
45 none, the motion carries. Now for the U.S. Virgin Islands.
46
47 **ROY PEMBERTON:** For the U.S. Virgin Islands, for the advisory
48 panel for St. Croix, USVI, I would like to make sure that we

1 have the three ex-officio members from the NGOs TNC and from the
2 Pew Foundation as well as from DPNR. The members are as
3 follows: Thomas Daley, Virdin Brown, Edward Schuster, Patricia
4 Skov, Mike Fuller, Daniel Santiago, David Gubser, Larry Angus,
5 William J. Tobias, Chad Sheraw, and Michelle Pugh. That will
6 round out the list.

7

8 **CARLOS FARCHETTE:** Do we have a second?

9

10 **TONY BLANCHARD:** Second.

11

12 **CARLOS FARCHETTE:** The motion is to appoint the members listed
13 by Roy Pemberton as the DAP for the St. Croix District. Any
14 discussion? Hearing none, I will take it to a vote, starting on
15 my right with Marcos.

16

17 **MARCOS HANKE:** Yes.

18

19 **EUGENIO PIÑEIRO:** Yes.

20

21 **MIGUEL GARCIA:** Yes.

22

23 **ROY PEMBERTON:** Yes.

24

25 **TONY BLANCHARD:** Yes.

26

27 **CARLOS FARCHETTE:** Yes. Any nays? Any abstentions? Hearing
28 none, the motion carries. Now for St. Thomas/St. John.

29

30 **ROY PEMBERTON:** Mr. Chair, for the St. Thomas/St. John advisory
31 panels, I would like to include the NGOs, TNC and the Pew
32 Foundation, as ex-officio members, as well as a DPNR
33 representative, and the list will be as follows: Mr. Gregory
34 Ledee, Mr. Winston Ledee, Julian Magras, Darryl Bryan, Dean
35 Greaux, Claude Berry, Ray Campbell, Jimmie Estraca, Shawn
36 Kadison, Elton George, Steward Lovelad, and Lance Maanum. That
37 will be it. That will round off the list. Thank you.

38

39 **CARLOS FARCHETTE:** Do we have a second?

40

41 **TONY BLANCHARD:** Second.

42

43 **CARLOS FARCHETTE:** Any discussion? Hearing none, we will take
44 it to a vote, starting on my left with Blanchard.

45

46 **TONY BLANCHARD:** Yes.

47

48 **ROY PEMBERTON:** Yes.

1
2 **MIGUEL GARCIA:** Yes.
3
4 **EUGENIO PIÑEIRO:** Yes.
5
6 **ROY CRABTREE:** Yes.
7
8 **MARCOS HANKE:** Yes.
9
10 **CARLOS FARCHETTE:** Yes. Any nays? Any abstentions? Hearing
11 none, the motion carries.
12
13 **MIGUEL ROLON:** Mr. Chairman, the next thing will be to just
14 mention or discuss on the record that we will follow -- These
15 District Advisory Panels will follow a charter, as we
16 distributed yesterday for your consideration.
17
18 The charter is just a copy of what we had in the SOPPs for the
19 advisory panel and we just changed the name and we mentioned
20 that each will be representing the St. Thomas/St. John, St.
21 Croix, and Puerto Rico.
22
23 My suggestion is to allow the Chair to discuss it with the staff
24 and the legal advisor and so I already sent it to Shep to make
25 sure that we comply with any regulations we need to comply and
26 the other part is that we are going to make clear, in writing,
27 that they are supposed to follow Roberts Rules and three
28 strikes, you're out.
29
30 If you don't have any excuse for being absent in three
31 consecutive meetings, or you can change that to two consecutive
32 meetings, you're out and then that person will be substituted by
33 somebody else. The quorum will be a simple majority, which is
34 half plus one, of the members present and voting. That's about
35 it.
36
37 The other part is that I would like for Bill or Graciela to
38 read, for the record, the TORs for the first year. We budgeted
39 for four meetings and we have three meetings already where we
40 have the TORs and the fourth one, if we need to have that one in
41 2015, Bill and Graciela reserve that for other items that we
42 need to discuss.
43
44 The first meeting of the group, I will present to them what the
45 council is, because we assume that everybody knows what the
46 council is, but we need to make sure. We will provide them an
47 orientation of Roberts Rules, a simple way of conducting
48 business using Roberts Rules, and then we will follow with what

1 is in the TORs.

2
3 If you have it on the screen, you have it for meeting one,
4 meeting two, meeting three, and meeting four, the terms of
5 reference that were drafted by Bill and Graciela. Mr. Chairman,
6 I believe that we should allow Bill to read it for the record
7 and if you have any changes to those TORs, please let us know.

8
9 For those of you who are not familiar with the TORs, the terms
10 of reference in any assembly or any group is a mandate from the
11 authority of the thing that you are supposed to achieve every
12 year and it can be divided by sections, like we are doing now,
13 dividing it by meetings.

14
15 The TORs will follow the development of the three island FMPs
16 and the first part will be to review and comment on the species
17 criteria that we have. At this meeting, we will have the
18 Chairman of the SSC explaining what this is and my suggestion is
19 for the Chair, Graciela, and the staff to prepare a PowerPoint
20 presentation so we can carry that to three meetings, so we don't
21 need to have the physical presence of the Chairman of the SSC
22 and these will be given -- In case that he cannot attend, maybe
23 a designee from the SSC can attend and give that presentation.

24
25 **CARLOS FARCHETTE:** Okay.

26
27 **GRACIELA GARCIA-MOLINER:** We have it on the screen, the TORs.
28 This is a draft TOR. We just did this yesterday afternoon and
29 so we would like editorial freedom to deal with the final
30 version of the TORs and Bill was just telling me that we need to
31 include some other information in here. Do you want me to go
32 ahead and read them all or --

33
34 **MIGUEL ROLON:** Yes, for the record, Graciela.

35
36 **GRACIELA GARCIA-MOLINER:** These are the draft terms of reference
37 for the DAPs in 2015 and 2016. These terms of reference are
38 being developed for each of the three island-specific District
39 Advisory Panels.

40
41 Each will only focus on the specific information from the DAP
42 they belong to. Meeting Number 1 is to review and comment on
43 the species selection criteria developed by the SSC, SERO, and
44 the Southeast Fisheries Science Center; review and comment on
45 the data included in the population of the selection criteria
46 table.

47
48 Meeting Number 2 will review and comment on draft list of

1 species selected following the criteria approved by the CFMC and
2 review and comment on existing FMUs and classification of new
3 species being considered for management.

4
5 Meeting Number 3 is expand the metadata list of changes in the
6 fisheries available from, e.g., SEDAR, others, et cetera, to
7 document introduction of GPS, horsepower, hook change, et cetera
8 and review data sources and combine fisheries and data sources
9 to determine year sequences. Meeting 4, that's where we stopped
10 and we need to review what we've done up to that time.

11
12 **CARLOS FARCHETTE:** Okay. Any questions or comments on the TORs?

13
14 **EDWARD SCHUSTER:** Good morning. Miguel, this question is
15 actually directed to you. You mentioned changing Roberts Rules
16 maybe from three strikes to maybe two strikes and how do we have
17 to do that, in a motion?

18
19 **MIGUEL ROLON:** No, no, no. What I said was that you have to use
20 in the District Advisory Panels, as we have done in the AP,
21 Roberts Rules for conducting a meeting. The other rule is that
22 if members do not come to a meeting and do not provide an
23 excuse, a valid excuse, beforehand for two or three consecutive
24 meetings, and the council has to decide, they will be expelled
25 out of the DAP and then another member will be selected by the
26 council to replace that person.

27
28 **EDWARD SCHUSTER:** I would have to make a suggestion or a
29 recommendation and then the other question would be when we
30 break off into separate advisory panels, island-specific, would
31 we have to reelect a new Chair or what happens then?

32
33 **MIGUEL ROLON:** Yes, the Chairman of each one of the panels is
34 appointed by the Chairman of the council, but since many years
35 ago, the chairmen of the council usually vote democratic on this
36 one and allow a selection by the members present and voting of a
37 Chairman that would represent the particular advisory panel at a
38 council meeting.

39
40 By the way, each one of the Chairs will be attending the council
41 meetings, as you do, representing the advisory panel. The first
42 meeting, we'll have a presentation of what the council is and
43 all that and then there will be selection of officers and you
44 can even select a Vice Chair, just in case, because it's a large
45 group, the Chairman cannot attend a particular meeting of the
46 CFMC and the Vice Chair can do so.

47
48 That Chairman will have the same role you have now with the AP.

1 It will be the liaison between the advisory panel, now District
2 Advisory Panel, and the CFMC.

3
4 **EDWARD SCHUSTER:** Okay and so I would have to make a
5 recommendation to the council and someone would have to put it
6 into a motion that instead of three strikes, to two strikes.
7 When you have large panels like this, it's hard to have a quorum
8 and I think when we did our increase with the application, we
9 made sure that we asked the question of at least dedicating two
10 days of your time, eight-hour days, especially in the first two
11 meetings when we break off into island-specific.

12
13 **MIGUEL ROLON:** Yes and the Chairman can take that advice and any
14 other council member can move to have a two strikes and you're
15 out policy.

16
17 **SHEPHERD GRIMES:** I was just going to mention that your
18 accountability measure timing document that you're working on is
19 not addressed in here and I know that's one of your priorities.

20
21 **GRACIELA GARCIA-MOLINER:** We were just talking about that,
22 because I don't know if the island-specific issues of the
23 datasets, et cetera, need to be done at the same time that the
24 timing options paper is being considered.

25
26 We would like the DAPs input into what's going on with the
27 timing model, but we were wondering if we should put them in the
28 TORs or just write a separate TORs for when they deal with the
29 options of the timing issues. We were just discussing that.

30
31 **CARLOS FARCHETTE:** Okay and so eventually that will -- There was
32 a recommendation for someone to make a motion on Edward
33 Schuster's changing the three-strike rule to two strikes and is
34 anybody interested?

35
36 **ROY PEMBERTON:** I would like to follow with Ed's suggestion and
37 make a motion to make sure that the council members allow two
38 absences before they are taken off the council. Actually, AP
39 members.

40
41 **CARLOS FARCHETTE:** Let's write that motion up there first. The
42 motion is to change the three-strike rule to a two-strike rule
43 for attending AP meetings.

44
45 **SHEPHERD GRIMES:** The terms of reference and all of that -- That
46 was not a motion.

47
48 **CARLOS FARCHETTE:** Somebody has to make that. We'll get back to

1 this one here.
2
3 **SHEPHERD GRIMES:** Procedurally, I thought somebody had moved
4 that or we were discussing that and there was no vote and no
5 conclusion and all of a sudden we've jumped to this.
6
7 **CARLOS FARCHETTE:** We will go back to the TORs. We need a
8 motion for the TORs.
9
10 **ROY PEMBERTON:** To adopt the TORs.
11
12 **CARLOS FARCHETTE:** The motion is by Roy Pemberton to adopt the
13 TORs as listed.
14
15 **EUGENIO PIÑEIRO:** Second.
16
17 **CARLOS FARCHETTE:** It's seconded by Genio Piñeiro.
18
19 **MIGUEL ROLON:** Mr. Chairman, in the discussion, Graciela
20 mentioned that they would like to have some sort of a license to
21 modify not the essence, but the language of the TORs, to make
22 them more readable or explanatory to the DAPs.
23
24 **CARLOS FARCHETTE:** Okay.
25
26 **MIGUEL ROLON:** It doesn't have to be part of the motion, but
27 just the intent, for the record, that the staff will prepare the
28 appropriate language for the TORs.
29
30 **CARLOS FARCHETTE:** Okay and so let me get this correct. It's to
31 adopt the TORs for the DAPs as listed, to include -- What was
32 that verbiage you just used, Miguel?
33
34 **MIGUEL ROLON:** What I said was just have the motion to adopt the
35 TORs for the DAPs as written on the screen and as read by
36 Graciela. Then, for the record, just say that the intent of the
37 council is to allow the staff to expand the language and not
38 changing the essence of the TORs, so it will be better explained
39 to the members of the group, of the panels. You don't have to
40 include that in the motion.
41
42 **CARLOS FARCHETTE:** Okay. That's fine and that was for
43 discussion. That motion was made by Roy Pemberton and seconded
44 by Genio Piñeiro. Any discussion to include what Miguel just
45 said, that the staff would come up with the lingo for the -- Any
46 further discussion on that? Hearing none, I will take it to a
47 vote, starting on my left with Blanchard.
48

1 **TONY BLANCHARD:** Yes.
2
3 **ROY PEMBERTON:** Yes.
4
5 **MIGUEL GARCIA:** Yes.
6
7 **EUGENIO PIÑEIRO:** Yes.
8
9 **ROY CRABTREE:** Yes.
10
11 **MARCOS HANKE:** Yes.
12
13 **CARLOS FARCHETTE:** Yes. **Any nays? Any abstentions? Hearing**
14 **none, the motion carries.** Now we are going to go to the one for
15 the next one that Pemberton just made.
16
17 **MIGUEL ROLON:** Mr. Chairman, the motion could be just
18 straightforward to establish the rule that if you are absent for
19 two consecutive meetings without a valid excuse that you will be
20 expelled out of the AP.
21
22 **CARLOS FARCHETTE:** Right and so that has to be a motion, right?
23
24 **MIGUEL ROLON:** Yes.
25
26 **CARLOS FARCHETTE:** Okay, which is what we're writing now.
27
28 **SHEPHERD GRIMES:** I have just a basic question about this.
29 Where is this going to go? Where are the rules written down for
30 these meetings? Are we talking about the policy that was
31 provided yesterday and you're going to add it to that or just
32 creating this rule in your SOPPs or where is it? Where does it
33 go?
34
35 **MIGUEL ROLON:** Mr. Chairman, the question to Shep is if we can
36 include it in the policy or charter that we had yesterday, so be
37 it, but if you think that we should put it somewhere else, we
38 will follow your advice. My personal feeling is that we should
39 have, as much as possible, straightforward rules in the charter,
40 so anybody who will find the paper on the street will know what
41 it is all about.
42
43 **SHEPHERD GRIMES:** I think that's fine and it doesn't matter to
44 me where you put it. I guess I wouldn't be inclined to put it
45 in the SOPPs. If you're going to formally adopt this policy
46 here this morning, the policy seems to be a perfectly
47 appropriate place for it.
48

1 I just don't want to get down the road and have you apply this
2 policy to somebody and have them complain about it and say where
3 is it written down and then us have to dig through the minutes
4 for where we talked about it at one meeting years before,
5 potentially.

6
7 **MIGUEL ROLON:** In the good old days, in the 1970s, what the
8 lawyers told us was that this will be an appendices to the
9 SOPPs, but the SOPPs have changed, but we have an Appendix 1
10 that was the charter for the SSC and Appendix 2, which is the
11 one that I copied to adopt for these new District Advisory
12 Panels, was Appendix 2 of the SOPPs, but now we have a handbook,
13 administrative handbook, that we can stick it in there if you
14 want to, because the substance will be something that will stay
15 there for a while and you should not change that every other
16 year.

17
18 If we have that mechanism and the other thing is that we can
19 just call it DAP Conduct of Meeting Policy or something like
20 that and that document will be part of the file and can be
21 loaded up on our webpage and anybody who wants to question it or
22 learn about it just can download the document.

23
24 Mr. Chairman, my personal feeling is if -- Not to complicate
25 matters and if we can call it, as Shep is saying -- It doesn't
26 matter where we put it, but if we can call this the charter of
27 the advisory panel and include it in the council records, CFMC
28 record, and put it on the webpage, then, if that's legal, I
29 believe that's the way to go and you will have the document in
30 the open for anybody to take a look at it and every member of
31 the District Advisory Panel will receive a copy.

32
33 **CARLOS FARCHETTE:** Is that good to go? Okay.

34
35 **MIGUEL ROLON:** Okay what?

36
37 **EDWARD SCHUSTER:** I know we're past this, but, Miguel, this
38 question goes to you. You know that we always battle our
39 memories, you and I, but in the last AP meeting that we had,
40 Virdin Brown is the one that made the motion to have ex-officios
41 on the advisory panel when we separate into island-specific APs.

42
43 Can you remember him saying or -- I mean I'm trying to call home
44 to get my notes there, but it was recommended by Virdin Brown in
45 a motion to have an ex-officio or ex-officios on the panel, but
46 as non-voting members. Can you remember that?

47
48 **MIGUEL ROLON:** No, he just said that they could be -- The best

1 example that you have is the council itself. Roy Crabtree
2 represents the Secretary of Commerce, but if Roy gets the lotto
3 or retires tomorrow, the persons that will come to be the RA
4 will represent the Secretary to the council and so that's what
5 we call ex-officio members.

6
7 In the case of the three members that we have, it was discussed
8 and approved that they will have a voting -- They will have a
9 vote. They always can abstain and, for example, if the DAP of
10 St. Thomas/St. John is discussing an issue that Roy Pemberton
11 already, representing the government has a conflict, because the
12 local government will vote on the contrary, he can vote no or he
13 can abstain and then he can explain his abstention or he can
14 just abstain period, but that's what we will be following.

15
16 **CARLOS FARCHETTE:** Okay and so we are on this next motion and it
17 was --

18
19 **ROY PEMBERTON:** This motion was to establish that the AP members
20 for the island-specific management plan will be governed by a
21 two-strike-and-you're-out rule versus three-strikes-and-you're-
22 out rule for attendance at the meetings.

23
24 **MIGUEL ROLON:** You don't have to say "versus" and just put a
25 point after "two-strike rule", so Mr. Roy Pemberton can go
26 straightforward with his intent. Just put a point after "strike
27 rules".

28
29 **CARLOS FARCHETTE:** Do we have a second?

30
31 **TONY BLANCHARD:** Second.

32
33 **CARLOS FARCHETTE:** The motion is to establish for DAP members a
34 two-strike rule for attending meetings. The motion was made by
35 Roy Pemberton and seconded by Tony Blanchard and is there any
36 discussions? Hearing none, I will take it to a vote starting on
37 my left with Blanchard.

38
39 **TONY BLANCHARD:** Yes.

40
41 **ROY PEMBERTON:** Yes.

42
43 **MIGUEL GARCIA:** Yes.

44
45 **EUGENIO PIÑEIRO:** Yes.

46
47 **CARLOS FARCHETTE:** Yes. Any nays? Any abstentions? Hearing
48 none, the motion carries. I have a question on the membership

1 for DAPs. I know that for Puerto Rico there may have been like
2 six applicants that didn't make it on the list and St. Thomas
3 may have had like three and St. Croix I think maybe one or two
4 that did not make the listing.
5
6 If somebody drops out or the two-strike rule applies, do we need
7 to go back to the council to appoint those people that we have
8 applications for or do we have to start over to search for more
9 persons?
10
11 **MIGUEL ROLON:** In order to speed up the process, you can say
12 that right now the intent is to reserve those applicants list
13 and in the case that we are missing one -- If a vacancy occurs
14 on any of the DAPs, then a person from that list will be
15 selected by the Chair, so you don't have to go over the whole
16 list again. Say Mr. Roman suffered a heart attack, then we can
17 put Benitez in the Puerto Rico DAP.
18
19 **MARCOS HANKE:** Do you want a motion for that?
20
21 **CARLOS FARCHETTE:** I am glad he didn't say "Farchette".
22
23 **EUGENIO PIÑEIRO:** God forbid. God forbid.
24
25 **MIGUEL ROLON:** I was kidding.
26
27 **MARCOS HANKE:** Do you need a motion for that, Miguel?
28
29 **CARLOS FARCHETTE:** Yes, we would need a motion, right, Miguel?
30
31 **MIGUEL ROLON:** No, actually. If Shep doesn't jump at you, with
32 the intent in the minutes it will be enough.
33
34 **SHEPHERD GRIMES:** It's your advisory panel and you can structure
35 it procedurally however you want and fill vacancies. There are
36 no legal requirements relative to it.
37
38 **CARLOS FARCHETTE:** Okay, great.
39
40 **EUGENIO PIÑEIRO:** I have a concern and that is if someone new
41 comes in with a very qualified person, then we will be putting a
42 constraint to ourselves by not allowing a new person with good
43 qualifications to enter it and so we might wind up getting stuck
44 with what we have and I think we should have that flexibility to
45 decide it at the moment. What we want is the best qualified
46 people and so I have a reservation on that.
47
48 **MIGUEL ROLON:** Mr. Chairman, I believe that what Genio is saying

1 is a very good point. My suggestion is that any vacancy will be
2 filled by the Chair out of a group of candidates, period, and
3 whenever we have a vacancy, you have to bring it to the council
4 anyway. Genio's point is a good one.

5
6 **CARLOS FARCHETTE:** Okay and so it would be just candidates.
7 Okay. Thanks. I think we have gotten past this.

8
9 **BILL ARNOLD:** If possible, I would like to ask the council to go
10 ahead and select the Chairs or some representative for each of
11 these three groups, because Richard and I talked about this and
12 what he would like to have done is for actually the SSC to meet
13 sometime in early 2015 to discuss the selection criteria and
14 have each of these three representatives at that meeting.

15
16 Then the advisory panels would meet and those representatives
17 would take the information from the SSC to the advisory panels
18 and so it doesn't have to be the Chair, quote, unquote, but it
19 would be nice to have some representative identified who would
20 attend that meeting, assuming that meeting is scheduled and
21 actually takes place.

22
23 **MIGUEL ROLON:** Mr. Chairman, according to the charter that you
24 have, you select the chairman of the group and so you can do it
25 right now and you will be in the spotlight and people will be
26 mad at you because you selected the wrong chairman, according to
27 them, but you can go ahead and select the chairman out of the
28 list that you have now and it's up to you.

29
30 **BILL ARNOLD:** I emphasize that it does not have to be a Chair,
31 but we just need a representative selected to attend that
32 meeting and that's all. Then when the AP meets, they can elect
33 their chairman and I have no problem with that.

34
35 **MIGUEL ROLON:** The problem is that the people who represent like
36 to have a title under it and that's all, but anyway, it's up to
37 the council how you want to play it. For example, we can invite
38 Roberto Reyes to represent Puerto Rico at the SSC and you can
39 have any of the St. Thomas and for that, I defer to the Virgin
40 Islands representative at the council. The same for St. Croix.

41
42 That means that that person that will be invited doesn't have to
43 be -- I mean I will send a letter to them signed by the Chair
44 that can you come to the meeting and represent the group.

45
46 **MARCOS HANKE:** I would like to present -- Roberto Reyes I think
47 is a good idea.

48

1 **CARLOS FARCHETTE:** I am sorry, but Miguel Garcia had his hand up
2 before you. Sorry about that, Hanke.

3
4 **MIGUEL GARCIA:** In terms of handling this situation, we can call
5 the person, if everybody agrees upon that, like a point of
6 contact, a POC. It doesn't have any kind of a special
7 designation or a ranking of anything, but it's only a point of
8 contact. Then if we have to recommend a person, maybe the
9 Puerto Ricans we can discuss it, but my personal experience here
10 on the council, the Fisheries Advisory Board, I would recommend
11 Carlos Valasquez, for sure.

12
13 **MIGUEL ROLON:** Mr. Chairman, just grab the bull by the horns and
14 appoint somebody as Chair for each of them and if they don't
15 like it, so be it. For example, if Carlos Valasquez could be a
16 good Chair, Miguel can make a motion that the Chairman for the
17 Puerto Rico DAP should be Carlos Valasquez or not a motion and
18 he just tells you and then you will select right there that Mr.
19 Whoever His Name will be the Chair of the Puerto Rico DAP.

20
21 Then you move to St. Thomas and do the same. I know that
22 whenever you mention Julian it's almost like mentioning David
23 Olsen, but anyway, he could be a good Chair. However, the
24 chairman has to have time to come to the council meetings and he
25 has to have time to be able to go to all the meetings. That
26 will be one of the considerations and the same for St. Croix.

27
28 **CARLOS FARCHETTE:** Okay and so I will grab the bull and I don't
29 know if it's by the horns, but I will grab the bull and I will
30 appoint Carlos Valasquez for the Puerto Rico DAP, Julian Magras
31 for the St. Thomas/St. John DAP, and Edward Schuster for the St.
32 Croix DAP.

33
34 **MARCOS HANKE:** Second.

35
36 **MIGUEL ROLON:** I will send letters to the three of them telling
37 them the good news.

38
39 **BILL ARNOLD:** Not to be too obnoxious, but you might want to
40 have a backup, too. We don't even know when this meeting is
41 going to take place or if they will be able to. Just some
42 fallback, because maybe they can't attend.

43
44 **MIGUEL ROLON:** Bill, that's a good point and that's what I
45 mentioned. You can also appoint right now one Vice Chair for
46 each one of them.

47
48 **CARLOS FARCHETTE:** Okay.

1
2 **MIGUEL ROLON:** I am just trying to move forward with this and so
3 grab the bull again and get two Vice Chairs, just in case the
4 chairman cannot make it. Roberto Silva could be the Vice Chair
5 for Puerto Rico.
6
7 **CARLOS FARCHETTE:** Okay and so for Puerto Rico, it will be
8 Carlos Valasquez as Chair and Roberto --
9
10 **MIGUEL GARCIA:** Excuse me, Mr. Chairman. We have two very good
11 candidates and alternate with Roberto Silva and also Roberto
12 Reyes. I like both anyway.
13
14 **MIGUEL ROLON:** Yes, but Roberto Reyes usually does not come to
15 meetings.
16
17 **MIGUEL GARCIA:** Then I will go for Roberto Silva if he's
18 available then.
19
20 **CARLOS FARCHETTE:** We have Carlos Valasquez as Chair and Roberto
21 Silva as Vice Chair. For the St. Thomas/St. John District, it
22 would be Julian Magras and Winston Ledee. For St. Croix, it
23 will be Edward Schuster as Chair and Tom Daley as Vice Chair. I
24 guess when I speak to Tom -- Well, I will deal with that.
25 That's fine.
26
27 **EDWARD SCHUSTER:** Miguel, this question is to you again. In
28 Roberts Rules of Order, is the excused absence -- Does it have
29 to be written or is verbal?
30
31 **MIGUEL ROLON:** Usually written. I mean mailed to me or a phone
32 call to me and I write it and read it for the record at the
33 meeting.
34
35 **EDWARD SCHUSTER:** Okay and so not to the Chair of the committee
36 specifically.
37
38 **MIGUEL ROLON:** No, it could be to the Chair, but they usually
39 send it to the council Chair and the Chair of the District
40 Advisory Panel, in this case. The point is that we have to read
41 it -- At the time that we have the meeting, we have to read it
42 for the record and so-and-so is excused in writing and blah,
43 blah, blah.
44
45 **SHEPHERD GRIMES:** That's not in Roberts Rules.
46
47 **CARLOS FARCHETTE:** No, it's not. This appointment is not a
48 motion and so we can just delete all of that.

1
2 **MIGUEL ROLON:** It's not a motion and it's just part of the
3 record. The Chair has appointed these six gentlemen as Chair
4 and Vice Chair of each one of the DAPs. It will be in the
5 minutes.

6
7 **CARLOS FARCHETTE:** That's no problem and we will get that fixed.
8 I will get it to you in a minute. I think that we are finished
9 with this part.

10
11 **BILL ARNOLD:** I just wanted to provide you guys with a little
12 guidance on where we're going on this. The staff will be
13 responsible for developing, as we do with everything, actions
14 and alternatives and probably subalternatives for the
15 development of these fishery management plans.

16
17 We're going to be getting guidance to do that from these APs and
18 from the SSC. We will develop Action 1, which would be species
19 selection, and the alternatives and subalternatives, using their
20 advice.

21
22 Ideally, and I live in a rose-colored world, but ideally we will
23 bring at least Action 1 alternatives back to the council for
24 their spring meeting. That may be an unattainable goal and I
25 don't want you holding it to us too hard, but that would be a
26 goal I would like to achieve, just so you know at least one step
27 in this process of developing these new fishery management
28 plans.

29
30 **CARLOS FARCHETTE:** Okay and thank you, Bill. We have a couple
31 of items that were not finished off yesterday in the agenda and
32 I guess we can start with the Federal Permits Scoping Document
33 and Schedule Scoping Meetings.

34
35 **FEDERAL PERMITS SCOPING DOCUMENT AND SCHEDULE SCOPING MEETINGS**

36
37 **BILL ARNOLD:** What we're going to talk about now is the
38 development or not of permits for fishing in federal waters.
39 This is developed out of a white paper that we presented to the
40 council previously and now we're looking to develop a scoping
41 document so that we can start getting ideas from the public as
42 to where they may want to go with this concept, if anywhere at
43 all.

44
45 I stress that we are not trying to force permits on the
46 fishermen. We want this to be very much a fishermen-up type of
47 approach, but I think I'm going to lay out some logic here that
48 may explain why, for at least some groups of fishermen, this

1 could be extremely advantageous, but if they don't agree, I
2 certainly understand.

3
4 Why permits? One thing is to identify the population of active
5 commercial fishers, at least within a subsector of the fishery,
6 in a particular fishery. Increased knowledge of fishing effort,
7 I will discuss that a little and keep in mind the Point 97
8 discussion, because that plays into that.

9
10 Better identify spatial patterns of capture and harvest,
11 something that I'm sure Bonnie would agree we've been missing
12 and need, although it is coming along. Kind of going with
13 Bullet Number 2, enhance our ability to obtain landings data
14 from the fishermen and target active fishermen for education
15 and/or research activities.

16
17 Enable the application of in-season accountability measures,
18 which would certainly benefit the fishers and the resource, and
19 reduce scientific and management uncertainty, a key step in
20 reducing that buffer reduction that everybody grates against. I
21 am sure you could come up with other reasons as well, including
22 some reasons why not permits, but we understand that.

23
24 Current U.S. Caribbean permits, I would like to say right now
25 that I distinguish between a license and a permit and some
26 people do not, but I consider a license to be a general
27 permission to participate in the fishery and so Puerto Rico and
28 the USVI have commercial fishing licenses and that allows you to
29 go out and fish commercially, but a permit is much more
30 targeted.

31
32 That would be, for example, for fishing for deepwater snapper,
33 you would have a permit. You would have your commercial license
34 that allows you to go fish for anything and you could still fish
35 for other things, but only the people with that permit would be
36 allowed to fish for that identified and targeted resource.

37
38 In federal waters, we don't have any permits that are required
39 to fish, sell, or purchase council-managed species in the U.S.
40 Caribbean in the EEZ. The HMS does have permits that are
41 required to fish in the U.S. Caribbean EEZ and that's important,
42 because there's a precedent for you. It's not like we're
43 bringing this totally out of the blue and there are federal
44 permits in place, but we're just not using them within the
45 council context.

46
47 In Puerto Rico, a commercial fishing license is required and
48 additional species-specific permits for incidental catch, the

1 ones we know about for sure, land crabs and sirajo goby, and I
2 don't know what the status is of the deepwater snapper permit.
3 Genio or somebody else may want to expand on that, because it's
4 recent and I am not going to claim -- Or Miguel. I am not going
5 to claim an understanding of it, but it is important, because
6 that would be an option, to build a federal permit off of a
7 state permit.

8
9 Even if I say this later, I would emphasize now that probably
10 the easiest and most efficient and most effective way to go
11 about this is to build a federal permit off of a state permit,
12 because if you've got them permitted in federal waters, but
13 they're not required to be permitted in state waters, you might
14 as well not have the permit, because enforcement and tracking
15 and everything else is going to be practically impossible and
16 the point of the permit is pretty much going to be lost.

17
18 For the USVI, again, commercial fishing permits are required
19 and, as we all know, they are presently under a moratorium and
20 whether that will continue or not, I don't know. I would call
21 it a license, but whatever. Helper permits are required as
22 well. That's kind of where we are now and if I missed anything,
23 feel free to correct me.

24
25 Marcos asks what is a helper permit and if you are on the boat
26 assisting the lead fisherman on that boat, you have to be
27 licensed to do that as well.

28
29 Here are some potential options for permits, just some of many.
30 We could require commercial vessel operators to obtain a federal
31 permit to fish in the U.S. Caribbean EEZ and that would be a
32 federal permit, as stated, or we could require them to have a
33 commercial fishing license from either Puerto Rico or the USVI,
34 depending upon which is most applicable, to fish in the
35 Caribbean EEZ.

36
37 Presently, that's not the case, although landing may be a bit of
38 an issue. We could, Number 3, require commercial vessel
39 operators to do either or. Either you have the special federal
40 permit or you have a state license and so either one of them
41 would allow you to operate in EEZ waters.

42
43 Number 4 is we could require a species or species group or
44 fishery-specific permit in the U.S. Caribbean EEZ. I think
45 that's probably the focus of this concept.

46
47 We could require a gear-specific permit and so if you're going
48 to do bandit gear in deep water, you would have to be permitted

1 to do that. That's been a complaint we've had in the past, that
2 recreational guys, or pseudo recreational guys, are going out
3 there with these bandit gears and harvesting deepwater species.

4
5 We could require a dealer permit to purchase fish harvested from
6 the U.S. Caribbean EEZ. I am sure you guys, that your minds are
7 flashing on that, because in a lot of instances, especially the
8 USVI, we don't even have dealers, but we're just trying to throw
9 out all the possible options.

10
11 Then our basic idea is we could conduct a pilot study with some
12 or all fishers from some or all island groups to evaluate the
13 practicality of permits in the U.S. Caribbean EEZ. That's
14 probably the idea I would champion. Then Number 8 is others and
15 as I said, I'm sure you guys can come up with a lot of different
16 ideas. Those are some potential options.

17
18 Here are some pilot program opportunities. Certainly the one at
19 the top of my list is Puerto Rico deepwater snapper and not just
20 because I dreamed it up, but we did this fisher tour a couple of
21 weeks ago and the fishers on the west coast that we spoke with
22 were very supportive of a permit and, in fact, in some
23 instances, they were adamant that they wanted a permit to be
24 able to fish in federal waters and after the bad taste left by
25 the beginners license thing that happened two years ago or
26 whatever and flooded the harvest of deepwater snapper, I can
27 certainly understand why and there's a Puerto Rico deepwater
28 snapper permit already in place and you guys are welcome to
29 comment on that. I am just pointing it out.

30
31 We could, right from that, establish a complementary permit that
32 would build on that program and it's pretty simple and pretty
33 straightforward and we know the audience that we would be
34 dealing with and really the concept and the constraints and
35 opportunities are sort of built into that.

36
37 It must, of course, be within federal constraints, unless it is
38 a limited access permit. Keep in mind we have more constraints
39 in federal waters on who can and cannot be permitted than you do
40 in state waters, but all this stuff -- This is why we would want
41 to have a pilot approach, is to work through these things and
42 get a better understanding of what we can do and what we can't
43 do and what we want to do and the goals that we would achieve
44 with the permit program.

45
46 Our next steps, at this meeting we would review and discuss the
47 scoping document that was placed in the briefing book and
48 ideally schedule scoping hearings and, again ideally, for this

1 winter, so that we could come back at the spring 2015 council
2 meeting maybe and talk about what we had learned from getting
3 public input into this.

4
5 That's before the next meeting and then we would review those
6 outcomes and ask for direction to staff from the council
7 regarding where they want to go with this. If you have any
8 questions -- I would say that I mentioned the Point 97
9 presentation.

10
11 Just some ideas that come to my mind on this is using deepwater
12 snapper as an example in Puerto Rico, but the St. Thomas/St.
13 John guys have mentioned grouper and I asked Eddie about St.
14 Croix and he said it's not a totally unacceptable concept to
15 them and so maybe, for example, lobster or something like that,
16 but you define this universe of professional fishers and that's
17 what they are.

18
19 They are professional fishers that do this for a living and
20 allowing others to burst into that when times are good and then
21 get back out when times are bad really hurts these guys and so I
22 think that's one rationale behind this.

23
24 Once you define them, then you know how to talk to them and you
25 know who they are and you can go and have meetings with them and
26 say here's the rules we're thinking about and here's the rules
27 we've changed and here is some educational information you might
28 want and here's what information we need from you and why we
29 need it and how it's going to be used and a very intimate
30 relationship as to data, feedback, analyses, and what it means
31 to them and -- I keep mentioning the Point 97, but then you
32 could say here we've got this universe and we're going to put
33 electronic reporting in their hands.

34
35 Even if we don't have electronic reporting for every fisher in,
36 for example, Puerto Rico, we've got it for this group and we can
37 really track this group and at least for this group of fishers,
38 we're going to get a much better handle on the fishery.

39
40 Then maybe we can go to the next group and say here's another
41 targeted group and we may never achieve 100 percent on this, but
42 the more percent we agree of tightly intertwined management and
43 science and professional fishers, then the smaller the
44 percentage of the fishery we don't or have less understanding of
45 and the lower the impacts are going to be of that lack of
46 understanding. That's it and like I said, it's time to shut up
47 and take questions or whatever.

48

1 **MARCOS HANKE:** Can you go back to the slide where you have the
2 require permits for different things? I would like to read it a
3 little more careful to make comments, but the first comment I
4 have is require permits for dealer permits.

5
6 Remember that we have a big discussion that took us some time
7 with Amendment 4 for HMS that addressed some of these issues for
8 the HMS species, in which there is a permit for the Caribbean
9 that the angler can fish and they can act as a dealer and sell
10 direct to the restaurants, which is what in our culture, in our
11 neck of the woods, the way that things are done.

12
13 Something like this should be considered once the license, the
14 general license, for the fishermen are made or designed, because
15 that's really culturally how the things are done on the U.S.
16 Caribbean and I believe the USVI also.

17
18 If you do that up ahead, we will be consistent to HMS, which is
19 part of our fishery, and we're going to avoid problems in the
20 future, even though we can have somebody that is not a
21 fisherman, but is a dealer too. That's those two venues that we
22 should consider.

23
24 **ROY PEMBERTON:** I had a separate question, but just to follow up
25 with what Hanke was saying, most of the fishers here in the USVI
26 act as their own dealer. We don't really have a true dealer
27 system here. We just have fishermen that sell fish and so I
28 would make sure that is part of our cultural heritage and that
29 that is maintained with whatever ideology of a permit system
30 comes in.

31
32 I just wanted to ask some fine-tuned questions on the potential
33 action section here to Bill. In terms of the permit system, how
34 long are you looking at the permit lasting? Is it an annual
35 permit or a three-year permit or anything along those lines?

36
37 **BILL ARNOLD:** Those options are wide open, Roy, and like I said
38 at the beginning of this, we are going to be looking for
39 guidance and we're not going to be dictating the terms in any
40 way.

41
42 If you want a short permit that turns over rapidly, then that's
43 doable. It's more costly, but it's doable. If you want a
44 three-year permit and unless Shep corrects me, as far as I know,
45 that would be doable. There is flexibility that can be built
46 into this or there are a lot of options that could be
47 considered.

48

1 As I said with the FMP development, what we would be bringing
2 you is a list of actions and alternatives and you would go
3 through this and so maybe one alternative is you have a one-year
4 permit and another alternative is a three-year permit and
5 another alternative is in perpetuity. As long as you're alive
6 and kicking and out there fishing, your permit is still in
7 place. There are lots of options and alternatives that can be
8 considered.

9
10 While we're talking dealers, I just want to throw this out.
11 Even an individual fisherman could potentially be permitted as a
12 dealer. One thing that allows is that you can apply enforcement
13 at the point of sale, because if you don't have that permit, you
14 shouldn't be selling whatever is coming out of that sector of
15 the fishery.

16
17 At the lobster management meeting, I heard a lot of complaints
18 about these guys who are coming in and selling or they are
19 giving to a -- A lot of means of circumventing regulations and
20 this would be another method of restricting that.

21
22 **ROY PEMBERTON:** Just a follow-up. Not to confuse the lobster
23 and the situation with the lobster was that this guy actually
24 had a legal right to sell. He had a Virgin Islands fishing
25 license and so in our setup, the license -- Having that license
26 allows you to sell and it allows you to work any sector of the
27 fishery, except for currently with traps. It's a little muddled
28 there for us in the USVI.

29
30 The other question I had, just as a follow-up, is just that when
31 you talk about the gear restrictions aspect, is that also in
32 tune with whatever goes behind the permits? For example, there
33 is gear restrictions, but there is also residency requirements
34 and so forth and so forth and does that go along with the
35 permitting system as well, potentially?

36
37 **BILL ARNOLD:** Potentially, yes.

38
39 **ROY CRABTREE:** A couple of things. All the permits we issue are
40 annual permits and I don't think there's an exception to that
41 and you have to renew them every year, but a lot of this will
42 depend on the nature of the permit and whether it's an open
43 access permit that anybody can get or whether it's limited
44 access and so there's only a set number of them.

45
46 There won't be any residency requirement, because I don't think
47 we can do a residency requirement. These permits will be -- If
48 they are open access, any U.S. citizen will be able to get one.

1 If they are limited access, then you're going to have to come up
2 with criteria of who qualifies and all of that kind of thing.
3 Then with limited access, you would get into transferability and
4 a whole host of other things.

5
6 **MARCOS HANKE:** About the -- If it's a year or six months,
7 something that we should consider as the options is the basic
8 license as commercial fishermen and how long it lasts.

9
10 Let's say, in the case of Puerto Rico, it's four years and I
11 think those permits should be every time you renew your license
12 you have the intention of being a deepwater snapper or lobster
13 angler. You buy or you get that permit and you're going to do
14 all that paperwork once and altogether, instead of having the
15 need for the people to be renewing and doing this and doing
16 that.

17
18 It's just to make it easy for everybody, for the enforcement,
19 and make it easy for the fishermen. I think it would be much
20 better if you go all the way together and that's my
21 recommendation.

22
23 **EUGENIO PIÑEIRO:** Let's remember and try to keep in mind that
24 this is an options paper and we are trying to give Billy and
25 Graciela some guidance, but I have to agree with what Marcos
26 said and Roy too that in our region -- On the west coast, most
27 of the women do the selling. Sometimes the husbands get the
28 fish and the women do the selling and so it's a family business
29 and it's a family affair. I am pretty sure that in the Virgin
30 Islands that the relatives, the brothers and sons, also do the
31 selling and so we have to be very careful of that.

32
33 What Roy said is a choker. It's a killer, for example, for the
34 industry if it's an open access permit and anyone in the U.S.
35 can buy one. What good would it make us if the deepwater and
36 Snapper 2 Unit is fifty or seventy guys and what would it do if
37 all of a sudden 2,000 people can purchase a permit?

38
39 That's a killer by itself and so it's an options paper and we
40 can talk and we can trim down and try to pin down the best for
41 the council, but we have got to talk about that one. We have
42 got to think very, very hard on that one, if it's worth going
43 that way at the end of the line and saying anyone in the United
44 States can purchase a permit. Then that would be a no-no for
45 everyone.

46
47 **MARCOS HANKE:** To that point. This is a question to Roy. For
48 the same reasons Genio is presenting, we passed through a

1 process in which we were designing or some fishermen were
2 designing privilege permits just for this group of the west
3 coast or whatever, X number of fishermen in Puerto Rico to have
4 access to the fishing.

5
6 I also know that we cannot restrict by the U.S. citizen to
7 access our fishery, because of other reasons and other laws, but
8 what I don't understand of the logistics on this is that if we
9 can restrict the people from Puerto Rico from fishing and have
10 and assign -- We have the power to assign to this little group
11 that just them fish, why we cannot say that that little group is
12 the whole of Puerto Rico or the half of Puerto Rico or whatever
13 and eliminate the rest of the states.

14
15 I am not talking about residency right now, but I am just
16 talking something that is similar and has the same effect and
17 follows the logistics that we have addressed on this council in
18 the past.

19
20 **ROY CRABTREE:** Usually when we've done limited entry kinds of
21 things -- Normally to qualify for one of those you have to show
22 landings over some period of years. You could say we're going
23 to issue a deepwater snapper permit, snapper grouper permit, and
24 you could say that only fishermen who landed at least this many
25 pounds per year over this period of years qualify for it.

26
27 Then people would have to apply and somehow demonstrate that
28 they had those landings and if they had them, then they would
29 get a permit. Now, I suspect that means that only people who
30 have been down here fishing over the years would qualify, but
31 that's the way we've done it in the past.

32
33 **MARCOS HANKE:** That's great to hear, but I have two questions to
34 fine-tune your answer. One is that if on their Miami permit of
35 commercial fishing they caught a queen snapper, that would be a
36 report of using the resource, just because they have the species
37 caught someplace else? That's question number one.

38
39 Question number two is let's say that here on the council we
40 establish that if you catch more than ten pounds of queen
41 snapper you can be on those parameters that we have to design
42 and you can be in title of getting this deepwater snapper permit
43 and that's possible and that's something doable?

44
45 **ROY CRABTREE:** Yes, the second one, I think you could say if you
46 show ten pounds of landings of this species that you qualify. I
47 am not sure I get what the first question was.

48

1 **MARCOS HANKE:** The first question is because you told me that
2 it's to require some landings in order for you to activate or
3 participate on that setting of this kind of permit. If a guy
4 from Miami or from anyplace -- I am just using an example.
5
6 **ROY CRABTREE:** No, you could say the landings had to occur in
7 the U.S. Caribbean.
8
9 **MARCOS HANKE:** You can define that?
10
11 **ROY CRABTREE:** Sure. In fact, I think in every case we've done
12 limited entry, which I'm talking about the Gulf of Mexico or in
13 the South Atlantic, you always had to show landings from the
14 Gulf of Mexico or from the South Atlantic.
15
16 **MARCOS HANKE:** That will apply for charter permits, for example,
17 too?
18
19 **ROY CRABTREE:** Well, we would have to figure that out. I am not
20 quite sure how charter vessels would show landings, but you
21 could do it that way, but I am just now sure how.
22
23 **MARCOS HANKE:** We have. We have permit related and we have
24 landings recorded in a different way, but we have that
25 information.
26
27 **ROY CRABTREE:** It's possible, I suppose.
28
29 **BONNIE PONWITH:** Establishing permits for dealers and or for
30 participants in commercial fisheries is a management tool and
31 typically I step out and listen to discussions about management,
32 but it also has science implications, because by defining your
33 population, people who possess these permits, it refines your
34 ability to communicate with that population and refines your
35 ability to understand the data, basically, instead of the data
36 all coming in in one basket and having not a very clear picture
37 of what percentage of the total fleet that represents.
38
39 The lack of a permit creates additional uncertainties in
40 understanding landings information and so strictly from a
41 science standpoint, there are some very, very strong advantages.
42
43 Again, it defines your population, as Dr. Arnold has already
44 raised, and it enables stronger and more efficient communication
45 with that population of participants and can really strengthen
46 the quality of the data and the timeliness of the data.
47
48 **GRACIELA GARCIA-MOLINER:** The first thing is the permits will be

1 issued by the Regional Office and so everyone is clear on that
2 right, the Southeast Regional Office. In your package, you have
3 the copies of the application forms, et cetera, that would have
4 to be filled out, depending on what kind of permit you are
5 seeking.

6
7 It definitely would be an improvement in terms of enforcement,
8 because once you are in the EEZ and the Coast Guard intervenes
9 with you, you will have to show your federal permit, once you
10 have crossed the nine-nautical miles or the three-nautical-mile
11 frontier in the Virgin Islands.

12
13 The other thing is that this would be a very good opportunity to
14 do a lot of data mining, because when we were talking yesterday
15 about getting all the sources of data out, the USVI is currently
16 doing a marine recreational fisheries project looking at the
17 dataset of boats that are registered in the USVI and so all the
18 registrations would have to be looked at and all the licenses.

19
20 The actual moratoria that you've had in the Virgin Islands for
21 such a long time, you have probably lost a whole bunch of --
22 Well, some people already out of the fishery and so all of these
23 data that are out there would have to be brought in and this
24 would be a perfect way of doing it.

25
26 I do have a very specific question for Miguel Garcia regarding
27 the deepwater snapper permits, because it would be a perfect
28 pilot project and the reason for that is because the council had
29 been involved for a very long time with the catch shares
30 project, specifically for the deepwater snapper fishery, and so
31 there is quite a bit of information coming out of the work that
32 was done then.

33
34 The deepwater snappers are probably the most important fishery
35 in the EEZ, along with lobster, at least on the west coast of
36 Puerto Rico, but it has a local component that goes over to the
37 USVI, over on the north/northeast of Puerto Rico and the north
38 part of the Virgin Islands and definitely in St. Croix.

39
40 It covers the three islands at the same time, but specifically
41 for Puerto Rico, the fact that they've already gone through the
42 exercise of looking at the data and developing criteria, which
43 actually impacts the ACLs, because there is a limit on the
44 number of trips and there is a limit on the number of people who
45 are harvesting this resource.

46
47 It would be the perfect trampoline to see if this is feasible
48 and if that doesn't work, then probably none other of the

1 fisheries that we have locally will work and additionally, the
2 council does have a control date that has been set on different
3 fisheries, including reef fish.

4
5 We have to dig that out, because I was looking through my
6 computer here and trying to figure out what that control date
7 was, but that's already been established and so that's for reef
8 fish in particular and I don't remember if it has actual
9 deepwater snappers specific to that.

10
11 Overall, in terms of moving on to the next step, probably the
12 pilot would be the best way to go, alongside the data mining
13 exercise. My question to Miguel Garcia specifically was the
14 permits ran 2013 to 2014 and then you are coming up to the
15 deadline of when things have to be decided of whether you're
16 going to continue with the permits or not and so what is the
17 answer to that?

18
19 **MIGUEL GARCIA:** Just to answer the question, the special permit
20 for Deepwater Snapper Unit 2 specifically is valid until
21 December 31 of 2014. We already have identified the numbers of
22 the fishermen that are going to receive the renewal for that
23 permit and basically those are the ones who had already the
24 permit and complied with other requirements of the permit.

25
26 From the first analysis that that laboratory did, sixteen out of
27 the seventy-something fishermen have not fulfilled the process
28 of reporting and so if they don't complete that for December,
29 it's going to be only sixty-four deepwater fishermen that are
30 going to receive that renewal.

31
32 We are in the process of evaluating the probability of letting
33 new people to get into the activity, something that we will need
34 to do once we analyze the landings from the fishermen that had
35 the permit during the first year. We need to check on that
36 information first, to see if we can make the list of who they
37 are and what we're going to be doing next.

38
39 **MIKE MASTRIANNI:** Mike Mastrianni from the Coast Guard and the
40 first thing is just to echo what Graciela was saying. I would
41 definitely recommend, from our perspective, using the NOAA
42 federal fisheries permit, the same permit that is standard
43 format and just laid out and has different endorsements on it
44 for what you're fishing for. It's just the same thing that is
45 seen throughout the South Atlantic, the other AOR that I am in
46 charge of, and it just makes everything standardized on one
47 piece of paper and it's pretty easy to read.

48

1 I had a question just maybe for Roy. On these federal fishery
2 permits that are currently issued -- I have never seen it
3 before, but it doesn't mean it doesn't exist, but is there such
4 a thing as like a dealership endorsement that can go on to these
5 federal fisheries permits or would that be like a separate type
6 of permit or license that they would need to get?

7
8 **ROY CRABTREE:** Normally it's a separate dealer permit that
9 dealers have to get, but I think down here, because we don't
10 really have dealers, at least in the Virgin Islands, we would
11 have to figure out a different way of how to handle that.

12
13 **CARLOS FARCHETTE:** To that point, I may be wrong, but I thought
14 that one time it changed to where the federal tuna permit,
15 because of what was happening here in the Caribbean, the dealer
16 permit was included in that. I am not sure, but we can verify
17 it. I don't know if Hanke has that.

18
19 **TONY BLANCHARD:** The dealer permit, there was two different
20 permits and Roy could correct me, but there was one for catching
21 and the other one for selling. In order for you to sell it
22 legally, you have to sell it to another person that has that
23 permit to buy it.

24
25 This federal permit here, it has its let's say advantages and
26 its disadvantages. I would tend to disagree, to a certain
27 degree, that if Coast Guard pulls up to you and you're in
28 federal waters and you don't have a permit that you're
29 automatically in violation and I am going to explain to you why
30 now.

31
32 Because if I, for some reason, I've got pots in federal and
33 local waters and I have my pots in local waters and for some
34 reason I have to stray out to federal waters, because the line
35 in some places it's very close, and the Coast Guard stops me and
36 you don't have a permit to be here and I've got fish onboard, am
37 I in violation? If I had engine problems or whatever the case,
38 for whatever reason I had to stray there, am I in violation?
39 Yes, I am in violation for being there, but I wasn't actually
40 fishing there.

41
42 Now, the other part of this is what is, on the enforcement
43 issue, the chances that enforcement is actually going to pull up
44 on you doing fishing activities if you're legally doing it?
45 It's probably not very good, just as coming ashore and saying
46 that you have to sell and show your dealer license.

47
48 If you go to certain guys and you are selling to certain

1 restaurants, whether or not you have a license, they don't care.
2 If you have got what they want, especially if you are willing to
3 give them a good price, guess what is happening?
4

5 The level of enforcement, to a certain degree, it ain't there
6 and so if we are looking at this in some ways to be a remedy to
7 fixing a lot of the problems that we have, I don't think it will
8 work, because there is always a way around it, especially in a
9 fishery like this.

10
11 A lot of these guys, you know when you come to a market that
12 they don't ask you, the customers, whether you have a valid
13 fishing license or not. They don't really care. You've got
14 what he wants and you give him a good price and he's going to
15 buy it, but the thing is this.

16
17 It has its good and it has its bad and I see, by putting another
18 license here on us, really, once again, the same people are
19 being targeted, in a certain way, because the only information
20 you're getting from us is the legal guys that are doing it and
21 so we are going to pull up on you, because we know that you've
22 got the paperwork and you're actually reporting.

23
24 The individual that is doing it under the table, he really don't
25 care. He could care less about a license and it's business as
26 usual. A drug man don't care whether he's got a license or not
27 and it's business as usual and so yes, there are benefits and
28 yes, in some ways I don't think it's more beneficial to us
29 having a federal license, but I think it's really up to the
30 public to decide what road they want there and that's just me.

31
32 **ROY PEMBERTON:** I kind of echo -- I do see the merits, but I do
33 have some concerns similar to Blanchard. The 1970s and 1980s
34 and early 1990s when the longline fishery came down here, we had
35 stray gear going all over the place and going into local waters.

36
37 They pretty much decimated our grouper and snapper and even our
38 coastal pelagics and even our swordfish, which are just starting
39 to recover now.

40
41 I understand a lot of this will be coming out of the St. Pete
42 office, but those longliners and those other folks don't
43 necessarily have a vested interest, because once it's done, it's
44 done and they go back to where they came from.

45
46 I am very concerned about managing, but managing folks on a
47 localized level. When this first came up a couple of years ago,
48 I specifically asked about gear restrictions and requirements

1 for them to sell in the territory and so forth to protect the
2 local fishers and so forth like that, because it does come down
3 to that.

4
5 These guys have much more capacity and they can shut a fishery
6 down localized in a matter of weeks and so it's opening
7 Pandora's Box. I understand the need for NOAA to get more
8 information in the EEZ and to get more clarity along the lines
9 of who is fishing and what they are fishing for, but we've just
10 got to make sure we do this the right way and we have to do it
11 in a cautionary approach, because there is a lot at stake.

12
13 **EUGENIO PIÑEIRO:** Roy Crabtree is right that the selling part is
14 different to the permit required for the Coast Guard purposes
15 and precisely the idea of the small boat permit was to put the
16 fish harvested in federal waters and go straight to the DNR lab
17 databanks and once you do that, you don't have to have a federal
18 permit for selling, so that the whole rationale behind the HMS
19 small boat, Caribbean small boat, permit is precisely that, that
20 you go directly to the DNR or the state and you say this -- You
21 fill out the form that you fill out every day and you give it to
22 DNR and then you don't have to notify the federal government and
23 have a federal dealer or a permit to sell that fish.

24
25 That is the rationale behind it and precisely as we speak, Rick
26 Pearson from HMS is here somewhere and he is working on some of
27 those permits that some fishermen from Puerto Rico purchased and
28 they haven't received it and that makes things very much
29 simpler, because you don't have to go through the federal
30 paperwork, which is very tedious to fill out every month of
31 every single fish that you got.

32
33 You have to fill out if you didn't fish and why you did not and
34 so things are much simpler now, but the answer is what Roy said
35 and it's different. It's two different things. One the permit
36 is to fish and the selling part is another thing.

37
38 **MIGUEL ROLON:** This meeting today, you are just supposed to give
39 guidance for the scoping meetings that we are going to have next
40 year and I believe that the council members should be thinking
41 about this permit system and how you want to see it.

42
43 For example, when we discussed this several years ago, the issue
44 of residency was raised by the federal government of if you were
45 calling the permit a license and we did away with that, with the
46 distinction that Bill Arnold made, and we are looking at a
47 permit.

48

1 The permit should be as simple as possible, but also effective.
2 In the case of Puerto Rico and the Virgin Islands, if legally we
3 can say that the Puerto Rico commercial fishing license and/or
4 permit will be accepted as the federal permit, that will ease
5 off the mechanism that the fishermen have to follow to get the
6 permit.

7
8 The other issue that Dr. Roy Crabtree mentioned is that we are
9 talking about open access and if you want to have a restriction
10 or limited entry, that will be an action that you have to take
11 parallel or before the permits that you want to issue just to a
12 certain group.

13
14 In the case of Puerto Rico, for example, they are trying to
15 establish a permit for the deepwater snapper grouper and they
16 were thinking about the west coast, or some people were thinking
17 about the west coast, but the east coast fishermen raised the
18 point that they do fish for this species on the east coast of
19 Puerto Rico.

20
21 To me, the council should be thinking, especially the council
22 members. You have an assignment, which is to read this document
23 carefully. Especially the local governments, you have to bring
24 to the table at the next meeting how you would like to see the
25 federal permit working in harmony with the local permits.

26
27 The other issue about dealers and fishers is we can copy, as
28 Genio is suggesting, the good practices of the HMS, so we don't
29 reinvent the wheel in issuing the permits for the dealers and/or
30 fishers.

31
32 **MIKE MASTRIANNI:** Just keeping with what Miguel was just talking
33 about and giving guidance to Dr. Bill Arnold, just my
34 recommendation would be using the federal fisheries permit in
35 conjunction with Number 7 and using that as part of their pilot
36 program.

37
38 I would say that including the verbiage of having them trying to
39 do all fisheries might be a little bit difficult, just because
40 of what happens if one person doesn't show up. Do you scrap the
41 study or do you just count it as a no show or what do you do?

42
43 In terms of the federal fisheries permit, I see the advantages
44 and disadvantages, like Mr. Blanchard was talking about. If the
45 federal fisheries permit were the required permit instead of
46 either a Puerto Rican or a U.S. Virgin Island commercial fishing
47 permit and that was the permit that they were required to do,
48 besides just the -- The only disadvantage is the amount of

1 paperwork that is required to do.

2
3 That's the only disadvantage I have so far heard and maybe I
4 just missed something, but I am just wondering, is that the only
5 disadvantage? Because that's kind of the way that NOAA is
6 getting a lot of their information and getting some more
7 relevant data maybe for us to sit and talk about and get more
8 relevant data to make decisions off of.

9
10 **ROY PEMBERTON:** Just to follow up on that, to give some more
11 background on that, right now NOAA gets all of my information
12 from my commercial trap, hook and line, pelagics, tuna
13 fishermen, everything, irregardless of whether they have a
14 federal permit or a license or anything. All of that, their
15 data sheets go straight to NOAA.

16
17 The disadvantage in terms of that -- There is a few people that
18 are going to fall within the cracks and I don't know how
19 specific the Coast Guard is going to be, but you're going to
20 have to be specific about folks that fall between the cracks,
21 because right now, HMS does not control local pelagics like
22 dolphin and wahoo and some of the cero and some of the other
23 king mackerel species and those are big, major tournaments and
24 money-makers here for some of the coastal fishermen.

25
26 You are going to have to be on a level of training that you're
27 going to have to understand the local nuances of what fishermen
28 are doing and not doing and not just use a broad stroke and
29 brush. I understand you want something easy. I have worked
30 with you guys before, where it's right there in black and white
31 and easy to prosecute and easy to not prosecute, but this is a
32 different area.

33
34 We're going to have to come up with something unique and folks
35 are going to have to be willing to bend or meld to that. I am
36 not in the business of trying to make it like the U.S., because
37 the U.S. doesn't necessarily apply here, other than they own the
38 territory, but we don't fish like the U.S. and it's completely
39 different, other than the longliners coming down.

40
41 We need to have something that's attributable to Puerto Rico and
42 the Virgin Islands and we're just going to have to work with it.
43 I can't make it any easier than that and until HMS jumps onboard
44 and takes over those coastal pelagics, that's the one little
45 spot you have and there are some other nuances.

46
47 I mean there are some guys that go out there for jacks and so
48 forth, which have nothing to do with any of the managed species

1 for the U.S. as well and so it's going to have some nuances and
2 we've just got to work within that.

3
4 **CARLOS FARCHETTE:** Okay and so -- Go ahead, Shep.

5
6 **SHEPHERD GRIMES:** Thank you, Mr. Chairman. I just wanted to
7 comment on a couple of these. In terms of Number 2, and I
8 looked at these in your white paper and I don't know if I have
9 provided this comment in the past specific to this, but we can't
10 -- There are serious complications with us just acknowledging or
11 requiring a territorial permit.

12
13 As I know we've talked about in the past, there are restrictions
14 on how much we can charge for a federal permit. We can't charge
15 more than the administrative costs of issuing the permit and if
16 the territories charge more than that, then we can't require
17 that permit.

18
19 Also, if the territories have residency requirements or they
20 charge differential fees based on residency, that's
21 discriminating based on residency and it's prohibited by the
22 National Standard 4 and we can't do that.

23
24 In the past, in other areas, the Gulf of Mexico and the South
25 Atlantic I am thinking about, we have wanted to implement
26 compatible programs with state governments and what we have done
27 is created limited access permits and created qualification
28 criteria for those permits that were identical to the criteria
29 for a state permit.

30
31 If somebody wasn't from the USVI, but they wanted to get the
32 permit, they could come in and apply for the federal permit, but
33 if they didn't have the landings or whatever, they might not
34 qualify, but if they did qualify, it was an option.

35
36 In all of those cases, we never issued any federal permits,
37 because if you qualified for the federal permit, you qualified
38 for the state permit and we recognize the state permit and so
39 why have two of them? That's the way we've dealt with it, but
40 because there are restrictions on what we can do for federal
41 permits, it is oftentimes very problematic to just recognize or
42 require, rather -- Not recognize, but require territorial
43 permit.

44
45 Relative to Number 3, and I know Dr. Arnold kept making that
46 distinction, but in the law, in Magnuson, there is no
47 distinction between a license and a permit and I think that's
48 very confusing to me and others and I didn't get it when he was

1 talking about it, but from our standpoint, whether you call it a
2 license or a permit, it's the same thing and the same legal
3 requirements will apply.

4
5 **GRACIELA GARCIA-MOLINER:** Shep, I have a couple of questions
6 regarding the control dates and the qualification based on
7 landings for these federal permits.

8
9 The council had established a control date of March 24, 2009 for
10 the commercial sector for the reef fish, queen conch, and spiny
11 lobster fisheries, and I have to stress commercial only, for the
12 federal waters of Puerto Rico and the USVI.

13
14 Then they revised that control date and updated it for the
15 commercial trap sectors of the reef fish and spiny lobster
16 fisheries in the federal waters of Puerto Rico and the U.S.
17 Should the council update the control date and specify both that
18 it's commercial and recreational and set a control date, for
19 example, if they want to do a pilot on the deepwater snappers,
20 specifically for the deepwater snappers and groupers, or would
21 the control dates that we have in place suffice?

22
23 **SHEPHERD GRIMES:** That's really up to the council and you can
24 get feedback from the Fisheries Service on this, but control
25 dates aren't required. My issue with control dates and my
26 experience in the past is the council will set a control date
27 like this one, 2009, and then six years later they haven't done
28 anything with it and they come in and want to implement a
29 limited access program and their control date is seven to ten
30 years old and they never want to stick with it.

31
32 I guess I would say unless you're really serious about
33 implementing a limited access program, what's the benefit of
34 setting the control date, because most often we don't stick with
35 them, but ultimately it's up to you. If you want to update your
36 control date, you are free to do that, but, again, it's not a
37 legally mandated thing.

38
39 **GRACIELA GARCIA-MOLINER:** If the council updated the control
40 date for all the fisheries that are taking place in the federal
41 waters to a certain date back, three or four years, would that
42 be part of the qualification in terms of the poundage needed or
43 the fish that had to be landed from the EEZ, part of the
44 qualification of the federal permit?

45
46 **SHEPHERD GRIMES:** That's entirely up to the council and
47 personally, I think this discussion -- We have gotten way ahead
48 of ourselves. We are talking about an options paper and control

1 dates and qualifications for permits that don't even exist and
2 we don't have a document in front of us that talks about those
3 or structures them and so it's very difficult to conceptualize
4 it at this point.

5
6 If you wanted to develop a permit, a limited access permit that
7 is, and establish qualification criteria based on landings in
8 some years in the past, you could do that. Normally, you don't
9 set control dates retroactively.

10
11 The whole point of a control date is to notify the public and
12 the participants in the fishery that the council and the agency
13 are considering limiting access to the fishery and they are
14 going to look at landings that occurred before some certain
15 date.

16
17 If you go back five years from now, that isn't providing much
18 notice to people and usually the control dates would be, okay,
19 so as of today, we are putting everybody on notice that we may
20 be doing this in the future. That's the whole point of a
21 control date. Sometimes you stick with it and sometimes you
22 don't.

23
24 **CARLOS FARCHETTE:** Okay and so where do we go from here with
25 this? Should we -- Do we have to like look at these options and
26 select?

27
28 **MIGUEL ROLON:** Mr. Chairman, this is just for scoping meetings
29 and the only thing that we need from the council is whether the
30 staff have missed any possible alternatives and then we will
31 take this to scoping meetings and come back to you with the
32 reaction of the public as to the alternatives presented.

33
34 I mean if you are referring to picking one preferred action and
35 all that, you don't have to do that. It's just that we would
36 like to see that we included everything within the two bookends
37 of possibilities that you would like to consult with the public
38 about these meetings.

39
40 **CARLOS FARCHETTE:** Right. Okay. That sounds good, because I
41 think we've had quite a bit of discussion on this and so we
42 should -- Do we have to just agree to go to scoping with this?

43
44 **MIGUEL ROLON:** Yes, just agree on that one, but as I said,
45 before -- Between here and the next time, the local government
46 has to really think about what they want to see as a federal
47 permit and bring it to the discussion at the council meeting.

48

1 Also, the issue of limited entries and all that should be also
2 part of that discussion, but it has to be very well thought out
3 before we consider it seriously at the next meeting or any other
4 meeting during 2015.

5
6 **CARLOS FARCHETTE:** Okay and so that means DNER and DPNR has
7 their homework cut out for them. Any recommendations here or --
8 It seems like nobody wants to get involved. Nobody does? I am
9 ready to take the next steps. Do I make that decision here,
10 because it seems like nobody wants to say anything.

11
12 **ROY PEMBERTON:** I would suggest -- I mean there are a lot of
13 different options, but I would suggest that we go ahead and move
14 forward on this, to get the ideas out. Particularly some of the
15 comments that Shep made pertaining to those control dates, that
16 affects a lot of us here. Particularly I know over with the
17 snapper fishery in Puerto Rico, but some of our other control
18 dates here in the USVI.

19
20 If we are going to do these permits on that level, we need to
21 make sure that we get all that legalese figured out in regards
22 to those control dates, because it's going to apply
23 retroactively, in many cases.

24
25 **SHEPHERD GRIMES:** Keep in mind though that your first step is
26 some type of permit. I have never been involved in a situation
27 where we went immediately to a limited access permit. What I
28 have always seen is some open access permit and anybody can come
29 in and get it at any time.

30
31 There are minimal criteria for it and you just need -- Basically
32 any U.S. citizen who comes in and fills out the paperwork and
33 submits the application will get the permit. Then once you have
34 that permit in place, there is an identified pool of individuals
35 who are fishing and they may be coming in and out of the fishery
36 from year to year, but that's what we have and then we decide --
37 By law, you can only limit access in order to achieve optimum
38 yield and so usually we have the situation where we have too
39 many participants, what is commonly referred to as an
40 overcapitalized fishery, and you need to stop the number of
41 participants from growing and so you limit access to the
42 fishery.

43
44 As Dr. Crabtree was talking about earlier, that's always, at
45 least in my experience, been a landings threshold, that, okay,
46 in order to qualify for this, you have to have a minimum of -- I
47 am just making the numbers up, but say 10,000 pounds of landings
48 from 2000 to 2009 or for eight years during that time period or

1 something like that that's intended to show some minimum level
2 of participation and commitment to the fishery and that's the
3 basis for allowing you to continue to participate.

4
5 Anybody who didn't meet that threshold would go away. Once that
6 limited access permit is in place, they could sell it to new
7 participants, but that's the only way that new people can come
8 in.

9
10 **TONY BLANCHARD:** I've just got a question. Really what we're
11 looking for here is we need to decide whether we're moving
12 forward with this or we're shelving this is what you're telling
13 me?

14
15 To be honest with you, just hearing from what Shep said, that
16 once you get the initial permit that it's an open book, I ain't
17 backing down, especially when they're coming down to looking at
18 limited access, so Tom from Timbuktu don't come on my grounds to
19 come fish because I have to open it up initially, because of how
20 the federal law is written. I am not backing down and I say
21 table it.

22
23 **CARLOS FARCHETTE:** The thing is that right now, a U.S. citizen
24 can fish in the EEZ, but landing in the territorial waters and
25 selling that fish is a different story, because we have
26 restrictions to that, but they can take it with them. They just
27 can't come to a -- Right.

28
29 **MIGUEL ROLON:** I believe that we need to move forward with the
30 document for the scoping meetings and perhaps you should appoint
31 a small committee of Miguel and Mr. Pemberton and you to sit
32 down with the staff and sort this out, so you can come better
33 prepared to the next meeting with ideas on how to proceed.

34
35 That doesn't mean that whatever ideas that come from that
36 committee will be the recommendations that the council will be
37 adopting, but at least you will have a better understanding of
38 what a control rule is and what are the issues with Puerto Rico
39 and the Virgin Islands fisheries and the way they want to
40 operate and what will be the benefits of adopting this permit
41 system.

42
43 Permits are good for science, because if you know the universe,
44 you can have a better sampling result of whatever you want to
45 sample in that particular fishery and also -- Anyway, there is a
46 lot of things that the permits can do.

47
48 Regarding the license versus permit thing, it's just a semantic

1 issue for the MSA. In the case of Puerto Rico at least, they
2 thought about having a license for commercial fishers and a
3 permit for spiny lobster and queen conch and other species of
4 fish that they were interested in controlling the number of
5 people participating.

6
7 I believe, Mr. Chairman, that this discussion should take a --
8 You should sit down with especially the two local governments
9 and discuss it thoroughly, so you can have a meeting of the
10 minds. Then by the next meeting, you will have the scoping
11 meeting results and you will have ideas from the local
12 governments and the federal government on how to proceed.

13
14 **ROY PEMBERTON:** Just a point of clarification. Currently we
15 have longliners and we have three longliners working out of the
16 Northeast and the Mid-Atlantic. Two Mid-Atlantic and I think
17 one out of the Northeast that are working down here now that are
18 not fishing in our EEZ and actually fishing to our south.

19
20 They are actually landing in Puerto Rico and shipping the fish
21 out by shipping it cold storage to the United States. They are
22 landing it here, but they are not necessarily selling it here.

23
24 **SHEPHERD GRIMES:** I wanted to clarify some of -- In response to
25 what Mr. Blanchard said, right now anybody can come fish in the
26 U.S. EEZ. There are no permit requirements and there are few
27 limitations on what occurs there for council-managed species and
28 I am not familiar with what HMS has, but anybody can come in and
29 fish in the EEZ.

30
31 A permit is just identifying who is then able to come fish in
32 the EEZ and it doesn't open anything up any more than it already
33 is and it would be the first step towards limiting access in the
34 future, if that's the way you wanted to go.

35
36 **TONY BLANCHARD:** I understand what you're saying, Shep, but
37 really, as far as I see, it ain't got the benefits. There is
38 really no more benefits, as far as I see, for the local guys,
39 because what is going to happen here is the negative is going to
40 outweigh the positive, because now we have to apply for another
41 license and we've got more paperwork to deal with.

42
43 The same guys that you're getting information from, you will be
44 getting it again. It's the same information you're getting and
45 we can't keep them right now out of federal waters, but they
46 can't land in the Virgin Islands territory without a license to
47 sell there, by law.

48

1 If you want to sell, you can't land in the U.S. Virgin Islands
2 without a business license from them and so really, they ain't
3 going to land there unless it's illegally done and so the level
4 that I've seen here, I don't think the enforcement is going to
5 step up that much, if any, and I think it's more of a headache
6 for us, the guys that are abiding by the rules, then we have
7 already, because you are just giving us more paperwork to fill
8 out and really the benefits, to me, ain't there. I am just
9 speaking from my personal opinion.

10
11 **CARLOS FARCHETTE:** Okay and so I think we've discussed this and
12 we're going to take the recommendation that Miguel said and
13 maybe the local Puerto Rico and VI government will meet and
14 discuss how we can take this to a scoping hearing and get the
15 people's opinion and then we can come back to the table with a
16 yea or a nay or a better understanding of what the people would
17 want.

18
19 **MIGUEL ROLON:** Carlos, that's not exactly what I said. What I
20 said was go ahead and authorize the staff to go to scoping
21 meetings with the document that you have in front of you and
22 from the discussion I heard, there is nothing that you have been
23 discussing that is not already in the document.

24
25 The other point I made is that you can appoint a small
26 committee, including Puerto Rico and Virgin Islands
27 representatives, to discuss, ahead of this, what could be a
28 scenario for a permit considering the limited entry that Puerto
29 Rico is working on and any other issues that the U.S. Virgin
30 Islands may have.

31
32 As Shep mentioned, we are really discussing way ahead of time
33 all these other issues, but if where we are heading to -- The
34 first step is we have the scoping meetings and then, in the
35 meantime, we can allow Puerto Rico and Virgin Islands
36 representatives and maybe any other council member to sit down
37 and go and discuss this with the staff of what is the control
38 rule and what are the issues that you have, et cetera, et
39 cetera.

40
41 By the time that we meet, you will have scoping meeting results
42 and the subcommittee presentation by Miguel or Roy on the issues
43 that you discussed and that you would like to see the council
44 address.

45
46 **CARLOS FARCHETTE:** Okay and so we'll go ahead with that, getting
47 the staff to work on scheduling the scoping hearings and then
48 they will get together and see how we can -- In concert with

1 that, we will meet with the DNER and VI government and come up
2 with something. Any further discussion on this topic? No?

3
4 Okay. We didn't take a coffee break for the recorder to change
5 over and so I am not sure how he is doing over there. He said
6 continue and -- Does anybody need to take -- They are requesting
7 a quick break and so I will do about a five or ten.

8
9 (Whereupon, a brief recess was taken.)

10
11 **CHAIRMAN FARCHETTE:** If you all take your seats, we are back
12 online. The next thing we have here, we are finished with the
13 Federal Permits and Scoping Document and next on the agenda is
14 the Red Hind White Paper and then we will break for lunch.

15
16 **RED HIND WHITE PAPER**

17
18 **GRACIELA GARCIA-MOLINER:** This is going to be short and I have
19 more questions than I have slides. You had requested a white
20 paper on the red hind and changing the grouper ACL in St.
21 Thomas. You had requested to explore the possibility of
22 separating the annual catch limit of groupers into a red hind
23 ACL and what would happen to the other groupers.

24
25 First, we looked at the table of the fishery management units
26 and that's what you have on the screen and that's for five
27 grouper units, with every single one of the species that is
28 included, the scientific name, and the regulations that we have
29 in place either in the EEZ or in the territorial and EEZ. Most
30 of them are under a closed season.

31
32 Another bit of information is what's the ACL specifically for
33 St. Thomas/St. John and that's 51,849 pounds for groupers and so
34 we didn't have information for all of these species and what we
35 had to do was to set an ACL for groupers, because that's the way
36 that the catch reports were set up, just groupers in general.

37
38 This is from the Southeast Fisheries Science Center and this was
39 presented to the SSC on November 12 and this is just a summary
40 of the landings from the time that the catch reports began
41 showing groupers as a family to 2012 and 2013, when you are
42 already reporting species-specific information.

43
44 Basically what -- That's the ACL right there and so the whole
45 problem was that the ACL was exceeded a number of years ago and
46 in 2013, you had a closure right before the Christmas holidays
47 and then in and around I think July of 2011, that's when the
48 catch reports changed from grouped family species to species-

1 specific reporting.

2
3 Your data is already at the -- The USVI data, it's already at
4 the Science Center and so that's why they were able to put the
5 information together for the last two years and so that's the
6 number of trips that you are taking over the years since the
7 data began to be looked at and what you've done in 2012 and 2013
8 when you have red hind reported as landed in the USVI.

9
10 Because you already have all the data at the Southeast Fisheries
11 Science Center, they were able to tell us what the total
12 landings for the species were for 2012 and 2013 and there are a
13 whole bunch of other species listed in between.

14
15 We just pulled out all the information for the groupers, so that
16 you could see how many pounds were being landed for red hind for
17 each year and how many pounds were landed for any of the other
18 grouper species that you have either in the catch form or that
19 are reported as written in when you submit the catch reports.

20
21 The council member from St. Thomas, Tony Blanchard, has
22 speculated that about 90 percent of the total landings of
23 groupers were red hinds and you were pretty close. In 2012, it
24 was 84 percent of the total landings were red hinds and in 2013,
25 88 percent of the total landings of groupers were red hinds. I
26 see a lot of movement over there and so I'm going to leave the
27 table up.

28
29 **CARLOS FARCHETTE:** Okay and before we go any further, I want to
30 recognize the Acting Commissioner of Planning and Natural
31 Resources for the U.S. Virgin Islands, Jean-Pierre Oriol, who
32 has just joined us. Thank you.

33
34 **ROY PEMBERTON:** I've got a question on yellowedge grouper and
35 tiger grouper and zero landings for 2013.

36
37 **GRACIELA GARCIA-MOLINER:** This is the information that was
38 available at the November 2012 SSC meeting. I have been in
39 contact with Shannon back and forth to update this information
40 and we are working on that, but that is what it showed as of
41 November 12, 2014.

42
43 **CARLOS FARCHETTE:** I would be remiss if I did not recognize the
44 legal counsel for DPNR, Winston Brathwaite, who has also been
45 here with us since yesterday. Welcome aboard, Winston.

46
47 **GRACIELA GARCIA-MOLINER:** This is a white paper and we are
48 exploring all the information to see what the council wants to

1 do about the ACL.
2
3 **MARCOS HANKE:** I would like to make a comment on that, whenever
4 it's appropriate, on this table.
5
6 **CARLOS FARCHETTE:** I think we're still waiting for Roy, right?
7
8 **ROY PEMBERTON:** I think we might have an answer to that and I
9 will just have to talk with Graciela and some of the fishers
10 about that, but we have a plausible reason why it went to zero.
11
12 **CARLOS FARCHETTE:** Okay. Thank you.
13
14 **MARCOS HANKE:** I just want to highlight something that I spoke
15 briefly with Graciela previously when I saw this data, is this.
16 Before I make my comment, I want to reconfirm if my mathematics
17 is correct. Tony, do you agree that the average weight of the
18 coney are like a half pound or maybe less?
19
20 **TONY BLANCHARD:** No.
21
22 **MARCOS HANKE:** How big?
23
24 **TONY BLANCHARD:** I would say the average size is probably three-
25 quarters of a pound.
26
27 **MARCOS HANKE:** The average size?
28
29 **TONY BLANCHARD:** Yes and I am going to explain to you why I
30 think it's three-quarters of a pound, just from my experience.
31 A half-pound coney is going to come through that two-inch mesh.
32 He is going to hit that mesh and he is going to come through it.
33 You will be surprised the size of the fish that will pass
34 through that two-inch mesh once he hits it and he hits it right.
35 I don't think it's a half-pound. I would say it's more like
36 three-quarters of a pound.
37
38 **MARCOS HANKE:** Okay, but it's not too far from what -- It's okay
39 and you're going to see where I'm going. Another question to
40 you is the average size of the red hind, weight-wise?
41
42 **TONY BLANCHARD:** I am going to be honest with you. It all
43 depends on where you're fishing, but probably two pounds, a
44 little over two pounds.
45
46 **MARCOS HANKE:** Okay. I estimate -- I want to validate my
47 rationale here and that is that I estimate -- This is a
48 perception and it's not mathematic and it's nothing with the

1 intention of validating anything, but it's good for my point,
2 what I want to make.

3
4 I put a half-pound average weight for the coney and three pounds
5 for the red hind and this is what I estimated. If you use the
6 poundage that is in there, that if you overlook, it looks like
7 there is not a lot of coney caught and it is not an important
8 fishery and so on, but it's 7,170 individuals, with this
9 mathematics that I'm doing.

10
11 For the red hind, it's 11,541 and my point is that this amount
12 of individuals, under those numbers, are very significant to the
13 managing of each of those species and don't let it go by the
14 total poundage in this case, basically because of the size
15 difference.

16
17 I want to highlight that, because once we analyze this,
18 sometimes people focus on the total amount of pounds and that
19 doesn't mean anything for me, unless you do this mental
20 exercise. That's my comment.

21
22 **CARLOS FARCHETTE:** Okay, but that comment is not to exclude like
23 coney off of the species selection criteria, right, because I
24 think it's important to have them.

25
26 **GRACIELA GARCIA-MOLINER:** No, this doesn't have anything to do
27 with the species-specific criteria. I mean maybe the size and
28 the average size and length, et cetera, but this is specific to
29 the ACL of grouper in St. Thomas and whether the information
30 that's available now is enough to raise the ACL for groupers in
31 St. Thomas and separate the red hind from the groupers and set
32 two different ACLs. That's the question that we're addressing.

33
34 **CARLOS FARCHETTE:** Okay. That sounds good.

35
36 **MARCOS HANKE:** Let me give an example of the implication of my
37 mathematics, simple mathematics, exercise. For example, if you
38 add a thousand pounds of red hind to the ACL, in the specifics,
39 you're going to use this amount of fish, of individuals. If you
40 add a thousand pounds of coney to the mathematics, you add much
41 more individuals and more effect on the coney population, right?

42
43 That can be easily done by the fishermen by just landing the red
44 hind or whatever is more appropriate to them on the market or
45 whatever and that balance of species composition on the catch or
46 whatever, depending on the species and depending on what the
47 market is going to drive the fishermen to sell or to catch, can
48 have a higher impact on one of the species. That exercise is

1 not too complicated and just think a little bit about it, but
2 it's important. It's very, very important.

3
4 **GRACIELA GARCIA-MOLINER:** There are a couple of other things
5 that are very -- Can you go back? For example, since you
6 brought up the issue of the yellowfin grouper specifically for
7 St. Thomas, 2004 was the first emergency rule for closure of the
8 Grammanik Bank, where most of the fishing for yellowfin takes
9 place.

10
11 2005, through the SFA, Grammanik became closed for the period
12 when yellowfin are spawning at Grammanik Bank and so could we
13 attribute that drop in the total landings to the yellowfin while
14 fishers were looking for another site to fish for yellowfin?
15 That's one question that I have that I don't know the answer to.

16
17 Then once you find it, then your landings can go up, if that's
18 the contribution of the yellowfin, but we don't have a certain
19 way of going back and accounting for what percentage of the
20 total landings were red hind over time.

21
22 There was, in the SEDAR-35 red hind review, guidance to the fact
23 that we should look at the TIP data, at the biostatistical
24 samples, and maybe compare those to the total landings, the
25 catch reports, as they were coming in, to see if we can set some
26 kind of a correlation between the two, but that was not done for
27 SEDAR-35 and it might be a good idea, but we haven't done that
28 yet.

29
30 That's the information that we have and we will talk a little
31 bit more about the yellowedge and the other larger groupers that
32 are kind of dwindling down, or so it seems.

33
34 That's the new catch report that is being used and actually, you
35 can't see it, but it has red hind up there, but it has also a
36 space for writing in what other groupers you harvest and I am
37 trying to remember what's on the actual form and so let me just
38 -- It has coney and misty and red hind and yellowfin and coney
39 there at the top, right? Butterfish.

40
41 Then you can write in any other species that you harvest and the
42 same thing here. It has red hind over here and it has some
43 additional information for fish that are discarded alive or dead
44 and that would include information about Nassau grouper, for
45 example, but that specifically has not been looked at and so it
46 would be going back into the forms and finding out how many
47 Nassau grouper, for example, were discarded dead or alive, et
48 cetera, or the larger groupers that you might not bring to the

1 market probably -- Maybe they were written there.

2
3 That's the other part of the catch report that we've been
4 talking to the Science Center to get that information also out
5 and that's probably where this other information comes from for
6 the groupers that are not actually listed, but that people are
7 writing in.

8
9 **ROY PEMBERTON:** I would just bring up that the report that you
10 were looking at -- There is two different catch reports that we
11 have on file, as you know, Graciela. One is for the hook and
12 line fishery and then one is specific to the trap fishery.

13
14 The trap fishery report is where we have most of our write-ins
15 and hind is listed on there as one of the major ones and then if
16 they have any other species of grouper, we are suggesting to
17 them to write in and a lot of guys do write in. From that
18 suggested list is what we plan to then put in on the actual trap
19 form, to then have them as a listed species so they can check
20 off.

21
22 When it comes to the misty and some of the other larger
23 groupers, for example like your misty grouper and your red
24 grouper and so forth, those do come in the trap fishery as well.
25 They do write them in, but the misty is one of the ones that
26 come in mostly in the hook and line fishery, for folks doing the
27 deep drop.

28
29 The numbers reflect the targeting in terms of -- Unless they
30 have a market available, somebody prior to asking and willing to
31 pay, they won't really waste their time and go out there and
32 catch those fish, particularly the queen and silk as well.

33
34 **CARLOS FARCHETTE:** I have a question. On the 88 percent and 84
35 percent landing on red hind, did that include discards or that's
36 a separate number?

37
38 **GRACIELA GARCIA-MOLINER:** I don't think it included discards. I
39 think those were the reported landings.

40
41 **ROY PEMBERTON:** That would be the reported landings. It didn't
42 include discards.

43
44 **GRACIELA GARCIA-MOLINER:** Would there be any discards for red
45 hind specifically?

46
47 **ROY PEMBERTON:** I will let Tony answer that.

48

1 **TONY BLANCHARD:** I don't believe so and if there is, it's not
2 much. Unless for some reason you went out fishing and you're
3 catching big hind and you already can't move them that you
4 choose to release them, but I don't think the chances of
5 releasing a hind is that good. I am not saying that it don't
6 happen, but I'm just saying that I don't think so.

7
8 **ROY PEMBERTON:** Just a follow-up. It also depends on the
9 market, again. I mean right now, this is the time of the year
10 that they are very influenced by what is out there to be bought
11 and so a lot of people are supposedly buying a lot of fish now,
12 but the numbers are coming in a lot lower.

13
14 These guys are out from like three or four o'clock in the
15 morning holding their spots and sometimes they still have fish
16 after twelve o'clock in the afternoon, which is a very rare,
17 unheard of case, but it's becoming more of a normal now, because
18 a lot of people are not purchasing the fish.

19
20 Red hind is, again, a size-specific thing. If they have too
21 large of a red hind and if somebody is looking for a smaller
22 size of red hind, unless they chop them up in pieces, that
23 probably won't get sold that day.

24
25 **TONY BLANCHARD:** Roy is correct and no matter if you have the
26 top choice fish on the market, unless that fish is a certain
27 size, you can't get it moved. You could have the best seller in
28 the market there and if it's beyond a certain size, they don't
29 want it and so, like I say, it's just like anything else.

30
31 They are looking at a certain sized fish and hind is one of the
32 top sellers, as well as coney and the angelfish, but if they get
33 beyond a certain size, they are much harder to sell and so, like
34 I say, it all depends on -- In certain places, in certain times
35 of the year, you catch the bigger hind and really, that's not
36 what you want, because -- Before, you couldn't find a hind on
37 the market, because no matter how big they was, they were gone.
38 Now, you've practically got to beg people to buy them too and
39 Roy could tell you that, because he was down there on Saturday.

40
41 **GRACIELA GARCIA-MOLINER:** The one thing that we didn't touch on
42 in this paper had to do with ciguatera. I don't think that red
43 hind has been really associated with ciguatera and I do know
44 that, for example, some of the snappers locally in St. Thomas
45 have been and so there might be a market change in terms of what
46 people are seeking.

47
48 **ROY PEMBERTON:** No, they are very much so prone to ciguatoxin

1 and they are very much prone to ciguatoxin and it is a concern.
2 I mean I know some of the fishers, and the President for the St.
3 Thomas Fishermen's Association could also vouch for this, that
4 if they catch it in a certain area, they are not going to take
5 the chance to bring it into the market.

6
7 Even if they have an abundance of hind in their traps, they are
8 going to release them all, particularly from certain areas of
9 the fishing grounds. They are just not going to bring those in.

10
11 **CARLOS FARCHETTE:** That was my question, because if discards are
12 not included in the landings -- I think discards are important
13 for assessments and so I was wondering where those numbers go
14 when it comes to discards.

15
16 **GRACIELA GARCIA-MOLINER:** I do have a question regarding the new
17 forms, because there has been spatial information in the catch
18 reports forever. I mean BBB and TSW and TSN or whatever and in
19 the new forms, are you using a very specific spatial
20 distribution to mark where the fish were coming from?

21
22 **ROY PEMBERTON:** Yes, there is -- I don't see that you have it
23 here, but there is a spatial map that goes with this that's -- I
24 think it's down to about 2.2 or -- It's 2.5-by-2.5 miles and the
25 reason being that we didn't want to really give away any of the
26 fishermen's exact locations and we fought hard to even get that
27 close.

28
29 That is also included on there and they would include that in
30 the overall catch report and that's marked -- I think there's a
31 field for that somewhere on the form, somewhere to the top of
32 the form, as to the area fished.

33
34 If you look on the trap form, towards the top section, just down
35 from the top section where they're filling out their licensing
36 information and HMS permit and so forth, in that section there's
37 an area where it has Area Fished 1, 2, and 3. It's right there
38 in the middle if you go up a little bit towards the top and
39 there it is. We have area fished and that's where they're
40 supposed to put in that information in terms of the location.

41
42 **GRACIELA GARCIA-MOLINER:** You are two years into the new catch
43 report and there is a review or an assessment of these forms
44 coming up?

45
46 **ROY PEMBERTON:** Yes and currently -- That's where we're going
47 back and looking at the write-ins and then populating the write-
48 ins into the section, so that we have more species-specific

1 information.

2
3 **GRACIELA GARCIA-MOLINER:** Finally, I mean you did have the
4 SEDAR-35 review going on and they have used a lot of the
5 information that was available, especially regarding length.
6 What we did is we looked at the other red hinds, but this is the
7 data from the SEDAR data evaluation workshop of 2009 and so I
8 have been in contact with Shannon and trying to populate the
9 rest of the information, but, again, there is a big gap in the
10 number of animals that are measured per year for the various
11 islands.

12
13 That's another bit of information that we don't have and
14 especially if the Science Center and the council are moving
15 towards the use of length-based assessments, that is still a big
16 issue and that will continue to be a big issue unless the
17 measurements are collected over time.

18
19 Most of you can see that most of everything is from the 1980s
20 and these are -- They looked at the whole dataset to determine
21 how many years we had of more than fifty samples per year, so
22 that we could do something with them. Again, a port sampling
23 type of approach is really needed.

24
25 As I said, more questions than answers and the first one is with
26 only two years of species-specific data, can we separate the red
27 hind from the groupers? Can something be done to increase the
28 ACL for St. Thomas groupers?

29
30 **TONY BLANCHARD:** I could give you my suggestion and I ain't a
31 mathematical genius. For the three-month closure that we have
32 on the groupers, the only thing that is being registered under
33 those groupers at that point in time would have been the hind.

34
35 There is no Nassau to begin with and so that don't even show up
36 on the list and we have -- Just like I told Graciela, it was
37 probably about 90 percent and we have a percentage of 88 percent
38 of the catch being hind that's linked up to the grouper and so
39 my thing is this.

40
41 Maybe we need to jack them numbers up for the three months that
42 we are in a closure for the groupers and the only grouper we
43 legally could bring in is a hind and take that percentage and
44 jack it for the three months, since it's all hind we're
45 catching, because really it's 100 percent hind we're catching
46 within that three-month period.

47
48 If you want to look at it that way, you could look at it that

1 way, but it clearly says that 88 percent of the groupers that
2 are being caught is hind and so if 88 percent of the groupers
3 that are being caught is hind year-round, what makes you think
4 those other three months ain't hind the other 88 percent?
5

6 What I am saying is the three-month period that we have the --
7 It's all hind you're catching, just about. There is very few
8 coney. They show up, but there is very few coney in that
9 grouper listing and so really, you're looking at almost 100
10 percent hind within that three-month closure for the grouper
11 then, because there is no other species of grouper that's coming
12 in.
13

14 We are sitting down here trying to figure out what is what and I
15 am going to tell you -- Didn't I tell you that it was about 90
16 percent and I don't see the data, but I know, because I is one
17 of the men out there catching and the point is here, once again,
18 maybe we need to stop being so tight-handed when it comes to
19 opening something and we should give it the same chance as being
20 so willing to restrict.
21

22 We are quicker to restrict than to allow possession of and I
23 think we should be on a fair scale here and it's got to go
24 either way, a balancing act. Once again, we are here reluctant
25 to raise the hind and if by some chance the market picks up and
26 we overshot this ACL, you want to come back to the table once
27 again, because nothing has been done, and say, well, you know
28 what, you guys overshot the ACL and you're going to have to take
29 a couple of days off from bringing in them hind once again, when
30 the data is right here.
31

32 So it comes down, once again, to being willing to take the lick
33 and take a step forward and take the initiative and say, you
34 know what, things are looking good for the hind and let's give
35 them something, instead of being so quick to take something
36 away.
37

38 I is one vote on the council, but you know where my vote is
39 going and so that's just me and remember, it's almost 90 percent
40 and I didn't even see the data.
41

42 **GRACIELA GARCIA-MOLINER:** There are a couple of things regarding
43 the regulations and that is that when the regulations for the
44 seasonal closure of red hind came into being in 2005, the red
45 hind closure begins at 67.10, longitude 67.10, and so that's
46 basically the west coast of Puerto Rico.
47

48 There was no seasonal closure for red hind specifically in the

1 Virgin Islands and that had to do with the discussion at the
2 council of the hind being protected at the Hind Bank, where
3 their main spawning aggregations were, and that the size and the
4 number of fish were on the increase and so the territory did not
5 follow or make compatible regulations, because there was no
6 reason, and the federal government did not set the seasonal
7 closure for the EEZ in the Virgin Islands.

8
9 In terms of the regulations, then that would have to be assessed
10 in terms of the amount of landings over that period of time and
11 that's something that the SSC had been discussing, the spawning
12 period versus the non-spawning periods of the groupers.

13
14 **MARCOS HANKE:** Tony, I need you to guide me and to explain your
15 point and I will try to synthesize what you said and please
16 correct me, because I want to understand you. What you are
17 asking for is that using the same trend of effort throughout the
18 year, to add to the ACL the red hind grouper that you could
19 catch during the three-month closure on the rest of the year?
20 This is what is your point?

21
22 **TONY BLANCHARD:** I will clarify it for you now. The three
23 months that the grouper is closed is all hind coming in. That's
24 100 percent hind, in my opinion, because for the very little
25 groupers that are going to show up on there as for the coney, ~~s,~~
26 which I believe they would be considered a grouper -- Correct?

27
28 **ROY PEMBERTON:** Yes.

29
30 **TONY BLANCHARD:** Okay and I ain't asking you for 100 percent,
31 but what I'm telling you is that we need to jack it up 88
32 percent and I am going to be bold about it, because it's almost
33 100 percent of that catch would be hind and so I'm just asking
34 for 88 for the three months.

35
36 **MARCOS HANKE:** In order for me to understand, that 100 percent
37 of hind -- Let's say on the scenario that we don't have the
38 closed season, that 100 percent of hind capture related to your
39 effort of going has something to do, and correct me if I'm
40 wrong, that on that scenario, which is not what we have now, you
41 are going to go to the places where they are very abundant
42 targeting them to be the 100 percent or -- That's my question,
43 because I want to create the record to help you, or that can be
44 the same 100 percent anyplace, any red hind place you fish,
45 regardless if it's an aggregation site or not?

46
47 **TONY BLANCHARD:** You misunderstand me and I am going to try to
48 make it as clear as possible. When these landings come in, they

1 are not on a targeted site. These landings, and anybody could
2 correct me, come in on the overall scale of what is being
3 brought in in the Virgin Islands, okay?
4

5 The fishing activity will not change and all I'm simply asking
6 is we know that that's, according to your data and your numbers,
7 that we are 88 percent hind that comes in year-round for the
8 grouper landings.
9

10 What I am telling you is during that time, it's going to
11 probably be about 98 percent for them three months that is
12 grouper landings and so I ain't going to be as greedy as I want
13 to get greedy, but I am going to ask you for the 88 percent
14 instead of the 98. What I am telling you is the landings for
15 those three months, I want the hind ACL to jack up by 88
16 percent, if that's clear enough.
17

18 **MARCOS HANKE:** I understand you now and which is the difference
19 from now is, from what level to which level, the difference?
20

21 **TONY BLANCHARD:** The difference is null, Marcos. We have a
22 closed season for the grouper for three months on any other
23 grouper basically except for the hind and the coney. We can't
24 bring in the Nassau and we can't bring in the goliath.
25

26 Basically the other groupers are shut down and we have a closure
27 on the Grammanik Bank when the Grammanik Bank was up, when we
28 used to catch the Grammanik and so what I'm telling you is the
29 only fish, the only grouper species, that is coming in on the
30 three-month period, the majority of them -- I'm going to be bold
31 enough to say that probably 98 percent of them is hind.
32

33 Seeing that you bring up a calculation of 88 percent, that's
34 what I am going to ask for. I am asking for an 88 percent
35 increase for the three months and that's what I'm asking for.
36

37 **MARCOS HANKE:** The confusion is that you're asking for 88
38 percent during the three months and that is the closure?
39

40 **TONY BLANCHARD:** Correct, because 98 --
41

42 **MARCOS HANKE:** You are requesting to fish during those three
43 months?
44

45 **TONY BLANCHARD:** No, I'm not. That's not what I'm asking.
46

47 **MARCOS HANKE:** Just the number that is equivalent to that?
48

1 **TONY BLANCHARD:** Just the ACL to go up. That's all I'm asking
2 for.
3
4 **MARCOS HANKE:** To go up equivalent to that --
5
6 **TONY BLANCHARD:** In other words, if we catch a hundred pounds of
7 hind for the three months, I want the hind ACL to go up 88
8 percent.
9
10 **MARCOS HANKE:** Now it's clear and this is important, because
11 everybody needs to -- I mean I am talking about myself, but now
12 I am very clear.
13
14 **TONY BLANCHARD:** I ain't asking you to change nothing and the
15 only thing I'm asking for is the increase for the hind. That's
16 all I'm asking.
17
18 **GRACIELA GARCIA-MOLINER:** The closure that you're talking about
19 is a February through April closure that closes the fishery for
20 red, black, tiger, yellowfin, and yellowedge grouper. These are
21 much larger groupers.
22
23 If you look at the information that's available for the three
24 months of the closure, that amount of poundage should be added
25 to the ACL that is in place now, because the red hind would have
26 increased in landings, because that's the only grouper that
27 doesn't have any kind of regulation.
28
29 You will be fishing for red hind specifically during those three
30 months and so another question is if that increases another 10
31 percent, because it will be almost 100 percent of the landings
32 during those three months would be hinds, then they are asking
33 for the ACL to go up for that amount of money and so if it's 88
34 percent now, what's the 10 percent that needs to be increased in
35 the ACL to have the red hind ACL become 100 percent, basically,
36 and then separate the groupers or leave them altogether, but
37 increase the ACL so that you would be -- So that you would be
38 able to land more red hind, because it's easily available.
39
40 **MARCOS HANKE:** I got it. Thank you.
41
42 **CARLOS FARCHETTE:** Not necessarily land more red hind, but not
43 meet the ACL.
44
45 **TONY BLANCHARD:** I think you're getting a little confused. Like
46 I say, the three-month closure, the only thing that's really
47 coming in is the hind under the grouper species. What I'm
48 asking for is that if we catch a hundred pounds for them three

1 months, to get 88 percent of that, since you are clearly
2 specifying that 88 percent of the grouper landings was hind, for
3 the three months, because it ain't no other grouper.

4
5 We are really catching hind to make that 88 percent up and so if
6 it's eighty-eight pounds, because we're catching a hundred
7 pounds within them three months, put eighty-eight pounds on the
8 ACL for the hind. That's what I am asking for and it may be a
9 bold request, but I am going to ask for it anyway.

10
11 **CARLOS FARCHETTE:** I see a motion coming up.

12
13 **GRACIELA GARCIA-MOLINER:** I mean we would have to go back and
14 request that the Science Center provide to us the monthly data,
15 especially for the 2012 and 2013 landings, so that the SSC can
16 look at that information and then turn your percentages, as you
17 have explained here today, into that table and then see what the
18 differences are for those three months. Okay. Got it. Did you
19 get that, Richard?

20
21 **CARLOS FARCHETTE:** That would be something that the council
22 would direct the SSC to do? Graciela, that would be something
23 that the council would request the SSC to do?

24
25 **GRACIELA GARCIA-MOLINER:** Yes and we will write a memo to the
26 Science Center requesting -- We will write it up so that it will
27 be very specific about the grouper landings for 2012 and 2013 by
28 month and hopefully even by area, because that would be also an
29 important thing to look at, and then send it from the council to
30 the Southeast Fisheries Science Center and then they will bring
31 it to the SSC meeting and present the information so that the
32 SSC can deliberate and bring it back to the council.

33
34 **BONNIE PONWITH:** What I would ask then is if the intent of the
35 council is to request data from the Southeast Fisheries Science
36 Center is to make sure that that request is absolutely as
37 explicit as possible, so we don't end up losing time going back
38 and forth.

39
40 Before the request becomes formalized in a memo, it may be
41 beneficial to have some informal phone conversations to make
42 sure that we can refine the language in there, so that when the
43 official memo comes out it is crystal clear and agreed upon.

44
45 **ROY PEMBERTON:** Basically we have to contact Steve and have a
46 conversation with Steve about getting that data?

47
48 **BONNIE PONWITH:** Yes and I think the steps that seem logical to

1 me would be to make sure that council staff, particularly
2 Graciela, has a crystal clear understanding of what the council
3 is requesting, so that she can represent that intent to -- My
4 guess is that yes, it would be Steve and potentially Shannon as
5 well, but mainly Steve.

6
7 Then go back and forth and make sure that all the questions are
8 answered, so that when you formalize the request in the memo
9 that it's pretty clear cut at that point. That will save time.

10
11 **MARCOS HANKE:** Graciela, once you go to the SSC, please --
12 Besides the request of Tony, they are the ones that really need
13 to request and go through this and I would like to see some
14 other alternatives and scenarios of numbers or possibilities of
15 doing this coming from the SSC and can you go back to the --
16 There is a graphic there where there is the ACL line and the
17 poundage achieved and so on. The graphic on the interrupted
18 line is the ACL line, right? This is the landings of red hind
19 or --

20
21 **GRACIELA GARCIA-MOLINER:** Wait, no. Between 2000 and 2011, and
22 this back part here, that's all groupers, because that's the way
23 that it was reported. It is only red hind here and so from that
24 total landings of groupers, that is the percent or the total
25 amount of poundage that is coming from red hinds.

26
27 **MARCOS HANKE:** Perfect and I am sorry that I didn't specify what
28 I was looking for. I was looking to the red hind specific data
29 on the end, the two years, which is our best available data
30 right now. In terms of a wishing list, we should wish for ten
31 years, but I think a good healthy exercise to do, besides what
32 Tony Blanchard exposed -- In terms of the exercise that he
33 thinks is valid to do and the opinion of the SSC, is also to
34 determine how many pounds there is to reach the ACL in those two
35 years under the new reporting, 2012 and 2013.

36
37 **GRACIELA GARCIA-MOLINER:** If that's the total landings, that's
38 the ACL and that's how many groupers have not been landed in the
39 U.S. Virgin Islands since --

40
41 **MARCOS HANKE:** We are basically talking about 20,000 right there
42 and 30,000 in 2013, correct? Yes? That, in some sense, gives
43 you some guidance of the range of opportunity in terms of
44 managing. You guys know better than us, but I think that should
45 be taken into consideration, as a council member, once we visit
46 this and the numbers are there and that's what we have and if we
47 go too high, you're going to be against the fishermen, because
48 it's going to close the fishing for AMs, and this is something

1 that the fishermen of St. Thomas have to address.

2
3 **MIGUEL ROLON:** Graciela, can you go back to the questions and
4 issues table, because you are discussing too many things at the
5 same time and we should put some structure into this. The
6 original idea was to look at the red hind and see whether we can
7 pull the red hind out of the grouper group and have an ACL for
8 the red hind only and also with the possibility of raising the
9 red hind ACL.

10
11 The first question you have on the board is can we establish the
12 red hind with two years of species-specific and so forth and I
13 believe that what the council should do at this time is to tell
14 Graciela to put together whatever document is needed and send it
15 to the Center, as Bonnie said, and we have to be mindful of the
16 time involved in all of this.

17
18 By the next meeting or the meeting in August, you will have a
19 clearer picture of whether you can do this or not and about how
20 much percentage you want to increase the ACL, that depends on
21 the numbers in finding out that percentage and so you cannot
22 predetermine how much you are going to increase the red hind ACL
23 at this meeting.

24
25 Then if you divide the question that way, what Marcos is saying
26 can be taken into another question and a separate analysis,
27 because the discussion that we had at prior meetings was okay,
28 we put the red hind and what happens to the other groupers?

29
30 If you look at the table that Graciela put together, some of
31 these grouper, they are insignificant and so you don't even need
32 to bother about them and actually, if you discuss the electronic
33 reporting systems, you have to also take into consideration how
34 much time you are going to devote or how big the electronic
35 reporting template will be.

36
37 My recommendation, Mr. Chairman, is you instruct Graciela and
38 the staff to pursue the first question and then if you need to
39 ask other questions to the SSC and the Science Center, then that
40 could be a second activity, but I believe that we have a SEDAR
41 meeting about the red hind and we've been talking about red hind
42 to death and so at this time, we need to decide -- I mean bring
43 to the table at the next meeting or the following meeting an
44 element of judgment for you to increase the ACL or not, because
45 that's a management decision.

46
47 **CARLOS FARCHETTE:** Okay.

48

1 **TONY BLANCHARD:** I just want to answer Marcos's question here.
2 When you say the St. Thomas fishermen need to deal with this,
3 St. Thomas fishermen -- What we feel to understand here is we do
4 not operate like the United States.

5
6 If you even give us a thousand percent increase and we can't
7 sell it, what do you think is going to happen? It's going to
8 sit right out there, but what I want is I want an increase that
9 we ain't getting punished for a fish stock that's gone through
10 the roof and that's what I want, that you don't come back to me
11 and tell me, well, listen, you've got to take a shortened season
12 when the fish are coming out of the woodwork.

13
14 It's not because I'm going to use the 88 percent, because I
15 don't even know if I will get it sold, but I want it because I
16 don't want to overrun the ACL and that's what this here is about
17 and we are missing this, because I have a concept as to how
18 business is run in the States and there is a big difference in
19 how business is run in the States and how business is run in St.
20 Thomas/St. John and St. Croix. That's what you are missing.

21
22 Are you so afraid to give us something thinking that we're going
23 to just run and -- We don't exploit nothing and that's the big
24 thing that I think I am missing. All you got is this frightened
25 thing all the time and take the initiative and give us
26 something, because even if we've got it, that don't mean we're
27 going to use it. It's like a man has got a gun and he walks
28 with it for protection. He's got a gun, but do you think that
29 means he is going to use it? That's what I am trying to get
30 across here.

31
32 Give us something. It don't mean that we are going to use it,
33 but we don't want to overrun our fish. We don't want to overrun
34 the ACL in a fish stock that's gone through the roof and then we
35 talk that we're here for commerce and commerce is about money.
36 Let's stop being afraid and do something, man.

37
38 **ROY PEMBERTON:** Can you take it back to the previous slide where
39 you had the landings? You see the difference going from 2012 to
40 2013? You see how it's dropping? That's a real effect and it's
41 not from the fish disappearing out of the fishery. It's because
42 since those couple of -- Even go back to 2011.

43
44 Commerce has been what it is and they can't move that fish and
45 so that's why the landings have been dropping and it's not
46 because the red hind are disappearing.

47
48 Marcos, when you point out that difference, it's 20,000 pounds

1 one year and 30,000 pounds the next year and that's a real
2 difference and it's not because they can't move it, but it's
3 really because they just won't move it because there's no market
4 for it to move.

5
6 **MARCOS HANKE:** The reason of my questions is because I want just
7 to clarify all those points and I want to make an opinion.
8 Right now, I feel comfortable on saying something on behalf of
9 your fishery, to the benefit of the fishermen, because you just
10 stated and the numbers are showing that you have a market-driven
11 operation and it's a very limited, small island that you're not
12 going to increase that market-driven out of the blue sky.

13
14 It historically has been very consistent and now with less
15 consumption and the tendency on the numbers, the way I -- This
16 is my personal opinion on this. The tendency on the numbers for
17 the two years is showing that they didn't overrun the ACL,
18 because of the market and because of whatever reason, it has
19 been like that.

20
21 Also, the rest of the years, the major component of that fishery
22 had been red hind, for many, many, many years, and it didn't
23 wipe them out. The resiliency or the healthiness of this
24 fishery, if we assume that something really wrong was taking
25 place, it was not enough to exterminate those guys,
26 historically, and for those reasons I just expressed, I endorse
27 or I wish to see a good effort of giving something back to the
28 fishermen.

29
30 **BILL ARNOLD:** Economic conditions change all the time and so
31 does the effort in the fishery. There were good times in St.
32 Thomas and maybe they're not so good now and those may return.
33 The annual catch limit and the reference points have to be
34 established based upon the biological capacity of the population
35 to sustain harvest over the long term and not necessarily at the
36 present time.

37
38 Now, within that context, the council and, of course, folks down
39 at the other end of the table are welcome to correct me on this,
40 but the council has direct control over one thing and that is
41 the buffer reduction that they applied to the MSY proxy/OFL to
42 set their ACL.

43
44 That was 15 percent and that is a management decision. The
45 council could reconsider -- For example, pull red hind out and
46 say we're going to set red hind over here and we're going to set
47 all the other groupers over there.

48

1 For all the other groupers in St. Thomas/St. John or in the USVI
2 or whatever domain you want to apply this to, we are going to
3 continue with the same numbers, based upon the same year
4 sequence, and the same buffer reduction and leave everything the
5 same.

6
7 For the red hind, we are going to pull them out and we are going
8 to, because we're now focused on them and we're monitoring them
9 and they're on the form and we're getting specific data on them,
10 we feel like that our uncertainty has been reduced and because
11 of that, we could reduce the buffer reduction to 10 percent or 5
12 percent or zero percent. The more you reduce it, the smaller it
13 is and the more difficult it may be to get this through.
14 Nevertheless, you are welcome to try.

15
16 That's probably the most rapid adjustment you could make. If
17 you're going to try to go above that, and I don't know what
18 anybody in particular is looking for on this, that would
19 probably require a new assessment of the population that
20 provides a new and higher MSY or MSY proxy/OFL, because with
21 that, you're going to have a tough time getting above that
22 overfishing level.

23
24 Now, not to let the cat out of the bag, and Bonnie may get mad
25 at me for this, but it is going to come up that the Science
26 Center is going to, as she has been discussing, do a data triage
27 and re-conduct assessments for data-poor stocks.

28
29 It won't be for every stock, but certainly I would think that
30 red hind would be included in the list of stocks that are
31 reassessed and that may produce a -- It may produce a lower MSY,
32 MSY proxy or OFL, but it could produce a higher one and also
33 create an opportunity to allow more catch, which may not have
34 much of an effect now when catches are low, but as economic
35 conditions improve and people spend more money on seafood, the
36 council would be in a position to support that, to the degree
37 that the population, the resource that is the base of all this,
38 is in a position to support that.

39
40 **CARLOS FARCHETTE:** I like that idea.

41
42 **MARCOS HANKE:** Thank you, because what Bill is doing is just
43 guiding us of your possibilities on how to address this. This
44 is the way I see it and it's a very responsible talk.

45
46 I forgot to say or I need to answer to some of the comments that
47 Bill did that I mentioned that the resiliency or the
48 characteristic of the red hind being the major component on the

1 catch throughout the history of this fishery that is presented
2 right now on the board there, on the graphic. That's a
3 biological aspect of interpretation of the number and I just
4 want to highlight that on the record again.

5
6 I forgot to say the most important thing. To answer the first
7 question, because of the reasons I expressed, I think we should
8 establish an ACL apart for the red hind, especially in the case
9 of your fishery, because that's not true for Puerto Rico.

10
11 In terms of the percentage of capture, through my experience, we
12 do have a lot of red hind and so on, but the composition of the
13 landings on the species-wise or whatever is a little different.
14 I mean you have a very peculiar, unique, specific situation on
15 that catch composition that, in my opinion, supports that idea
16 of having a specific ACL and a specific way to address red hind
17 fishing.

18
19 **CARLOS FARCHETTE:** Okay. We are overrunning the ACL on
20 lunchtime and so I am going to let Miguel speak and then we're
21 going to do some direction to the staff and then break for
22 lunch.

23
24 **MIGUEL ROLON:** Mr. Chairman, I believe that what Bill said is
25 the way to go and discussing this any further will not take us
26 anywhere, because you are talking about things that you cannot
27 prove or -- Let me backtrack.

28
29 What you need to do is to tell the staff the intention and can
30 we raise the ACL of the red hind, yes or no, and period.
31 Talking about that Puerto Rico is different from experience
32 won't cut it, because you have to have the numbers to show
33 whether that's true or not, in the case of what Marcos is
34 saying.

35
36 My personal feeling is you just let the staff put together what
37 they need to put together to answer the question of can we
38 raise, within two years, the red hind ACL. Then, as Bill said,
39 there are some steps and there are things we have to consider.

40
41 Then for the next meeting, you will be able to have something to
42 say yea or nay about whether you can raise the ACL or not and
43 also, there are other considerations.

44
45 If you open this too much, you, rather than having the ACL
46 quicker, you will need to consider a longer period of time,
47 because you need to reevaluate your OFL and all the other
48 numbers that you have for the species in question and so my

1 intent is that if the council agrees that the first question is
2 something that you would like to see answered, then ask the
3 staff to put together whatever they need to do to have that
4 answered by the next meeting. Then the other species can be
5 dealt with at a different time.

6
7 **CARLOS FARCHETTE:** Okay, yes. I agree with that. I think we're
8 going to go forward with having the staff take a look at the
9 questions that came up here and especially answering on Number 1
10 and I do agree with what Bill was saying, because if the species
11 is not overfished or undergoing overfishing, maybe what we need
12 to do is look at the buffer.

13
14 **GRACIELA GARCIA-MOLINER:** That's still on the backburner of the
15 council, but then we also have the island-specific FMPs that are
16 being developed and so that's another issue. We could explore
17 an options paper for this information and we will put together a
18 memo with the SSC and the Region to specifically request data
19 for the St. Thomas fishery.

20
21 **CARLOS FARCHETTE:** We are only dealing with St. Thomas, because
22 from what Dr. Appeldoorn said yesterday, St. Croix still -- We
23 will leave that alone. We are not changing anything there or in
24 Puerto Rico.

25
26 **GRACIELA GARCIA-MOLINER:** The request had been specific for St.
27 Thomas.

28
29 **CARLOS FARCHETTE:** Exactly. Okay. We are going to break for
30 lunch and be back at 1:30.

31
32 (Whereupon, the meeting recessed for lunch on December 10,
33 2014.)

34
35 - - -

36
37 December 10, 2014

38
39 WEDNESDAY AFTERNOON SESSION

40
41 - - -

42
43 The Caribbean Fishery Management Council reconvened at the
44 Frenchman's Reef and Morning Star Hotel, St. Thomas, USVI,
45 Wednesday afternoon, December 10, 2014, and was called to order
46 by Chairman Carlos Farchette.

47
48 **CARLOS FARCHETTE:** We are back online.

1
2 **GRACIELA GARCIA-MOLINER:** To finish up with the red hind issue,
3 the staff will come back to the council with an assessment of
4 the red hind for the U.S. Caribbean and probably tell you why we
5 cannot do the same thing for St. Croix and Puerto Rico, but it
6 could be done for St. Thomas.

7
8 We will look into the information that we have and look for the
9 reasons of the increase, the possibility of increasing, the ACL
10 for red hind. That was just a summary, just to make sure that
11 that's what you wanted us to do.

12
13 We will do the red hind for the U.S. Caribbean and we will look
14 into each island separately and we will come back to you
15 probably with a paragraph that says it cannot be done for Puerto
16 Rico or St. Croix, but it can be further developed for St.
17 Thomas, but we'll do the U.S. Caribbean.

18
19 **CARLOS FARCHETTE:** Perfect. That's what I was looking for.
20 Next on the agenda we have the Presentation by Point 97 on
21 Electronic Reporting Project.

22
23 **POINT 97 PRESENTATION ON ELECTRONIC REPORTING PROJECT**

24
25 **PHIL STEELE:** I will handle that, Mr. Chairman. I was going to
26 give you an update on the regional electronic plan, but my
27 electronic machine is not working and so I'm just going to wing
28 it.

29
30 Basically I am going to give you a little bit of an overview on
31 the regional electronic technology plan and a couple of opening
32 statements and then just go through a little short -- It will
33 take me ten minutes to go through this whole thing and I will be
34 done.

35
36 Electronic technology is not Star Wars, folks. I look around
37 this table and everybody in this room is using some form of
38 electronic technology, whether it be your cell phone or your
39 iPad or your computer or whatever. The advancements in these
40 electronic technologies are fast becoming a method for where we
41 can monitor fisheries data in the field.

42
43 Advancements in this technology bring the promise of better
44 data, quicker data, and the promise there, hopefully, to our
45 fishermen is we will give them more fish.

46
47 With that in mind, this has been a big to-do with the agency.
48 In 2013, NOAA Fisheries came out with a guidelines on seeking to

1 implement or seek out advice from the councils and our Science
2 Center partners and our Regional Office on what they see as some
3 of the methodologies they would like to use for electronic
4 technology.

5
6 Just a couple of definitions here, just so we don't get messed
7 up with this. Electronic technology, by definition, is any
8 electronic tool used to support monitoring efforts, both at
9 shore and at sea. Now, included in this thing is electronic
10 reporting, which is like e-logbooks and dealer reporting and
11 this kind of stuff, and electronic monitoring would be like VMS
12 and cameras on the boats and so forth.

13
14 Let's face it. Electrons are a lot faster than paper and that's
15 the basic line of what we're going to go through here and so I
16 will go through a little bit of this thing. By the way, if you
17 haven't stayed up late at night reading this document, there it
18 is there. I have to congratulate Andy Strelcheck and council
19 staffers and folks at the Regional Office who have put this
20 thing together.

21
22 A little bit of background. Like I said, in May of 2013, NMFS
23 published some policy guidelines on the use of electronic
24 technology for accumulating fisheries-dependent data collection
25 and not independent, but dependent.

26
27 The policy gave specific directives for NMFS to develop regional
28 electronic monitoring and electronic reporting plans. The Gulf
29 and South Atlantic Councils have both required the use of
30 electronic reporting in several of their systems.

31
32 We have electronic reporting for headboats and we have
33 electronic reporting for our dealers and we also have electronic
34 monitoring for our shrimp fishery and it's also for our penaeid
35 shrimp fishery in the Gulf and for our rock shrimp in the South
36 Atlantic.

37
38 There is a growing interest in the Gulf and the South Atlantic
39 to use electronic reporting in the charter and the private and
40 the commercial sectors. Like I said, remember electrons are a
41 lot faster than paper is.

42
43 The goals and objectives of the plan was to provide an
44 operational strategy for implementing and expanding the use of
45 electronic monitoring and electronic reporting for federally-
46 managed species in the Southeast Region.

47
48 The primary focus is on expanding the use of electronic

1 reporting to improve the quality and timeliness of fisheries
2 data and not electronic monitoring, but the focus now, for all
3 three of the councils in the Southeast Region, and other
4 regions, is on electronic reporting. How do we get this data to
5 the people who need it to manage these fisheries in a more
6 timely fashion and get rid of paper?

7
8 Development and implementation of electronic monitoring,
9 especially the use of video cameras and so forth and so on, is
10 pretty much a low priority for the three councils in the
11 Southeast Region.

12
13 Development of the plan is ongoing. We are still completing
14 some cost estimates of what we think it will cost and the
15 timelines of getting this electronic reporting and electronic
16 monitoring going on.

17
18 The plan incorporates -- We sent it out to all three councils
19 and all three councils gave us their comments on this thing and
20 so we're trying to incorporate those comments now and trying to
21 finalize this thing and we hope to have the final draft of the
22 electronic monitoring and electronic reporting and electronic
23 technology plan done sometime in 2015.

24
25 The way we're seeing it now is that we're going to put this out
26 to the public to get their comments and we'll probably do a
27 Fisheries Bulletin and let the public know that in fact the plan
28 is there and put it on our website and solicit comments from the
29 public to see if they have some better ideas of what we're
30 doing.

31
32 The plan content, it's really got six stages. It's the
33 background and general overview that I just gave you and the
34 regional goals and objectives of what each council would like to
35 see and the current capabilities and what's already been done
36 and I mentioned some of that earlier with the use of logbooks,
37 electronic logbooks, and so forth in some of our fisheries.

38
39 There is a six-step process to this thing. It's like we're just
40 going to throw it out there and go with this thing, but we're
41 going to look at the assessment of the monitoring tools that may
42 be appropriate for our fisheries. Some tools won't be
43 appropriate in some areas and may be more appropriate in other
44 ones.

45
46 We are going to identify and look at some of the monitoring
47 programs, goals, and objectives and program design. We are
48 going to look at the basis of the goals and objectives and we

1 will have a pre-implementation plan. Some of the data and some
2 of the software and the hardware, we'll go out there and see,
3 does it really work, which we want to know before we go with
4 this thing full blown, depending on what the councils needs and
5 objectives are.

6
7 Then we'll have an implementation of this thing, once the
8 council decide what way they want to go, and then, Number 6, is
9 we'll have a follow-up, to look and see is this really working
10 the way we want it to.

11
12 Just a couple more things. We are seeking input from the
13 council and, again, we'll do this. Does the council agree with
14 the framework process for implementing monitoring and electronic
15 reporting? Is there sufficient opportunity for public and
16 council input? Does that plan sufficiently identify the
17 council's problems? What timeframe would the council like to
18 see for implementation for electronic reporting, 2016 or
19 whatever, and, finally, does the council have specific
20 recommendations on how plan progress should be monitored?

21
22 That's basically it, in a nutshell. I won't take a lot of your
23 time on this thing. As I said, electronic reporting will help
24 us monitor our ACLs better. It will help the fishermen have a
25 better experience out there and we will use less projections in
26 our ACLs. It works. We've had it. We have just implemented
27 electronic dealer reporting this past year and it seems to be
28 working very well. Bonnie's shop runs that.

29
30 We've also got electronic reporting from our headboat fleet and
31 so there's a number of instances and all of them seem to be
32 working well, but all of this depends on what the council wants
33 and if they see the need, which I would think they would, for
34 electronic reporting and electronic monitoring maybe down the
35 road and we're talking cameras on boats, if you think that's the
36 appropriate way.

37
38 It's been my experience in the Southeast that stuff like that on
39 these small boats is just not very appropriate, but it does have
40 -- Electronic monitoring, again, does have a bright side to it.
41 It can help to monitor bycatch and discard mortality and
42 interactions with protected resources and so it has some pros
43 and cons.

44
45 Electronic reporting gets a gold star. I mean it's just there
46 and we might as well use this system. It's pretty well set up
47 in some of the regions and it has helped us to monitor our
48 fisheries and monitor our ACLs and help our fishermen and that's

1 about it and I will be happy to answer any questions.
2
3 **CARLOS FARCHETTE:** Thank you, Phil. Any questions for Phil?
4
5 **MIGUEL GARCIA:** Just a comment. The Puerto Rican government is
6 promoting and supporting any initiative like this and we are
7 working together with TNC and Point 97 to bring this forward as
8 soon as we can and so I just wanted to say that.
9
10 **CARLOS FARCHETTE:** Thank you, Miguel. Any more?
11
12 **ROY PEMBERTON:** We have worked closely with the fishers on this,
13 as well as Point 97, to make this happen. We thought it was a
14 good idea from the get-go and also, it brought a lot of fishers
15 into the twentieth and twenty-first century. I think, for me,
16 it kind of pushed that liaisonship between the fishers and
17 ourselves, what we've been trying to do, and also get that real-
18 time information and also the documentation.
19
20 However, the one side effect is now that they all have cell
21 phones now, I get calls anytime, any day, any night, and
22 pictures of other things other than fish sometimes, but it's
23 still a help to the industry and for us and I think it's better
24 to get a lot of that information right up front, especially when
25 there are problems.
26
27 The lionfish counts and the days and weeks when they get a high
28 number of incidence with those or other issues in the fishery,
29 particularly enforcement issues. Now I get the pictures right
30 up and I just forward them on to Forbes and so I think it's
31 great, for a lot of different reasons.
32
33 **PHIL STEELE:** Roy brings up a good point. With these new
34 systems we've implemented so far, it takes buy-in from the
35 fishermen and that's why it's so important to get them on from
36 the get-go and show them the results of what this has done and
37 the proof is in the pudding and as the fishermen see that we
38 monitor these ACLs better and we have less projections, it gives
39 them more time and more fish to catch.
40
41 We don't shut down the seasons early and the potential is
42 unlimited and the technology is there. Whether it's a cell
43 phone or a pad or whatever and there's a number of systems out
44 there that are already created to do this, let alone the fine
45 systems that Bonnie's shop has set up.
46
47 The potential for electronic reporting and maybe electronic
48 monitoring down the road is just boundless and, like I said, it

1 does take good buy-in from the fishermen, but it's a good thing
2 and once they see how well it works, it's a pretty good way to
3 go.

4
5 **CARLOS FARCHETTE:** I do agree. I know fishermen for over ten
6 years have been asking me how can they submit their catch
7 records electronically and so it's finally coming to fruition
8 and the opportunity is there and I know the pilot project has
9 been ongoing in the USVI.

10
11 I do favor vessel monitoring systems, but -- I think that you
12 can track a vessel and see when they're in a closed area during
13 a closed season, but I think the fishermen would have me for
14 bait if I tried to push for that, but anymore comments? Hearing
15 none, are you going to do the presentation? Okay.

16
17 **DAN CROWTHER:** First, I want to say thank you to Miguel Rolon
18 and Diana and the rest of the council for making time for me on
19 the agenda. It's our honor to come and present to you kind of a
20 status update on how we've done with the pilot project and then
21 where we're headed.

22
23 Thank you so much for the primer on electronic technology and
24 I'm looking forward to that report that's coming out, whether by
25 Fishery Bulletin or however that is coming out.

26
27 **PHIL STEELE:** Can you get my computer to work?

28
29 **DAN CROWTHER:** No, but once it is working, I would love to get a
30 draft of whatever you've got there and so thank you. For those
31 that don't know, last year we found and received funding for a
32 pilot project in the Virgin Islands and Puerto Rico to create an
33 electronic reporting system. We called it Digital Deck and this
34 is just a quick couple of screen shots of the Puerto Rico
35 version.

36
37 It's a very simple to use and essentially mobile survey, so the
38 fishermen have just a few options on each screen, as they
39 advance through the report, as well as having very powerful and
40 useful mapping capability for where they have fished.

41
42 There you see the grid, the two-and-a-half-mile grid, that was
43 produced by the Southeast Fisheries Science Center for the
44 Virgin Islands and Puerto Rico and integrated into our system.
45 There is no way for the fishermen to mistake where they fished
46 if they can see it and I think a lot of fishermen responded very
47 positively to the system as we had it.

48

1 Later in the spring, we came out with the management dashboard
2 and this is fully customizable. You can add all the fish groups
3 and ACLs that you want and when they begin and when they end and
4 you can see their progress to date almost real time. As
5 fishermen are entering data and as it's being approved by the
6 territorial agencies, it's reflected in these graphs.

7
8 Through the dashboard, managers can also communicate with
9 fishermen on reports that they find that kind of stick out,
10 whatever red flags they see, and then they can also add catch
11 reports that are still submitted on paper and so it's a way to
12 kind of catch all of these reports and send them on to the NOAA
13 database in a centralized way.

14
15 Just a couple of outcomes for today that we're hoping to get. I
16 will review Phase 1, which was the pilot project, and talk about
17 what we're going to do in this next year or two. We want to
18 discuss the current funding that we have, which is to establish
19 a roadmap for how this technology is adopted and implemented,
20 and then also one idea for an expansion plan that has been
21 floated through a few of our partners and then, if it's
22 appropriate, and we're certainly not set on anything, but I am
23 here to ask for your help.

24
25 We have a deliverable with our current grant to come up with
26 this roadmap and I think it would be very beneficial if there
27 was maybe an informal committee or a few advisors that would
28 work with Point 97 and the partners that we already have, like
29 Miguel and Roy, to make sure that the product that we come up
30 with at the end of this year is usable by you guys and makes
31 sense.

32
33 Like I said, in Phase 1 we took the paper catch reports for
34 specific islands and island groups and turned them into mobile
35 surveys, essentially. This took about three to five months to
36 really fine tune and vet with the fishers, to make sure that
37 they could use it.

38
39 We spent a lot of time training the fishermen here in the
40 islands. Many hours making sure that they could -- Recording
41 how they interacted with the app and making sure that they had
42 the ability to enter data easily and see the data that they were
43 entering.

44
45 Finally, we did come out with the dashboard for the agency as
46 well as a desktop application for fishermen to use. If they
47 didn't have a mobile phone, they could log in online and submit
48 reports that way and that's pretty much where it stopped.

1
2 That's pretty much where it stopped and a few lessons that we
3 learned through this process was that it was a difficult process
4 for us to manage from Portland, Oregon. Because of our limited
5 resources and hardware issues and everything, it was -- It's not
6 something that is sustainable for us to run, as well as we heard
7 a lot of feedback from the fishermen about having to report
8 twice and so they were using our electronic app and using the
9 paper catch report forms still, since the electronic app is not
10 a legal, viable option.

11
12 One thing we noted is that the incentives really need to be
13 aligned for the fishermen to want to use this application.
14 Going forward, it's going to be very important that we establish
15 the legal viability of this app, making it so that fishermen
16 don't have to submit the paper catch report form if they're
17 going to use this electronic platform, as well as the desktop
18 app, because we saw that that would be a potential way to get a
19 lot more fishers involved, setting up a low cost laptop or
20 desktop station in a fisheries office where they could come and
21 submit all their catch reports for the month or whatever the
22 reporting requirements end up being.

23
24 This past summer, we received another grant from the National
25 Fish and Wildlife Foundation to expand our users, user base, and
26 get the application into the app stores, both Apple and Android
27 app stores. We also need to do some product improvements and
28 then, most importantly, we need to work on this roadmap and
29 that's where I think you guys are going to come in as kind of
30 advisors and in helping us to kind of guide that process.

31
32 Like it was stated, there is a lot of existing materials out
33 there and examples of electronic reporting and we're going to
34 capitalize on that I think at the beginning, but it's going to
35 be a custom thing here for the Caribbean of how it's going to
36 actually be implemented. We want to make sure that we get that
37 right.

38
39 In the roadmap, the first thing that we see is to identify the
40 steps for implementing this technology and certainly the
41 timeline, whether it's 2016 or 2017, when that's going to occur.

42
43 To do that, we need to identify those policies and the
44 regulations and the legal framework for having this as a viable
45 option for fishermen. One thing that we learned a lot about in
46 the first year was best practices, but I think there's a lot to
47 be kind of built on there, from how often the fishermen are
48 using the app and how often they are submitting data, to how the

1 agency goes about checking each report as it's coming in.
2
3 Data standards are another item that we worked closely with the
4 Fisheries Science on, but I know that there's going to be more
5 data standards that are needed and finally, to have an
6 electronic system like this in the Caribbean, we're going to
7 have to have technical support and so we won't be able to manage
8 every issue that fishermen come up with in the pilot project.
9
10 For instance, I had a fisherman put his phone in his luggage on
11 an airplane and it broke and he wasn't able to participate for
12 two weeks while we replaced the phone and I'm not saying that
13 that would be something that the council needs to deal with, but
14 it's small technical issues that come up that if a fisherman
15 has signed on to be an electronic reporting system, they are not
16 going to -- I don't know if paper can replace a couple of days'
17 worth of data or -- There's a lot of I guess scenarios that need
18 to be -- You guys are going to need the ability to deal with or
19 the territorial governments are going to need to be able to deal
20 with.
21
22 That's all part of the roadmap. For the development, we got a
23 lot of feedback on the app and we essentially ran out of money
24 last year to continue improving it and we want to go back and
25 incorporate some of that feedback as well as our internal
26 systems has changed and so we're going to need to bring the app
27 up to snuff before it's fully scalable to the entire region.
28
29 We're actually currently seeking additional funds for this.
30 However, part of this year's work hopefully will include some
31 expansion for the project.
32
33 One idea that's been floated is to target one specific fishery,
34 potentially the deepwater snapper fishery in Puerto Rico. I was
35 told that there's about fifty-five permits there and they only
36 deliver their catch to a few ports and so there's kind of that
37 chokepoint where we can actually monitor what's going on there.
38
39 It's kind of like a finite population and I think this will be
40 especially useful as we're going through and writing up a
41 roadmap, because it will give us a demonstration of how the
42 system can be used to monitor the ACL as the season progresses.
43
44 I am not sure what the timing of the season against this
45 expansion portion would -- I don't know how they're exactly
46 going to match up, but it would be great if they did.
47
48 Going forward, I am hoping to have a conversation with Genio and

1 Miguel and others in Puerto Rico to kind of groundtruth this as
2 a potential option for expansion. Things that we would need to
3 know are who they are and where they fish and when they fish and
4 what training and equipment they need, but also other things
5 that we need to figure out are how is the agency going to deal
6 with those reports as they come in?

7
8 All of this I am hoping to, as it's happening, document and that
9 will go into the roadmap of, all right, we'll -- In this
10 instance, this was done and we had success or failure and so
11 forth.

12
13 I kind of come to you guys very open and flexible. We're in
14 kind of the early planning stages for this roadmap and expansion
15 and we're hoping that we can get a lot of guidance and help, but
16 as our next steps and what's clear is in fifty years we're not
17 going to be using paper anymore and so this is the time for this
18 to come about and we are glad that everybody is already thinking
19 about it, but we're going to have to be codifying that paperless
20 environment. What does that mean legally and what that does
21 mean for our management and internal agency policies?

22
23 The agency policies are really going to be driving how that data
24 timeliness -- How timely that data is and how often fishermen
25 have to submit data and then also the quality of the data and
26 how their QA/QC goes and then also how that's passed off to NOAA
27 and others.

28
29 It's a short presentation, but I hope it creates some discussion
30 and I am happy to get in touch with anybody. Please feel free
31 to call or email anytime. We are looking forward to having more
32 partnerships here.

33
34 **MARCOS HANKE:** Thank you for your presentation. In my previous
35 participation on the council, I was the one pushing for similar
36 work that you are doing and I totally support what you are
37 doing. I envision this as the tool, one of the tools, that is
38 going to allow the fishermen to get off the hook in some of the
39 regulations that now they are stuck on how slow the process
40 takes place and that's one of the reasons I enjoyed this.

41
42 Besides that, it's very simple with me with my phone, that is
43 right here at my side and is always with me and is waterproof,
44 to make the report. I am a charter operator and I have been
45 asking for exactly the same that you are doing there for the
46 charter and we have the same or even better characteristics in
47 terms of the control group that you want to address on the pilot
48 project.

1
2 Charters are a very small group around the island and it's
3 probably the same amount of boats that you talk about commercial
4 fishermen on the west coast, but for the whole island.
5 Something with the charter should be taken into consideration.
6 I would love to participate and help with the development,
7 because there is other species -- I don't know, but I'm just
8 assuming, there is other species that is not listed on the
9 commercial application that apply to the charter and/or to the
10 recreational.

11
12 For example, HMS species, bonefish, snook, and different other
13 things that we don't manage, but in terms of collecting data, I
14 don't think it's wrong to have it done, at least there as part
15 of the effort, because we fish offshore and inshore and those
16 boundaries are -- The fish are not tied by the tail.

17
18 I have a recommendation in terms of the implementation of the
19 electronic report that we are pursuing with this, that you are
20 looking for there. It's that once you sign up to be a guy on
21 that program, you shouldn't be restricted to only report through
22 your iPhone or through your system.

23
24 You should have a way to access online from any computer and to
25 fix a problem of losing a telephone or losing battery or
26 whatever reason, but you have a way to address that.

27
28 Maybe a phone line, if none of this is available, in the
29 extreme, or a way that he can call and say, I am calling and
30 give me a code of my report from the Center or the Fisheries
31 Laboratory or whatever, but just create different tiers of
32 reporting possibilities to make sure there is no excuse to
33 report and for the limbo not to happen here, a limbo situation.

34
35 Something else that will be an incentive for the people to wish
36 to be part of the electronic report, something that I really
37 believe and am a strong believer in what I am going to say now,
38 is that you have the capability of mapping and many other things
39 that you just presented, but you also have the capability of
40 including tide and including moon and including many aspects
41 that are already in there available.

42
43 If you create like something of added value to the fishermen,
44 that they make their report or whatever, but that data will be
45 converted into a list of electronic logbook for the fishermen to
46 use, that once you make your report, you are going to have the
47 wind condition, how strong the wind was and direction on your
48 area, and the moon and the tide.

1
2 Actually, when you click on the map, you can be that specific on
3 the information and this is something that will incentivize the
4 fishermen to comply and to wish for this. It will turn out to
5 be not just a reporting mechanism, but your logbook and your
6 information for future fishing and what we do on paper now and
7 that's my comment. Thank you.

8
9 **DAN CROWTHER:** I just wanted to quickly thank Marcos for his
10 comments and state that I totally agree. There is an online
11 application now and so as long as you have submitted a report on
12 your phone, it's saved online. It's in the cloud, essentially,
13 and folks can access it through their phone or through an
14 account on just a website.

15
16 **MARCOS HANKE:** One point and the reason I told you about the
17 phone call was it's something that is not linked to the digital
18 and to the computer and to the server or anything like that that
19 can go wrong to some point of time. It's to have something that
20 is disconnected to that, that the fishermen can keep fishing and
21 still report.

22
23 That extra mechanism, even though it's not the preferred one, if
24 you have not the fishermen, but if the system goes down and any
25 problem happens with the system, they still can report over the
26 phone and get the number and comply with the regulation and the
27 system doesn't get stuck. I don't know how feasible it is, but
28 it would be --

29
30 **DAN CROWTHER:** No, that totally makes sense. The other point I
31 wanted to make was that we did hear from the fishermen that
32 there were some value-added things, things that would support
33 their business, things like tides or having the weather buoys
34 available for the reports.

35
36 We just ran out of money for development, but for a different
37 project that we did after this one, Southern California Digital
38 Deck Dive Fishermen, they wanted those tools as well and we were
39 able to get those in and so it's something that's totally
40 doable.

41
42 We even had fishermen that wanted to see or track their gas
43 usage and so this day I spent this much on gas and so we're
44 totally onboard with adding those things for the businesses, but
45 those won't necessarily go to the managers. Only the things
46 that are in the paper catch report would be sent on to
47 management and business-related data that's collected in the app
48 would be property of the fishermen.

1
2 **EUGENIO PIÑEIRO:** Before I go with you, Dan, I have to say to
3 Marcos that that is a brilliant and that's a very feasible idea,
4 what you just pointed out about the charter business in here.
5 That would put a lot of dispute to an end and then we would be
6 able to keep track of who is out there and who has got the
7 permits.

8
9 As you know very well, your industry has been invaded by people,
10 opportunistic people, that don't have permits and they don't --
11 In fact, in Puerto Rico, it's only twenty-three people who have
12 the charter permit in federal waters and there is a lot of
13 people going out, especially on the west coast, and so I think
14 that's a very good idea and that would be very -- That would put
15 an end to a controversy and we would have that data. We would
16 have the data of what is being removed from the resource and
17 what are the charter operators doing, but I think it's very
18 doable, very doable for the charter industry.

19
20 As far as my question, it's what has been the impression of the
21 commercial fishermen about how accessible or how workable --
22 What's the impression about how does the system work or has been
23 working with them?

24
25 **DAN CROWTHER:** That's a great question, Genio. I think that
26 there -- I will be honest here that there has been a range, but
27 I would say that the majority of folks are very excited about
28 having the ability to access all of their reports.

29
30 As it stands right now, they turn in a paper report. I think in
31 Puerto Rico they get a receipt. In the USVI, that paper report
32 is never to be seen again and they're not sure how it's used and
33 so having this electronic record of what they turned in and
34 being able to discuss that with managers or friends or whoever
35 is a great tool and so there's been a lot of positive feedback
36 there.

37
38 Along the lines of what Marcos said, we did get some feedback
39 saying this is good, but it would be better if X, Y, and Z. We
40 want to be able to tailor this to their needs.

41
42 Obviously we won't be able to fully customize it for every
43 fisherman, but we want this to be a useful tool for folks that
44 they will come back to every day, every time they're fishing,
45 that it's an easy thing and they want to do it.

46
47 Then I think that there are some fishermen, and we all probably
48 know one or two, that don't use phones and won't use a phone or

1 don't use a computer and won't use a computer. I think those
2 folks are going to have to have the paper option, but, like I
3 said, in fifty years, it's probably not going to be an option
4 anymore and I think with the next generation of fishermen that
5 are coming up, I don't foresee a problem headed where we are.

6
7 **TONY BLANCHARD:** I would have to agree with Dan about the
8 fishermen out there that wouldn't use a phone and wouldn't use a
9 computer and I will be quite honest with you. I am one of them
10 and the only reason I've got this phone is because Dan gave it
11 to me to participate in this project.

12
13 I don't own a computer and I don't even own a house phone and so
14 if you don't get me on this or run into me on the street, you
15 ain't going to get a hold of me. The big reason for me getting
16 this is because the council requested it. That was one of the
17 requests.

18
19 Anyway, seeing that I sound like a little caveman and we get
20 that out front, just like Dan said, there are some guys out
21 there that they don't know how to use a computer and they choose
22 not to use a computer and they don't have any interest in any
23 computer or cell phone, except to maybe make a phone call if
24 they're in an emergency situation.

25
26 I think there needs to -- If we ain't going to give them the
27 paper to work with, then we need to have a station that they can
28 go to and give them that information.

29
30 Number two, I think something that we're all missing here is
31 yes, Dan got a grant, but how is he going to get paid? Is this
32 app or this program, however you would like to refer to it to,
33 who is going to pay for this and how much is it going to cost?
34 Automatically when you get computer service and everything else
35 -- Yes, part of it is buying a computer, but now you also have
36 to buy the service.

37
38 Is the DPNR or whoever, the government let's say, going to buy
39 this app for the fishermen to use or is the fishermen going to
40 have to go and acquire another bill? How often are we going to
41 pay to use this app? Is this a yearly thing or is it a one-time
42 shot?

43
44 Yes, I would have to agree with Dan and Phil that I think it's a
45 great idea, but with great ideas it costs you. How much are we
46 willing to pay? How much are the fishermen willing to pay? I
47 think we need to look into certain things.

48

1 I work with Point 97 and I think it's a great program, but, like
2 anything else, like Marcos said, you need to give the fishermen
3 an incentive to want to do this and the younger guys who are
4 into the cell phone and all, the pretty gadgets and gizmos, this
5 up their line. The older guy like me, I couldn't care less.

6
7 To be honest with you, if I didn't get this phone, I probably
8 wouldn't need a phone, because most people who know me, they
9 either know where to find me or they know where I is. There is
10 room for improvement, like Marcos said, with adding some of the
11 stuff like tide charts and everything once you touch the
12 computer screen.

13
14 That might be an incentive, like he says, but I don't think it's
15 a one shot fixes all medication. I think we need to allow the
16 older guys that are in this fishery, and they probably ain't
17 going to be there much longer, to stay in the fishery and have
18 access to going someplace and giving the information that
19 whoever is sitting there, they could send that information
20 online, whether it be on a weekly basis or on a monthly basis,
21 because I don't think the numbers is that great, to tell you the
22 truth, with the older guys that are still fishing.

23
24 Once again, it comes down to the money problem of who is paying
25 for this and how much it will cost us. That's one of my main
26 concerns here. You were telling me a hundred dollars a year and
27 you were telling me a thousand dollars a year to use this app,
28 because they've got to keep fixing it every time it goes down
29 and it's going to cost me for a computer every time that goes
30 down, if I decide to go there, which I don't think I would
31 decide to go there. I am going to be one of the older guys
32 going into the office.

33
34 I think that's one thing we need to look into, how feasible it
35 is for certain guys and the percentages that are actually
36 willing to participate, because, really, the information that's
37 coming off of here is the commercial fishermen are giving it.
38 The recreational ain't it. They don't even have a program and
39 am I correct, Dan, that this is not set up for the recreational
40 fishermen in St. Thomas?

41
42 You are asking the same guys and we're paying for the same app
43 to supply the same information and once again we're giving and
44 now we've got to pay to give it.

45
46 I think it always falls on the backs of the same people and so I
47 think that -- I ain't speaking for the government, because I
48 know they've -- Somebody needs to pay for this app if I am going

1 to use it and have places to go and people that know how to use
2 the computer to actually send that information where it needs to
3 go.

4
5 **ROY PEMBERTON:** Just to answer some of Tony's concerns, we still
6 plan to provide the paper access for those of your age group, if
7 you would like to put it that way, fifty and up, who would
8 rather use the paper method to import.

9
10 Just a point of clarification is we do provide a receipt for the
11 catch reports that these guys turn in, as well as a copy of the
12 data if they do request it. I do certainly urge them to get a
13 copy of the data that they turn into us.

14
15 In terms of a couple of other things, technical support and
16 things of that nature, I remember bringing this up in the
17 beginning, when this first came about, because, as you know,
18 it's designed by Point 97 and unless the folks have been trained
19 by Point 97 to work on the actual Digital Deck, in case there
20 are problems, how do you proceed to then get that passed on? Is
21 it going to be accessible, in terms of the software, to kind of
22 get into if there are any technical issues, or is that going to
23 be something that you guys will always be on the hook for, to
24 try and help us out with that?

25
26 **DAN CROWTHER:** Can you restate the question?

27
28 **ROY PEMBERTON:** In case we have a breakdown, a technical issue,
29 a glitch in the system, if you will -- I mean I think we had one
30 or two in the early start of the program. How do we get the
31 support or the systems to do it?

32
33 Since this was developed by you guys, if you turn it over to us,
34 we would have to have somebody that was possibly trained in the
35 system to kind of set that up.

36
37 **DAN CROWTHER:** Yes and this gets back to Tony's point of how
38 much it costs and everything and unfortunately, I am not the
39 sales guy, but I know that going forward -- However it is priced
40 out, we will include a maintenance kind of support service and
41 that will include fixing buys and dealing with the more
42 technical issues. Not the technical issues on the ground with
43 the fishermen using the app, but on the backend or any other
44 bugs.

45
46 **ROY PEMBERTON:** To follow up, you did say that you have a
47 desktop or a potential desktop version of this and so in that
48 case, DFW, we can get the desktop version and if fishers so

1 choose, they can come in and we can then enter the data into the
2 system manually.

3
4 That might defeat the purpose a little bit, but at least it will
5 -- It gives you the option of coming into one of our offices to
6 enter your paperwork or you could just provide it on the paper
7 system, one or the other, especially if you have an issue with
8 the phone or there's a technical glitch with the phone.

9
10 Just to tap on something else that Tony had brought up, Mr.
11 Blanchard was talking about the issue with the recreational
12 fishers and when this program first started, I kind of was
13 looking further down the road and I did ask the question of if
14 this can be modified to utilize for our recreational fishing
15 community and is that a possibility and there's still a
16 potential there or is that something that is not going to
17 happen?

18
19 **DAN CROWTHER:** It's a total possibility. One of my first
20 questions would be what paper catch report form do they have and
21 that's where we would start, but to get back to your other point
22 about --

23
24 **ROY PEMBERTON:** The other point was regarding to getting back to
25 the desktop version and then utilizing that as a way in, but we
26 kind of defeat the purpose if we have a paper version as well.

27
28 **DAN CROWTHER:** Just to clarify, it's not a desktop version and
29 it's not a program that you install on your computer. This is
30 all web-based and this is all in the cloud and so it's just a
31 website that they would log into, but you could offer a computer
32 at the office for them to log into the program.

33
34 It's very similar to the dashboard that the agency uses and it's
35 also on the web, but the dashboard that the agency uses has a
36 lot more summary statistics.

37
38 **TONY BLANCHARD:** I would just say I think when Roy asked about
39 the recreational program, let's say for some reason we accept
40 the program that Dan brings to us and let's say a couple of
41 years down the line we decide that we need to change this
42 program for whatever reason, because this layout here ain't
43 working for us. Can that be changed or you would have to go in
44 and start from scratch and come back with a whole new setup?

45
46 **BONNIE PONWITH:** One of the first steps that we heard about in
47 this is that the Southeast Fisheries Science Center put forward
48 data standards. For this software to do its job, here are the

1 data fields that need to be delivered and here's how these
2 fields need to be formatted, the level of detail and things like
3 that.

4
5 My view is that this isn't necessarily a proprietary thing.
6 Those data standards are the thing that we need to abide by, so
7 that when we get it into our computers that we use to generate
8 estimates and do the assessments that those data are in the
9 format that we need them to be in.

10
11 My view is that as programs evolve, the software that is used to
12 actually move those data from the people who are fishing to the
13 people who are using those data would also be able to evolve,
14 just by changing those data standards.

15
16 There may have to be coding requirements to do that, but there
17 are different sort of business models for getting that done. My
18 view is absolutely that the expectation is fisheries change and
19 the ecosystem changes and the industry changes and we change the
20 way we need those data and we would need a system that's limber
21 enough to be able to accommodate those changes.

22
23 **DAN CROWTHER:** Just a follow-on that I agree and yes, it's
24 completely flexible. We spent a lot of money last year setting
25 up the whole system and now if we wanted to make changes to it,
26 like say the paper catch report form changes and you want to add
27 more species or you want to add a different gear type, those are
28 simple changes. The bulk of the work has been done and it's
29 just setting up the platform.

30
31 **PHIL STEELE:** To get back to Tony's concerns about cost, some of
32 the brightest people in the United States are working on this
33 and the next step in this electronic implementation plan is to
34 have final cost estimates of what it's going to cost to put
35 boots on the ground and get this thing up and running.

36
37 That's the first question that was asked by a bunch of people we
38 solicited comments from. They said this is great and electronics
39 are great, but what is it going to cost us? I can say in the
40 past, when similar programs like VMS and so forth have come on,
41 the agency has done a cost-sharing program, where we actually
42 paid for the units and the fishermen pay for the upkeep.

43
44 I can't say that's going to happen, but given the importance
45 that the agency is putting on electronic technology as the way
46 to go, they're going to go down this route and so there may be
47 funding here and there, once Congress gives us our money to
48 implement this, but it's high priority and costs are a paramount

1 concern to the agency and we're developing those costs now.

2
3 We will have an estimate of what it's going to cost nationwide
4 before we complete this electronic program, to help everybody
5 get an idea of where we're going and what kind of money it's
6 going to need.

7
8 **MIGUEL ROLON:** What I was going to say was covered by Phil. It
9 was exactly the same thing.

10
11 **CARLOS FARCHETTE:** Okay. I guess when we get further down into
12 this electronic reporting, I really want to take a look at
13 timeliness. I think it's going to be very important that the
14 fishermen make it a habit that as soon as they come into shore
15 that they input their information, because if you wait a week or
16 two, it's just the same as having the paperwork.

17
18 They turn it in a week or two late and then you really are kind
19 of guessing numbers and validation. We need to have port
20 sampling ongoing to validate the information that's being put
21 into this ER.

22
23 Also, I know that when you guys first came down or when I was in
24 St. Thomas, I mentioned the dropdown menus for discards and I
25 keep bringing up discards, but I think eventually people are
26 going to realize that discards are important. I think the
27 Science Center already knows that discards are important.

28
29 The dropdown menu for discards shows snapper and then they can
30 put in a name, but I think if we go to snappers and then there's
31 another menu that opens up that says lane, silk, mutton, so the
32 fishermen don't actually have to type in that word and if they
33 can just click on it and say discarded twenty pounds or
34 discarded five pounds.

35
36 Incentives also -- I think if possible they can put in the fish
37 attracting device locations or GPS locations of fish attractors
38 on the phone with that program, so the fishermen can -- Those
39 that can fish it can go out and find it easier.

40
41 **TONY BLANCHARD:** Let me ask you this and this might sound a
42 little crazy, because I ain't too much into computers, but is
43 there any way that you could program this -- Let's say program
44 this to have a wind-down clock as to when everybody's
45 information goes in and how far we is from let's say the grouper
46 ACL and how far we is from the ACLs and that's incorporating
47 everybody's information? Is there any way of doing that?

48

1 **DAN CROWTHER:** Right now, the agency dashboard has that built
2 in.

3
4 **TONY BLANCHARD:** That's for everybody or just yourselves?
5

6 **DAN CROWTHER:** It's everybody and it's all ACLs. You can look
7 at island-specific groups, if it's an ACL for an island. That's
8 in the management view and so you have to be a staff person
9 looking at that.

10
11 On the phone, we have individual history and so what you've
12 submitted as your catch is viewable on your phone and so you
13 could actually go through your reports right now and see how
14 many pounds of snapper you have landed.

15
16 We have played with the idea of showing the ACLs on each
17 fisherman's phone, but we're not sure of how to display that and
18 if we can display everybody's information together or -- Then
19 the other thing that comes up is how up to date that information
20 is and whether the agency is reviewing reports. It all factors
21 into how up to date the ACL is that we would display.

22
23 **ROY PEMBERTON:** We had talked about that, Mr. Blanchard, in the
24 beginning and one of the things is it's really dependent on the
25 world of users and so if we have -- The more fishermen we have
26 involved in the electronic reporting program, the more
27 information we are going to have on the ACLs, because more
28 fishermen are participating, but at this point, it will just
29 only show the users of the system right now and then we would
30 have to input, using Point 97's help, the data that we have
31 compiled so far to get an idea, but it is something that we
32 thought about for the initial start and that's why they have it
33 -- I think it's one of the little circular plots that you have
34 up on the dash that gives you the total information on that.

35
36 **CARLOS FARCHETTE:** Okay. Anything else for Point 97? Hearing
37 none, thank you very much, Dan. We are going to move forward to
38 the Outreach and Education Report and Dr. Alida Ortiz.

39
40 **OUTREACH AND EDUCATION REPORT**

41
42 **ALIDA ORTIZ:** This will be a very short report and we will let
43 you know what we have been doing since the last meeting and
44 probably our most important activity right now is finally the
45 production of the brochure on the council that was produced in
46 the 1980s or something like that and it hadn't been reviewed and
47 so we got a new one and it's in printing right now and also the
48 calendar and I will let you take a look at that.

1
2 This is in Spanish and English, a different one for each
3 language, and we will distribute it at the next activity of the
4 MREP in January and then you will get it through the mail and on
5 the website.

6
7 What we did there, we updated the information about the council,
8 because processes have changed since the council was established
9 and since the document was done the first time and so you will
10 see that it has all the processes and all the regulations of how
11 does the council function.

12
13 The calendar, for the calendar we used the information that was
14 given to us by Dr. René Estéves in a presentation on the changes
15 in the coral reef and the importance that you take-- That not
16 all the information that you get in one single day from one
17 single station will stay there forever and so we have all the
18 photographs that they took and this was based mostly in the
19 western part of Puerto Rico and it was a revisit of the area
20 after the 2005 bleaching event that had a lot of impact on the
21 reefs.

22
23 I think that around 99 percent of the photographs were given by
24 Dr. René Estéves and Jorge Sabater and the information is around
25 what happens on the reef during a single day, a season, from day
26 to night, and it came out very pretty and so that's it.

27
28 We have had some other activities, like we coordinated with the
29 University of Puerto Rico on a presentation for marine biology
30 students to have field volunteers, field work, that they use in
31 the classrooms, that they use in the courses, but then they can
32 be used also by Graciela and by the data that you need in
33 fisheries-independent and it sort of gives them the idea that
34 fisheries need professionals and that we have a lot of space for
35 research and that it doesn't have to wait until you get to a PhD
36 to start that research.

37
38 We had Graciela and we had Marcos and also Graciela from the
39 point of view of the essential fish habitats, especially in the
40 western part of the island in Puerto Rico. That is very, very
41 poor in terms of field data. Most of the information that we
42 have for fisheries in Puerto Rico is from the western coast and
43 we assume that all the fisheries belong there and we need that
44 information.

45
46 We had Graciela and we had Marcos Hanke and there was a person
47 from NOAA habitat that also gave the information and Damaris
48 Delgado from the Department of Natural Resources to let them

1 know how to get into a marine area and work on what kind of
2 permits do they need.

3

4 It was very, very well received and I think that we will get
5 students to do internships in the council through these
6 activities.

7

8 We are writing an article for *Fuete y Verguilla*, Graciela and
9 myself, and it's on the importance of closures, of fisheries
10 closures, so that fishermen understand the difference between an
11 area closure and a seasonal closure and what are the reasons for
12 them and we are also collaborating with a new activity,
13 EcoExploratorio, that is going to be in Puerto Rico.

14

15 It will be a museum and probably the first year it will stay on
16 Plaza Las Américas, on the second floor, but then it will have
17 its own building in the convention center in San Juan and so
18 Graciela and myself have been reviewing the information for the
19 displays and it's mostly digital. Actually, right now, it's all
20 digital, but in the future, it will have hands-on experiences
21 with the visitors.

22

23 We did a lot of emphasis on the participation of the fishers in
24 these discussions that we had yesterday on ABT and that's how we
25 got the groupings in Mayaguez with UPR Sea Grant so that they
26 could participate through Go to Meeting and make at least the
27 mental presence that they are taking part in the discussion and
28 I think that it was very effective.

29

30 The other project that we are following is the production of
31 visual aids for teachers resources and this is where Marcos is
32 working. We are mostly at the end of the project, but we have
33 about two visits left and it is interesting that this is a very,
34 very preliminary exploration of the area, but habitats that you
35 wouldn't expect that richness in them of fish are very, very
36 rich and so they are getting very good technical information
37 that even though we have done it in a very, very primitive way,
38 it will be the basis for further research as soon as we get this
39 information out.

40

41 We should be finished by the end of December, but it depends on
42 weather limitations, weather conditions, the completion of those
43 two that are left and, Marcos, if you want to say anything about
44 it? No? Okay.

45

46 We would ask the council to support the second phase of the
47 project that we would like to see the attention to the forage
48 fish, bait fish, in the area, because it is a very important

1 community and we have very little information.

2
3 With the U.S. Virgin Islands, Lia Ortiz has done two very, very
4 rich and very well done final reports on the projects on marine
5 outreach and education U.S. Virgin Island style initiative and
6 those have been sent. I sent it to the council and it was sent
7 to me by Lia.

8
9 With the USVI activities, this year proposal to the Coral Reef
10 Project didn't get all the funding that Lia expected and if you
11 remember in the last meeting of the council, it was recommended
12 that the Don't Stop Talking Fish be developed in St. Thomas for
13 2015 and then later in Puerto Rico in 2016.

14
15 I recognize that there is a very limited budget this year, but I
16 think that the council should do anything possible to repeat
17 that activity. It was very successful in St. Croix and I think
18 it's a good cultural approach to appreciation of the fisheries
19 activity.

20
21 She also has a project with an Eco Camp that at some time had
22 some funding and I think this year she will need, for 2015, some
23 amount of support from the council and so I would really request
24 from the council to take a look into it and see where we can
25 support those activities.

26
27 The MREP Program, Marine Resource Education Program, Southeast
28 Caribbean Initiative, is the program that is coordinated in
29 Puerto Rico by Helena Antoun and I have the confidence that this
30 will be probably the most important outreach project that the
31 council will take in the region, because it is the collaboration
32 and it is the exchange of information of knowledge between the
33 people who do the management and the people who do the activity,
34 the economic activity, and it is directed by fishermen and it is
35 conducted by fishermen and it's moderated by fishermen.

36
37 I think that we will get a very good idea of how to implement
38 these as successful activities in the states, on the eastern
39 coast. I think Helena is on the Go to Meeting and I will go
40 very fast through her slides and then she will add anything that
41 is necessary.

42
43 Right now, the program is being announced on the website and we
44 have flyers and we have all the information to the fishermen and
45 the agenda is a three-day workshop and it's a resident workshop
46 and so they will have seventy-two hours immersed in what is, in
47 this case, the science of fisheries management.

48

1 They will have presentations by resources from DNER, NOAA,
2 Rangers Corps, FURA, and NOAA Enforcement. By the end of the
3 three days, I think they will come out like real experts on how
4 to work with these management issues.

5
6 The moderators in Puerto Rico are Carlos Velazquez, Roberto
7 Silva, and Marcos Hanke. They will have presentations from
8 people from the Southeast and from MRIP, but they will have that
9 in a vocabulary that they will understand.

10
11 We have thirty-five participants up until now. There is one
12 person from the USVI, twenty-one commercial, seven recreational,
13 and seven other people from government agencies. The workshop
14 dates and locations, originally we had planned it for October,
15 but then we had that hurricane advisory that suspended
16 everything on the island and so we had to cancel that and now
17 the new dates is January 27 through 29 at Hotel Villa Parguera,
18 which is the place where we were going to do it first, and they
19 have been all confirmed. The participants and the resources,
20 everyone is ready for that date and that date is, at least in
21 Puerto Rico, is probably the only time that we can take that
22 Christmas is over and so we don't have any more holidays and all
23 the drinks and all the food is put away and so they will go
24 there.

25
26 This is what we have for outreach at this phase. We will meet -
27 - The panel will meet again in February before the next council
28 meeting and we will give there the information as to how MREP
29 came out. Helena, are you there?

30
31 **HELENA ANTOUN:** Yes, I'm here, Alida. Hello, everybody.

32
33 **ALIDA ORTIZ:** Helena, did you hear me?

34
35 **HELENA ANTOUN:** Yes and can you hear me?

36
37 **ALIDA ORTIZ:** You can add whatever I missed.

38
39 **HELENA ANTOUN:** No, you covered everything and thank you very
40 much. That was great. I just wanted to add, on the side, that
41 you guys can see it on -- If you have a little chat screen up, I
42 just want to let everybody know that the CFMC app that we were
43 developing for Android and iOS is available now for Android and
44 so you can download it in Google Play. Just do a search for
45 "Caribbean Fishery Management Regs" and that should pop up and
46 it's available in -- You download the app and the app is
47 downloaded in English and Spanish.

48

1 The iOS, we are still having a little hard time with it. iOS is
2 a bit more complicated than Android and so it's taking a little
3 longer to upload that, but hopefully we should get it uploaded
4 in the next coming months, I would say, or at least within the
5 next month. That's all.

6
7 **ALIDA ORTIZ:** Miguel, do you have any comments? Okay. Is there
8 any questions or any comments or something that we should add?

9
10 **MARCOS HANKE:** I think for the first time -- I was on the
11 council for a few years before and the council has an organized
12 program that gets to the people and attracts people to the
13 process to participate and to make the difference.

14
15 I want to say thank you on the record for that, because it's
16 very needed, because if you don't have that education and the
17 outreach and everything you just explained, we are losing how
18 effective we can be as fishery managers. Thank you very much.

19
20 **ALIDA ORTIZ:** I think that's something that we expected a long
21 time ago. I came to the council I think at the first meeting in
22 the 1970s and I was there for a little while, but then this
23 information, this education, this literacy, as we call it now,
24 on what are the fisheries resources, we cannot leave that just
25 for the university or for formal courses.

26
27 That is something that we have to do in the market and we have
28 to do it on the beach and we have to do it everywhere and I
29 think the council has a very, very good opportunity, because you
30 work with the people on the street. I am glad that I have the
31 opportunity to work on this.

32
33 **MIGUEL ROLON:** Mr. Chairman, I want to thank publicly Tony
34 Iarocci. He was the one who invited us to participate in this
35 MREP. I didn't know anything about it until he told me that
36 there was a group of fishermen in the Northeast of the United
37 States and that he participated, fishermen talking to fishers,
38 and I just owe some gratitude to my Italian friend in the room
39 there and it has been a success story.

40
41 We have participated in MREP meetings in Florida and I am sure
42 that the one in Puerto Rico will be also a success story and we
43 have also an invitee -- We invited Mr. Daniel Santiago from St.
44 Croix. He will be an observer or a participant at the meeting.

45
46 The idea is that if this flies the way we envision, the next
47 step will be probably to have another of these types of meetings
48 in the U.S. Virgin Islands, maybe in St. Croix first and then

1 follow another one in St. Thomas/St. John, or combine both
2 islands and have one for the U.S. Virgin Islands in 2016.

3

4 **CARLOS FARCHETTE:** Thank you, Miguel.

5

6 **ROY PEMBERTON:** I just wanted to echo how important this
7 outreach has been, particularly since I came onboard. It's been
8 a great help to have Lia and yourself pushing a lot of these
9 initiatives to the fishers. I know Eddie Schuster can speak to
10 a lot of the -- How would I say forcefulness in which Lia has
11 pushed a lot of these things and rightfully so, because
12 sometimes we just sit there and just don't want to do anything,
13 but I think it was very important and that she should be
14 recognized for the Don't Stop Talking Fish event, because that
15 was a focus of all of her efforts and it showed how it came to
16 fruition in that event.

17

18 That event was very positive for the island of St. Croix and
19 also the article in *Fuete y Verguilla*. My dad would also like
20 to thank you for getting his good side in all the photos. That
21 was a very, very powerful article.

22

23 The video version of that, which I hope we can get that going a
24 little better than it was, but it gave a lot of those older guys
25 in the fishery, fifty-plus and up, the opportunity to get that
26 information down to the younger set and I think that was
27 important.

28

29 I haven't seen my dad that active in years in terms of actually
30 going back up to the hillside and getting all the old
31 accoutrements that we used to do.

32

33 Of course, he drug me up there to get all the old accoutrements
34 that we had developed for the fishery from back during my great-
35 grandfather's days and so it was very important that that
36 information gets across and gets written and documented, because
37 these folks are not available as much as they were and we want
38 to make sure that that stuff is documented in perpetuity, so
39 that down the road they can understand what the fishery was and
40 where it's going and how it can develop into something better.
41 I would like to thank you guys very much for that. I really
42 appreciate it and thank you.

43

44 **TONY IAROCCHI:** Thank you for those kind words, Miguel, but since
45 I have been adopted by the family here, I am now considered
46 Puerto Rican and not Italian, just to clear the record. I am an
47 honorary -- I said earlier when I introduced myself as
48 enforcement, but Howard Forbes and Carlos Farchette told me that

1 I was honorary enforcement.

2
3 The deal with MREP, I will tell you what, Miguel. I was so
4 excited that it expanded the way it did and with Helena and
5 everybody and especially when Carlos Velasquez jumped on this
6 thing for Puerto Rico.

7
8 This is an update I have with me that is the Tidings out of the
9 Gulf of Maine and here's a picture of Carlos and Nicky from St.
10 Croix at the meeting and it's so important to see these
11 fishermen going to places and dealing with other fishermen that
12 I don't care where you go, dealing with fishermen and issues,
13 it's basically the same thing. It's to get through that common
14 ground to work together and see that you can move ahead and get
15 the right data and get that stuff.

16
17 It takes time to do it and to see these guys, the interest, I
18 think it's very, very important and I really applaud the effort
19 of the council to support this. I think it's a great, great
20 thing to move forward with and thank you very much for doing it.

21
22 **ALIDA ORTIZ:** I repeat that I think this is going to be the
23 highlight, the milestone, in fishermen education and outreach
24 for the region, because we really needed it and it's not just
25 another workshop that a scientist or a technician is coming to
26 give information to the fishers. It is the fishers saying what
27 they know and then getting into the issues.

28
29 **ROY PEMBERTON:** Just to follow up, I just downloaded the CFMC
30 app and it's very impressive and it works very well. So far I
31 like the species descriptions and all the documentation that's
32 on here. It seems very up-to-date. Particularly any of the
33 seasonal closures are on here and recreational limits and
34 federal specifics, minimum size limits. I mean it's all in here
35 and so kudos to whoever. I think it was Helena that really
36 developed it and it's very much appreciated and thank you. I
37 will make sure all the fishers here find out about it as well.
38 Thank you.

39
40 **CARLOS FARCHETTE:** Thank you. Anything else for Alida? Hearing
41 none, thank you very much, Alida.

42
43 **MIGUEL ROLON:** Two points. Miguel Garcia a couple of years ago
44 asked me whether he could secure a person that was working as a
45 liaison with the fishers and he told me that he was willing to
46 offer money from the liaison funds to secure that person and so
47 we have done that and thanks to Miguel's initiative, we have
48 Helena working with us, Puerto Rico DNER, and the U.S. Virgin

1 Islands.

2
3 She has been very effective as a liaison person with the fishers
4 and she has been instrumental in putting together the MREP
5 program. My question, and you don't have to answer it, Roy,
6 now, Roy Pemberton, is that in the case of the Virgin Islands,
7 maybe you can do the same, have a liaison person that will be
8 under the supervision of Mr. Pemberton's office and paid in part
9 with liaison funds.

10
11 That person could be in charge of putting together activities
12 that will bring the fishermen closer to the decision makers and
13 the government of the U.S. Virgin Islands and the federal
14 government.

15
16 As I said, I can talk to Roy after the meeting, but it will be
17 an idea that could be considered. It should be some sort of a
18 Lia type of person and not necessarily Lia, but an active person
19 that can respond to the needs of outreach and education of the
20 U.S. Virgin Islands as well as the council.

21
22 **CARLOS FARCHETTE:** Thank you.

23
24 **ROY PEMBERTON:** I will look forward to it.

25
26 **CARLOS FARCHETTE:** Thank you. Next on the agenda is Petition
27 Shark Quota for Artisanal U.S. Caribbean Fishers and Marcos
28 Hanke.

29
30 **PETITION SHARK QUOTA FOR ARTISANAL U.S. CARIBBEAN FISHERS**

31
32 **MARCOS HANKE:** I will be very short, because this will be a
33 short talk, but very, very important. A long time ago, this
34 council was involved and I was very involved in my first round
35 on the council in developing the Amendment 4 for the Commercial
36 Artisanal Caribbean Fishing Permit.

37
38 That was developed to address the problem of the illegal sale of
39 the yellowfin tunas, because we didn't have dealers, and that
40 permit is customized to the Caribbean and that had been the
41 position of HMS of addressing our peculiar setting of needs.

42
43 In my experience with HMS on that matter, I have to congratulate
44 them and once that's said, the only missed link that we didn't
45 fix is that on this permit, there is a quota assigned to it, but
46 it's zero.

47
48 Originally when I left the process, we were going to visit that

1 quota and at that time, the rationale and the data and on so, we
2 didn't have the data and now we have a little more data for the
3 sharks, to be able to create all the explanation and the
4 rationale to assign a quota for us, but this a road that is not
5 very simple, because some of the species that are the most
6 predominant here are on the list of the prohibited species and
7 that will create a great commotion on the fishery community,
8 NGOs and so on and so forth.

9
10 Even though I was instructed that it's not something impossible
11 to do, but we have to do our job. The first step in order to
12 get the quota, the quota that I am pursuing, a quota for the
13 U.S. Caribbean that is not competing with the Southeast, the
14 Gulf, or any other quotas on the U.S. for HMS, is a specific
15 quota addressing our special needs.

16
17 I will make a motion in a little bit, after we discuss what I
18 present, to request to the HMS office our intention as a council
19 to look for that, to create the science behind it, and to
20 support that quota that is specially designed for our needs and
21 the needs of our fishermen with the species composition and so
22 on and so forth. I don't want to get into the details, but
23 that's the reason I ask for it at this time.

24
25 **CARLOS FARCHETTE:** Thank you, Marcos. Any questions for Marcos?

26
27 **EUGENIO PIÑEIRO:** Marcos, are you ready to make a motion on
28 that?

29
30 **MARCOS HANKE:** Before I make the motion, I would like to
31 acknowledge the presence of HMS staff Rick that is onboard and
32 he is more than willing to help any fishermen in the room to
33 guide them on how to apply and to get to this permit or any
34 question about any other shark permit that is available for us.
35 He is in the room for that and I thank you very much for that
36 and all the conversation that we had previous to the meeting.
37 Thank you very much and it was very helpful for you to be here.

38
39 **The motion is to request the HMS office to consider the**
40 **development of a U.S. Caribbean artisanal -- Rick, what is the**
41 **right wording for the permit? Is it artisanal commercial**
42 **fishery?**

43
44 **RICHARD PEARSON:** Caribbean commercial small boat permit.

45
46 **MARCOS HANKE:** Caribbean commercial small boat permit. U.S.
47 Caribbean small boat vessel. Shark quota. That's my motion.
48 Is there any second?

1
2 **TONY BLANCHARD:** Second.

3
4 **EUGENIO PIÑEIRO:** Second by Tony Blanchard. There is a motion
5 on the table. Marcos Hanke made a motion and it was seconded by
6 Tony Blanchard.

7
8 **CARLOS FARCHETTE:** Okay. The motion is to request the HMS
9 Office to consider the development of the U.S. Caribbean
10 commercial small boat permit shark quota. The motion is by
11 Hanke and seconded by Blanchard and is there any discussion?
12 Hearing none, we will take a vote starting on my right with
13 Hanke.

14
15 **MARCOS HANKE:** Yes.

16
17 **PHIL STEELE:** Yes.

18
19 **EUGENIO PIÑEIRO:** Yes.

20
21 **MIGUEL GARCIA:** Yes.

22
23 **ROY PEMBERTON:** Yes.

24
25 **TONY BLANCHARD:** Yes.

26
27 **CARLOS FARCHETTE:** Yes. Any nays? Any abstentions? Hearing
28 none, the motion carries. We will move to the SEDAR
29 Developments and Planning by Dr. Ponwith.

30
31 **SEDAR DEVELOPMENTS AND PLANNING**

32
33 **BONNIE PONWITH:** Thank you very much, Mr. Chairman. We are
34 excited about the approach that we're going to be taking,
35 working very closely together with the council. Again, this is
36 really in response to the council's urging themselves, basically
37 saying we need to depart from conducting traditional stock
38 assessments on these stocks where the data that are available
39 are marginal, and we agree.

40
41 We believe that by using data-poor techniques that have been
42 documented and studied and applying them to the stocks that have
43 the most promise that is going to be able to yield stronger
44 results for us and faster results and still being attentive to
45 uncertainties. We think this is going to be a very good
46 approach. We have been talking about this and preparing for it
47 for a year and this is the year that we implement.

1 The way the year is going to go is that we're in the process of
2 accumulating data and not just data for one stock, but we're
3 looking for packages of data for multiple stocks, multiple
4 regions, multiple time periods, so that we can accumulate all of
5 those and document them once and then hold them in a repository,
6 so we don't have to go on this proverbial fishing trip every
7 time we do a stock assessment and it's just a matter of updating
8 the data we already have in our hands with the most recent
9 year's worth of data.

10
11 That is going to create some efficiencies, which is going to be
12 good for us. Our goal is to have these data in our hands by May
13 and that's a very, very ambitious goal. Then between May and
14 the fall, we'll begin working with these data to determine how
15 the data lend themselves to the data-poor techniques that we
16 have in our data-poor toolbox.

17
18 We will make some recommendations to the council and to the SSC
19 as to what stocks we think we can assess via these data-poor
20 techniques versus what stocks we are just really still in the
21 boat of using average landings, like we did the last time
22 around.

23
24 Now, ultimately the goal then is to hold a stock assessment
25 workshop in the fall and the dates that we're looking at for
26 that right now, working with the SEDAR Committee, is the week of
27 the 9th of November.

28
29 Now, here is the catch. We need to look at the data to be able
30 to determine which stocks are actually assessable using these
31 techniques and that gives us sort of these are the species and
32 these are the stocks we can work on. What we need from the
33 council and from the SSC then is their views on what the
34 priorities are among those stocks, because the list is going to
35 be longer than we can tackle in our first round.

36
37 What we want to do is be aggressive in that first round and do
38 as many as we can without doing so many that it jeopardizes the
39 success of the assessment. We want to be really smart about
40 picking the right stocks, but we can't wait until the August
41 meeting to build that short list.

42
43 What I would like to do is prepare, using a document that's in
44 your briefing book -- It's the document or it's the spreadsheet
45 that you're using with the SSC to build the selection criteria
46 on the island-based platform stocks.

47
48 We are going to use that to build a data form and what I would

1 like to do is send that data form out and it will be constrained
2 by the most abundant species. I would like to send that out to
3 each of the council members and what I would like to do is ask
4 each of the council members -- Just to poll the council members
5 and ask them to do a one to end ranking on those stocks. In
6 your view as a council member, what stocks are the highest
7 priority and then work your way down the list.

8
9 Then at the April meeting, we will use all of those results and
10 we will compile them into a spreadsheet and we will use that to
11 guide the discussions that we're having about those priorities.

12
13 The reason that we're doing it that way is we won't have the
14 data in the hands of the Science Center until May, but you're
15 meeting in April and August is too late to do this and so we
16 want to do all of these discussions before we have the data in
17 our hands and get your views and then we'll take your views as a
18 council and merge them with the facts in terms of the data
19 availability and use that to make some determinations on what
20 stocks we're going to focus on in the fall, in that November
21 assessment.

22
23 Then there's a second thing that has to happen. We have an ABC
24 control rule that we use right now for setting our ABCs based on
25 a series of criteria and that ABC control rule isn't going to
26 match very well with the kinds of approaches that we're using in
27 this round of stock assessments and that means that we need to
28 get to work very quickly on revising the ABC control rule so
29 that at the end of this November meeting when we have results,
30 we have results that we can put into effect with an ABC control
31 rule that's tailored for those kind of results.

32
33 What that means is at this meeting of the council, it would be
34 useful if someone could include in their instructions to the SSC
35 for their upcoming meeting this winter to begin that work on
36 revising the ABC control rule to accommodate the results from
37 these data-poor techniques we're going to be applying to our
38 stock assessments in the fall.

39
40 We need these things to be happening at the same time, so that
41 we don't end up with a result and no ability to interpret those
42 results and convert them from an OFL to an ABC to an ACL.
43 That's why we need these things -- We need the trains to be
44 working parallel to one another.

45
46 My request to the council is -- I will open for questions and
47 comments after this, but my request to the council is to be
48 prepared for a poll and it will simply be a spreadsheet with a

1 little box that you can rank these stocks in order of your view
2 of importance and then so that we can use that again to
3 consolidate it across the council, exclusively for stimulating
4 discussion in April, because the decision will be made in April.
5 This will make the discussion easier and you won't be starting
6 with a completely clean slate, which is very hard work.

7
8 Then the second thing is to request that the council could
9 instruct the SSC to begin working on an ABC control rule that
10 works well with these data-poor techniques that we're going to
11 be applying to the stock assessment in November. I will stop
12 there and see if you have questions or comments.

13
14 **PHIL STEELE:** I don't have any comments, but I am prepared to
15 make a motion to address Dr. Ponwith's concerns whenever you are
16 ready.

17
18 **ROY PEMBERTON:** Basically you're saying that this is not going
19 to be SEDAR of old and this is going to be a newfangled version
20 of SEDAR and so with that being said, the -- I mean I would
21 think that we're going to take this species list and go, at
22 least on my end of things, talk to the fishers to get some input
23 on some of the prioritized versions of it, but I think also the
24 SSC, in terms of the viability of what we bring forward. Is it
25 doable in the time period that we're going to have to kind of
26 look at it in that way?

27
28 I know they have a prioritized list as well, possibly, but we
29 have to see the two lists jibe and so at least we're going to
30 have to have some coordination with them, but I definitely want
31 to get it out to the fishing public to make sure that their
32 concerns are held up as well.

33
34 **CARLOS FARCHETTE:** Any other comments for Dr. Ponwith?

35
36 **MARCOS HANKE:** I was giving the first time this time for the
37 other people, but once we prioritize what you are asking from us
38 that the list -- I don't know the list, but I am just -- It's
39 all the list that we manage or it's already trimmed down to the
40 things that we don't have anything or -- The reason of my
41 question is that it would be very helpful if there is any
42 indication of what kind of data is missing for which kind of
43 each species that is listed in there, for us to make an informed
44 opinion.

45
46 **BONNIE PONWITH:** Right now, what we have in our briefing book is
47 a list of stocks and what the landings levels for those stocks
48 were and that's what is going to the SSC to help them to make

1 decisions about what stocks we should keep in our plans versus
2 let go.

3
4 This list was created for something completely different, but
5 we're going to use that list as the tool for ranking stocks
6 based on your view on how important it is for them to be
7 assessed this year and the reason that we're doing that is
8 because there are more stocks than we can assess in one year.

9
10 In the past, we've assessed maybe one stock in a year and on a
11 lucky year, we've done two. Because we're using these data-poor
12 techniques that are explicitly tailored to stocks that don't
13 have a lot of data, we are going to be able to do many stocks,
14 but we just need to know what stocks and so there are two parts
15 of that decision.

16
17 The scientists will decide what stocks have enough data, but of
18 those stocks that have enough data, there will be a second
19 decision of which of those are the most important to do this
20 year versus next year or the year after. That's the question
21 that we're going to ask the council.

22
23 **MARCOS HANKE:** Just following up to clarify, you are looking for
24 a consistency on something that let's say we have a lot of
25 information already and you want to keep it on or you want for
26 us to look for the new things that we think there is no data and
27 we urge to have that data?

28
29 **BONNIE PONWITH:** On the science side, we will do the looking at
30 the data and so we'll do the hard work of saying are there
31 enough data or are there not and on the council side, we're
32 going to ask you nothing about the data.

33
34 We're going to ask you how important is this stock to assess
35 this year versus next year or the year after? You know we might
36 be able to assess five stocks or six stocks and we don't know
37 yet how many we're going to be able to do.

38
39 The thing that helps us is what are the rankings in terms of how
40 important it is to you to look at this stock this year, so that
41 no matter what that ranking is, once we know the data and once
42 we know how many stocks we can do, we already know what your
43 views are on the importance levels, so that we can make a smart
44 decision about what stock we expedite and work on this year.

45
46 **TONY BLANCHARD:** I've got a couple of questions. Seeing that we
47 just did the SEDAR on the red hind, would that be one of the
48 stocks considered? That's question number one and question

1 number two is what we're looking at here is we're taking a car
2 for a test run and we're trying to take a certain amount of
3 let's say vehicles to test run on the same day.

4
5 We ain't sure how this -- It looks good on paper, but that don't
6 necessarily mean it's going to work good and so we're
7 automatically going to pin probably five different stocks and
8 they are data poor already and we're going to take them for a
9 test run and then we're going to go on that basis.

10
11 I think maybe we need to limit that limit down to probably one
12 or two stocks and see how it works and if something needs to get
13 jimmed, it gets jimmed and work the kinks out instead of going
14 with probably four or five stocks and you already dumped them
15 into the pile and we're here trying to figure out which way to
16 go.

17
18 **BONNIE PONWITH:** The first question is red hind up for grabs and
19 my answer to you is if red hind is an important stock to you,
20 then it is within your rights to rank that very high in the
21 rankings. It then becomes a question of what does Tony think?
22 Is it more important to do red hind using this approach or is it
23 more important to do another species? That would determine if
24 it gets a rating of a one or a five or a four. That will be
25 your decision and we will take that decision under advisement
26 when we do that.

27
28 In terms of the number of stocks, Tony, you're right that we
29 will want to be conservative in selecting how many stocks we
30 work on, so that we don't overburden the system while we're
31 trying this new approach, but we do want to be somewhat
32 aggressive, because we want to get enough stocks done that we
33 can get out of -- We can take advantage of additional data above
34 and beyond the approach that we took the last time around, which
35 was, for the most part, to use long-term average landings over
36 time. This would be a somewhat more sophisticated approach than
37 that.

38
39 **TONY BLANCHARD:** You see my concern is this. This is the first
40 time we're running this program or whatever you would like to
41 call it, a process. It's going to have kinks in it and no
42 matter how you figure it's going to turn out, it ain't going to
43 turn out how you want it the first time around.

44
45 We are talking about starting at the top of the list, which
46 we're going to by species selection for them being data poor as
47 well as importance to be looked at. In all honesty, I don't
48 think we need to look at the top of the list and I think we

1 should be looking a little lower down on the list, to probably
2 the middle of the list, and I will explain to you why now.

3
4 What I'm afraid of is when we go to the top of the list and use
5 it as priority, things don't turn out how we want them to turn
6 out and we're going to have a mess on our hands and I don't want
7 to be looking at a stock that is important to us with quite a
8 bit of data that we're fumbling around the place trying to
9 figure out what needs to get fixed.

10
11 I think if we go to the midrange, where it's important, but it
12 ain't really that important, we're going to get time to work out
13 the kinks, or whatever you want to call it, and it would be a
14 safer play and that's just my opinion.

15
16 **BONNIE PONWITH:** We won't rate today, but I hear your strategy
17 and what I would say is if that's the strategy you want to use
18 when we send you the form, go ahead and use that strategy and
19 then we'll put that in a table with everybody else's and, again,
20 those rankings aren't going to be the decision. That's just to
21 -- It's to create a stimulus for discussion and then the
22 discussions will be held in April and then we can have talks
23 about looking at how everybody rated what stocks are we going to
24 use and we'll use that to at least create the list.

25
26 Then we will use the results of our evaluation of data
27 availability and data quality and all of that to make those
28 final selections from your prioritized list and so I think that
29 if that's the strategy you want to use in rating, I think that's
30 fair.

31
32 **MIGUEL ROLON:** A question for Bonnie. I believe that when we
33 meet in April that the SEDAR Steering Committee has to vote on
34 this or come up with some decision or just to receive a report
35 of what you and the council decides will be the best list of
36 species?

37
38 Also, these six species that we're talking about are not the
39 ones that we're going to do forever. This will be the first try
40 of this exercise, where we are going to have six species.

41
42 At this time, during this meeting, you can have at least two or
43 three of those species that are important from the point of view
44 of the council and red hind is actually one of them, but there
45 are others that people have spoke about. So at least you can
46 get out of this meeting and even though it may not be formal,
47 but at least an indication of how the council thinks about the
48 priorities.

1
2 I have a suggestion for the council members sitting around that
3 if you have any particular species of the list that you have
4 seen that as a council you would like the Center to pay
5 attention to and then at the end when they finish the process,
6 because we need to ask the SSC also, Dr. Ponwith will have a
7 better picture of what is the wish of the council and the
8 general U.S. Caribbean community. At least from this council
9 meeting, you can have two or three species suggested to Dr.
10 Ponwith for consideration.

11
12 **BONNIE PONWITH:** Thank you, Miguel. First of all, to your
13 question, is we have had on the SEDAR schedule for 2015 a data-
14 poor stock assessment for a year-and-a-half right now, because
15 this is something that we've been talking about.

16
17 SEDAR doesn't need to know what species we're going to do. What
18 SEDAR has already discussed and approved is that a slot is being
19 held to do multiple species using a data-poor approach. As far
20 as SEDAR is concerned, we are exactly on track with that plan.

21
22 Now, I talk about SEDAR and, Tony, you raised SEDAR. What we
23 are doing is departing from using traditional stock assessment,
24 very, very heavily quantitative stock assessment approaches,
25 like we've tried in the past with individual stocks and instead
26 we're going to apply data-poor techniques to multiple stocks.

27
28 We are going to use the SEDAR team to help us plan and schedule
29 that meeting and make sure that it's properly noticed, but we're
30 going to depart from using those traditional stock assessment
31 methodologies.

32
33 In terms of creating a short list today, if that's something
34 that the council wants to begin their discussions on today, they
35 may. I don't think it's imperative to begin those discussions
36 today if you need more time to think about it.

37
38 I will share with you that the last two meetings when we've
39 talked about these data-poor techniques that the types of
40 species that have come up in the past in the council's mind as
41 being very, very important have been red hind, lobster, queen
42 conch, and those are the ones that bubbled up, saying we need to
43 get these done fast, but, again, it's something that we can
44 gather some information and we can get input from the SSC in
45 terms of their view and we can have a more detailed discussion
46 about this in April. It's just up to you.

47
48 **PHIL STEELE:** Bonnie, regarding the ABC control rule, if I

1 understood this correctly, we are going to need an additional
2 ABC control rule to deal with data-poor stocks in addition to
3 the control rule the council is developing now?
4

5 **BONNIE PONWITH:** That's correct. In consulting with our
6 analysts, they feel as though the ABC control rule that we have
7 right now is not tailored specifically enough to these data-poor
8 techniques and that we would have to have the SSC take a look at
9 modifications to that ABC control rule to be able to accommodate
10 this analytical approach.
11

12 **PHIL STEELE:** Given that, I would like to make a motion, Mr.
13 Chairman, to instruct staff to work with the SSC and the
14 Southeast Fisheries Science Center to develop a new ABC control
15 rule dealing with data-poor stocks. If I can get a second on
16 that, I would be glad to discuss the rationale.
17

18 **MARCOS HANKE:** Second.
19

20 **PHIL STEELE:** I think Bonnie has indicated that with these, if
21 we're going to ever get these data-poor stocks assessed, we have
22 to have a new data control rule and this is going to happen
23 sooner than later. If they want to start assessing these stocks
24 as early as next year, we need to get working on this ABC
25 control rule, to get it through the system as quickly as
26 possible. Thank you, sir.
27

28 **CARLOS FARCHETTE:** The motion reads: to instruct staff to work
29 with the SSC and the SEFSC to develop a new ABC control rule
30 dealing with data-poor stocks. The motion is by Phil Steele and
31 seconded by Marcos Hanke. It sounds like alphabet soup there.
32 Any further discussion?
33

34 **BILL ARNOLD:** Just a minor detail, but what you'll end up with
35 is a group of stocks that are affected by this new ABC control
36 rule and then all the stocks that haven't been recently assessed
37 will still have to be covered by the old ABC control rule, which
38 may have to be modified. It may be a two-step process of you
39 develop the new one and you modify the old one to make sure
40 everything is accounted for.
41

42 **CARLOS FARCHETTE:** Perfect. I am going to start voting on my
43 right with Marcos.
44

45 **MARCOS HANKE:** Yes.
46

47 **PHIL STEELE:** Yes.
48

1 **EUGENIO PIÑEIRO:** Yes.

2

3 **MIGUEL GARCIA:** Yes.

4

5 **ROY PEMBERTON:** Yes.

6

7 **TONY BLANCHARD:** Yes.

8

9 **CARLOS FARCHETTE:** Yes. **Any nays? Any abstentions? Hearing**
10 **none, the motion carries.** We are moving forward and thank you,
11 Dr. Ponwith. We are moving forward to Sea Cucumbers and Sea
12 Urchins Report from PR DNER and Consideration of the Need to
13 Close Harvest in Federal Waters in Support of Implementing
14 Harvest Closures in State Waters.

15

16 **SEA CUCUMBERS AND SEA URCHINS REPORT FROM PR DNER**

17

18 **MIGUEL GARCIA:** Good afternoon. I will be presenting a summary
19 of the situation in Puerto Rico and most of the data came from
20 Daniel Matos, commercial fisheries reports, and landings. We
21 have been getting some petitions for quite some years about
22 letting some people fish for sea cucumbers and finally in 2011,
23 we granted a permit to a person and through this person, three
24 vessels and three fishermen were harvesting the species.

25

26 In 2011, an average of 12,353 individuals -- This is the average
27 per month and this is the price and this is a graph that Daniel
28 Matos prepared and you can see from those landings how they went
29 down pretty quick within a year.

30

31 This is the landings data and the rapid decline in the
32 harvesting rate and we sent this information in a letter in the
33 petition from the University of Puerto Rico Humacao Marine
34 Biology Department and the Fisheries Advisory Board met and
35 recommended that the DNER Secretary to stop all sea cucumber
36 fisheries until a study is completed to support or not support
37 such a fishery.

38

39 Finally, in 2014, the Secretary signed an Executive Order
40 prohibiting or closing the fisheries in local waters for sea
41 cucumbers. This Administrative Order is not in place yet until
42 there is an announcement in the newspaper and it's something
43 that should be happening probably within this week and that's
44 it. Are there questions?

45

46 **TONY BLANCHARD:** My question is this. When we talk about the
47 sea cucumbers and basically closing them or putting a no take on
48 them in the EEZ, are we speaking specifically for the EEZ off of

1 Puerto Rico or all three?

2

3 **EUGENIO PIÑEIRO:** Tony, I believe it was to refer to state
4 waters.

5

6 **MIGUEL GARCIA:** This is only for Puerto Rico state waters. We
7 were requested to inform the situation to the territorial side
8 and that's what the presentation was about.

9

10 **TONY BLANCHARD:** Okay and let me defer this question to Shep.
11 Is it possible if they do decide that they would like the
12 federal waters in Puerto Rico closed for the sea cucumbers if it
13 could be closed in Puerto Rico and stay open in St. Thomas/St.
14 John as well as St. Croix? Can that be done?

15

16 **SHEPHERD GRIMES:** I am not sure under the existing management
17 plan. If we have it in the management plan and we have an ACL
18 for it and we've exceeded it in an identified area, then we can
19 close it down in that area, but I don't think that's the case
20 here. We always have emergency authority if there's a
21 legitimate emergency that we need to address.

22

23 **TONY BLANCHARD:** Because my thing is this. If it's a problem in
24 Puerto Rico, I don't want the problem in Puerto Rico to affect
25 St. Thomas/St. John or St. Croix because there is a problem in
26 just Puerto Rico. That's my concern here.

27

28 **MARCOS HANKE:** The problem, Tony, is whenever -- We do have our
29 three-island specific limitations or border lines established
30 already, correct?

31

32 **SHEPHERD GRIMES:** We have established ACLs by island area, but
33 some of them are not by island area and it varies. Actually Dr.
34 Arnold would be the guy to answer this question.

35

36 **BILL ARNOLD:** Sea cucumbers are placed in the Aquarium Trade
37 Species FMU. The Aquarium Trade Species FMU is managed on a
38 Caribbean EEZ-wide basis and so if we're going to close cukes in
39 the EEZ, we are going to close them in the entire EEZ and I know
40 that these guys aren't being harvested for aquarium trade, but
41 that's not the way we handle it.

42

43 If there is a species that is in the Aquarium Trade FMU and we
44 get landings for that species, we don't ask what that animal was
45 used for. We just add up the landings and we compare them to
46 the ACL and if they exceed the ACL, then we have to address
47 that.

48

1 **MIGUEL GARCIA:** Maybe I wasn't clear at the beginning, but we
2 had been receiving petitions since 2008, as I recall, about this
3 fishery, which was not a fishery allowed in Puerto Rico, but we
4 never had the evidence not to allow the fishery and so we
5 decided to give it a try and this is the result that we got
6 after only a year of the fishery in process and so I just wanted
7 to share that information with my colleagues from the other
8 islands and that I know they are in the same situation that we
9 were back then and just to show them that it's a very specific
10 and unsustainable fishery, at least in Puerto Rican waters.

11
12 **TONY IAROCCHI:** A question and then a follow-up, if I may,
13 Miguel. When they did harvest, were there any size limits put
14 on this or was it all sizes of the species?

15
16 **MIGUEL GARCIA:** I am not sure, but in my best recollection,
17 there was no size limitation, but I will have to go back and
18 check on that, but I am pretty sure that there was not.

19
20 **TONY IAROCCHI:** Okay, because this happened along the Atlantic
21 coast of Nicaragua. Some Chinese people came in and they
22 totally -- I made a trip and I flew down and I looked and there
23 were people all over the reefs, from the shallow water on
24 outwards, with five-gallon buckets. I was like, what's going on
25 down here? They were buying these things and you look at the
26 bottom of that chart.

27
28 I don't even want to begin to tell you how much they pay for
29 these things in China. They are paying the people in Puerto
30 Rico thirty-cents apiece and dried is sixty-five cents and so
31 you can imagine how much money.

32
33 In the Florida Keys right now, the Florida Keys National Marine
34 Sanctuary and Florida Fish and Wildlife, right now they're
35 dealing with the sea cucumber thing and they're doing the data.
36 I will see, Miguel, if I can get that stuff sent down to you,
37 because they're looking at the sizes and they're looking to
38 either close down the fishery or limit it and all that stuff and
39 I'm glad -- I applaud your efforts for closing this thing the
40 way you did, because you might have just put this thing right
41 out of business.

42
43 **MARCOS HANKE:** Will you guys keep up the graphic? I don't know
44 on the history of this council or any fishery management
45 analysis that we made addressing a fishery a graphic that in one
46 year we will show a decline like this in capture. This is
47 amazing for me.

48

1 That's just showing how sensitive this population is to harvest.
2 They don't move well and they're in shallow water and anybody
3 can catch them. That's one of the reasons that we have to be
4 very precautionary to protect them and the other reason is that
5 ecosystem importance of this.

6
7 Besides others, what those guys do, they shallow sand with
8 organic material and digest them and through the other side is
9 cleaner sand that goes through and imagine this process in
10 between reefs in which you have that silky, organic material
11 being deposited.

12
13 Those guys are the vacuum cleaners of cleaning that sand that
14 eventually, if it's not cleaned or used in some way or
15 incorporated into the system in a better way, it will be on the
16 top of the corals that we are trying to protect. I don't have a
17 quantitative analysis for this, but for sure it's something that
18 is an element to judge.

19
20 In terms of the size, which was another question that came into
21 consideration, I read many articles and many publications about
22 it and pretty much the market is limited, obviously, because
23 still there is some size available by a preference on size, but
24 in reality, like any fishing, once those sizes are wiped out,
25 and that's described too in the literature, other species,
26 deeper species, and other things will be used and depleted.

27
28 I think that, like we keep asking, Tony, about stepping forward
29 and to the plate, this, for me, is a no-brainer step forward
30 hold on that until we have a better way to judge this, because
31 the implications of not doing it can be terrible for the
32 resource and especially for the species.

33
34 They harvest twelve-thousand-and-whatever per month and it's
35 close to a hundred-thousand-something a year and the amount of
36 people involved in processing and doing this was totally
37 artisanal.

38
39 It was a very simple operation and they did the damage that they
40 did on the south of Puerto Rico that divers and people in the
41 area told me there is no sea cucumbers anymore and I am really
42 worried because they are there for a reason and they have been
43 there for a reason and I explained one of them already. I want
44 to leave there and keep on listening and if I have to
45 participate, I will jump in again.

46
47 **ROY PEMBERTON:** Just to give a little background, we had a
48 substantial cucumber population, as I recall, off of St. Croix,

1 sea cucumber larger and smaller sizes, but that fit into the
2 size class that they are harvesting over in Puerto Rico.
3 Hurricane Hugo came along and pretty much decimated the
4 population and it's just starting to come back.

5
6 I have had several inquiries to open up that fishery from
7 several different Asian markets and the last one, which I kind
8 of gave a little pause to, was they actually came in and did
9 their own study, without any permission or any permits from the
10 local government, and decided that we have a viable fishery and
11 that we should open it up to them, at which point I said
12 absolutely not.

13
14 I was concerned as to how fast and how far and there it is right
15 there and so as a cautionary approach, I would be very much for
16 -- The VI government would be very much for putting a hold on
17 this until we could get better information on the stock and to
18 see how the assessment is for the region.

19
20 **MARCOS HANKE:** To complement your comment, we can read in what
21 you are saying, because you are giving very valuable data that
22 through your observation as a manager in charge of this area or
23 St. Croix, he knew that it was depleted and it's very easy to
24 understand. You guys have very deep water and they tumble to
25 something that they cannot deal with and they disappear and it's
26 taken fourteen years to come back. That's another reason why
27 you have to step forward on the plate.

28
29 **ROY CRABTREE:** Bill or Graciela, these are in the Aquarium Trade
30 Unit and do we have a single ACL for that unit and what is it?

31
32 **BILL ARNOLD:** 800 pounds or something.

33
34 **GRACIELA GARCIA-MOLINER:** It's 8,155 pounds and the total amount
35 of poundage for what Miguel just showed comes out to 46,000
36 pounds in one year.

37
38 **ROY CRABTREE:** If Puerto Rico provides us those landings,
39 wouldn't we then shut down that unit, the Aquarium Trade? We
40 have exceeded the ACL. Do we average -- I mean we wouldn't have
41 any landings to average it with, as far as I know.

42
43 **GRACIELA GARCIA-MOLINER:** No, this would be -- Apparently it's
44 on the information for one year and I mean you could think that
45 if they had been harvesting for three years that they would have
46 been harvesting at that same rate, but --

47
48 **ROY CRABTREE:** In terms of what your options are, I guess one

1 option is to get the landings from Puerto Rico and then
2 potentially shut down the entire aquarium trade in the EEZ and
3 that seems a bit heavy-handed, to me.

4
5 The other option you would have would be to request an emergency
6 rule and shut down the sea cucumber fishery in the EEZ and you
7 could do that, it seems to me, at this meeting and request an
8 emergency rule.

9
10 We couldn't get anything done until I would guess March or so of
11 next year, depending on -- It would take a while and that way,
12 you could avoid shutting down the whole aquarium trade, because
13 I think the emergency rule could remove this or deal with this
14 somehow differently, but then we would need to come back in and
15 do something through I'm guessing a plan amendment to
16 restructure this somehow, to prevent this from going on.

17
18 **TONY BLANCHARD:** You know what really bothers me here is the
19 fact that we have an ACL of how much thousand and it was
20 exceeded how much times over and we didn't notice that from
21 before? That's what really bothers me here. If we had noticed
22 that from before, then we could have done something about it,
23 but now how many times over the ACL has been exceeded in one
24 year?

25
26 **ROY CRABTREE:** I don't know, but the trouble here is that ACL
27 and that unit was for the aquarium trade and this isn't aquarium
28 trade. This is a new fishery and they are selling these for
29 food and so that's not something we ever anticipated or took
30 into account when all this was done and so this, it seems to me,
31 is a brand new developing fishery and we are really just now
32 getting this information from the territory, but that wasn't
33 what we were contemplating when we put in place the ACL for the
34 aquarium trade. That was supposed to be to put animals in
35 people's aquariums.

36
37 **TONY BLANCHARD:** Let me answer to that. I really don't know
38 where to start, because I understand Roy's point of view of what
39 he brings to the table, that because this here just got blown so
40 far out of the water, now he's affected by it and we are a whole
41 island apart.

42
43 Just a point of clarification that the only thing we're talking
44 about here is the EEZ and this is the only thing that will be
45 affected by this closure, correct?

46
47 **ROY CRABTREE:** Yes, that's our only authority. Now, my guess is
48 almost this entire fishery is in territorial waters, because --

1 There may be a little bit in the EEZ, but -- How are they
2 catching these animals? Are they just divers?

3

4 **GRACIELA GARCIA-MOLINER:** It's mostly likely just free diving
5 and snorkeling all over the place.

6

7 **CARLOS FARCHETTE:** They're in very shallow water.

8

9 **ROY CRABTREE:** Yes and so I think the vast majority of this is
10 going on in territorial waters, but yes, the only thing we could
11 close would be the EEZ.

12

13 **CARLOS FARCHETTE:** I have a question here, because I notice that
14 what we're really concentrating here is on the sea cucumbers,
15 but I know this issue is going to come up with white sea urchin
16 and black sea urchin and so I am not sure what --

17

18 **MIGUEL GARCIA:** We focused on the sea cucumber, but the
19 Administrative Order also includes sea urchins, both of them.

20

21 **ROY PEMBERTON:** I hear Roy's point, Roy Crabtree's point, but
22 the Commissioner of DPNR has the capability of putting out an
23 emergency rule and in light of what has developed here in Puerto
24 Rico, I was explaining to some of my colleagues here that if it
25 can't be done in Puerto Rico, they are coming right next door to
26 the USVI.

27

28 I mean they have already started and, if necessary, we have to
29 put out an emergency rule, but it would help to have some
30 backing in the EEZ, because let's say they can't get in the
31 shallow and they might want to go in the deeper water and use a
32 vacuum method and that gear is not prohibited in our EEZ or in
33 our territorial waters and so I do understand that there are
34 some concerns that it has not been exploited and there's some
35 folks that could possibly utilize the fishery here in the
36 territory as well, but I have to urge the statement of caution
37 on this, because of the frequency of hurricanes and what
38 hurricanes do.

39

40 You could have a fishery going on and then here comes the
41 hurricane and then completely wipes it out. We need to
42 understand what's going on with this stock before we implement
43 any opening.

44

45 **CARLOS FARCHETTE:** I am not sure whether it's a total shutdown
46 you're looking at or a quota.

47

48 **GRACIELA GARCIA-MOLINER:** Roy Pemberton, do you have the

1 cucumbers in the listing of aquarium trade that you charge for
2 if anyone is going to fish for them? I don't think you do.

3
4 **ROY PEMBERTON:** No, we don't. The only thing on that list
5 that's similar to Puerto Rico is the bluehead wrasse or the
6 wrasses, which is a separate -- I think it's only about ten
7 pounds or fifteen pounds, somewhere in there, in terms of total.

8
9 **GRACIELA GARCIA-MOLINER:** The other is a request. You said that
10 someone had gone and done a study or assessment of the cucumbers
11 and could you make that available?

12
13 **ROY PEMBERTON:** The gentleman on the phone told me that they had
14 been working for the better part of a year in territorial waters
15 of St. Croix pulling sea cucumbers and testing the viability for
16 their market without any permitting or any contact with my
17 agency and that the call that I was getting was the call to get
18 a permit for that. I said absolutely not and you've already
19 gone and done this work, unbeknownst to us, and the potential
20 legal action is paramount here.

21
22 Of course, they never came in, but the first -- That was the
23 most audacious attempt, but when I came in I think it must have
24 been January or February of 2012, I had an inquiry by another
25 group out of San Francisco and I said we don't have a fishery
26 for it right now and also that we don't have any ACL directed to
27 it. That's when the ACL process was going on.

28
29 **MARCOS HANKE:** It is scary, because the more we talk, the more
30 things I see coming out of the bushes that indicate that a lion
31 is going to jump on me because of the resource that we are
32 dealing with.

33
34 One thing that blows my mind on this discussion is that right
35 now the socioeconomic impact, compared to other fishing that we
36 manage, is minimum for the local constituents and I am talking
37 about the people that live here. We don't participate in this
38 fishery and maybe we are the collectors or almost to the levels
39 of slavery of getting thirty-cents, but damaging our reefs.
40 This is totally ridiculous not to take an emergency rule or to
41 take a step to the plate on that. Whenever you guys finish the
42 discussion, I will be ready to make a motion to address my
43 intention on this.

44
45 **SHEPHERD GRIMES:** I would make it now.

46
47 **MARCOS HANKE:** My motion is to implement an emergency rule for
48 the sea cucumber and remember that emergency rules are for --

1 The motion first. The motion is for an emergency rule for sea
2 cucumbers, to be compatible with Puerto Rico, and the sea urchin
3 species in the U.S. EEZ.
4

5 **ROY CRABTREE:** I think what you ought to do is ask for an
6 emergency rule to close the EEZ fishery for sea cucumbers and
7 these two urchins that you are concerned about. I think your
8 motion should request us to close it in the EEZ.
9

10 **MARCOS HANKE:** Okay. I don't have the species of the urchins
11 with me and I need guidance from Miguel.
12

13 **MIGUEL GARCIA:** We were in the same situation and we closed
14 fisheries for all sea urchins too.
15

16 **ROY CRABTREE:** I think staff can work that out at your request.
17 We can figure that out.
18

19 **MARCOS HANKE:** The intention of my motion is to instruct the
20 staff to do that and to create the species list for the sea
21 urchin and the sea cucumber as part of the motion.
22

23 **MIGUEL ROLON:** Does this mean that we have to prepare a bunch of
24 papers for the sea cucumber and the sea urchin in the EEZ?
25

26 **CARLOS FARCHETTE:** I didn't get that.
27

28 **GRACIELA GARCIA-MOLINER:** Can you repeat that? We didn't
29 understand.
30

31 **MIGUEL ROLON:** If you are going to close the sea cucumber
32 fishery and the -- What was the other one, the guy with spines,
33 in the EEZ, we need to have a set of documents and go to public
34 hearings and all that or do we have a framework that will allow
35 us to just close the EEZ?
36

37 **ROY CRABTREE:** No, we're going to have to have the information
38 and all the material from Puerto Rico and we're going to need to
39 show what the landings are and the decline in the CPUE and all
40 that kind of stuff, so we can develop the rationale and why
41 we're doing this and so we will need all that information.
42

43 **MARCOS HANKE:** I would like to correct the language on the
44 motion, because it's incomplete. First, to create the emergency
45 rule -- To request an emergency rule and to instruct the staff
46 to create a species list of all --
47

48 **ROY CRABTREE:** You need to say what the emergency rule does.

1 You need to say to request an emergency rule to close the --
2
3 **MARCOS HANKE:** I will ask for your help, because I was
4 instructed a little while ago that just an emergency rule for --
5
6 **MIGUEL ROLON:** If I may state the language, you can request an
7 emergency rule to close the EEZ to all fishing of sea cucumbers
8 and sea urchins, period. Then the staff will have to do
9 everything they have to do to get the material from Puerto Rico
10 and other things.
11
12 **MARCOS HANKE:** To request an emergency rule to close the EEZ for
13 all sea cucumbers and sea urchins.
14
15 **CARLOS FARCHETTE:** That should be to the harvest of all sea
16 cucumbers.
17
18 **MARCOS HANKE:** Fishing or to close fishing or the fishery. To
19 close the harvest and we should eliminate the language of
20 instruct the staff to create the species list.
21
22 **CARLOS FARCHETTE:** The motion reads: To request an emergency
23 rule to close the harvest in the EEZ for all sea cucumbers and
24 sea urchins. Discussions?
25
26 **MIGUEL ROLON:** Who seconded the motion?
27
28 **CARLOS FARCHETTE:** Who seconded the motion?
29
30 **EUGENIO PIÑEIRO:** I did.
31
32 **CARLOS FARCHETTE:** Genio Piñeiro and is there discussion? We
33 have Ray Campbell.
34
35 **RAY CAMPBELL:** This is going to probably take a little bit
36 longer than five minutes and sitting here, I want to introduce
37 you to me. I am Ray Campbell and I have been fishing here for
38 fourteen years and I am a harvest diver. I fish in Alaska and I
39 have fished in Alaska.
40
41 I was a sea cucumber diver in Alaska and I possess a limited
42 entry permit in southeast Alaska for sea cucumbers and I
43 developed the sea cucumber fishery in Kodiak and I would like to
44 ask her to put my chart up for the sea cucumbers. Graciela,
45 could you put that information up for me on the sea cucumber
46 fishery in Kodiak and I will explain a little bit how we
47 developed the sea cucumber fishery in Kodiak.
48

1 I perfected this and I have a lot of experience fishing sea
2 cucumbers and I would like to ask Roy, besides myself, has
3 anybody reported any landings of urchins or sea cucumbers in the
4 Virgin Islands?

5
6 **ROY PEMBERTON:** No.

7
8 **RAY CAMPBELL:** So as far as I understand, I am the only
9 fisherman that has participated.

10
11 **CARLOS FARCHETTE:** Hold on, Ray. This thing went a little
12 wrong. The council has to finish their process and then we --

13
14 **RAY CAMPBELL:** Okay and that's for southeast Alaska. I am
15 requesting the Kodiak, for the sea cucumbers in Kodiak, but go
16 ahead and you're going to give me a chance to speak later on and
17 I will sit back.

18
19 **CARLOS FARCHETTE:** The motion is up and is there any discussion
20 by the council members?

21
22 **ROY CRABTREE:** Here's the deal with emergency rules. If I was
23 implemented, it would be in place for six months and then
24 provided that you're working on a plan amendment to follow up on
25 it, we could extend it for another six months, but if this
26 passes, you're going to need your staff to come in with either a
27 plan amendment to close it down permanently or to put some ACL
28 in place or deal with this on a more permanent basis and we
29 would need to look at that at our next meeting and then take
30 action on that in August, to get it put in place before the
31 emergency closure would expire early next year.

32
33 The other funny thing about emergency rules is I always vote
34 against them, because that's my instruction, is to vote against
35 emergency rules. I am going to vote against this emergency
36 rule, but I assume we're going to pass it and it's just a
37 procedural thing.

38
39 The way the Magnuson Act is written, if an emergency rule
40 request passes unanimously, then the Secretary has to implement
41 it and so I am instructed to vote against emergency rules so the
42 Secretary can make a choice as to whether to implement it or
43 not.

44
45 **SHEPHERD GRIMES:** Just one other thing I would note. The agency
46 has published criteria, guidelines, for implementing emergency
47 rules and so if this passes, there will be a letter from the
48 council that will address the criteria. I am just going to

1 mention them real briefly and I would encourage staff, strongly
2 encourage staff, to work with us, work with Southeast Regional
3 Office staff, to develop this letter and some of the rationale,
4 based on what we talk about at the meeting, and make sure we get
5 that done before council staff submits the request.

6
7 Anyway, for an emergency to exist, it's got to be a situation
8 that results from recent unforeseen events or recently
9 discovered circumstances and presents serious conservation or
10 management problems in the fishery and can be addressed through
11 emergency regulations for which the immediate benefits outweigh
12 the value of advance notice, public comment, and deliberative
13 consideration of the impacts on participants to the same extent
14 as would be expected under the normal rulemaking process.

15
16 **ROY CRABTREE:** Just based on what we have, I mean we've
17 certainly seen new information from the territory and given that
18 sharp decline in CPUE and things, it does appear to me that
19 there's a legitimate conservation problem here, but we will need
20 to make sure that all -- We will work with your staff to make
21 sure all those things get addressed.

22
23 **CARLOS FARCHETTE:** Any further discussion?

24
25 **GRACIELA GARCIA-MOLINER:** Just a request to the state government
26 of Puerto Rico to supply the data so that we can take a look at
27 it and use it.

28
29 **MIGUEL GARCIA:** It is written down already.

30
31 **RAY CAMPBELL:** I have a lot of pertinent information on this and
32 I think the fact that there's going to be a vote on here and
33 you've got somebody that obviously knows more than everybody in
34 this room about the cucumber fishery and the urchin fishery and
35 I'm not going to be allowed to share my information with you
36 before the vote is absurd and that's not management. This isn't
37 management.

38
39 You let the ACL go over and you're going to close down a
40 fishery? That's not management. I have a lot of pertinent
41 information here and as an experienced urchin diver and a
42 cucumber diver, I think you people should listen to what I have
43 to say before you vote, but since that's not the procedure, go
44 ahead and vote and then I will get my say during the public
45 comment period and you can shut me off after five minutes.

46
47 **CARLOS FARCHETTE:** We will take care of that.

48

1 **MIGUEL ROLON:** Carlos, if I may, does he have any information
2 about the sea cucumber fishery in the U.S. Caribbean, because
3 Alaska doesn't really do anything for us here.
4

5 **RAY CAMPBELL:** For one thing, I would like to know how come
6 urchins is included in this? Have they even harvested urchins?
7 Then why are you eliminating urchins? Because to tell you the
8 truth, I have probably sampled 200 urchins in the last fourteen
9 years on this island and it's not a viable fishery.
10

11 Out of 200 urchins that I have sampled, one has had viable roe
12 and it's not a viable fishery. The urchin fishery is a Japanese
13 market fishery and it's totally different than the cucumber
14 fishery and to lump them together is absurd and so our gentleman
15 here that made the presentation, has anybody harvested urchins?
16 Is there a problem with urchins? Is there an ACL with urchins
17 and has that been overharvested?
18

19 **MIGUEL GARCIA:** I can't answer those questions and I did not
20 come prepared to address it specifically and only for sea
21 cucumbers, but I can get that information once I go back
22 tomorrow and it's not a problem for me.
23

24 **MARCOS HANKE:** I am going to answer one of the reasons that we
25 included the urchins. Diadema has been reported and this is one
26 of the species that is very important to the coral reef and
27 because of that, we have been hearing and managing around the
28 diadema issue many things around this council, the presence and
29 the worry and we are aware how important they are.
30

31 I am sorry to say this, but just what you said now is one
32 perfect example of why we have to make this emergency rule for a
33 potential of overfishing on things like that, because if you do
34 experimental fishing of killing 200 sea urchins to see if it's
35 viable, who else is doing that without a permit or with a permit
36 that impacts a very valuable and important population of urchins
37 in a reef system that we depend on?
38

39 **RAY CAMPBELL:** I have a permit.
40

41 **ROY PEMBERTON:** To that point, Ray. Currently you are fishing
42 in state waters and this is a federal issue. At this point, the
43 emergency rule is something that the Commissioner can come up
44 with for our state waters and so right now, your situation is
45 really not paramount right now.
46

47 This is dealing with the EEZ, which is in the purview of the
48 council to deal with, unless you are planning to go out three

1 miles or you have been going out three miles, which I have not
2 known you to do, then this is an issue, but we have to do this
3 process and we will listen to your information and so rest
4 assured.
5
6 **CARLOS FARCHETTE:** If there is no more discussion, we will take
7 it to a vote and I will start on my left with Blanchard.
8
9 **TONY BLANCHARD:** Yes.
10
11 **ROY PEMBERTON:** Yes.
12
13 **MIGUEL GARCIA:** Yes.
14
15 **EUGENIO PIÑEIRO:** Yes.
16
17 **ROY CRABTREE:** No.
18
19 **MARCOS HANKE:** Yes.
20
21 **CARLOS FARCHETTE:** Yes. That's six yea and one nay and any
22 abstentions? Hearing none, the motion carries. Now we are
23 going to hear from Ray Campbell.
24
25 **RAY CAMPBELL:** Now that my information will be irrelevant,
26 because the vote has already been taken, but since I've gathered
27 this information, I will go ahead and share it with you.
28
29 **CARLOS FARCHETTE:** It's not that it's not relevant, because like
30 Dr. Crabtree says, we have to go back and decide whether we're
31 going to have an ACL or whether we're going to have a quota and
32 what we're going to do and so do your presentation. My only
33 concern about your presentation, and like Miguel Rolon said, is
34 it's from Alaska and not from the USVI or Puerto Rico.
35
36 **RAY CAMPBELL:** That is true. It's about the Alaskan fisheries
37 that we've developed and we've helped develop. From my
38 understanding, this is called the Caribbean Fishery Management
39 Council and your job is to manage fisheries and what I have just
40 seen here is not a management.
41
42 You let the ACL get overharvested, which was mismanaged, and
43 then to sweep that under the rug, you are going to eliminate it,
44 so you don't have to take responsibility for overharvesting your
45 ACL. The point has been made -- The point has been made that
46 this is an aquarium trade species when it's not.
47
48 It's a Chinese delicacy and that's what they came in here for.

1 They are harvesting it for the Chinese. Now, urchins, on the
2 other hand, is a Japanese fishery and it's the Japanese market
3 and they are totally different fisheries and I see no
4 representation that there's been any harvest of urchins here and
5 so the fact that it's been overharvested, that hasn't been
6 presented here, but it just happened to get lumped in with
7 cucumbers, because the ACL on cucumbers was overharvested.

8
9 From my experience and my sampling of urchins, there is not a
10 marketable resource here. You are not going to get a fishery
11 for urchins in the Virgin Islands. I have sampled -- In the
12 last fourteen years, I have cracked open probably 200 urchins to
13 test the roe and out of 200 urchins, I have found one urchin
14 that has marketable roe and that's a 0.5 percent marketability
15 on urchins.

16
17 A fishery cannot develop on that and so to add urchins into this
18 -- Now, there may be a problem with cucumbers. If you allow a
19 group of people to come in here and overharvest cucumbers, there
20 is definitely going to be a problem, but to shut it down because
21 you've allowed people to overharvest it is an example of
22 sweeping the problem under the rug.

23
24 My experience is we have some viable dive fisheries in Alaska
25 and this is an example of the Kodiak sea cucumber fishery. Now,
26 you can see back in 1991 and 1992 that there were no dive
27 permits issued and this is in the Kodiak district in Alaska.
28 There was not a cucumber fishery in Kodiak.

29
30 In the late 1980s, there was a green urchin fishery in Kodiak
31 that I participated in and they were developing a -- A cucumber
32 fishery had developed in southeastern. I went to Fish and Game
33 and I said, if I go down to southeastern and learn the fishery
34 and can get a buyer to come up to Kodiak, would you be willing
35 to do stock assessments and give us a quota to establish a new
36 fishery and they said they would and that's what I did.

37
38 I went down to southeastern Alaska and participated in the
39 cucumber fishery and learned the ropes and I came back to Kodiak
40 and I said, if I can get a legitimate buyer to make an
41 obligation to come up here and buy cucumbers, will you do the
42 stock assessments and give us quotas so we can establish a new
43 fishery and they said by all means they would.

44
45 The fishery started in 1993, after they did stock assessments,
46 and they did inform me that they were going to be very
47 conservative on the optimum yields they were going to allow us
48 to take.

1
2 As you can see, in 1993 there were 487 landings and fifty
3 permits and there was a harvest of a little bit over half-a-
4 million pounds. Now, that was because they were on virgin
5 stocks and there was a lot of cucumbers there.

6
7 What I wanted to show by these numbers is how this fishery
8 developed. It was well managed and it developed and it's been a
9 sustainable fishery for twenty years and that can be done if you
10 manage a fishery, but what I have just seen go down here isn't
11 management of a fishery. It's just an elimination of a fishery
12 and I haven't even heard anybody talk about stock assessments.

13
14 How many cucumbers are out there? Has there been any stock
15 assessments of how many cucumbers are out there? Somebody says
16 we haven't seen any cucumbers and you say, well, we decimated
17 the stocks. Well, if the stocks have been decimated by
18 overharvesting, somebody in Fish and Wildlife in Puerto Rico
19 should stand up and say, well, we were asleep at the wheel and
20 we let it happen, but I am sure I'm getting close to my five
21 minutes.

22
23 I have a lot of information here and I participated in the red
24 urchin fishery in southeastern and in the green urchin fishery
25 in Kodiak and, believe it or not, there is a big difference.
26 They are totally different fisheries between green urchins and
27 red urchins and the cucumber fishery in southeastern and I
28 developed the cucumber fishery in Kodiak and it's been a
29 sustainable fishery.

30
31 There is a lot of information that can be gathered and there can
32 be a lot of information, but, like I said, this vote went down
33 and it didn't seem to me like anybody knew anything.

34
35 I mean you voted to eliminate urchin diving and I haven't even
36 been -- From what I see, I don't even see that there's been an
37 urchin harvest. From my experience, there is not an urchin
38 that's worth harvesting in the Virgin Islands. Maybe Puerto
39 Rico is different. Maybe there are guys out there harvesting
40 urchins, but to eliminate a fishery that is not even going to be
41 able to develop is really kind of spinning your wheels.

42
43 **MIGUEL GARCIA:** I have said this before, but the Administrative
44 Order is closing the sea urchin fisheries and it also mandates a
45 -- It's a temporary closure and it also mandates the
46 commencement of a study to better understand the sea urchin
47 ecology and population in Puerto Rico at the same time and so
48 that's the beginning of something.

1
2 That basically is based on those landings and the CPUE and the
3 dramatic decreasing within a year. I want to say that and also,
4 based on that information, a no harvest for a resource is a
5 management strategy also after that information.
6

7 **ROY PEMBERTON:** Ray, I understand where you're coming from, but
8 you just pointed out, and Marcos was trying to get you to
9 understand the point that you made, but you said that you
10 cracked open 200 in the last fourteen years.
11

12 I didn't know you were doing that and for all I know, there's
13 another fisher doing the same thing or ten other fishers doing
14 the same thing. You can't tell me without a shadow of a doubt
15 that there may not be other people out there doing exactly what
16 you're doing and that's the concern.
17

18 We don't have an ACL and we don't have a fishery and we need to
19 understand what's going on before you open it. We don't want to
20 then have somebody go and do a survey unbeknownst to the local
21 government in local waters to find out if something is viable
22 and then come and ask for a permit to then start a fishery.
23 That's not how it works.
24

25 I mean I understand what you did in Alaska, but that's a little
26 dissimilar to what you're stating as trying to be done here and
27 the cautionary approach that I'm having is because I am
28 responsible, along with the Commissioner of DPNR, for all state
29 waters and the needs of the many, which includes the coral reef,
30 the viability of the reef, the protection of the reef, the
31 stocks that live on it. It's paramount to one individuals or a
32 few individuals, and in this case in Puerto Rico it's six or
33 seven, than anything else.
34

35 Now, I have to make a tough decision, but I am not going to make
36 it in the blind. This is a temporary order in order to get the
37 information that we need to make the proper assessment and the
38 proper judgment, but we have to do this and I don't think six
39 months to a year is going to kill anybody, but we know if it's
40 left out of control, we saw what the documentation showed. It
41 will go straight to hell and so we have to do something.
42

43 I don't mean to be offensive to you or to anybody who is trying
44 to get into this fishery, but we need to know some information
45 about it before we start shooting in the dark.
46

47 **MIGUEL ROLON:** In the 1980s, I worked with a Taiwanese fellow
48 who came to Puerto Rico to assess the possibility of developing

1 a fishery for sea cucumbers and sea urchins and he had some help
2 and I worked with him and he was looking at the white sea
3 urchins and sea cucumbers and at the end, he found that there
4 were not enough for the type of operation that he was
5 envisioning.

6
7 In St. Lucia, they used to have -- I don't know if they have it
8 still, but they have a sea cucumber and sea urchin fishery and
9 it's a limited entry. It's a few divers in St. Lucia.

10
11 The other point I wanted to make is that I hate to use emergency
12 actions when you don't have a fishery developed, but anyway,
13 that's my personal thing. The emergency action is a tool, but
14 you have to be careful how you use it. That's why the RA has to
15 say no, so they have a chance to ponder the pros and cons of it.

16
17 By the way, in using Go to Meetings, a no from Roy Crabtree is
18 really scary and I am glad that he explained why he did it, but
19 anyway, for Puerto Rico -- At that time, the Puerto Rico
20 Department of Natural Resources decided not to develop the sea
21 cucumber fishery or the sea urchin, because at that time we were
22 recovering from an event that wiped out the sea urchin
23 population of the black sea urchin and others.

24
25 I believe that since you don't have a fishery formed, I don't
26 think that in a year that people will come from all over to reap
27 our oceans of sea urchins and the sea urchins doesn't have to be
28 a fishery, as somebody was mentioning. It's a component of the
29 ecosystem and, as Marcos believes, the sea cucumber and the sea
30 urchins are more important to be left alone at the reef to do
31 what they do, like cleaning the algae from the coral reef and
32 the council is entitled to use a mechanism of that fishery,
33 because of the value of the animal in the ecosystem. It's way
34 more than the value of the animal at the table.

35
36 **PHIL STEELE:** I don't think we can overlook the value of both of
37 these creatures to the marine environment. We are still
38 suffering from the die-off of diadema that came way long ago and
39 is a primary reef cleaner and it can't be overestimated, the
40 value, and the same thing with sea urchins.

41
42 They feed on dead material and they are responsible for helping
43 maintaining water quality and so, to me, the value of these
44 animals to the ecosystem far outweighs any value we could get
45 from obtaining resource rent from a fishery. That's just my
46 opinion, but that's something we need to consider. Diadema
47 still hasn't come back.

48

1 **GRACIELA GARCIA-MOLINER:** I wanted to find out -- I think that
2 in Alaska there is only one species of cucumber that is
3 harvested, commercially harvested, and is that correct? It's
4 one species, the giant red sea cucumber, no?

5

6 **RAY CAMPBELL:** Yes.

7

8 **GRACIELA GARCIA-MOLINER:** The reason why I'm asking is because
9 we're -- Right off the bat, we're talking about at least five
10 species that could be collected indiscriminately by anyone who
11 doesn't really know how to tell them apart.

12

13 They have been used before, both in the Virgin Islands and in
14 Puerto Rico, for medical research and that has been going on
15 since the 1970s, I believe, and the same thing for the urchins.
16 Back in the early 1980s, there was a huge, big thing about
17 research for urchins specifically for the commercial value of
18 these urchins.

19

20 Now, this would be a good opportunity and there will be an
21 emergency rule, but also a good opportunity to get all the
22 information that's available from way back when, because no one
23 really has been doing much in recent years, except for the
24 regeneration of -- The regenerative process of the sea cucumber
25 that is still very much in vogue in the medical sciences.

26

27 Right off the bat, we are looking at many more species that
28 people cannot differentiate and that also goes for the urchins.
29 You are an experienced diver, but most people will just pick
30 them up and cut them open to see if they can eat the roe or not
31 and unless you go with someone who really knows that -- Believe
32 me, that I know, because people have asked me.

33

34 They just go off to the reef to crack them open and see if they
35 can eat them and so there are a number of issues that deal with
36 these species and it would be a good opportunity to put them on
37 the table and to look at them from different perspectives.

38

39 **CARLOS FARCHETTE:** In light of our time constraints here, since
40 it's like one minute to five, we are going to skip the
41 Enforcement Reports. They can submit them in writing to the
42 council and Other Business, we had -- I am being told no Other
43 Business.

44

45 The next council meeting, I think there was a date set for that
46 and I am not sure, but I think it's in April. Miguel, can you
47 clarify that for me?

48

1
2
3 **NEXT COUNCIL MEETING**

4 **MIGUEL ROLON:** You are talking about April all the time and with
5 all the list of meetings that you have between here and the next
6 meeting, April seems to be a logical candidate for the next
7 meeting. We have to be away from the holy week and if you look
8 at your calendars around here, if you want to have it in the
9 third week of April, then we can have it there.

10 **BILL ARNOLD:** At the risk of getting beat on, what you're
11 actually semi-obligated to do is to establish the meeting dates
12 for all meetings in 2015 at this meeting.

13
14 **CARLOS FARCHETTE:** Right.

15
16 **ROY PEMBERTON:** Thanks, Bill.

17
18 **MIGUEL ROLON:** Mr. Chairman, we can do that right now. It's
19 third week of April for the first meeting of 2015 and August 11,
20 that week, for the summer meeting and the December one will be
21 the same, the same week that we are having this one right now.
22 Specific dates will be the week of April 20th, the week of August
23 10th, and the week of December 7th, two or three days or one.

24
25 **BONNIE PONWITH:** The week of August 10th is already scheduled for
26 the Gulf Council.

27
28 **MIGUEL ROLON:** How about the 17th?

29
30 **CARLOS FARCHETTE:** We are looking.

31
32 **MIGUEL ROLON:** Carlos, Meetings Attended by Council Members and
33 Staff, if you don't say it at this meeting, you have to say it
34 at the next one or send me a written report to comply with the
35 requirements that we have for traveling.

36
37 **CARLOS FARCHETTE:** Okay.

38
39 **MIGUEL ROLON:** It's just the meetings that you went to between
40 August and this time. We went to Panama for the --

41
42 **CARLOS FARCHETTE:** Right and Steering Committee and Miguel
43 Garcia and the Steering Committee I went to and U.S. Coast Guard
44 Living Marine was Marcos Hanke and AFSC Operational Guidelines,
45 that was Miguel and Graciela. Council member training, that was
46 Marcos and the GCFI was Graciela and so if you all could submit
47 something in writing for us, so that we can have it on the
48 record.

1
2 **MIGUEL ROLON:** Please send me an email and that will cover it,
3 so we can stick it in the record.
4
5 **CARLOS FARCHETTE:** Okay.
6
7 **MIGUEL ROLON:** I would like to say mine right now, because we
8 haven't started and so I don't have to write anything, but I
9 just went to the Panama meeting and it was a success story for
10 the queen conch and I already covered that in my report.
11
12 Then we went to the spiny lobster that you attended and aside
13 from somebody being sick, it was a success story, because the
14 WECAFC group adopted the strategy for data collection and
15 analysis of the spiny lobster.
16
17 **CARLOS FARCHETTE:** I will submit an email and we will get one
18 from Graciela.
19
20 **ROY PEMBERTON:** Mr. Chairman, can you give those dates out again
21 for the meetings? Could you give those out again, please?
22
23 **MIGUEL ROLON:** April, the week of the 20th, and that could be the
24 21st and 22nd of April. August, the week of the 17th and that
25 could be the 18th and 19th of August. December, 8th and 9th of
26 December, 2015.
27
28 **DIANA MARTINO:** Miguel, the South Atlantic Council meeting has
29 already been proposed for that week of the 17th.
30
31 **MIGUEL ROLON:** Well, pick one in August.
32
33 **DIANA MARTINO:** It's for the 10th.
34
35 **MIGUEL ROLON:** That's why I moved it to the 17th, because Bonnie
36 said that it was the 10th. Remember, in the case of August, we
37 decided that we will work with Roy's calendar, because we wanted
38 to allow him to participate, given that fact that he attends the
39 two other council meetings. If they agree with the 17th, then
40 the council meeting in August will be the 18th and 19th.
41
42 Also, the venue, you were talking about switching St. Croix and
43 Puerto Rico if the ABT, the final decision, was going to be made
44 at that particular meeting. The way things are going, I don't
45 think that you're going to make a final decision at the April
46 meeting and so probably we can have the meeting in St. Croix and
47 at the August meeting you will make a final decision at the
48 meeting in Puerto Rico on ABT.

1
2 **MIGUEL GARCIA:** I do have a problem for the week of the 17th of
3 August, just for the record.
4
5 **MIGUEL ROLON:** Can you send somebody?
6
7 **MIGUEL GARCIA:** Yes, that's possible.
8
9 **ROY PEMBERTON:** So we only have three dates?
10
11 **CARLOS FARCHETTE:** Yes, for three meetings.
12
13 **ROY PEMBERTON:** Okay. For some reason I thought there was going
14 to be four.
15
16 **CARLOS FARCHETTE:** Sometimes.
17
18 **MIGUEL ROLON:** We budget for four, Roy, and usually the council
19 plans for three and the fourth one is for any meeting that the
20 council decides that we need to have it for a particular
21 situation, like we did last year in July.
22
23 **CARLOS FARCHETTE:** I guess we will send an email out to see what
24 issues we may have with those dates.
25
26 **MIGUEL ROLON:** Mr. Chairman, there is no issue with those and
27 you need to do it right now. That's what you agreed and that's
28 part of your process. It's April 20th and 21st and August 18th
29 and 19th and December 8th and 9th. If somebody cannot make it and
30 is allowed to have a designee, like the local governments or the
31 federal government, they can send a designee. I have to publish
32 this on the webpage.
33
34 That's what you agreed when the Pew Commission requested to have
35 this done, to have this done in December so they can plan,
36 especially the Southeast Fisheries Science Center and National
37 Marine Fisheries Service's Regional Office, so they can plan
38 their activities, because they serve the other two councils.
39
40 **CARLOS FARCHETTE:** Okay.
41
42 **MIGUEL ROLON:** Then it should be allowed the discretion of the
43 Chair to have the meeting in April at St. Croix or Puerto Rico,
44 depending on the ABT process.
45
46 **CARLOS FARCHETTE:** Okay.
47
48 **BILL ARNOLD:** Just two things. I think that the dates are more

1 important than the location at this time and the other thing is
2 I think Dr. Crabtree was saying that the South Atlantic is the
3 week of December 7th and so you might want to choose the week of
4 December 14th for that one, just to safe, and then we can
5 celebrate Christmas together.

6
7 **MIGUEL ROLON:** We can move it to the 15th and 16th or we can have
8 it in the first week of December. Is there any preference to
9 move it before the 7th or after the 7th?

10
11 **CARLOS FARCHETTE:** The 14th, they are saying.

12
13 **MIGUEL ROLON:** Okay and so the week of the 14th for the December
14 2015 meeting and that will be the 15th and 16th?

15
16 **CARLOS FARCHETTE:** Yes. Okay and so according to me -- We are
17 done with that and we're good. All right. Any more
18 discussions? Hearing none, this meeting, the 151st CFMC Meeting,
19 held in St. Thomas, Virgin Islands, at the Frenchman's Reef is
20 adjourned. Have a great holiday season.

21
22 (Whereupon, the meeting adjourned on December 10, 2014.)

23
24 - - -
25