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TABLE OF MOTIONS

PAGE 114: Motion to hold one public hearing in Mayaguez and Cabo Rojo and one public hearing at the council meeting in San Juan in August. The motion carried on page 115.

PAGE 145: Motion to direct staff to prepare, for the August 2016 council meeting, a road map with the participation of SERO, SEFSC staff, and council members detailing the content and goals of meetings of the advisory groups and committees, with the goal of developing the draft IBFMPs to be considered in its final form at the December 2017 CFMC meeting. The motion carried on page 148.

PAGE 226: Motion that the Caribbean Fishery Management Council recommends that the NMFS SERO Regional Administrator approve the EFP application submitted by PR DNER. The motion carried on page 227.

PAGE 247: Motion to fill the vacancy in the SSC with Meaghan Bryan from the SEFSC. The motion carried on page 248.

PAGE 248: Motion to re-appoint the following members to the SSC: Dr. Hoenig, Dr. Garcia-Sais, Dr. Joseph Kimmel, and Tyler Smith. The motion carried on page 248.

PAGE 248: Motion to recommend the appointment of Makisha George to the Outreach and Education Advisory Panel. The motion carried on page 248.

PAGE 249: Motion to reappoint Alida Ortiz, Cristina Olan, Janet Ramos, Andres Maldonado, Lia Hibbert, Elliette Hernandez, Vilmarie Roman, Kim Iverson, and Emily Muehlstein to the Outreach and Education Advisory Panel. The motion carried on page 249.

- - -

1                                   **CARIBBEAN FISHERY MANAGEMENT COUNCIL**  
2                                   **156<sup>TH</sup> REGULAR COUNCIL MEETING**  
3                                   **The Buccaneer Hotel**  
4                                   **St. Croix, USVI**

5  
6                                   June 28, 2016  
7

8   The Caribbean Fishery Management Council convened at the  
9   Buccaneer Hotel, St. Croix, USVI, Tuesday morning, June 28,  
10  2016, and was called to order at 9:00 o'clock a.m. by Chairman  
11  Carlos Farchette.

12  
13                                   **CALL TO ORDER**  
14

15 **CARLOS FARCHETTE:**   I want to welcome everyone to the 156<sup>th</sup>  
16 Regular Council Meeting, being held at the Buccaneer Hotel, St.  
17 Croix, on June 28 and 29.  It's now 9:04 a.m.  We are going to  
18 start the Call to Order at 9:04 and we will do the roll call.  
19 I'm going to start on my left with Vivian.

20  
21 **VIVIAN RUIZ:**   Vivian Ruiz, council staff.  
22

23 **GRACIELA GARCIA-MOLINER:**   Graciela Garcia-Moliner, council  
24 staff.  
25

26 **BILL ARNOLD:**   Bill Arnold, NOAA Fisheries, Southeast Regional  
27 Office.  
28

29 **TONY BLANCHARD:**   Tony Blanchard, councilman.  
30

31 **CARLOS VELAZQUEZ:**   Carlos Velazquez, council member.  
32

33 **MIGUEL GARCIA:**   Miguel Garcia, Puerto Rico, council member.  
34

35 **RUTH GOMEZ:**   Ruth Gomez, DPNR, St. Thomas representative.  
36

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

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

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

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

45 **ROY CRABTREE:**   Roy Crabtree, NOAA Fisheries.  
46

47 **IRIS LOWERY:**   Iris Lowery, NOAA General Counsel, Southeast  
48 Section.

1  
2 **BONNIE PONWITH:** Bonnie Ponwith, NOAA Fisheries.  
3  
4 **JOSH MCELHANEY:** Josh McElhaney, Coast Guard Sector San Juan.  
5  
6 **JACK MCGOVERN:** Jack McGovern, NOAA Fisheries.  
7  
8 **RICHARD APPELDOORN:** Rich Appeldoorn, SSC Chair.  
9  
10 **NELSON CRESPO:** Nelson Crespo, Puerto Rico DAP Chair.  
11  
12 **JULIAN MAGRAS:** Julian Magras, DAP Chair, St. Thomas/St. John.  
13  
14 **EDWARD SCHUSTER:** Edward Schuster, DAP Chair, St. Croix.  
15  
16 **KATE QUIGLEY:** Kate Quigley, council staff.  
17  
18 **HOWARD FORBES:** Howard Forbes, DPNR Enforcement.  
19  
20 **LOREN REMSBERG:** Loren Remsberg, NOAA Office of General Counsel.  
21  
22 **JEFF RADONSKI:** Jeff Radonski, NOAA Enforcement.  
23  
24 **YASMIN VELEZ:** Yasmin Velez, Pew Charitable Trusts.  
25  
26 **TONY IAROCCI:** Tony Iarocci, commercial fisherman.  
27  
28 **HELENA ANTOUN:** Helena Antoun, contractor.  
29  
30 **KEN STUMP:** Ken Stump, Ocean Foundation.  
31  
32 **PAULITA BENNETT-MARTIN:** Paulita Bennett-Martin, Emory  
33 University.  
34  
35 **HOLDEN HARRIS:** Holden Harris, University of Florida.  
36  
37 **DAVE GUBSER:** Dave Gubser, commercial fisher.  
38  
39 **JUAN CRUZ:** Juan Cruz, DPNR, St. Croix.  
40  
41 **RICARDO LOPEZ:** Ricardo Lopez, Puerto Rico DNR.  
42  
43 **CARLOS FARCHETTE:** Thank you. The first thing on the agenda is  
44 the Adoption of the Agenda. First, we will do the Go to  
45 Meeting.  
46  
47 **VIVIAN RUIZ:** Go to Meeting attendee is Adam Brame.  
48

1  
2  
3 **ADOPTION OF AGENDA**

4 **CARLOS FARCHETTE:** Thank you, Vivian. For tomorrow morning on  
5 the agenda, we have an addition to the agenda. First thing in  
6 the morning, it will be Todd Gedamke, and he will do a summary  
7 of the pilot port sampling program.

8 **ROY CRABTREE:** At some point this morning, I would like to give  
9 you an update on the Nassau grouper listing. In addition to  
10 filling you in, because there is a rule going to the Federal  
11 Register this morning, and then Adam Brame is standing by to  
12 give a presentation on that, whenever you would like, but I can  
13 fill you in on it as soon as you're ready.

14  
15 **CARLOS FARCHETTE:** Okay. Any more additions? Dr. Ponwith.

16  
17 **BONNIE PONWITH:** Thank you, Mr. Chairman. I just would like to  
18 be able to talk a little bit about -- Again, to refresh the  
19 council on the results of the data-limited stock assessment and  
20 the importance of preparing for the ABC control rule.

21  
22 **CARLOS FARCHETTE:** Okay. Thank you, Bonnie. Any more  
23 additions? Hearing none, somebody needs to move to adopt the  
24 agenda.

25  
26 **MARCOS HANKE:** Move to adopt the agenda.

27  
28 **TONY BLANCHARD:** Second.

29  
30 **CARLOS FARCHETTE:** Okay. The motion is to move to adopt the  
31 agenda as modified by Marcos Hanke. It's seconded by Tony  
32 Blanchard. All in favor say aye; any nays; any abstentions.  
33 Hearing none, the motion carries.

34  
35 Consideration of the 155<sup>th</sup> Council Meeting Verbatim  
36 Transcriptions. I guess everybody is good with what was  
37 submitted. Is there a motion for that one? Are there any  
38 additions or corrections to the transcription of the last  
39 council meeting, the 155<sup>th</sup> held in Puerto Rico? I didn't see  
40 anything when I read it, and so I think I'm good.

41  
42 **CONSIDERATION OF THE 155<sup>TH</sup> COUNCIL MEETING VERBATIM TRANSCRIPTION**

43  
44 **MARCOS HANKE:** Motion to adopt the transcription.

45  
46 **TONY BLANCHARD:** Second.

47  
48 **CARLOS FARCHETTE:** All in favor say aye; any abstentions; any

1 nays. Hearing none, the motion carries. Next is the Executive  
2 Director's Report.

3  
4 **EXECUTIVE DIRECTOR'S REPORT**  
5

6 **MIGUEL ROLON:** Thank you, Mr. Chairman. There's not much to  
7 report between the last time that we met and here, except that  
8 we need to welcome Tony Blanchard for another term of three  
9 years. He has been reappointed, and he will start in August.  
10 When you finish your appointment on August 10, you will start on  
11 the 11<sup>th</sup>. Maybe a round of applause for this guy. (Applause)  
12 We have Tony for three more years.  
13

14 Just to mention that the CCC, the Council Coordination  
15 Committee, met in St. Thomas in May. This time, it was hosted  
16 by us, the Caribbean Council, and it went very well, thanks to  
17 the staff, especially Diana here and Graciela and Vivian and the  
18 rest of the people who were working really hard for this event.  
19

20 Out of the meetings, a couple of things that we wanted to  
21 mention to you is you know that every year we have  
22 reauthorization of the Magnuson Act, and so there will be a  
23 couple of bills that address issues related to the Magnuson Act,  
24 and we will provide you the information as it comes along.  
25

26 There is a possibility that they will address the Magnuson Act  
27 in 2017, after the elections, but some of the issues that they  
28 are going to be addressing in the future may include the way  
29 that we operate, the way that we prepare fishery management  
30 plans, to provide more flexibility and also to allow us to have  
31 more tools for the collection of scientific data and analysis.  
32

33 We discussed, for example, how we do the OY and how we work  
34 together with National Marine Fisheries Service. There was some  
35 discussion there about who has the last word as to the best  
36 available data, and that's something that was addressed, and the  
37 answer to that question is that the National Marine Fisheries  
38 Service is the one who determines the best available data.  
39

40 The SSC is to filter that information to the councils, and both  
41 of these two bodies provide you the best available data that you  
42 can have, or the certification of the best available data is the  
43 responsibility of the National Marine Fisheries Service.  
44

45 The issue was because there were some concerns. Some people  
46 thought that, in some other councils, that when you have an  
47 assessment that tells you this is the status of the stocks and  
48 then you have another assessment from National Marine Fisheries

1 Service that is a little bit different from what you have, who  
2 should you follow? We discussed that a little bit there, and  
3 the answer to you, just in case that comes to this council, is  
4 that NMFS will tell us which is the best available data,  
5 according to the law. It doesn't happen much. It's not that  
6 much of an issue to the Caribbean Council so far, but to the  
7 other councils it is, and s I believe that we settled that  
8 there.

9  
10 The rest was regular, ordinary discussions between the councils  
11 that amongst ourselves we discuss every year. The budget, so  
12 far, the budget for the next three years is not that bad, but  
13 it's not that good. We were expecting a 10 percent increase and  
14 we got 2.9, and it seems that it will be kept level for the next  
15 two or three years. That means that we will be able to do our  
16 work, but we have to be careful how we spend the money, to make  
17 sure that we are kept within the range of the monies that are  
18 allocated to each council.

19  
20 Regarding the issues that are important, the electronic  
21 reporting, there are a lot of fishermen who have expressed the  
22 desire to have electronic reporting in Puerto Rico and the  
23 Virgin Islands, but, especially in Puerto Rico, there is a group  
24 of fishermen who called me, and they have discussed it with  
25 Carlos Velazquez and they have discussed it with Marcos, and  
26 especially with the local government. At this time, Miguel, do  
27 you have any idea when that electronic reporting will come into  
28 play?

29  
30 One of the groups that would like to have that electronic  
31 reporting by yesterday is the snapper grouper fishers of the  
32 west coast of Puerto Rico and the east coast, because we have  
33 snapper grouper fisheries all around Puerto Rico, and they are  
34 fishermen who have been also interested in being part of that  
35 group that the DNR is allowing to fish for snapper grouper. Do  
36 you have anything, Miguel?

37  
38 **MIGUEL GARCIA:** We have had some conversation with Point 97. We  
39 are moving pretty quick, to the goal of starting with the  
40 deepwater snapper fishermen, but I just got an email two days  
41 ago that Point 97, the president of that company, that he's  
42 going to be evolving to other aspects of his professional career  
43 and he won't be pursuing Point 97 any longer.

44  
45 I talked with the people at the Nature Conservancy. They are  
46 the ones who were getting the proposal to speed the transition  
47 as a pilot study to the electronic reporting, and I have a  
48 meeting with the TNC person in Puerto Rico this coming Friday to



1 discuss what might be the next steps to pursue on this, but it  
2 was like a last-minute call that he is not doing this anymore,  
3 and so we will see.

4  
5 **MIGUEL ROLON:** So you don't have any idea? I know that this  
6 year that nothing will happen until after the elections, but --

7  
8 **MIGUEL GARCIA:** I will know better after Friday. Secretary  
9 Carmen Guerrero is leaving the agency this coming Thursday, and  
10 so everything is going to be after Friday anyway, and so we will  
11 see.

12  
13 **CARLOS FARCHETTE:** Bill.

14  
15 **BILL ARNOLD:** Regarding the electronic reporting, there were  
16 actually two funding opportunities out there. One was I think  
17 Point 97, and I'm not sure exactly what it was, but the other  
18 one was the Coral Reef Conservation Program. I was wondering if  
19 anybody was pursuing that. Miguel, are you aware of that?

20  
21 **MIGUEL ROLON:** There was a third option that was presented to  
22 the council several years ago by Dr. Gonzalez, and his idea was  
23 -- Dr. Gonzalez is an expert on data collection and analysis and  
24 software, and he has a proposal to develop a web page, and that  
25 web page could be used by all the fishers. You can copy  
26 everything that you have on paper plus more, whatever you need,  
27 and then the fishermen could go to that webpage every day or  
28 every week and upload the data of his landings by species, by  
29 area. I don't know, but, Miguel, is that something that is  
30 still doable?

31  
32 **MIGUEL GARCIA:** We are still very and even more interested today  
33 than before in moving forward for the electronic data reporting,  
34 particularly for any group that is going through accountability  
35 measures at this time, of course, Snapper Unit 2 and probably  
36 lobsters and others.

37  
38 Yes, I remember Dr. Gonzalez. We approached him and we had some  
39 conversation, and, after that, we were basically focused on  
40 Point 97, and so maybe it's time to go back to the drawing table  
41 and find new options, because it seems that Point 97 won't be in  
42 our future anymore.

43  
44 **MIGUEL ROLON:** There is also the cost involved. The Point 97  
45 pilot project was \$350,000, and it was with a handful of  
46 fishermen only. If we are going to implement something like  
47 that, we probably will have to tailor it down to something that  
48 can afford and pay for. Mr. Chairman, that's all I have for the

1 electronic reporting.

2  
3 There was a question by some of the council members of how do we  
4 get information that the council has to consider and react to,  
5 and some people thought that if you have a member of one  
6 committee that that member can only go to the council through  
7 that committee, but, just to clarify and refresh our memories,  
8 an individual citizen can send a letter or a communication to  
9 SERO, the Southeast Fisheries Science Center, the SSC, or the  
10 District Advisory Panels, which, in turn, will send that  
11 information to the council.

12  
13 They can also send a communication directly to the RA, Dr. Roy  
14 Crabtree in our case, to the Secretary, or directly to the  
15 council, through me. The council has to react to any of these  
16 issues that come through this network, and, just to clarify,  
17 because we had some conversation a couple of weeks ago. When a  
18 member of the DAP, a council member, a recreational fisherman,  
19 or a government official -- If they want to direct their  
20 comments or suggest an idea, they can send it through any of  
21 these bodies directly.

22  
23 Usually they come to the council first, because people know us,  
24 but we, in the past, have received topics for discussion from  
25 DOC directly, especially those related to budget and  
26 international affairs. In the past, we have received that, and  
27 I don't have here the Department of State, because we don't have  
28 that much to do, but, in the good old days, the Department of  
29 State was very active here in this area, because we touch five  
30 countries.

31  
32 To the east, we have the British Virgin Islands. Of course, to  
33 the west, we have the Dominican Republic, but, to the south,  
34 believe it or not, we have Venezuela, because Aves Island is  
35 less than 400 miles from here, and we have a little bit of a  
36 line with the French and the Netherlands, because of St. Martin.  
37 They are divided in two, but, anyway, I just wanted to clarify  
38 that topic.

39  
40 That means that any member of the DAP can come directly to the  
41 council with any worry, any suggestions, and the same with the  
42 SSC and the other groups that provide advice to the council.  
43 That's it, Mr. Chairman.

44  
45 I did forget that we had the Fish Fry again. The Fish Fry is an  
46 activity put together by NOAA, and it's done in the building of  
47 the Department of Commerce every year, and they invite us every  
48 year to participate at the Capitol Hill Ocean Week, which is

1 coordinated by the National Marine Sanctuary Foundation. Also,  
2 we go to the Fish Fry and we are invited there by National  
3 Marine Fisheries Service. Eileen Sobeck was able to come to our  
4 booth and she was very pleased with the outcome of this meeting,  
5 this event, this year. We had close to 1,500 people attending  
6 and paying.

7  
8 It's a way to exchange ideas with the people in Washington,  
9 citizens. Even people from England came and talked to us about  
10 the regulations that we follow. It has been a success story for  
11 the last seven years, and Eileen told me that, although she is  
12 not going to be there next year, because her term will expire on  
13 December 31, she encouraged the council to participate next  
14 year, too.

15  
16 Again, I would like to thank Diana. She is the one who has been  
17 pushing me to go to that meeting every year, and this time we  
18 had Vivian. She took 290 pictures of everybody, and she was  
19 really instrumental in making this a good, successful event.  
20 Those of you who are not familiar with it, at that meeting, at  
21 that event, we have people from all over the states, and they  
22 bring seafood recipes and they have an opportunity to exchange  
23 ideas and talk to the people from Capitol Hill.

24  
25 The staffers of the House and the Senate, they come by, and you  
26 won't believe the questions they ask you. Sometimes they just  
27 ask you -- I had one guy ask me if the Caribbean had any  
28 fisheries, and he told me that he was so ignorant that he didn't  
29 know that the marine fisheries was under the U.S. flag, under  
30 the MSA. That gives you an idea of peoples' perspective of what  
31 the MSA does for fisheries in the United States and what we  
32 cover, and he was very pleased to know that we interact with the  
33 National Marine Fisheries Service, and his staff is going to pay  
34 more attention to fishery issues from now on. He is a member of  
35 the House Committee on Marine Resources, and that's why, to me,  
36 it was a very interesting question, coming from a person who  
37 works in the marine resources in the House.

38  
39 One fisherman asked me to tell the council that he is very  
40 concerned that the statistics that we are using for ACLs and all  
41 of that are of concern to the fishers, and so we asked Carlos  
42 Velazquez and a group to put together a presentation, and you  
43 will receive that tomorrow. There is a group of volunteer  
44 fishers that would like to help improve the data collection that  
45 we have here, and they are all from Puerto Rico.

46  
47 In the future, probably we will ask the same question to the  
48 Virgin Islands. In the Virgin Islands, we have the St. Thomas

1 Fishermen's Association that has been very active in working  
2 together with the council. Actually, Julian is the Executive  
3 Director. Julian and I have been working together and with the  
4 council, and I believe that the council should pay attention to  
5 what the fishers' interests are. That's all. I believe, Mr.  
6 Chairman, that we would like also to talk about the Nassau  
7 grouper, and, at this time, Roy can address the group.

8  
9 **CARLOS FARCHETTE:** Thank you, Miguel. Talking about the Fish  
10 Fry, it was an excellent venue for networking with a lot of  
11 different people, and so I'm glad that I participated in that.  
12 One of the booths that I attended was from Florida, where they  
13 were marketing lionfish. They had a lionfish ceviche, and I  
14 know that, here in the Virgin Islands, there is a group that is  
15 also trying to do some discussion and surveys with fishermen,  
16 any stakeholders really, to do marketing of lionfish, and so I'm  
17 sure you will hear from them while you're here. Dr. Crabtree.

18  
19 **UPDATE OF NASSAU GROUPER LISTING**

20  
21 **ROY CRABTREE:** You may recall that, back in 2010, the Fisheries  
22 Service got a petition from Wild Earth Guardians to list Nassau  
23 grouper under the Endangered Species Act. We went through a  
24 long status review process and, ultimately, we published a  
25 proposed rule proposing to list Nassau grouper as threatened.

26  
27 There was a comment period, and, today, a final rule is filing  
28 at the Federal Register that will list Nassau grouper as  
29 threatened under the Endangered Species Act. That listing will  
30 become effective on June the 29<sup>th</sup>.

31  
32 Being threatened does not mean that a species is endangered at  
33 this time, but it means that it could become at risk of being  
34 endangered in the foreseeable future. Most of the concerns with  
35 Nassau grouper are related to overharvest, and particularly  
36 overharvest of spawning aggregations.

37  
38 Most of the concerns are not related to the U.S. Caribbean or  
39 what's going on in Florida. Our waters have been closed to  
40 possession of Nassau grouper I think since 1990 and so have  
41 Florida waters, but there is still harvest going on in other  
42 parts of the Caribbean, and there are concerns with enforcement  
43 and things going on in other parts of the Caribbean, and the  
44 listing looks at the Nassau grouper population on a Caribbean-  
45 wide basis.

46  
47 The listing does not change the current fishing regulations in  
48 the U.S. waters, and so the current council prohibitions on

1 harvest will remain in place. Now, it is possible that the  
2 Fisheries Service could put some additional regulations in  
3 place, through a provision in the Endangered Species Act called  
4 4(d), but we don't have definitive plans about that now. We may  
5 take a look at imports of Nassau grouper from other countries,  
6 and we may look at prohibiting importation of Nassau grouper at  
7 some point in the future, if that seems warranted.

8  
9 We will have to look at critical habitat. We have a year to  
10 determine if we can describe critical habitat and put that in  
11 place, and so that's the gist of what's going on. Adam Brame  
12 from my office is prepared to give us a presentation if you want  
13 to go ahead with that. Adam, are you there?

14  
15 **MIGUEL ROLON:** Roy, I know you cannot tell us a definite answer,  
16 but I have a question from some of the international folks that  
17 export Nassau grouper, and they thought that this means that  
18 immediately there will be a ban on imports. I said not  
19 necessarily, and can you elaborate a little bit?

20  
21 **ROY CRABTREE:** No, there is no change to that. When a species  
22 is listed as endangered, there is an automatic prohibition on  
23 take, but, for species listed as threatened, that is not  
24 automatic, and so the agency has discretion in terms of what  
25 regulations it's going to put in place, and so there is no  
26 prohibition or additional regulations on importation at this  
27 time, but it is something that we will likely gather information  
28 and take a look at it.

29  
30 There would be a proposed rule and a comment period before any  
31 of that happened, and we were going to keep the council informed  
32 and certainly look for the council's input on all of that before  
33 we make any decisions.

34  
35 **CARLOS FARCHETTE:** On that same note, because we're having a  
36 problem, particularly in St. Thomas, where, with Tortola being  
37 so close to St. John and St. Thomas, that Nassau grouper is  
38 being brought in and sold. I have an issue with that. It's  
39 freshly caught, and so I don't -- We can't possess and we can't  
40 take, but yet they're letting them come in and be sold as free  
41 as they want, and so I don't know how we can address that  
42 situation, if we even can, because it's a foreign country.

43  
44 **ROY CRABTREE:** We could address that under the Endangered  
45 Species Act, and I think we could take a look at our own fishing  
46 regulations and see if there is a way to do that. Remember that  
47 we prohibited import of undersized spiny lobster and some things  
48 like that, but we could certainly stop that under the Endangered

1 Species Act.

2

3 **CARLOS FARCHETTE:** We will look into that a little later.

4

5 **ADAM BRAME:** Thank you, guys, for the opportunity to give you a  
6 quick presentation on the listing here. I apologize for the  
7 communication problems here this morning. Anyhow, as Roy  
8 mentioned, and he gave a very good overview, the Nassau listing  
9 is going to file today. It will publish tomorrow, and it will  
10 become effective on July 29.

11

12 I guess we should quickly go over why Nassau grouper was listed.  
13 There were three primary reasons. The first one is its life  
14 history characteristics increased its vulnerability to harvest  
15 and population decline. Most notably, it forms these large  
16 spawning aggregations, as many of you know, close to shore,  
17 where they are easily accessible by fishermen. As such, they  
18 have been historically overharvested in some of these locations.  
19 Also, they are a slow-growing, late-maturing species. As such,  
20 any efforts to recovery are going to take a long period of time.

21

22 The next item we looked at was the large population decline due  
23 to direct harvest, and most of this was done historically,  
24 especially between the 1950s and the late 1980s. This  
25 population decline was obviously seen in the size and number of  
26 the spawning aggregations.

27

28 The last thing we looked at was the limited effect of the  
29 regulations in recovering the population, and this is most  
30 notably due to the lack of law enforcement in many foreign  
31 nations and not so much within the U.S. or the U.S. Caribbean.

32

33 To determine why threatened and not endangered, Roy gave a quick  
34 summary on that. The first thing we need to do is look at the  
35 definitions of endangered versus threatened. An endangered  
36 species is currently at risk of extinction, and a threatened  
37 species is not in immediate danger of becoming extinct, but is  
38 at risk of becoming endangered over the foreseeable future. The  
39 key differentiation between the two is the timing. One is at  
40 risk currently and one is at risk over the future.

41

42 As Roy mentioned, endangered species are afforded higher  
43 protections under the Act, including prohibitions on import,  
44 export, and take, whereas threatened species are not afforded  
45 these higher protections right away without some further  
46 rulemaking.

47

48 After reviewing the best scientific information available in our

1 status review, we determined that the Nassau grouper meets the  
2 definition of a threatened species, and we looked at the fact  
3 that there has been dramatic declines in the population, but it  
4 does still occupy its historic range. Abundance is stable or  
5 increasing in areas with effective regulations, but we do know  
6 that further regulations are necessary in some countries to  
7 counteract the past population decline and the ongoing threats.

8  
9 As Roy stated, this rule will not result in any changes to  
10 Nassau grouper regulations for U.S. fishermen, including the  
11 U.S. Caribbean. Harvest and possession of Nassau grouper is and  
12 will remain prohibited in the United States, Puerto Rico, and  
13 the U.S. Virgin Islands. However, this listing will need us to  
14 evaluate some of the federal fishery management plans through  
15 the EFH Section 7 process to consider the impact of incidental  
16 bycatch of Nassau grouper and the current fisheries.

17  
18 Nassau grouper is still targeted in the commercial fisheries of  
19 some other Caribbean countries, some of which may still import  
20 those Nassau grouper to the U.S. This listing is not going to  
21 immediately impact trade with these other nations. However, if  
22 we develop an ESA 4(d) rule to adopt conservation measures for  
23 Nassau grouper, it could affect the imports from these other  
24 nations.

25  
26 Just generally, what is a 4(d) rule and why should we consider  
27 one? The 4(d) rule provides regulations that are necessary for  
28 the conservation of any threatened species. It's specific to  
29 the threatened species, and they oftentimes extend the take  
30 prohibitions of an endangered species to that of a threatened  
31 species.

32  
33 The next steps, we're going to evaluate the current fishery  
34 management plans to assess the potential for Nassau grouper  
35 bycatch in the current fisheries. We're going to consider  
36 whether and where critical habitat should be designated, and,  
37 again, this is only in U.S. waters, and we need to consider  
38 whether a 4(d) rule is needed to increase conservation of Nassau  
39 grouper. With that, I will take any questions.

40  
41 **CARLOS FARCHETTE:** Miguel.

42  
43 **MIGUEL ROLON:** How much time will it require for the Nassau  
44 grouper to be back as a grouper that we can fish for? I know  
45 it's a difficult question to ask, but that's the question that  
46 they always ask me. I told them that you need a time-and-a-half  
47 generation, and it's twenty-two years plus eleven is thirty-  
48 three years. Adam, do you have any idea what will be the

1 requirements that need to be met before the Nassau grouper comes  
2 back as a viable fishery?

3

4 **ADAM BRAME:** I'm having a little bit of a hard time hearing, but  
5 I think the question was how long do we expect recovery to take  
6 to the point in which it can be fished again and harvested?

7

8 **ROY CRABTREE:** Yes, that's it.

9

10 **ADAM BRAME:** I don't think we have an answer at this point in  
11 time. As it's a listed species now, we will develop a recovery  
12 plan for the species, and that will be determined through that  
13 recovery planning process, about what our benchmarks are and the  
14 criteria necessary to restore the population to a sustainable  
15 and viable level.

16

17 **ROY CRABTREE:** A lot of that, I would say, Miguel, depends on  
18 what happens in other countries. I mean we can prohibit imports  
19 and we can put regulations in place, but, at the end of the day,  
20 huge amounts of habitat for Nassau grouper is in the Bahamas,  
21 and it will be up to them to take the steps that are necessary,  
22 but we certainly need increased protection of spawning  
23 aggregations and better enforcement of those protections, in  
24 order to achieve recovery.

25

26 **MIGUEL ROLON:** Thank you, Roy. The reason I'm asking this  
27 question is that we are the conveners for the spawning  
28 aggregation groups of species under WECAFC, and they asked me  
29 whether we are going to be meeting next year. My answer to that  
30 was, especially in the case of the Nassau grouper, we have  
31 documented, through that group, that it has been disappearing  
32 from most of the countries in the Caribbean.

33

34 There is only a handful of countries that have a viable fishery.  
35 Well, a, quote, unquote, viable fishery, but Belize and others,  
36 and they are worried that the industry will suffer, especially  
37 now that the Chinese are buying and we may not be buying the  
38 fishery, but the Chinese buy anything that moves, and they are  
39 worried, the scientists in those other countries, that the  
40 recovery of the Nassau grouper may be jeopardized because of the  
41 forces applied.

42

43 Next year, probably we will have a motive to meet, and that will  
44 be for the U.S. to present our case of this is what happened in  
45 the U.S. and then call upon other countries to implement  
46 management measures that will provide for the conservation of  
47 the Nassau grouper.

48



1 We have been in contact with several organizations that are  
2 working on this, and the Secretary of WECAFC is welcoming any  
3 effort toward this end, and probably next year, if the monies  
4 are okay, we will have, in the fall probably, a meeting of this  
5 group of countries, to see what can we do to promote Pan-  
6 Caribbean management of this important species.

7  
8 **ROY CRABTREE:** Yes, and I think we would support that, because  
9 it's clear that it's going to take international cooperation to  
10 achieve recovery.

11  
12 **CARLOS FARCHETTE:** Okay. I have Blanchard and then Hanke.

13  
14 **TONY BLANCHARD:** I don't have a question. I've got a couple of  
15 statements to make. As for the recovery of the Nassau, unless  
16 we stop importing it in the U.S. and the Caribbean from other  
17 countries, that ain't going to change, because they are going to  
18 keep importing. In other words, we are protecting it in our  
19 waters, but we're buying it off of them and bringing it in.  
20 Really, it is a Catch-22. We want to protect ours, but it's all  
21 right for them to kill theirs, number one.

22  
23 As for the recovery and when they're going to be taken off the  
24 list that we're going to be able to fish them, never, and I'm  
25 bold enough to say so, because, with all the information we have  
26 on the books for the hind, we still can't raise our ACL, and  
27 that's my two statements.

28  
29 **CARLOS FARCHETTE:** Hanke.

30  
31 **MARCOS HANKE:** I would like a little clarification and  
32 explanation on the Rule 4(d) on the presentation from the  
33 presenter.

34  
35 **ROY CRABTREE:** Okay. Adam, can you comment a little more on the  
36 4(d) rule process?

37  
38 **ADAM BRAME:** Sure. In that process, we put together a proposed  
39 rule. It would go out for public comment, giving the council  
40 and the public an opportunity to provide feedback before we  
41 would ever finalize the rule, and so there will be ample  
42 opportunity, in the writing process and before it's finalized,  
43 for the public to comment.

44  
45 **ROY CRABTREE:** I would encourage the council, if there are  
46 things you think need to be done -- I mean clearly the  
47 importation is a big issue, but, if there are things you think  
48 we ought to look at, put together a letter or we can talk about

1 that, but the importation issue is certainly one of the things  
2 we've talked about doing.

3

4 **CARLOS FARCHETTE:** Blanchard.

5

6 **TONY BLANCHARD:** I think we need to stop the importation. We  
7 need to support that, what Dr. Crabtree is saying, and move in  
8 that direction, number one, because us protecting it here ain't  
9 helping it over there. Since we are going off of what we are  
10 speculating is going to happen, we ain't fixing nothing. Until  
11 we stop importing and supporting that cause, nothing ain't going  
12 to change.

13

14 **CARLOS FARCHETTE:** Miguel.

15

16 **MIGUEL ROLON:** You said when we come to imports of a threatened  
17 species that we have to go on a case-by-case basis, but, in the  
18 past, what we have done is that any import has to be accompanied  
19 by a manifest of the document that indicates that that species  
20 came from a sustainable stock, a sustainable fishery, the same  
21 way that CITES does when we have import/export movement of any  
22 queen conch. It has to be documented that the queen conch come  
23 from a country that has a viable fishery, and we have standards  
24 for that.

25

26 That might be the case, but, coming back to the Caribbean,  
27 Carlos mentioned that we are having Nassau grouper imported from  
28 across St. Thomas, which is from the British Virgin Islands, and  
29 the fishermen are a little bit -- They're not very happy that  
30 they cannot fish it, but yet you see them in the market. That  
31 creates also a problem, because people can go and fish illegally  
32 in our waters and sell it as British Virgin Islands Nassau  
33 grouper, and that's what some of the fishermen are worried  
34 about, and they told me to convey that to you at this meeting.

35

36 **CARLOS FARCHETTE:** It becomes an enforcement nightmare.  
37 Blanchard.

38

39 **TONY BLANCHARD:** Listen, it don't make no difference, in my  
40 opinion, unless when we import it that it comes from a fish  
41 farm, and I'm going to explain to you why. If we are being  
42 affected here and the Nassau grouper is being affected here by  
43 what we speculate, from what I get from this conversation, is  
44 happening in let's say Timbuktu, that they are devastating the  
45 populations over there -- If we're going on a Caribbean-wide  
46 thing or a worldwide thing, it's still affecting the numbers.

47

48 Until we stop here and say we ain't importing the Nassau

1 grouper, for example, unless it comes from a fish farm, and  
2 that's the only documentation I want to see, then guess what?  
3 We're going to put the halt to their activities or they will  
4 keep it over there, but we are supporting their cause and it  
5 ain't helping the situation, because the people of the Virgin  
6 Islands, number one, as well as Puerto Rico is suffering because  
7 of these same closures that are being affected by outside  
8 entities or outside countries, however you would like to put it.  
9 It's like, for lack of a better word, a political game. It's  
10 all who is making the money and bringing it in.

11  
12 **CARLOS FARCHETTE:** We're having a similar situation with our  
13 conch, the way the VI Code was amended, and so we're still  
14 having issues with importation, and we will try and fix that  
15 somehow, but I do agree that it has to start in the other  
16 countries for it to trickle down to us, who are already  
17 protecting it. I did hear that Brewer's Bay has a good  
18 population of Nassau grouper juveniles or something. That's  
19 what I heard, and maybe we need to get somebody to do a study on  
20 that. Any more questions? Okay. Carlos Velazquez.

21  
22 **CARLOS VELAZQUEZ:** This question is for Roy. Roy, in this  
23 moment, they are healthy or not healthy, this population in  
24 Puerto Rico, for the Nassau grouper?

25  
26 **ROY CRABTREE:** No, I would say it's not healthy, and it's well  
27 below where we would like to see it.

28  
29 **TONY BLANCHARD:** Let me pose you this question, Roy. You say  
30 it's well below what we want to see, but what do we want to see?  
31 What's the number?

32  
33 **ROY CRABTREE:** I don't have a number, but, Bill, when we talked  
34 about Bajo de Sico, wasn't that the one spawning aggregation  
35 that we knew of in Puerto Rico?

36  
37 **BILL ARNOLD:** That's the only one I'm aware of. Richard probably  
38 has more knowledge than I do.

39  
40 **ROY CRABTREE:** Clearly we would like to have more than one  
41 viable spawning aggregation. Now, how many should we have? How  
42 many did we historically have? I don't know. I'm not an expert  
43 on it, but I think we would definitely want to have more than  
44 what we have right now.

45  
46 **CARLOS VELAZQUEZ:** Bill, do you know other populations in Puerto  
47 Rico or just Bajo de Sico?

48

1 **BILL ARNOLD:** I do defer to Richard Appeldoorn on this, but I am  
2 not aware of any other developing spawning aggregations, and my  
3 understanding is that's a depleted, but redeveloping, spawning  
4 aggregation. I don't think anybody would claim it's a  
5 particularly healthy, full-blown spawning aggregation, but,  
6 again, Richard knows more than I.

7  
8 **MIGUEL ROLON:** Carlos, the Nassau grouper have disappeared from  
9 this area in terms of what we call a viable fishery, and a  
10 couple of studies have been made following the aggregation with  
11 hydro acoustics, and Jose Rivera, now working with National  
12 Marine Fisheries Service, and Aida Rosario from the Puerto Rico  
13 Natural Resources Department, they have documented fish  
14 aggregations in several areas, but the scientists that I worked  
15 with that are experts in Nassau grouper believe that the  
16 population has been depleted.

17  
18 You need at least a thousand individuals in the pyramid of an  
19 aggregation to make it viable, and sometimes even when you have  
20 an aggregation of species, they are all males, and they are  
21 supposed to change. One of them has to bite the bullet and  
22 become a female, or a few of them, to make it viable.

23  
24 You may have an aggregation that visually you can see a lot of  
25 fish, Nassau grouper, together, but they are not able to spawn,  
26 and so, going back to your question, it seems that, from the  
27 Puerto Rico area, the Nassau grouper has been depleted both in  
28 the area of jurisdiction of Puerto Rico and in the federal  
29 government area.

30  
31 Bajo de Sico has been documented by scientists, Reni and others,  
32 that it has members of the Nassau grouper population coming to  
33 that area, and it seems that they might be able to form a viable  
34 aggregation, but we need to document aggregations that are  
35 viable, that in responding in other areas, to start looking at  
36 some improvement into this area.

37  
38 Fishermen have given me anecdotal information that they have  
39 seen Nassau groupers off of Vieques and Naguabo and the area off  
40 of Fajardo and on the west coast, but they themselves believe  
41 that it's not enough for a fishery, and most of the fishermen  
42 who used to fish for Nassau grouper in Puerto Rico do not do  
43 that anymore, because they are old and they quit. The young  
44 divers now, sometimes they go for Nassau grouper. It's a very  
45 stupid fish. It's the only fish I could spear when I used to  
46 spear.

47  
48 It's a long answer, but we don't have information, documented

1 information, of fish aggregations in other areas of Nassau  
2 grouper. We have anecdotal information. Your group of fishers  
3 probably can tell you a little bit more than that. Until we can  
4 document that the Nassau grouper is aggregating in viable  
5 numbers and we can document that we have a healthy population,  
6 that fishery will be closed for many years.

7  
8 In the case of the Caribbean, we have more than twenty countries  
9 that used to fish for Nassau grouper. We have less than ten now  
10 with viable populations of Nassau grouper, and so Dr. Sadovy and  
11 other scientists are collaborating with us to put together  
12 another workshop to discuss the Nassau grouper and see if we can  
13 hire somebody to have a management plan drafted, similar to what  
14 we did with the queen conch that Dr. Martha Prada did and Dr.  
15 Richard Appeldoorn, in collaboration, did for the entire  
16 Caribbean.

17  
18 **CARLOS FARCHETTE:** Blanchard.

19  
20 **TONY BLANCHARD:** Recently, Rick Nemeth came with the conclusion  
21 that the Nassau grouper are showing signs of recovering in the  
22 Virgin Islands. Now, here is a perfect example. They are  
23 recovering in the Virgin Islands because of our hard work and  
24 our not tapping into them, but we're suffering a listing of  
25 threatened because of outside countries dipping into it.

26  
27 This is one good reason to stop the importation, number one.  
28 Number two, I'm going to show you how we -- We've got a funny  
29 way of looking at things. The turtles were supposed to be an  
30 endangered species, and correct me if I'm wrong. Do you hear  
31 anybody protecting the beaches where they come up and lay the  
32 eggs on them or do we want to put a hotel on them?

33  
34 I think sometimes we've got to think a little backward, and I  
35 know exactly what it is. It's how much pressure you have on a  
36 certain point. The point right now, the pressure is on the  
37 Nassau grouper. If you stop harvesting them -- If we can't sell  
38 them on the market, we can't pass them underneath the table to  
39 export them, and we don't import them, then why are we looking  
40 at closing down any other areas? If you can't sell it, you  
41 ain't going to catch it. It's common sense, because we're in  
42 business to make money and not to lose money.

43  
44 This thing here about closing and protecting areas, if you can't  
45 catch a fish, you're ain't going in there, and so explain to me  
46 how that would work. It's about numbers and it's about dollars,  
47 but we allow people to go inside and study them and they get  
48 paid, and so who is making the money off of the Nassau grouper

1 again?

2  
3 **CARLOS FARCHETTE:** Richard, did you have something you wanted to  
4 say about the Bajo or other areas, because I know to get  
5 information from fishermen of where other aggregations are,  
6 you've probably got to water-board them.

7  
8 **RICHARD APPELDOORN:** Studies by Reni Garcia showed a population  
9 of about a hundred Nassau on Bajo de Sico. Observations by  
10 Michelle have come up with a similar number for the numbers that  
11 are actually aggregating. We have a number of fish tagged.  
12 Those meters will come out shortly, and we'll be looking to see  
13 whether any of them actually migrated -- If our meter is still  
14 in place, we'll see if any of them migrated off the bank or back  
15 onto the bank, but, even with the numbers that we have tagged,  
16 which is twenty-nine, because we only have one meter checking  
17 one possible corridor for coming in and off, the chances of us  
18 picking that up is going to be difficult.

19  
20 Right now, it certainly looks like the majority of the ones  
21 spawning on Bajo de Sico are resident on Bajo de Sico. I talked  
22 to Rick last week, and he confirmed that there may be an  
23 aggregation of Nassau on Lang Bank, just east and outside of the  
24 Red Hind Area. That aggregation, which they didn't see spawning  
25 or anything like that and they just saw a number of fish, was  
26 only about ten fish, and so there could be a lot more than that  
27 and they weren't there at the right time or whatever, but that's  
28 what they saw.

29  
30 In terms of the recovery, it's been this year, and I think last  
31 year, they are noting a number of recruits of Nassau grouper  
32 coming in, so young individuals. If they are able to make it  
33 through their next bunch of years, they would eventually augment  
34 the spawning aggregations. This is particularly in the Virgin  
35 Islands and the eastern part of Puerto Rico, and so that may be  
36 because of what's happening at Grammanik and potentially the  
37 BVI, from their aggregations. That's what I know.

38  
39 **CARLOS FARCHETTE:** Bill and then Graciela.

40  
41 **BILL ARNOLD:** Richard, do we know anything about connections  
42 among these various populations around the Caribbean? For  
43 example, is Bajo or Lank Bank supplying locally or are they  
44 supplying Cuba and is Brazil supplying Puerto Rico? Do we know  
45 that or is it local retention, in which case local management  
46 could be extremely important?

47  
48 **RICHARD APPELDOORN:** There's been one genetic study sort of

1 Caribbean-wide. Unfortunately, I can't remember exactly what it  
2 says, but there is clear discontinuities between here and the  
3 western Caribbean, and so Puerto Rico -- Fish from Bajo de Sico  
4 and Grammanik were part of that study, and there wasn't any  
5 genetic difference between those areas, but that really doesn't  
6 answer your question.

7  
8 What you want to know is -- That just says there's some  
9 connectivity, but it doesn't say whether it's a full thing or  
10 just maybe a 10 percent exchange, with retention being the rest  
11 of it, and so there is some more work being done. There are new  
12 techniques now that are much more sensitive for these types of  
13 questions, and so we'll see what those results will be when they  
14 come out.

15  
16 **CARLOS FARCHETTE:** Graciela.

17  
18 **GRACIELA GARCIA-MOLINER:** A couple of things. On the  
19 connectivity issue, the council will be hearing from Jorge  
20 Capella and the group at CARICOOS who has been working on the  
21 connectivity of the three areas off the west coast of Puerto  
22 Rico as sources and sinks of where the larvae or the juveniles  
23 should be settling, and so you will be hearing about that in  
24 August. I will make sure that -- We might have the example of  
25 the Nassau grouper, and so I will check on that, to see if they  
26 can include that.

27  
28 The other thing is that this is a great opportunity, because the  
29 cooperative research should be coming up, the funding  
30 availability, sometime soon. It might be a good opportunity for  
31 fishers and scientists to work together. There are a number of  
32 known spawning aggregations by fishers that could be monitored  
33 via ROV or divers, et cetera, using their expertise to find  
34 these sites.

35  
36 There is also the issue of the juvenile settling near the coast  
37 and the changes of the critical habitat for juveniles near the  
38 coast. It's usually not taken into consideration, and we talk  
39 about the adult populations only, and so there are quite a  
40 number of research opportunities and funding opportunities that  
41 hopefully will be coming up in the next few months that should  
42 be taken advantage of at some point.

43  
44 **CARLOS FARCHETTE:** Thank you, Graciela. Anything further on  
45 Nassau? Hearing none, we are going to go right on to Dr.  
46 Appeldoorn's SSC Report. On Nassau, while Richard is getting  
47 ready, I think if we could at least get Tortola to agree on some  
48 type of management, I think it will be beneficial for everyone,

1 because of, like Graciela was saying, larval dispersion with the  
2 Puerto Rico Shelf and extending all the way through the BVI.  
3 That would be good. Miguel.

4  
5 **MIGUEL ROLON:** BVI and the USVI, you have a standing committee  
6 of interrelations between the two local governments. Usually,  
7 if you want to talk to them, that can be triggered by the  
8 Commissioner sending a communication to the British Virgin  
9 Islands Secretary, and you can start a bilateral conversation  
10 there.

11  
12 We decided to leave that open, because, when the British retired  
13 from the agreement that we have, the U.S. and the British  
14 government, it was decided to leave that to that group, where  
15 the two local governments can sit down and discuss common  
16 issues. Probably we could start there. The Commissioner will  
17 be here this afternoon, and so you can ask her at the coffee  
18 break or -- We can address that to her unofficially, and then,  
19 if she wishes to address it on the record, we can do that.

20  
21 **CARLOS FARCHETTE:** Go ahead, Richard.

22  
23 **SSC REPORT**

24  
25 **RICHARD APPELDOORN:** Thank you. The SSC met, and the majority  
26 of their deliberations were on the SEDAR 46 results, which was  
27 the Caribbean Data-Limited Species Review. As you should all be  
28 aware, this was a departure from the normal SEDAR approach, and  
29 we are now evaluating a large number of different types of data-  
30 poor models, or data-limited models, for their potential to  
31 conduct assessments in the U.S. Caribbean.

32  
33 We took six species/island combinations to test, and these were  
34 chosen to represent a range of possibilities for potential  
35 assessment. That is to say that something like spiny lobster  
36 was chosen because we think we have enough data to be able to do  
37 the assessments, and something like hogfish in Puerto Rico was  
38 chosen as a marginal case, you know how far can we push these  
39 models before they can't perform at all or the error estimates  
40 around those become too large to be useful.

41  
42 That's what was driving the range of species that were chosen,  
43 and so, in Puerto Rico, it was hogfish and yellowtail snapper.  
44 In St. Thomas, it was spiny lobster and queen triggerfish. In  
45 St. Croix, it was spiny lobster and stoplight parrotfish.

46  
47 First, we would like to recognize and commend the people  
48 involved in the SEDAR 46, because they did a really massive



1 amount of work and a very comprehensive piece of work for this  
2 assessment.

3  
4 The data-limited management toolkit and management strategy  
5 evaluation framework were used to evaluate the suite of  
6 management procedures and data-poor analysis approaches. It was  
7 shown that the toolkit can provide useful management advice,  
8 potentially OFLs and ABCs, for single species as well as species  
9 complexes. The DLM toolkit has identified three candidate  
10 methods that look to be promising, based on the indices of catch  
11 and mean length.

12  
13 Additional work, however, needs to be done to refine the  
14 operating models and evaluate the data before the specific  
15 results of the SEDAR evaluation can be used to derive or modify  
16 OFL or ABC recommendations.

17  
18 Prior to the use of the results for management advice, we have  
19 several recommendations. The first is that there should be  
20 additional review of life history parameters, and we have a  
21 specific list of the ones in question. Eliminate biologically-  
22 implausible parameter combinations, which will simplify the  
23 amount of work that needs to be. Develop metrics for short-term  
24 consequences of management implications, such as, for lack of a  
25 better term, short-term pain and the speed of recovery. How  
26 much is this going to cost us in lost revenue or loss biomass or  
27 however you want to do it, and what is the tradeoff between how  
28 much we have to cut back and how fast things will recover? This  
29 will help us tremendously in trying to make decisions about  
30 where we should be.

31  
32 We also recommended, as a piece of future work, to perform  
33 principal component analysis on the performance metrics, because  
34 there may be correlations between a lot of these things, and so  
35 we don't want to treat them as independent pieces of advice if  
36 they are in fact giving us the same advice for several different  
37 metrics, and so that would also help us to reduce the amount of  
38 assessment work that has to be done.

39  
40 We are also recommending to continue research to identify  
41 alternate management strategies and their reference points, and  
42 I will say something about that below, and also to, again, meet  
43 the data requirements to monitor the stock dynamics.

44  
45 As a future development, the management strategy evaluation  
46 tools can be used to begin a building of the scientific  
47 justification for alternate reference points, such as, perhaps a  
48 mean target length and alternative management strategies. The

1 idea here is to be able to set a standard that can be enforced,  
2 but it would not be based on necessarily an ACL based on like a  
3 catch quota. It could be based on maintaining, for example, a  
4 mean length of the population.

5  
6 To extend the results of the SEDAR 46 into the future, and I  
7 have the first one highlighted because we're going to come back  
8 to that, conduct a workshop or workshops on life history  
9 parameters and ecological and economic indicators to get a  
10 consensus among all stakeholders on the future model inputs.

11  
12 If we don't have agreement about what we're inputting into the  
13 model, then we will always have disagreement about what the  
14 models are saying. This workshop could be done in the context  
15 of a separate 2017 SEDAR data workshop, which is our  
16 recommendation.

17  
18 We recommend further improvement to the operating models to try  
19 to reduce bias and uncertainty, potentially through a workshop  
20 of experts, form a working group on the use of average catch to  
21 determine OFLs for those species that cannot be analyzed through  
22 these data-poor methods. Research on life history parameters  
23 should remain a priority, research on catch validation should  
24 remain a priority, and research on length frequency  
25 determinations should also remain a priority.

26  
27 We should further identify and consider economic and ecological  
28 trends and their inclusion into data-limited methods, as  
29 practical. What this is saying is that we're not just looking  
30 at what's happening with a single stock, and we would like to  
31 know some of the drivers behind that, so we know when there are  
32 changes that are based more on the economic situation or the  
33 market, rather than on the state of the population itself.

34  
35 For 2017, we were asked to make recommendations on the species  
36 to be considered, and we actually came up with several  
37 scenarios, depending on what the council would like to see. The  
38 first scenario is that we would have this workshop that I  
39 mentioned in the previous slide. We could couple that with an  
40 assessment of the spiny lobster in Puerto Rico and the queen  
41 triggerfish in St. Croix and Puerto Rico.

42  
43 The reason for these species would be that the life histories  
44 for these were already worked up for the SEDAR 46, and so there  
45 would be no new work involved in those. It would just be  
46 running those two models, and those two species, spiny lobster  
47 and queen triggerfish, would allow us to have all three island  
48 groups represented by those two species, which would give us a

1 better basis of comparison about how the models run in different  
2 scenarios.

3  
4 **BILL ARNOLD:** Just a quick question. You've got two PRs and an  
5 STX up there. Is that what you mean?

6  
7 **RICHARD APPELDOORN:** Yes, because spiny lobster has already been  
8 done for St. Croix and St. Thomas, and so we would add it for  
9 Puerto Rico. Queen triggerfish was already done for St. Thomas,  
10 and we would add St. Croix and Puerto Rico. That's our  
11 preferred scenario.

12  
13 Scenario 2 has several options, and this really is based on  
14 where you want to depart from, and so the number of potential  
15 species we can look at is a function of how much work is  
16 required. If we would like to do a new species, that's going to  
17 require a whole new life history analysis and data compilation.  
18 We could only do one new species, and we were recommending lane  
19 snapper for Puerto Rico.

20  
21 Option b builds off previous SEDARs, where we do have some life  
22 history and data already compiled. We think we could do two  
23 species, the queen snapper from Puerto Rico and the redbtail  
24 parrotfish from St. Croix. Option c, building straight off of  
25 SEDAR 46, where we already have the data and the life histories  
26 compiled, would be the spiny lobster for Puerto Rico, queen  
27 triggerfish for Puerto Rico and St. Croix, and yellowtail  
28 snapper from St. Thomas. Option c differs from Scenario 1 in  
29 that we would tradeoff having the workshop for looking at  
30 yellowtail snapper.

31  
32 We also then looked at, briefly, a number of other things. We  
33 reviewed Action 1 on the species selection and saw no reason to  
34 really change what has happened. We also, under Action 2,  
35 looked at the species complexes. Here, we were presented the  
36 results of new clustering analyses that we had requested from  
37 the Center and, having reviewed those, we agreed to basically  
38 retain the complexes and indicator species that we had  
39 identified in the previous meetings.

40  
41 Reference points, this is coming up. There were several  
42 recommendations regarding this in the previous slides on the  
43 results of SEDAR 46. ABC control rule is the thing that we are  
44 looking at for the most immediate action, and so we recognize  
45 that this has to be -- It's a complex situation, depending on  
46 the nature of the individual stocks and stock complexes, and we  
47 propose that we have an hoc ABC control rule workgroup, and that  
48 recommendation, I believe, is being implemented now.

1  
2 This is the target timeframe that we thought we might be able to  
3 work on, and so we were hoping to have the first meeting of that  
4 ad hoc ABC control rule during May and June, whereas right now  
5 we are constituting the membership of that committee, and I  
6 believe, Graciela, you were the chair, designated chair, and so  
7 we're a little behind that.

8  
9 During the next two weeks, we were hoping to have the second  
10 meeting of that, and so we haven't had our first yet, and so you  
11 can see this was fairly ambitious, but the idea is, by the time  
12 we have the August SSC meeting, we will be in a position to  
13 discuss the ABC control rule and finalize our clusters and  
14 indicator species and finalize the SEDAR 46 review. Then these  
15 would be brought to the council at their August meeting.

16  
17 Then there would be an ad hoc average catch OFL workgroup that  
18 would meet sometime in September or October, and we would bring  
19 that to the SSC as a whole to look at average catch and OFL and  
20 tier assignments, and so we are definitely looking at having  
21 different tier levels for determining the ABC control rules, and  
22 we would be hoping to assign those at that meeting.

23  
24 The date hasn't been set yet, but it would be before the  
25 December council meeting and the results of that would be  
26 brought to that council meeting. That's a very ambitious  
27 agenda. We're already behind, but that's what our thinking was,  
28 and I think that's it. Yes, and thank you.

29  
30 **CARLOS FARCHETTE:** Miguel and then Hanke.

31  
32 **MIGUEL ROLON:** For the council, the most important part here is  
33 the schedule. The most important part for the council is to be  
34 mindful of this schedule here, because everything will depend on  
35 what we do between here and August, especially with the ABC  
36 control rule.

37  
38 I have two questions, one for Graciela and another one for Iris.  
39 Is the control rule group, the ABC control rule ad hoc  
40 committee, do you have the names of those people already and  
41 they have been appointed by the Chair?

42  
43 **GRACIELA GARCIA-MOLINER:** Yes, the Chair has appointed a number  
44 of people. Most of them have replied. We are waiting for two  
45 of them to reply, but there is already a poll out to find out  
46 what the dates are for the first electronic meeting, and so  
47 that's in the works. The group includes Science Center  
48 representatives, SERO representatives, CFMC staff, and the SSC,

1 and so you do have a group of people working on that.  
2  
3 **MIGUEL ROLON:** Iris and I were talking about the FACA thing.  
4 Are we in compliance with this ad hoc committee, given the  
5 membership that we have, or do we have to do something else?  
6  
7 **IRIS LOWERY:** Graciela, can you say -- You will have Science  
8 Center staff and --  
9  
10 **GRACIELA GARCIA-MOLINER:** We have Science Center staff, Regional  
11 Office staff, council staff, and SSC members.  
12  
13 **IRIS LOWERY:** Okay, and your plan is to do an electronic meeting  
14 prior to the August council meeting?  
15  
16 **GRACIELA GARCIA-MOLINER:** That's correct.  
17  
18 **IRIS LOWERY:** Okay. I will double check to make sure that this  
19 will be FACA compliant, because there are some potential  
20 concerns about just making sure that the process is open to the  
21 public. There might be some requirement to notify the public of  
22 the meeting, but I will look into that and hopefully provide an  
23 answer tomorrow or later this afternoon, if that works.  
24  
25 **MIGUEL ROLON:** Mr. Chairman, the question is because, in the  
26 past, we operated with the guidance that this was in compliance  
27 with FACA, but because, at the national level, there are a lot  
28 of flags regarding FACA, we want to make sure.  
29  
30 What that means is if this committee can work the way that we  
31 envision it could work, we can continue to have that schedule.  
32 If not, you need thirty days to publish any agenda in the  
33 Federal Register and allow the public to come to the meeting if  
34 they desire to attend. Also, if you have an electronic meeting,  
35 you have to have a listening station. That's why the question  
36 about FACA is important.  
37  
38 **CARLOS FARCHETTE:** Iris.  
39  
40 **IRIS LOWERY:** I think the issue here would be whether or not  
41 this needs to be an advisory panel that's approved by the  
42 council.  
43  
44 **CARLOS FARCHETTE:** Roy.  
45  
46 **ROY CRABTREE:** I mean that's how I would view it. If we're  
47 going to put this group together, we form them as an advisory  
48 panel to the council. Then they're exempt from FACA. We would

1 just need to go through whatever procedures we typically follow  
2 to create an advisory panel.  
3  
4 **CARLOS FARCHETTE:** Okay. Miguel.  
5  
6 **MIGUEL ROLON:** Do you want to make this as an advisory panel?  
7 If we do that, we have to very quickly start working on the  
8 agenda and put it in the Federal Register and all of that, and  
9 so what is your advice on this one?  
10  
11 **CARLOS FARCHETTE:** Iris.  
12  
13 **IRIS LOWERY:** I would certainly agree that the most clear-cut  
14 path forward would be to designate this as an advisory panel.  
15 Then it's clearly exempt from FACA under the Act.  
16  
17 **CARLOS FARCHETTE:** Okay. So an AP it is. Anybody disagree with  
18 that? Hearing none, AP it is.  
19  
20 **MIGUEL ROLON:** Okay, and so we will call it -- Instead of ad  
21 hoc, it will be AP for ABC Control Rule. Graciela, I need an  
22 agenda and I need something to prepare for the announcement in  
23 the Federal Register.  
24  
25 That will probably go against the schedule, and we will have to  
26 reschedule some of the dates that we have here, and that's the  
27 issue with all of this, but probably the staff and Richard and  
28 Bill -- The three of you will have to sit down and come up with  
29 some other schedule, because the first meeting will have to be  
30 announced between here and August. Today is the 28<sup>th</sup>, and so you  
31 have thirty days to comply with the requirement for the Federal  
32 Register announcement.  
33  
34 **CARLOS FARCHETTE:** Graciela.  
35  
36 **GRACIELA GARCIA-MOLINER:** For the advisory panel, I need  
37 clarification on whether the council members are going to  
38 appoint the new members or are we keeping the same group?  
39  
40 **MIGUEL ROLON:** No, we will keep the same group, but we'll just  
41 call it an AP now. Remember that this is a group of scientists.  
42 We don't want to have people just there to stare at the ceiling.  
43  
44 **CARLOS FARCHETTE:** Okay. Iris.  
45  
46 **IRIS LOWERY:** Just a point of clarification. I am not entirely  
47 sure of the timing requirements for publication in the Federal  
48 Register, but there are -- As far as the Act goes, there are

1 very specific timing requirements for council agendas, but those  
2 only apply to council meetings, rather than advisory panels, but  
3 that has nothing to do with, I'm sure, the requirements of the  
4 Federal Register.

5  
6 **MIGUEL ROLON:** My understanding is any AP or SSC meeting has to  
7 be published in the Federal Register, but if we have the  
8 flexibility of not doing so, that would be great, but the one  
9 thing is what the law says and the other is what the Washington  
10 office requires, because they need those thirty days to --  
11 Everything that we send to the Washington office has to go to  
12 even to Eileen Sobeck for a check, and that's why they want the  
13 thirty days.

14  
15 We know it's fourteen days before you change anything in the  
16 agenda and it's twenty-two days required by the Federal Register  
17 itself, but then eight days are required by the National Marine  
18 Fisheries Service Washington office to go over it.

19  
20 **CARLOS FARCHETTE:** Okay. Real quick, Richard, can you explain  
21 to me about tier assignments there real quick or is that kind of  
22 long-winded?

23  
24 **RICHARD APPELDOORN:** Tier assignments are basically an  
25 acknowledgement that we have different amounts of information  
26 available for different species and, therefore, depending on  
27 that amount of information, how would we devise an ABC control  
28 rule?

29  
30 If there are species, for instance, that we can use some of  
31 these data-limited methods on and those methods will be useful  
32 for guiding us on determining what an ABC level, and, hence, an  
33 OFL level, because some of those methods actually precaution  
34 into them. How much you would adjust your ABC to eventually get  
35 down to your final levels would be different if we already have  
36 some precaution built into those models.

37  
38 Then for those species that we don't have enough information to  
39 run those models, there would be a second tier of approaches  
40 that might be based more or less on what we're doing now, which  
41 would be some form of constant catch rule or some other method,  
42 and the precautions we probably put in those would be a little  
43 bit stronger, because we're not so sure of where we are. The  
44 tiers are basically broken down by species in terms of how much  
45 do we know, and, therefore, how secure are we in making our  
46 adjustments for uncertainty?

47  
48 **CARLOS FARCHETTE:** Miguel.

1  
2 **MIGUEL ROLON:** Graciela, do you think that the group can put  
3 together an agenda by July 1?  
4  
5 **GRACIELA GARCIA-MOLINER:** The agenda, we basically have. It's  
6 to review what we have in terms of ABC control rule, and that's  
7 what the SSC has reviewed. The Science Center brought to the  
8 SSC the Gulf of Mexico tiers for the ABC control rule and then  
9 the presentation that we have from Clay. Then Bill had provided  
10 to the council, back in 2011, a summary of the way ABC control  
11 rules were set up for the ACLs for the 2010 and 2011 groups of  
12 species. I don't know if you remember that, but that's in the  
13 record. Review what's available is number one. Then prepare  
14 the draft for what could become the ABC control rule.  
15  
16 **MIGUEL ROLON:** How many days do you need for that group to meet,  
17 that first meeting?  
18  
19 **GRACIELA GARCIA-MOLINER:** Face-to-face?  
20  
21 **MIGUEL ROLON:** Face-to-face or electronic, but we need to have  
22 the agenda and everything, the announcement, by July 1, so you  
23 can have the meeting on July 30.  
24  
25 **GRACIELA GARCIA-MOLINER:** If you're keeping the -- We haven't  
26 finished the poll of the availability of everyone for the month  
27 of July. Now this changes everything, because we had only  
28 considered July, because August comes with the SSC meeting and  
29 the council meeting back-to-back, and so this changes things a  
30 little bit. If we're going to have that electronically, then we  
31 will have to do it July 30, because that would be the only date  
32 available, if it's published in the Federal Register.  
33  
34 **MIGUEL ROLON:** Because you can work between here and July, so,  
35 by the time that you meet, you have almost everything done, but  
36 that's the issue with calling this an AP and following the other  
37 regulations that we have, and so it has been decided today that  
38 we will have an advisory panel. The mechanics of it is just  
39 what we are supposed to be mindful of, and so, if we can have  
40 the agenda by July 1, then you can announce the meeting by July  
41 30 and you don't have to have everybody there, but you need to  
42 have their input around that day, if they cannot make it,  
43 similar to what we do with the SSC.  
44  
45 **RICHARD APPELDOORN:** The poll does actually extend into that  
46 first week of August, and we could just make it a multiday  
47 meeting at that point, instead of having a first meeting and a  
48 second meeting, depending on if we initially see that we need to



1 have some targeted work done between one and the other.

2  
3 The real issue, I think, that's going to take most of the time  
4 is how much we can hope to get guidance from these new models,  
5 and that's -- We're still learning that, and so Shannon's group  
6 has been really amazing working with these things, but they're  
7 not miracle workers, not all the time anyway, and so, as they're  
8 going through this process, they will be informing about what we  
9 can do, but obviously at some point we're going to have to just  
10 draw a line and say, okay, at this point in time, this is what  
11 we will do and the rest will come in the future.

12  
13 **MIGUEL ROLON:** One last thing, Mr. Chairman. This is the  
14 cornerstone of everything that we're going to do from now on.  
15 Rather than rushing into a schedule, let's try to do the right  
16 thing. I believe that Graciela, Bill, and Richard could set  
17 aside some time and come up with your ideas and just follow what  
18 you just said. If you have to have multiple days, then we can  
19 put it together and have it there, but we have to give the  
20 flexibility to the group to provide the best product that we can  
21 get.

22  
23 **CARLOS FARCHETTE:** Bill.

24  
25 **BILL ARNOLD:** It's a little bit of a quandary here. We've got  
26 these reference points that we want to take our time and make  
27 sure that we get right, and we've got these new fishery  
28 management plans that we kind of need to get in place.

29  
30 One thing I'm wondering is would it be appropriate to separate  
31 the two and move forward with the FMPs, for example, using  
32 either a more simplified approach to reference points or using  
33 the reference points we already have in place while we take our  
34 time and develop these new reference points, ultimately new  
35 ACLs, or do we need to kind of reevaluate our constantly  
36 changing timeline on the development of these FMPs and accept  
37 that the new FMPs will not be in place any earlier than perhaps  
38 the end of 2017, if then, keeping in mind that, while these new  
39 FMPs sit, we either need to decide we're going to amend the old  
40 FMPs or we're just not going to have any amendments until we get  
41 the new FMPs in place. All of these moving parts work together,  
42 and timelines and strategies need to be developed accordingly.

43  
44 **MIGUEL ROLON:** We made a decision to wait until we have the  
45 FMPs, but that's why I like your way of thinking in putting all  
46 of this together. Probably the first two questions should be  
47 addressed by the council now. How do we want to proceed and  
48 whether we can do it or not?

1  
2 Can we proceed with the FMP, just as you mentioned before,  
3 developing the FMPs for these three areas, parallel to this  
4 work? That's a question to the council and to the table, how  
5 you would like to proceed. There's an advantage of speeding up  
6 the FMPs, because of the control rules and all that, but it  
7 doesn't mean that, once you have the FMPs in place, the control  
8 rule will not change or the ACLs will not change. We may end up  
9 having ACLs deeper than what have now, but at least we will have  
10 an opportunity to go thoroughly with this discussion and have  
11 better tools and also better judgment for setting up the ACLs.

12  
13 **CARLOS FARCHETTE:** Iris.

14  
15 **IRIS LOWERY:** I think part of the problem with maybe holding off  
16 on reevaluating ACLs would be the fact that there are some  
17 overages this year and there have been overages in the past, and  
18 so, under the National Standard Guidelines, the council will  
19 have an obligation to reevaluate if ACLs and AMs are working for  
20 those species where there's been an overage more than twice in  
21 the past four years.

22  
23 I mean I guess you can certainly talk about fleshing out this  
24 process and your approach, but I would just caution that that is  
25 a requirement of the National Standard Guidelines and something  
26 to keep in mind moving forward.

27  
28 **CARLOS FARCHETTE:** I have Blanchard, Hanke, and then Bill.

29  
30 **TONY BLANCHARD:** Let me first touch base on the working group  
31 we've got here. We have an island-based management plan group  
32 that we put together with all of these individuals, and we have  
33 the APs here for them. You don't think we need to involve them  
34 in this process?

35  
36 **MIGUEL ROLON:** The group that we are mentioning is a bunch of  
37 scientists who are going to work with the modeling and all that  
38 stuff, but the DAPs that you're referring to will have a chance  
39 to have a crack at it before it will come to the council.

40  
41 Once this group puts together the tools that we need and they  
42 give us the recommendation, that recommendation goes to the DAP  
43 and the council and the SSC, because, remember, this is not the  
44 SSC. The SSC, of course, will be involved, and they will be  
45 giving instructions to these people as well as the Southeast  
46 Fisheries Science Center and the Regional Office.

47  
48 Once this product is done, then the result will go to the DAP

1 for discussion, and so everybody will be, right from the get-go,  
2 involved in the discussion of all these decisions. At this  
3 time, what we need to decide is -- See, no matter what we do --  
4 Let's say that we scratch all these three island things and we  
5 go back to square one. We still have to comply, and that's  
6 what Iris is saying. We need to comply with the ACLs and we  
7 have to review the ACLs. The concern with the ACLs is the data  
8 that we have.

9  
10 Right now, Roy told me that this is the last leg of three legs  
11 of continuous meetings with the other two councils and this  
12 council, and they have discussed, in the other councils, issues  
13 that we really ought to discuss in here. For example, in the  
14 case of the spiny lobster, the Gulf and the South Atlantic, they  
15 asked the SSC to review the issue, and apparently they are going  
16 to be using other years than the ones that they used before to  
17 determine the ACL. The South Atlantic will address this to the  
18 SSC. It doesn't mean that they will have a different number,  
19 but they will be reviewing this.

20  
21 This could be done also in the case of the Caribbean, where you  
22 can look at the data years that we used for the ACL, in the case  
23 of the spiny lobster, and see if there is any difference if we  
24 use other years, but we're stuck with what we have so far.

25  
26 For the snapper grouper ACLs, we need to address that too, but  
27 letters that we have received from the Center, in response to  
28 the letter that was sent by the Department of Natural Resources,  
29 shows that, so far, there is no indication that we have a  
30 scientifically-validated rationale for deviating from the ACLs  
31 that we have now. That's a nice way of saying we're not going  
32 to move anywhere, Jose, because we cannot do it.

33  
34 The ACL for the spiny lobster called for a reduction, in the  
35 case of Puerto Rico, and it will start on December 10 through  
36 December 31 in 2016. I don't know what is going to happen in  
37 2017, and we have three things here. We already decided on the  
38 AP control rule. Now there's going to be an AP. They are going  
39 to put together an agenda and we're going to publish it and they  
40 will continue with that.

41  
42 What Bill is asking also is how the council would like to  
43 proceed. Can we go parallel to that and keep developing the  
44 FMPs that we have, trying to shoot for 2017 as our  
45 implementation date, or at least have a final decent document  
46 that you can send to the Regional Office, and in turn to  
47 Washington, for consideration. That's the question that we need  
48 to address at this time.

1  
2 **CARLOS FARCHETTE:** Blanchard and then Roy.  
3  
4 **TONY BLANCHARD:** Okay. This is the way I see it. We've got all  
5 these island-based plans and the groups working with them to  
6 develop this island-based plan, management plan. We need to let  
7 them keep doing what they're doing and develop that, because we  
8 certainly ain't going back to the situation where Puerto Rico  
9 was grouped with the Virgin Islands. We decided to break that  
10 off a long time ago, and so we ain't back-stepping here. Let  
11 them do what they need to do.  
12  
13 As for the lobsters, I understand Carlos is bringing information  
14 to the table later for the lobsters. Now, I don't know what we  
15 could do this year. According to Miguel, we can't do anything  
16 to hold off on this closure, but this is the statement I am  
17 going to put on the table.  
18  
19 As for the lobsters, we've got a three-and-a-half-inch carapace,  
20 which is well above reproductivity. Now, in Puerto Rico, they  
21 do business a little different, but, in the Virgin Islands,  
22 which I'm going to make the argument again, we don't need no  
23 ACLs, and I'm going to explain myself.  
24  
25 Right now, we are competing with the imports that is probably  
26 dirt cheap on the table, and so we've got a hard enough time  
27 moving our products. We don't export anything, and so whatever  
28 we catch has got to stay on the island or stays on the island,  
29 and now we have to deal with the ACL.  
30  
31 When a cup is full, it can only hold a certain amount. Once the  
32 water starts to run over, you've got to stop pouring, and that's  
33 the situation with the ACL in the Virgin Islands. Once our  
34 market is stuck, we've got to stop fishing. That in itself  
35 controls the catch rate and how often we go out.  
36  
37 Like I said, we're competing with the cheap imports that are  
38 coming in. As for the lobsters, really, I think that the size  
39 limit dictates the lobster fishery, as well as the marketing,  
40 because, like I said, we don't export.  
41  
42 However, we decide to do this, we're going to do it on a  
43 separate basis. That's why Puerto Rico has their own AP and St.  
44 Croix has got their own AP and St. Thomas has got their own AP,  
45 or else what we're going to be saying here, to a certain degree,  
46 is we just dumped a whole load of money into something that we  
47 didn't have to.  
48

1 As for the lobsters, Tony tells me that they're trying to get  
2 that ACL raised through the roof in Florida, because of the same  
3 situation where the lobster fishery is healthy, and so I don't  
4 know what we could do for Puerto Rico this year, but I think  
5 sometimes we need to look at things a little different, and, in  
6 order to effect change, you have to actually put pressure on the  
7 system to make them change.

8  
9 If we don't put pressure on the system, which a lot of us here  
10 sitting down to this table admit that this system don't work  
11 here, we're not going to change, and so I'm going to keep  
12 putting pressure on the system, hoping that somebody else is  
13 going to stand up behind me and help me push, until we get this  
14 changed and get this problem fixed. That's my statement.

15  
16 **CARLOS FARCHETTE:** Roy.

17  
18 **ROY CRABTREE:** I was going to come up behind you and give you a  
19 little push later, Tony, but -- I agree where I think you were  
20 on the island-based plans, which is that I think we need to keep  
21 them moving forward. We have started down this path, and I  
22 think we keep going.

23  
24 If the work on the ABC control rules is not going to be there in  
25 time, then I think we go with something closer to what we have  
26 now and then we come in and update it, but I don't think I would  
27 want to see us, Bill, just stop the island-based plans and stop  
28 progress there to wait on that.

29  
30 I think Iris makes a good point that we need to review our ACLs,  
31 and we do that every year. We go through it, but the trouble  
32 with the ACLs and why we're going over some is more of a timing  
33 kind of thing. We're getting data from a couple of years ago,  
34 where we went over an ACL, and then we're taking action after  
35 the fact to try and address it, and so the problem is not so  
36 much with the ACLs, but it's with the whole data delivery system  
37 just doesn't work very well with it.

38  
39 In that sense, Tony, I agree with some of what you said, is that  
40 all of this management and the way we're doing things doesn't  
41 really work all that great down here, and it is difficult to try  
42 and fit it to the way the fisheries operate down here, and I'm  
43 not sure how we get out of that, but, at any rate, I would like,  
44 I guess, to see us move forward on a kind of parallel path,  
45 Bill, and keep making progress on the island FMPs.

46  
47 To the extent it can sync up with this control rule group,  
48 that's great, but, if they're not on the same timing path, then

1 we will come back in after the fact, it seems to me, and do what  
2 we need to do.

3

4 **CARLOS FARCHETTE:** Bill.

5

6 **BILL ARNOLD:** I want to reply to Roy and get Bonnie's take on  
7 this, but there is the ABC control rule that will take a while.  
8 I anticipate that control rule, as Richard pointed out, will  
9 create tiers of classifications, and the species with the  
10 greatest data, the most filled dataset, would be at the highest  
11 tier with the most complex analyses and on down.

12

13 **MIGUEL ROLON:** Bill, can you define what a basic control rule  
14 means? The people around the table are looking at you like,  
15 what are you talking about?

16

17 **BILL ARNOLD:** Bonnie will do that. Let me finish my statement  
18 to Bonnie and then she can comment, because I think it's really  
19 important that Bonnie step in on this. You get their tiers of  
20 data availability, basically. After that, you still have to go  
21 through the process.

22

23 For those who qualify for the data-limited models, you have to  
24 go through the process of putting all the data together for  
25 those appropriate species and then running the assessments, and  
26 this is going to take a tremendous amount of time, and I'm  
27 curious as to Bonnie's take on what the full-blown timing of  
28 this is, until we actually have ABCs coming out the far end, the  
29 ABC being the acceptable biological catch for each species.

30

31 **CARLOS FARCHETTE:** Bonnie.

32

33 **BONNIE PONWITH:** Thank you, Mr. Chairman. Shannon Cass-Calay  
34 has kindly put together a presentation, and a lot of the  
35 information in that presentation is redundant to the excellent  
36 overview that our SSC Chair has given, and so I'm going to skip  
37 many of the slides and go straight to a discussion of the ABC  
38 control rule.

39

40 We included this in here, and it's because there are some  
41 important considerations that have to be made by the SSC as a  
42 first step and by this working group as a first step, but,  
43 ultimately, that ABC control rule is going to come to the  
44 council for some decisions. The more comfortable that the  
45 council is with the notion of the control rule, what it is and  
46 what you're going to be asked, the better positioned you will be  
47 to be responsive to that.

48

1 What I'm going to ask is if you could just power through the  
2 slides, and we will skip most of these, because, again, these  
3 are redundant with things that have already been discussed by  
4 our SSC Chair.

5  
6 Here is a little refresher on the ABC control rule. The ABC  
7 control rule is an agreed procedure that's codified in the FMP,  
8 and it's used for setting an ABC for a stock or a stock complex,  
9 as a function of scientific uncertainty. Each council must  
10 establish an ABC control rule, based on scientific advice from  
11 the SSC, and the SSC recommends an ABC to the council. They can  
12 differ from the control rule, but, if they do, there has to be a  
13 strong rationale for that.

14  
15 It can involve complex drivers, based on measures of biomass,  
16 uncertainty, and forecasts of environmental effects. It can be  
17 tiered, and this is what Dr. Appeldoorn was referring to, to  
18 accommodate different levels of scientific uncertainty, whether  
19 it's data rich, data poor, or catch-based only.

20  
21 The one thing about the ABC control rule is that it should be,  
22 to the fullest extent possible, based on the probability of  
23 overfishing. According to the guidance that we have, that  
24 probability of overfishing cannot exceed 50 percent and should  
25 be a lower value than 50 percent. You don't want to cut a  
26 regulation that has a higher than 50 percent chance of failing  
27 to restrict overfishing.

28  
29 Going forward, what we need is a flexible ABC control rule, and  
30 Dr. Appeldoorn talked a little bit about the flexibility in the  
31 tiers with respect to how much information is known. The  
32 flexibility in the tiers also should take into consideration the  
33 results of the stock assessment. If the SSC accepts an  
34 assessment, then we've got a tier that can be accommodated for  
35 as the results of those stock assessments. It essentially  
36 provides a method for computing the ABC based on an agreed-to  
37 buffering for scientific uncertainty.

38  
39 Then, in the second case, if an assessment is done and the SSC  
40 rejects that assessment, it provides instruction for how you  
41 proceed from there, basically naming an interim OFL and an ABC  
42 based on landings history, which is similar to the current  
43 approach. It includes the notion of a complex of species, in  
44 the event that you are grouping species together in species  
45 complexes and selecting indicator species. In that case, the  
46 result from the indicator species would pertain to the full  
47 suite of species in that complex.

48

1 I can talk a little bit about species complexes, but I think  
2 that touches on the notion of what the ABC control rule is and  
3 how advice coming from the SSC will be presented to you for  
4 making those final decisions.

5  
6 **CARLOS FARCHETTE:** I have Hanke.

7  
8 **MARCOS HANKE:** My main concern is that, through many meetings,  
9 like Tony stated, we recognized that we needed to divide into  
10 three areas. What I'm seeing now, and I like what Bonnie just  
11 explained to us, is that it's more clear than ever, for me, that  
12 we cannot make a decision because it's complicated, the  
13 procedure and the timing and so on, and not addressing the  
14 request of the council, which is having better data, better  
15 information, a better system to establish an ACL that is fair  
16 for the resource and fair for the fishermen.

17  
18 The way I see it is, until we have the instruction and the  
19 outcome of your meeting, the group that Richard and Graciela are  
20 going to be involved as scientists, advising us, it will be very  
21 hard for me to take any position on any procedure, because  
22 that's the base of everything.

23  
24 **CARLOS FARCHETTE:** Richard.

25  
26 **RICHARD APPELDOORN:** I just wanted to add one thing. This goes  
27 back to a comment that Tony was making, which I didn't mention  
28 before, but the other point that I think will generate a lot of  
29 discussion in this group is, as Bonnie pointed out, the issue  
30 here is uncertainty.

31  
32 Tony made the point that, for the lobster, you have a carapace  
33 length that is already affecting a fair degree of protection,  
34 and, in that situation, our uncertainty about what could happen  
35 should go down, just as if we have area closures on spawning  
36 aggregations and things like that.

37  
38 These kinds of things, which are separate from the ACL process,  
39 but reflect our degree of uncertainty in the status, currently  
40 are not being accounted for in that process of going from an  
41 overfishing level to an ABC, and we want to change that. We  
42 want to make sure that, if we have regulations in place, based  
43 on other considerations, ecosystem-based considerations or  
44 whatever, that that level of security that those extra things  
45 buy us should be reflected in a lesser degree of uncertainty,  
46 and, therefore, a higher recommendation of ABC relative to the  
47 OFL determinations.

48



1 **CARLOS FARCHETTE:** Miguel.  
2  
3 **MIGUEL ROLON:** What I am trying to do here is to put together an  
4 outline of the next two years of what you're going to do, and,  
5 Marcos, you're not going to make any decisions on the ABC  
6 control rules until they finish, and so they won't come back to  
7 you on anything that is the process that they have to do.  
8  
9 What the council needs to do is to put -- They need to decide on  
10 the schedule of events for the final outcome of the management  
11 plans that you want to start for each one of the areas. What  
12 Bill was referring to before is that we can work parallel to  
13 this ABC control rule group and keep developing the FMPs.  
14  
15 Then we probably, Bill and Graciela and I, will have to sit down  
16 and come up with an outline, probably at the August meeting,  
17 that you will see that this is the thing that you need to do.  
18 Maybe tomorrow, if we have a chance to go over that outline, you  
19 can shoot at it tomorrow, but we don't want, number one, to go  
20 back to square one.  
21  
22 You all decided we're going to have the three islands groups.  
23 We already decided that we have to use the best available data.  
24 We need to use the best model to fit the different species that  
25 we have. Bonnie just indicated that you have a framework that  
26 you have to work with. That 50 percent chance of undergoing  
27 overfishing is not a trivial thing.  
28  
29 You have to conform with that, and so, Bill, how do we proceed  
30 or how do you think that we should proceed to address your  
31 concerns before? If you were the czar of the FMPs, what  
32 schedule should we follow, in order for us to achieve the goal  
33 of having a draft FMP by the end of December of 2017?  
34  
35 **BILL ARNOLD:** The first thing I would need to know is, and this  
36 is kind of what I was getting at, and I guess I wasn't clear  
37 enough, is can we separate out the process of developing SEDAR  
38 46 and new ABC control rule reference point development from the  
39 development of fishery management plans?  
40  
41 What that would mean is that we have to have -- We have to  
42 address reference points in these FMPs. The question is can we  
43 use an old method to do that until get the new method fully  
44 fleshed out and fully accepted and all the numbers plugged in  
45 and then we add that into the new FMPs as amendments?  
46  
47 For example, when we developed our ACLs in the 2010 and 2011  
48 Caribbean ACL Amendments, we met the same obligations that have

1 to be met now. The MSA has not been revised. We attempted to  
2 choose ACLs that would ensure that the probability of undergoing  
3 overfishing, exceeding the OFL, was less than 50 percent, and we  
4 met the other obligations as well.

5  
6 Could we, potentially, and these are just some options, use the  
7 reference points that are already in place and the ACLs that are  
8 already in place? Could we use the same method to develop those  
9 ACLs, but with revised datasets?

10  
11 For example, angelfish in St. Croix, they were not on the  
12 reporting forms prior to July 1 of 2011. By the time we get  
13 this in place, we will have at least four years of data with  
14 those species on the reporting forms, and so we could  
15 potentially use the same approach to develop the reference  
16 points, but use those new data that now reflect actual reporting  
17 of these species.

18  
19 Or would our obligation, given the existence of SEDAR 46 and the  
20 outcomes of SEDAR 46 -- Do we have an obligation to use those  
21 methods and to not proceed until we're able to use those  
22 methods? I am just not clear on that, but, until I know that, I  
23 can't develop a timeline for the completion of these fishery  
24 management plans, because there is just too many wildcards  
25 involved.

26  
27 **CARLOS FARCHETTE:** Rich and then Roy.

28  
29 **RICHARD APPELDOORN:** I don't see where this is actually a  
30 problem, because we can't -- I don't think we can do what you're  
31 saying the problem is. That is, what we have to come up with is  
32 a methodology. That's the control rules.

33  
34 Where we can apply those methodologies is going to change during  
35 the timeframes moving forward, because we will be assessing  
36 additional species for each island under the SEDAR process. If  
37 we have the data-limited models all functioning the way we would  
38 hope and like them to do, then we might be able to move species  
39 from a lower tier to a higher tier and adjust their ACLs, and so  
40 the actual ACL levels are going to be variable, depending on  
41 where we are in an assessment on any species, and the system is  
42 built to handle that kind of change.

43  
44 What we're talking about now is just having the tiers developed,  
45 so that when a species is assessed or new information is there,  
46 we can move forward. For those species, as you mentioned, where  
47 we now have species-specific information, are we going to change  
48 how we're doing that grouping now versus as before, using

1 whatever methodologies we have? I'm sure we will be, but that's  
2 one of the things this ad hoc workgroup is going to work out,  
3 and so I don't think you're really going to need to wait, in  
4 that context.

5

6 **CARLOS FARCHETTE:** A follow-up, Bill?

7

8 **BILL ARNOLD:** That's an excellent answer, Richard. The idea is  
9 you focus on developing that ABC control rule. If all of the  
10 species, at the time when we get the ABC control rule  
11 formulated, fall into Tier 3, then they all fall into Tier 3.  
12 As we develop model outcomes and datasets to be able to move  
13 species up from Tier 3 to Tier 2, or even to Tier 1, going from  
14 less complex to more complex, then we do that, and I think that  
15 that's a great solution to this quandary, and that puts all the  
16 burden on the ABC control rule and much less burden on  
17 developing the datasets that need to be applied to the actual  
18 models to get outcomes, whatever those outcomes are, OFL or  
19 whatever comes out of the models.

20

21 **CARLOS FARCHETTE:** Roy.

22

23 **ROY CRABTREE:** Did I hear the quandary is solved and the path  
24 forward is clear now?

25

26 **BILL ARNOLD:** I think so. I think that's what we've got.

27

28 **ROY CRABTREE:** Okay. Then I think I'm going to not say anything  
29 and not muddy it up, but that sounds like we have a plan to me,  
30 and so that's how we ought to go, I think.

31

32 **CARLOS FARCHETTE:** Miguel.

33

34 **MIGUEL ROLON:** For the others that didn't understand what they  
35 were talking about, what it means is that we will wait until we  
36 have the ABC control rule results, and then, once we have that,  
37 we move forward with the rest of the development of the FMPs. I  
38 don't know if all of you are catching what is going on here. If  
39 you have an FMP, you have to develop a management unit and all  
40 of that, and you also have to have all of these control rules  
41 and everything.

42

43 Remember that you have four levels, overfishing level, ABC  
44 level, which is the one that determines how the ACL will behave,  
45 and then you council members have the responsibility to develop  
46 an ACL for each one of the species or management units that you  
47 have or group of species or a target species. We don't have  
48 target species here, because they don't apply with the issues

1 that we have at hand.

2  
3 What they are saying is that we will wait until the ABC control  
4 rule group finishes their work and then we can work on the FMPs,  
5 other areas that we don't need to address this part. Once that  
6 is finished, then we'll come back to the council with specific  
7 recommendations for you to follow. If we all agree with that,  
8 you don't have to say anything else and the staff will continue  
9 working as such.

10  
11 One of the logistics is that you will put more emphasis and  
12 money in these groups to meet and come forward, rather than a  
13 council meeting. Probably, by the end of -- Maybe in August,  
14 you will have a one-day-and-a-half meeting, or just one day,  
15 because of the way we operate. Bill, does that satisfy  
16 everything that you have in your mind regarding the schedule?

17  
18 **BILL ARNOLD:** Two things. One is, if everybody is comfortable  
19 with coming into the December council meeting with a draft, and  
20 keep in mind all of this stuff is draft, with a draft ABC  
21 control rule that we can actually use in our fishery management  
22 plans, and I say draft because all of this stuff still has to go  
23 out to public hearings, et cetera, et cetera, but, if we can  
24 come in with that, we can build a public hearing draft that we  
25 could present to the council at their spring meeting.

26  
27 Then we could go out to public hearings between the spring and  
28 summer meetings. We could come back with the results of those  
29 public hearings at the late summer meeting and potentially get  
30 council approval, so that we could begin the process of  
31 submitting this to the Secretary of Commerce and getting it  
32 approved. Based upon that sequence of events, I think there is  
33 a decent chance we could have these new FMPs in place by the end  
34 of 2017.

35  
36 This does require that there is a willingness to accept that,  
37 although a particular species or group of species may ultimately  
38 end up in a higher tier, we're willing to use the approach of  
39 one of those lower tiers until everything is in place to move up  
40 a higher tier, and that's what Richard was saying, is they're  
41 not stuck in a tier.

42  
43 If you've got a species that we used only reliable catch methods  
44 for, and now we develop a data-limited model output that can  
45 provide a more rigorous outcome, then we would come back, as an  
46 amendment, as probably a framework measure, Action 4, and we  
47 would be able to reevaluate that species and reassess the  
48 reference points, based upon that more rigorous analytical

1 approach.

2

3 **MARCOS HANKE:** Richard, on your discussion, that process of  
4 moving from tier to tier is a year or two years or three years  
5 or how does it work?

6

7 **RICHARD APPELDOORN:** At least according to the methodologies  
8 we're looking at, that's going to be basically how rapidly we  
9 can push species through the assessment process, the SEDAR  
10 process. If we're diligent in building up our database on both  
11 the life histories and the catch data, et cetera, that feed into  
12 these models, then they can be gone through fairly quickly is my  
13 understanding, because you just crank the thing. The models are  
14 set up to just be run quickly, but it's getting the data in  
15 order that is the difficult part.

16

17 For the life history information, that doesn't change  
18 dramatically. We would have to incorporate whatever new studies  
19 might be out there, but, once we kind of have that in place,  
20 that aspect of it is all ready fixed. That's why we had these  
21 scenarios here that if we're running species where we've already  
22 done the life history work, we can do more of them, but, if we  
23 have to start something new, where we haven't done that, it's  
24 going to be a much more involved process.

25

26 To the degree that we can get that information up to speed more  
27 rapidly, we can run species through. Therefore, all the species  
28 can get through during some period of years, and this all  
29 depends on whether the models work.

30

31 Remember that we did a series of species here from we know it  
32 should work to I'm not so sure, and, to the degree that the  
33 species that we need to assess can fit through these models,  
34 that's the number that we'll be looking at. Then it's just the  
35 periodicity of how fast we can do that, looking at them from  
36 obviously all three platforms, but that's what we've been doing  
37 all the time anyway, and so that shouldn't change.

38

39 **CARLOS FARCHETTE:** Blanchard, real quick, because I need to take  
40 a break.

41

42 **TONY BLANCHARD:** The problem that I'm looking at here is we're  
43 so caught up in a timeline as to when we will get you something  
44 that we force the issue and we have a bigger problem than we're  
45 sitting on here. My thing is don't get it done, but get it done  
46 right.

47

48 If it takes six months or it takes a year, whatever the case is,

1 we need to get it done right. If we don't do it right, we will  
2 be here watching each other again with another problem at hand,  
3 and so my point is this. Let's not focus too much on how long  
4 it's going to take. Let's focus on getting it done right,  
5 before we have a bigger problem at hand and then we're here  
6 watching each other and trying to figure out how we're going to  
7 solve this problem that we just put ourselves in.

8  
9 **CARLOS FARCHETTE:** Okay. We need to take a quick, ten-minute  
10 break, and then we will come back. Tony Iarocci has been  
11 waiting in the wings to make a comment, and I haven't forgotten  
12 you. A quick, ten-minute break.

13  
14 (Whereupon, a brief recess was taken.)

15  
16 **CARLOS FARCHETTE:** I think, Richard, you're done? Okay.  
17 Miguel.

18  
19 **MIGUEL ROLON:** Before the break, we were talking about the next  
20 steps. We already decided that, okay, we'll go ahead with the  
21 control rule and we're going to prioritize that aspect of the  
22 discussion, and so we will do that.

23  
24 Then the staff will continue working with the development of the  
25 FMPs, those sections that can be worked on while we wait for the  
26 results of the ABC control rule, and I asked, during the coffee  
27 break, and Bill and Graciela will put together an outline, so  
28 before you leave tomorrow, you will have an outline of what he  
29 just said, what do we expect, and this is a draft outline.  
30 Remember that anything can move that outline a little bit  
31 further from December of 2017.

32  
33 At this time, we want to talk about the ACLs. Tomorrow, we have  
34 a presentation by Carlos on some aspect of spiny lobster data  
35 collection that the fishers would like to address and some  
36 volunteers, but, just to set the tone for that meeting tomorrow,  
37 we want to clarify, for the record, what you can do with ACLs  
38 regarding moving it up or down, and we have to abide by the  
39 present regulations regarding ACLs, and so I want to refresh our  
40 memories by asking a question to Bill and Richard.

41  
42 Let's take the example of the spiny lobster. The spiny lobster,  
43 many of us believe that it's okay. When you look at the spiny  
44 lobster landings, the sizes are big and all of that, but you are  
45 only seeing a snapshot of the fishery. When you look at the  
46 total data that we have available, it's another story, and so I  
47 wanted to ask Bill what is the process for increasing an ACL for  
48 any particular species and what it will take to do so and what

1 do you need.

2  
3 Say that we want to increase the ACL of spiny lobster. Can you  
4 walk us through the process that we used to get to where we are  
5 now and, if we are going to move it, what will be required to  
6 move that ACL?

7  
8 **CARLOS FARCHETTE:** Bill.

9  
10 **BILL ARNOLD:** It's not the ACL that's driving things. It's the  
11 OFL and the ABC. The OFL is basically the maximum number of  
12 fish you can take without overfishing the population. If you  
13 are overfishing the population, we have a problem, because that  
14 population is going to become depleted and potentially collapse.  
15 That's how we get in trouble.

16  
17 The ABC, the acceptable biological catch, is the SSC, in  
18 conjunction with the Science Center, et cetera, et cetera, based  
19 on the data, of what they feel is a reasonable catch level,  
20 based upon where that overfishing level is, but also on the  
21 uncertainty contained in determining what that overfishing level  
22 is.

23  
24 That scientific uncertainty, that's out of the council's hands,  
25 basically, and, Bonnie, I want you to correct me any time I  
26 screw up on this. That takes you down to the ABC. If you want  
27 to increase your ACLs in a hurry, then you get rid of your  
28 management uncertainty.

29  
30 For every species we dealt with in the 2010 and 2011 amendment,  
31 we reduced from -- For almost every one of them, and not every  
32 one, but for almost every one, we reduced from the ABC, which is  
33 the level above which we -- The council is not allowed to exceed  
34 that ABC. That's what it boils down to, but you can come in  
35 under it, and that is where the management uncertainty comes  
36 into play.

37  
38 We used a management uncertainty level that ranged from 10  
39 percent for spiny lobster to 25 percent for angelfish. Spiny  
40 lobster is considered to be a very healthy population and not  
41 undergoing overfishing, along with a lot of other species, and  
42 so they were only reduced by 10 percent. Angelfish, they were  
43 considered to be an ecologically really important species, and  
44 so they reduced them to a greater level. They reduced from the  
45 ABC by 25 percent, and that was your ACL.

46  
47 You could conceivably say, and I don't know how well this would  
48 go over, and Iris is probably about to have a heart attack, but

1 you could say we know all of these species so well that there is  
2 no uncertainty in our management process, and we're going to do  
3 a zero percent reduction and every one of them comes right in at  
4 that ABC.

5  
6 You would immediately increase your ACL for lobster by 10  
7 percent and your ACL for angelfish by 25 percent. That's a  
8 quick way to get your ACL up. It may not be a very conservative  
9 way to get your ACL up. It may be downright risky, but it is a  
10 way to do it. Other than that, the best way to increase your  
11 ACL is to increase your OFL.

12  
13 The best way to increase your OFL is to get carbon out of the  
14 atmosphere and rehabilitate the coral reefs, increase the  
15 carrying capacity of all of these species, so that, instead of  
16 the carrying capacity being a million pounds for spiny lobster,  
17 the carrying capacity is five-million pounds, and taking 125,000  
18 pounds of that is really not going to have much of an effect.  
19 In fact, you could probably double it.

20  
21 That's how you really get your ACL up. Obviously that's a  
22 little bit out of our hands. Other than that, you've got to use  
23 the biology and you've got to use the ecology. You've got to  
24 use the processes that are in place, and there is no shortcut to  
25 increasing the ACL.

26  
27 **CARLOS FARCHETTE:** Blanchard.

28  
29 **TONY BLANCHARD:** I think we all know numbers here, and so I'm  
30 going to draw you an example. When we came up with these ABCs  
31 and these OFLs, they were based on data that was given by, for  
32 instance, Fish and Wildlife. Now, remember, and I am just  
33 talking for the Virgin Islands, we deal with a market-driven.  
34 That's how we sell, how the market runs.

35  
36 Those numbers would be stable, to a certain degree, once again,  
37 because we're coming back to the cup that is full and what are  
38 you going to do with it when it starts to overflow? You're  
39 going to stop pouring water in it.

40  
41 The thing is that we, if you want to put that as an example,  
42 can't find an overfishing level, because we never really fished  
43 it how hard we could fish it, and so we are restrained to a  
44 number that was put there because we basically restrained  
45 ourselves, to a certain degree, because we can't move the fish  
46 in a market-driven industry, to now, because this is the OFL  
47 that we are looking at, we've got to drop down from there to the  
48 ABCs and everything else.



1  
2 My question is this, and this is something I think some of us  
3 are missing here to the table. We have an overfishing level in  
4 Puerto Rico for lobsters, along with other species. Has anybody  
5 looked at the CPUE, whether it has increased or decreased,  
6 because I'm going to show you a perfect example.

7  
8 If they are catching more lobsters with less effort, you know  
9 what that tells me? The stock should be good. That's like me  
10 setting a trap and, where I was catching five pounds, my average  
11 is now ten, with the same amount of traps, and what does that  
12 tell you? Fishermen look at things in a different way.

13  
14 We restrain ourselves here to the table because we are in a  
15 system where we are manipulated, to a certain degree, and we can  
16 and can't do certain things, but the reality of it is the whole  
17 picture is not being reflected, because, like I said, when we  
18 have an OFL that was put in place because we don't fish as hard  
19 as we could, because we don't export anything, we have  
20 restrained ourselves.

21  
22 Now we have to take a reduction on that OFL, because of how the  
23 system is set up, to abide by the laws and regulations of the  
24 council and the government, but, really, what is that doing for  
25 the fishery? What that's telling me is we could really tap into  
26 that fishery harder, especially if our CPUE, like you would say,  
27 has gone up.

28  
29 Now, I don't know whether it has gone up in Puerto Rico with the  
30 lobsters, and I'm pretty sure none of us look at that aspect of  
31 it, whether they are putting in less effort with more turnover  
32 or whether they are putting in more effort with less turnover.  
33 I think, before we try and shut down Puerto Rico for the  
34 lobsters and their fish, we need to look at that aspect on the  
35 table, whether that is what is going on, that they are putting  
36 in the same amount or less effort with more return, before we  
37 decide to shut them down.

38  
39 That's my standpoint on this thing here. We all look at numbers  
40 and solutions as scientists. As a fisherman, I know numbers,  
41 but I look at numbers differently, and so certain of us see  
42 things a certain way, because that's how we was trained. I was  
43 never trained that way. I was trained a certain way, that I got  
44 to catch more.

45  
46 Me catching more with less time and less effort is better for  
47 me, but I am restrained to only being able to move a certain  
48 amount of product on the table at a given time, and so I am

1 restrained to not going past that point, because I am losing  
2 money.

3  
4 It ain't use for me to put a fish in the freezer, because,  
5 number one, I can't move it at the same price, because people  
6 don't want to buy old fish, like they may say, and so I catch a  
7 certain amount and push that off the table as quick as I can  
8 push it and try and get as much money as I can get and then move  
9 on for the next day. That's how I work.

10  
11 I want to make sure that I keep my product up at top dollar. If  
12 I can move a hundred pounds today, that's what I shoot for, or  
13 maybe a little more, to force it on the market, but I know if I  
14 bring in 300 pounds that I ain't moving it, and so I don't need  
15 to bring that in, and so I leave it out there.

16  
17 **CARLOS FARCHETTE:** Bonnie.

18  
19 **BONNIE PONWITH:** An interesting comment. I could not have said  
20 it better than Mr. Blanchard. I agree with everything that he  
21 just said, and so I hope you were paying close attention,  
22 because what he said is exactly the situation that we're faced  
23 with right now.

24  
25 If we had perfect information about the biology of the animals  
26 we're stewards of, and if we had perfect information about the  
27 way the fleet and the fishermen behave under market conditions  
28 and under ecological conditions, we could have, today, ACLs that  
29 are based on sound OFLs from well-understood fisheries, and  
30 that's the direction that we're heading in right now.

31  
32 When we established our ACLs, if we didn't have a feeling for  
33 what the OFL was, we, under the Act, were required to set those  
34 ACLs based on some best estimator, and you are correct that the  
35 best estimator we used, in many cases, were landing histories.  
36 In many cases, those landing histories reflected every bit as  
37 much the behavior of the fleet as it did the true status of  
38 those stocks. What we're trying to do is get ourselves out of  
39 that situation.

40  
41 The data limited stock assessment that we did this year was an  
42 enormous step to that end, and it's to understand the biology of  
43 those fishes better and do something better than average  
44 landings, and so I applaud the council and I applaud the SSC and  
45 all the collaborators in the effort that we've made, because  
46 you're right.

47  
48 That catch per unit effort is a crucial data element to

1 understanding what's truly going on with that stock, and so I  
2 would use this as a sales pitch, a sales pitch for continuing to  
3 do these data-limited assessments, to give us a superior ABC  
4 advice to what we have using average landings, refer to the  
5 average landings in cases where we don't have the data, but  
6 recognize, for those stocks where we don't have the data, this  
7 is a data gap that needs to be closed.

8  
9 Every single year, the Saltonstall-Kennedy data call goes out or  
10 notice of federal funding opportunity goes out. That  
11 Saltonstall-Kennedy has a category in it for territorial  
12 science. That is an opportunity to deal with that gap, the very  
13 thing that you were talking about, Tony, and that is getting the  
14 data we need to be able to leap from an average landings  
15 approach for ABC to actually being able to do a data-limited  
16 stock assessment.

17  
18 I would encourage all of us to be mindful of that federal  
19 funding opportunity and use that as a mechanism to do  
20 collaborative data collections to get us out of that do-loop,  
21 but, until we do get out of that do-loop, those ACLs we set are  
22 what we have to guide your decisions, essentially. As Dr.  
23 Arnold correctly stated, the ABC that the SSC gave you is  
24 something that the council can't exceed, and so your  
25 flexibilities are all within that number.

26  
27 **CARLOS FARCHETTE:** I've got Ruth and then Bill.

28  
29 **RUTH GOMEZ:** I'm a little confused. I've been a part of this  
30 process for -- I've been at Fish and Wildlife for thirty-one  
31 years, and Mr. Blanchard's statement is a statement that I have  
32 heard over and over again for the last ten-plus years, and I'm a  
33 little confused as to why only now you guys are listening to  
34 what he's saying, even though he's been saying it, him and  
35 before him, Dr. Olsen, Julian Magras, telling you guys the same  
36 thing.

37  
38 None of the language that he used is new language or new words  
39 that have not been said from before, but now, after how many  
40 years, you guys decide that, oh, yeah, you're right. Mr.  
41 Blanchard, you couldn't have said it more better and I agree  
42 with you 100 percent. Dr. Ponwith, why is it now that we have  
43 come to this, after so many years, and then I have another  
44 question for you, but I will let you answer that.

45  
46 **CARLOS FARCHETTE:** Bonnie.

47  
48 **DR. PONWITH:** Thank you, Mr. Chairman. The answer is we are

1 constrained by the data that we have in hand, and we are  
2 obligated, under the Magnuson Act, to use the best available  
3 scientific information for making these very difficult  
4 management decisions.

5  
6 We can't use gut instinct on how to set these ABCs. We need the  
7 data, and so we have been working very closely with our partners  
8 here in the Virgin Islands and in Puerto Rico to improve those  
9 data collections.

10  
11 We have several positive steps that are being made to improve  
12 those data collections, but what we need is to continue that  
13 effort so that, if we decide we want an index of catch per unit  
14 effort that is reliable to use instead of just the landings,  
15 that those data are collected and the time series is  
16 accumulated.

17  
18 Don't limit the fact that we have made extensive advances in  
19 improving those data. We need to keep those advances up, so we  
20 can capitalize on that kind of information, so we've got the  
21 reliable data we need to use more sophisticated methods for  
22 setting those ABCs.

23  
24 **CARLOS FARCHETTE:** A follow-up?

25  
26 **RUTH GOMEZ:** Two things. We have been hearing about data  
27 deficient and data poor and absent of, all those negative terms  
28 that go with something that does not exist, or exists on a very  
29 poor level. Again, this is something we've been hearing for  
30 ten-plus years.

31  
32 I'm glad that everyone in this room understands that, yes, we're  
33 at a point where, like Dr. Crabtree said, it doesn't work the  
34 same in the Virgin Islands or in Puerto Rico, and I will speak  
35 solely for the Virgin Islands. Puerto Rico, they can speak for  
36 themselves, but it doesn't work that way in the Virgin Islands.

37  
38 We are a very unique culture and we're a very unique fishery,  
39 and so it's great to hear Dr. Crabtree, you, and everyone else  
40 in this room say, yes, we're at that cross in the road where,  
41 you know what, going south wasn't working before and we need to  
42 stop and we need to go in a different direction in order to get  
43 what would be the best result for the fishery and for the people  
44 of the Virgin Islands.

45  
46 That's great, but my question to you now is specifically what is  
47 the Southeast Fisheries Science Center doing to aggressively  
48 improve that poor dataset? I will tell you what I did on my

1 level. When I left Puerto Rico in March, from the DAP meeting,  
2 I realized that I couldn't, in good conscience, as a director  
3 and the custodian of the data for the Virgin Islands, allow  
4 another year to pass and collect poor data, and so I reached out  
5 to Graciela, and I asked Graciela to give me what the DAP  
6 recommended, even though it not had been finalized by the SSC,  
7 but we all know that the DAP people know better about their  
8 fishery than any one of these scientists in this room.

9  
10 I took their unit breakdown and took my catch report, that they  
11 are now going to receive in July, because I couldn't wait for  
12 another year to go by, and I changed that catch report to  
13 reflect what I hope is darned near close to what will be the  
14 final outcome of the SSC unit breakdown, and so their catch  
15 report, come July, will begin to collect much better data than  
16 they have in the years past.

17  
18 That's my contribution. My thing is that every one of you guys  
19 in this room all understand what needs to happen, but you guys  
20 are not working in unison, and you're not working in a timely  
21 manner, and the only people that are going to suffer are the  
22 people of the Virgin Islands and the commercial fishermen. They  
23 don't have any other way to make a living.

24  
25 My job as the government's representative is to ensure that the  
26 people of the Virgin Islands and the commercial fishermen have a  
27 way to make a living, and it's not just them. It's our tourism.  
28 It's the second -- The way it affects the people of the Virgin  
29 Islands, it's not just directly. It's people that work in the  
30 hotels and the tourists that come.

31  
32 We don't have anything other than tourism, and when you guys  
33 think of our fishery, you guys have got to come out of the box.  
34 You all have been in a box for too long. Come out of the box  
35 and understand that you have to work better together.

36  
37 If I didn't change the catch report, another year would have  
38 gone by with poor data, but now you have better data. I'm not  
39 saying my catch report is the end-all-be-all, but I know it sure  
40 is better than what was there before, and so I am asking this  
41 council to please, and all the scientists in this room, you guys  
42 have to work more aggressively, and not in a negative way, but  
43 in a more positive way, to make sure that, if you can't set OFLs  
44 and ABCs without a good foundation, which is data, then please  
45 work aggressively to make sure all the links fit and make sure  
46 you have good data. That way, we feel comfortable with what  
47 you're trying to give us.

48

1 **CARLOS FARCHETTE:** I have Bill and then Schuster and Blanchard.  
2

3 **BILL ARNOLD:** I hoping to get home alive, but I would like to  
4 point out that our data collectors are the fishermen, and if we  
5 don't get reliable, accurate, complete data from the fishermen,  
6 then we can't achieve these goals.  
7

8 This is an argument we've gone back and forth on for years, the  
9 same number of years or maybe more, Ruth. These guys have got  
10 to report, and, even Dr. Olsen, who I work with pretty closely  
11 still, has said the fishermen are reporting to the ACLs, and we  
12 don't need them reporting to the ACLs. We need them reporting  
13 what they catch and submitting those reports in a timely manner.  
14

15 **CARLOS FARCHETTE:** Schuster.  
16

17 **EDWARD SCHUSTER:** I have heard some things here today being  
18 said, and I'm going to touch on the first topic, which would be  
19 the Nassau grouper. They were saying that -- I can't remember  
20 who said it, but there may be some aggregations that are located  
21 or it's indicated that they have not been located and may need  
22 the participation of the fishermen. Every time a fisherman has  
23 participated in giving up its secrets, there is nothing that has  
24 come out of it but a closed area. That's one.  
25

26 We have said in several meetings before they we always need to  
27 close that bridge or the gap that was created to create the  
28 bridge back. That needs to happen. You need to regain the  
29 confidence of the fishermen in order for this to happen.  
30

31 I am going to touch on something else related to Director  
32 Gomez's comments and Tony Blanchard's comments. Puerto Rico,  
33 and I read Dr. Crabtree's letter, is facing some serious issues.  
34 We all know the amount of recreational fishermen as opposed to  
35 commercial fishermen, and I'm going to say this on St. Croix's  
36 side and only St. Croix, being the DAP Chair of St. Croix.  
37

38 If you're talking about data-poor collection and ACLs and OFLs  
39 and CPUEs and all of that stuff, the same scenario applies for  
40 St. Croix. You don't have the recreational side and the impact  
41 into the same resources that the commercial fishermen are  
42 impacting, and so we are in the same scenario and it's waiting  
43 to happen.  
44

45 The only people that are going to be penalized out of this whole  
46 thing is the commercial fishermen. The recreational fishermen  
47 are going to get a slap on the wrist and they say, oh, we can  
48 live with that, and it's not fair for the people that stayed

1 here and participated into these meetings and traveled and the  
2 only people that get penalized here are the commercial  
3 fishermen.

4  
5 You need to stop it and you need to listen to us. We are the  
6 scientists of the sea, and the years that we have in experience  
7 into the sea, you cannot obtain it into a university. I keep  
8 saying this all the time. Go back into the records and read all  
9 the transcripts and you will hear the same words that I've been  
10 saying. Thank you.

11  
12 **CARLOS FARCHETTE:** I have Blanchard and then Graciela.

13  
14 **TONY BLANCHARD:** I am going to repeat myself, because I will  
15 tell you that I'm going to repeat myself until we learn to  
16 listen. Some of us still don't hear, but I believe that Mr.  
17 Crabtree is listening now, because he said he would help me  
18 because he will push me.

19  
20 Once again, if we want to affect positive change, we need to  
21 keep pushing on the system to get what we want. We need to ask  
22 for what we want. We need to know what we want to begin with,  
23 and so let's keep pushing against the system instead of going  
24 with the flow of water, when we all admit that this ain't  
25 working, to get the change we want.

26  
27 **CARLOS FARCHETTE:** Graciela.

28  
29 **GRACIELA GARCIA-MOLINER:** A couple of things. Number one, the  
30 U.S. Virgin Islands government's actual statement regarding  
31 their landings information, they said they are 100 percent.  
32 They don't use any expansion factors or correction factors, and  
33 that has been the case in any of the SEDARs that we've gone  
34 through. The way that the data are utilized are based on  
35 accounting for actual catches from the Virgin Islands.

36  
37 The additional problems that we have with the data is the mix of  
38 species that has changed, and apparently will continue to  
39 change, but the problem is that, if we don't validate the  
40 changes that take place in these forms, by actually seeing  
41 what's being reported and what percentage they account for when  
42 you're talking about, for example, groupers, then you're back to  
43 square one again, because you are basically beginning the count  
44 at that stage.

45  
46 It's family members from 2000 to 2010. 2010 to 2014 is species-  
47 specific, a number of them, and then 2015 is another change in  
48 the form, and so this has to go and -- There has been quite a

1 bit of advancement in terms of the actual data being almost up  
2 to date and have been looked through in the database. There are  
3 still some issues that we need to look through with the data,  
4 but, as it concerns the SEDAR 46, for example, that information  
5 was really worthwhile, when it came up to the workshop, to the  
6 models that were being used.

7  
8 In terms of the data, and these changes do cause -- They put a  
9 damper in what you're trying to do, because it changes the  
10 amount of information that you have, and so that's one thing  
11 that we need to consider.

12  
13 In terms of the Nassau grouper and what I said earlier about  
14 cooperative research, that's a very good example and a place  
15 that the commercial fishers can actually charge the federal  
16 government for the work that they do, because Nassau grouper is  
17 already a prohibited species from the shoreline to the 200  
18 nautical miles.

19  
20 The known spawning aggregations are already within the closed  
21 area, and so the idea is that the commercial fishers will  
22 actually provide the vessel and the expertise in terms of the  
23 dates when you are most likely to find a larger aggregation, et  
24 cetera, and you are cooperating with the science, and the  
25 scientists are telling you the way that you should be looking at  
26 these aggregations.

27  
28 You would be going to see what's in those closed areas already,  
29 because that's the first place to begin, is to go to the places  
30 that are already managed and do the monitoring that is needed to  
31 find out if the population is increasing or not. That would add  
32 to the amount of money that comes to the USVI, for example, and  
33 then you can continue the sample, because the other problem is  
34 that, if we have not continuous sampling, then we cannot create  
35 an index to tell you if the population has increased or not.

36  
37 For example, we do have very valid data from Rick Nemeth and the  
38 UVI guys, but it doesn't come in every year, and so, every  
39 effort that we can, we try to put money into that pot, to see if  
40 we can get a continuous record of what's going on.

41  
42 When these funding opportunities come up, it's really important  
43 that we start using them. As I said, cooperative research  
44 should be coming up. If it's not out already, it's sometime  
45 very soon.

46  
47 **CARLOS FARCHETTE:** Blanchard. Then I've got to break for lunch.  
48 Julian.



1  
2 **TONY BLANCHARD:** Let him go first.

3  
4 **CARLOS FARCHETTE:** Julian.

5  
6 **JULIAN MAGRAS:** Thank you, Mr. Chairman. I understand that the  
7 CFMC group here was mandated with the reauthorization of the  
8 Magnuson-Stevens Act that came up with all of these OFLs and  
9 ACLs and ACTs and ABCs and everything, but what seems to be the  
10 problem here is we put something in place that we know is not  
11 working, and we know what the problem is.

12  
13 I am going to speak for the Virgin Islands when it comes to the  
14 overfishing limit. We well know, and we continue putting it on  
15 the record, like Director Gomez says, and Ed Schuster and Mr.  
16 Blanchard, that we do not export out of the Virgin Islands. The  
17 OFL that is in place right now is actually not an OFL. It's  
18 actually our ACL that we harvest, because we haven't reached the  
19 overfishing limit, because we don't export.

20  
21 It's clearly explained by Mr. Blanchard, as a commercial  
22 fisherman. I'm a commercial fisherman. We catch what we can  
23 sell. When we have reached that limit, we stop. There is  
24 nothing to do. Are we going to catch it and throw it in the  
25 trash? We don't.

26  
27 You guys sit down in a room and the people in the audience sit  
28 down and listen. They continue pushing, pushing, pushing  
29 against the fishermen, when the fishermen are actually fishing  
30 for what they can actually sell on the market. It's market-  
31 driven. We did studies and we did community outreach programs.  
32 We did everything, and we were designated as a fishing  
33 community, but it seems that we still don't take into  
34 consideration this limit is not an overfishing limit.

35  
36 You're using it because that's what was collected from the  
37 fishermen, but somebody here needs to understand or come to the  
38 record and say we need to fix this, we need to change it now,  
39 because these fishermen are not overfishing. This is not a true  
40 overfishing limit. If we don't fix it, the fishers are going to  
41 be the ones here to suffer again, and we are not going to stand  
42 back and suffer anymore.

43  
44 We talk about the Nassau, and I just want to bring it up, but we  
45 know where there are many spawning sites. The minute you take a  
46 scientist there or anybody to collect, just like Ed Schuster  
47 said, you consider it done and that's a closed area. They just  
48 closed five more spawning aggregations in the South Atlantic. I

1 get their bulletin. Five more closures.  
2  
3 We close, close, close, but we never open up anything. We put  
4 all of these seasonal closures in place for five and eleven  
5 years now, and we haven't gone back and done one study, but we,  
6 the fishermen, throw the fish overboard for three months. We  
7 need to stop having the fishermen suffer, and we need to correct  
8 the process.  
9  
10 I am asking the council, as the DAP Chair for St. Thomas/St.  
11 John -- This is an opportunity to fix it, but don't say because  
12 you don't have more information. You do have information, and  
13 the Science Center clearly knows that this is not an overfishing  
14 limit that has been set for the fishermen. It's an ACL that we  
15 are using as an overfishing limit. Thank you.  
16  
17 **CARLOS FARCHETTE:** Blanchard, and then I've got to break.  
18  
19 **TONY BLANCHARD:** I want to show you something of how the --  
20 Let's say the system is broken, for lack of a better word. We  
21 have a fishing aggregation, for example, and let me pose this  
22 question to Richard. Richard, how long does a specific species  
23 use an aggregation, how much months?  
24  
25 **RICHARD APPELDOORN:** It depends on the species, but say three  
26 months.  
27  
28 **TONY BLANCHARD:** Okay. Beautiful. That's the answer that I  
29 wanted. We have an area that is designated, that let's say the  
30 groupers come up here. We close it off, but we don't close it  
31 off for three months. We close it off permanently, and so  
32 explain to me how this has just been shut off as an aggregation  
33 again.  
34  
35 All we're doing is just adding another MCD, which we ain't  
36 monitoring it properly, because if you tell me we're closing it  
37 off because the fishermen are coming up to spawn, we only need  
38 three months, right? That's what the man said. So why are we  
39 shutting it off for twelve? Like I tell you, this is how we  
40 address a broken system.  
41  
42 **CARLOS FARCHETTE:** Okay. We're going to break for lunch, but,  
43 before we do that, I want to -- When we come back for lunch, I  
44 want some discussion on what I think may be a short-term  
45 solution, and I want to know if it's even possible. We can  
46 discuss it after lunch.  
47  
48 Like everybody has been saying, there has been no exports in the

1 U.S. Caribbean. It's a market-driven fishery. We have a 3.5-  
2 inch carapace for spiny lobster in the U.S. Caribbean, which is  
3 bigger than everybody else's except Bonaire, which is 4.7.

4  
5 We have closed areas and MPAs, and so I want to know if there is  
6 any way that we can use this, and I will let the experts let me  
7 know after lunch, if we can move ACLs equal to ABC. That will  
8 give them a certain percentage for certain species, and I'm not  
9 saying do it for all species, because, things like angelfish,  
10 those are ecologically important and maybe we need to keep them  
11 where they're at, but, other species, maybe we can raise that  
12 ACL equal to the ABC, which would give us a certain percentage  
13 more. ACL is under the ABC, and so we want to raise the ACL to  
14 the ABC. Anyway, we will break for lunch, but, Miguel.

15  
16 **MIGUEL ROLON:** Probably when we come back from lunch, just to  
17 refresh your memory, I will have a slide to show OFL and ABC and  
18 all of that. Before you leave, there is a lady in the back  
19 here, Helena, with a camera. She is taking a video of you guys  
20 talking. Unless somebody has a problem with that, please let  
21 her know that you don't want your face in that video. It will  
22 be for educational purposes, and so this is our legal way of  
23 saying you are okay.

24  
25 **CARLOS FARCHETTE:** Also, anybody who is going to do dinner  
26 tonight at Kim's, check with Tony Iarocci. He is taking down  
27 names and numbers to go for that dinner out there.

28  
29 (Whereupon, the meeting recessed for lunch on June 28, 2016.)

30  
31 - - -

32  
33 June 28, 2016

34  
35 TUESDAY AFTERNOON SESSION

36  
37 - - -

38  
39 The Caribbean Fishery Management Council reconvened at the  
40 Buccaneer Hotel, St. Croix, USVI, Tuesday afternoon, June 28,  
41 2016, and was called to order at 1:30 o'clock p.m. by Chairman  
42 Carlos Farchette.

43  
44 **DISCUSSION OF ACL MODIFICATIONS**

45  
46 **CARLOS FARCHETTE:** We are looking to get started again. Just  
47 before lunch, I made a comment about having ACLs equal ABC. Is  
48 there any comment on that? I know that nothing is going to be

1 able to happen for the Puerto Rico closure dates of those seven  
2 species that they overran on their ACLs, but maybe short-term  
3 for -- It's just a question to consider. Iris.

4  
5 **IRIS LOWERY:** Are you looking for an answer on your question  
6 before lunch?

7  
8 **CARLOS FARCHETTE:** Yes.

9  
10 **IRIS LOWERY:** I think that, if the council is interested in  
11 revisiting its approach to ACLs, then that would be something  
12 that the council can certainly consider, and it would likely be  
13 through a framework amendment. I would have to double check the  
14 framework procedures, but I believe that's the way that would be  
15 done. The important part there would be evaluating a range of  
16 alternatives and establishing the record for why the council  
17 chooses the course of action that it does.

18  
19 **CARLOS FARCHETTE:** If we can actually discuss a little bit on  
20 why we feel that it can change. I mean it seems like I might be  
21 the only one that's talking about making that change.

22  
23 **MIGUEL ROLON:** If we take the topic that we discussed this  
24 morning, especially about the spiny lobster, many people around  
25 the table, who have been fishing for spiny lobster, believe that  
26 the fishery is okay and we have large size and we have good  
27 landings and everything, but we have to document that before we  
28 make any decisions.

29  
30 The question today was can we equate ACL to ABC for the spiny  
31 lobster, meaning eliminating the 10 percent buffer, and the  
32 question is we could do that if we follow the process in  
33 amending the FMP or amending the regulations that we have, via  
34 framework. In doing so, you have to consider alternatives of no  
35 action, eliminating 10 percent, implementing 5 percent or 1  
36 percent or whatever. You have to have a discussion as to why  
37 you want to do it, first, and what will be the alternatives for  
38 such an action.

39  
40 This is one of the things that we cannot say it's because we  
41 think it's good. We have to prove, and we have to use the  
42 process as best we can, and so the discussion is whether you  
43 want to address this now or you want to ask the staff to come up  
44 with some alternatives for the next meeting, to give us some  
45 indication as to how you want to proceed.

46  
47 **CARLOS FARCHETTE:** On that same note, I believe we have the same  
48 feeling about red hind, particularly on St. Thomas, and so if we

1 can also look at that one.

2  
3 **MARCOS HANKE:** I would like to make a comment that, on the  
4 meeting that the SSC, the DAPs, and the councils held in Puerto  
5 Rico, I had a unique opportunity to ask, and we are talking  
6 about lobster now, but the lobster fishermen, as a business man,  
7 how much lobster do you expect or how much lobster do you catch,  
8 on average, throughout the year, from each hauling?

9  
10 Magically enough, it was exactly the same number of the three  
11 areas. One said 2.7 or 2.8 and the other one said it's three  
12 pounds and the other said three pounds or three-and-a-half  
13 pounds. Certainly I realize that, in Florida, that they are  
14 going to open or going to deal with the increment on the ACL and  
15 address the problem, but it's one-pound-and-something, or a  
16 number much less than ours.

17  
18 In terms of effort or expected landing from each haul, we are in  
19 much better shape. That's one point. Obviously those data have  
20 to be built and have to be proven in a scientific form, but this  
21 is the kind of information that the fishermen are receiving and  
22 collecting all the time.

23  
24 You go to any fish house and you see a great variety of lobster,  
25 of every size, and you see the dealers say don't bring me any  
26 lobster, because our market is shrinking and I cannot hold any  
27 more. Take traps out of the water and do less trips of hauling.  
28 All of that is taking, and, for me, all are indicators of a  
29 good, healthy fishery.

30  
31 **CARLOS FARCHETTE:** One of the points that Iris did make about  
32 the framework measures, there are I think fourteen or eighteen  
33 framework measures that we have in place, but there's only one  
34 that we're using, which is shortening the season, but, Graciela,  
35 you had your hand up?

36  
37 **GRACIELA GARCIA-MOLINER:** A question, and I would ask for  
38 clarification. It would be spiny lobster for Puerto Rico or  
39 spiny lobster across the board and red hind across the board?

40  
41 **MIGUEL ROLON:** Across the board.

42  
43 **CARLOS FARCHETTE:** Yes, across the board. Hanke.

44  
45 **MARCOS HANKE:** One clarification, and maybe it was not clear.  
46 Those three fishermen are major lobster fishermen that I asked  
47 them for their information from the three different areas, from  
48 St. Thomas, Puerto Rico, and across the area. It was not just

1 from Puerto Rico. The numbers they were reporting to me, in  
2 terms of how much lobster they expect on each haul, is about the  
3 same.

4

5 **CARLOS FARCHETTE:** Blanchard.

6

7 **TONY BLANCHARD:** I also think we need to look at that for the  
8 red hind.

9

10 **CARLOS FARCHETTE:** I agree, and I want to take it even further.  
11 I know I might be getting way out of base here, but I would like  
12 to look at queen trigger also, particularly for St. Thomas and  
13 not for St. Croix. Miguel.

14

15 **MIGUEL ROLON:** I would suggest that you discuss lobster first  
16 and then go into the others, because you're going to make a mess  
17 of the discussion. If you think that the lobster -- Consider  
18 all the elements of the lobster fishery that you want to address  
19 and then allow the staff to put together an options paper that  
20 you can discuss.

21

22 Then you can go into the other species, because there are many  
23 other species that -- For example, the red hind, we have been  
24 discussing the red hind forever. David Olsen asked the council  
25 to remove the red hind from the grouper group and to also  
26 increase the ACL for the red hind, and so maybe we can just  
27 discuss the spiny lobster and follow with the red hind and any  
28 other species that you want to address, and also the issue of  
29 whether across the board or not is germane to the discussion,  
30 because, in the case of the St. Thomas/St. John, there is no  
31 problem with the spiny lobster.

32

33 You don't have any closure. I believe that the first closure  
34 was in St. Croix, although the number one fisherman asked the  
35 question of, oh, it was closed? He didn't know and he continued  
36 fishing. Mr. Chairman, my suggestion is we go through the spiny  
37 lobster first and ask everybody around the table whether we have  
38 elements of judgment for eliminating the 10 percent or not.

39

40 **CARLOS FARCHETTE:** Iris.

41

42 **IRIS LOWERY:** I would just suggest that, at this point, it's  
43 really premature to probably be laying out a specific option,  
44 because you will be required, if you do decide to do some sort  
45 of framework amendment for the ACL, you will be required to  
46 analyze a range of alternatives, and so this really would be, I  
47 think, reevaluating the ACL, as opposed to definitely  
48 eliminating this 10 percent.

1  
2 **CARLOS FARCHETTE:** Roy.  
3  
4 **ROY CRABTREE:** Do we know, Bill or Graciela, what is the OFL?  
5 How far below the OFL is the ABC for spiny lobster?  
6  
7 **BILL ARNOLD:** The ABC or the ACL, Roy?  
8  
9 **ROY CRABTREE:** The ABC.  
10  
11 **BILL ARNOLD:** There is no reduction. The OFL and the ABC are  
12 equal. The ACL is 10 percent below the ABC.  
13  
14 **ROY CRABTREE:** The ABC is equal to the overfishing level?  
15  
16 **BILL ARNOLD:** Yes, and in Puerto Rico, for example, it's roughly  
17 364,000 pounds is the OFL and 328,000 pounds is the ACL.  
18  
19 **ROY CRABTREE:** You're going to have to deal with the problems in  
20 the Guidelines with respect to setting ACL equal to the ABC  
21 equal to the OFL. I'm not saying you can't do it, but that's  
22 generally not a good thing in the Guidelines.  
23  
24 **MIGUEL ROLON:** The other question is that people think that by  
25 eliminating the 10 percent that all of a sudden all the problems  
26 will go away, and so you need to think about what is that 10  
27 percent that we're talking about, because maybe eliminating that  
28 10 percent won't do what you want to do and you will create more  
29 problems and more issues regarding the process.  
30  
31 **CARLOS FARCHETTE:** I also have a concern when the ABC equals the  
32 OFL. Blanchard and then Bill.  
33  
34 **TONY BLANCHARD:** I am just curious to know how much the ACL was  
35 overrun in Puerto Rico. How much pounds are we talking about?  
36  
37 **GRACIELA GARCIA-MOLINER:** Can we bring the table up so that we  
38 can see it?  
39  
40 **BILL ARNOLD:** While we're talking about this, I want to remind  
41 you that the reason that we reduced from essentially the OFL,  
42 the overfishing level, to establish an ACL is to reduce the  
43 frequency with which we overrun the overfishing level.  
44  
45 If you overrun the annual catch limit, then you have an  
46 accountability-measure-based reduction in the length of the  
47 season. I will need some guidance from Iris on this, but if you  
48 overrun the OFL more than once in four years, now you're

1 overfishing the resource, and that's a much more drastic  
2 problem, requiring a much more drastic response. Go ahead, Roy.

3  
4 **ROY CRABTREE:** I mean the problem, what I'm hearing from these  
5 guys, is they don't believe it's the OFL is properly specified.  
6 That's the crux of what you're getting at and what I'm getting  
7 from what Tony said and what the rest of you are saying.

8  
9 The problem is, if you want to address that part of it, you're  
10 going to have to go back to your SSC and deal with it there, and  
11 I don't know what they will do. Now, someone talked about  
12 Florida and the changes to the OFL that are happening up there.  
13 That started with their SSC, and their SSC, at least in the  
14 Gulf, has given them a higher OFL and a higher catch level.

15  
16 It still has to go back before the SSC in the South Atlantic,  
17 because it's a joint plan, but if the problem is really the OFL,  
18 that's something you're going to have to work with your SSC on,  
19 because they set that catch level and you can't go over it, but  
20 my sense of what I'm getting from you is that that's really what  
21 you have an issue with.

22  
23 **CARLOS FARCHETTE:** Blanchard.

24  
25 **TONY BLANCHARD:** What I'm looking at here is basically they have  
26 an overage of a little over 18,000 pounds is what I'm seeing  
27 here, if I read it right. Really, what percentage of that,  
28 compared to the -- In other words, what percentage over did they  
29 overrun it, number one.

30  
31 Number two, seeing that Florida is working with their SSC to  
32 change the ACL process or to raise the ACL, however they would  
33 like to word it, I think, instead of us jumping at something --  
34 Like Roy said, if we don't get what we want to get this OFL  
35 raised and we're at the OFL line and we overrun that four times  
36 straight, we've got another problem.

37  
38 I would say, before we jump at something, let's ride on the  
39 coattails of Florida and their strategy. If they got it to  
40 raise, then we go down the same road. For me, 18,000 pounds,  
41 compared to the annual catch limit, is really nothing. It's a  
42 drop in the bucket.

43  
44 We really want to penalize these guys for just 18,000 pounds? I  
45 could understand if it was a hundred-and-something-thousands  
46 pounds. Then we need to raise an eyebrow. What percentage of  
47 18,000 pounds comes out of the annual catch limit at three-  
48 hundred-and-change?



1  
2 **GRACIELA GARCIA-MOLINER:** 5.5 percent.

3  
4 **TONY BLANCHARD:** Exactly, and so you think that we raise an  
5 eyebrow and shut down the fishery for a 5 percent overrun?

6  
7 **MIGUEL ROLON:** The problem, Tony, is that you go over even 1  
8 percent, you have to follow the law, and you may have to close  
9 for half a day, but that's the law. You have to -- Once you  
10 have an overage, you trigger the mechanisms that we have in  
11 place for the closures, to account for that overage.

12  
13 It doesn't matter if it's 18,000 or 1,000. You still have to do  
14 it, and the issue that we have here is that -- Actually, Roy  
15 touched on the real issue. If we can have another set of years  
16 analyzed by the SSC, which is actually what the Gulf and the  
17 other guys are doing, and that comes up with a better picture  
18 that reflects what is happening in the fishery, so be it, but  
19 remember, when we went through the whole process, these were the  
20 best years that we could come up with.

21  
22 You have two issues. One is whether you want to readdress the  
23 overfishing level and the ABC, ask the SSC, and, based on what  
24 they do, then you can discuss, at the council level, what you  
25 would like to do with the ACL. That's why I say if you -- One  
26 extreme is not doing anything. The other one is cutting 10  
27 percent.

28  
29 If you have ABC equal to ACL or OFL equal to ABC equal to ACL,  
30 the rationale for that, you can have it until you turn blue, but  
31 the consequences of going over that is like what they were  
32 saying. It would mean that you would have stricter penalties or  
33 management measures in place when you go over the overfishing  
34 level.

35  
36 **CARLOS FARCHETTE:** Blanchard.

37  
38 **TONY BLANCHARD:** Okay. Let me ask this question. How many days  
39 of a closure does the eighteen-thousand-and-change equate to?  
40 In other words, is it ten days or fifteen days or a month?

41  
42 **MIGUEL ROLON:** It's from December 10 to December 31. That's  
43 twenty-one days.

44  
45 **TONY BLANCHARD:** Okay. Now let's look at it from this point of  
46 view. Let's say I asked Miguel whether he has the information  
47 for the CPUE. We look at the CPUE and see that the CPUE has  
48 actually improved, catch per unit effort, and can we not use

1 that as justification to not penalize them for that 18,000  
2 pounds?

3

4 **CARLOS FARCHETTE:** Roy.

5

6 **ROY CRABTREE:** If you have evidence that the CPUE is increasing,  
7 that's generally an indicator of abundance is probably  
8 increasing, and so that would be a good sign, and maybe that's  
9 something that, working with the SSC, we could get a new catch  
10 level out of them.

11

12 I think you can look at all of those kinds of things, but, in  
13 order to increase the allowable catch levels, you're going to  
14 have to get a new recommendation from the SSC, and I can't speak  
15 for what they will think or how they will look at it, and none  
16 of this has been analyzed, and I don't know if we have  
17 convincing data that shows CPUEs are going up or any of those  
18 things, but, if we have all of that, we can look at it. I mean  
19 I think spiny lobster was one of the data-poor assessment  
20 species, but was it just for St. Thomas and St. Croix and not  
21 Puerto Rico?

22

23 **RICHARD APPELDOORN:** Yes.

24

25 **ROY CRABTREE:** That would be another way to go, is look at  
26 trying to do that data-poor approach to spiny lobster in Puerto  
27 Rico, but you can take all of those things into account, and I  
28 see what you're looking at, Tony. 18,000 pounds out of 325,000  
29 or 350,000 pounds is a relatively small amount, but we have the  
30 annual catch limits and we have these accountability measures in  
31 place, and, to change them, you would have to go through the  
32 amendment process and all.

33

34 Whether we can build enough of a justification to get to that or  
35 not, I don't know, and whether we have compelling enough  
36 evidence to get the SSC to give us a new catch level or not, I  
37 don't know. All you can do is pull it all together and go  
38 through the process and see what happens.

39

40 **CARLOS FARCHETTE:** Okay. I would like to figure out a way to  
41 get that started somehow with the SSC. Hanke.

42

43 **MARCOS HANKE:** I will present a motion in a bit. The reason of  
44 my motion is, because we have the willingness of the industry to  
45 report better data with more compliance and it's a market-driven  
46 fishery, either in Puerto Rico and St. Thomas. Remember that in  
47 Puerto Rico we have less people now to sell the fish.

48

1 The new, upcoming information, for example, it just this morning  
2 was reported by Aida Rosario with the SEAMAP information on the  
3 larval recruitment, but that data is available, and there is  
4 other things that are probably coming up, along with a request.

5  
6 I am going to formalize this request later to Bonnie and to  
7 anybody who can help the fishermen, because you have a pumping  
8 heart willing to help and to fix the problem. We need guidance  
9 from you guys to tell me if it's a, b, c, d, and e, and we need  
10 those parameters on the catch report, in order to have better  
11 data and to create a better model, something that with the  
12 science we can trust. That's why I am going to ask, as a motion

13 --

14

15 **MIGUEL ROLON:** Marcos, excuse me, but that's for tomorrow.

16

17 **MARCOS HANKE:** Yes, but it's on the same lines of what we are  
18 discussing. I will present the motion requesting the SSC to  
19 visit the lobster fishery and state the position to the council  
20 with the steps to follow.

21

22 **MIGUEL ROLON:** The steps are already said and done. You have  
23 all the steps. What you really want the SSC to do is to revisit  
24 the numbers that they have for the lobster fishery and the other  
25 species that you mentioned. You mentioned the red hind and the  
26 queen trigger and others. They can look at it and tell us  
27 whether they have enough information to deviate from the numbers  
28 they gave us before.

29

30 The reason I said for tomorrow is your statement about the  
31 willingness of the fishermen to do better data collection, and  
32 the council doesn't know anything about it until tomorrow, but I  
33 know the spirit of what you're saying.

34

35 **MARCOS HANKE:** Can you help me with the language for the motion?

36

37 **MIGUEL ROLON:** Maybe you can hold on to that motion until  
38 tomorrow when you have more elements to discuss, but your motion  
39 is simple. You ask the SSC to revisit the information that we  
40 have for the spiny lobster, red hind, and other species and  
41 inform the council whether there is any change that should be  
42 made, based on the new information available. That's what you  
43 want, I believe.

44

45 **MARCOS HANKE:** Yes, and thank you for the help.

46

47 **CARLOS FARCHETTE:** While they're writing up that motion, I just  
48 want to be clear that I don't want across the board for red hind

1 or queen trigger, because I know, from being on St. Thomas, I've  
2 seen the abundance of queen trigger. I have seen the sizes that  
3 they have, and I know about what's been released because they're  
4 too big for the market, and so I want to keep that separate from  
5 St. Croix, and I don't know about Puerto Rico, but I guess  
6 Puerto Rico could speak on that, but, St. Croix, our queen  
7 trigger is not as abundant as St. Thomas, and neither is our red  
8 hind. One more question to Bill. Are all the species OFLs  
9 equal to ABC or just spiny lobster?

10  
11 **BILL ARNOLD:** All of the OFLs and ABCs are equal. With queen  
12 conch, they set an ABC separate from an OFL. Then, with  
13 parrotfish, the SSC, in both instances, with queen conch and  
14 with parrotfish, they set a 50,000-pound St. Croix, the only  
15 place you're allowed to fish it, ABC for queen conch. For  
16 parrotfish, they set specific ABCs for each of the three  
17 islands, and that was, I believe, 300,000 pounds for St. Croix,  
18 80,000 for Puerto Rico, and 50,000 for St. Thomas, I'm pretty  
19 sure, but I would like to editorialize here real quickly.

20  
21 I am massively confused about what you guys are talking about,  
22 because if you're saying you want the SSC to go back and revisit  
23 this stuff, that's what we talked about all morning, is the SSC  
24 and the Science Center getting in here and getting an ABC  
25 control rule in place and determining what the tiers are and  
26 which strategy would be used for each species and then  
27 redeveloping, essentially, OFLs and all of the reference points,  
28 and so we are -- We have kind of turned this four degrees and  
29 are talking about exactly the same thing.

30  
31 No motion is needed. It's already set up. No additional action  
32 is needed. It's already set up. If you want to change the  
33 buffers from ABC to ACL, that may be something you can do, but  
34 you know, you guys, we were doing that. We were setting up an  
35 amendment to have everything that was not identified as  
36 undergoing overfishing with a 10 percent buffer, that means the  
37 15 percent guys and the 25 percent guys, and everything that was  
38 identified as undergoing overfishing as having a 15 percent  
39 buffer.

40  
41 I, unfortunately, am way too old to remember what happened, but  
42 I believe the council said we don't want to do this, and this  
43 was like a year-and-a-half ago or something, and so now we're  
44 coming back and what you're going to do is create a huge  
45 workload for the staff, who already went through this and spent  
46 a year-and-a-half doing it, to restart the same process, when  
47 what we really want to focus on is getting these new FMPs in  
48 place and getting these actions arranged and making progress on

1 this, so that we can accomplish the goals.

2  
3 I apologize, truly, for the length of time these things take,  
4 but these things take this much time, and there is no getting  
5 around it. There's no turning this two-year process into a  
6 three-week process. It is not going to happen, and so we need  
7 to stay on the road and stick to the tasks at hand and identify  
8 those tasks and their timelines and get this stuff done. All  
9 we're talking about is distractions that are going to further  
10 delay an already difficult and complex and time-consuming  
11 process.

12  
13 **CARLOS FARCHETTE:** I get where you're coming from, Bill, and  
14 you're right. I think if the SSC is already tasked with this,  
15 let's just let that run and see what we get out of it for the  
16 ABC control rule. Then we can discuss it then.

17  
18 **GRACIELA GARCIA-MOLINER:** The other side of this, and this is  
19 just so that you have all the information on the table, is that  
20 you have, from the ACL Amendment in 2011, framework procedures  
21 that include, and I will read it for the record, your  
22 Alternative 2 and the preferred.

23  
24 It's to establish framework measures for the Spiny Lobster FMP  
25 to provide a mechanism to expeditiously adjust the following  
26 reference points and management measures through framework  
27 action. That includes 4j, annual catch limits. This is the  
28 framework, and Iris was talking about this this morning. It's  
29 not going to be as expeditious as we would expect, but it's an  
30 alternative.

31  
32 **CARLOS FARCHETTE:** Roy.

33  
34 **ROY CRABTREE:** SEDAR 46, that we talked about some this morning,  
35 I mean spiny lobster in St. Thomas and St. Croix were a part of  
36 that, and so I would think that -- I guess that's tied up into  
37 the control rules and everything, but that's really where the  
38 new catch levels are likely to come at, once we get through all  
39 that process.

40  
41 **CARLOS FARCHETTE:** I've got it. I will retract, and I will wait  
42 for the SSC to start working with this July meeting, to come up  
43 with an ABC -- I don't think we need the motion anymore.

44  
45 **MIGUEL ROLON:** Anyway, Mr. Chairman, this might be an overkill,  
46 but if you all accept that this is already a motion, just go  
47 ahead and do it, and this motion will be just a sentiment of  
48 your feelings about this time, but it's in order, and that's why

1 I said, if you wait until tomorrow, you will have more things to  
2 say about why the council fishers are --

3

4 **CARLOS FARCHETTE:** Roy.

5

6 **ROY CRABTREE:** The new information that's referred to in the  
7 motion is what we're going to hear about tomorrow? Then it  
8 makes sense to me that we should hear it before we take an  
9 action based on it. It would probably just be cleanest if you  
10 withdrew the motion and then come back to it tomorrow.

11

12 **MARCOS HANKE:** Just hold it for tomorrow.

13

14 **CARLOS FARCHETTE:** Tony Iarocci.

15

16 **TONY IAROCCI:** Thank you, Mr. Chairman. I've been biting my  
17 tongue all morning, because I really want to address a lot of  
18 this stuff tomorrow morning, when Carlos makes his presentation,  
19 but one thing I want to stress is, in the Gulf and the South  
20 Atlantic, both councils, in both SSCs, both council members and  
21 both APs, and we started with a review panel, which, similar,  
22 we're starting here with the group that met at the -- We'll get  
23 into all of that tomorrow, to go through this, but remember what  
24 Roy said when we were talking about the SSC.

25

26 It's very important to work closely with the SSC and the Science  
27 Center on some of this new data and some of this new data  
28 collection that we're putting forth. From here on forward, I  
29 want everybody to be very nice to Dr. Appeldoorn, because he's  
30 going to be the one to help you with this.

31

32 **CARLOS FARCHETTE:** Okay. I believe Bonnie has a data-limited  
33 presentation. I'm not sure if she is -- We will wait for her.

34

35 **MIGUEL ROLON:** Graciela, in the agenda, have we discussed any of  
36 the following topics or do we have to go one-by-one again?

37

38 **GRACIELA GARCIA-MOLINER:** The most significant discussion is  
39 going to be on the goals and objectives for the island-based  
40 FMPs. Actions 1, 2, and 3 are the same that you've seen before,  
41 and so we were just going to review them, but the goals and  
42 objectives are your goal today.

43

44 **CARLOS FARCHETTE:** Okay. Dr. Ponwith.

45

46 **BONNIE PONWITH:** Thank you, Mr. Chairman. The thing that I  
47 wanted to share with you were the slides that we put up talking  
48 about the importance of the ABC control rule, and so we've

1 already covered that. Thanks.

2  
3 **CARLOS FARCHETTE:** Okay. Thank you. Here we are now at Island-  
4 Based FMP Development Status and Next Steps and the Council  
5 Draft Goals and Objectives and Graciela.

6  
7 **ISLAND BASED FMP DEVELOPMENT STATUS AND NEXT STEPS**  
8 **COUNCIL DRAFT GOALS AND OBJECTIVES**  
9

10 **GRACIELA GARCIA-MOLINER:** This is a working presentation. The  
11 SSC has requested from the council members that they please  
12 address the goals and objectives of the island-based FMPs so  
13 that they can move on, because it really guides the discussions  
14 that they're going to have in the near future.

15  
16 You received a copy of this presentation, and you have also  
17 received, and have seen at the previous two council meetings,  
18 the interdisciplinary plan team draft of the goals and  
19 objectives for the island-based FMPs, and you have received,  
20 from the Pew Charitable Trusts, the guiding principles and the  
21 goals and objectives that they presented to the council for your  
22 consideration.

23  
24 Everything that we are going to see is going to be a comparison  
25 of the two goals and the two sets of objectives, but we are  
26 going to go and start from the beginning. By that, we mean  
27 what's in the Guidelines? What do the fishery management plans  
28 have to comply with?

29  
30 Everything that's in yellow here, this is quoted from the 50 CFR  
31 600.305(b). It has to do with what is the FMP designed to  
32 accomplish? What are your objectives? What are the objectives  
33 of the particular fishery? They have to be clearly stated, they  
34 have to be practicable, and they have to be measurable. An FMP  
35 should make a clear distinction between the objectives, what is  
36 it that you want to accomplish, and how you are going to achieve  
37 them, your management measures.

38  
39 You have done this many times, because all of the FMPs have set  
40 of objectives, and then they are followed by a set of management  
41 measures.

42  
43 For example, a healthy population of spawning spiny lobster, you  
44 do have a management measure in place that says a 3.5-inch  
45 carapace to protect the spawning of the lobster, and that has  
46 been in place since the 1970s or 1980s in the Virgin Islands and  
47 since the 1980s in both Puerto Rico and the EEZ, and so that's a  
48 management measure that protects -- It's a management measure

1 that addresses the objective of a healthy spawning population.  
2 Basically, what we've done here is that we've put together a  
3 little history. You have the draft papers both on the website  
4 and in your --

5  
6 **TONY BLANCHARD:** I've just got one question, okay, because I am  
7 kind of lost sometimes in this process, but why are we running a  
8 comparison between the goals and objectives that the Pew  
9 Foundation gave us and our own goals and objectives? The  
10 problem I see here is this. Number one, they have their plate  
11 at the table, just like everybody else. If there was thirty  
12 different organizations that came to the meeting and wanted to  
13 hand us their goals and objectives, we would have to compare the  
14 thirty of them on that screen there. Okay?

15  
16 Now listen to me. My thing is this. We have the guys dealing  
17 with the island-based management plan. The Pew Foundation has  
18 representation on all three. Now, I am not saying that, if they  
19 don't feel that they're being heard, they can't have their  
20 version of the goals of objectives, but what I'm saying is we  
21 shouldn't have to give anybody precedence over the other.

22  
23 We should have taken those goals and objectives that should have  
24 come, in my opinion, from the island-based management group that  
25 is coming up with that draft and look at them and take in the  
26 information as to whoever has a say and then decide which route  
27 we want to take.

28  
29 The question is this. Are we the drivers of this vehicle or are  
30 we passengers, because, the last time I checked, I believe we  
31 were supposed to be driving this here and not in the passenger  
32 seat. If we ain't driving, let me know, because I ain't  
33 planning to be no passenger on no ride, and so let's get it  
34 straight.

35  
36 I personally think this was a waste of council time and money to  
37 even compare these. We should have brought out own to the table  
38 coming from the island-based management group and whoever else  
39 had brought it to the table and look at it and give them the  
40 same precedence and we decide what we want and not giving  
41 anybody precedence over anybody else.

42  
43 I have been sitting on this for the last two months, because it  
44 rubs me wrong, and so somebody inform me whether we're driving  
45 this vehicle or we're in the passenger seat, please.

46  
47 **MIGUEL ROLON:** Okay, Tony. I don't know whether you're driving  
48 or walking or anything, but, as I said in my report, the council



1 is supposed to take into consideration all the comments  
2 received. These documents were your documents. You will be  
3 driving the car and you will own the car. We didn't have more  
4 lists of objectives and goals because we didn't have more people  
5 give them to us, but we have an entity here, which is the SERO  
6 IPT, that gave us that draft in March.

7  
8 Then you have the Pew Charitable Fund that did the same thing,  
9 and, actually, they didn't do this lightly. They went through  
10 all the documents nationwide and they came up with that list,  
11 but we don't have to take any of those two lists, but we have to  
12 take our list.

13  
14 In this case, what Graciela is doing -- Let her finish what she  
15 has done and then you can make a decision at least on the goals.  
16 What are the goals that you want? For the objectives, you need  
17 to measure it. Graciela, do you have that slide that I told you  
18 about where you explain what is a goal and what is an objective?  
19 Okay.

20  
21 A goal is an overarching principle that guides decision making.  
22 This is the motherhood and apple pie of the process, but an  
23 objective has to be a specific and measurable step that can be  
24 taken to meet the goal.

25  
26 In the case of the spiny lobster, here is an example of what a  
27 goal could be, to ensure the continued health of the spiny  
28 lobster fishery resources occurring in the U.S. Caribbean  
29 Exclusive Economic Zone. Nobody is against that. The objective  
30 has to be measured, and so you have a regulation that the spiny  
31 lobster needs to -- You have that on the board. Management  
32 measures resulting from that goal and that objective is minimum  
33 size for spiny lobster is a 3.5-inch carapace length.

34  
35 You have to do that for every FMP that you have. You have to,  
36 in the plan, in the document, say what are your goals and what  
37 are your objectives. Today, maybe we can reach a decision on  
38 the goals. The objectives, probably we will have to ask the SSC  
39 for a little bit more information about the measuring aspects of  
40 the objectives. That's where we are now. My suggestion is to  
41 continue with the discussion through her presentation and then  
42 you can go back and discuss them one-by-one, but we need to  
43 finish the presentation by Graciela.

44  
45 **CARLOS FARCHETTE:** Blanchard.

46  
47 **TONY BLANCHARD:** I understand what you're telling me, Miguel,  
48 but the problem of what I have is the way this was handled.

1 When you brought this to that meeting, to the end of the  
2 meeting, you said this was to be used just to give you ideas and  
3 examples, correct? Okay.

4  
5 The last time I checked, we have Dr. Crabtree, which is a  
6 doctor, and we have Dr. Ponwith and we have Bill, which is a  
7 doctor, and Graciela is another doctor, and so what you're  
8 trying to tell me is we've got a bunch of idiots sitting at the  
9 table, is what it sounds like, and I am not saying that --

10  
11 **MIGUEL ROLON:** Let me interrupt you here, because you are not  
12 understanding the process. In order for you to sit here around  
13 the table, you have to read the darned documents, and you have  
14 to be responsible for the process. I am responsible for the  
15 process, and all of you guys are responsible for the process.

16  
17 The process tells you that whenever you receive information, a  
18 document, or a suggestion, you have to address it. At the end  
19 of the process, you can say the hell with Pew and the hell with  
20 the IPT and these are my goals and objectives, but you have to  
21 go with the process and discuss it.

22  
23 Here is where the Chairman has to put your foot down and get  
24 Graciela to finish that discussion, the presentation, and you go  
25 and discuss the whole thing, because this is part of what will  
26 be included in all of your management plans, and it's not to  
27 finish it today, because the SSC has to look at it, the DAP  
28 group has to look at it, and then you have to look at it again.

29  
30 When you finish the process, this is your document. Right now,  
31 anybody can come up, and I sent an email to each one of you to  
32 read this carefully. If you have a goal, language for a new  
33 goal, or language for a new objective, bring it to the table  
34 today. At the end of the process, Tony, rest assured that the  
35 council is not driven to any place you don't want to go. You  
36 have ample opportunity to make sure that your concerns are  
37 included in the discussion and that your ideas will be included  
38 in the discussion.

39  
40 Some of these goals and objectives are semantics and others are  
41 not, and that's when the council members have to go over it and  
42 make sure that what we have on the screen will translate into  
43 something that you will know what will happen in the future, if  
44 you say yes to any of them, and so, as I said, goals are easy to  
45 reach agreement with. The objectives are the things that you  
46 have to be careful with and make sure that the objectives that  
47 you approve are, number one, according to the law and, number  
48 two, are practical and achievable.

1  
2 Some of the objectives you may have will not be practical,  
3 because, for example, the fishermen will never be able to do  
4 something like that. They won't be able to comply with  
5 something like that, and that's when we need your expertise.

6  
7 **CARLOS FARCHETTE:** Tony.

8  
9 **TONY BLANCHARD:** I understand the goals and objectives, Miguel.  
10 What really rubbed me wrong was how we handled it, where you  
11 hand delivered a paper with goals and objectives from a special  
12 interest group, and I call them a special interest group and  
13 this could have been anybody else.

14  
15 We shouldn't give precedence to anybody, even if it was another  
16 fishing group. Yes, we are supposed to take what they bring to  
17 the table and analyze it. Yes, we are supposed to take what we  
18 want that could work for us to achieve what we want out of it,  
19 but I'm saying is when we sit here and we start hand delivering  
20 papers, I start to question certain things, and that's me,  
21 because I just don't sit down and fall asleep at the table. I  
22 am fully alert. The conversation was not about the goals and  
23 objectives. The conversation was about how it was handled.  
24 There is a difference.

25  
26 **CARLOS FARCHETTE:** Graciela.

27  
28 **GRACIELA GARCIA-MOLINER:** A little bit of continued history.  
29 This is a very -- The goals and objectives are a very, very  
30 important part of the FMPs. It is the council members that need  
31 to consider and approve these goals and objectives that then  
32 will go out to the public for information, but these guide the  
33 document that you are about to develop. They guide the  
34 management measures that will take place in the end.

35  
36 The SSC has requested from the council to please provide to them  
37 what your goals and objectives are, so that they can continue  
38 the discussion of the scientific basis of what they are going to  
39 give you, based on goals and objectives that you provide to the  
40 SSC.

41  
42 You already have an environmental assessment to have the island-  
43 based fishery management plans. This already took place in  
44 2013, and it actually included specific language to the purpose  
45 and the objectives of that environmental assessment. This is a  
46 quote from that document that has already been approved, and it  
47 reads that the purpose of this action is to facilitate  
48 management of the U.S. Caribbean fishery resources by

1 reorganizing the federal fishery management strategy to better  
2 account for biological, social, and economic differences among  
3 the islands comprising the U.S. Caribbean.

4  
5 The need is to reconsider fishery management within the context  
6 of the islands of the U.S. Caribbean. This reconsideration  
7 shall, number one, prevent overfishing while achieving, on a  
8 continuing basis, the optimum yield from each fishery in the  
9 U.S. Caribbean. Number 2 is to take into account and allow for  
10 variations among and contingencies in fisheries, fishery  
11 resources, and catches. Number 3 is provide for the sustained  
12 participation of the fishing communities of the U.S. Caribbean  
13 and, to the extent practicable, minimize adverse economic  
14 impacts on such communities.

15  
16 This was the basis of separating the management plans for each  
17 island. It's very explicit. It picked up on everything that  
18 the council members wanted. We really have to keep in mind what  
19 we're trying to do, what the goal is, and I think that we  
20 already saw this slide.

21  
22 Basically, the goal is an overarching principle that guides  
23 decision making. It can be very broad. It doesn't really have  
24 to be measurable, but it does have to be practical, because it  
25 has to have an end to why you are doing this.

26  
27 What are the objectives? These are specific, measurable steps  
28 that can be taken to meet that goal, and this is the section  
29 that we are discussing here today. Once you establish this and  
30 you go through the actions and alternatives in your FMP, you  
31 establish then your management measures. At the end, what you  
32 are going to have is management measures that are going to be in  
33 place, but, in order to have those, you have to know about  
34 objectives they meet and what you are trying to accomplish, the  
35 objective very specifically.

36  
37 The goal that you are trying to achieve with your FMP then can  
38 be much broader. I think that, as an example, we can all agree  
39 that we want to maintain healthy fisheries in the U.S.  
40 Caribbean. That is your very broad goal, and that's just an  
41 example. You can think about other goals that are as large as  
42 those. We have done a little bit of research in terms of how to  
43 write them and how to present them, et cetera, so that we can  
44 all follow the same examples.

45  
46 In order to describe these goals and objectives, this is a  
47 comparison, left and right, of the goals. As I said, they are  
48 very broad. The objectives are narrow. The goals are general

1 intentions. This is what you attempt to do. The objectives are  
2 precise. This is exactly what I am going to do. The goals are  
3 generally difficult to measure. They are very broad. The  
4 objectives are measurable, and so you can account for your  
5 actions when you set the objectives.

6  
7 An example of a goal -- As I said, these are all examples and  
8 this is all in draft form, but this is what has come to the  
9 table at council meetings, and this is why you're discussing it  
10 here. An example of a goal could be to ensure the continued  
11 health of fishery resources occurring in the U.S. Caribbean  
12 Exclusive Economic Zone. It could be a major goal set for each  
13 of the island FMPs. It can be the same. It doesn't have to be  
14 the same, but it can be the same.

15  
16 This is also an overarching principle that follows from the  
17 documents that you received at the last council meeting, and so  
18 this is information that is already on the documents that you  
19 have received.

20  
21 What are other goals? This is what Miguel was asking you to do  
22 when he sent the email. What do you want to achieve? That's  
23 the main question when you're talking about goals. What do you  
24 want to achieve? Do you want to achieve long-term, sustainable  
25 fisheries reflecting each of the island preferences? These are  
26 open questions. I don't have an answer for this. You are going  
27 to answer these questions.

28  
29 Do you want enforceable fisheries management? Managed  
30 recreational fisheries? Do you want to foster state and federal  
31 management of fisheries? Do you want to ensure the sustainable  
32 continuation of the local fisheries? Are there others? These  
33 are just examples.

34  
35 The draft goals for the island-based FMPs, what we are going to  
36 do is we are going to compare everything that has come to the  
37 table. If there have been ten documents presented or ten  
38 interests, and this is usually what happens when you take the  
39 information to public hearings, then you will be receiving -- Or  
40 to scoping meetings.

41  
42 Any public meeting that we take the information to, you will be  
43 receiving additional information. Basically, it's the same  
44 thing that happens when you take a document to scoping. If a  
45 new alternative shows up from the public, you have to bring it  
46 here and discuss it.

47  
48 The interdisciplinary plan team is composed of Southeast

1 Fisheries Science Center staff, Regional Office staff, council  
2 staff, and, depending on the issues that we're discussing,  
3 Headquarters NOAA Fisheries staff, and so HMS staff has been  
4 included in some of the discussions. Each IPT is created  
5 depending on what we are discussing, so people will come in with  
6 the expertise to discuss that.

7  
8 The council, when they ask staff, the council members, to do  
9 something, that is the whole staff that is behind anything that  
10 comes to the table, and so there are discussions and there are  
11 documents that get circulated and edited, et cetera, so that you  
12 will have the information from the staff member.

13  
14 The other information that you received at the last council  
15 meeting was the Pew Charitable Trusts goals and objectives for  
16 the island-based FMPs, and so now we are going to go exclusively  
17 and look at the goals.

18  
19 On the left-hand side is going to be the IPT information from  
20 the document that you received. On the right-hand side is the  
21 TPCT. What is going to happen with the goals is that we had  
22 only one goal in the IPT document, and it will read the same for  
23 all of the. The Pew Charitable Trusts had four goals for the  
24 island-based FMPs.

25  
26 The IPT suggested the following language presented to the  
27 council, to ensure the continued health of fishery resources  
28 occurring in Exclusive Economic Zone waters surrounding Puerto  
29 Rico. This will be St. Thomas/St. John and St. Croix, and so  
30 I'm just using one example. Within the context of the unique  
31 biological, ecological, economic, and cultural characteristics  
32 of those resources and the communities dependent upon them.

33  
34 That would be the overarching goal of the island-based FMPs. In  
35 principle, we think that they should be Puerto Rico, St.  
36 Thomas/St. John, and St. Croix. That's what we are asking the  
37 council to decide. Do you want to see, for example, this goal  
38 the same and repeated for each island separately or do you want  
39 separate goals for each island? Keep that in the back of your  
40 mind.

41  
42 In terms of the goals presented by the Pew Charitable Trusts,  
43 then you have maintain the long-term sustainable use of coral  
44 reef fishery resources while preventing adverse impacts to  
45 stocks, habitats, protected species, or the reef ecosystem as a  
46 whole.

47  
48 The idea of having them side-by-side is that you can see that

1 some of the language is repeated in both of the goals presented  
2 by each of the two documents that you have in place, and this is  
3 where the council members need to discuss whether all the  
4 language and all the ideas that you have are represented  
5 basically better in one language or the other or if you want to  
6 scratch all of them and start from the beginning.

7  
8 If you look at the long-term sustainability to ensure the  
9 continued health of fishery resources, as Miguel mentioned  
10 earlier, it's semantics, but they express the same sentiment,  
11 and this is what you have to balance now, which one expresses  
12 what you want to achieve better than the other.

13  
14 I am just going to go through the four goals of the Pew  
15 Charitable Trusts. The second one reads to manage the fisheries  
16 within the limits of local ecosystem production, so as not to  
17 jeopardize the wide range of goods and services provided by a  
18 healthy ecosystem, including food, revenue, and recreation for  
19 humans.

20  
21 On the left-hand side is the IPT, which it's just one big goal,  
22 but, basically, if you read the ecosystem production as the  
23 ecological and economic characteristics of the island, that's  
24 what is being said, and so you are proposing, in more language  
25 and in an additional goal, more specific goals to your FMP.

26  
27 **MIGUEL ROLON:** Here, for the council members especially, Carlos  
28 has to step out of the room in a while, because we have a  
29 conference call with the National Marine Fisheries Service  
30 regarding the ecosystem road map. I discussed it with some of  
31 the members of the CCC, and this language, for example, is the  
32 same as we have, but maybe we can add, in your final document,  
33 ecosystem language, the phrase of ecosystem-based management, in  
34 your goals and objectives. This is one of the things that you  
35 should be aware of.

36  
37 We have been doing ecosystem-based management since the get-go,  
38 since the first day, and this council was the first one who  
39 prepared an ecosystem-based management plan. It was put  
40 together by Jack Damon and myself and David Olsen and a bunch of  
41 other scientists from the Center and the Regional Office. It  
42 was disapproved at that time, in the 1970s, because it was not  
43 fishy enough.

44  
45 Now the pendulum is back, and we want to talk about ecosystem-  
46 based management, and so, anyway, when Graciela finishes, we  
47 have to come back again and make sure that the council members  
48 agree to all the language that you have there and make sure that

1 the language is in agreement with your goals for each one of the  
2 FMPs that you have.

3  
4 The other thing that we need from you is, to repeat Graciela's  
5 statement, is would you like to have one goal for all the three  
6 areas or do you want to modify your goals in each one of the  
7 areas? If you do that, you have to provide the rationale as to  
8 why you want to do that.

9  
10 **CARLOS FARCHETTE:** Graciela.

11  
12 **GRACIELA GARCIA-MOLINER:** Staying on this one, for example, when  
13 it says do not jeopardize the wide range of goods and services  
14 provided by a healthy ecosystem, basically that reads into the  
15 economic aspect of your island-based FMP. These are the things  
16 that you have to look at and decide what language you prefer or  
17 tell the staff that we don't like any of the language you have  
18 presented and we want this language.

19  
20 For Number 3, account for biological, social, and economic  
21 differences among the islands comprising the U.S. Caribbean.  
22 That is exactly what the environmental assessment did, and this  
23 is one of the goals that you have in the overarching goal stated  
24 by the IPT. The language is a little bit different, but the  
25 sentiment is reflected in both the IPT and the TPCT language.

26  
27 Finally, foster collaboration among territorial and federal  
28 authorities in the management of fisheries of the U.S.  
29 Caribbean. This is where they actually differ, because, in the  
30 overarching goal of the island-based FMPs by the IPT, it refers  
31 specifically to the fisheries of the U.S. Caribbean Exclusive  
32 Economic Zone.

33  
34 By the TPCT, what it does is that it actually wants to put  
35 fishery management to be taken into consideration from the  
36 shoreline to the 200 nautical miles, and so this is -- All of  
37 the other ones are basically stating the same sentiment, with a  
38 little bit of different language, but they are the same. This  
39 one is the one that is different from one to the other. Having  
40 said that, those are the four goals presented.

41  
42 **MIGUEL ROLON:** Graciela, do you want to discuss the goals before  
43 you go into the --

44  
45 **GRACIELA GARCIA-MOLINER:** No, we're going to discuss the goals  
46 now, and so the staff needs to know, so that we can prepare this  
47 and take it to the SSC. Do you agree with these any of these  
48 goals or do you want to change anything or what's the direction



1 that you want to take? What do you want to accomplish with your  
2 goal for the island-based FMPs?

3  
4 **MIGUEL ROLON:** Remember the goals are out of the council. The  
5 objectives is what you have to discuss with the others. You  
6 have to make sure that this is what you want to achieve under  
7 the Magnuson Act for the management of sustainable fisheries of  
8 the species that you have in mind.

9  
10 Graciela mentioned that foster collaboration among territorial  
11 and federal authorities in the management of the fisheries is  
12 sort of different from the overarching goal that the IPT put  
13 together, and so you maybe want to discuss that first.

14  
15 Carlos has expressed several times that he would like to have  
16 compatibility measures between the U.S. Virgin Island government  
17 and the EEZ and between Puerto Rico and the federal government  
18 regarding the EEZ and the local area of jurisdiction, and so  
19 maybe this here is actually same language that you should  
20 discuss. The staff is telling you, over and over again, that  
21 you don't have to take any of this language as written. You can  
22 modify it as you want, but we want to make sure that the  
23 document that leaves this meeting is your document.

24  
25 **CARLOS FARCHETTE:** Ruth.

26  
27 **RUTH GOMEZ:** Just for a point of clarification, the IPT goal is  
28 there, but exactly the Pew's goal, that's just to compare two  
29 things and exactly what it is. Let's say we were happy with the  
30 goals that are up there. Are we looking at the IPT goals as the  
31 goals that we want to be happy with? The Pew -- When I am  
32 reading these goals, this is one of those scenarios where being  
33 generic is not a good thing. It's the Pew we're talking about,  
34 and so I want to make sure that I understand what is taking  
35 place here before we go any further. Tell me. The IPT goal, is  
36 that the goal that we're -- It is the recommended goal or --

37  
38 **MIGUEL ROLON:** It's the recommended language.

39  
40 **RUTH GOMEZ:** Correct, and the Pew's goal, it was just there to  
41 compare what they had suggested in their document?

42  
43 **MIGUEL ROLON:** We sent to all of you the two documents that were  
44 presented at the March meeting, and we understand that it's kind  
45 of difficult to read all of these documents. You are busy guys.  
46 Either you are fishing or you are going your things at the  
47 office, and so what the staff has done -- I asked Graciela to  
48 compare them for easing the discussion.

1  
2 Actually, when Graciela and I discussed the whole thing, that  
3 overarching goal of the IPT, and this is something that they  
4 discussed, the members discussed, and they are suggesting this  
5 language to the council. It contains all the other four that  
6 the TPCT put together, but the TPCT has some language there that  
7 is more explicit in terms of what is needed to be done for these  
8 management plans.

9  
10 It's for you to take these three and come together with the  
11 rationale that you want or the language that you want for your  
12 goals and objectives. This, in particular, is not that implicit  
13 in the first one, and Graciela mentioned this is probably the  
14 first one that is a little bit different from the others, and so  
15 foster collaboration among territorial and federal authorities  
16 is something that we have been doing from the beginning.

17  
18 How we do it is what we want to hear. I would especially like  
19 to hear from the local governments. Do you think that we are  
20 doing that the right way or do you think that we should modify  
21 these goals to satisfy the need of the local governments?  
22 Personally, I hate to put anything in the language that will  
23 give the sense that the council is telling the local government  
24 what to do. That's why I respectfully request from Miguel and  
25 Ruth to go over these and make sure that we have the right  
26 language.

27  
28 **CARLOS FARCHETTE:** On this particular slide here, since I've  
29 been the one that's been harping for the last four years about  
30 compatibility, I know that not everything is going to be  
31 compatible, and I think that eventually what we want to do is do  
32 a chart, like at one time Graciela did with Puerto Rico, to list  
33 the USVI rules and regulations compared to the EEZ rules and  
34 regulations and see what is already compatible and what is not  
35 and then see what could become compatible and what may not be  
36 able to become compatible. I'm not sure, but, on this slide, I  
37 would like to see somehow incorporating, in the IPT section,  
38 this collaboration part verbiage.

39  
40 The first goal, which I had an issue where they were talking  
41 specifically about coral reef fish resources, and that's not the  
42 only thing that we want to look at. I think we want to look at  
43 what the IPT has there, is fishery resources occurring in the  
44 EEZ, because I know that eventually -- One of my pet projects  
45 that I've been talking about for a couple of years is forage  
46 fish, including some type of management plan on forage fish, and  
47 also I know that, because of what happened with this whole  
48 change of having island-based plans, that we included things

1 like pelagics, and so that's not under TPCT, but, if you look at  
2 the IPT with fishery resources occurring in the EEZ, that would  
3 encompass forage fish and pelagics and all that stuff.  
4 Graciela.

5  
6 **GRACIELA GARCIA-MOLINER:** Let me clarify that. Actually, it  
7 says reef ecosystem a whole, and so reef is any structure. It  
8 can be any structure. Even artificial reefs are part of that,  
9 and so, by saying reef ecosystem, it means everything from the  
10 water column, the sponge habitats, the sand and seagrasses and  
11 algae that are associated to that ecosystem.

12  
13 In fact, part of the reasoning behind some of the closures that  
14 you have, where the council prohibited all fishing within  
15 certain areas, included all fishing, no pelagic fishing and no -  
16 - There are a couple of papers saying you need the pelagic  
17 structure of that community for it to be successful, and so it  
18 is, in a sense, explicitly talking about coral reef fishery  
19 resources, because most of the fisheries in the U.S. Caribbean  
20 are coral reef based.

21  
22 **CARLOS FARCHETTE:** Miguel.

23  
24 **MIGUEL ROLON:** As an example, again, of things that Graciela and  
25 I were discussing, let's say that you want to merge these two.  
26 You can say health of fishery resources such as reef ecosystem,  
27 pelagics, and so forth. Then you mention the two. Then you go  
28 to the other one. Do you want to merge any of that? Then you  
29 go to Number 4. If you agree that we should state in the  
30 language of the FMPs -- Remember, this is not a document that  
31 will be hanging in the air. This is something that you will  
32 include in all of the FMPs.

33  
34 Do you think that it will be a more direct way? Again, I rely  
35 on Ruth's and Miguel's advice on fostering collaboration among  
36 territorial and federal waters. Do we have to say anything?  
37 That's the questions that we need to address.

38  
39 **CARLOS FARCHETTE:** Before we go any further, I want to welcome  
40 and recognize the Commissioner of Planning and Natural  
41 Resources, Attorney Dawn Henry. Good afternoon.

42  
43 **DAWN HENRY:** Good afternoon, everyone. Sorry for being late.  
44 My flight left St. Thomas, but because we actually had a hold on  
45 the runway. There were too many planes taking off. I know that  
46 I am scheduled to talk this afternoon, Mr. Chairman, but I am  
47 requesting that I do that first thing tomorrow morning, so that  
48 we can continue with the discussion that we're having here.

1  
2 **CARLOS FARCHETTE:** Sure. Thank you, and we have a lot to  
3 discuss. Since we have the players here, the Director and  
4 Julian and Tony and Schuster, we would like to get together with  
5 you later on, either today or tomorrow, at the lunch break or  
6 something.

7  
8 **MIGUEL ROLON:** Commissioner, you just came right on time. We  
9 are discussing the goals and objectives that will be included in  
10 all of the FMPs. At this time, what we have done so far is to  
11 compare the two documents that were introduced to the council at  
12 the March meeting, and we have, on the left side, we have the  
13 language that was put together as a suggestion of language for  
14 the councils to consider by the interdisciplinary plan team,  
15 which is composed of members of the council staff, the Regional  
16 Office, and the Southeast Fisheries Science Center.

17  
18 What we have said before is that this paragraph is overarching  
19 and includes part of the four goals that were proposed by the  
20 Pew Charitable Trusts as something that could be considered for  
21 adding language to the council's final document that will be the  
22 goals of the council. Later, we are going to discuss the  
23 objectives, but, given that the objectives have to be more  
24 specific and they have to be tailored toward each one of the  
25 management areas, it probably will merit some more discussion  
26 and probably we will have to take it to the District Advisory  
27 Panels and the SSC for further discussion.

28  
29 As an example, Graciela, can we go to the first one, please?  
30 Number 1, 2, 3, and 4 on the right side are the TPCT and are  
31 embedded somehow in the one that we have on the left that was  
32 prepared by the IPT, but if, for example, we want to be more  
33 specific, we can say to ensure the continued health of the  
34 fishery resources, such as reef ecosystem, pelagic species, and  
35 so forth. This is where we are right now. We are starting the  
36 discussion from scratch, so we can benefit from the discussion.

37  
38 Number 4, I said before that, by no means, the council intends  
39 to put any language there that will say this is what the local  
40 government should do or shall do. We want to leave that as is.  
41 We want to hear from the local governments as to what is your  
42 pleasure regarding any language that would incorporate  
43 collaboration among the territorial and federal authorities.

44  
45 If we combine this into Number 1, I don't have any suggestions.  
46 You have to go over it, and so, Mr. Chairman, I believe that now  
47 what we need to hear from the council members is do you want to  
48 modify this somehow or come up with a new set of paragraphs for

1 the goals of the IBFMPs.

2  
3 **CARLOS FARCHETTE:** I think I kind of made my statements already,  
4 especially when it comes to Number 4, to include some kind of  
5 language where there would be collaboration between the  
6 territory and the federal authorities. Other than that, I think  
7 Graciela kind of corrected me on my reef ecosystem, which  
8 includes everything and not just reef fish, which I think it's  
9 important to have everything, the pelagics, forage fish, and all  
10 that, but that's just me.

11  
12 **MARCOS HANKE:** I just want to state that I was commenting to  
13 Carlos that I am in agreement, but some language something like  
14 to foster collaboration among territorial and federal  
15 authorizes, to the extent possible or something a little more  
16 open. The language there has to be modified, and the  
17 interpretation about the coral reef system, I understand what  
18 Graciela said, but I will feel way more comfortable if we can be  
19 more specific and include the definition on the goal.

20  
21 **DAWN HENRY:** When it comes to the ecosystem overall, we have  
22 another division within the department that is very involved in  
23 managing the ecosystem within the U.S. Virgin Islands, and so,  
24 when it comes to understanding what the impacts with the  
25 fisheries would have, we need to be careful that we don't have  
26 too many programs involved in dealing with the same ecosystem  
27 and they are stepping over each other.

28  
29 Having said that, I am also wanting to understand what was the  
30 need in terms of wanting the federal and local government to  
31 have a partnership? I'm assuming that you are referring within  
32 the territorial limits?

33  
34 **CARLOS FARCHETTE:** Yes, and that's been one of the things that  
35 I've been talking about for quite a few years, is that, in order  
36 to have enforceable regulations, we would need to have some type  
37 of compatibility when it comes to rules and regulations. I know  
38 that not everything would be compatible, but I think, as much as  
39 we can, for enforceability of our rules, it should be -- Some of  
40 the rules should be compatible to each other.

41  
42 If you have a fishery that's occurring in federal waters and  
43 that vessel comes into territorial waters, an enforcement agent  
44 won't have the capability of determining whether he was or was  
45 not fishing in federal as opposed to local, with different rules  
46 and regulations.

47  
48 **MIGUEL ROLON:** Also, it works both ways. Sometimes you have a

1 regulation in the local government that's better or more  
2 restrictive than the federal government and you would like the  
3 federal government to adopt compatible regulations, so your  
4 regulation will be more efficient.

5  
6 We have some cases, like Puerto Rico, for example, that they are  
7 banning the taking of fish in some of the areas, and we have  
8 followed with the federal government discussion. The idea of  
9 fostering collaboration among territorial and federal also,  
10 although it's the realm of the council, but it has been used  
11 before to secure funding, because sometimes when the people who  
12 have the money ask us for support, we send them the FMPs. Here,  
13 the FMPs give support to so and so from the local government, if  
14 it's a private or government official requesting money.

15  
16 If we don't adopt that language, the collaboration is still  
17 there, under the Magnuson Act. We have to always -- That's why  
18 you are sitting here. We have to always confer with the local  
19 government, in order to be able to be more specific. That's why  
20 I asked both local governments, especially on this language.

21  
22 If, for example, you think it's something that the local  
23 government would like to have in the language of the FMPs, as a  
24 stand-alone goal, then it would be a paragraph that can be  
25 considered as a goal for the council.

26  
27 If you believe that it's already included in the paragraph on  
28 the left, we may be modifying or adding a phrase or two or so be  
29 it, but the first question to both local governments is do you  
30 think that we have enough collaboration at this time or do we  
31 need to improve that collaboration somehow? How do you see it,  
32 from the point of view of the two local governments?

33  
34 **CARLOS FARCHETTE:** A perfect example of when Miguel mentioned  
35 that there is stronger regulations in state waters, local  
36 waters, is fish traps. In the VI Code, fish traps are only  
37 allowed to be used as a commercial method. A recreational  
38 fisherman cannot use fish traps, but, in federal waters, a  
39 recreational fisherman can have fish traps, and so that's  
40 something that we have asked them to look into and become  
41 compatible with us, which I think two years ago they -- They  
42 have already started researching and moving towards that goal.  
43 I don't know if we've got a response yet, but --

44  
45 **DAWN HENRY:** I would imagine that it's quite understandable that  
46 the local government's reluctance would be -- In terms of doing  
47 a collaboration in that whatever more stringent requirements  
48 that may be set in the economic zone, that we may find happening

1 within our zone that we don't want it there and we don't want to  
2 be able to go down a slippery slope, where we find ourselves  
3 having to have extensive discussions because of this  
4 collaboration.

5  
6 Within the current state of affairs, the government would have  
7 the authority to be able to just regulate that, and so that  
8 would be my off-the-cuff initial caution, in my mind, about how  
9 this collaboration would work with the example that you gave.  
10 Obviously that example works in my favor, but there will be  
11 times when maybe the local government may not want to adopt what  
12 is happening in the EEZ.

13  
14 **CARLOS FARCHETTE:** A perfect example of that is your red hind.  
15 The red hind was closed in federal waters, but not in state  
16 waters, which became kind of impossible to enforce, but that's  
17 an example of what you just said that would be not in your  
18 favor. Blanchard.

19  
20 **TONY BLANCHARD:** I will have to back the Commissioner on that  
21 statement, because some things may work and some things may not  
22 work, but, really, we need to leave the local deal with the  
23 local business and we deal with our business.

24  
25 **CARLOS FARCHETTE:** That's why I mentioned that not everything  
26 would be compatible, but what I was looking at is maybe like  
27 Graciela did for Puerto Rico. She listed what was compatible  
28 and what was not compatible in a chart. Maybe if we can have  
29 her indulge us in developing that for us also, we can take a  
30 look.

31  
32 **DAWN HENRY:** Okay.

33  
34 **CARLOS FARCHETTE:** Graciela.

35  
36 **MIGUEL ROLON:** Before you do that, we need to hear from Miguel  
37 regarding Number 4. We are talking about the language of the  
38 objective and not the nitty-gritty of the whole thing  
39 afterwards. Miguel.

40  
41 **MIGUEL GARCIA:** This is a working document, as we have talked  
42 before, and, as you may or may not know, we seek, and have been  
43 seeking, to have compatibility and consistency between federal  
44 and territorial regulations, like what has happened with the red  
45 hind and the same situation in Puerto Rico with the conch.  
46 Conch is not allowed to be fished in federal waters and it is  
47 allowed to be fished in jurisdictional waters.

48

1 If we are looking to combine both texts, because I find them to  
2 be somehow different, it's doable, totally doable, but I agree  
3 with what the IPT said, and I do agree with the IPT as a general  
4 goal for sure. If we're talking about the goal, this is a fine  
5 goal.

6  
7 **CARLOS FARCHETTE:** For the Commissioner's edification, conch,  
8 the only place in federal waters that conch can be harvested is  
9 Lang Bank on St. Croix. Everywhere else is zero.

10  
11 **MIGUEL ROLON:** Are we ready to instruct the staff how to pursue  
12 this? Do we want to merge the two or keep it separate or do we  
13 have another language that will address the issue of  
14 collaboration between the territorial and federal authorities?

15  
16 **CARLOS FARCHETTE:** Blanchard.

17  
18 **TONY BLANCHARD:** It looks like we're a little slow to move here,  
19 and, so, me personally, I think we should go with the IPT goals.  
20 That would be my suggestion. The goals for the IPT, they are  
21 basically the same thing.

22  
23 **MIGUEL ROLON:** Let me understand. What you are saying is that  
24 we adopt, as a goal of the council, the IPT paragraph, in lieu  
25 of any of the other four?

26  
27 **TONY BLANCHARD:** The IPT seems to be the -- Instead of it being  
28 Puerto Rico, for us it would be St. Thomas. In St. Croix, it  
29 would be St. Croix. I mean to adopt that as the working  
30 language for the three islands.

31  
32 **MIGUEL ROLON:** Okay. Instead of any of the other four?

33  
34 **CARLOS FARCHETTE:** Before we go any further, I think the  
35 Commissioner needs to see all four goals that the TPCT has,  
36 because the IPT only has one goal. Now that you mention that,  
37 yes, we should include Puerto Rico and the U.S. Virgin Islands  
38 in the IPT language.

39  
40 **GRACIELA GARCIA-MOLINER:** That was just meant as an example, and  
41 so the idea is just fixing up the language so that it would be  
42 reflected that each island will have the same goal.

43  
44 **CARLOS FARCHETTE:** If we can bring up the Number 1, 2, and 3 for  
45 the Commissioner. That would be across-the-board goals.  
46 Graciela, do you want to explain now 1, 2, and 3 for the  
47 Commissioner on the --

48



1 **GRACIELA GARCIA-MOLINER:** Can you repeat that?  
2

3 **CARLOS FARCHETTE:** Can you explain the 1, 2, and 3 of the TPCT  
4 for the Commissioner?  
5

6 **GRACIELA GARCIA-MOLINER:** The IPT is the interdisciplinary plan  
7 team, composed of staff members from the council, from the  
8 Regional Office, from the Southeast Fisheries Science Center,  
9 General Counsel, Headquarters, HMS. Depending on the topic, we  
10 will have the group assembled.  
11

12 What happened is that, at the last council meeting, it was  
13 presented, the draft goals and objectives of the IPT that we had  
14 in a group discussed, and also the Pew Charitable Trusts had  
15 presented the council goals and objectives, following the  
16 information that we are developing the goals and objectives of  
17 an island-based FMP.  
18

19 **DAWN HENRY:** Can I interrupt? Which one came first, the Pew  
20 Charitable Trusts goal and then you responded or the IPT?  
21

22 **GRACIELA GARCIA-MOLINER:** The IPT. This was presented to the  
23 council, and anyone can bring any information to the council,  
24 any information that they would like discussed. The council had  
25 requested staff to prepare goals and objectives, but the SSC had  
26 come back to the council and said that the goals and objectives  
27 should be set by the council. Specifically, the goals should  
28 really be set by the council members, so that they would have  
29 guidance in terms of developing the island-based fishery  
30 management plans. That is why we're here.  
31

32 What happened is that, because we received additional  
33 information that differs in some language from what the IPT had  
34 put forth, we have made a comparison to present to the council.  
35 Basically, this is the one overarching goal of the IPT, the  
36 draft overarching goal that has been prepared so far, and this  
37 is the information that the Pew Charitable Trusts brought to the  
38 table.  
39

40 Where do they speak to the same goal and where do they differ is  
41 what we're looking at right now, and so we went through the four  
42 goals that TPCT presented to the council and the one overarching  
43 goal that the IPT suggested. The council members also have to  
44 tell whether they want the same goal for all three island-based  
45 FMPs or they want a different goal for each island.  
46

47 The suggestion thus far is that there should be one overarching  
48 goal for all the three islands. Then you can have different

1 sets of objectives for each of the island-based FMPs and  
2 different management measures, but the overall goal, this is  
3 what was brought to the table.

4  
5 The first one is basically the long-term sustainable use of  
6 coral reef fishery resources. We discussed the difference  
7 between including now pelagic species and talking about forage  
8 species. They are part of the reef ecosystem. Any structure  
9 that creates a reef is part of the reef ecosystem.

10  
11 It doesn't necessarily have to be coral, and so all of them are  
12 basically considered here, but they were talking about  
13 explicitly stating that we are also including pelagic species  
14 and forage fish, et cetera, and so that's one of the discussions  
15 that took place regarding this Goal Number 1.

16  
17 The second one is to manage the fisheries within the limits of  
18 the local ecosystem production and not to jeopardize the wide  
19 range of goods and services, and so we were talking about what  
20 language in that goal is reflected in the goal of the IPT.  
21 Basically, if you do not have a healthy ecosystem and healthy  
22 fisheries, you are not going to have the economic revenues that  
23 you would otherwise, and so where does the language compare with  
24 one and the other? A healthy ecosystem really reflects the  
25 ecological and economic value of the fisheries.

26  
27 The third one had to do with -- Actually, the language is very  
28 similar. The biological, social, and economic differences, we  
29 want to account for those, and it's the same thing that is  
30 expressed in the IPT overarching goal. The background of all of  
31 this is that the council had requested, because of these  
32 differences among the islands, to have island-based FMPs,  
33 separate for each island, to follow with the markets, the  
34 cultural aspects of the fisheries, et cetera.

35  
36 The three first goals basically reflect the same sentiment of  
37 what is wanting to be accomplished, but, finally, Goal Number 4  
38 is the one that differs, because the overarching goal from the  
39 IPT comes and speaks exclusively of the waters surrounding  
40 Puerto Rico, in this case, or St. Thomas/St. John, in the  
41 Exclusive Economic Zone versus the other language that was  
42 presented to the council that then looks at foster collaboration  
43 among territorial and federal authorities.

44  
45 This is the other one that was being discussed as you came in,  
46 and one of the issues has to do with fisheries, by the council,  
47 are managed really only in the EEZ. The regulations that are  
48 done by NOAA Fisheries are exclusively for the Exclusive

1 Economic Zone, but, in some cases, we have had compatibility of  
2 regulations between the states and the territory. The best case  
3 is the size limit for the spiny lobster that the USVI had in  
4 place since the 1970s and then followed the council and Puerto  
5 Rico with the same carapace length.

6  
7 **MIGUEL ROLON:** May I suggest this, Mr. Chairman? We can go back  
8 to Number 1, 2, and 3, and perhaps we can pick some of the  
9 phrases that we have in the right column, to make it more  
10 explicit in terms of what the council would like to see. For  
11 example, ensure and continue health of -- If we all agree that  
12 the paragraph by the IPT is what you want to do, and if we agree  
13 that the only thing that we need to do is maybe expand some of  
14 the terms, to make it more explicit, then I offer that we can  
15 say to ensure the continued health of the fishery resources,  
16 such as reef ecosystems and so forth, and others.

17  
18 If we go to Number 2, then the key phrase or word here is  
19 ecosystem. When you say within the context of the unique  
20 biological, ecological, economic, and cultural characteristics,  
21 actually you are talking about the ecosystem, and so you can say  
22 within the context of the ecosystem that includes the  
23 biological, ecological, economic, and cultural components or  
24 characteristics.

25  
26 Then, if you go to Number 3, you can expand -- After "cultural  
27 characteristics", you can say "difference among the islands",  
28 because we already did that, taking into consideration the  
29 differences among the islands. That way, you merge the first  
30 three, if you agree that the first one is what you want to do.

31  
32 Number four, however, either you want to add a second paragraph  
33 to your first goal or you can have Goal Number 1 and Goal Number  
34 2. The advantage of having Goal Number 2, specifying foster  
35 collaboration among territorial and federal authorities, is we  
36 are happy with the friends that we have in the federal  
37 government and local government today, but, in the future, maybe  
38 those new people will have to be reminded that we would like to  
39 collaborate, or you can just get rid of that Number 4, because  
40 it's already implicit in the Magnuson-Stevens Act, but we need  
41 to hear from you what is the best way you would like to see this  
42 done, and that's why I asked the two local government  
43 representatives about this language.

44  
45 I suggest, Mr. Chairman, can we merge the first three and see  
46 how it goes? If you agree with that, then that will be  
47 something for you to consider as a motion for adoption of your  
48 goals, or I would ask if anybody has a better idea and to put it

1 together. You could have a PhD or not, but Tony and I can  
2 discuss it. I don't have a PhD, by the way. Oh, I do have one.  
3 A public high school diploma.

4  
5 **CARLOS FARCHETTE:** Commissioner.

6  
7 **DAWN HENRY:** When are you required or looking for a final  
8 response from the local government? What's the timeframe here?  
9 I am getting the impression that you may be wanting a decision  
10 today, but I just want to make sure.

11  
12 **MIGUEL ROLON:** It's up to you, really. If you want to have more  
13 time for Number 4, it's any time between here and August. You  
14 can send your request or your language suggestion by email.  
15 Then, at the August meeting, we can take action on it.

16  
17 **TONY BLANCHARD:** Could I make a suggestion, Commissioner? I  
18 think, before we rush into it, take your time and figure out  
19 what you need to do.

20  
21 **CARLOS FARCHETTE:** Would that be for Number 4, which is the one  
22 that's conditional?

23  
24 **DAWN HENRY:** My question really went to all of the four goals  
25 that were mentioned. I understand that the council met back in  
26 March and this was an issue, from my understanding, from the  
27 discussion we're having here, that the Virgin Islands -- It was  
28 anticipated that we were to have reviewed these goals and be  
29 prepared to discuss them here today? Okay.

30  
31 If I can just be honest and frank, we have not, at least me as  
32 the Commissioner, and I don't want to be here giving a vote when  
33 I have not had that level of discussion with, in particular, the  
34 fishers within the territory and the committees and council that  
35 we have locally, and we have been meeting extensively on other  
36 issues, but this was not one of them.

37  
38 I am asking the indulgence of the council to allow for us to  
39 have the opportunity to meet to discuss all four goals, now that  
40 I understand, based on the presentation that was given here  
41 today, the direction that we're trying to go. If we can agree  
42 on some time certain, wherein the Virgin Islands can even submit  
43 to the council before the next meeting what our decision is, we  
44 would be happy with that.

45  
46 **MIGUEL ROLON:** Nobody is saying anything, but remember that you  
47 are one-seventh of the council, and so you can do whatever you  
48 need to do, and I believe that, if that's your desire, to confer

1 with the local constituents, I don't think that the council has  
2 to rush into a decision at this meeting. We can offer you --  
3 For example, I propose that we can give you that document. I  
4 can offer a merging of -- Graciela and I can sit down and merge  
5 the ones that we mentioned, so it will be an alternative for you  
6 to consider.

7  
8 Then, when we get into the objectives, which is a long list of  
9 paragraphs, maybe we should do the same. Maybe the council  
10 should allow the SSC and the DAPs to go over the documents that  
11 we have, the input of all of them, at the same time.

12  
13 **DAWN HENRY:** If you can also include what the Chairman mentioned  
14 about Goal Number 4, where a side-by-side chart was done for  
15 Puerto Rico as to the areas in which you see collaboration can  
16 take place, so that we can have an understanding of where the  
17 federal government and the local government currently may be in  
18 step, in terms of enforcement, so we can take a look at that as  
19 well.

20  
21 **CARLOS FARCHETTE:** That will take a lot longer, but we'll see  
22 what we can do.

23  
24 **MIGUEL ROLON:** We have a table already, don't we?

25  
26 **CARLOS FARCHETTE:** The table is only for Puerto Rico.

27  
28 **MIGUEL ROLON:** The table that you have with the regulations in  
29 the federal government and the local governments, do we have a  
30 similar one for the U.S. Virgin Islands? That's the question.

31  
32 **GRACIELA GARCIA-MOLINER:** We have a little document that is not  
33 updated, but it has most of the regulations comparing Puerto  
34 Rico, the EEZ, and the U.S. Virgin Islands. I can give that to  
35 you right now. What Carlos is talking about is because we had  
36 some specific discussion regarding the Puerto Rico regulations,  
37 especially for the closed areas, and so that was done  
38 specifically for that, and so I would have to put that together  
39 more specifically for the Virgin Islands.

40  
41 The fact is that we don't share, for example, closed areas,  
42 except for the mutton snapper in St. Croix. All of the other  
43 ones are all within the federal waters, and so that was part of  
44 the discussion that we had in Puerto Rico, but I will provide  
45 you with the information.

46  
47 **BILL ARNOLD:** As usual, I'm a little confused. If I'm  
48 understanding this correctly, we're going to look at a table

1 comparing state and federal regulations and, depending upon what  
2 that table looks like, we're going to decide whether we want to  
3 foster collaboration or not?  
4

5 **MIGUEL ROLON:** No, what the Commissioner is saying, and I just  
6 want to paraphrase what you just said, is she wants to have all  
7 the elements of judgment for her decision at the next meeting.  
8 She just wanted to know where we are in terms of the management  
9 measures that we have in the EEZ versus the management measures  
10 that we have in the area of jurisdiction of the U.S. Virgin  
11 Islands and which ones are compatible and which ones need to be  
12 worked a little bit more, and that's all. It's just  
13 information.  
14

15 **DAWN HENRY:** If I understand, just by the very nature that we're  
16 here today, collaboration is already taking place, in terms of  
17 looking at the overall fisheries within this region, but this  
18 Goal Number 4 appears to me to go a little bit beyond what the  
19 normal collaboration that happens that is occurring currently,  
20 and I just want to make sure that I understand clearly what this  
21 new collaboration is going to look like and what it is that the  
22 U.S. Virgin Islands is going to be committing to collaborate on  
23 with the federal government.  
24

25 From the explanation I've received so far, it has to do with  
26 enforcement in both areas, and so the Chairman recommended that  
27 we take a look at currently what's being enforced in the federal  
28 waters and what's being enforced locally and see if we have some  
29 areas in which we have compatibility and maybe a discussion  
30 could be had that enforcement could happen more on a basis in  
31 which both zones can benefit from.  
32

33 I would imagine now it's just totally separate, and so I'm  
34 saying for us to understand what this new level of collaboration  
35 is going to be, and for us to be able to commit, I think we all  
36 need to be clear, or at least I do, on what that commitment is  
37 that we're talking about for Number 4.  
38

39 **CARLOS FARCHETTE:** Okay. So we will stand down on a final  
40 decision until the next meeting.  
41

42 **MIGUEL ROLON:** Mr. Chairman, I will include the paragraphs  
43 merging, what I just mentioned. Graciela and I can just merge  
44 it. We are clarifying that in Puerto Rico, St. Thomas/St. John,  
45 and St. Croix, to be more specific, and then we will merge 1, 2,  
46 and 3, as much as possible, so you can have that for discussion.  
47 For all the council members, please read the document again, so  
48 that, between here and August, you don't forget. We will rest

1 on the local governments' decision as to how you want to  
2 proceed.

3  
4 The other part is a little bit more complicated than the goals.  
5 I believe that if we are a little bit stuck on goals that when  
6 we go into the objective part, where you have to be more  
7 specific -- Some of the objectives will apply only or could be  
8 applied to St. Croix, for example, but not necessarily to St.  
9 Thomas/St. John or Puerto Rico, and vice versa. Graciela, can  
10 you refresh our memories again about the objectives, what you  
11 mentioned before, very quick?

12  
13 **GRACIELA GARCIA-MOLINER:** Let me begin with this, because I  
14 think it's important. Now we've done the very broad aspect of  
15 the island-based FMPs. Now we need to be more specific and we  
16 need steps that can be measured, so that we can meet that goal.  
17 Looking at the right-hand side, the objectives are narrow and  
18 are precise and are measurable. Remember that these are all  
19 draft objectives. They come from the two documents that you  
20 have received.

21  
22 **MIGUEL ROLON:** Graciela, can you go back to the set of questions  
23 that you have? Just for the Commissioner, this is by no means  
24 the only list of questions that the council has to address, but,  
25 when Graciela gave the presentation, the council members have to  
26 be mindful of long-term sustainability of the fisheries and  
27 support enforceable fishery management measures, because  
28 practicalities in real life dictate that you should keep in mind  
29 how enforceable a fishery management measure could be.

30  
31 Recreational fisheries is a big unknown at this time for the  
32 Virgin Islands, in terms of data collection. We have some data  
33 collection going on in Puerto Rico, and we are going to address  
34 that somehow in the agenda. Then ensure the sustainable  
35 continuation of the local fisheries. These are questions that  
36 somewhat motherhood and apple pie, and they are reflected in the  
37 goals. Now you have to keep them in mind when you discuss the  
38 objectives. Graciela, go ahead.

39  
40 **GRACIELA GARCIA-MOLINER:** The same set-up. On the left-hand  
41 side is the IPT draft objectives, and on the right-hand side is  
42 going to be the Pew Charitable Trusts draft objectives. These  
43 were provided to the council, and they are here for discussion  
44 purposes.

45  
46 The IPT, the first objective would be to achieve optimum yield  
47 in the utilization of federal fishery resources while minimizing  
48 impacts to non-target species. This one, if you look at the

1 list of our fourteen to ten objectives, it could be understood  
2 to provide for long-term sustainable use of fishery resources  
3 within the limits of local ecosystem production, et cetera. It  
4 goes hand-in-hand with optimum yield, because that's basically  
5 what it is.

6  
7 For the second one, if we look at IPT Number 1 and 2, then it  
8 compares to the Objective Number 2 of the TPCT to prevent  
9 overfishing, rebuild overfished stocks, and achieve optimum  
10 yield on a continuing basis.

11  
12 Basically, what I've done is that I've taken the language from  
13 each side, and these are quoted. This is not rephrasing. This  
14 is what it says in each of the papers. I have put them side-by-  
15 side, to see where the language has the same sentiment, and so  
16 Objectives 1 and 2 of the IPT are reflected in Objective 2 of  
17 the Pew Charitable Trusts.

18  
19 Then the Objectives 2 and 3 of the IPT, and 3 is the new one, is  
20 to obtain the data necessary to achieve the objectives of this  
21 plan and adapt to technological and technical advances. If you  
22 read Objective Number 7 of the TPCT, establish and maintain data  
23 collection and reporting programs necessary to support the  
24 conservation and management objectives of the plan, the  
25 sentiment and the language is very comparable.

26  
27 For Number 4, promote international cooperation in the  
28 management of Pan-Caribbean stocks, Objective 9 of the TPCT  
29 states to collaborate with domestic and international regional  
30 fishery management bodies in managing Pan-Caribbean species, and  
31 so these are basically the same, except that the IPT doesn't  
32 include the collaboration with the domestic, the state and the  
33 territories, in this particular objective.

34  
35 Number 5 of the IPT, and these are basically what you have in  
36 your document, is minimize conflicts between resource users. If  
37 you read Objective Number 6, promote fair and equitable use of  
38 fishery resources that recognizes the importance of fishery  
39 resources to fishing communities, as well as differences in  
40 local environment, culture, markets, et cetera, the sentiment of  
41 minimizing the conflict of who can use the resource and how can  
42 they use it -- This would include allocation issues, et cetera.  
43 The sentiment is reflected in the two languages here.

44  
45 Furthermore, Objective 6 of the IPT then says to establish  
46 resource access permits, as necessary and appropriate, to  
47 facilitate data collection. That one also includes the  
48 objectives that we saw earlier of data collection needs for



1 maintaining the plans. Then the same thing in Objective Number  
2 6, because you would need to manage the people that use the  
3 resources.

4  
5 Objective 7 of the IPT is to provide flexibility in the  
6 management process which minimizes regulatory delay and allows  
7 for rapid adaptation of changing resources, abundance, et  
8 cetera. Objective 8 of the TPCT is to pursue consistent,  
9 coordinated regulations for the conservation and management of  
10 coral reefs and reef-associated resources. As I said, they are  
11 not word-by-word. They are not exactly the same, but the  
12 sentiments that are reflected in these objectives speak to the  
13 same purposes.

14  
15 Objective 8 of the IPT is to devise a regulatory framework that  
16 maximizes the efficiency and efficacy, and so the same one that  
17 we just saw in Objective 8 of the TPCT, to pursue consistent,  
18 coordinated regulations. They are talking about the same thing.  
19 They might not be explicitly the same, but they are talking  
20 about the same thing. The one thing that is different is the  
21 inclusion of the safe conduct of fishing operations, which is an  
22 issue in the area, and it's not reflected in the TPCT.

23  
24 The Objective Number 9 is to promote awareness of laws and  
25 regulations with outreach and education systems. There wasn't  
26 anything specific that had been brought to the table regarding  
27 this specific objective. You could think that coordinated  
28 efforts in regulations, et cetera, could speak to this, because  
29 you would need outreach and education. You would need to tell  
30 the people what regulations are in place and for them to  
31 understand the process. That could be understood as part of  
32 that objective.

33  
34 For Number 10 from the IPT, ensure the socioeconomic health of  
35 the fishing communities dependent on federal fishery resources,  
36 then you go back to Objective Number 6, to promote the fair and  
37 equitable use of fishery resources. A new one is to reverse the  
38 burden of proof on new renewed or significantly expanded  
39 fisheries.

40  
41 For the IPT, 11 and 12 are to protect spawning aggregations and  
42 the habitat supporting the aggregations and map, define, and  
43 manage habitat upon which these resources depend. It's  
44 Objective Number 4 of the TPCT, to describe and identify EFH and  
45 adverse impacts on EFH and other actions to conserve and  
46 enhance. This is a requirement by law, to deal with essential  
47 fish habitat, and so both have considered this as part of the  
48 objectives.

1  
2 For the IPT, Number 13 is to enhance and stabilize the spawning  
3 potential of managed species at levels sufficient to sustain  
4 adequate recruitment to replenish the population. Objective 5  
5 then includes the same sentiment, because, by reducing bycatch  
6 and waste of the fishery, et cetera, you could think about  
7 protecting the stability of the spawning potential of the  
8 managed species.

9  
10 It includes all the regulations that need to be considered in  
11 order to reduce bycatch and waste in the fishery. Bycatch also  
12 includes waste in the fishery if the fish are removed and they  
13 die, et cetera, and so, in this case, that's what we thought  
14 could be comparable.

15  
16 Finally, the IPT's Number 14 is to ensure continued provision of  
17 ecosystem services derived from living marine resources. It's  
18 Objective 3 of the TPCT, to account for ecological relationships  
19 and functional roles of species in the fishery. I think that's  
20 it.

21  
22 The wording is not exactly the same. The sentiments, in many of  
23 them, is reflected on the objectives that are presented. Some  
24 of them are more specific than the others and some of them are  
25 very broad objectives, and now here is the key thing. These  
26 objectives have to be measurable, and so you when you set  
27 management measures in place, you have to make sure you are  
28 accounting and you are answering to those objectives.

29  
30 The goals that we looked at were very broad. They basically  
31 encompass that you can add anything you want under the sun.  
32 Here, your objectives have to be more precise. It has to be  
33 narrow, and one thing that we did, and this is just an example,  
34 but just one that we are familiar with. You look at the board  
35 and you have -- This is an example. It's just something that we  
36 had in the presentation that could be used.

37  
38 Ensure the continued health of the spiny lobster fishery  
39 resources occurring in the U.S. Caribbean Exclusive Economic  
40 Zone, that's the goal. Now, what specifically do you want to  
41 achieve with that goal? You can say, for example, the  
42 objectives are regulating harvest of spiny lobster is needed to  
43 halt the progression of overfishing and economic hardship.  
44 Provide for biological conditions consistent with the ability to  
45 achieve maximum sustainable yield. Have a healthy spawning  
46 population of spiny lobsters. How are you going to measure  
47 that? How are you going to manage that?

48

1 Your management measure, the one that has been in place forever,  
2 is a minimum size for spiny lobster of a 3.5-inch carapace  
3 length. It ensures that the lobster has spawned. It's part of  
4 the adult fishery already, and it prevents overfishing, and it  
5 also speaks to economic value of the lobster, by saying that the  
6 fishermen are collecting very viable lobster and the price  
7 should be higher, because it's a bigger lobster.

8  
9 This is the example that we have. You already discussed the  
10 goals and now there are fourteen objectives presented to you and  
11 ten on the other side. You have the complete documents in your  
12 hands, and you also have a copy of this presentation. That's  
13 what I have to say.

14  
15 **CARLOS FARCHETTE:** Commissioner.

16  
17 **DAWN HENRY:** I have a procedural question, of course, because I  
18 am new to this. I know that we have various catch limits set  
19 already within the territory, and when I read a lot of these  
20 objectives, I see that they potentially would speak to issues  
21 like that.

22  
23 Are we trying to develop a plan that will allow for what is  
24 established now with these catch limits to be reviewed and  
25 looked at and changed? Is that part of what we're trying to  
26 achieve here and also, if there is a need to change it, how  
27 would we go about doing that?

28  
29 **CARLOS FARCHETTE:** That's correct. Now, some of those ACLs may  
30 not change at all or they may be even lower. It depends on what  
31 comes out of this whole plan for each island-specific plan.  
32 Does anybody want to make a comment on the objectives?

33  
34 I mean, from what I'm seeing, like what Graciela said, some are  
35 more specific on that TPCT, but it still encompasses everything  
36 in the IPT, and I don't know if you want to use these as like  
37 what we did with the goals, was overarching for all the U.S.  
38 Caribbean, or do you want to be specific for each island?  
39 That's another question that we have to take a look at. Miguel.

40  
41 **MIGUEL ROLON:** Some of the objectives have to be present in all  
42 three areas. I cannot think, off the top of my head right now,  
43 which ones will be specific to St. Croix versus Puerto Rico,  
44 but, for example, if you are talking about St. Croix, there  
45 should be an objective addressing parrotfish, all of them,  
46 because they are embedded in the sociocultural aspect of the St.  
47 Croix fishery.

48

1 If you go to St. Thomas/St. John, the objectives there may be  
2 related to the market-driven fishery, and you have to address  
3 that, but most of the objectives that you have here are general  
4 for the entire U.S. Caribbean.

5  
6 Mr. Chairman, I was thinking probably one thing that we could do  
7 is to allow Graciela to merge these objectives as much as  
8 possible, because, as her presentation shows, you can see that  
9 some of them are almost identical to each other and some others,  
10 by just sticking some of the language, they become identical.

11  
12 I really wanted to thank all the people involved, the IPT and  
13 the Pew Charitable Trusts people, because they went to a certain  
14 length, extent, of time in doing all of this. Ken was working  
15 with the Pew people, and he reviewed all of the objectives and  
16 goals at the national level, all the FMPs, and came up with a  
17 table. It's a hell of a lot of work that he did, and this is  
18 the product of it.

19  
20 Probably we can refine it a little bit more for the next  
21 meeting, so the staff can prepare a document that we can call it  
22 the draft CFMC objectives. Then you can look at it and come up  
23 with a discussion. Between here and there, Graciela, maybe we  
24 have time to send the information to all the groups and they can  
25 have an opportunity to comment on the documents.

26  
27 If we need to have a meeting with the different groups to  
28 address this, among all the other things that they need to  
29 address in the agenda, then we will have a better draft for  
30 discussion at the August meeting.

31  
32 If you agree with that, Mr. Chairman, we can go and just do  
33 something like that. If we just give staff the poetic license  
34 to play with it and bring back to the council what we consider  
35 your best professional opinion as to the language that should be  
36 part of the Caribbean Council document.

37  
38 **CARLOS FARCHETTE:** Graciela.

39  
40 **GRACIELA GARCIA-MOLINER:** If I can make a correction here. By  
41 asking staff, you are also asking the IPT to look at the  
42 objectives, goals and objectives, that are brought in and so it  
43 would be the IPT working with the merging of these.

44  
45 **MIGUEL ROLON:** As long as you bring that to the August meeting,  
46 I don't care who does it.

47  
48 **CARLOS FARCHETTE:** Bill.

1 **BILL ARNOLD:** I don't mean to be impatient, but I am just a  
2 teeny bit, and so we, the IPT, did prepare a list of goals and  
3 objectives. Those goals and objectives have been out there.  
4 There have been opportunities to review these, so that you can  
5 come to the council meeting prepared to make clear  
6 recommendations and make decisions.

7  
8 If we bring this back to the next council meeting, like we  
9 brought it to this council meeting, we will go through the same  
10 process and we will again not accomplish our goal of deciding on  
11 a draft set of goals and objectives.

12  
13 Remember this is just a draft set of goals and objectives that  
14 will go into the public hearing draft that will be made  
15 available to the public to comment on that has a whole sequence  
16 of events that will lead to finalization of this document, but  
17 we came into this meeting expecting that these goals and  
18 objectives would have been reviewed and everybody would be very  
19 familiar with them and familiar with what the options are and  
20 how things could be melded or not.

21  
22 My impatience is that, if we're going to delay this until the  
23 August council meeting, there has to be some commitment on the  
24 part of the council to be ready to make -- I mean I would  
25 suggest this, but to make solid decisions, so that, as I  
26 discussed earlier today, we can keep these FMPs moving forward,  
27 because we can go round and round on every single aspect of  
28 these FMPs for literally years. If you look at the history of  
29 how long we've been working on this, it's already been years.

30  
31 **MIGUEL ROLON:** Patience, my friend. By the August meeting, all  
32 these people surrounding the table will have a final decision on  
33 the draft that we are going to take. That's actually what the  
34 Commissioner requested, just more time for her to confer and  
35 make sure that they will come in prepared for the meeting, and I  
36 think that we won't lose that much time between here and August.  
37 It's just a month-and-a-half-, and they will be very prepared to  
38 make a decision.

39  
40 At that time, we will have a solid recommendation one way or the  
41 other regarding these goals and objectives, for us to proceed,  
42 and I think that we won't lose that much by allowing the local  
43 government and the council members who haven't read the document  
44 -- By the way, just by the faces, I know you haven't read it,  
45 but to read it, so we can come back and do it.

46  
47 This talks to Tony's worry before about the process of how these  
48 documents come to the table and how we discuss it, and so I

1 believe that at the August meeting -- We promise, Bill, that we  
2 will make a decision.

3  
4 **CARLOS FARCHETTE:** Since we have resolved that, we are going to  
5 move forward to Action 1, species to include for federal  
6 management, but, first, we are going to take a quick ten  
7 minutes. Then I have to do a conference call to Washington  
8 that's very important, and so I'm going to leave Hanke -- If I'm  
9 not back in time, I will leave Hanke, the Vice Chair, as the  
10 Chair. I will have to step outside. A ten-minute break.

11  
12 (Whereupon, a brief recess was taken.)

13  
14 **MARCOS HANKE:** We are ready to start the meeting again. Please  
15 sit down.

16  
17 **GRACIELA GARCIA-MOLINER:** I just briefly want to say that  
18 Actions 1, 2, 3, and 4 basically you have the same thing as the  
19 last council meeting. The SSC has been looking at the indicator  
20 species and how the stock complexes or groupings are going to be  
21 made.

22  
23 They have not made a final decision yet. We talked a lot about  
24 the ABC control rule this morning, and so we have also covered  
25 that item. We very quickly talked about the framework measures,  
26 and so we will be incorporating those, or at least, hopefully,  
27 for the next meeting, we have language for Action 4 and the  
28 framework approach. I think that we are done with the island-  
29 based FMP part of the agenda.

30  
31 **MIGUEL ROLON:** Next in the agenda, Mr. Chairman, we have Timing  
32 of Accountability Measures, and I believe that Kate will address  
33 that.

34  
35 **TIMING OF ACCOUNTABILITY MEASURES**

36  
37 **KATE QUIGLEY:** I know that everyone has seen this before, but we  
38 have a new alternative, Alternative 5, and it's been  
39 incorporated into all of the other alternatives, and so there  
40 are a couple of new things to talk about.

41  
42 As you remember, we've got two different actions in this  
43 amendment, modify the timing and then specify how often to  
44 revisit the approach. The council has chosen preferreds, and  
45 so, as you recall, we've got -- Currently, the current situation  
46 is to have a closure on December 31 and going backward.

47  
48 You have a Preferred Alternative 2, the September 30 and going

1 backward. That was from the DAP's input, and then we have  
2 incorporated in Alternative 5 to say that you can also have  
3 Alternative 5. You can have Preferred Alternative 2 and you can  
4 have Alternative 5, but I will go through these and then go  
5 through Alternative 5 and then we'll talk about some of the  
6 complexities of combining them.

7  
8 Alternative 3, you've got January 1 going forward. Alternative  
9 4, you've got different dates for each FMU. As you recall,  
10 Alternatives 4a, c, e, g, and i, the closure to end the last day  
11 of the month with the highest average landings, and so the idea  
12 was to have a short closure, but have the highest average  
13 landings. Alternatives 4b, d, f, h, and j are the closure to  
14 end the last day of the month with the lowest average landings.  
15 I've got the Tables 2.2.1 to 2.2.5 in the document, which is in  
16 the briefing book. Those are the Alternative 4 options.

17  
18 Just a reminder, Alternatives 1, 2, and 3 apply to all FMUs.  
19 It's one date. It applies to all FMUs, and so it's rather  
20 predictable, perhaps, from year to year. You know if there is  
21 going to be a closure and you know when the start date or when  
22 the end date will be. However, Alternative 4, you've got all  
23 different dates for all different FMUs, and so it's a little  
24 more difficult to predict, as far as fishing.

25  
26 Then we've got Alternative 5, and so I'm going to read through  
27 that. This was created at the December meeting, December of  
28 2015. For FMUs that include species with seasonal closures in  
29 U.S. Caribbean federal waters, AM-based closures resulting from  
30 an ACL overage for these FMUs would be timed to be continuous  
31 with the seasonal closure. The AM-based closure will extend  
32 either forward or backward from the seasonal closure into the  
33 year, as specified in a whole bunch of sub-alternatives, Sub-  
34 Alternatives 5a to 5n, for the number of days necessary to  
35 achieve the required reduction in landings.

36  
37 The idea is, for some species, you've got seasonal closures, and  
38 the motion put forth said, well, why don't you have the AM-based  
39 closure right before or right after the seasonal closure,  
40 because then people would only have to switch fishing one time  
41 instead of twice, and so the Sub-alternatives 5a to 5n are  
42 featured on pages 31 to 33 in the document. It's included in  
43 Table 2.2.6.

44  
45 They're outlined right here in a slightly different way than  
46 they are in the document, and this gives you an idea of what's  
47 going on. In the first column, you've got the sub-alternative.  
48 The second column is which area it applies to. The third

1 column, you've got the date being proposed. For example, Sub-  
2 Alternatives 5a, 5c, 5e, and 5f, what's being proposed is May 1  
3 and going forward an AM-based closure. The fourth column shows  
4 the seasonal closure and for which species that applies to, and  
5 so you see that the seasonal closure is February 1 to April 30  
6 for black, red, yellowfin, tiger, and yellowedge grouper. The  
7 grouper complex closure comes right on the tail-end of that  
8 seasonal closure, May 1 going forward.

9  
10 Now, there are a couple of different options here for the  
11 grouper complex. 5b and 5d, right here, which apply to Puerto  
12 Rico commercial and recreational, just like up here, you've got  
13 a second alternative of November 30 going backward, and so  
14 you've got the red hind closure December 1 to the last day of  
15 February. Right before that though, you've got an AM-based  
16 closure.

17  
18 In order to fully absorb Alternative 5, you really have to take  
19 a look at this table or read the document and take a look at the  
20 tables in the document, but what we've got is we've chosen, just  
21 to kind of sum things up, we have chosen the -- We being the  
22 IPT, but the IPT has chosen different dates that are consecutive  
23 with the seasonal closures, and so here you see April 1 to June  
24 30 and you've got mutton and lane snappers are closed. Then the  
25 AM-based closure, if you had the snapper complex closed, then  
26 you would have July 1 going forward.

27  
28 What this all means is that, if you choose Alternative 5, for  
29 certain complexes, if there was an overage, you would have a  
30 very long closure. Now, the seasonal closure, of course, only  
31 applies to specific species, whereas the AM-based closure  
32 applies to an entire complex.

33  
34 What needs to be done is you're going to have multiple  
35 publications of the Federal Register. You're going to have  
36 enforcement has to keep some of these things straight. All of a  
37 sudden, from one day to the next, you've got a switch in which  
38 species are closed and which ones are open. The public needs to  
39 be informed about that and kind of keep that straight in their  
40 heads.

41  
42 Alternative 5, I am going to go through some of the benefits of  
43 Alternative 5. There are some great benefits, but also there is  
44 added complexity, administratively and with regards to  
45 enforcement. Alternative 5, economically, you could decrease  
46 costs associated with having two closures instead of one, and so  
47 that's great. That's a positive. You could, though, have  
48 closures during economically important times, and that's a



1 negative.

2  
3 Another economic impact is current harvest efficiencies  
4 resulting from fishing adjacent to a seasonal closure would be  
5 interrupted. For example, if you have spawning taking place  
6 during a seasonal closure and fishermen currently fish  
7 immediately after the seasonal closure and they're getting good  
8 catches, that would no longer occur, because all of a sudden you  
9 have this AM-based closure.

10  
11 We don't know how significant any of those are, those positives  
12 and negatives economically. We would have to do a number of  
13 different surveys to really know how significant those are, and  
14 so they're talked about in a qualitative way within the  
15 document.

16  
17 Socially and culturally, you could have closures, again, during  
18 socially and culturally important times. Greater complexity of  
19 regulations could be more confusing for fishermen, and so  
20 there's not just one date for a complex. Instead, you've got  
21 one date for a complex, but then it brushes up against the  
22 seasonal closures for specific species.

23  
24 Biologically, there are some positives. An AM closure ending or  
25 starting immediately before or after the spawning closure may  
26 have biological benefits, because perhaps there is spawning  
27 activity that takes place outside of the seasonal closure and  
28 you're offering further protection for specific species.

29  
30 Physical impacts, extending protection to habitat during a  
31 period immediately before or after the spawning closure, by  
32 reducing anchoring activities and reducing gear interactions  
33 used for those specific species that had seasonal closures.

34  
35 Administratively, there could be a benefit. One closure instead  
36 of two could be easy for enforcement to handle. However, you've  
37 got more complexity, because we're talking about a switch in the  
38 species that can and cannot be caught, and so it's more complex  
39 for public compliance and enforcement efforts, and so some  
40 species in the AM closure are not included in the species  
41 closure, which is more dates to keep track of.

42  
43 One more complexity is if you were to have Alternative 5 chosen  
44 as a preferred and Alternative 2 chosen as a preferred, then you  
45 could have a situation where, of course, you've got consecutive  
46 closures, but if the time allowed or the time remaining in the  
47 year is not enough to cover your overage, then you might have to  
48 go backwards into the seasonal closure, and so then you would

1 have an AM closure on top of a seasonal closure, and that would  
2 be quite complex, and so there are some complexities there that  
3 need to be considered.

4  
5 This is just a summary of the effects. I just went over the  
6 Alternative 5 effects, but this is a summary of the effects of  
7 all the different alternatives, and these are all talked about  
8 in the document. I mean you can see that you're largely  
9 familiar with most of them.

10  
11 Alternatives 1 and 2, if you have a closure during December  
12 going backwards or September 30 going backwards, you're avoiding  
13 fishing during bad weather, in some areas. You're avoiding  
14 closure during high demand period in the USVI and the west coast  
15 of Puerto Rico. Those are positives.

16  
17 On the other hand, a negative is that it may result in a longer  
18 closure, due to AM closures consecutive with seasonal closures.  
19 If you're going to have a seasonal closure next to an AM-based  
20 closure, you're going to have a really long closure.

21  
22 Alternative 3, January 1 going forward, you've got an  
23 established start date. It's easier to plan for, but you've got  
24 a high probability of abutting or overlapping with seasonal  
25 closures, which begin in March and April or that occur in  
26 November and December and October. The negative effects of  
27 January 1, as we know, is you may have a closure during Lent,  
28 the high tourism season in the USVI, a high probability of  
29 abutting or overlapping with seasonal closures, as will happen  
30 with Snapper Unit 1.

31  
32 Again, Alternatives 1, 2, and 3 are relatively straightforward,  
33 because you have one date for all FMUs. Alternative 4, you've  
34 got various dates. You've got a different date for each FMU,  
35 and, basically, just a blanket statement here for positive and  
36 negative effects is that longer closure during low-demand  
37 periods and a shorter closure during high-demand periods.

38  
39 Alternative 5, we just went over those effects, and so I've gone  
40 over this really, really quickly, but this is just kind of a  
41 summation. Just to repeat, it is possible to do Alternative 5  
42 as a preferred and Alternative 2 as a preferred. In that  
43 situation, the species to which Alternative 5 applies would  
44 simply take over and the species which don't have seasonal  
45 closures, Alternative 2 would apply. This can also be a  
46 preferred along with Alternative 3, and so you can have two  
47 different preferreds.

48

1 Nothing has changed under Action 2. You still have Preferred  
2 Alternative 2. Revisit the approach selected no longer than two  
3 years from implementation and every two years thereafter, and  
4 revisiting the approach that sets the timing for AM closures can  
5 involve revisiting the dates selected, criteria for choosing the  
6 dates, or any other aspect of the rule. Of course, as a  
7 reminder, the council can also do that before the two years and  
8 revisit it at any time, but this says that at least every two  
9 years it needs to be revisited. First, are there any questions,  
10 before I go on to the timeline, regarding any of the  
11 alternatives?

12

13 **CARLOS FARCHETTE:** Hanke.

14

15 **MARCOS HANKE:** On the discussion of the closure for the AM with  
16 the spawning closure that we have already implemented, I  
17 remember that we discussed, especially for the grouper, because  
18 of the moon phases and different parts of the month, and the  
19 report of some fishermen that outside of the main closure that  
20 we have that there was some spawning activity taking place, and  
21 that I don't see in the document, and it was well discussed by  
22 us and should be incorporated in there.

23

24 **KATE QUIGLEY:** Okay. We can incorporate grouper specifically.  
25 The document does discuss the possibility of there being  
26 spawning activity outside of these seasonal closures, and then  
27 you would have biological benefits, but it doesn't discuss it  
28 specifically for grouper, I don't think, and so we can add that  
29 in. Is that what you're referring to?

30

31 **MARCOS HANKE:** Yes, and especially because there was some data  
32 presented to us.

33

34 **KATE QUIGLEY:** Okay. We will dig that up and incorporate it.  
35 If people have a good understanding of Alternative 5 and kind of  
36 how it goes together with the other alternatives, the thought is  
37 that today there can be a discussion of alternatives and you can  
38 reconsider or confirm your preferred alternatives and make sure  
39 you've got there what you want and decide if it's possible to  
40 take final action at the August meeting.

41

42 Because we have a new alternative, the council would have to  
43 hold a public hearing at the August meeting, because we have  
44 that new alternative and it's been analyzed. That would be at  
45 the August meeting and then, in late fall of 2016, the council  
46 discusses public hearings and reviews the document once again  
47 and reviews and approves the codified text, if that's ready, and  
48 then approve the amendment for secretarial review.

1  
2 The amendment and proposed rule comment period and then a final  
3 -- Publish the amendment and the final rule in early 2017, when  
4 it would become effective shortly thereafter.

5  
6 The next steps, something you can discuss right now, is review  
7 the alternatives, including Alternative 5 and the preferred  
8 alternatives, which you already have motions to -- You could do  
9 a motion to reconsider or confirm preferred alternatives and  
10 consider the public hearing schedule and consider taking final  
11 action in August.

12  
13 **CARLOS FARCHETTE:** Julian Magras.

14  
15 **JULIAN MAGRAS:** Thank you, Mr. Chairman. That was a very good  
16 presentation once again, Kate, but this is more directed towards  
17 the council members. Here, once again, we have the seasonal  
18 closures on the table. The chances are becoming more and more  
19 great for us to overrun these species that are already being  
20 protected. It's been twelve years now, and going on year  
21 thirteen, that these seasonal closures have been put into place,  
22 and the council has done nothing to do assessments to see if  
23 these stock have recovered or not.

24  
25 Now we are here talking, in Alternative 5, if there is an  
26 overrun to let's add it before or after the seasonal closure,  
27 and so what you're going to do is you're going to create a  
28 greater overrun a few years after that if we don't do something  
29 now to see what these stocks are doing. I've been saying so for  
30 the last three years at every meeting, and still nothing has  
31 been done.

32  
33 There was supposed to be a pilot study that was supposed to be  
34 done on the lane snapper and the mutton snapper, and I haven't  
35 heard anything about that for a long period of time, and so to  
36 continue to put new measures in place and don't revisit the  
37 measures that are already in place is not a good way that the  
38 council, I recommend, should be managing any stock, and so I  
39 would like to hear some kind of clarification on what we're  
40 going to do to re-look at the stocks that have been closed for  
41 over twelve years.

42  
43 **CARLOS FARCHETTE:** Miguel.

44  
45 **MIGUEL ROLON:** The question I have is we already went to public  
46 hearings with this, and the only difference is that we have a  
47 new alternative that was suggested by one person or two in  
48 Mayaguez. When we went to San Juan and the Puerto Rico west

1 coast, Cabo Rojo and Mayaguez, the fishermen asked us to give  
2 them some opportunity to have a workshop to explain to them  
3 everything related to timing and AM closures before they pick  
4 one alternative.

5  
6 In the case of the U.S. Virgin Islands, the fishers agreed or  
7 they suggested that September 30 and counting backwards is the  
8 preferred alternative for them, and so the question is, Iris, do  
9 we need to go back to public hearings in the U.S. Virgin Islands  
10 or just on the west coast, to San Juan and the west coast of  
11 Puerto Rico?

12  
13 **IRIS LOWERY:** Doing the public hearings at the August meeting,  
14 if that's the suggestion here, I think would be fine. There's  
15 no, at least legal, requirement that there be additional public  
16 hearings in the USVI.

17  
18 **MIGUEL ROLON:** Okay, and so we can have one in San Juan, being  
19 that one part of the council meeting?

20  
21 **IRIS LOWERY:** Correct.

22  
23 **MIGUEL ROLON:** Okay. We still need to fulfill our promise to go  
24 back to the Mayaguez and Cabo Rojo, so we can have a one-day  
25 public hearing with them, so they can pronounce yea or nay  
26 regarding these measures. Otherwise, the Mayor of Cabo Rojo  
27 will visit us again, and we don't want that.

28  
29 **CARLOS FARCHETTE:** Blanchard.

30  
31 **TONY BLANCHARD:** Listening to Mr. Magras, Mr. Magras has got a  
32 valid point. We can't keep holding to a seasonal closure when  
33 we don't have the slightest idea what's going on, but we're  
34 willing to shorten our season. I mean it has to be a give-and-  
35 take, and we all say we're partners with let's say the fishermen  
36 and everybody else, but really a partnership is supposed to work  
37 two ways.

38  
39 My thing is we seem to be hesitating on our part of the bargain,  
40 which we're supposed to be managing these stocks, and putting a  
41 seasonal closure on them ain't managing them. Let's face facts,  
42 because, in order to manage, you've got to know what's  
43 happening. Is the seasonal closure working or it ain't? That  
44 would be my question, but business as usual, like I say, don't  
45 mean that that's the correct road to go down.

46  
47 We need to find out what these seasonal closures are doing,  
48 whether they're working or not, before we start talking, at some

1 point in time, because I know you're going to come up someplace  
2 along the line as to shortening seasons on these same stocks  
3 that we're protecting for the three months.

4  
5 My question is this. We need to -- Well, it's not a question.  
6 It's a statement. We need to set an example. The example is we  
7 need to hold to our part of the bargain before we expect anybody  
8 else to hold to their part of the bargain.

9  
10 **CARLOS FARCHETTE:** Bill.

11  
12 **BILL ARNOLD:** I would advise that we be careful about wrapping  
13 up the seasonal closures with the AM-based closures. The  
14 seasonal closures are council-developed closures. The council  
15 can change those seasonal closures or modify them or reduce  
16 them, reduce the area, get rid of them, pretty much do whatever  
17 they want with them. They are their closures.

18  
19 The AM-based closures are congressionally-mandated, and they  
20 will take place. The point of this amendment was, if everybody  
21 recalls, and I know you do, to get away from the December 31  
22 mandated closure date and close on a different date. This year,  
23 2016, we will have closures. They will begin on December 31.

24  
25 My understanding was the fishermen were not happy with that and  
26 would like an alternative, and that alternative, according to I  
27 think all three DAPs, was to start these closures on September  
28 30, and so we can make this as complicated as we want to and we  
29 can drag it out as long as we want to. We won't have September  
30 30 or any other day as a closure date for 2016.

31  
32 I would certainly like to see that, for 2017, we are no longer  
33 required to start these closures on December 31 if, in the  
34 unfortunate event, there are closures required for 2017, and so  
35 I think that should be the focus of this amendment and this  
36 discussion and this effort.

37  
38 While I very much respect Puerto Rico fishermen's desires to  
39 smooth these through by adjoining them to seasonal closures, as  
40 you can see from Kate's presentation, that can get extremely  
41 complicated and may delay and prevent the achievement of the  
42 fundamental goal of this amendment.

43  
44 **CARLOS FARCHETTE:** Blanchard.

45  
46 **TONY BLANCHARD:** I'm on the same page with Bill, but the point  
47 I'm trying to make is that Mr. Magras made a valid statement.  
48 My thing is we need to keep moving forward with this, to move

1 the closures to a more feasible time, let's say, but we need to  
2 keep in mind that when we want to ask somebody to do something  
3 and we have an agreement, we also need to keep hold of our  
4 agreement, too.

5  
6 That's the point I'm trying to bring here, since he put it on  
7 the table. You can't ask somebody to do something for their  
8 part of the bargain, but you ain't willing to do yours or you  
9 are reluctant to do yours.

10  
11 **CARLOS FARCHETTE:** So are we looking for a motion here or any  
12 further comment?

13  
14 **MIGUEL ROLON:** If we follow what you guys already decided last  
15 year, we just go and have one last public hearing in Cabo Rojo  
16 and Mayaguez and then set aside some time for the August San  
17 Juan meeting, let's say one hour, for public comment regarding  
18 this issue.

19  
20 In the case of the U.S. Virgin Islands, already we the almost  
21 unanimous consensus of all the fishers who went to the public  
22 hearings that they would like to see September counting  
23 backwards as the preferred alternative or as the regulation in  
24 place.

25  
26 The people who asked for this Number 5 alternative were from  
27 Mayaguez. Some of them told me afterwards that they didn't know  
28 what they were talking about, because I told them, do you know  
29 that you are telling us that you have a three-month closure for  
30 one grouper because of biological concerns and now you want to  
31 close four more months continuously, so you have seven months  
32 out of the year of a closure?

33  
34 They said, oh, no, that's not what we wanted, but that's what  
35 you ended up requesting. What they were thinking was if we have  
36 a four-month closure that it would take these three counting  
37 towards the four months, and the best explanation that I got  
38 from Bill is that when you have a three-month closure because of  
39 biological concerns, it means that you have nine months to fish.

40  
41 If you have an overage, you have to cut out of those nine months  
42 the number of days that are required for achieving the  
43 requirements of the Act, and so, Mr. Chairman, can we just  
44 dispose this out of the agenda by saying that the staff will  
45 have a public hearing in Cabo Rojo and Mayaguez and then have  
46 one hour of a public hearing in San Juan, to comply with the  
47 promise that we made to the Puerto Rico fishers, if legally we  
48 can do it?

1  
2 **CARLOS FARCHETTE:** Iris.  
3  
4 **IRIS LOWERY:** Is the question as far as legality with the public  
5 hearings?  
6  
7 **MIGUEL ROLON:** Yes, just to have one more public hearing in  
8 Mayaguez and Cabo Rojo in Puerto Rico and then have one in San  
9 Juan and then the council will take final action at the August  
10 meeting.  
11  
12 **IRIS LOWERY:** I certainly think that that's fine.  
13  
14 **MIGUEL ROLON:** Okay. Remember when we say final action, it's  
15 final action. When we have a final action, we have to put it in  
16 the agenda, and so you will have final action the second day of  
17 the meetings to allow an hour or so for public hearings the  
18 first day of the meeting, and you will get rid of this.  
19  
20 **CARLOS FARCHETTE:** Commissioner.  
21  
22 **DAWN HENRY:** If I can understand, in August, when we meet, is  
23 there going to be some final vote regarding the AM-based  
24 closures?  
25  
26 **MIGUEL ROLON:** Because we already have the benefit of the U.S.  
27 Virgin Islands considering saying that the preferred alternative  
28 is to move from December to September and count backwards, the  
29 council will follow that. Then, in the case of Puerto Rico,  
30 they sort of agreed on that one, because their fellow fishers  
31 from St. Thomas thought it was a good idea, but they wanted to  
32 have more information, because the people talking at that  
33 meeting were a little bit confused.  
34  
35 The council said, okay, we will have the workshop, and so we put  
36 together a workshop. They all agreed that they received the  
37 information that they needed and now they are waiting for that  
38 public hearing in Mayaguez and Cabo Rojo, which is, by the way,  
39 one day. It's the afternoon in Cabo Rojo and, in the evening,  
40 we will go to Mayaguez.  
41  
42 **CARLOS FARCHETTE:** A follow-up, Commissioner?  
43  
44 **DAWN HENRY:** So the limits that were set for the AM-based  
45 closures, does that or did it take into account what the current  
46 catch limits are or those limits were based on something  
47 entirely different?  
48



1 **MIGUEL ROLON:** Very quick, the way that we set up this is that  
2 we looked at -- Let's say that we have thirty years of data.  
3 The scientists looked at the best, quote, unquote, the best  
4 years that describe the fishery that you have.

5  
6 Then they take those years to calculate the ACL and OFL and ABC  
7 and so forth. Once they do that, the ACL is set, and then we  
8 monitor the fishery. Every year, the Southeast Fisheries  
9 Science Center has to assess whether we have been going over the  
10 ACL or not during the previous year.

11  
12 Specifically, in the example of the lobster in Puerto Rico, we  
13 exceeded the lobster ACL, and so we have the closure in 2016  
14 from December 10 to December 31. If, for example, next year we  
15 still have an overage around the same 19,000 pounds or whatever,  
16 we need to close twenty-one days in December or the equivalent  
17 from September 30 backwards, and people need to understand that  
18 we don't count twenty days counting backwards from September 30.

19  
20 Graciela made some friends when she said, well, you could go all  
21 the way to January 1, if that's what you need to do to comply  
22 with the regulations. A scenario could be that you close twenty  
23 days in Puerto Rico for lobster, twenty days in December, and  
24 that could be forty-five days in September and August, but the  
25 fishermen believe that that's less burdensome, economically  
26 speaking, to them than closing in the wintertime, especially in  
27 St. Thomas/St. John.

28  
29 Although we don't have an overage in St. Thomas/St. John,  
30 Christmas is when the price is up and the demand is higher. In  
31 the case of St. Croix and Puerto Rico, Lent time is the place  
32 where the fishermen make more money compared to the rest of the  
33 year, and so what Kate has done is that she went day-by-day  
34 throughout the year and she compared those days and those  
35 periods, economically speaking, and she came up with all the  
36 different alternatives that we have. When we went to the public  
37 hearings, most of the fishers agreed that September 30 backwards  
38 will be better for them than December.

39  
40 **DAWN HENRY:** So the comparison of the data, as you are  
41 explaining it, that was done -- It was done taking into account  
42 what the current catch limits are and what the data shows that  
43 the impacts have been on the species, to determine that the AM  
44 catch limits that we are looking to vote on, that those limits  
45 are still necessary at the volume that we've decided, in order  
46 for the species to be sustainable? Is that what you're saying  
47 the data has proven?

48

1 **MIGUEL ROLON:** We have to define "current", because some people  
2 believe that current is as of last May. In our case, current is  
3 probably 2014 or 2015, depending on how quick and how rapid the  
4 local government sends the information to the Southeast  
5 Fisheries Science Center for processing.

6  
7 For example, last time that we were discussing this, we had a  
8 meeting in Puerto Rico with the Secretary of DNR and fishers.  
9 Miguel was there standing on a chair talking to the fishers, and  
10 we have a chance -- I sent an email to Bill, and I asked him, do  
11 you think that we have time to modify somehow the outcome of  
12 this meeting, and he said we have to do it quick, because next  
13 week the Southeast Fisheries Science Center will go over the  
14 documents.

15  
16 We sent a letter and everything, but, unfortunately, the  
17 information that was sent to them, although good information,  
18 was not enough to deviate from what they already assessed was  
19 the situation with the lobster, and that's why we ended up with  
20 these dates.

21  
22 Going back to your question, we used the best available data to  
23 set the ACL and the best process that can come up with. Current  
24 information could be as late as two years back to make a  
25 decision on the closures, and the timing doesn't have anything  
26 to do with the overage or not.

27  
28 The timing is just we're going to penalize these people during  
29 the year and which is the less burdensome for them, economically  
30 speaking, and so that's why the fishermen told us that we don't  
31 want any closure, but, if you have to close, don't do it in  
32 December.

33  
34 **CARLOS FARCHETTE:** Okay.

35  
36 **MIGUEL ROLON:** Graciela and Kate, do we have to do anything but  
37 just saying that we are going to have public hearings? There  
38 was a motion that I saw somewhere, and I don't know if we voted  
39 or not, but -- There it is. **Move to hold one public hearing in  
40 Mayaguez and Cabo Rojo and one public hearing at the council  
41 meeting in San Juan in August.** If the council believes that the  
42 staff has enough information and you don't need a motion, you  
43 should go ahead with it.

44  
45 **TONY BLANCHARD:** So moved.

46  
47 **MARCOS HANKE:** Second.

48

1 **CARLOS FARCHETTE:** It's moved by Blanchard and seconded by  
2 Hanke. All in favor say aye; any nays; any abstentions.  
3 Hearing none, the motion carries. Graciela.  
4  
5 **GRACIELA GARCIA-MOLINER:** A point of clarification. Do you want  
6 to take the preferred alternatives, Alternative 2 from Action 1  
7 and Alternative 2 from Action 2 as the preferred alternatives?  
8  
9 **CARLOS FARCHETTE:** This is only Puerto Rico, because the VI has  
10 been resolved already, all right? Okay. Kate.  
11  
12 **KATE QUIGLEY:** You already have Preferred Alternative 2 under  
13 Action 1. Under Action 2, you have Preferred Alternative 2, and  
14 so you don't need to make another motion. We were just hoping  
15 you would have a discussion that would confirm that those  
16 preferreds still stand. It appears that they do, and so we  
17 don't need a motion for that either, really. You don't need a  
18 motion to take final action in August, because first you have to  
19 consider the input from the public hearings, and so, at this  
20 time, I'm not sure that we need any more motions.  
21  
22 **MIGUEL ROLON:** Yes, but we're going to take final action in  
23 August. They have to move very quick, and so they have to move  
24 what the people say at night and they will come up with a  
25 decision the next morning and then finalize it.  
26  
27 **GRACIELA GARCIA-MOLINER:** We do need that to be on the record,  
28 because now staff has to go and write the codified text and  
29 everything else, to have it available if you're taking final  
30 action, because that cannot be done unless that's on the table.  
31  
32 **MIGUEL ROLON:** If the staff cannot do it, you can take final  
33 action in December, but Bill here will go off the roof, because  
34 we need to have that decided for next year if we have an  
35 overage. Otherwise, we're going to be stuck with December  
36 again. Maybe next year there will be a closure in St.  
37 Thomas/St. John and Tony will really be mad.  
38  
39 **GRACIELA GARCIA-MOLINER:** That's what we're asking, because now  
40 it's on the record that you are preparing to take final action  
41 in August, and so we need the codified text to be dealt with and  
42 the final review to take place between now and August. If  
43 nothing new comes out of the public hearings, then you will have  
44 everything ready to take final action after the public hearing.  
45  
46 **MIGUEL ROLON:** Graciela, do you think that can be done? Okay.  
47  
48 **CARLOS FARCHETTE:** All right. Next on the agenda is Developing

1 Permits for Fishing Activities in Federal Waters, Puerto Rico  
2 Snapper Unit 2 Draft Scoping Document and St. Thomas USVI Spiny  
3 Lobster White Paper. Bill.

4  
5 **BILL ARNOLD:** Carlos, you may possibly want to switch the order  
6 of the AM-Based Closures and the Permits, because the Permits is  
7 going to be a rather lengthy topic. We could go ahead and get  
8 through announcing the closures and letting you know what the  
9 deal is on that. That's just basically a presentation, and it's  
10 five o'clock now, but it's up to you.

11  
12 **CARLOS FARCHETTE:** Okay. Let's do that.

13  
14 **IRIS LOWERY:** Before we get to that, can I ask a clarifying  
15 question? I am just looking at your agenda, and I know that --  
16 I believe you decided you were done with the island-based FMPs  
17 for this meeting, but I do see that there was, at least on the  
18 agenda, was Action 2, Assigning Species to Complexes and a  
19 Working Group Report, and so is that not happening at this  
20 meeting?

21  
22 **CARLOS FARCHETTE:** Bill.

23  
24 **BILL ARNOLD:** We kind of blended that with Richard's SSC Report,  
25 but we did cover it. He talked about how the Action 1 is not  
26 anticipating any changes to the species, and the council may  
27 want to discuss this more, but that sort of was the blended  
28 discussion. He talked about Action 2, in that we had groupings,  
29 and, Richard, correct me if I'm wrong. We had Action 2  
30 groupings, and then we spent most of our time on Action 3, and  
31 particularly the ABC control rule, and, finally, the goals and  
32 objectives, but we did touch on everything. I mean we can talk  
33 even longer about this stuff, but we did touch on everything.

34  
35 **IRIS LOWERY:** No, and I just wanted to make sure that it's clear  
36 exactly what we've talked about and what we haven't. Thank you,  
37 Bill.

38  
39 **CARLOS FARCHETTE:** Graciela.

40  
41 **GRACIELA GARCIA-MOLINER:** The SSC had heard about cluster  
42 analysis, and they have been talking about indicator species,  
43 and so Action 2 has been covered, but, really, nothing has  
44 changed since the last document that we had presented at the  
45 council, but the next SSC meeting might have some changes that  
46 we might need to talk about.

47  
48 **CARLOS FARCHETTE:** AM-Based Closures.

1  
2 **AM-BASED CLOSURES - 2016 SPECIES/SPECIES COMPLEXES AND CLOSURE**  
3 **DATES**  
4

5 **BILL ARNOLD:** This is just an informational summary of the  
6 accountability-measure based closures that will be implemented  
7 in 2016. As you know, we break these down -- For Puerto Rico in  
8 particular, we break these down into -- Actually, for all three  
9 islands, we break these down into our 2010 species.

10  
11 Those are the species that, when we originally established  
12 annual catch limits, had been designated as undergoing  
13 overfishing, and so they were under a more expedient  
14 congressional mandate to get these ACLs set. Then there was a  
15 separate group of species that were not identified as undergoing  
16 overfishing, and we had one extra year to get annual catch  
17 limits set for those, and so that's what the 2010 and 2011  
18 Caribbean Annual Catch Limit Amendments are all about.

19  
20 2010 dealt with the species undergoing overfishing and 2011  
21 dealt with the species that were not undergoing overfishing, and  
22 so that's how these are separated, and so that's what I'm  
23 talking about when I say 2010 species, and you will see the 2011  
24 species.

25  
26 In those amendments, we set, based upon a length process, a  
27 multiple-year process, we set annual catch limits for every  
28 species, either individually or as a group, in the U.S.  
29 Caribbean under council management, and we also determined what  
30 criteria we were going to use to determine if those annual catch  
31 limits had been exceeded.

32  
33 What the council chose was the three-year moving average, and so  
34 we take the most recent year of data that we have, complete  
35 data, and the two years before that, those three years, we  
36 average them. We compare them against the annual catch limit  
37 for the species in question. If that average exceeds that  
38 annual catch limit, then the annual catch limit has been  
39 exceeded, obviously, and an accountability measure has to be  
40 invoked.

41  
42 That accountability measure requires that the season length be  
43 shortened by the number of days necessary to ensure that that  
44 annual catch limit is not again exceeded in the applicable year,  
45 and so it's really a poundage consideration and not a date  
46 consideration. If you're over by 15,000 pounds, you have to  
47 remove 15,000 pounds from the fishery. The way we do that is by  
48 removing the number of days necessary to remove that number of

1 pounds, and that's based upon the fishing rate of the fishers.  
2  
3 Of course, we don't really know what the fishing rate of the  
4 fishers is going to be and we have to estimate that, and that's  
5 going to be an important part of the presentation that I'm going  
6 to give, but, first, we're going to talk about the overages  
7 themselves and why accountability measure closures or season  
8 shortenings, and they are not really closures, but they're just  
9 a reduction in the length of the season, and why these things  
10 have to be invoked.

11  
12 In Puerto Rico, using 2012, 2013, and 2014, and the most recent  
13 landings data, complete landings data, we have right now is for  
14 2014. We average those three years and we get these landings  
15 for each of these species groups and we compare them to these  
16 annual catch limits to determine if it's over.

17  
18 The ones in red, with a percentage above 100 percent, exceeded  
19 their annual catch limit. Now, the landings are combined state  
20 and federal landings. It's total landings put together, but the  
21 annual catch limits and the accountability measures only apply  
22 in federal waters. We do not regulate state waters. That goes  
23 back to the discussion we actually had a few hours ago about  
24 state and federal compatibility.

25  
26 Regarding this discussion, conch is illegal to harvest in  
27 federal waters, and so it doesn't matter that 330 pounds were  
28 harvested. Theoretically, those all came from state waters. We  
29 don't manage state waters, and so there is no overage.

30  
31 Grouper, grouper is 60,000 pounds of landings. The annual catch  
32 limit is 177,000 pounds. They acquired 34 percent. That is  
33 lost yield, lost money. Parrotfish, on the other hand, they're  
34 allowed, they being the commercial fishery, and these are the  
35 commercial landings. I will talk about recreational separately  
36 for Puerto Rico. They landed a 54,000-pound average over those  
37 three years and their ACL is 52,000, and so they were 2.8  
38 percent over. That will require a season shortening.

39  
40 The same thing for Snapper Unit 2. Snapper Unit 2, a very  
41 important fishery, is allowed 146,000, roughly. They landed  
42 156,000, roughly. They were 7 percent over, and that's going to  
43 require a shortening in the season. All of these season  
44 shortenings will start on December 31, and we will count back by  
45 the number of days necessary to remove that 10,000 pounds of  
46 landings, based upon we anticipate, if we only give them 355  
47 days or 345 days -- Instead of 365 days, then they will catch  
48 right up to their annual catch limit, but they won't go over it.

1 It's all theory. That's for those two species.

2  
3 For the 2011 species, which is a far more extensive list of  
4 species, generally not as important economically, but many more  
5 of them, except, of course, the critical spiny lobster, but  
6 there were three that were over, and spiny lobster was one of  
7 them. It went 6 percent, 5.5 percent, over. They were allowed  
8 327,920 pounds. The three-year average was 345,997, and so a  
9 season shortening will be required.

10  
11 The same thing for triggerfish and filefish and for wrasses, all  
12 commercial, and so that's five groups of commercially-harvested  
13 species for which a season reduction is going to have to take  
14 place in 2016. In every case, it's going to start on December  
15 31 and we will count back by the number of days required to meet  
16 that poundage reduction, and that's going to differ from species  
17 to species, not only because of the percent overage, but also  
18 because of the rate at which they fish the different species.

19  
20 Now we're talking about recreational, and, again, the 2010  
21 species. I wanted to point this out. Snapper Unit 2, Snapper  
22 Unit is going to suffer, and I talked about this at the last  
23 meeting, is going to suffer a commercial season reduction  
24 because they exceeded their ACL, yet the recreational fishery  
25 harvested practically nothing, 7 percent -- Not 7 percent over,  
26 but 7 percent of their ACL.

27  
28 The total ACL for the group combined, commercial and  
29 recreational, was not exceeded. Commercial will close and  
30 recreational is nowhere near it. Overall, the total is a lost  
31 yield. That's something the council may want to talk about, and  
32 I'm going to talk later about how all of these things are  
33 interrelated.

34  
35 If you had electronic reporting and in-season data, you could  
36 make decisions in-season. You could shift and do a lot -- You  
37 would have a lot more flexibility to deal with these things if  
38 we had a more robust management plan in the U.S. Caribbean, and  
39 so that's a quick editorial comment. I make a lot of those.

40  
41 Now Puerto Rico recreational species, one of them was over, and  
42 that was jacks. They went 22.6 percent over their allowable  
43 catch. They are allowed 51,000 and they caught 52,500, roughly,  
44 and so they're over by 22 percent. They will suffer a season  
45 shortening in 2016 for the recreational only. Again, the  
46 commercial would still be able to fish them.

47  
48 Now St. Croix, the 2010 species, no overages, but not really

1 harvesting what they're capable of biologically. The 2011  
2 species for St. Croix, they had three overages. Angelfish was  
3 3,000 percent plus over. Squirrelfish was 380 percent over.  
4 Wrasses was almost 130 percent over what they're allowed. The  
5 annual catch limit is seven pounds and landings were nine  
6 pounds. It's two pounds over and it's 128 percent, but these  
7 were species that were not on the reporting forms, at least two  
8 of them weren't, when we established our annual catch limits.  
9 They are now on there, and so we're getting better data and it's  
10 driving them over. We will talk about that in a minute, too.

11  
12 St. Thomas is almost the identical situation. Conch is not  
13 allowed to be harvested in federal waters, and so it doesn't  
14 apply. Grouper, parrotfish, and snapper, none of them went  
15 over. Again, angelfish and squirrelfish and wrasses were all  
16 over, all of them with data reporting issues one way or the  
17 other.

18  
19 In summary, we've got these are the stock complexes with ACL  
20 overages. Puerto Rico commercial, queen conch doesn't count.  
21 Parrotfish, Snapper Unit 2, spiny lobster, triggerfish,  
22 filefish, and wrasses. Recreational is jacks. St. Thomas/St.  
23 John, queen conch doesn't count, angelfish, squirrelfish,  
24 wrasses. That's the situation. All of those those had  
25 overages.

26  
27 Determining the length of the closure necessary to ensure the  
28 ACL is not again exceeded in 2016, that's what this is all  
29 about. There is no payback. There is no penalty. It's just a  
30 matter of giving the fishers the length of season they need to  
31 achieve their ACL without exceeding it.

32  
33 To determine the length of the required AM-based closure for  
34 each species or species group, NMFS must estimate landings rates  
35 for the closure year, and, in this case, that closure year is  
36 2016. We have to estimate these rates based upon historic  
37 landings rates.

38  
39 We have previously used the most recent available year of  
40 landings, and so we would have used, in this year, only the year  
41 2014, the landing rate in 2014, to determine what the landing  
42 rate in 2016 would be and to set our season reductions.

43  
44 In those instances, temporal trends in landings establish that  
45 the most recent year best anticipates fishing conditions, and so  
46 we felt, in the past, that using the most recent year of data  
47 gave us the best indicator of what future fishing rates were  
48 going to be.



1  
2 This year, for 2016, we're not using the most recent year of  
3 data. We are using a three-year average to determine the  
4 required length of closure, and why are we doing that? We're  
5 doing that because NMFS has determined that, for these three  
6 years, no temporal trend in landings can be discerned, and so  
7 you can see that 2012, 2013, and 2014, using Snapper Unit 2,  
8 it's high, low, high, and so it's kind of going like that.  
9 There's no upward trend and there is no downward trend. There's  
10 just bouncing around. That's the case for almost every one of  
11 these.

12  
13 In the case, NMFS, the Science Center, the SSC, SERO, felt that  
14 the most appropriate approach was to average the three to  
15 determine what the fishing rate is. Not the overage, but what  
16 the fishing rate is, and so we did that. We used an average  
17 landings rate to determine what the length of the closure needed  
18 to be.

19  
20 As a result, these are what these closure dates will be. For  
21 Puerto Rico commercial triggerfish and filefish, they will close  
22 commercially on October 16 in Puerto Rico waters. For  
23 recreational jacks, the season will close on November 4. For  
24 commercial wrasses, it's November 16. For commercial Snapper  
25 Unit 2, it's November 26. For commercial spiny lobster, it's  
26 December 10. For commercial parrotfish, it's December 19. All  
27 of these were published in this Federal Register notice.

28  
29 There the Spanish and English versions of those are, and I  
30 brought a couple of copies of this if anybody wants to see them.  
31 I probably only have five copies of each, but let me know if you  
32 want a copy.

33  
34 Was this an actual increase in landings or was it just enhanced  
35 reporting? This is a critical determination to make, because,  
36 within our regulations, we state if it can be shown that it's  
37 due to enhanced reporting, we are not going to punish increased  
38 performance by applying accountability measures when it's just  
39 the fishermen doing their jobs even better than they usually do,  
40 but if it is an actual increase in landings and that actual  
41 increase in landings led to overage of the ACL, we are  
42 congressionally mandated to apply the accountability measures.

43  
44 In the U.S. Virgin Islands, why aren't we closing for angelfish,  
45 squirrelfish, and wrasses? They did exceed their established  
46 ACLs, but, following examination of the commercial reporting  
47 forms, each overage was attributed to improved data collection,  
48 but for different reasons.

1  
2 None of the angelfish, squirrelfish, or wrasse species were  
3 present on the St. Croix or St. Thomas commercial logbook  
4 reporting forms during the benchmark years for ACL calculations.  
5 Angelfish and squirrelfish species were added to both St. Croix  
6 and St. Thomas/St. John in July of 2011, and so those additions  
7 represent an improvement in our data collection.

8  
9 Wrasses have not been added, but all our data indicate, and our  
10 communications with the fishermen indicate, that wrasses have --  
11 There has been a minor improvement in data collection through  
12 more frequent write-in reporting, and so we determined that,  
13 based on that enhanced write-in reporting, the overage was,  
14 again, due to enhanced reporting and not due to an actual  
15 increase in catch, and you see, for angelfish and squirrelfish,  
16 these overages are hundreds and hundreds, if not thousands of  
17 percent, whereas, for wrasses, they are just slightly over,  
18 because we haven't seen a massive increase in reporting, but we  
19 have seen an increase in reporting. That's how we got where we  
20 are for the USVI with no AM-based closures, in spite of these  
21 exceedances.

22  
23 How about the determination for Puerto Rico? This is much more  
24 complex, and, Bonnie, step in anytime, but I will do my best.  
25 There were several possible explanations for ACL overages, and  
26 they were investigated. One was reporting-for actions, also  
27 called the correction factors or expansion factors, and I've got  
28 as asterisk there, because commercial landings in Puerto Rico  
29 are known to be underreported, and so Puerto Rico adjusts for  
30 that by applying an expansion factor.

31  
32 They go out and they survey on certain dates. They survey the  
33 landings. They compare that to what was reported for that date,  
34 and that gives them an indication of what the actual was versus  
35 what the reported was. That's where they get their expansion  
36 factor. They do that for four separate coasts, north coast,  
37 east coast, south coast, and west coast separately, but they do  
38 not do it separately for different species groups or FMUs or  
39 sectors of the fishery. Everything is just piled together along  
40 any one of those coasts. That is an important point to keep in  
41 mind as we go through this discussion.

42  
43 The second thing was the effects of mean landings due to recent  
44 edits and corrections of the Puerto Rico commercial landings  
45 dataset. That's simply a matter of the Science Center, and even  
46 Puerto Rico, going in and carefully reviewing the data and  
47 making sure it's all right and making sure there aren't  
48 duplicate reports or mistaken reports, and just making sure

1 everything is right with the data.  
2  
3 The third is the effects of those same data on the original ACL  
4 calculations. Were there mistakes in the original data we used  
5 to establish the annual catch limits?  
6  
7 First, the reporting fractions, the expansion factors. A lot of  
8 variability is inherent in this reporting fractions, but there's  
9 been a general increase since 2010 in the reporting, and so  
10 there's been a general decrease on the emphasis placed and the  
11 impact of those expansion factors.  
12  
13 The methods for calculating the year and coast, specific  
14 reporting fractions, as well as the calculation of total  
15 landings, have not changed since 2007, and so no change there.  
16 The Southeast Fisheries Science Center is not aware of any  
17 change in 2014 that would result in landings calculations that  
18 are not consistent with the methods used since 2007, and so  
19 there is nothing there that would indicate a problem with the  
20 expansion factors or how they're applied or what impact they  
21 would have.  
22  
23 Calculation of the reporting fractions and the implementation of  
24 surveys necessary to collect the data are conducted by Puerto  
25 Rico's DNER and have been conducted pretty much in the same way  
26 for many, many years, and so there's no reason to think that  
27 that has changed.  
28  
29 Effects of data editing, the second thing. During 2015, the  
30 Puerto Rico commercial landings dataset was edited to eliminate  
31 duplicate records, basically what I said, and so eliminate  
32 duplicate records and correct data-processing errors and fishing  
33 center assignments to coast. If it was a north coast landing  
34 and it was assigned to the west coast, they cleaned that up and  
35 properly associated the gear with the trip.  
36  
37 Removing duplicate records and correct assignment of fishing  
38 center to coast could result in differences in landings totals,  
39 but the Science Center found only a few duplicate records, and  
40 so it made very little difference.  
41  
42 Since reporting fractions are calculated from and are applied to  
43 specific coasts, the reassignment of records would affect this,  
44 but the recent data edits resulted in very minor changes to the  
45 mean landings, and so, really, these data edits had no  
46 significant effect on the landings or their relationship to the  
47 annual catch limits.  
48

1 Effect of data editing on the ACLs, going way back to 1999 to  
2 2005 or 1988 to 2007, the two year sequences we used to  
3 establish the ACLs in the first place, the effects of data  
4 corrections over those long periods of time were also examined  
5 by the Science Center to recalculate the ACLs that had been  
6 established using Puerto Rico commercial landings data.

7  
8 The difference between the recalculated ACL and the existing ACL  
9 were determined and the mean landings for the period of 2012 to  
10 2014 were calculated and compared with those recalculated ACLs,  
11 to see if that made any difference in these overages.

12  
13 The results of these calculations demonstrate that most of the  
14 ACL units identified by SERO as exceeding the established Puerto  
15 Rico commercial fishery ACL would also have exceeded the ACL  
16 calculated using the edited data, and so there would be minor  
17 changes, but not enough to change these outcomes.

18  
19 The degree to which ACL was exceeded differed slightly between  
20 the recalculated ACL and the existing ACL, but not enough to  
21 make a difference. However, this does again emphasize the need  
22 to get these new FMPs moving forward to get these Action 3  
23 reference points done and to get these new ACLs in place that  
24 better represent where we are and what we're trying to do. This  
25 is just one of the many reasons why I continue to be slightly  
26 impatient, and I do apologize for that, but there are important  
27 reasons why we need to get these things done. They're affecting  
28 the fishermen, they're affecting the fisheries, and they're  
29 affecting the resources.

30  
31 The Science Center conclusions were that ACLs for the U.S.  
32 Virgin Islands were exceeded, but due to improved data  
33 collection. This is the direct result of the additions and  
34 better reporting, and so that results in no application of  
35 accountability measures.

36  
37 On the other hand, ACL overages for Puerto Rico commercial do  
38 appear to be the result of increased landings. There may have  
39 been improvements in compliance with reporting requirements for  
40 Puerto Rico, but this improvement is already incorporated in  
41 these reporting fractions, and that's very important to keep in  
42 mind. That's what these expansion factors are all about. If  
43 you have higher reporting, your expansion factor will adjust to  
44 take care of that.

45  
46 If it didn't, we would have a problem, but that's the whole  
47 point of the expansion factors. I would also editorially  
48 comment that the better the fishermen report, the closer they

1 get to 100 percent reporting, the less of an influence these  
2 expansion factors are going to have, and these expansion factors  
3 can be a real problem, and I'm going to explain why that is and  
4 why I think it's causing problems with our management of these  
5 fisheries.

6  
7 The improvement, as I said, is already incorporated, because it  
8 results in a lower estimate of the number of pounds not  
9 reported. That means fewer unreported pounds are added to the  
10 reported pounds to obtain estimated reported landings.

11  
12 The Science Center also reviewed impacts resulting from edits to  
13 the data and determined those would only make minor differences.  
14 Now keep in mind that Puerto Rico recreational data are  
15 collected via the Marine Recreational Information Program, and  
16 so they're not handled in the same way, and there really is no  
17 expansion factor and no underreporting. It's the data the way  
18 it is.

19  
20 It's based upon a survey, a creel survey, and expanding those  
21 out based upon the number of estimated fishermen, and so it's a  
22 different thing with different outcomes, and so there is no  
23 change to that standardized survey program, and basically the  
24 recreational data are what they are. If they're over, it's a  
25 true overage and an accountability measure will have to be  
26 applied.

27  
28 A word on expansion factors. They are only used in Puerto Rico.  
29 They are applied by coast, as I explained, but there is no  
30 further resolution. They increase reported landings to account  
31 for unreported landings, resulting in expanded landings, and  
32 it's those expanded landings that we use to determine what the  
33 catch is relative to the annual catch limit.

34  
35 I am going to use Snapper Unit 2 as an example. The 2012 to  
36 2014 average expanded catch was 155,889 pounds. The ACL was  
37 145,000. For the sake of this example, I am going to use 0.75  
38 as an expansion factor. That's just a guess, but it will get my  
39 point across.

40  
41 That translates into -- If the expansion factor was 0.75, the  
42 actual reported landings were 116,917. Of course, we used  
43 expanded landings to set the ACL too, and so, if you used  
44 reported landings, your ACL would be lower, but that's not the  
45 point.

46  
47 Using this 0.75 expansion factor, had that expansion factor been  
48 0.81 instead of 0.75, the expanded landings would have been

1 144,000 rather than 155,000, and no ACL overage would have  
2 occurred, based on this admittedly simplistic example. The  
3 point I'm trying to get is these expansion factors and where  
4 they fall, in very minor percentages, can make a huge difference  
5 in where you are relative to that ACL and whether you have to  
6 close on whatever it was, November 20, or whether you don't  
7 close at all.

8  
9 Keeping in mind these expansion factors, the standard deviation  
10 resulting from variability among the various west coast landing  
11 locations, because on the west coast there are multiple  
12 locations, and each one gives a different result. They average  
13 those results. Any time you take an average, you can also take  
14 a standard deviation.

15  
16 That standard deviation was 0.55. This difference is 0.06. The  
17 standard deviation is 0.55, and so, for all we know, based on  
18 statistically, here is your range and here is the difference  
19 that caused it to go over relative to not going over.

20  
21 Now, the most important point, one I harp on constantly, is this  
22 is not a Puerto Rico DNER issue. They're doing what they need  
23 to do to develop expansion factors because reporting is not  
24 complete. If you want to avoid these problems, you avoid  
25 expansion factors or minimize them by reporting at the maximum  
26 possible level. Every fisherman reports everything they catch  
27 all the time, and this is yet another example of why it's  
28 essential for fishers to report their landings accurately and on  
29 time.

30  
31 If you don't, sooner or later, it's going to come back and bite  
32 you, and we're constantly dealing with this. Because we're not  
33 getting good, solid complete landings, we're having difficulty  
34 properly managing these fisheries.

35  
36 While you think it's going to cause an overage, if it's enhanced  
37 reporting, it won't, and it will actually allow us, as we go  
38 through the development of the new ACLs and data-limited models,  
39 et cetera, et cetera, it will allow us to have a better outcome  
40 that will actually serve these fisheries and the resource much  
41 better than when we only have partial landings.

42  
43 We also had overfishing exceedances, and that happened for three  
44 groups. Puerto Rico spiny lobster was over their OFL by 3  
45 percent, triggerfish and filefish by 8 percent, and wrasses by 5  
46 percent. Now, in and of itself, this is a concern for NOAA/NMFS  
47 Headquarters, because we're not supposed to be exceeding. We're  
48 not supposed to be overfishing these resources, but we are

1 overfishing these three resources.

2  
3 If it just happened one time, okay, we apply the accountability  
4 measures and we get the landings down and we're under the OFL  
5 and we're under the ACL. That's why the ACL is below the OFL,  
6 so that, when you do have an overage, you can account for it  
7 without hitting that OFL.

8  
9 We have hit three of these. If we continue to hit them, then  
10 new management measures are going to have to be put into place,  
11 which would require a greater buffer, a lower ACL, and a larger  
12 assurance to Congress that we're not going to continue to  
13 overfish these resources, and so this is a minor worry now, but  
14 it's going to turn into a major worry if we don't get these  
15 landings under control. That's it. Thank you.

16  
17 **MIGUEL ROLON:** Bill, if 2015 is equal or worse than 2014, we  
18 will have two strikes against the overfishing thing, the last  
19 slide that you had there, and so just can you repeat what will  
20 happen if we do that? Then we will be in deep water with those  
21 three species?

22  
23 **BILL ARNOLD:** Iris, do you want to take this one?

24  
25 **IRIS LOWERY:** Under the MSA, if a species is designated as  
26 undergoing overfishing, there is a requirement for the council  
27 to prevent overfishing under National Standard 1, and so the  
28 council can't authorize continued overfishing, and so there will  
29 be some sort of action required.

30  
31 **MIGUEL ROLON:** Can you give us examples, Bill, of some of the  
32 actions that can be taken? For example, is it a payback or  
33 longer closures or what have you?

34  
35 **BILL ARNOLD:** There could be a variety of methods applied to  
36 reduce the total catch. One of them would be a larger buffer  
37 between the OFL and the ACL. You've got 10 percent for spiny  
38 lobster. We may have to increase that to 20 percent. Instead  
39 of having a hundred-and-whatever-it-was, and I should know it,  
40 but I don't. It's late in the day.

41  
42 But the ACL for spiny lobster, it would drop by another 10  
43 percent or another 20 percent or whatever was required to ensure  
44 that that OFL is not again exceeded. We could do a seasonal  
45 closure or we could do trip limits or we could do a lot of  
46 things to -- We could have larger escape gaps on the traps. I  
47 mean there is a host of possible solutions, but one or more of  
48 them would have to be applied to provide some assurance that

1 we're not going to continue to overfish the resource.

2  
3 **MIGUEL ROLON:** I have one curious stupid question, but,  
4 regarding the queen conch, we have zero landings, quote,  
5 unquote, from the EEZ, yet in one of the tables, queen conch is  
6 more than all the other species combined, and so how can we have  
7 a sustainable landings of queen conch in Puerto Rico of a  
8 fishery that is really in bad shape?

9  
10 We have been discussing this, and Richard is here, but we were  
11 discussing densities in other countries. In the Virgin Islands,  
12 a density of seventy-one per hectare was okay. In the Honduras,  
13 it has to be a hundred or more, depending on who you talk to,  
14 and so, I don't know, maybe we need to -- We could address the  
15 queen conch somehow, make sure that we are happy with that  
16 closure surrounding Puerto Rico, although we have to revisit and  
17 open a little bit that window. Not for this time, but just to  
18 keep it in the back of our minds.

19  
20 **BILL ARNOLD:** Miguel, our jurisdiction is federal waters, and we  
21 have closed federal waters. We prohibit queen conch harvest in  
22 federal waters.

23  
24 **MIGUEL ROLON:** I know that, and the rationale I remember was  
25 because the Center couldn't find Puerto Rico -- They were not in  
26 agreement to comply with bringing the animal intact with the  
27 shell to shore, and I remember, in the papers that we had, they  
28 decided to close it, because the uncertainty was so great that  
29 the scientists could tell one way or the other, and it was  
30 unenforceable to have that.

31  
32 **BILL ARNOLD:** They're not bringing queen conch to shore in the  
33 shell.

34  
35 **MIGUEL ROLON:** That's the point, and, for the requirement of the  
36 size limit that we were talking at that time, they were required  
37 to do so. It's just curious how we all of that queen conch in  
38 Puerto Rico only, which, by the way, I don't believe that. I  
39 believe that they are fishing outside once in a while.

40  
41 **CARLOS FARCHETTE:** I have the Commissioner and then Blanchard  
42 and Graciela.

43  
44 **DAWN HENRY:** My question was actually answered when the slide  
45 was wrapped up.

46  
47 **CARLOS FARCHETTE:** Okay. Hanke and then Blanchard.

48



1 **MARCOS HANKE:** Bill, can you go back to the recreational data,  
2 there is 7 percent of the queen conch? It just jumped to my  
3 attention that you have, from March to December, no landings on  
4 one of the most desired species for eating along Puerto Rico,  
5 which is pretty much the same as what happened on the same month  
6 for the endangered species that are listed on the top.

7  
8 In terms of a statistical analysis, it doesn't jump to your mind  
9 that it's something wrong in there? That's not the reality of  
10 the fishermen, because I know that there is people that go after  
11 trolling all day and catch a few of those fish to eat, and  
12 that's a question.

13  
14 The reason I am bringing this up is because I probably would be  
15 willing to support some transfer to the commercial fishermen not  
16 to close the fishery, but, at the same time, it has to be based  
17 on something more realistic than what I am seeing there.

18  
19 **CARLOS FARCHETTE:** Bill.

20  
21 **BILL ARNOLD:** The DNER folks would be much more knowledgeable of  
22 this than I, but remember these are 2012 to 2014 landings.  
23 During that time, my understanding is there were a lot of pseudo  
24 recreational guys that got a beginner's commercial license and  
25 they were reporting their landings as commercial landings.

26  
27 When a creel survey or when somebody sitting at the dock  
28 interviewing fishermen coming back from their trips, these guys  
29 aren't being interviewed, because they're not -- They're saying  
30 they're not recreational fishers and they're commercial fishers,  
31 and so you get -- I mean this is my concern. These people are  
32 driving the dedicated commercial fishermen out of business,  
33 because they're out there recreational fishing and reporting as  
34 commercial and they're killing these guys.

35  
36 That, I think, may have been dealt with. If it hasn't, it  
37 definitely needs to be dealt with, because this is the kind of  
38 problem that -- You've got this cohort of professional Snapper  
39 Unit 2 fishermen who are actually, from everything I understand  
40 about them, and I have worked with them quite a bit, they are  
41 very responsible. They are landing at certain rates to meet  
42 certain markets, and if they were unmolested and went along with  
43 their fishing, they would probably be pretty much under,  
44 consistently under, their ACL.

45  
46 Then you get this burst of switchover and you take 32,000 pounds  
47 of annual catch limit and you take it out of the correct fishery  
48 and dump it into the commercial fishery, now you're going over

1 your annual catch limit, even though nothing has really changed  
2 except what they call themselves, and that is, I believe,  
3 Marcos, and I'm not positive, but I believe that's where that  
4 come from. Are those zeroes real? They are real as far as what  
5 the license is that the fisher holds.'

6  
7 **MARCOS HANKE:** Yes, and I know that that event was true. It  
8 also was true that the MRIP -- When they come to the dock and so  
9 on, we had many months during that time that we had the  
10 contractor, changing contractors and so on, that we didn't have,  
11 for whatever reason, and I don't want to get into the specifics,  
12 that they didn't show to the dock to interview us and to check  
13 what we caught and so on, which it shows zero, because maybe  
14 nobody collected the data.

15  
16 I can tell you for sure that it doesn't matter how many of them  
17 have the commercial license. There is a big chunk of  
18 recreational fishermen that catch some of those fish to eat, for  
19 the same description I gave, and that doesn't show in numbers  
20 right there.

21  
22 **CARLOS FARCHETTE:** Bill.

23  
24 **BILL ARNOLD:** If you redid your reference points -- What we did  
25 was we calculated what the percent of the total catch was  
26 between the recreational and the commercial fishing groups and  
27 we assigned the total allowable catch to those groups based on  
28 those percentages. If we came back and redid that, using  
29 numbers like this, the recreational side would get about 2  
30 percent of the total instead of the -- What did they get? They  
31 must have gotten like 10 percent or something like that.

32  
33 I don't remember exactly what the percentages were, but, based  
34 upon these data, their percentages would go down. If this kept  
35 up, their percentages would go down to zero and they wouldn't be  
36 allowed to participate in the fishery. That's another example  
37 of false reporting or screwy reporting coming back to bite you.  
38 You actually don't serve yourself. You punish yourself.

39  
40 **MARCOS HANKE:** In this case, it's a program that, because we are  
41 not required to report, it's a program that goes and looks for  
42 the reporting. It's not necessarily the fault of the commercial  
43 fishermen, because they are not required to report and to  
44 comply. It's the system that created this problem, the way you  
45 collect the data.

46  
47 **BILL ARNOLD:** Marcos, if that's the truth, and I'm not arguing  
48 with you, but if the system -- This is the system, sitting

1 around the table right here. If this system created the  
2 problem, then this system needs to get this problem fixed,  
3 because it's costing people money, and that's, again, why I keep  
4 pushing so hard that we've got to move -- I don't want to move  
5 these things forward so fast that we make mistakes.

6  
7 On the other hand, we don't really have the luxury of time with  
8 this stuff, because it's causing people problems. We need to  
9 achieve that balance between going too fast and getting this  
10 done.

11  
12 **MARCOS HANKE:** I want just to state, for the snapper fishermen  
13 from the west that are here present, is I started saying that I  
14 probably agree on making that transfer and so on, but not in a  
15 way that we're going to close the fishery and have some access  
16 to that fishery to us that have a logical number behind it. I  
17 want to make clear that part.

18  
19 **BILL ARNOLD:** Recreational guys should report as recreational  
20 guys and commercial guys should report as commercial guys.

21  
22 **CARLOS FARCHETTE:** Tony Blanchard and then the Commissioner.

23  
24 **TONY BLANCHARD:** I've got a question for you, Bill. What was  
25 the expansion factor percentage that was used to calculate these  
26 numbers?

27  
28 **BILL ARNOLD:** I do not know, off the top of my head, Tony. I  
29 don't really see them. That's something that's done by Puerto  
30 Rico DNER and then they provide the Science Center with the,  
31 quote, unquote, expanded landings, and we get our landings from  
32 the Science Center, and so I'm two steps away from that process.  
33 Generally, these expansion factors are coming in at like 0.7.  
34 If it's 0.7 and you take the reported landings and you divide  
35 that by 0.7, that drives it up.

36  
37 This is another important thing to keep in mind. If you've got  
38 an expansion factor of 0.5, because, overall, on average, 50  
39 percent of the west coast fishermen are reporting, but, in the  
40 Snapper Unit 2 fishery, 70 percent are reporting, and, in the  
41 yellowtail snapper nighttime fishery, only 30 percent are  
42 reporting, then what happens is you take a 70 percent reporting  
43 fishery with higher landings that should only be divided by 0.7,  
44 but, instead, you're dividing them by 0.5, and you're driving  
45 that number much higher than it should be.

46  
47 Meanwhile, your yellowtail snapper should be being divided by  
48 0.3, which would put the numbers way up. Instead, they're being

1 divided by 0.5, and they're getting a benefit. They have no  
2 hope of exceeding their ACL, because the expansion factor is not  
3 specific to their fishery. Solving this problem would be  
4 expensive and complicated, unless it can be solved by simply  
5 reporting.

6  
7 Another thing that we'll talk about tomorrow is that's why I am  
8 discussing permitting these fishers. If you took your Snapper  
9 Unit 2 fishermen and you created a permit for them, so you knew  
10 exactly what the universe was, and they're all reporting, you  
11 could develop a Snapper Unit 2 permit-based expansion factor  
12 that is specific to them, and it would reflect what's going on  
13 in the Snapper Unit 2 fishery, instead of reflecting what's  
14 going on in all of the fisheries combined, on average.

15  
16 Combining on average is going to benefit some. There is going  
17 to be winners and there is going to be losers, and, in this  
18 case, I am pretty sure, because I think, Nelson, you guys report  
19 at a higher rate than most, you're going to be a loser, and  
20 you're getting -- You're losing because you're doing a better  
21 job, and that is exactly the opposite of what we want. It  
22 couldn't be a worse outcome.

23  
24 **CARLOS FARCHETTE:** Blanchard.

25  
26 **TONY BLANCHARD:** That's precisely the point I'm trying to make  
27 here. If you use an expansion of 0.75, compared to an expansion  
28 factor of a 0.55, you are having a drastic increase, which could  
29 drive that over the limit, just like you said. That's exactly  
30 what I'm looking at. It all depends on what expansion factor  
31 you use, and a lot of it's based on speculation. That's what it  
32 is. That's the dangerous part about that.

33  
34 **BILL ARNOLD:** Ultimately, Tony, it's based on a failure to  
35 report. If everybody reported all their landings, we wouldn't  
36 need expansion factors.

37  
38 **CARLOS FARCHETTE:** Commissioner.

39  
40 **DAWN HENRY:** During the presentation, it was acknowledged that  
41 the VI, that we weren't going to be penalized for us being over  
42 our catch limits. My question is for what period does that  
43 cover?

44  
45 **BILL ARNOLD:** I'm sorry, Commissioner, but I missed the first  
46 part of the statement.

47  
48 **DAWN HENRY:** During the presentation, you made it clear that the

1 VI -- That we would not be penalized for our exceedances of the  
2 catch limits, and my question is -- I am just trying to  
3 understand better what that period covers.  
4

5 **BILL ARNOLD:** It's a matter of the species or species group and  
6 the period, because this wouldn't be the case for all of the  
7 fisheries in the USVI. If grouper had exceeded their ACL, an  
8 accountability measure would have been applied, because they are  
9 included in the reporting form, and we've been through that, and  
10 the same with lobster. It's just those three groups of  
11 angelfish, squirrelfish, and wrasses have been added, and so  
12 there's been an enhancement in the reporting, and we're not  
13 going to penalize them for that.  
14

15 The period that it applies to -- This is going to continue.  
16 This overage because of enhanced reporting is going to continue  
17 until we get new reference points in place that account for the  
18 new data that comes in, because we're getting better reporting,  
19 and so this is ongoing.  
20

21 **DAWN HENRY:** That was my question. Are we looking at until we  
22 could set that the VI will not be penalized for those three  
23 categories that you just mentioned, and what were the categories  
24 that you mentioned?  
25

26 **BILL ARNOLD:** They are angelfish, squirrelfish, and wrasses.  
27 No, it's not a matter of being penalized, but it's a matter of  
28 maintaining catch within the ACL, because we don't really have a  
29 clear idea of the ACL relative to what's being reported now.  
30

31 It's really those three groups that this is specific to, but,  
32 for those three groups, we have had this problem every year, and  
33 we're going to continue to have it, because they are reporting  
34 them better and it's driving them over their ACLs, but it's an  
35 artificial exceedance. It's not necessarily a real exceedance,  
36 although I would say that we don't really know if it is real or  
37 not, because we don't know where we should be with those ACLs  
38 now. We could establish new ACLs with new numbers. Obviously  
39 they would be much higher, but the catch is much higher, too.  
40

41 **DAWN HENRY:** Just to confirm, let's say the next reporting  
42 period, when we take the averages, we see the similar numbers  
43 again for these three groups. Would the conclusion be the same?  
44

45 **BILL ARNOLD:** I can't speak for the Science Center and the SSC  
46 that make this determination, and Bonnie can slap me down if she  
47 wants, but my indication would be likely.  
48

1 **CARLOS FARCHETTE:** Bonnie.

2  
3 **BONNIE PONWITH:** Thank you, Commissioner, and that's an  
4 excellent question. The ACLs that were set in the aftermath of  
5 the reauthorization, they required an ACL be set for every  
6 managed species. For some of those species, we did not have a  
7 successful stock assessment, and so the question is then how do  
8 you set what a reasonable ACL is, and our agreement in this  
9 process was to take a catch history and use that catch history  
10 to base the ACL on.

11  
12 For those three species, there was no catch history, because  
13 they weren't on the form, and so that created a jam. Our  
14 commitment, at this table, was you will not be penalized for  
15 reporting the truth. Report the truth for those new species  
16 that haven't been on the form and we'll use that information to  
17 set an ACL when we have enough information to do that.

18  
19 What you're seeing now is us honoring that commitment. Before,  
20 the landings used to be zero. We know they weren't zero, but  
21 it's because they weren't on the form. They are on the form  
22 now. We're seeing numbers that are above zero. We say this is  
23 expected. We have asked the fishermen to report and they're  
24 honoring their commitment to report honestly.

25  
26 We will use those numbers to determine what removals can be done  
27 on a long-term, consistent basis and still maintain a healthy  
28 stock going into the future. The process that we use to do that  
29 may be different than using long-term average landings. We may  
30 be able to collect enough information to use some of the data-  
31 poor techniques that we used in this last round, but, again,  
32 what I see here is a good news story. We asked the fishermen to  
33 report honestly and they did. We committed to not penalizing  
34 them for reporting honestly, and we will use these trends in  
35 this information to set a meaningful ACL going forward.

36  
37 **DAWN HENRY:** Thank you.

38  
39 **CARLOS FARCHETTE:** Okay. I need to -- I am late for the  
40 Administrative Meeting and I have the Public Comment Period.

41  
42 **MIGUEL ROLON:** I suggest, Mr. Chairman, that we change the  
43 Permits for first thing in the morning tomorrow. Also, this  
44 discussion will be rehashed tomorrow when we hear the  
45 presentation from Carlos Velazquez and what the fishers are  
46 proposing.

47  
48 Please think about the things that we mentioned today, the queen

1 conch fishery and the factors that we were discussing here,  
2 because one possibility is to eliminate those expansion factors  
3 and see what the scientists tell us of can we do it or can we  
4 not do it. Those are the issues that can be discussed tomorrow  
5 when Carlos gives his presentation.  
6

7 **CARLOS FARCHETTE:** I also want to rehash this tomorrow, because  
8 this seven pounds of wrasse for St. Croix is completely wrong.  
9 I see more wrasse in the fish market, and so I go there quite  
10 often, and so I think it's a misidentification. The fishermen  
11 are not identifying them as wrasse, because a lot of them look  
12 like parrotfish, and they're just probably lumping them with  
13 parrotfish.  
14

15 Angelfish is another issue for St. Thomas. I know you're  
16 catching more parrotfish than the few hundred pounds that are  
17 showing as ACL, and so that also has to be looked at. Maybe  
18 port sampling might be able to resolve some of these issues.  
19 That way, they can get an accurate species identification and an  
20 accurate count of what's really coming in, but I need to open  
21 the floor for a five-minute comment period. Mr. Daley.  
22

#### 23 **PUBLIC COMMENT PERIOD**

24  
25 **TOM DALEY:** Good evening. I'm Tom Daley, and I'm sure most of  
26 you know me. I need the support of some of the other fishermen.  
27 In support for Puerto Rico, there's a word that I've heard at  
28 many of the other meetings that I don't hear in this one and  
29 that is "spike".  
30

31 There are times that we do have spikes in our fishery, and it's  
32 evident that I see about two species on the Puerto Rico list  
33 that definitely I know for sure have a spike lately. We saw the  
34 other day the Sahara Grass or something like that that we call  
35 it that invaded our beaches and all of that. That grass comes  
36 through burdened with sea eggs and all of that, and so it's not  
37 all bad.  
38

39 What has happened is that filefish, that is now showing up on  
40 our CCR, and it's a definite spike. Puerto Rico has a bigger  
41 area and St. Croix has a smaller sea. From one end of the bank  
42 to the other Friday, I went out, and it was all of that, in  
43 every trap that I pulled, and I'm sure the other fishermen from  
44 St. Thomas will tell you that.  
45

46 There's another species that also sees a big improvement. We  
47 don't eat it, or I don't sell it. People eat it, but I don't  
48 sell it, is the blue runners. Those are two definite species.

1 I am saying Puerto Rico is a bigger place and what happens if  
2 these other species also have a spike?

3  
4 What we will be doing is you have the abundance of the species.  
5 Then you are stopping people from fishing with it. Right now,  
6 if you stop fishing for the filefish here on St. Croix, you will  
7 be doing an injustice, because the amount of them that is out  
8 there, to go and stop that fishing, by the time that you go back  
9 and say that it's all right to fish, there will be nothing else  
10 there but them, and so you have to balance it out.

11  
12 I am saying here to rethink what you are doing with the Puerto  
13 Rico situation and first of all find out if there is that spike.  
14 It was the promise that it would be recognized, and I know that  
15 it's here now, and I could prove it.

16  
17 **CARLOS FARCHETTE:** Thank you, Daley. Anybody else for public  
18 comment? I have Yasmin.

19  
20 **YASMIN VELEZ:** Thank you, Mr. Chairman. My name is Yasmin  
21 Velez, and I represent the Pew Charitable Trusts. We appreciate  
22 the opportunity to provide input on the development of the  
23 IBFMPs.

24  
25 Given today's robust discussion of the draft goals and  
26 objectives, I thought it might be useful to provide some context  
27 for the recommendations that were provided. As the document  
28 that we put forward states explicitly, what we suggested were  
29 merely examples of possible goals and objectives and were  
30 intended to be a jumping-off point for council discussion and  
31 consideration.

32  
33 We reviewed several FMPs from other councils in the U.S. and  
34 identified language that could be applicable to the Caribbean.  
35 We also reviewed the MSA, to make sure that the draft presented  
36 to the council complied with legal requirements. Based on that  
37 information, we provided the draft four goals and ten  
38 objectives, and the intention was just to illustrate the  
39 diversity of goals and objectives that could be developed by the  
40 council, similar to how we and others have historically provided  
41 input and recommendations to the council.

42  
43 When we shared this with the council members and others, the IPT  
44 recommendations were not yet developed, or not publicly  
45 available. Since we have received and reviewed the copy of  
46 sample goals and objectives developed by the IPT, we concluded  
47 that they are both good and fairly similar to the examples we  
48 submitted, and both documents are serving the purpose for which



1 they were created, which is to start up the discussion among  
2 council members about what it is that you guys want to achieve  
3 in managing the fisheries of the U.S. Caribbean.

4  
5 When you carefully review them, you can see that the council  
6 already has regulations in place that respond to many of these  
7 objectives, and this is something that I really want to stress.  
8 I discussed this with several of you, which is the fact that you  
9 are already doing a lot of the stuff that is put together in the  
10 draft goals and objectives the IPT put together, as well as the  
11 one that we presented.

12  
13 Having said that, as always, we just look forward to continuing  
14 to contribute to this process, and, again, thank you for the  
15 opportunity, and I am here to clarify any questions or just  
16 talk. Thank you.

17  
18 **CARLOS FARCHETTE:** Thank you, Yasmin. Any other public comment?  
19 Hearing none, we're running a little late, and so we're going to  
20 do Administrative Matters. We're going to do Budget Update for  
21 FY2016. Miguel.

22  
23 **ADMINISTRATIVE MATTERS**

24  
25 **MIGUEL ROLON:** Regarding the budget, it's not -- We have not  
26 received any action, but just to let you know that the budget  
27 for FY2016 will have a 2.9 percent increase rather than a 10  
28 percent increase. However, when discussing this with the  
29 National Marine Fisheries Service, it is expected that no more  
30 money will come into 2016 for the councils, except for maybe if  
31 we have a congressional action that will merit some  
32 redistribution of the monies. Then we will receive something  
33 else, but we are okay with the budget that we have now.

34  
35 It is enough to finish our year, and we don't see any problems  
36 so far, except that one activity with the WECAFC region and the  
37 other councils will have to be postponed to 2017, because our  
38 share costs some money, and so we won't have that.

39  
40 Under other administrative business, tomorrow morning, we are  
41 going to honor one of the fishers of the U.S. Virgin Islands.  
42 Actually, we have two, but one of them is missing at this  
43 meeting, but the Fisher of the Year Award. That was a  
44 recommendation made by the Outreach and Education Program some  
45 time ago, and the group adopted the recommendation from Lia  
46 Hebert, and we will have a yearly award recognizing those  
47 fishers who are always in compliance with the regulations and  
48 always in compliance with what they are required by the local

1 and federal government and always trying to do their best to  
2 participate in the management of the marine resources of the  
3 U.S. Virgin Islands and Puerto Rico.

4  
5 At the next meeting in San Juan, we will honor one of the  
6 fishers from Puerto Rico, similar to what we are doing tomorrow.  
7 Tomorrow, Mr. Chairman, we will do that. That's about it. Then  
8 we need to have a closed session now to discuss the membership  
9 of the O&E AP and the SSC.

10  
11 **CARLOS FARCHETTE:** Okay. This will be a closed session, and so  
12 everybody except council members, please leave.

13  
14 (Whereupon, the meeting recessed on June 28, 2016.)

15  
16 - - -

17  
18 June 29, 2016

19  
20 WEDNESDAY MORNING SESSION

21  
22 - - -

23  
24 The Caribbean Fishery Management Council reconvened at the  
25 Buccaneer Hotel, St. Croix, USVI, Wednesday morning, June 29,  
26 2016, and was called to order at 9:00 o'clock a.m. by Chairman  
27 Carlos Farchette.

28  
29 **CARLOS FARCHETTE:** Good morning. We are going to get started  
30 here. We are going to start with a roll call, starting on my  
31 left with Vivian.

32  
33 **VIVIAN RUIZ:** Vivian Ruiz, council staff.

34  
35 **GRACIELA GARCIA-MOLINER:** Graciela Garcia-Moliner, council  
36 staff.

37  
38 **BILL ARNOLD:** Bill Arnold, NOAA Fisheries.

39  
40 **TONY BLANCHARD:** Tony Blanchard, councilman.

41  
42 **CARLOS VELAZQUEZ:** Carlos Velazquez, council member, commercial  
43 sector.

44  
45 **MIGUEL GARCIA:** Miguel Garcia, council member, Puerto Rico DNR.

46  
47 **RUTH GOMEZ:** Ruth Gomez, DPNR, St. Thomas.

48

1 **MARCOS HANKE:** Marcos Hanke, Vice Chair.  
2  
3 **CARLOS FARCHETTE:** Carlos Farchette, Council Chair.  
4  
5 **MIGUEL ROLON:** Miguel Rolon, council staff.  
6  
7 **ROY CRABTREE:** Roy Crabtree, NOAA Fisheries.  
8  
9 **IRIS LOWERY:** Iris Lowery, NOAA General Counsel, Southeast  
10 Section.  
11  
12 **BONNIE PONWITH:** Bonnie Ponwith, NOAA Fisheries.  
13  
14 **JOSH MCELHANEY:** Josh McElhaney, U.S. Coast Guard Sector San  
15 Juan Enforcement.  
16  
17 **KATE QUIGLEY:** Kate Quigley, council staff.  
18  
19 **JULIAN MAGRAS:** Julian Magras, DAP Chair, St. Thomas/St. John.  
20  
21 **NELSON CRESPO:** Nelson Crespo, Puerto Rico DAP Chair.  
22  
23 **RICHARD APPELDOORN:** Rich Appeldoorn, SSC Chair.  
24  
25 **JACK MCGOVERN:** Jack McGovern, NOAA Fisheries.  
26  
27 **DIANA MARTINO:** Diana Martino, council staff.  
28  
29 **YASMIN VELEZ:** Yasmin Velez, Pew Charitable Trusts.  
30  
31 **HOLLY BINNS:** Holly Binns, Pew Charitable Trusts.  
32  
33 **TONY IAROCCI:** Tony Iarocci, commercial fisherman.  
34  
35 **KEN STUMP:** Ken Stump, Ocean Foundation.  
36  
37 **DAVE GUBSER:** Dave Gubser, commercial fisher.  
38  
39 **JUAN CRUZ:** Juan Cruz, DPNR, St. Croix.  
40  
41 **TODD GEDAMKE:** Todd Gedamke, MER Consultants.  
42  
43 **HOWARD FORBES:** Howard Forbes, DPNR Enforcement.  
44  
45 **LOREN REMSBERG:** Loren Remsberg, NOAA Office of General Counsel.  
46  
47 **JEFF RADONSKI:** Jeff Radonski, NOAA Enforcement.  
48

1 **RICARDO LOPEZ:** Ricardo Lopez, Puerto Rico DNR.

2  
3 **HELENA ANTOUN:** Helena Antoun, contractor.

4  
5 **CARLOS FARCHETTE:** Okay. Thank you. Before we get started,  
6 there are two local fishermen that are going to receive a  
7 Fisherman of the Year Award, but one is not here, and so we're  
8 going to send it to St. Thomas with one of the guys from St.  
9 Thomas, Julian. This afternoon, after lunch, the guy for St.  
10 Croix should be here, and we will give his award for Fisherman  
11 of the Year. We are awarding those guys Fisherman of the Year  
12 because of their methods of sustainable fishing and also their  
13 compliance to the submittal of CCRs on a timely basis.

14  
15 Continuing on from yesterday, and I should put this on the  
16 record, that we're in continuation of the 156<sup>th</sup> Regular Council  
17 Meeting, held at the Buccaneer Hotel, St. Croix, June 29, 2016.  
18 Continuing on from yesterday, we have still left over Developing  
19 Permits for Fishing Activities in Federal Waters. That's what  
20 we're going to start with.

21  
22 **DISCUSSION OF ISLAND-BASED FMP TIMELINE**

23  
24 **BILL ARNOLD:** Carlos, before we get started on this, I would  
25 like to make a suggestion regarding our island-based fishery  
26 management plan development. When I go somewhere, I can either  
27 drive or ride. When I ride, I can look out the window and enjoy  
28 the scenery, but I never know quite how I got from start to  
29 finish. When I drive, I have to know how I got from start to  
30 finish, because I am driving the car.

31  
32 In that spirit, I would like to ask the council staff and  
33 council members to put their heads together and develop a road  
34 map for how we get from here to submitting the FMPs for  
35 secretarial approval. This road map would include everything.  
36 It would include DAP meetings and SSC meetings. It would  
37 include what's going to be accomplished at those DAP meetings  
38 and what's going to be accomplished at those SSC meetings and  
39 what's going to be accomplished at each council meeting to keep  
40 this thing moving forward and hit that deadline.

41  
42 It would have to include what the homework is for everybody  
43 involved, to make sure that, when you come into the next  
44 meeting, all the issues are at the forefront of your mind and  
45 ready to be dealt with, so that we can achieve our goals with  
46 island-based fishery management plan development, because I've  
47 come up with about six different timelines so far, and every one  
48 of them has just been a complete wreck.

1  
2 I take responsibility for that, but what I'm trying to do is,  
3 rather than focus on the past, focus on the future and suggest  
4 that we try something a little bit different, so that we can get  
5 where we want to be with these island-based fishery management  
6 plans. Again, I go back to the car analogy. I think if the  
7 people involved were driving the car a little bit more, then we  
8 would have a more rigorous, step-wise process to get where we  
9 want to be, and so that's just a suggestion.

10  
11 **CARLOS FARCHETTE:** Miguel.

12  
13 **MIGUEL ROLON:** We will take Google maps rather than Apple maps,  
14 so we go where we are supposed to go. That's an excellent  
15 suggestion. I suggest, Mr. Chairman, that the staff, Bill and I  
16 and Graciela, will put together some outline and then submit it  
17 to you and all the council members to follow that. I believe  
18 that, for the next meeting -- Between here and the next meeting,  
19 that road map should be put together, and I don't think that you  
20 need any approval except for the Chairman, and so the Chairman  
21 can bless it and then see if we can follow that. I agree with  
22 you that that outline will give us some idea of where we're  
23 going and where we're going to be at each stage of the game.

24  
25 **CARLOS FARCHETTE:** Bill.

26  
27 **BILL ARNOLD:** I do think a critical component of this is to  
28 actually have the council members involved in developing this  
29 road map, so that they are committed to each step of the process  
30 and, most importantly of all, so that this road map fits with  
31 their extremely busy schedules, because the seven council  
32 members are probably the most busy folks in the room, and so  
33 it's difficult for me or for other staff to really anticipate  
34 what their many obligations are, and so I think it's absolutely  
35 essential that, rather than me developing another -- This isn't  
36 a timeline.

37  
38 This is a road map. This is a detailed, stepwise process to get  
39 us where we want to be. At least that's what I would hope for.  
40 I really think that council member involvement, direct  
41 involvement, in this would be essential to making it meaningful.

42  
43 **MIGUEL ROLON:** Let's try this. We will prepare a draft. For  
44 the next meeting, you will look at it and see how it goes,  
45 because we already have set the dates of the meeting every  
46 December, and then it will be a matter of being able to tell  
47 everybody where we're going to be with that road map, and also  
48 we will try to include -- In that road map, maybe we will need

1 to have some workshops with the fishers, anything that we need  
2 that the members would like to see in that road map, so we can  
3 continue driving your car.

4

5 **CARLOS FARCHETTE:** Bill.

6

7 **BILL ARNOLD:** I am wondering, would the council be willing to  
8 pass a motion to that effect, to make this an absolute  
9 commitment? Maybe that's not necessary, but it's always nice to  
10 get things in writing.

11

12 **CARLOS FARCHETTE:** We will do it now. We will go up on the  
13 screen for a motion. If we could get some wording, and then one  
14 of the council members can say "so moved", unless they want to  
15 develop their own wording.

16

17 **MIGUEL ROLON:** The motion will be to prepare a road map, with  
18 the participation of council staff, National Marine Fisheries  
19 Service staff, and council members, detailing the number of  
20 meetings of each one of the advisory groups and committees, with  
21 the goal of developing the island-based FMPs to be considered  
22 for final action as a draft, to be considered in its final form  
23 at the December 2017 CFMC meeting.

24

25 Now you can shoot at the language, if you prefer something else,  
26 or modify it as you wish, but the essence of the motion is to  
27 prepare the road map, as explained by Bill, so we will have --  
28 At each stage of the game, we will know where we are. If we  
29 need to modify it, which I'm sure we're going to modify it  
30 somehow, but it should be minor modifications. We will head  
31 straight to the December 2017 deadline for at least having a  
32 draft that we can take to public hearings.

33

34 **CARLOS FARCHETTE:** Bill.

35

36 **BILL ARNOLD:** Just a few comments. We intend to be well ahead  
37 of the game on taking a draft to public hearings. We want to  
38 submit it for secretarial approval no later than December of  
39 2017.

40

41 **MIGUEL ROLON:** I don't think that's going to happen.

42

43 **BILL ARNOLD:** Not 2016, 2017. That's a year from this December.

44

45 **MIGUEL ROLON:** You are more optimistic than me, and so let's  
46 shoot for 2017 and then --

47

48 **BILL ARNOLD:** So a public hearing draft for December of 2017?

1  
2 **MIGUEL ROLON:** What's that, Bill?  
3  
4 **BILL ARNOLD:** Do you want to shoot for a public hearing draft by  
5 December of 2017?  
6  
7 **MIGUEL ROLON:** Yes.  
8  
9 **BILL ARNOLD:** Okay. So I would say motion for the council  
10 members to prepare or to lead the preparation, something like  
11 that, because the leadership of this needs to be the council  
12 members.  
13  
14 **MIGUEL ROLON:** The leader for the whole thing is the council,  
15 but the council doesn't do anything. It's the staff who does  
16 all the work, and so they have to be able to participate from  
17 the get-go, to make all the decisions that we need to make, but  
18 if we need to add anything more to the language, please do so,  
19 so we can make it more specific. I believe what you just said  
20 about the final form -- To be considered in its final form for  
21 submission to public hearings at the December 2017 --  
22  
23 **BILL ARNOLD:** That's a pretty luxurious timeline, but it's up to  
24 you guys.  
25  
26 **MIGUEL ROLON:** What do you mean by that?  
27  
28 **BILL ARNOLD:** I mean I thought we were shooting for getting the  
29 ABC control rule by August and getting pretty good guidance for  
30 a public hearing draft in December of 2016 and going out to  
31 public hearings sometime either between December and spring of  
32 2017, or between spring and summer of 2017, and then coming back  
33 with those public hearing comments and revising, as appropriate,  
34 and then developing a final draft for submission.  
35  
36 **MIGUEL ROLON:** I agree. Personally, I believe that we won't do  
37 anything until 2018 with this darned thing, because there is a  
38 lot of things that we need to go with, but at least if we try to  
39 shoot for it, and we may at least, but we will have a good  
40 excuse for why we missed it.  
41  
42 **BILL ARNOLD:** The other thing I would like to see is, instead of  
43 detailing the number of meetings, detailing the content and  
44 goals of those meetings.  
45  
46 **MIGUEL ROLON:** Okay. The content and goals of those meetings.  
47  
48 **BILL ARNOLD:** Also, Miguel, you might want to include the actual

1 council meetings in there. We should know what the DAP is going  
2 to do and what the SSC is going to do and what the council is  
3 going to do.

4

5 **MIGUEL ROLON:** Is everybody clear with the language and the  
6 essence of what we're going to do? Do we need to add something  
7 more?

8

9 **CARLOS FARCHETTE:** Iris.

10

11 **IRIS LOWERY:** Just, as the language is currently written, it  
12 says to prepare the road map with the participation of council  
13 staff, SERO staff, and council members. Just to be clear,  
14 because I feel like there is some potentially some concern in  
15 this discussion about having off-the-record meetings of the  
16 council, which we don't want to do, and so maybe I could suggest  
17 a modification to maybe motion to direct staff to prepare a road  
18 map, which it sounds like is the intent, to then present at the  
19 council at the August 2016 meeting.

20

21 **MIGUEL ROLON:** Motion to direct staff to prepare. Iris, is that  
22 better?

23

24 **IRIS LOWERY:** I think it seems like your intent here is to have  
25 staff develop a schedule for presentation at the August council  
26 meeting, which will consider the participation of SERO staff,  
27 council staff, council members. That was where I was going with  
28 that, but you can obviously feel free to modify it as you see  
29 fit.

30

31 **MIGUEL ROLON:** Is everybody clear with this, where we're going  
32 and what we're going to do?

33

34 **CARLOS FARCHETTE:** I've got a question for Iris. We can  
35 actually electronically talk, and can we do that without -- The  
36 council members, can they electronically talk, because I know we  
37 won't be able to -- We should be doing our homework outside of  
38 the council meeting.

39

40 **IRIS LOWERY:** Right. Certainly.

41

42 **CARLOS FARCHETTE:** Any comments on the language?

43

44 **BILL ARNOLD:** We somehow dropped out the council staff in this  
45 language, and I know they want to be involved.

46

47 **MIGUEL ROLON:** We don't need to treat this as a book that we're  
48 going to publish. We just want to make sure that the essence is



1 there and people will understand it. The question to the  
2 council members is, first, we need a motion. Somebody has to  
3 say "so I move" and somebody has to second it. Then you can  
4 discuss it a bit more.

5  
6 **MARCOS HANKE:** I would like to present the motion for further  
7 discussion.

8  
9 **CARLOS VELAZQUEZ:** Second.

10  
11 **MARCOS HANKE:** Miguel, you are way more experienced than us in  
12 terms of the true possibilities of how to execute this, but, if,  
13 in the best case scenario, we could speed up the process and  
14 everything fell from the sky and the process ran very quick,  
15 that language would not limit it for us to react if we can  
16 complete the --

17  
18 **MIGUEL ROLON:** Actually, if we finish that before December of  
19 2017, it will be a miracle of God, but this gives you, number  
20 one, because you have to see the road map. This gives you a  
21 guide that you can follow, a guide that we can use to prepare  
22 agendas and that the Southeast Fisheries Science Center can use  
23 to assign personnel to programs and their staff. SERO will do  
24 the same. This gives everybody the same page to work with, the  
25 schedule that they have between here and 2017. That's the  
26 beauty of having something like that.

27  
28 **ROY CRABTREE:** Any motion like this you pass, you can un-pass it  
29 or change it or do whatever you want at the next meeting.

30  
31 **MARCOS HANKE:** I just want to make sure that it was not  
32 restricting us from being effective.

33  
34 **CARLOS FARCHETTE:** I have Bonnie and then Bill.

35  
36 **BONNIE PONWITH:** Thank you, Mr. Chairman. I think this is an  
37 excellent motion, and the reason is this is complex work. It  
38 takes a lot of collaboration between the agency and the council  
39 and council staff to get this work done, and if you start and  
40 then just incrementally make progress, it will take as long as  
41 it takes.

42  
43 If your starting point is to create a plan for how to get from  
44 where we are today to getting this thing finished and set  
45 milestones along the way, so that all of us can do a better job  
46 of managing our time and managing our assignments, as our  
47 Executive Director has pointed out, it could make the process a  
48 lot more efficient.

1  
2 **CARLOS FARCHETTE:** Bill.

3  
4 **BILL ARNOLD:** My suggestion would be to not put a deadline of  
5 December 2017 for the IBFMPs, but to put an obligation to bring  
6 this road map back to the August 2016 meeting. I think that  
7 it's up to the road map to determine what that final date is,  
8 and you're constraining the development of the road map by  
9 stating an end date, and the road map developers may determine  
10 that the end date can be sooner than that or would have to be  
11 later than that, and there is no real need to have that end date  
12 in there. Like I said, that's sort of an outcome of the  
13 development of the road map. I would leave that flexibility to  
14 the road map itself, but I would make a commitment to bring this  
15 fully-fleshed-out road map to the August meeting.

16  
17 **MIGUEL ROLON:** I like the December of 2017, because it forces  
18 us. For the last year, we have been discussing the same issues  
19 over and over again, and I don't want that to happen. Also,  
20 this road map gives an obligation to each council member and  
21 staff, including myself, to read all the darned things, so we  
22 can come prepared to the meetings to discuss what is needed to  
23 be discussed and not deviate from what we have. Either way,  
24 it's the council's motion. You can drop the December of 2017.  
25 My only concern about dropping the December of 2017 is that  
26 probably the August meeting we will say 2020.

27  
28 **CARLOS FARCHETTE:** I won't be here.

29  
30 **MIGUEL ROLON:** What is the pleasure of the council, to leave it  
31 as is or take Bill's suggestion, which is, by the way, a very  
32 good one, and have the August meeting to be the departing point  
33 of that road map?

34  
35 **MARCOS HANKE:** I would like Bill to -- I think it's a good idea  
36 for Bill to help with the language for the modification on the  
37 motion that I presented, if he can, and to change the motion,  
38 because my intention also was not to restrict us in being more  
39 effective. If the road map shows a pathway that is very  
40 optimistic, I want to get on that train.

41  
42 **MIGUEL ROLON:** Let me give you an example. We are taking too  
43 much time with this, but, anyway, you, at the March meeting, saw  
44 the road map that was prepared by the Southeast Fisheries  
45 Science Center regarding ABC control rules and all of that.

46  
47 You decided that between March and today we would have the ABC  
48 control rule brought in and everybody -- At this meeting, we

1 were just talking about it, and now we're saying the ABC control  
2 rule should be presented at the August meeting. It's nobody's  
3 fault, but it's just that that's the way the cookie crumbles,  
4 and so we can say -- Bill, can we arrange the language somehow  
5 that it will reflect what you just mentioned, but dropping the  
6 December of 2017?

7  
8 **BILL ARNOLD:** We can change the language. I am not convinced  
9 that this council actually wants to change this language, but,  
10 if they do, I'm perfectly willing to try to help change it.

11  
12 **MIGUEL ROLON:** We can not change it and just vote on it, and  
13 we'll see what happens in August.

14  
15 **CARLOS FARCHETTE:** Any comments from other council members? If  
16 not, we're going to move forward. Bill.

17  
18 **BILL ARNOLD:** I can't resist. I would put in there a motion to  
19 prepare for the August 2016 council meeting a road map.

20  
21 **CARLOS FARCHETTE:** Okay. Let's change that then. Since nobody  
22 else is making any comments, let's go for it.

23  
24 **MIGUEL ROLON:** Wait a minute. Let's follow Robert's Rules. The  
25 owner of the motion is Marcos. Marcos, are you willing to  
26 modify your motion?

27  
28 **MARCOS HANKE:** **Yes, and this was my request to Bill.** I just  
29 asked him to do it.

30  
31 **MIGUEL ROLON:** Carlos, do you agree with that? You were the  
32 seconder. Okay.

33  
34 **CARLOS FARCHETTE:** Marcos, is that language good enough for you?

35  
36 **MARCOS HANKE:** Yes.

37  
38 **CARLOS FARCHETTE:** Any further discussion? We've got to do a  
39 roll call. I will start on my left with Blanchard.

40  
41 **TONY BLANCHARD:** Aye.

42  
43 **CARLOS VELAZQUEZ:** Yes.

44  
45 **MIGUEL GARCIA:** Yes.

46  
47 **RUTH GOMEZ:** Yes.

48

1 **MARCOS HANKE:** Yes.

2

3 **ROY CRABTREE:** Yes.

4

5 **CARLOS FARCHETTE:** Yes. Any abstentions or any nays? The  
6 motion carries.

7

8 **MIGUEL ROLON:** Thank you, Bill.

9

10 **CARLOS FARCHETTE:** Okay. So we're going with Developing Permits  
11 for Fishing Activities in Federal Waters.

12

13 **DEVELOPING PERMITS FOR FISHING ACTIVITIES IN FEDERAL WATERS**

14

15 **BILL ARNOLD:** Okay. The council requested that we develop two  
16 white papers, one for developing a permit program for the  
17 Snapper Unit 2, which is queen and cardinal snapper, for that  
18 fishery in Puerto Rico in federal waters, Exclusive Economic  
19 Zone waters, of course. The second white paper would be to  
20 develop a permit program for the spiny lobster fishery in EEZ  
21 waters around St. Thomas.

22

23 We have prepared those, quote, unquote, white papers and  
24 submitted them to the council. Developing a permit program  
25 pretty much follows a specific protocol, and there's a lot  
26 involved in it, but that protocol would apply to developing  
27 pretty much any permit program for federal waters in the U.S.  
28 Caribbean. It doesn't matter if it's Snapper Unit 2 off of  
29 Puerto Rico or spiny lobster off of St. Thomas or spiny lobster  
30 off of Puerto Rico, or the list goes on.

31

32 What I am going to provide is an overview of the steps involved  
33 in creating a permit program, any permit program, and then, if  
34 somebody brings a request to the council that we would like to  
35 develop a permit program for this particular fishery, everybody  
36 will understand what's involved in that process, and so I have  
37 sort of merged them.

38

39 I would also like to point out that we have developed a general  
40 white paper and submitted it and discussed it at the council  
41 regarding the basic concept of federal permits in U.S. Caribbean  
42 waters. That white paper included a reasonably extensive  
43 treatment of the Snapper Unit 2 permit opportunity.

44

45 For good or for bad, I took the liberty of developing what I  
46 would consider to be more of a scoping document for the Snapper  
47 Unit 2 permit program and a white paper for the spiny lobster  
48 off of St. Thomas program, and the reason I did that is because,

1 when we discussed this, and I don't remember exactly which  
2 meeting it was, and I don't know if it was December or before  
3 that, but the Snapper Unit 2 fishermen seemed to be reasonably  
4 committed, were very, very interested, to paraphrase them, in  
5 developing a permit program.

6  
7 The St. Thomas fishers were interested, but not convinced, and  
8 so they were a little less committed, and so I felt like, okay,  
9 let's put something together that Puerto Rico Snapper Unit 2  
10 fishers can work with and potentially take it out and start  
11 getting public feedback on it, whereas I think we need more -- I  
12 think the St. Thomas folks need more information and more  
13 understanding of what's involved, and then they need to be able  
14 to make a more dedicated decision on whether they want to pursue  
15 a permit program.

16  
17 Now, the fact that we're, as you well know, pursuing the  
18 development of a permit program does not obligate anybody to a  
19 permit program. It simply obligates us to fully investigate  
20 what the pros and cons of one of these programs might be.  
21 Everybody still has a chance to comment and to input and then  
22 the council has a chance to say yea or nay to the development of  
23 a program.

24  
25 Again, there is a lot involved in it, and that's what I'm going  
26 to go through. Like I said, I'm going to take a kind of general  
27 approach, because, if I did two of these presentations, it would  
28 be extremely redundant and it would take even more of the  
29 council's time than I have already consumed, and so that's what  
30 we're going to do. That's why it's titled "Commercial Permits  
31 in U.S. Caribbean Waters: Puerto Rico SU2 and St. Thomas  
32 Lobster".

33  
34 There are some general considerations for permitting fisheries  
35 in the U.S. Caribbean, and the first, and one that is extremely  
36 important, and I have alerted Ruth and Miguel to this, so that  
37 they would be not caught off-guard by this statement, but it's  
38 very important that you have some level, a very high level, of  
39 consistency between a state permit program and a federal permit  
40 program for any fishery, and permit programs are already in use  
41 in the U.S. Caribbean.

42  
43 We have the Snapper Unit 2, as examples, and just examples, the  
44 Snapper Unit 2 permit program that the state of Puerto Rico  
45 operates, and then we also have an HMS small-vessel permit  
46 program that some of you, or many of you, are familiar with, and  
47 so the permits are out there. This is nothing brand new, and,  
48 using Snapper Unit 2 as an example, the federal component of

1 this that the council develops, the federal waters component,  
2 would likely, and probably of necessity, be built off of that  
3 state permit program.

4  
5 I say this because if you've got guys permitted to fish in the  
6 Snapper Unit 2 fishery in the EEZ waters, and just using this as  
7 an example, because we could pick any fishery, but they're not  
8 permitted in state waters. You're going to have an extremely  
9 difficult time enforcing the permits, because the guys can just  
10 say, well, I don't have a permit, but I was fishing in state  
11 waters.

12  
13 Given the vastness of the EEZ waters around the Caribbean  
14 islands and the somewhat limited enforcement capabilities we  
15 have -- The enforcement folks are extremely capable, and that's  
16 not what I mean, but it's just that we do have logistic  
17 limitations to the ground they can cover.

18  
19 They would have a tough time really doing what would have to be  
20 done to enforce that federal permit, which is boarding boats on  
21 the high seas in EEZ waters to check permits, and so that's why  
22 I say that I think it's important that you have a blended  
23 program that works together very tightly to ensure that this  
24 fishery is populated by fishers that have been identified based  
25 on specific criteria and permitted to operate in that fishery,  
26 also keeping in mind, and not to get too far ahead of myself,  
27 but the feds have -- We have some pretty important constraints  
28 on exactly how we can set up a permit program.

29  
30 Now, we can take it all the way to the end and have an  
31 individual fishing quota type of program, and I don't think  
32 we're ready for that yet. If you're just having a general  
33 permit program, you really, by law, and Roy or Iris correct me  
34 when I misstate, but, by law, you have to have kind of open  
35 access to that permit.

36  
37 If you're a legal commercial fisherman in any state of the  
38 union, you should be able to get that permit and operate in  
39 those EEZ waters, because we kind of consider EEZ waters to be  
40 continuous throughout the nation. There are no state borders to  
41 those waters. Those are some things to keep in mind.

42  
43 Permits and the associated reporting requirements, because  
44 that's a key component of this, serve -- They can serve multiple  
45 important functions. They identify the fishers, they increase  
46 the knowledge of fishing effort, something we talked about  
47 yesterday when we were talking about CPUE, which is catch per  
48 unit effort.

1  
2 We can better identify spatial patterns of capture and harvest,  
3 and these are options. Not all of these are requirements, but  
4 we can enhance the ability to obtain landings data from  
5 fishermen, and that can be both the timeliness of it and the  
6 accuracy of it, and timeliness can be very important, because,  
7 if we can get data in a very timely manner, we can do in-season  
8 management.

9  
10 If we can do in-season management, we may be able to avoid some  
11 of these ACL and OFL overages that I talked about yesterday  
12 evening, because you can track the landings and say your  
13 trajectory is going to take you above the ACL and you need to  
14 shift some effort or reduce your daily take or whatever it may  
15 be to make sure that you stay under that ACL, and so it creates  
16 options for fishermen and the managers to better manage their  
17 fisheries.

18  
19 You can target active fishermen for educational and/or research  
20 activities. As I just said, it enables the application, or  
21 could enable the application, of in-season accountability  
22 measures and in-season tracking, and it would also reduce  
23 scientific and management uncertainty, another thing we talked  
24 about yesterday. If you can take that 25 percent and reduce it  
25 to 15 or you can take that 15 and reduce it to 5, or whatever it  
26 may be, that is, functionally, an increase in your annual catch  
27 limit.

28  
29 With accurate and timely reporting as a condition, there is no  
30 need to apply expansion factors to estimate true landings within  
31 a permitted sector, because everybody is reporting. You are  
32 getting 100 percent and your divisor is one and that's it. The  
33 reported landings and the expanded landings equal one another.

34  
35 Our council status on permit development, as I said, by motion  
36 at the 152<sup>nd</sup> Council Meeting, April of 2015, they requested that  
37 we develop a white paper regarding a federal permit for  
38 harvesting lobster from the St. Thomas/St. John EEZ, and they --  
39 Maybe I am taking a little poetic license with this, but develop  
40 a scoping document regarding a federal permit for harvesting  
41 queen and cardinal snapper, aka Snapper Unit 2, from Puerto Rico  
42 EEZ waters. If you read the motion, it wasn't really clear on  
43 exactly what kind of document was requested for the Snapper Unit  
44 2.

45  
46 So what's the difference? A white paper provides the council  
47 with information to guide the decision to proceed. If so, in  
48 what manner. That's where I feel where we are with St.

1 Thomas/St. John spiny lobster. A scoping document outlines  
2 potential approaches to developing a solution, priming input  
3 from the public, and so we're priming the public, and this is  
4 tricky. We are not trying to lead the public, but we're trying  
5 to give the public enough guidance so that they can make  
6 informed decisions as to how they want a permit program, if at  
7 all, to develop. That's basically the difference between the  
8 two, and that's where we are.

9  
10 Potentially, we could come out of this meeting with guidance to  
11 go to scoping for a Snapper Unit 2 permit. We're not ready to  
12 come out of this meeting to go to scoping with St. Thomas/St.  
13 John spiny lobster, and we don't have to do that, but we could  
14 if the council so desired.

15  
16 To continue, each of the lobster and Snapper Unit 2 permit  
17 concepts are at different points along the continuum. However,  
18 as I said earlier, the basic issues to be addressed in permit  
19 development remain the same, not only for Snapper Unit 2 and  
20 spiny lobster, but for any permit program to be considered for  
21 council-managed species in the EEZ, and that is now and any time  
22 in the future.

23  
24 As I explained to the St. Croix guys, they're not interested in  
25 the permit program now, and that's fine. If they came back five  
26 years from now or two months from now and said we're interested  
27 in looking into a permit program, we'll basically be ready to  
28 go. As I said, we're going to consider these two proposed  
29 permits in an integrated approach.

30  
31 The purpose and need, and this is just for the Puerto Rico  
32 Snapper Unit 2, because we're not that far along with the St.  
33 Thomas/St. John white paper, but the purpose of establishing a  
34 federal permit for the commercial harvest and sale of species  
35 included in the Snapper Unit 2 complex, and that would be queen  
36 snapper, *Etelis oculatus*, and cardinal snapper, *Pristipomoides*  
37 *macrophthalmus*, in the Exclusive Economic Zone surrounding  
38 Puerto Rico is to ensure effective management of this sector in  
39 federal waters.

40  
41 The need for this action is to provide timely, effective, and  
42 efficient means to report and monitor harvest from the  
43 commercial SU2 sector and ensure overfishing does not occur.  
44 Thank you, Dr. Jack McGovern, for helping me out greatly with  
45 this.

46  
47 The basic issues are you need to establish and define the  
48 permit. This is basically an outline of the talk. You need to



1 identify application eligibility requirements and costs. You  
2 need to identify any gear and harvest restrictions, the method  
3 and frequency of reporting, penalties for failure to comply, and  
4 program administration and revision. This is very much a draft  
5 of what we could develop, and it is suggestions with examples.  
6 Everything is on the table. That's what scoping is all about.  
7 Everything is on the table. Nothing has been decided.

8  
9 First, establish and define the permit. This could consist of  
10 four actions. The first draft action would be to establish a  
11 permit to commercially harvest and sell queen and cardinal  
12 snapper or spiny lobster from Puerto Rico, and you will see this  
13 throughout. You've got the queen and cardinal for Puerto Rico  
14 and then, in parentheses, I will have spiny lobster for St.  
15 Thomas/St. John EEZ waters.

16  
17 Option 1 is simply don't do this, do not require a permit.  
18 Option 2 is we are going to require a permit, and so this is  
19 just the basic step that could be applied to these or any  
20 fisheries as to whether actually the council makes a decision as  
21 to whether they want to proceed or not with the development of a  
22 permit.

23  
24 Then Draft Action 2 is will the permit be open access or limited  
25 access? This is a very, very important consideration. Option 1  
26 could be to establish an open access permit for commercial  
27 harvest and sale of queen and cardinal snapper from Puerto Rico  
28 EEZ waters with no limit on the number of permits that may be  
29 issued, although eligibility requirements may limit  
30 participation, and we will talk about potential eligibility  
31 requirements.

32  
33 Option 2 is establish a limited access permit for the commercial  
34 harvest, et cetera, et cetera, in which, following some period  
35 of eligibility, no new permits are issued. That's the limited  
36 access part. If this option is chosen, guidelines for  
37 transferring permits will need to be established. If somebody  
38 gets old or wants to get out of the fishery, what happens to  
39 their permit? All of that guidance needs to be in there.

40  
41 Draft Action 3, and this is with examples, is designate the  
42 permit that is required to participate. Option 1 is do not  
43 designate a permit and anything will do, including any  
44 commercial fishing license. Option 2, and these are examples,  
45 is designate Puerto Rico's commercial Snapper Unit 2 harvest  
46 permit as the required permit. If that option was chosen, if  
47 you've got a Puerto Rico Snapper Unit 2 permit, issued by the  
48 state of Puerto Rico, you can participate in the permit program

1 we would establish, the council would establish, in federal  
2 waters.

3  
4 Option 3 is designate a federal permit as the required permit,  
5 and so the feds, our permit program, would develop a separate  
6 permit that would allow you to fish in federal waters. It would  
7 not be the same permit as state waters.

8  
9 You could do things like assign it to the individual fisher or  
10 assign it to the vessel or assign it to both the vessel and the  
11 licensed fisher, and the outcomes are different. If you assign  
12 it to the fisher, as long as that fisher has it in his  
13 possession, he can be on any vessel. If you assign it to the  
14 vessel, you have to be on that vessel, but any fisher can be on  
15 that vessel, or you could do both. That fisher, that permitted  
16 fisher, has to be on that permitted vessel in order to legally  
17 operate.

18  
19 Then Option 4 is to designate, and these are examples again,  
20 that either permit is acceptable, and so you can, and this  
21 example would result in permitted Puerto Rico guys are able to  
22 fish in EEZ waters. Those that don't have a Puerto Rico permit  
23 can still get a federal permit to fish in federal waters. That  
24 does not necessarily allow them to fish in state waters, but it  
25 would allow them to fish in federal waters, and, associated with  
26 that, in my mind, would be the right to transit state waters to  
27 land your catch in the nearest port, but that is, again,  
28 something for discussion.

29  
30 Then Action 4, in this component of development, would be  
31 designate a length of time the permit required is valid, and so  
32 don't designate a length of time, basically you get the permit  
33 and you've got the permit. It is in perpetuity. You could  
34 designate one year from the next expiration date, and so you get  
35 the permit this time and it expires here and then you've got  
36 another year, so that you get a full year plus in the first go-  
37 round, and then it's every year. Then the second one is  
38 designate two years. Like I said, these are examples. You  
39 could designate every three days or you could designate every  
40 five years. That is council and public discretion. That's the  
41 first component.

42  
43 The second one is what are the application eligibility  
44 requirements and costs, and there are four actions associated  
45 with that.

46  
47 The first is permit eligibility, and so do not establish -- As  
48 always, our no action alternative is do not establish specific

1 eligibility requirements for obtaining a permit. Option 2 is  
2 require the applicant for a permit, who wants to commercially  
3 harvest SU2, to hold a valid license to commercially fish in  
4 U.S. Caribbean waters.  
5  
6 Option 3 is provide proof of previous queen or cardinal snapper  
7 commercial harvest activity during a specific period of time,  
8 and so basically three years of reported landings, five years of  
9 reported landings, whatever you may want.  
10  
11 Option 4 is minimum average annual landings over a specific  
12 period of time, for example that period of time identified in  
13 Option 3. You could say you've got to have harvested, on  
14 average, 1,000 pounds a year for that period of time or 10,000  
15 pounds a year or X pounds a year, whatever was deemed an  
16 appropriate level of activity to provide evidence that you are  
17 actually a professional commercial fisherman in this sector.  
18 Then Option 5 is other eligibility requirements. I mean you  
19 could have to be -- It's whatever you may come up with to make  
20 you eligible for this permit.  
21  
22 Application submission obligations, Draft Action 6, do not  
23 require an applicant to submit a federal permit. That's the no  
24 action. It's not very viable, but I wanted to put it in there.  
25 Option 2 is submit a federal permit application, and what does  
26 that application look like? The permit is -- There is no  
27 application process. You get the permit and it's permanent, as  
28 we discussed earlier.  
29  
30 Sub-Option b is establish an expiration date and they must reply  
31 on a periodic basis. That could be the birthdate or the  
32 incorporation date, the December 31 or any other set date, et  
33 cetera, et cetera, and so we previously set up an option to  
34 determine how long the permit is valid. Now we're setting up an  
35 option as to when that permit expires.  
36  
37 Keep in mind that, from the perspective of the federal permits  
38 office, they don't want all these permits expiring at the same  
39 time, because then they get this massive workload. That's why  
40 my advice was use a birthdate or something like that, so that  
41 it's spread out throughout the year. That's why that one year  
42 from the original expiration date thing, because a guy's  
43 birthdate may only be -- The permit may go into effect and he  
44 may only have a month or two of initial eligibility, but that's  
45 kind of getting into the weeds. The idea is how do you spread  
46 out when the permit has to be reapplied for, if at all.  
47  
48 Then Draft Action 7 is what are those application contents, and

1 this is important to the fishers. How much detail do you have  
2 to provide in order to qualify for a permit? We could not  
3 define the information or we could require specific information,  
4 such as business name or their name and Social Security number  
5 and date of birth. You could get more detailed than that. You  
6 could even use the standing permit application form that we  
7 have. That's just page 1, and it's eight pages total. It  
8 requires a lot of detail, and some are suggesting even more  
9 detail on socioeconomics, et cetera, et cetera, et cetera, but,  
10 again, these are options to be discussed and taken to the  
11 public.

12  
13 Then Draft Action 8 is what are the costs? I've got two options  
14 here. Do not charge an administrative fee to cover the cost of  
15 processing the permit or do charge an administrative fee. My  
16 understanding is, right now, we pretty much -- The federal  
17 government has to charge to cover that application processing  
18 cost, but there is a move afoot to no longer make that a  
19 requirement, and so that's why this option is in there.

20  
21 Okay. Next steps is are we going to include gear and harvest  
22 restrictions? There are three actions associated with this.  
23 The first, Action 9, is gear restrictions, do not define  
24 additional gear restrictions. A second option is define  
25 allowable gear. That could be manual hook and line with no  
26 power retrieval or hand harvest only for lobster. You could  
27 allow bandit gear. Actually, you could allow or disallow any  
28 gear in this one.

29  
30 Then trip, or trap for the lobster, limits. Do not specify trip  
31 limits. The state has specified the number of trips that are  
32 allowed, but not really -- I don't know if they included how  
33 much you could harvest on an individual trip, but just the  
34 number of trips in a year. You could say allowable number of  
35 trips, and that could be eighty a year or 120 a year or 200 a  
36 year, whatever option was deemed most appropriate.

37  
38 Then Draft Action 11 is do you have bag limits? In addition to  
39 how many trips you're allowed to take, how much are you allowed  
40 to bring back on any particular trip? Again, maybe nothing, no  
41 restriction, on that or Option 2 is we set something up that  
42 might be 150 pounds up to 500 pounds or 1,000 pounds, whatever  
43 was deemed appropriate, but this is just how you can set up  
44 restrictions on how permitted fishers can operate.

45  
46 Then the method and frequency of reporting. From the federal  
47 point of view, and from the managers point of view, this is a  
48 very important part of a permit program, is to get better data

1 to better manage the fishery. Again, there are three actions  
2 here.

3  
4 Reporting method, we could continue to use, and this is specific  
5 to Puerto Rico Snapper Unit 2, continue to use the catch  
6 reporting forms that are presently in existence. We could  
7 require using a new form specifically designed for this  
8 permitted sector. We could require that they electronically  
9 report. We could require that they continue to use whatever  
10 form until electronic reporting is fully implemented and then  
11 require them to move to electronic reporting, and I'm sure you  
12 could come up with many other options, and so this is just the  
13 reporting method.

14  
15 Then the method of submitting those reports, can you -- A lot of  
16 this stuff comes out of other permitting programs, but can they  
17 submit by fax, in person, mail electronically, require them to  
18 submit electronically, or require that they submit in person or  
19 by mail, as long as they're using the hard copy forms, and then,  
20 if we move to electronic reporting, require computer or internet  
21 submission.

22  
23 Then Draft Action 14 is how often do you have to report? How  
24 often do you have to submit whatever form it is that accounts  
25 for your landings? Option 1 is do not alter the presently-  
26 established frequency, require them to report daily, require  
27 them to, regardless of whether there was fishing activity or  
28 not, require twenty-four hours following completion of a trip,  
29 so you only report if you actually took a trip, submit landings  
30 reports weekly, regardless of fishing activity, submit monthly,  
31 two weeks or monthly, whatever the period of reporting may be.

32  
33 Then failure to comply. What happens if you have a permit, but  
34 you don't comply with the requirements of that permit? For  
35 example, failure to comply with gear and harvest requirements,  
36 establish no penalties or provide penalties, and whatever the  
37 council deems appropriate penalties.

38  
39 Then Action 16 is failure to comply with reporting requirements.  
40 There can be no penalties or some penalties. Those are the  
41 options. Then, finally, program administration and revision,  
42 there are two actions associated with this. The first is  
43 administration. Delegate Puerto Rico's DNER or USVI's DPNR,  
44 whoever's island this is taking place on, as the administrator  
45 or administer the permit through SERO, our Southeast Regional  
46 Office Permit Office, or whatever other option may come up.

47  
48 Then framework measures, we always like to have framework

1 measures in there. Do not establish framework measures could be  
2 Option 1, and that's the no action alternative, or establish  
3 framework measures, including some or all of the following, and,  
4 of course, any others that we came up with.

5  
6 Adjust the permit fee to reflect changes in cost, adjust the  
7 open period for submitting a permit application, et cetera, et  
8 cetera. There could be all kinds of framework measures  
9 associated with this.

10  
11 There are caveats associated with any permit program. A permit  
12 program will function most efficiently if it's integrated across  
13 the state and federal boundary. This ensures complete coverage  
14 of participants and their activities and will increase  
15 compliance and enforcement efficiencies.

16  
17 Puerto Rico has in place a permit program for their Snapper Unit  
18 2 commercial fishing sector, as we know. However, aspects of  
19 that program may need to be modified to ensure compatibility  
20 with the federal permit program, and this doesn't mean the state  
21 has to come to the feds. It does mean that we have to develop  
22 compatible provisions, but there are legal constraints to how a  
23 federal permit can be designed, and, to maintain that  
24 compatibility, the state would have to comply with those legal  
25 mandates.

26  
27 There is no existing permit program, and this is very important.  
28 There is no existing permit program for the spiny lobster  
29 commercial fishing sector within the USVI St. Thomas/St. John  
30 district, and so the question would be is there interest in  
31 developing a commercial harvest permit program for spiny lobster  
32 in the St. Thomas/St. John EEZ? If so, would the USVI support  
33 implementation of a compatible permit program within their  
34 territorial waters, and this applies for any. This is a very  
35 important consideration.

36  
37 In either case, and more so for the USVI, this will be a lengthy  
38 process. The devil will be, as it is, as we've learned over and  
39 over in this meeting, the devil will be in the details.

40  
41 Next steps, what are the next steps? For Puerto Rico Snapper  
42 Unit 2, review and suggest modifications to the scoping document  
43 that was provided. Then the question is do you want to schedule  
44 scoping hearings? Do you want to take this out and start  
45 getting some public input?

46  
47 Scoping is just the process of discussing with the public the  
48 basic concepts and getting their input, just a full range of

1 input, as to how they think a permit program should be designed.  
2 There are no formal actions and no formal alternatives. It's  
3 basically a blank slate.

4  
5 Then, before the August or December meeting, hold those scoping  
6 hearings. If the scoping hearings are held, at the August or  
7 December meeting, review the outcomes of the scoping hearings  
8 and provide direction to staff regarding the next steps, which  
9 ideally, if there is a desire to pursue this, develop an options  
10 paper. An options paper is simply a precursor to an actual  
11 actions and alternatives public hearing draft. It is starting  
12 to get down to the details of how this program is going to be  
13 constructed.

14  
15 Over on the other side, St. Thomas/St. John spiny lobster, the  
16 next step is for the council members to review and discuss the  
17 white paper and provide guidance for moving forward or not, and  
18 not is a perfectly acceptable decision. Then, at the August or  
19 December meeting, you would direct staff to prepare a scoping  
20 document, just like the one you're seeing for Snapper Unit 2,  
21 for presentation to the public.

22  
23 This is my yin-and-yang figure. The point of this is all of  
24 this stuff is interconnected, as I've said before. Permits and  
25 recreational data and accurate landings data and optimum yield,  
26 and I think Todd is going to talk some about these data, and  
27 ecosystem-based fisheries management, managed areas, state and  
28 federal compatibility, timely reporting. At the center of this  
29 is island-based fishery management and many more factors. They  
30 are all linked together. None of these things stand alone.

31  
32 When you're thinking about permitting fisheries, you're thinking  
33 about it within the context of better reporting, better, more  
34 timely management, within the context of an individual island,  
35 and that's the island-based component of this, and a lot of  
36 other factors to consider, again all intertwined, and so island-  
37 based management is the cornerstone.

38  
39 This approach emphasizes a bottom-up concept with local input  
40 and local driving as to what we need to do to effectively manage  
41 fisheries. By local, I mean the council members and the DAP  
42 folks. All of this incredible local knowledge that we have  
43 should be driving these programs, but it does increase local  
44 responsibility for management strategies.

45  
46 Along with this opportunity to be the driver of the car instead  
47 of just a passenger, there is a responsibility to get that car  
48 where it's going without hitting anything, and it will require

1 cooperation and communication and, very importantly, a  
2 willingness to compromise.

3

4 On all of these islands, there are multiple factions, people  
5 with different viewpoints, and that's fine. You don't have to  
6 agree with each other, but you have, as the core of politics is  
7 compromise, you have to be able to compromise and come to  
8 solutions that will address everybody's concerns, and so the  
9 bottom line is it's a matter of balance. That's it, in case you  
10 have any questions or anything. Thank you, otherwise.

11

12 **CARLOS FARCHETTE:** Miguel.

13

14 **MIGUEL ROLON:** Bill, thank you and your staff for excellent  
15 work, because this is just the tip of the iceberg. I believe  
16 there's a lot of work that went into these discussions, and it  
17 has been an excellent presentation.

18

19 I believe that the question is now how the council would like to  
20 move forward with this. Also, we would like to hear from  
21 Miguel. You have a, as Bill mentioned, you have a permit system  
22 for the deepwater snapper grouper complex, and perhaps if we can  
23 hear what you have now, we can start talking about whether we  
24 have to modify this or not.

25

26 The other thing is this is a complex issue for many people, and  
27 perhaps the council would like to attack one at a time. The,  
28 quote, unquote, let's say easiest one is the deepwater snapper  
29 grouper in Puerto Rico and the spiny lobster in the St.  
30 Thomas/St. John area. Are you ready, Miguel, with a little bit?

31

32 **MIGUEL GARCIA:** I had some communication with Bill specifically,  
33 and I made a summary of a presentation that I gave before in a  
34 meeting. It has many similarities with what Bill just presented  
35 in terms of the conditions, and I just want to go through it  
36 quickly.

37

38 It was our experience with implementing these special permits  
39 for deepwater snappers, but it was very rough terrain, and I  
40 have to admit it, but we did many things very well and we did a  
41 few of them not so well, and we paid the price in terms of  
42 communication and transparency. I will just go through the  
43 presentation and we can talk more when I'm done.

44

45 As a quick background, I think everything started, at least from  
46 my viewpoint, back when there were some conversations about  
47 implementing a catch share program for deepwater snapper some  
48 time ago. That initiative moved along very well until the end,



1 when it was not approved or there was no agreement, and it ended  
2 there.

3  
4 A few years later, this happened. Just a sort of quick  
5 introduction and background is the deepwater snapper is the most  
6 important fishery in Puerto Rico, and it's managed as a  
7 management unit. This is old data, but if you combine those  
8 bars from Snapper Unit 1 and Snapper Unit 2, you can see that  
9 it's very important. It's even more important than spiny  
10 lobster and queen conch, for sure.

11  
12 You all know this pretty well. Snapper Unit 1 is silk,  
13 blackfin, vermilion, wenchman, and black. Snapper Unit 2 is  
14 queen and cardinal. Annual catch limits were developed and  
15 implemented in 2011 for the EEZ, using only catch data from 1999  
16 to through 2005. The ACL for Snapper Unit 2 was set at 145,000,  
17 almost 146,000, and almost 35,000 recreational pounds.

18  
19 In 2011, the same year of implementation, the Snapper Unit 2 ACL  
20 was exceeded, and that caused an implementation of the AM in  
21 2013. At that point, it was a shortening of the season, and it  
22 ended on September 21 of that year. Every year from October 1  
23 to December 31, the Snapper Unit 1 fishery is closed.

24  
25 We looked at what could be done to avoid another overage, and  
26 there were some responses. We talked about this, and it was  
27 asked us to revise the ACL or request a transfer of recreational  
28 poundage to the commercial sector. That was, as you know, a  
29 very complicated measure, and so we decided to try to implement  
30 something that was within our control as a state government, and  
31 it was to try to try to limit the number of fishermen or to  
32 reduce the annual harvest per fisherman.

33  
34 This was very complicated. It was the first time that something  
35 like this happened to us. The fishery, as I say, was very  
36 important for many people, and we decided to implement a  
37 limited-entry permit. It was a special permit for this fishery.  
38 We already have in place special permits for other species, like  
39 spiny lobster, but this was totally new for us.

40  
41 As I said, it was for fishermen to be able to fish for Snapper  
42 Unit 2. It required a special permit, and we discussed and  
43 thought about how to identify traditional participants, to  
44 ensure that those traditional participants received the permit.

45  
46 We had a meeting on July 11, 2013 at Cabo Rojo, in the fisheries  
47 laboratory. We invited everybody that we could back then, and  
48 we discussed with them the situation and we explained then what

1 we were facing, that we were going to be facing a closure on  
2 September 21 and that you won't be able to fish for Snapper Unit  
3 1 after October 1, and so we had to do something.

4  
5 This is not something that can be handled lightly, and so we had  
6 to make a tough decision and we have to draw a line, because we  
7 said the cake has a size now, and so you have to say how are you  
8 going to be dividing that cake. It was a very intense and  
9 productive meeting, and all the agreements were almost  
10 unanimous, and people were okay after that.

11  
12 As a requirement, they had to be a full-time or part-time  
13 fisherman, and this is one of the most important parts, but how  
14 do you define how you identify traditional participants? After  
15 some discussion, we concurred on this requirement of having  
16 reports of at least five consecutive years, starting in 2007.  
17 It's not here, but we had at least a hundred pounds during those  
18 five years.

19  
20 Also, some conditions were discussed, and they were against  
21 having a harvest per day. They did agree about having a limit  
22 on the number of trips, and we agreed about having a maximum of  
23 120 trips per year and they have to report monthly.

24  
25 The remarks are that the permit was implemented. We went  
26 through the data and we ranked fishermen for poundage, for  
27 reports, and most of the fishermen were pretty consistent. The  
28 top twenty-five probably, or top thirty, were the same people.  
29 Maybe the order changed from year to the other, but they were  
30 the same people for sure, and sixty-seven fishermen qualified  
31 under those requirements. For 2014, the season was not closed.  
32 As we already know, it's going to be closed in 2015, because  
33 there is an overage.

34  
35 Today, only sixty-five hold the permit. Five lost the permit  
36 due to lack of reporting. I don't understand why that happened,  
37 but it happened, and one died, but we have a very strong  
38 pressure, as we speak, of people asking to receive the permit.  
39 Many fishermen that were excluded, they have the right to apply,  
40 but they did or they do not comply with the requirement of the  
41 five-years of reporting.

42  
43 Of course, these permits have been negatively taken by the  
44 excluded sector, as you could expect. We have failed in the  
45 outreach. When we went through the process, we failed to  
46 outreach to fishermen and explain how the process was -- That  
47 really hit us hard after the fact. It was a lack of  
48 transparency and that all the fishermen that went to the meeting

1 received the permit or people that were friends of somebody else  
2 got the permit and stuff like that.

3  
4 Today, we are revising the special permit, the conditions, and  
5 we have at least two public meetings with fishermen. From the  
6 meeting, the information that we received, we are working on a  
7 new Administrative Order to comply and add the required  
8 information. There was some information that was -- We  
9 implemented this through an Administrative Order, and there was  
10 a public notice that complemented that order, but there was  
11 information in the public notice that was not included in the  
12 Administrative Order, and so that created a lot of confusion,  
13 and that was pretty bad, from our side.

14  
15 From those meetings, we have been revisiting this situation with  
16 the special permits in a subcommittee, and they are going to be  
17 working on revising the Administrative Order. As I said, there  
18 will be like -- Besides working on this, and connecting this or  
19 linking this to Bill Arnold's presentation, they will have to be  
20 working very closely to Bill and Graciela, probably, and  
21 whatever you want to implement with the federal permit, because  
22 there are many similarities between those two.

23  
24 I think that we are in a very good position of having one  
25 permit, probably, for federal and state waters, which includes  
26 more work between the state and the federal government, and this  
27 is really what I wanted to present today, is that we think that  
28 we have accomplished a lot, and we learned from this about what  
29 we did wrong and what we did right. Thank you.

30  
31 **CARLOS FARCHETTE:** Miguel.

32  
33 **MIGUEL ROLON:** Miguel, the fishermen that will qualify for this  
34 permit shall have a commercial fishing license issued from the  
35 government of Puerto Rico. Do you still have a requirement for  
36 residency for that person to receive a commercial fishing  
37 license from Puerto Rico?

38  
39 **MIGUEL GARCIA:** Yes, as of today, it's like that.

40  
41 **MIGUEL ROLON:** And it's one a year?

42  
43 **MIGUEL GARCIA:** Yes, it is every year. It's something that, as  
44 Bill mentioned, we have to see how we can merge and modify, if  
45 we want to modify that, to comply with the federal requirements,  
46 but, yes, as of today, it's required to be a resident.

47  
48 **MIGUEL ROLON:** How easy will it be to change the residency

1 requirement? If that is embedded in the law, I know that it  
2 will be very difficult.

3

4 **MIGUEL GARCIA:** Yes.

5

6 **MIGUEL ROLON:** First, the council decided to explore this, and  
7 so the essence of the discussion was that the council wanted to  
8 have this permit implemented in the EEZ. What you have heard  
9 from Dr. Bill Arnold today is a presentation of all the  
10 intricacies of having this permit. One of the actions has one  
11 option, to have Puerto Rico's commercial fishing license and the  
12 federal government's fishing license and/or requirements for a  
13 fisherman to be able to fish in the EEZ, et cetera.

14

15 Unless we get rid of that fisherman residency requirement, the  
16 permit cannot be easily be adopted as one, and so the other  
17 question that we have, and, Mr. Chairman, I would like for each  
18 council member to say something regarding the permit system and  
19 how we would like to move forward.

20

21 **CARLOS FARCHETTE:** Roy.

22

23 **ROY CRABTREE:** We're not ready to go to scoping or take this  
24 document out to the public, and I really think what we need to  
25 do is refer this back to staff, because I think we've gotten a  
26 little ahead of ourselves. There is a great deal of the  
27 chapters and options in this amendment that are outside the  
28 council's authority. The council can't set penalties.

29

30 We do charge fees, and so there are a lot of things in here that  
31 can't be done, and I think it needs to go back to staff and they  
32 need to rework this document, and a lot of things need to come  
33 out of it, and then bring it back to the council at our next  
34 meeting. Maybe then we can get to a point where we're ready to  
35 take it out to the public, but I don't think we want to go out  
36 to the public with a lot of options that simply can't happen and  
37 can't be done. I think it will just confuse and create problems  
38 for us, and so that would be my suggestion to you.

39

40 There is the residency issue that we'll have to work through,  
41 but there are ways that we can figure out how to deal with that,  
42 but I think the first thing to do is to strip a lot of things  
43 out of this amendment that we really can't do at the council  
44 level and then come back to it at our next meeting.

45

46 **CARLOS FARCHETTE:** Miguel.

47

48 **MIGUEL ROLON:** Roy, what would be the best way to do that? Just

1 instruct the staff to consult with NOAA General Counsel and all  
2 of those --

3  
4 **ROY CRABTREE:** Yes, just ask them to pull the IPT back together  
5 and get with our Permits staff and with Office of General  
6 Counsel and go through these things and identify what are things  
7 that need to come before the council and what aren't, because  
8 there are a lot of things in here, like calculating the fees,  
9 and that's all set. Our permits system is all set up to handle  
10 certain forms and certain expiration times and all those kinds  
11 of things, and we can't really redesign the whole system,  
12 because it would be prohibitively expensive to do it.

13  
14 There are things that the council needs to set and there are  
15 other things that are just inherent in the statute and the way  
16 the permits system works, and so I don't know if -- I think  
17 that's what we need to do, is just refer it back to the IPT and  
18 ask them to rework the document and then bring it back to us at  
19 the next meeting.

20  
21 **MIGUEL ROLON:** If I may, but are the council members in  
22 agreement that you want to pursue this path, that you want to  
23 have a federal permit in the EEZ for the Snapper Unit in Puerto  
24 Rico and/or any other species in the U.S. Virgin Islands and  
25 Puerto Rico? Depending on your answer, then what Dr. Roy  
26 Crabtree is saying now will follow. Otherwise, we stop here,  
27 because there's a lot of things that we need to work with.

28  
29 **CARLOS FARCHETTE:** Blanchard.

30  
31 **TONY BLANCHARD:** I don't want to speak for Puerto Rico, but it  
32 sounds like Puerto Rico is in support of a permitting system.  
33 Is that correct? I could see some benefits for Puerto Rico, but  
34 I think, as for the Virgin Islands and the lobster permits, we  
35 are going to pass on that for right now.

36  
37 We will table it, and if we decide to come back in the future  
38 and think it will work for us or it's beneficial to us, then we  
39 will move on it, but I think if Puerto Rico sees that the permit  
40 could work for them, we need to support them, and I would go  
41 with Dr. Crabtree's suggestion as to how to move about it.

42  
43 **CARLOS FARCHETTE:** Marcos and then Miguel.

44  
45 **MARCOS HANKE:** In order for me to get a position informed and  
46 clear, I have many, many questions that I have written for Bill,  
47 but I think, like Roy stated, there is a few things there that  
48 have to be revised on the administrative level, and those

1 permits in Puerto Rico have created, for some groups, the  
2 willingness to pursue it and a major group that was excluded,  
3 including other areas of the island that are under monitored or  
4 underrated on the use of that resource, and they were excluded.

5  
6 I think that the best scenario is that Puerto Rico creates that  
7 functional system that we can also, from there, add the federal  
8 level, because, if you base a system -- If you create a federal  
9 system in which the local is not working properly, I have many  
10 problems with that or just not doing the things in the right  
11 sequence. I don't want to get into the details now, but I  
12 prefer to hear, after the staff works with the cleanup, with all  
13 the right stuff, for them to discuss the details about it.

14  
15 **CARLOS FARCHETTE:** Miguel.

16  
17 **MIGUEL GARCIA:** I just want to reiterate that we went through  
18 this and, at the end, we ended up with a special permit, a new  
19 special permit. As I said, we have other special permits, and I  
20 think, for what we are pursuing with this situation of the ACL  
21 and the accountability measure, we have to identify a specific  
22 sector that is targeting to this particular fishery. In some  
23 way, a special permit or something else to really work closely  
24 with them and get data in an efficient and effective manner.

25  
26 The way that Puerto Rico has identified already to do that is a  
27 special permit. We can call it in a different way, but it's one  
28 of the only ways that we can handle the situation, in order to  
29 avoid going every year and surpassing the ACL. As we discussed  
30 yesterday, surpassing the ACL consistently has another  
31 consequence, more serious consequence. I will try to -- I think  
32 that, if it's possible, with the Chairman, we can at some point  
33 provide an opportunity to Nelson Crespo to talk about his  
34 experience as a special permit person for this special permit in  
35 Puerto Rico, to share his experience about this permit.

36  
37 **CARLOS FARCHETTE:** Miguel.

38  
39 **MIGUEL ROLON:** Let's see if we agree on a couple of things.  
40 First, this presentation will be available to everybody. Please  
41 read it carefully, because the only thing that we are going to  
42 drop out of that will be those sections that Dr. Roy Crabtree  
43 mentioned, administrative costs and all that, but all the other  
44 parts will be included in the discussion in the scoping  
45 meetings, for example, what type of permit do you want and the  
46 length of the permit and so forth.

47  
48 Based on Puerto Rico's experience, Puerto Rico may have a better

1 element of judgment, as a government to provide to the  
2 discussion at the next meeting, and then the same with the  
3 council members.

4  
5 Also, Tony mentioned that, in the case of the U.S. Virgin  
6 Islands, they will table this for the spiny lobster for the time  
7 being. Those kinds of things, you have to discuss, because it  
8 may be just one opinion, but it could be also the opinion of the  
9 entire U.S. Virgin Islands, and so all those things you have to  
10 consider for the next meeting.

11  
12 **CARLOS FARCHETTE:** Carlos Velazquez.

13  
14 **CARLOS VELAZQUEZ:** The special permits in the Snapper Unit 2 is  
15 a big issue for my area in Puerto Rico. On the east coast of  
16 Puerto Rico, there is too many people, fishermen, without this  
17 permit. -- For these fishermen, we need to expand this permit  
18 for these new areas on the east coast of the island for Snapper  
19 Unit 2. That's my recommendation in this place. Bill, one  
20 thing I didn't understand is the presentation for the lobster,  
21 for the numbers of the traps or the trips, I don't understand  
22 that. What do you base the data on? What do you use for this  
23 table? It's an example? Okay.

24  
25 **CARLOS FARCHETTE:** Miguel.

26  
27 **MIGUEL GARCIA:** Just to expand to what my colleague, Carlos,  
28 said, when we established the requirement of five years and a  
29 hundred pounds per year of landings, most of the fishermen that  
30 qualified for those conditions were from from the west coast,  
31 just like that, as simple as that. There are a few fishermen  
32 from the north and a few from the east and a few of them in the  
33 south that did qualify, but there were not that many, even  
34 though they did fish for deepwater snappers in Puerto Rico.

35  
36 **CARLOS FARCHETTE:** Marcos.

37  
38 **MARCOS HANKE:** I want just to put some details on that. The  
39 boats that fish on this fishery, they are trailerable. I am on  
40 the east coast, and I see boats coming from the south, from San  
41 Juan, from Dorado, from many other places fishing on the east.  
42 One thing that I want to -- Besides managing, you are just being  
43 fair to the socioeconomic aspect of the people that  
44 traditionally that have been in the fishery, but, at the same  
45 time, we have to consider that, in Fajardo, once you sell a  
46 queen snapper in Fajardo, it's deeply attached to the tourism  
47 industry.

48

1 The socioeconomic benefits of that fish on the market in Fajardo  
2 can be, and this is my understanding, can be different than  
3 being sold in Cabo Rojo, which is more a local consumption, and  
4 the range of benefits and the cost of this catch on the market  
5 are different. The whole dynamic of how the fish move on the  
6 market are different.

7  
8 That's one of the reasons that we have to consider to have a  
9 better balance between the whole area of Puerto Rico and for the  
10 more fishermen to be involved. It's not fair to say that the  
11 east coast of Puerto Rico does not participate on this fishery  
12 and that should be excluded on this fishery and that --  
13 Actually, I fished for that a few years ago, for five years, for  
14 queen snapper, and it's a very valuable fishery on the east  
15 coast and also in Vieques. They are pretty much -- They are  
16 fished, but not to the potential, and to close the door to those  
17 fishing opportunities, to that sector, those areas, I have  
18 problems with that.

19  
20 The other thing that I want to state is that what I am looking  
21 at here is not to go against the fishermen of the west coast,  
22 but I just want the system to be fair and to be correctly  
23 managed. My position about the -- It was mentioned on the table  
24 to reallocate some recreational data to the commercial fishing  
25 sector to help to fix the problem of the ACL that we have.

26  
27 I spoke to Bill yesterday. Once we have those zero/zero numbers  
28 that was presented for the recreational clarified, that I don't  
29 think it represents what is truly going on, I will be in a  
30 position to maybe reallocate some of that data to that, as an  
31 opinion about that, but, anyway, what I am trying to say is  
32 that, and I have a question. Bill, once this permit that you  
33 presented, for whatever setup is presented on the EEZ, the  
34 charters and the recreational cannot fish for queen snapper in  
35 the EEZ?

36  
37 **BILL ARNOLD:** No, that's not included in this. This is just a  
38 permit for commercial harvest of Snapper Unit 2. It doesn't  
39 really address the recreational fishery at all. I mean things  
40 could be done for the recreational fishery, but that's not the  
41 intent of this permit program, as we're discussing it.

42  
43 **MARCOS HANKE:** Okay, and I have a -- In the future, once we  
44 deeply discuss this, I have a few observations on that matter,  
45 to make the system work, because, at the same time, I want the  
46 recreational to have access to that fishery. We need to have  
47 access, because what has been happening is people go deep-sea  
48 fishing, fishing for pelagics, and maybe they stop and catch a



1 few fish to eat and go home. This is the usual on that part. I  
2 am not talking about the illegal fishermen that don't have a  
3 commercial license that go commercial fishing. I am not talking  
4 about those, but I'm talking about the big scope, the great  
5 majority of the recreational fishermen. We should maybe  
6 consider the bag limits and so on, to allow those fishermen to  
7 have some access to that fishery. Anyway, we can discuss those  
8 details later on.

9  
10 **CARLOS FARCHETTE:** Miguel.

11  
12 **MIGUEL ROLON:** What you're discussing here is just a tool, a  
13 mechanism. Other discussions that you have, you will have to  
14 discuss it in Puerto Rico, because are talking about allocation.  
15 In the case of allocation, either Puerto Rico bites the bullet  
16 and does it or just keep dragging it and dragging, but Miguel  
17 mentioned that one of the drivers is to comply with the ACL, and  
18 so you don't want to exceed the ACL. Is that the bullet that  
19 you want to bite? There's not enough pie for everybody, and so  
20 you will have to sacrifice some people.

21  
22 In order for you to give permits to the people on the east  
23 coast, somebody has to die on the west coast, if you are going  
24 to try maintain the ACL, and so, Mr. Chairman, I believe that  
25 this discussion -- We have other things on the agenda, and we  
26 will have to go back to Puerto Rico and the fishermen.

27  
28 You can really work hard to put together all of this, and we  
29 went to public hearings and we went to workshops and we have  
30 Puerto Rico's -- All of that came into the discussion. Again,  
31 if you are happy to just go ahead and allow the staff to present  
32 to you a clean, for lack of another word, draft at the next  
33 meeting and then you decide there, at the meeting, to pursue  
34 this through scoping meetings and so forth.

35  
36 Again, please be prepared to discuss this and try to separate  
37 what is allocation from the permit itself. The permit will  
38 serve you when you decide on allocations and all of that, but,  
39 right now, what you need to know is all of the details about  
40 what will be the consequences of establishing the permit and all  
41 of that. Again, I want to thank Bill and the staff, because  
42 this is probably the cornerstone of the whole permit system. We  
43 have tried this before, and this is the first time that we have  
44 a real discussion paper that we can use for the next few months.

45  
46 **CARLOS FARCHETTE:** Okay. We will go ahead and do that. We're  
47 going to move forward with the agenda, because we're kind of  
48 busy here, but we're going to take a -- Bill.

1  
2 **BILL ARNOLD:** Just real quickly, so a little direction from the  
3 council. You want us to revise the scoping document and bring  
4 it back for the August meeting?  
5  
6 **CARLOS FARCHETTE:** Right, and take out those things about the --  
7 Miguel.  
8  
9 **MIGUEL ROLON:** At the August meeting, we need a decision from  
10 the council to go to scoping meetings or not.  
11  
12 **CARLOS FARCHETTE:** You know I think we, in the USVI, need to  
13 learn some lessons here, because that deepwater queen snapper is  
14 a very unexploited fishery in the USVI, and I have already had -  
15 - In meetings in Puerto Rico, I have interest from Fajardo  
16 fishermen, because it's very easy to come into our waters from  
17 the eastern part of Puerto Rico to fish for the queen snapper.  
18 They are asking us, is there that fishery?  
19  
20 I know, for St. Croix, we only have like five guys that do this,  
21 and maybe we need to look at doing some proactive work on maybe  
22 permitting from now. I'm not sure, but it's a very unexploited  
23 fishery, and I think it can be very lucrative here in the Virgin  
24 Islands if some fishermen really get serious with it. Miguel.  
25  
26 **MIGUEL ROLON:** I promise this is the last thing, but this is a  
27 perfect example of what Bill was saying before. The EEZ is one  
28 unit, one continuum. If a fisherman complies with the permit to  
29 fish in the EEZ, the Virgin Islands cannot stop them from  
30 fishing deepwater snapper in the EEZ surrounding the Virgin  
31 Islands, because the Virgin Islands, your EEZ starts after three  
32 miles, and so all of this has to be considered when we get into  
33 the full discussion.  
34  
35 **CARLOS FARCHETTE:** Yes, and landing the species in the Virgin  
36 Islands is a different story, because you need residency to have  
37 a permit, a license, and all of that stuff, which I am curious  
38 to find out in August how the feds and the local government of  
39 Puerto Rico are going to solve that residency problem, but we  
40 will get there, but we're going to take a quick ten and then  
41 Todd Gedamke will be up next. Only ten minutes, because we've  
42 got to catch up on some time.  
43  
44 (Whereupon, a brief recess was taken.)  
45  
46 **CARLOS FARCHETTE:** All right. We're going to get back to work.  
47 Todd, whenever you're ready.  
48

1                                   **SUMMARY OF PILOT PORT SAMPLING PROGRAM**

2  
3   **TODD GEDAMKE:** First of all, it's a pleasure, and it's a little  
4 interesting being back talking to this council. Thank you all  
5 for the hospitality. I don't want to thank people throughout  
6 this whole thing, and so I'm just going to start out with giving  
7 a couple of kudos to some of the people in the room.

8  
9 I mean I started looking around before, and this project  
10 wouldn't have been possible without -- I am looking at about ten  
11 or twelve people in this room. I mean, Tony, thank you for your  
12 help and, Julian, getting into St. Thomas was fantastic.  
13 Commissioner Henry, I thanked her before. They had a change in  
14 administration and leadership about three weeks before I started  
15 this project. They inherited me in addition to about a thousand  
16 other things, and working with Ruth and clearing through  
17 Commissioner Henry, and thank you for rolling with the punches  
18 and letting us work with this project. We've got Juan Cruz and  
19 Hank Tonnemacher here that also helped out in St. Croix, and I  
20 will touch on some other people, and I apologize for those that  
21 I have missed.

22  
23 I am going to just give you a very, very brief background on  
24 this and start just with this one slide that I presented in  
25 Puerto Rico, because I think this project is going to provide  
26 some numbers, which will be very interesting, but Jesus Leon is  
27 on the left there. It's an east coast port sampler, and that's  
28 his daughter on the right, who is one of our samplers. Part of  
29 this project is not only to get some good numbers, but to get a  
30 lot of the people from the communities involved, and we were  
31 very, very successful with doing that in a number of places. In  
32 the center, in NOAA words, this is capacity building, and we're  
33 pretty happy with the way it worked.

34  
35 Just by broad disclaimer, the results are still preliminary. We  
36 are still working on QA/QC. We finished the Puerto Rico  
37 sampling about four weeks ago, but I will show you that we were  
38 able to get that data within about forty-eight hours, and we're  
39 still kind of picking through it, but the information that I am  
40 presenting for the VI, we've gone through it very carefully and  
41 we've done a good analysis on that. Then, in Puerto Rico, we're  
42 still just double-checking a few things.

43  
44 The overall objective of this pilot project is not to really  
45 provide the final answer, but it's really to determine how to do  
46 the job efficiently, and, Ruth, I won't call you out on some of  
47 the snapper conversations we've had. The night fishing, I will  
48 touch on this later.

1  
2 I had Nelson's crew on the west coast of Puerto Rico, through  
3 the grapevine, give me a call and tell me that I didn't know  
4 what I was doing, because we had people going to the wrong spot  
5 in Rincon. I had Ruth tell me that I didn't know what I was  
6 doing, because I was going nine to five working and I was  
7 missing all the snappers. My point of this is that we didn't  
8 want to get everything, but we've got documentation now of the  
9 holes and the things that we really need to address in the  
10 future.

11  
12 We talked a good bit about or Bill was talking was talking about  
13 the expansion factors yesterday, and these are just a couple of  
14 slides from 2004 and 2005. I am using very old data. NOAA  
15 won't let me dig back into the most recent stuff right now, and  
16 I am slightly joking, but in the expansion factors, this is a  
17 trend just from St. Croix. You can see an increasing trend.  
18 Bill touched on this yesterday. It's not an increasing trend in  
19 landings, but it's a changing in reporting rates. The expansion  
20 factor is very, very important.

21  
22 In the Virgin Islands, this is information that we were  
23 considering in 2005 and 2006. For those that were involved at  
24 that time, there was a lot of discussion about how many people  
25 were reporting. At that time, it was agreed upon that we would  
26 use a 100 percent, that there wouldn't be an expansion factor in  
27 the Virgin Islands.

28  
29 The point of this project is really to go back and take a look  
30 at the landings that are coming in and design a survey or a  
31 design for the future and also evaluate some of the different  
32 expansion factors. Like I said, Bill mentioned yesterday about  
33 0.7 as expansion factors, which would be a multiplier of one-  
34 point-something, and, back in 2005, it was averaging just about  
35 50 percent, and so, for every pound that was landed, you double  
36 it to estimate the actual landings.

37  
38 Please, if anyone wants to jump in -- They gave me twenty  
39 minutes to do this, and I'm going to go five minutes over  
40 anyway, but, if you have questions, please jump in.

41  
42 Just an overview. In St. Thomas and St. Croix, we conducted  
43 sampling in September and October. In Puerto Rico, we conducted  
44 sampling this past April and May. In Puerto Rico, we looked at  
45 four different coasts, north, south, east, and west, and we had  
46 St. Thomas and St. Croix. The design of the survey was  
47 basically set up in six different regions.

48

1 We used a stratified random design, where we had four samplers a  
2 day, two in the high-use and two in the low-use. We sampled for  
3 thirty days, but only Monday through Saturday. Sunday was  
4 determined to be a very low-use day, and so we figured we would  
5 focus on the rest of the week, and then we did 9:00 a.m. to 5:00  
6 p.m.

7  
8 A last-minute change on this was, yes, Ruth, 9:00 a.m. to 5:00  
9 p.m. in there, and I joke, but this really -- I want to stress  
10 this, because we just had a presentation on Snapper Unit 2. The  
11 numbers I am going to show you do not capture that Snapper Unit  
12 2, because of the way some of the landings are, but I will show  
13 you how we can get at that in the future.

14  
15 A little bit of just the overview on kind of what we did. There  
16 was over fifty people that were directly involved with the  
17 sampling and the managing of the project. The number of people  
18 I called, phone calls outside of that, there had to be a hundred  
19 people that really allowed me to be able to get this thing done.

20  
21 In the end, we did about 720 person sampling days. That means  
22 we had a person at a location from 9:00 a.m. to 5:00 p.m. for  
23 720 days throughout the U.S. Caribbean. We observed about  
24 64,000 pounds. The refusals, times when fishermen didn't want  
25 us to look at their catch or the ones when they were too busy  
26 that slipped by us, they're not included in this, and, overall,  
27 we did about 1,300 sample trips.

28  
29 Those sample trips also include some cases where the fishermen  
30 were extremely busy and didn't want to wait for ten or fifteen  
31 minutes. We snapped a picture of a mixed cooler and we  
32 estimated as much as we could in that, and so there is some  
33 estimation on some of these trips, but each one of those was  
34 scored as to whether the sampler was able to do 100 percent of  
35 the catch or had to do an estimation, so we can go back and look  
36 at the quality or the confidence that we have in the species  
37 composition and the weights.

38  
39 **CARLOS FARCHETTE:** Bonnie.

40  
41 **BONNIE PONWITH:** Just to that point, Todd, what was your refusal  
42 rate? Do you have a feel for how common was that?

43  
44 **TODD GEDAMKE:** I will touch on it in a few, and one of the  
45 things that I am going to mention in a few moments is that, for  
46 those of you who know me, I've been working down here for over  
47 ten years, at least, or a little bit more. I have a good feel  
48 for what was going on, but I did not have the deep understanding

1 of the -- In particular, St. Croix and St. Thomas, I had David  
2 Olsen yell at me for years and telling me that they are  
3 absolutely, totally different.

4  
5 Well, they are absolutely totally different, and you will see  
6 some of that in here. Refusal rates, St. Thomas, in all the  
7 trips, I think we had maybe ten refusals out of 200 trips,  
8 something in there. It was very, very low. St. Croix, we had a  
9 very high refusal rate, and it caught me off-guard in the  
10 beginning, with people saying no, no, I've got to get out of  
11 here, but the main thing that I learned is that the market-  
12 driving forces in St. Croix are so dramatically different than  
13 they are in St. Thomas.

14  
15 You will see in the landings pattern that most of the landings  
16 in St. Croix are coming in between 11:00 a.m. and 1:00 p.m.  
17 Those guys are hitting the dock and putting the boats on the  
18 trailer and getting under the tree and trying to sell their  
19 fish. They are trying to beat each other to the market in  
20 there, and so, when we come down with our buckets and measuring  
21 boards and so on, we are getting in between the fishermen and  
22 their money. There is no worse place to be in this game.

23  
24 In the recommendations and the overview for the VI, one of the  
25 things I have put to your Center is that there has to be some  
26 development of a way of working with the fishermen to speed that  
27 up. In St. Croix, we had about a 30 to 35 percent refusal rate  
28 in there, and you will see that in some of the landings.

29  
30 In Puerto Rico, I don't know what the exact numbers are, because  
31 it was so minimal that I didn't really have to worry about it,  
32 and you will see that -- I didn't put the refusals in here, but,  
33 the first few days, we had people that were looking at us cross-  
34 eyed and with furled brows. There were a couple of refusals in  
35 there, but, after they saw us down there for a few days, we  
36 really had incredible compliance. I don't want to say I'm  
37 surprised, but I'm very, very pleased with the way it all worked  
38 out.

39  
40 I want to stress that, in St. Croix, I don't put one shred of  
41 blame on any of the fishermen for looking at us and saying get  
42 out of my hair. We haven't worked out a system that works for  
43 them on the island.

44  
45 Early in the process, going down and putting people on the  
46 docks, we had to get the word out, and we made some first steps.  
47 I called and you can see some of the members of the council in  
48 here. We have Julian and Winston and Tony and Nicky and Tom

1 Daley and Homer that were kind enough to provide some quotes and  
2 put a familiar face, so that we could get the word out and  
3 people wouldn't be surprised when we hit the ground. We started  
4 about three months ahead of time with some outreach, so that  
5 people knew that we were coming.

6  
7 Prior to starting, we also developed a basic Samsung tablet. We  
8 put a really basic software package in there, but, because we  
9 had so many people involved for thirty days, a short period, we  
10 had to have people that were not fisheries experts in there. I  
11 needed a mechanism to be able to review their work that night.

12  
13 Before we were three weeks into it, I needed to be able to  
14 figure out whether I had to go and address someone who had fish  
15 ID problems or someone that may not actually be showing up when  
16 they were supposed to, and so we have Big Brother here that not  
17 only told me where this tablet was all day long, but it provided  
18 the ability to take pictures, so we could do species  
19 verification, and it was basically -- The other thing I want to  
20 point out, for those that are familiar with the data entry  
21 systems, what we set up here is a local system.

22  
23 When they enter on this tablet, they don't have to have Wi-Fi.  
24 They don't have to have cell service, and so it's the type of  
25 thing that, once you put it in here, as soon as you connect, it  
26 then gets uploaded, and it makes electronic entry a little bit  
27 simpler.

28  
29 I am just going to show you some of the screenshots of this,  
30 just to show you some of the potential options, but, as the  
31 sampler got onsite, they would fill this out. Everything is  
32 drop-down boxes, and so, instead of someone having to type in  
33 the name, you drop it in there and you don't have spelling  
34 errors and you don't have quality control errors in there.

35  
36 We had when a trip came in. They would add an individual trip  
37 for a landing form and put the gear and some specifics and then  
38 add a catch to it. When they hit on catch, a drop-down box of  
39 all the different species popped up. This is exhaustive,  
40 because it deals with everything in the U.S. Caribbean.

41  
42 A system like this could easily be set up, let's say, for Tony,  
43 who is out fishing normally twenty species. He could have  
44 twenty drop-down boxes on there, and it would just be click,  
45 click, click history in there. Just like when you go search the  
46 web, your previous entries could be used to prompt that  
47 information.

48

1 For these samplers, we all had -- For every catch, they had to  
2 add a photo. This is my couch fish in my living room. When  
3 they enter that photo, that goes up. It's associated with their  
4 identification, and we were able to review that later on in the  
5 day, and then we also did a little bit of Sunday night  
6 interviews. Since we were not capturing it, we interviewed  
7 people on the docks, to figure out what sort of -- It was  
8 basically to try to document the information that we could get  
9 verbally from the people there, and we included interviewee type  
10 of fishermen, buyer, owner of a pescaderia, a bystander. We  
11 have multiple levels of quality of information, but the signals  
12 in certain places were pretty clear.

13  
14 At the end of the day, I mentioned the ability to supervise.  
15 The supervisors could go in and click on a supervisor page.  
16 They would get, in this case, a parrotfish. This is the sampler  
17 and the date, and they would basically flip through this and  
18 look at the identification in the bottom, and so every night or  
19 every two days, as soon as it's uploaded, we were able to verify  
20 that the IDs were correct.

21  
22 Did we get pictures all the time? Absolutely not. As many of  
23 you that work on the docks know, the minute you take a camera  
24 out, when you're walking around the docks, some people are going  
25 to look at you like you're nuts, and so some people were -- We  
26 did have like 2,500 pictures documenting 4,000 catch lines on  
27 Puerto Rico, and we had about 1,200 or 1,400 pictures in the VI.  
28 Then the other one is Big Brother. Marcos.

29  
30 **MARCOS HANKE:** This system of pictures was basically for the  
31 fish that they had problems to identify? That was the  
32 instruction or they should take -- What was the instruction?

33  
34 **TODD GEDAMKE:** I made them take pictures of lobster and conch  
35 the first week. It was for me to verify. I was basically  
36 looking at identifications from individual samplers and see  
37 that, okay, this person knows what they are doing and I can free  
38 them up on taking pictures of lobster and conch and capitán and  
39 hogfish, the obvious ones. I wanted pictures of the parrotfish,  
40 and so everyone was taking as many pictures of parrotfish as  
41 they could. They were taking pictures of the snappers as much  
42 as they could, and so it was for verification.

43  
44 They took a number of pictures on ones that were problematic,  
45 and so we had a couple of sharks, and I would look in there and  
46 there would be twelve pictures of the same shark, looking at the  
47 teeth and the fins and so on, and so it was not only for  
48 problems, but it was for me to be able to prove that anyone that



1 wants to review this data, that we actually had some way of  
2 verifying the species ID.  
3  
4 The other one too is, like I said, this had GPS on it. This is  
5 actually a plot of one person in one day. I realized that this  
6 guy's girlfriend lived in Caguas. His house was over here. If  
7 I zoom in on this, you can see he left -- He thought that 9:00  
8 a.m. at site was, no, I'm going to leave my house at 9:00 a.m.  
9 and I'm going to go have coffee at my girlfriend's and come down  
10 here and stop for an empanada and then go up to his site over  
11 here. I don't have any pictures of that, but this was two days.  
12  
13 When I showed up -- I drove two-and-a-half hours across the  
14 island and showed up the next morning and looked at him, and I  
15 said, you know, I'm glad to see you here at 9:30. You were at  
16 your girlfriend's house yesterday, and he looked at me like I  
17 was crazy.  
18  
19 This Big Brother aspect to this project had to be done, just  
20 because of the number of people we had involved. I needed to  
21 prove to people that we were going to -- He had two days where  
22 he showed up about forty-five minutes late, and he didn't do it  
23 after that.  
24  
25 We got into training. Once again, we had a lot of people that  
26 were involved, and we had to get them all up to speed. This is  
27 the team at UVI for St. Thomas. We had them down at the docks  
28 later on, at the fish market. In Puerto Rico, we had someone  
29 show up at the dock and I did a mock sampling with people.  
30  
31 This was interesting, because he was actually told by  
32 Reefscaping to be extremely hostile to me, as a demonstration of  
33 how to interact with the fishermen. Well, he looked up, and  
34 he's apparently been involved in SEDARs before, and he kind of  
35 looked up and said, uh oh, I know you, and so I didn't get the  
36 extremely hostile interaction that I wanted, but we had enough  
37 of those hostile interactions in other cases to allow the  
38 samplers to get trained.  
39  
40 We had training at UVI and then we had training at UPR, and one  
41 of the things that I'm really going to promote as we move  
42 forward, or as you move forward with this, is to really try to  
43 get the academics more involved in the process. We've got  
44 graduate students that are looking for lots of ideas. I've got  
45 twenty or thirty emails from people that were involved, saying I  
46 want to do a project on this or I want to do a project on this.  
47  
48 We did a bunch of training. We did fish identification. We had

1 people on the dock. It took about two full days of training,  
2 and then we visited people individually.  
3  
4 I'm going to start with Puerto Rico and give you an overview.  
5 It's kind of hard to see, but we had about fifty-eight sites  
6 scattered all around the coast. Once again, for those from  
7 Puerto Rico, yes, I did not get to Vieques. It's a hole. We  
8 know there is landings there. Logistically, for this project,  
9 we had to leave that to the side, but I did sail over there and  
10 talk to people. I have contacts, and I do have people that are  
11 ready to roll for the future.  
12  
13 Let's see if this works. This is just basically a run-through  
14 all the GPS coordinates. You can see every day people jumping  
15 all over the island, and, if you watch him and his girlfriend,  
16 every once in a while they will pop up in there. We also had  
17 one tablet down here that ended up in a parked car for eight  
18 hours, but it was someone that I absolutely trusted.  
19  
20 The point of this is, one, I can do actually do animations or  
21 have someone else do animations for me, but, if you do stare at  
22 this, you can see that there was people all over the place for  
23 the thirty-day period.  
24  
25 This is just basically a summarization of all the positions  
26 during the sampling and then one more representation. This is  
27 density of sampling in the different places, and so the larger  
28 the spot is, that's the more effort we had in those areas. A  
29 couple of places in the north coast, here and here, we had  
30 tablets shut off, and so there was a little bit more activity  
31 there, but, in the end, this is thirty days, basically the  
32 entire island.  
33  
34 The Puerto Rico summary, we did about 992 sampled trips and,  
35 slightly surprising to me, but not surprising to those from the  
36 east coast, the east coast had 13,000 pounds of observed  
37 landings. The north coast was just about 3,000 or 4,000, and  
38 then south and west was about 9,000 pounds.  
39  
40 I hope you can see this in here, but I'm going to walk you  
41 through this. This is number of commercial trips Puerto Rico  
42 west. High-strata, so the high-use sites, had 250 trips that we  
43 observed. South had about 175 trips. East was just under 150.  
44 The east-low was just under a hundred, which is even higher than  
45 the high-use area on the north, and so this was a pattern that  
46 was pretty expected. It came out clear.  
47  
48 The landings observed from the different strata, east is clearly

1 the highest, in the high-use areas. You get down to the east-  
2 low and the south-low, but, if you start dividing out by average  
3 commercial landings per trip, Puerto Rico east, the highest was  
4 about eighty pounds per trip, but this is just something just to  
5 note as I go through the rest of this talk.

6  
7 The average commercial landings per trip in Puerto Rico were  
8 about forty pounds or less. Some of the sites that we were  
9 getting was about thirty to thirty-two pounds. For Puerto Rico  
10 west high, we had -- There is a lot of trips coming in there,  
11 and so, right in here, you've got a lot of landings. There's  
12 your number of trips, and so it's the highest in number of  
13 trips, but it's only second-highest in average commercial  
14 landings. The landings there are going to be a little bit  
15 lower, just due to the lower catches.

16  
17 By gear type, in the north, diving. This is hook and line, but,  
18 if I rearrange this, it would be absolutely clear. Look at the  
19 east, west, and south. This is diving, your largest number of  
20 trips. The north coast is a different beast. I mean I've known  
21 that subtly, but I saw it. I mean you have entirely different  
22 fishing occurring in the north than you do on the other three  
23 coasts. It's primarily dominated by diving and some hook and  
24 line. Once again, snapper is not fully captured.

25  
26 We also did not make the distinction of walking up to someone  
27 and asking them, are you commercial or are you recreational and  
28 only sampling the commercial people. We asked people, are you  
29 commercial or recreational, and then we just recorded the  
30 information regardless in there.

31  
32 The other thing I did forget to mention in the design of this  
33 project, and talking to people and understanding some of the tax  
34 consequences in certain places, we decided not to include  
35 fishermen's names, and so everyone was anonymous on this, and so  
36 we had a question of are you commercial or recreational, and  
37 there was no potential repercussions for an individual.

38  
39 It didn't affect our design, because we did as a stratified  
40 design, but you can see this is number of trips, just a little  
41 bit of comparison to the number of commercial versus  
42 recreational. If I flip to the number of pounds, you can see  
43 some of the recreational dropped down more, because they're not  
44 landing as much in the recreational, but we also had a few  
45 charter, but we weren't at locations that did a lot of charter  
46 work.

47  
48 **BILL ARNOLD:** Todd, how representative do you think that is of

1 the actual activity distribution between the sectors?  
2

3 **TODD GEDAMKE:** I would absolutely not hang my hat on the ratio  
4 between commercial and recreational. We had to choose sites to  
5 sample. We could not go everywhere, and so we chose sites that  
6 we knew that had commercial activity. If you wanted to really  
7 document the recreational activity and the representation of the  
8 whole of the universe, you would have to add in a lot of those  
9 sites that are more purely recreational.

10  
11 There's a lot of marinas that we just simply -- I mean St.  
12 Thomas, there's just a mass amount of boats in that lagoon, and  
13 we focused on Saga Haven, a couple of places right in there. We  
14 didn't really focus on the many other locations, and so you  
15 would have to augment it specifically designed to capture  
16 recreational in addition to commercial.

17  
18 Other types of information that we got, this is landing times  
19 during the day, and so observed landings and time of day. There  
20 is our 9:00 a.m., our start of our sampling, and there's 4:00  
21 p.m. and there is 5:00 p.m. As I was told by everyone that I  
22 didn't know what I was doing, 5:00 p.m., there was nothing. We  
23 won't be doing this again, as we go for more efficiency.

24  
25 Here also was nothing. In the north, we had lower samples, and  
26 so the pattern is not as clear, but -- Days of the week, you can  
27 basically see a pattern increasing from Monday to midweek,  
28 Wednesday and Thursday, and dropping down on Saturdays.

29  
30 In the west high, there was a slightly different pattern, which  
31 I've seen in other fisheries, too. I call it the after weekend  
32 poor pulse. I don't know if my interpretation is correct on  
33 this, but, if you see in these normal patterns, many people end  
34 up spending cash on the weekends and want to get out on a  
35 Monday, and so we did have a slightly different pulse in the  
36 west for days of the week.

37  
38 We had the same amount of effort sampling Monday through  
39 Saturday. With this type of information, we can say, you know  
40 what, on Saturdays, we can even reduce our effort. Let's really  
41 focus on the meat of the landings that's in the middle. If you  
42 look at all of these together, you can clearly see a pattern  
43 that rises up for Wednesday and Thursday.

44  
45 I did one other thing on this. I had a number of side projects.  
46 In Puerto Real, where I had the boat, I worked with a dive shop.  
47 They actually recorded every tank filled that they did for one  
48 month during the period. Almost all the landings in Puerto Real

1 are divers and there's a couple others, and so I have every time  
2 one of those divers came in and every tank that's being filled  
3 by one shop, and I have a great curve for the effort and the  
4 days that people are fishing there, and that's something that I  
5 think that thinking outside the box on how to get trips and  
6 effort would be good.

7  
8 Okay. This is an estimated average landings per day by the  
9 different sites, south and west. Unfortunately, the label is  
10 covered, but the dark colors are what we determined was high-use  
11 before the start of the project. This was in consultation with  
12 Daniel Matos and Ricardo and the port samplers in Puerto Rico.  
13 We went through all the NOAA landings for historical landings  
14 and we went through interview questions of how would you rank  
15 this, and so not only were we using landings, but we were using  
16 people's experience in there.

17  
18 The NOAA database had large landings in places that didn't exist  
19 anymore, and I think part of that is that fishermen from those  
20 communities are still reporting from ramps that have been  
21 knocked out in previous years, but, anyway, we basically logged  
22 it this way.

23  
24 You can see these are the results for estimated landings. In  
25 the south, we had one site, La Parguera, that we had initially  
26 designated as a low site, but you actually had -- It's the third  
27 highest on the south coast. In the west coast, every single  
28 stratification was perfect. These are our seven high sites, and  
29 the landings decline as expected.

30  
31 The north coast, three of our our early designated low sites  
32 were the highest landings per day in there, and so our initial  
33 information on this was not exactly correct. We can re-stratify  
34 on this and we can redesign better, to take a look at it, but,  
35 once again, landings per day in Vietnam, landings were above  
36 eighty pounds a day. Estimated landings in the east, in  
37 Hucares, was 450 pounds.

38  
39 **GRACIELA GARCIA-MOLINER:** Todd, but there is a problem with the  
40 seasonality of the pelagics that are harvested from the north  
41 coast, and that will throw off the areas of --

42  
43 **TODD GEDAMKE:** Graciela, thank you very much, and I knew there  
44 was no way, if I spaced this, that someone wouldn't remind me.  
45 The other aspect of a pilot study is not to capture it all, but  
46 it was to do high intensity during the time we sampled. My  
47 disclaimer on this and my recommendations are going to be, now  
48 that we have the high intensity doing times of day, days of the

1 week, basic patterns of landings in there, we can design a  
2 longer term to capture the signals that change temporally  
3 throughout the year.

4  
5 Clearly I mean we had to do, due to budgeting and timing, we had  
6 to do the Virgin Islands in September and October of last year.  
7 Once again, Todd, you have no idea what you're doing. All the  
8 tourists are gone and we have no demand and we're not fishing at  
9 this time and what are you going to do to us? I said, this is  
10 just to capture a season in there. I would not say that this is  
11 going to be representative of the whole, but it does give us  
12 those insights, to be more efficient in what we do, looking to  
13 capture the whole year.

14  
15 I know we could get hung up on these species lists. I am going  
16 to put these up for all six regions, but, in Puerto Rico north,  
17 silk snapper was about 20 percent and lobster and queen conch,  
18 but the landings are fairly low, as you would expect from what  
19 we had there. The key point is the top twenty species made up  
20 about 83 percent of all the landings on the north coast. This  
21 is by pounds.

22  
23 The south coast, conch is 23 percent. Caribbean lobster is 44  
24 percent total, and so it's 20 percent each, but these two  
25 species made up over 40 percent of all the landings. You add  
26 dolphin and king mackerel in there, you're over 54 percent. By  
27 the time you get to the top twenty, you're at almost 90 percent  
28 of all the landings.

29  
30 Graciela, are you pointing at the slipper? There was a couple  
31 of things that -- I mean I did not see one slipper lobster in  
32 the Virgin Islands. Most every other trip would have one or two  
33 in Puerto Rico. We also had a crab that wasn't documented in  
34 any of the NOAA databases that we would end up popping up every  
35 second or third trip. I mean it wasn't in the database.

36  
37 This is one crab that started popping up, and everyone is  
38 looking at the database and going, where is this? We didn't  
39 have it in there, but we've got a couple of these other ones.  
40 Are they really important? No, but they do capture where people  
41 are fishing. They give you insights as to how people are  
42 landing.

43  
44 **GRACIELA GARCIA-MOLINER:** With the Spanish lobster, we might  
45 have a problem, because that might be going into the spiny  
46 lobster unit. Therefore, your landings are comprised of both  
47 species, and that might end up being 20 percent of the catch.  
48 If you reduce that from the ACL, you would not have passed the

1 ACL for lobster in Puerto Rico, and so that's the importance of  
2 having that in the trip tickets.

3  
4 **TODD GEDAMKE:** Definitely, and one of the other things that I  
5 think -- I forget the exact species, but it was wenchman and  
6 something else, and I think we spent two to three years trying  
7 to figure out what a wenchman was in certain places. Why?  
8 Because, in Puerto Rico, like many other communities, all you  
9 need to do is go about ten miles down the road and they have a  
10 different name for it. The pescaderia will generally have a  
11 similar name at the top, but like chio can represent all  
12 snappers in certain places. Making sure we have those  
13 delineated is very important.

14  
15 On the west coast, conch was 28 percent and spiny lobster puts  
16 you up at about another 20 percent, 50 percent. By the time you  
17 get through the top twenty species, you're at 94 percent of the  
18 landings in here.

19  
20 Mixed catch, I didn't mention this. This is where we're still  
21 reviewing and why I say that some of these are preliminary. We  
22 are looking at the photographs from all the coolers that we just  
23 had to take pictures of, where we weren't able to capture that  
24 right at the spot, and so we're still doing some review on that.  
25 West coast, also blackfin were coming up a good bit, but the top  
26 six or seven species make up 80 percent of the catch. Bill.

27  
28 **BILL ARNOLD:** I was just going to point out, on all of these  
29 coasts, there is a lot of pelagics that are constituting  
30 reasonably significant amounts of the catch. Is that this  
31 recreational contribution or are those truly commercial  
32 landings?

33  
34 **TODD GEDAMKE:** I am going to say truly commercial landings.  
35 There is a recreational component involved. We have one of the  
36 pelagic fishermen with us here today. I mean we had one trip  
37 that was, and you will see it when we get to St. Croix, but we  
38 had Christiansted Harbor as one of the higher landings sites.  
39 Why? Because we had one 600-pound wahoo trip and one 400-pound  
40 wahoo trip in there, and so a lot of these may represent two or  
41 three trips.

42  
43 I mean, if you look at the blackfin, 880 pounds of blackfin on  
44 this coast, you get a hundred-pound day out there, and that's  
45 just eight trips to make up this. Some of these may get  
46 expanded a good bit, just because of the amount of pounds coming  
47 in.

48

1 On the east, look at these numbers. Queen conch is 53 percent  
2 of the landings. Caribbean lobster puts you up at 71 percent.  
3 By the time you get through the top three species, you've got 75  
4 percent of the landings on the east coast. Mixed catch also.  
5 It's 500 pounds, and we're still separating that out, but,  
6 during this time of year, during the period we were out  
7 sampling, most of your catch on the east coast is conch and  
8 lobster.

9  
10 Okay. This is -- I don't have the exact site names here, but  
11 this is other information that we have in there. The dark  
12 colors represent sampled trips, and so this Puerto Real, Soltero  
13 Pescaderia. The largest number of trips came out of this one  
14 location. Unsampled trips is the slightly darker one, and so  
15 that would be this. That would represent refusals or someone  
16 that -- In Soltero, for example, you looked at a dock that was a  
17 hundred yards down. If you were working a trip, you couldn't  
18 get down there, and so you would record an observed trip on  
19 that, and that would be an unsampled trip.

20  
21 The last one, which is light-colored, is ongoing trips. At 5:00  
22 p.m., when the sampler left, if there was trailers or if they  
23 knew there was people out, they would record that as an ongoing  
24 trip. Nelson, this is your coast. If you look at this, I mean  
25 you can see the ongoing trips. You look across here, and where  
26 is ongoing trips the greatest? Well, you've got Rincon Ramp  
27 right there as ongoing trips.

28  
29 Just by me looking at the data and not knowing anything, I know  
30 that we're not capturing -- There's a lot of trips that are  
31 still out that are landing after the time we sampled, and so  
32 there's other ways of analyzing this. Even though we weren't  
33 there at night, we can take a look at some of this information  
34 and determine whether we need to be putting more effort to it.

35  
36 This was my title slide from many years ago. I think, from here  
37 on out, I'm just going to not do the Virgin Islands as a whole.  
38 I am doing St. Thomas and St. Croix, to respect the differences  
39 that just became so obviously clear, and I didn't have a nice  
40 Google map of St. Croix.

41  
42 The summary, they're going to be side-by-side on this. St.  
43 Thomas, total number of trips in the commercial sector, it was  
44 just about over seventy. In St. Croix, we had over 200  
45 commercial trips that we intercepted.

46  
47 Landings, in both St. Thomas and St. Croix for the thirty-day  
48 period, it was about 12,000 or 13,000 pounds, right in there,



1 and so a very similar amount of landings, even though the trips  
2 were very different between the two places.

3  
4 St. Thomas, the equipment, no surprise, was almost all trap.  
5 St. Croix, no surprise, was almost all diving. Landings by  
6 sector, once again, it mimics the gear usage. It had 90 percent  
7 of it coming in by trap. In St. Croix, about 75 or 80 percent  
8 of it was coming in by diving. Once again, as Graciela pointed  
9 out, hook and line, these are two or three trips of -- I mean  
10 that's 1,500 pounds. I think that was three or four pelagic  
11 trips that came in for mostly wahoo.

12  
13 Day of the week pattern, if you look at this, it's not as clear  
14 as what I just showed you in Puerto Rico. St. Thomas, it's  
15 relatively -- This is observed pounds. It's kind of scattered.  
16 You definitely had a Monday pulse, but you had a pretty  
17 consistent or at least noisy pattern across the board. There  
18 were no obvious patterns between the two areas.

19  
20 Low was a little scattered in St. Thomas, and St. Croix low, not  
21 much of a pattern, and so the sampling, the conclusions for how  
22 to make it more efficient, are a little bit different in Puerto  
23 Rico than they are for each of the islands, just because the  
24 fishing is different. The market demands in St. Thomas, they  
25 are able to go out on a Monday and a Tuesday. They are icing up  
26 and they're waiting for Friday and Saturday, generally, to sell,  
27 and so it results in different patterns of fishing.

28  
29 Time of day, the same thing. In the high use in St. Thomas, you  
30 can see there is the number of pounds coming in. There's almost  
31 a bimodal, where you had people coming in first thing in the  
32 morning or people coming in at night. In the low, there's not  
33 any really clear pattern. However, in most of the low, people  
34 were going out in the morning and coming back in the afternoon.

35  
36 St. Croix, as I mentioned before, the market dynamics in St.  
37 Croix end up with a very clear pattern of landings. They're  
38 going out at dawn, first thing in the morning, and most of the  
39 landings are coming in somewhere surrounding noon, depending on  
40 who is going out, but that's very clear in St. Croix.

41  
42 Then just a comparison for the St. Thomas high and St. Thomas  
43 low number of trips, the different number of trips between the  
44 two strata. It was sixty for St. Thomas high and ten for low.  
45 St. Croix high and St. Croix low are here. Once again, you can  
46 go from the number of trips, the total number of landings. They  
47 look the same. St. Croix, as I mentioned, is more trips, about  
48 the same amount of landings. Average catch, based on a trip, is

1 very different.  
2  
3 Now, if you remember, I said remember the numbers for Puerto  
4 Rico, because the highest number of landings we had per day, on  
5 average, was about eighty pounds per day in all of Puerto Rico.  
6 Most of them are coming in at about thirty or thirty-five  
7 pounds. Landings per day in St. Croix and St. Thomas -- In St.  
8 Thomas, you had 170 pounds per day coming in from the main  
9 sites. In St. Croix, you had about fifty or sixty pounds, and  
10 so average landings per trip are higher in both St. Thomas and  
11 St. Croix than they are in Puerto Rico.  
12  
13 I had some really good insights in looking at Puerto Rico and  
14 kind of the culture behind it. It's way too long for me to get  
15 into here, but you have a lot more fishermen going out in Puerto  
16 Rico that are going out for three or four hours and just  
17 catching enough to make their day and pay for their fuel, pay  
18 for their dinner, whatever their vice may be, and then go out  
19 the next day and do the same thing. You don't have people  
20 really going out slamming from 6:00 a.m. until 5:00 p.m.  
21  
22 Then this is by site. These are the sites that we sampled.  
23 Once again, the dark is high-use sites. This is landings per  
24 day. Altoona Lagoon in St. Croix and Molasses made up the  
25 largest, dropping down to the Frederiksted and Gallows Bay, but,  
26 as I mentioned, Christiansted Harbor, which is commonly a low-  
27 use site, these are the pelagic trips that came in and really  
28 brought that one up a good bit in there, but the stratification  
29 that we had set up, based on guidance from the fisheries agents,  
30 put us exactly in the right ballpark for this.  
31  
32 For St. Thomas, it's the same thing. They put us in exactly the  
33 right ballpark. We had the high-use designated correctly and  
34 then the low-use down in here, and so, landings per day, once  
35 again, if you're averaging in all of St. Thomas, why are the  
36 landings up at eighty or ninety pounds? Well, the guys at Saga  
37 Haven are doing 500 pounds a day. I think there's about six  
38 guys that are working out of there. As a team, as a group,  
39 they're putting in about 500 pounds a day coming out of there.  
40 Then it's dropping way down.  
41  
42 You can imagine if I were to go back out and be asked, how are  
43 you going to catalog St. Thomas, where am I going to put the  
44 effort, you put the effort at the two highest places and then  
45 you scatter around the other places and make sure that you're  
46 not missing stuff.  
47  
48 These are the same type of ranking. St. Croix is here and going

1 down. Lobster was 22 percent. Unknown, and, Bonnie, this  
2 relates directly to your refusal rate. This is ones where we  
3 had fishermen say I don't have the time. Can we at least get a  
4 total pound estimate from you? We got a total pound estimate or  
5 we took a picture.

6  
7 Since then, we have been able to break apart this unknown,  
8 looking at a typical dive trip, and so we came up with a species  
9 composition for a dive trip, for different sites, and then we  
10 could just take that one assumption farther and say that, if  
11 they're doing this every day, we can assume that species  
12 composition is similar.

13  
14 With all the caveats, we can try to break this up a little bit  
15 more, and so this unknown basically will scatter throughout the  
16 rest here, but, Bill, there is your dolphin and wahoo coming up  
17 in St. Croix as basically your largest number of pounds below  
18 lobster and then your standard catch.

19  
20 My first trip, both in St. Croix and St. Thomas, of course, in  
21 front of samplers -- I tried to show them that I knew what I was  
22 doing, and I promised fishermen that we would not take more than  
23 twenty minutes to do everything, and both of the trips that I  
24 tried to use for training had about 200 pounds and twenty-four  
25 to twenty-six species in it.

26  
27 I sweated and realized I was getting old and told the samplers  
28 that, yes, I'm glad I can demonstrate how difficult this can be  
29 at times, because getting through a mixed catch of twenty-four  
30 species, 200 pounds, in twenty minutes is virtually impossible.

31  
32 Recommendations for future work are going to include either some  
33 photo identification work or sorting tables, so stuff can be  
34 dumped out flat and photographed and put right back in coolers,  
35 and I will not make one step without conferring from those  
36 people that are on the ground that are going to be bothered and  
37 interacting with the samplers.

38  
39 St. Thomas, an interesting one here. Your second largest  
40 species we documented was the topsnail. It's brought in with  
41 the shell, and I think this was about three trips in there.  
42 It's not important, and it will be knocked out for our analysis  
43 in here, but lobster, queen trigger, red hind, and then  
44 angelfish, and I'm sure -- I hope that this is no surprise to  
45 the trap guys there, but you look at the breakdown, and the top  
46 twenty species make up 87 percent of the landings. Tony, is  
47 something jumping out at you?

48

1 **TONY BLANCHARD:** What is a topsnail?

2  
3 **TODD GEDAMKE:** Whelk. This was the opening, and so you asked me  
4 about patterns. Did what I document make sense for the whole  
5 year? Absolutely not. That was opening day. We were there for  
6 opening day. We may not see it for the rest of the year, but  
7 that's one that we captured it during opening day. It is being  
8 harvested and it's on there, but this is why I have to be very  
9 cautious in drawing global conclusions or conclusions on the  
10 whole fishery from where I'm getting a snapshot during one time  
11 of the year.

12  
13 The end product of all of this -- These are my last two slides.  
14 The overall objective I said is how do we be more efficient in  
15 doing this for the future? This is called a power analysis, and  
16 I'm just using St. Thomas as an example. Luckily for me, I now  
17 have the option of working with other people to do some of these  
18 high-level stats, so I get a nice breather from doing a lot of  
19 coding, but John Hoenig has been working with me on this  
20 project.

21  
22 What this shows you here is the percent standard error or the  
23 variability of an estimate based on the number of people days  
24 that you're putting. This would be the number of people in the  
25 low-use stratum for a year and this would be the number of days  
26 in the high-use stratum.

27  
28 Right at this point would be one person going out every other  
29 day, in the high-use stratum, and this would be one person going  
30 out every sixth day in the low-use stratum. What you can see,  
31 and the point of these analyses, is this shape. At the  
32 beginning, you look at extremely high variability. As you start  
33 adding more and more people to it, this curve starts  
34 diminishing, and this is the point of diminishing returns.

35  
36 Someone at the Center, if they're looking at saying how can we  
37 get our best bang for our buck, what they're looking for is how  
38 much money do I have to spend, how many people do I have to put  
39 out there, to get the variability down, but not spend too much  
40 money getting samplers out there wasting our time to increase  
41 our precision by 2 or 3 percent on there, and so this is also,  
42 for anyone that is absorbing these numbers, this is your worst-  
43 case scenario.

44  
45 This is unfiltered. We have been able to re-stratify and bring  
46 these numbers down a little bit, but this, in the end, is our  
47 executive summary plot on this whole thing. All the other  
48 pieces are all put together for us to take a look at this. We

1 looked at the top seven species and the total.  
2  
3 You can see that, by getting people out and doing a fair amount  
4 of effort, one to two full-time people would get you down in  
5 this level. You get into maybe one full-time or half-time and  
6 you start getting into this level, but my recommendations are  
7 not going to be that you need to do this or this. Here is your  
8 pattern. You take a look at the variability that you want and  
9 here's what I think we can do, and here is how I think we can  
10 improve on it.  
11  
12 **MIGUEL ROLON:** Todd, using those two, which would be the most  
13 efficient?  
14  
15 **TODD GEDAMKE:** It's an interesting question. Which would be  
16 most efficient? In what I do and the point of this room and the  
17 advice of the managers, in a lot of cases, you're not going to  
18 get an answer from the scientists. You're going to get options.  
19 Which is most efficient?  
20  
21 I would look at Bonnie, and I would say, Bonnie, your team at  
22 the Center has to take a look at this and say, okay, basically  
23 we want to be with a 10 percent standard error. Obviously we  
24 would love to be down at 2 or 3 percent, and we can reanalyze to  
25 see if that's possible, and so which would be most efficient?  
26 How much money do you have? That's really what -- The money  
27 sink in some of this stuff is never-ending. You can continue to  
28 throw more and more money at it.  
29  
30 If I were king, I would look at this say which is most  
31 efficient? Well, this is two sites per stratum per day, and so  
32 this means there is four people, basically, a day going out.  
33 That's very expensive. This means there is two people a day  
34 going out. That's less expensive. You can take a look at the  
35 difference in patterns.  
36  
37 Look right here. If you draw this line over, at the same point  
38 here, you are looking at the same amount of effort, but you're  
39 having a slightly increased variability in the two people per  
40 day than the four people per day, and so this ends up being a  
41 judgment call that the managers are going to want to put in and  
42 provide how much money do you have and can you do this for a  
43 longer period or can you do it for a shorter period?  
44  
45 With each of these two options comes slightly different  
46 statistical abilities. Here, if we did four people a day, two  
47 in the high and two in the low, we can compare those two to each  
48 other. We end up with a more precise estimate of variance by

1 doing that. This other one, we have to do a slightly -- We end  
2 up with a slightly positive variance estimate. It's not like we  
3 can't get past that option, and so, Miguel, once again I am  
4 sitting on the floor here and dancing around a direct answer to  
5 your question, because the efficiency is really dependent on  
6 what you want to get out of it and what your budget is looking  
7 like.

8  
9 **MIGUEL ROLON:** Yes, but this is very important. When we were  
10 working in the 1960s and the 1970s in Puerto Rico, the  
11 University of Miami gave us more or less the same thing, except  
12 not as sophisticated as this one. We didn't have fast  
13 computers, but the point was that these percentage estimates  
14 that we apply to our landings -- That's one of the issues with  
15 the ACLs and all of that, and that's my connection there.

16  
17 For example, in that case, let's put it as the cheapest way that  
18 we can afford at that time was to employ a person for fifteen  
19 days at some key ports, and he or she was collecting everything  
20 that went through that port. Then we compared that to the port  
21 samplers and we came up with the 15 percent or 20 percent of  
22 escape, we called it.

23  
24 Again, this is why you have to make a judgment call at the end  
25 as a manager that I have so much money and how dirty I can be  
26 with my statistics. You have one morning and so -- In essence,  
27 in many of the species here, we will never, ever be able to have  
28 an accurate, precise -- But we can have a very good,  
29 statistically-supported estimate of where we are in terms of the  
30 ACLs and others, and I believe that that's the beauty of your  
31 presentation.

32  
33 **TODD GEDAMKE:** Miguel, thanks for bringing that back up, but the  
34 title of this is commercial data validation, and the overall  
35 objective of this is to address that problem. Why am I not  
36 discussing that directly right now? Because this is a pilot  
37 study. This is giving us the base information to be able to  
38 really take a look at that.

39  
40 If I have the option to look at the CCR forms during this time  
41 period, we can do a comparison. Am I going to hang my hat on  
42 that as what the expansion factors should be? Basically, we  
43 also debated on the word "validation" versus "corroboration" for  
44 a title. I went back and forth with Steve Turner very briefly,  
45 because the point of this is not to go in and say, well, we're  
46 going to do things totally different.

47  
48 What I have generally found, and I hope that those that have

1 told me that I had no clue what I was doing -- What we found is  
2 basically to put plots up there that say, yes, we didn't have a  
3 clue what we were doing, and now we've shown that we can go back  
4 and redo things in a different way.

5  
6 This is going to give us that basically guidance as to stepping  
7 forward on this, and the other thing that I didn't mention  
8 earlier on with the expansion factors is I want everyone to, at  
9 least those that are concerned -- There was some comments  
10 yesterday about if the expansion factor is wrong. The problem  
11 is not having an expansion factor, but it's having a disconnect  
12 between your historical averages, which were put in with a  
13 certain expansion factor, and a changing expansion factor now,  
14 and that's really the problem in there.

15  
16 We could go back and take a look at this information or target  
17 very specific -- Snapper Unit 2 is of concern. Well, there is  
18 ways of targeting that directly and taking a look at what we've  
19 got, both with the catch records and what we're sampling.

20  
21 **CARLOS FARCHETTE:** Marcos.

22  
23 **MARCOS HANKE:** Todd, first, I want to thank you, because finally  
24 we are seeing other ways of adjusting or organizing, in a  
25 scientific way, and we're getting closer to what we are looking  
26 for. Once that's said, let's say that now you have better  
27 judgment and you have passed through this first try-out and  
28 collecting all of this data.

29  
30 If you have a year of collecting the same data with the  
31 corrections that you already have in your pocket, do you feel  
32 comfortable in one year or in two years to make a  
33 recommendation, with the data you think you are expecting to  
34 collect, to address the issues that the council needs, which is  
35 the expansion factors and all the other elements that we use  
36 here?

37  
38 **TODD GEDAMKE:** Before I answer that, and it's kind of on my next  
39 slide, I want to make one thing absolutely clear. You said if I  
40 had a year. This was a pilot study. I have thanked Ruth and  
41 Commissioner Henry for letting me continue with this project.  
42 If we had a year, and I want to be -- There's no way that I can  
43 do any of this work without -- I am a guest, and so I just want  
44 to make that absolutely clear, that if we had the option -- I  
45 mean not one step would go further before we get full approval  
46 and working with it. I put governance down here, just making  
47 sure that, if there is that option, it's something that is  
48 worked directly together.

1  
2 Your other question of would we have the information by doing it  
3 for a year, yes. Is it going to be perfect? No. Is it going  
4 to put us down that -- I mean that's why I said I'm not going to  
5 hang my hat on a definitive answer for you, because, right now,  
6 I've got a good picture of a six-week period in each place. The  
7 patterns, as we go throughout the year, are going to be slightly  
8 different, but one of the things I put in there -- These are  
9 reminders to myself, just to make sure that I didn't forget  
10 things.

11  
12 Sector versus coast design. With what we learned -- Bill  
13 mentioned yesterday that he thinks the expansion factors really  
14 should be different for the snapper fishery versus the other  
15 west coast fisheries. We could re-look at that, in consultation  
16 with Daniel in Puerto Rico, and say, you know what, we can  
17 subset sampling based on sector versus the coast.

18  
19 One of the things that Ruth have told me is why are you standing  
20 nine-to-five at this dock and trying to get everything in there?  
21 You should be looking at the individuals. We need to be working  
22 directly with the individuals to figure out -- One of the  
23 recommendations or abilities of moving forward for a year would  
24 be to actually take a look at that. Can we work out something  
25 in that route?

26  
27 The biggest letters I have in here are education and outreach.  
28 I'm sorry, Marcos, but I'm going to go off on a tangent and  
29 clean this slide up and then you can ask me more questions, but  
30 the biggest thing that I learned, across the board, is that I  
31 think there has really got to be a push for some more education  
32 and outreach. I don't think the fishermen have been getting the  
33 full picture across the board.

34  
35 The St. Thomas crew there seems to be the most informed. We've  
36 got a number of members right here. In St. Thomas, they've got  
37 a decent handle on it. In St. Croix, it's a little bit less.  
38 In Puerto Rico, most of the people that I interacted with really  
39 didn't have a handle on why we would be doing this work, and so  
40 I think that that's a big push and a main recommendation of  
41 mine.

42  
43 The other thing, Bill, you asked is, is the commercial and  
44 recreational correct in there, do you think it's representative,  
45 and I don't, but one of the things that -- We've got  
46 recreational efforts coming down from one pipeline from Miami  
47 and we've got commercial coming down from another pipeline.  
48 We've got maturity studies and we've got a lot of things, and



1 these guys have to sit in the office and go, okay, you want me  
2 to sign off on what? I am going to have one dock and I'm going  
3 to have four guys coming up to you and asking you four different  
4 sets of questions in here, and there is sampler fatigue. There  
5 is science fatigue, and we have to be aware of that.

6  
7 I think the coordination of the multiple efforts that are going  
8 on -- If we hit Julian at the dock, you're not a recreational  
9 guy. Can we buy a few fish from you to do maturity? He's now  
10 dealing with a scientist once, rather than dealing with four  
11 different faces, and so I think consistency and also trying to  
12 align efforts.

13  
14 St. Croix and St. Thomas are small enough that you could have  
15 two people assisting the territorial agents on doing their work.  
16 You could have that working in there, so you would have some  
17 familiar faces, rather than having the people jumping in for two  
18 weeks at a time in different places. I think familiarity and  
19 consistency is good, and I already touched on governance. I  
20 think, before anything moves forward, just really doing some  
21 full discussions as to what they want, the different groups,  
22 what they want and how we can help and how we can work together  
23 and not step on toes.

24  
25 **CARLOS FARCHETTE:** Julian.

26  
27 **JULIAN MAGRAS:** Todd, excellent presentation. I really like to  
28 see what I saw there today. The outcome was great. It's good  
29 to see the good work with Fish and Wildlife, of course, and with  
30 the fishermen.

31  
32 What I would like to see here today is everyone here sitting at  
33 the table has seen what's been put forward with just a few weeks  
34 of study in the different sectors, and I am going to put out  
35 here a request between the council, the Southeast Fisheries  
36 Science Center, NMFS, and everyone, try to find some additional  
37 funding to help Todd, to help the territories, in getting some  
38 more port samplers, so we can continue this project, because,  
39 just looking at the six weeks in between the time that Todd  
40 looked at it in St. Thomas, you're really not capturing a lot of  
41 different species, because of the different times of the year  
42 that the different species are caught.

43  
44 We target different species at different times of the year, and,  
45 at the end of the day, this is a lot of the information that the  
46 council needs to do their job. This is what needs to be on the  
47 table. Studies like this is what brings the information that  
48 gives us a truer picture of what's going on in each fishery,

1 and, like he said, it goes all the way back to Dr. Olsen telling  
2 him, during those very tough meetings, exactly what he found out  
3 when he did this study.

4  
5 We didn't want to hear it then, but now we are realizing that he  
6 admits that he can see that each area is totally different, and  
7 so whatever you guys can do in your separate meetings when you  
8 go in to talk about budgets and stuff like that, let's see if we  
9 can find some monies to get some more port samplers and keep  
10 Todd on the job.

11  
12 Todd is very good at how he does stuff, because he knows how to  
13 talk to the people that he's working with. He knows how to work  
14 with the fishermen. He goes out of his time and actually  
15 mingles with the people to get a feel of how they take what is  
16 taking place, and are we doing a good job? How are my port  
17 samplers doing? Are they hostile to you? He finds out what he  
18 can do better as doing the project and not just walking up and  
19 saying I'm here and dump all your fish. No. He comes up and  
20 asks if they can sample your fish, the port samplers, and so I  
21 really appreciate all of what you did, and I'm hoping and  
22 looking forward that they will continue this project. Thank  
23 you.

24  
25 **CARLOS FARCHETTE:** To that point, Miguel.

26  
27 **MIGUEL ROLON:** Todd, can you tell us how much money was involved  
28 in the pilot survey, and do you have any guesstimate of how much  
29 will be needed for one year or a longer period of time project?

30  
31 **TODD GEDAMKE:** I like Julian's comment telling me that I did a  
32 great job rather than that question. I am going to defer to  
33 Bonnie on this. The money, from my end of things, the money is  
34 through NOAA and ACCSP, Atlantic Coast Cooperative Statistics  
35 Program, and I think it's better for me to defer to her on this,  
36 and I can touch on the second part, which is what I think for  
37 the future.

38  
39 **BONNIE PONWITH:** Thank you, Mr. Chairman. It's a good question.  
40 Again, what Todd has done a good job of doing is describing that  
41 this was a study to present some answers as to how you would set  
42 up a study if you were going to do it at an operational scale.

43  
44 You go out and sample intensively for thirty days on each of the  
45 platforms and that's not an operational scale. It's to gather  
46 the information so you can develop the statistics to answer the  
47 questions of how many people do you need and what kind of  
48 coverage do you need, to get exactly at the question you asked

1 of how much would it cost.

2  
3 Those power curves are exactly what we need to be able to answer  
4 some of those questions, and so it remains to be seen. What  
5 they do is give us the ability to ask questions of what  
6 statistical power do we need, what questions are we going to ask  
7 of the data, how are we going to use those data, what can we  
8 afford and what are the tradeoffs, and so these are preliminary  
9 results. We will use those results to inform those very  
10 questions, to be able to arrive at answers.

11  
12 What I will tell you now is it's premature. We would love to be  
13 able to see the final results to understand this. We would love  
14 to work very closely with our partners on dockside sampling and  
15 with the council, to understand some more of those questions of  
16 where are the tradeoffs and what resources could we put together  
17 to do this sampling on an operational scale and then come up  
18 with some plans.

19  
20 **CARLOS FARCHETTE:** Okay. I have Blanchard, Ruth, and then  
21 Carlos and then Bill.

22  
23 **TONY BLANCHARD:** Marcos asked you a question a while ago as to  
24 whether or not a year's time would be enough, and my thing is  
25 this. Me personally, I don't believe in a one-shot deal,  
26 meaning we just can't go off of one year as the example to go  
27 by, for lack of a better word, because we all know how quick  
28 things could change. You might have a good year this year, and  
29 next year a hurricane hits and guess what happens, or some other  
30 disaster or some other change in the fishery.

31  
32 I think the one-shot deal just ain't going to cut, and so my  
33 suggestion would be, if this is done, this would have to be for  
34 an extended period of time and not just a year, to actually see  
35 the trends of the fishery. It's just like we don't take the ACL  
36 off of a one-year shot. It's no different.

37  
38 **TODD GEDAMKE:** Let me just give a very quick response to that,  
39 because I don't think anyone will disagree with you. I mean  
40 that's the ideal on this. One year is going to give us the  
41 pattern for the year, but did we have a hurricane that year or  
42 did we have all of this weed coming up that year? Did we have a  
43 change in -- One year ain't going to give you the whole picture,  
44 but doing something that's this intensive year after year after  
45 year is way outside of the budget possibilities, which is why  
46 there has to be some decisions well above me on this that say we  
47 want to focus on getting precision of lobster, conch, and the  
48 Snapper Unit 2 fishery. With that, you can put this amount in.

1  
2 The other thing is, once we do a year of relatively intensive,  
3 then you have at least the pattern monthly in there. You may  
4 have a bad year due to weather patterns, but you then have it  
5 monthly, and you can start looking at that for design in the  
6 future, and so that power curve, the point of that is how much  
7 money do you really have to spend to do this. No one is going  
8 to disagree that the ideal of this would be to continue  
9 something that's intensive for a long period of time, but you  
10 have to ride that balance between staffing, budgeting,  
11 personnel, getting in people's faces, all of that.

12  
13 **CARLOS FARCHETTE:** Ruth.

14  
15 **RUTH GOMEZ:** A couple of things. I believe the major reason why  
16 Todd's program worked so well was because he is trusted, and  
17 that's big. That's big to us in the territory. Just for a  
18 matter of clarification, Fish and Wildlife does receive funding  
19 from NOAA/NMFS to do port sampling, but it's important to  
20 understand that the last time there was dedicated port samplers  
21 in the USVI was over twenty years ago, and so the staff that  
22 goes out to do port sampling also has to work on thirty-five  
23 other grants.

24  
25 The need is there. The willingness is there by my staff, but we  
26 just don't have the time, because their time is split in so many  
27 other directions doing so many other programs that -- I mean we  
28 give it a good shot, but we definitely could use some funding  
29 help, and it would be great if we could have at least two full-  
30 time port samplers in St. Thomas and St. Croix. It would really  
31 make a difference in the data we collect. Todd, I hope the  
32 council, I hope NOAA/NMFS is listening, because I would look  
33 forward to working with you.

34  
35 **CARLOS FARCHETTE:** I have Carlos Velazquez and then Bill.

36  
37 **CARLOS VELAZQUEZ:** Todd, I congratulate you. It was a very good  
38 presentation. You use this to interact with the fishermen and  
39 the staff. It's very, very good interaction, but, for the next  
40 time, where you talk first with the president of the fishermen  
41 or talk to the leaders of the village, the fishermen, but they  
42 don't feel -- They don't feel for the -- When you see a person  
43 with a notebook, they ask your name and -- The fishermen in  
44 Puerto Rico say, wait. That's my recommendation for the next  
45 time.

46  
47 **TODD GEDAMKE:** Thank you.

48

1 **CARLOS FARCHETTE:** Bill.  
2  
3 **BILL ARNOLD:** A lot of hard work, and so we've discussed this  
4 before. You mentioned coordinating these sampling programs, but  
5 what I want to know is, is there an opportunity to integrate  
6 these sampling programs, so that we maximize cost efficiencies?  
7 I just want to know your thoughts on that.  
8  
9 **TODD GEDAMKE:** Yes. I mean I can -- To me, the short answer is  
10 yes, and I think integrating the multiple different avenues and  
11 integrating Ruth's efforts with other people that are coming and  
12 -- I mean, yes. To me, it's the most obvious way of moving  
13 forward and being more efficient.  
14  
15 Ruth doesn't have the staff here to be able to handle all of  
16 this and augmenting that, but doing it in a way that dovetails  
17 rather than rides off on the side and comes in from the outside  
18 on things. With what we saw, just looking at the docks, all we  
19 would need to do for recreational would be to add another ten  
20 sites on. Add another ten sites and handle them slightly  
21 differently and no problem. I mean Ruth and I haven't discussed  
22 some of the TIP sampling they're doing, some of the length  
23 information, the biological sampling.  
24  
25 Why have different offices discussing this? She could play  
26 point here. I am using you as an example, Ruth, and I hope you  
27 don't mind. She plays point on this and says, okay, I need,  
28 from my contracts, I need to get X number of fish measured and I  
29 need to get -- So-and-so is coming down and wants maturity. Put  
30 it all in one thing and coordinate it right through that office,  
31 so that everyone knows what's going on through there. Yes, in  
32 terms of efficiency, I don't think there's any better way of  
33 moving forward than doing that.  
34  
35 **BILL ARNOLD:** All right. I ask because we're going to talk  
36 about developing a comprehensive Marine Recreational Information  
37 Program for the U.S. Caribbean later today, and I just want the  
38 council members to be aware.  
39  
40 **TODD GEDAMKE:** Unfortunately, I would love to have a business  
41 excuse, but I don't. I won't be here for this afternoon. I am  
42 disappearing to the BVI, and so I won't be part of that, but,  
43 Bill, please fill me in.  
44  
45 **CARLOS FARCHETTE:** Okay. I have Marcos and then I have to -- We  
46 can sideline with Todd, because I've got to get things done  
47 here.  
48

1 **MARCOS HANKE:** For the first time discussing data collection, I  
2 see all the fishermen, the people that participated in the  
3 industry, with good husband behavior and saying yes. This is  
4 all based on the respect and the trust that Ruth mentioned to  
5 you, and we appreciate that.

6  
7 I want you guys to understand that the way I see this is if a  
8 program that has the technology and some of the design that you  
9 presented, the way that you proceed on your sampling, if it was  
10 taking place a long time ago, the major discussions that we have  
11 -- We would not be fighting over right now was the ACL too low  
12 or the problems with the data. It's that important.

13  
14 This way, as a council member, I really request close attention  
15 from the state, from the DNR, from DPNR, to pursue this. For  
16 Bonnie and all the staff, that's a respected initiative from the  
17 fishermen and not just from the council members, like I said.

18  
19 **MIGUEL ROLON:** One last thing before the Coast Guard and lunch.  
20 You mentioned something about the deepwater snapper. My mind is  
21 very simple and cheap, and so I want to talk to you afterwards  
22 and see if we can put together something along the lines of your  
23 suggestions, to see if Miguel and Puerto Rico can be assisted by  
24 looking at this issue and proposing a better way of handling the  
25 statistics for that fishery.

26  
27 **TODD GEDAMKE:** Thank you, everyone, and I am happy to talk to --  
28 If anyone has got questions or follow-ups, please, after six  
29 days from now, I will be back on technology and we can have  
30 further conversations on this. Miguel, yes, I can talk to you  
31 about that.

32  
33 I think I mentioned it before, but I'm going to say this one  
34 more time. Most of my graduate work was funded by someone  
35 putting me out on a boat and going to do observing. I think  
36 working with the academics, the grad students, the people that  
37 are getting trained from the island, from Puerto Rico, to get up  
38 to speed on this stuff and giving them internship opportunities  
39 and getting them going, that's your next generation.

40  
41 The sampling can give us some insights right now, but let's look  
42 ten years or fifteen years down the line, so when I or someone  
43 else is going to Puerto Rico, that you've got fifteen or twenty  
44 people that have some experience on this stuff, to keep them  
45 moving forward.

46  
47 **CARLOS FARCHETTE:** Okay. Great. Thank you, Todd. That was  
48 great work. I know how different the St. Croix fishermen are,

1 and both of us talk a lot about that, and we will keep talking.  
2 I am going to bump the U.S. Coast Guard, because he has to leave  
3 a little early, and so we're going to get his enforcement  
4 report. Thank you.

## 5 6 **ENFORCEMENT ISSUES**

### 7 **U.S. COAST GUARD**

8  
9 **JOSH MCELHANEY:** Hi and good afternoon, everybody. Thanks for  
10 having me here today. It is a pleasure to be representing the  
11 Coast Guard here today. I just really quickly want to go over  
12 the current status of the Coast Guard's Living Marine Resource  
13 Enforcement Program. I will just discuss really quickly the  
14 future operations for us and then just some enforcement issues  
15 we've been having.

16  
17 So far, in Fiscal Year 2016, the Coast Guard Living Marine  
18 Resources boarding activities has resulted in two citations for  
19 recreational vessels illegally fishing in closed areas. One was  
20 in the Bajo de Sico Bank and the Mona Passage. The other was in  
21 the Hind Bank south of St. Thomas, back in February. We have  
22 also conducted two boardings of foreign-flagged fishing vessels,  
23 which were found disabled in the U.S. EEZ.

24  
25 In addition to the local activity, the U.S. Coast Guard Cutter  
26 Richard Dixon, one of our newer fast-response cutters that just  
27 came online in October, conducted a partnership with Antigua and  
28 Barbuda Defense Force. They enacted a bilateral agreement  
29 between the two countries to embark a ship rider onboard. The  
30 operation was a one-day international engagement, and it was  
31 primarily for counternarcotics. However, the Antigua and  
32 Barbuda Defense Force authorities stressed that it was more  
33 important to them to enforce local fisheries laws and to use the  
34 cutter as a platform to help them identify illegal conch  
35 fishers. It resulted in the boarding and citation of five  
36 illegal conch fishers in the Antigua and Barbuda EEZ, and so  
37 good job by them.

38  
39 For future operations for the Coast Guard, we are still planning  
40 on sending more cutters out and conducting patrols of the closed  
41 areas. We do have auxiliary flights that regularly patrol  
42 closed areas as well and looking for illicit activity, and we're  
43 looking to do more interagency patrols with DPNR and DRNA.

44  
45 Some of the challenges that we've had to deal with are, at the  
46 beginning of Fiscal Year 2016, we only had three cutters. We're  
47 going through a transition phase in San Juan, where we're  
48 phasing out our 110-foot Island Class patrol boats and we're

1 getting the newer, more capable fast-response cutters online.  
2  
3 We only had three cutters at the beginning of Fiscal Year 2016.  
4 That makes it very hard to patrol and enforce living marine  
5 resource activity, but now we've just got our fifth cutter  
6 online, for the new ones. We will have our sixth online in  
7 August. We are looking to have eight in the next few years, and  
8 so it should definitely improve our living marine resource  
9 patrol time.  
10  
11 Another issue we've been having is training. I guess one unique  
12 challenge that we have in the military service is that we have  
13 to PCS or depart station every three years, and so there's a  
14 rotation of new folks that come in every year. Every year, we  
15 lose that local knowledge and training and experience. We are  
16 looking to hold a two-day class with the guys from the Southeast  
17 Regional Fisheries Training Center in Charleston on July 12 and  
18 13 to train some of our folks up. Other than that, that's it  
19 from the Coast Guard.  
20  
21 **CARLOS FARCHETTE:** Miguel.  
22  
23 **MIGUEL ROLON:** You mentioned that you have an agreement with  
24 Antigua and Barbuda?  
25  
26 **JOSH MCELHANEY:** We do, yes. It's a bilateral agreement. It's  
27 mostly for counternarcotics, but we can embark ship riders or  
28 representatives of their government and law enforcement agencies  
29 onto our cutters to enforce certain laws.  
30  
31 **MIGUEL ROLON:** Do you have any other agreement with any other  
32 countries of the Lesser Antilles so far?  
33  
34 **JOSH MCELHANEY:** We do, yes.  
35  
36 **MIGUEL ROLON:** Because in the past, when the Lesser Antilles and  
37 other countries belonged to CARICOM, they asked for this kind of  
38 agreement with the Coast Guard. We didn't have that much money,  
39 and the Coast Guard said they would like to, but they cannot,  
40 but I see that this is a step in the right direction, because  
41 now, with the narcotics, you can piggyback fishery operations,  
42 which is nice to know and to have.  
43  
44 Anyway, at the international meeting with the WECAFC, the  
45 Western Central Atlantic Fishery Commission, and OSPESCA and the  
46 other regional organizations, this topic has come up several  
47 times, and so can I talk to you, maybe next year, if we have a  
48 meeting like this, to have a presentation about the capability



1 of the Coast Guard and see if the other countries can emulate  
2 the type of --

3

4 **JOSH MCELHANEY:** Absolutely.

5

6 **MIGUEL ROLON:** Okay. Thank you.

7

8 **CARLOS FARCHETTE:** Thank you, and I also want to thank you for  
9 that working relationship you have with the USVI and Puerto Rico  
10 DNER and DPNR. I come from DPNR, and so I know what a good  
11 working relationship we've always had. Graciela.

12

13 **GRACIELA GARCIA-MOLINER:** I just received a call this morning  
14 regarding longline fishing activity east of Vieques and over to  
15 the St. Thomas area. They also mentioned the Mona Channel, and  
16 so just to let you know, because I don't know if they might be  
17 illegal fishing, as it was claimed on the phone call, but just  
18 to make sure that you know.

19

20 **JOSH MCELHANEY:** Thank you very much.

21

22 **CARLOS FARCHETTE:** One final note here. You mentioned about --  
23 I know how you're always rotating people and you're doing some  
24 training with the fisheries folks from Florida, you said?

25

26 **JOSH MCELHANEY:** It's the Southeast Regional Fisheries Training  
27 Center in Charleston.

28

29 **CARLOS FARCHETTE:** Right. One of the things that we would like  
30 to see, and I don't know if they can do it from over there, but  
31 species identification for the Virgin Islands is a lot  
32 different, and we have had some instances when the Coast Guard  
33 officer misidentified a species, but it works out eventually,  
34 once they call us and we say, well, no, that's not it. Then  
35 they go forward.

36

37 **JOSH MCELHANEY:** Okay. I will definitely bring that up to the  
38 SRFTC folks. Thank you.

39

40 **CARLOS FARCHETTE:** Thanks. Marcos.

41

42 **MARCOS HANKE:** Following on the same lines as the Chairman,  
43 Carlos, coordinated with the council, I have been participating  
44 and conducting fish identification for the Caribbean, specific  
45 to the Caribbean, taking the fish to the headquarters, and we  
46 have been doing that over the years, and I am still available to  
47 help on that part, because I think it's very, very important.

48

1 **JOSH MCELHANEY:** Thank you, Marcos.

2  
3 **CARLOS FARCHETTE:** Any more questions for the U.S. Coast Guard?  
4 Hearing none, we will break for lunch and return at 1:30. Todd.

5  
6 **TODD GEDAMKE:** Just two seconds. If I didn't thank Chub for his  
7 help in St. Thomas, I would be amiss and stupid, but that's  
8 another story.

9  
10 (Whereupon, the meeting recessed for lunch on June 29, 2016.)

11  
12 - - -

13  
14 June 29, 2016

15  
16 WEDNESDAY AFTERNOON SESSION

17  
18 - - -

19  
20 The Caribbean Fishery Management Council reconvened at the  
21 Buccaneer Hotel, St. Croix, USVI, Wednesday afternoon, June 29,  
22 2016, and was called to order at 1:30 o'clock p.m. by Chairman  
23 Carlos Farchette.

24  
25 **CARLOS FARCHETTE:** Okay. We are going to get started again.  
26 Before we continue on with what's on the agenda, the  
27 Commissioner of Planning and Natural Resources will make a  
28 presentation here, before we continue.

29  
30 **UPDATE ON THE STATUS OF THE VIRGIN ISLANDS FISH TRAP REDUCTION**  
31 **PLAN**

32  
33 **DAWN HENRY:** Good afternoon, all. I trust we all had a good  
34 lunch. I know I did. It's going to be difficult trying to stay  
35 alert. Again, good afternoon, Mr. Chairman and to all the  
36 members of the council and to those who are listening via  
37 electronics. Again, my name is Dawn Henry, and I am the  
38 Commissioner for DPNR.

39  
40 I would like to give an update on the status of the Virgin  
41 Islands Fish Trap Reduction Plan. Before I do that, I need to  
42 really thank all of the USVI fishers, along with the scientists  
43 and the staff of the GVI for assisting with where we have come  
44 thus far in reaching the goals of this fish trap reduction plan.

45  
46 I had the opportunity to peruse the booklet that the council put  
47 out celebrating, I believe, its forty years of fishery  
48 management, and I had the opportunity to learn how we came to

1 where we are today, in that we started out with trying to manage  
2 the domestic fisheries because of the foreign vessels invading  
3 and really depleting the domestic fish stock.

4  
5 It was in an attempt to provide for the domestic fishers, for  
6 them to have an opportunity for them to be able to make a living  
7 and have sustainable fisheries, and so, having read that, I said  
8 to myself that the federal government as well, in doing this,  
9 started out -- I think it might have been three miles. Did I  
10 read that correctly? Now you're to 200? I think so.

11  
12 I don't see that as a bad thing, especially if we're looking at  
13 dealing with regulating in reference to the foreign vessels  
14 coming in and depleting our fish stocks. Having said that, when  
15 it comes domestically to the United States Virgin Islands, we  
16 want to make sure, as a council, a regional council for this  
17 territory, and not just the Virgin Islands, but for Puerto Rico  
18 as well, that we continue to work with the local fishers,  
19 because that is really the intent of what we're here to do, to  
20 make sure that the fisheries in this region remain at a state  
21 where not only the ones that are fishing today, but it can be  
22 passed on to generations.

23  
24 I know that, in Puerto Rico, that pork -- They are very good  
25 about how you prepare pork. You guys know everything about  
26 preparing pork. In the Virgin Islands, if we were to consider a  
27 meat, it would be fish for us. It's very important to us  
28 culturally, and we eat fish -- I know in the states that it's  
29 something that ebbs and flows. You have to encourage people to  
30 eat fish in the United States, and depending on the region that  
31 you're in as well, but not here in the Caribbean. It's all that  
32 we know, and we have always relied on this industry.

33  
34 In 2013, the former Commissioner Barnes signed a fish trap  
35 reduction plan for the territory. When I came in as  
36 Commissioner, I had the opportunity to review this plan and,  
37 through lengthy discussions with fishers as well as the Director  
38 for Fish and Wildlife, Ruth Gomez, we realized that there was an  
39 error in the way in which the Department was trying to achieve  
40 making this plan a legal plan.

41  
42 The code, the Virgin Islands Code, states that any plan that  
43 tries to deal with the management of the fisheries that it has  
44 to be promulgated, and so a Commissioner cannot just sign a plan  
45 and that makes it law, and so what we have done is we have  
46 combined both the St. Croix fish trap reduction plan and the St.  
47 Thomas/St. John reduction plan into one plan, one plan in that  
48 it's going to go through as one regulation, but, within the

1 plan, it has the different limits that are set for each  
2 district.

3  
4 The process is this. We have to first public notice. That's  
5 what the law requires, and the law requires a thirty-day public  
6 notice period, and that thirty-day public notice period is  
7 supposed to have started, I believe, yesterday and run for  
8 thirty days, and we have to print it in a general circulation  
9 for two weeks, two consecutive weeks, within those thirty days.

10  
11 We have started that process, and, of course, everybody knows,  
12 because we all do regulations, that gives the general public the  
13 opportunity to comment, to give us feedback, and we will respond  
14 to those comments. Hopefully they won't be substantive.

15  
16 If they are not, we will be able to move it on to where the plan  
17 will be able to go to the Attorney General's office for legal  
18 sufficiency and to the Office of the Governor and then the  
19 Lieutenant Governor's Office in the United States Virgin Islands  
20 is the entity that's responsible for promulgating rules and  
21 regulations. For us to have our fish trap reduction plan become  
22 final, it requires for us to go through these steps, and we have  
23 started that.

24  
25 So, what are we going to do while the fish trap plan is going  
26 through this process? What we have discussed and have agreed to  
27 is that, when the public comment period is closed and we know  
28 that this is what the plan is going to look like, we are going  
29 to start the education process within the United States Virgin  
30 Islands. We're going to start the public outreach, so that we  
31 can begin to communicate with the fishers and let them know what  
32 the expectations are regarding the plan.

33  
34 One of the things that we have identified within the plan that  
35 we have not really been able to fully implement before is having  
36 the proper tags on all of the fish traps, and so we have come up  
37 with a color coding system. We have also designed exactly what  
38 we want the tags to say. We have identified the vendor for  
39 those tags, and so, while we are going through the process,  
40 again, of promulgation, we're going to make sure that we get  
41 these tags in with the sequence of numbers, so when the  
42 promulgation process is concluded that we will be ready to  
43 implement. That's the plan in which we are moving at.

44  
45 One of the things that, under this administration, the Governor  
46 is very serious about the environment, and I don't know if any  
47 of you have been following what has been happening in the  
48 territory recently with us trying to move through three very

1 significant environmental bills as it comes to waste reduction  
2 in the territory.

3  
4 Last week, we were able to get passed through the committee the  
5 plastic bag ban, which is a total ban on plastic bags in the  
6 territory at the checkout point. Why am I mentioning that? Of  
7 course, for the scientists, but just for everybody else that's  
8 listening.

9  
10 I know it's obvious for the scientists, but, for everyone else  
11 that's listening, it's important for the fisheries, in that we  
12 all know, with these plastics, as they interact with the  
13 currents and the ocean, they break down. They become  
14 microplastics. The fish ingest them, and that's an issue for  
15 that ecosystem as well as corals. Then we, in turn, eat the  
16 fish.

17  
18 I think that that is a significant step for the United States  
19 Virgin Islands in us managing, environmentally managing, the  
20 fisheries and the impacts in which humans can cause, because, of  
21 course, with the plastic bag ban, we won't have the issue of  
22 litter. Then they won't be able to be invading our waters that  
23 we are accustomed to seeing here.

24  
25 In closing, I really have to commend the Director for the  
26 Division of Fish and Wildlife, Ms. Ruth Gomez. She has been the  
27 Director since August of last year, and the amount of work and  
28 accomplishments that has happened under her watch, it's  
29 unbelievable to me, it really, really is, and I think that this  
30 council -- You can feel a lot more assured that whatever we  
31 represent that we are going to do here, as a territory, as it  
32 relates to the Division of Fish and Wildlife, that it will be  
33 accomplished.

34  
35 If we say, for example, by next council meeting we're going to  
36 have a response to something, you can be assured that this young  
37 lady that is sitting here, she is going to accomplish it, and I  
38 know that you have seen already, as Todd explained how involved  
39 she is, just even -- I think, at this point, I have done three  
40 press releases on FADs in the territory, and, before, we weren't  
41 even launching these devices. In this short period of time, she  
42 has launched I don't even know the number. How many have you  
43 launched?

44  
45 **RUTH GOMEZ:** Four.

46  
47 **DAWN HENRY:** Four within the territory, and all of these things  
48 are part of the discussions that we have here when we meet, and

1 so I think that, as a territory, we have better days ahead of  
2 us, and I just want to speak to the fishers that the Department  
3 of Planning and Natural Resources, we are here to stand with  
4 you, to partner with you, in making sure that this industry  
5 remains the cultural center in which it is for all of us here in  
6 the territory, and so thank you for allowing me to speak.

7

8 **CARLOS FARCHETTE:** Thank you. Roy and then Miguel.

9

10 **ROY CRABTREE:** I appreciate all of your comments, and I do want  
11 to thank you for Ruth. I think she's doing a great job on the  
12 council, and we appreciate having Ruth here with us, and I  
13 wanted to commend you for moving forward on plastic bags,  
14 because that is a widespread problem, and not many places are  
15 really dealing with it, and so I think that's good news.

16

17 I am also really glad to hear that the trap certificate program  
18 is moving forward, and one request I would have is could you  
19 send us a copy of the proposed regulations that are out for  
20 public comment? That will enable us to get with our folks and  
21 start looking at what maybe the council needs to do to  
22 complement that, and we could be ready to speak to that a little  
23 bit, maybe, at the next council meeting, but that's great news  
24 that it's moving forward, in terms of the regulations, and we  
25 appreciate all you're doing, all the work you're doing, and you  
26 taking the time to be with us today, and so thank you.

27

28 **CARLOS FARCHETTE:** Miguel.

29

30 **MIGUEL ROLON:** Thank you, Commissioner, for the presentation,  
31 and, if you are amazed about the progress that she did, we are  
32 amazed about the progress that you did and spending time here  
33 with us with your busy time, but we talked on the side with Ruth  
34 about some monies that you need for the actual tagging of the  
35 traps and everything, and so we set aside some monies about  
36 three or four years ago, and they're still around, and so Ruth  
37 and I will talk about it later and the details, and we can help  
38 you with the buying of the tags and the marking of the traps.

39

40 For those of you who don't know about it, the way that they  
41 envision this will happen is that a fisherman's trap will have a  
42 number and it will be something like a marking and --

43

44 **RUTH GOMEZ:** Would you like me to explain?

45

46 **MIGUEL ROLON:** Yes, go ahead.

47

48 **RUTH GOMEZ:** One of the requests we had from the commercial

1 fishers was in reference to the fish trap inspection tag. The  
2 tag that was used for the last several years was similar to that  
3 of a cargo container seal that U.S. Customs would put on before  
4 the cargo left.

5  
6 That particular tag was made of heavy-duty plastic material,  
7 which they found the triggerfish would eat -- Between the  
8 friction on the trap and the ocean floor or the coral or  
9 whatever, lobsters, it would come off. The fishermen have an ID  
10 tag that they use to mark their traps, as the VI Code mandates,  
11 and so we decided we wanted to take that particular tag, because  
12 it seemed to work when it was snapped onto the rebar, and  
13 actually change the color of the tag to a bright yellow, which  
14 was the color that was used before in the old plastic tags.

15  
16 We reached out to the company and asked them if they could  
17 change the color of the bead that they use when they custom make  
18 those orange tags. They said yes, because of the quantity of  
19 tags we were using, they had no problem doing so. It took quite  
20 a bit of convincing.

21  
22 In reference to the fish trap reduction plan tags, they couldn't  
23 sequentially number the tag. Once the mold was set for the  
24 fisher's information, that's all that they could put, and so it  
25 didn't satisfy the need to have a sequential number system to  
26 identify a tag and a fisher, and so, driving to work one day, I  
27 remembered when I first came to Fish and Wildlife that I used to  
28 band brown pelicans, and their feet are pretty big, and we would  
29 put a stainless steel tag on them that was issued by the Bird  
30 Banding Migratory Lab in I think Bethesda, Maryland.

31  
32 We reached out to them and asked them if they had a tag that  
33 would sleeve a five-eighths-inch rebar, which is customarily the  
34 size rebar that the commercial fishermen use.

35  
36 I asked them would that be possible, and they said they could  
37 print anything we wanted. We only had thirty characters to put  
38 on the tag, and so I decided to put "USVI Fish Trap Reduction  
39 Tag" and the numbers sequential, and that is the tag that we are  
40 going to put, and it will literally crimp and sleeve the rebar  
41 in the trap.

42  
43 There is a concern, I think, for the fishers in St. Croix,  
44 because they maybe build their traps a little differently. It  
45 will sleeve their wire, the mesh in their wire, and so I think  
46 that solves both issues. They will sit on the trap side-by-  
47 side, so when Director Forbes' men or the U.S. Coast Guard  
48 boards the vessel, they will see two things, a stainless steel

1 bird band, or now a trap tag, and there will see the bright  
2 yellow tag that sits on their trap in addition to the customary  
3 orange tag that identifies the fisher to the trap, and so they  
4 need to see three things for it to be considered a legal trap,  
5 and I have examples of the tags if you would like to see.

6  
7 **MIGUEL ROLON:** Ruth, when do you think that you will need to buy  
8 the tags?

9  
10 **RUTH GOMEZ:** Once I get you your three coats, as soon as you can  
11 send the check.

12  
13 **CARLOS FARCHETTE:** Blanchard.

14  
15 **RUTH GOMEZ:** Hold on. This is what it will look like, but it's  
16 just going to be bigger, to sleeve the five-eighths rebar, and  
17 this particular one, the orange one, the color will change to  
18 bright yellow, and it will have snaps in the back that will snap  
19 on the trap. It will have a USVI Fish Trap Inspection Tag" and  
20 then the color that these gentlemen typically use on their own  
21 ID is orange, and so you're going to see orange, bright yellow,  
22 and the bird band.

23  
24 **CARLOS FARCHETTE:** Blanchard.

25  
26 **TONY BLANCHARD:** I would like to thank Ruth and the Commissioner  
27 for all the work that they're doing on this, because, to be  
28 honest with you, when Roy left, the office was in a mess, and  
29 Ruth picked up a lot of the slack, and I even turned to Ruth  
30 when she called me and she told me that she had the position. I  
31 asked her, I said, Ruth, are you sure that you want this job?  
32 She told me yes. She said that my thing is fisheries, and so  
33 her undergoing that kind of -- Let's say being that courageous,  
34 I don't know that many people that would have stepped in that  
35 mess and cleared it up within that short period of time.

36  
37 The Commissioner, when we called for a meeting to try and get  
38 this trap reduction thing online or anything that we need  
39 online, the Commissioner takes the time out and sees us, whether  
40 she is on schedule or she is unscheduled. I think, between the  
41 two of them, although it wasn't there before, without them, we  
42 wouldn't have got where we is here, and this is coming from me  
43 being the chairman of the trap committee.

44  
45 Mr. Magras and Daryl, there's a few of us that have been there  
46 pushing this issue straightforward, because it was basically at  
47 a standstill when Roy left the office, and so now we're here  
48 skipping leaps and bounds to try and get where we need to get,



1 because we were so far behind, and the thing about it is some of  
2 us have already taken the reduction. I have done my reduction  
3 numbers, because I knew it was coming. Mr. Magras is below his  
4 reduction numbers, and so there is some of us that have taken  
5 that initiative to cut back, because we knew it was coming.  
6 Once again, I appreciate the work that Ruth and her staff, as  
7 well as the Commissioner, have done for us.

8  
9 **CARLOS FARCHETTE:** Okay. Thank you, Commissioner. One of the  
10 very important points that the Commissioner made about the  
11 importance of fish as a protein for the Virgin Islands  
12 residents, I read a document, and I think it was about three  
13 years ago, where it showed that -- Even right next to us, Puerto  
14 Rico, where consumption is seven pounds per person per year of  
15 fish, in the U.S. Virgin Islands, it was twenty-six pounds per  
16 person per year, and it's a very important protein for us here,  
17 culturally and traditionally.

18  
19 Another thing that the Commissioner mentioned about the booklet  
20 for the 40<sup>th</sup> anniversary of the Magnuson-Stevens Act, I read in  
21 there, which is a Ripley's Believe it or Not, but the way the  
22 three-mile limit was determined was that they fired a cannon.  
23 When that cannonball landed, it was three miles, and that's how  
24 they determined the territorial limits for the state and  
25 territories to be, which I thought was kind of strange.

#### 26 27 **PRESENTATION OF FISHERMAN OF THE YEAR AWARD**

28  
29 Next, what we're going to do is we are going to give the award  
30 for the St. Croix fisherman who has been selected as a  
31 sustainable fisher and has complied with the CCRs for Fish and  
32 Wildlife and all the requirements for fisheries regulations.

33  
34 I am going to take a couple of pictures with the council, and  
35 then I would like the Commissioner and Ruth, because I think  
36 that you all might want to put this in the newspapers. Maybe we  
37 can do this with Daryl sometime.

38  
39 **MIGUEL ROLON:** The way we're going to do is Diana will read for  
40 the record why we are doing this, and then probably the  
41 Commissioner and Carlos will stand and provide the plaque to the  
42 person.

43  
44 **HELENA ANTOUN:** In light of this being the territorial fisher  
45 appreciation week, we would like to present the Don't Stop  
46 Talking Fish Award to William Carino, Jr. This award is in  
47 recognition of timeliness of catch reporting. He's always on  
48 time with his catch reports that he turns into the Division of

1 Fish and Wildlife.

2  
3 **CARLOS FARCHETTE:** I will be accepting this award on behalf of  
4 William Carino, Jr. I will make sure that I get it to him  
5 sometime today or tomorrow. Thank you. Next on the agenda is  
6 Standing Committee or AP for Recreational Sampling Plan  
7 Development.

8  
9 **STANDING COMMITTEE OR AP FOR RECREATIONAL SAMPLING PLAN**  
10 **DEVELOPMENT**

11  
12 **MIGUEL ROLON:** Mr. Chairman, at the steering committee for the  
13 Marine Recreational Information Program in Washington sometime  
14 back, we were discussing the collection of recreational data  
15 across the nation and the status of fisheries, and, in the case  
16 of the Western Pacific, the Western Pacific Council collects the  
17 information and then sends the information to the National  
18 Marine Fisheries Service. The rest of the nation is a  
19 federally-run program. In the case of the Caribbean, we  
20 identified an issue that we don't have information from the U.S.  
21 Virgin Islands and we have partial information from Puerto Rico.

22  
23 This program is run by the federal government, in conjunction  
24 with the local governments, and Bill and some other members of  
25 the staff at the National Marine Fisheries Service Regional  
26 Office and Southeast Fisheries Science Center and others, we  
27 have been discussing the possibility of moving forward with this  
28 in the U.S. Caribbean. Remember that this is an important part  
29 of the decision-making process, because you need to know how  
30 much is removed from the marine resources by the recreational  
31 fishers.

32  
33 There are a couple of possibilities here, and I would like Bill  
34 to address this and then we will open it for discussion when he  
35 finishes. We have some issues really that you need to be aware  
36 of, for example FACA. It's something that you need to -- Iris  
37 can explain what FACA is, but, in essence, you can do nothing in  
38 the dark. Everything under MSA has to be open to the public and  
39 allow the public to participate, and so if you created a  
40 standing committee or an advisory panel within any council  
41 framework, you comply with that mandate.

42  
43 That way, you will be able to continue your work, meeting all of  
44 those requirements. What you are going to hear today is a  
45 proposal. It's not a done deal, but for us to move forward with  
46 the collection of this recreational fishery data. Are you  
47 ready, Bill? Go ahead, please.

48

1 **BILL ARNOLD:** I have a quick presentation. There are MRIP, and  
2 MRIP stands for Marine Recreational Information Program, and  
3 there are some issues in the Caribbean. The first, as Miguel  
4 mentioned, is we don't have an MRIP program in the USVI, and we  
5 need to initiate a program to collect recreational data. Then  
6 there are problems. The Puerto Rico program has been running  
7 since 2000, and it's given us a lot of good data, but there are  
8 some issues that need to be discussed. One is they only do  
9 finfish. They will not allow -- So far, at least, the MRIP  
10 program does not allow sampling of invertebrates, and, of  
11 course, spiny lobster and queen conch are pretty important  
12 invertebrates in the U.S. Caribbean.

13  
14 There are also concerns about the effectiveness of the program,  
15 the accuracy of the program, the consistency, relative coverage  
16 from year to year, and the administration of the program, and  
17 also, according to the MRIP group, links to other data  
18 collection programs, which is something we could discuss, and  
19 that's sort of what I mentioned with Todd this morning.

20  
21 There is a suggested path to improvement, and that would be a  
22 regional implementation plan, and the MRIP group has asked that  
23 we develop this plan by the end of December of 2016, and so it's  
24 a very tight timeline.

25  
26 To do this, to accomplish this, we need to establish some kind  
27 of committee that will be charged with developing this plan. I  
28 call it an ad hoc committee here, but whatever is most efficient  
29 and allows us to, in a most simple and straightforward manner,  
30 get this done is fine with me.

31  
32 We need to schedule our first meeting and publish, I assume, a  
33 timely notice of this in the Federal Register. As I said, the  
34 plan deadline is December of 2016. That is certainly our target  
35 deadline. Then, in 2017, we would continue filling data needs.

36  
37 One of the reasons for trying to get this done by end of 2016 is  
38 so that we would be able to have this plan in place for the 2017  
39 MRIP funding cycle, so anybody who wanted to seek funds to  
40 support the development of data needs for this program would  
41 have the time and the information they need to develop a  
42 proposal to that MRIP requests for funding opportunities.

43  
44 We would provide annual progress, and maybe more frequent  
45 updates to the council, and we expect this to be a relatively  
46 lengthy process, and, by lengthy, I mean -- I am guessing,  
47 somewhat guessing, three to five years before we actually have a  
48 plan in place in the U.S. Virgin Islands.

1  
2 The problems are less in Puerto Rico, and so we may be able to  
3 address those problems and develop solutions in a relatively  
4 more rapid manner. What's a regional implementation plan? It  
5 will provide estimated implementation costs and will reflect  
6 consensus among the partners within the region with respect to  
7 regional needs and implementation priorities.

8  
9 The plan will include a description of the regional needs for  
10 recreational fishing statistics, including needs for coverage,  
11 resolution, precision, and timeliness of survey estimates, and  
12 these are general MRIP requirements, a baseline assessment of  
13 current data collection programs, including the extent to which  
14 current programs satisfy needs, and the identification of data  
15 collection gaps, recommendations and justification for a  
16 sequential, prioritized approach for implementing approved  
17 methods that address national and regional needs that are  
18 currently unmet, and so those are the steps.

19  
20 Then, continued, there would be a proposed process for combining  
21 statistics derived from multiple sources, and that may include,  
22 potentially, recreational and commercial and TIP-type data,  
23 whatever is most efficient. Again, that's sort of what I  
24 brought up with Todd this morning.

25  
26 We would want to be able to provide estimated costs, overall and  
27 for individual survey components. In some regions, including  
28 the Caribbean, the plans may also need to address a strategy and  
29 timeframe for the completion of ongoing research projects and  
30 selection of preferred methods, particularly in the USVI, or the  
31 modification and expansion of current surveys, for example in  
32 Puerto Rico.

33  
34 Possible terms of reference for this group would be to document  
35 and prioritize needs for recreational fisheries data collection  
36 in the region, get familiar with recent and ongoing studies and  
37 outcomes, and there have been a variety, some conducted by Toby  
38 Tobias and Barbara Kojis and also a shoreline survey here on St.  
39 Croix, conducted by Theresa Goedeke. The Southeast Fisheries  
40 Science Center's Social Sciences Group is developing, and will  
41 soon implement, a boat ramp recreational survey in St. Croix to  
42 complement that shoreline survey.

43  
44 My understanding is there is another social survey that's being  
45 developed. I don't know much about it, but the idea is to  
46 identify previous and ongoing studies and the history of MRIP in  
47 the U.S. Caribbean and the build on that.

48

1 We would then develop a plan to evaluate data collection  
2 designs, evaluate options for administering the program, and  
3 consider this within, as I mentioned, the larger U.S. Caribbean  
4 data collection needs, and so there is a suggested membership.  
5 There is the list. I am not going to read it, but this provides  
6 a -- All of these people have been aware of our desire to have  
7 them as part of this group, and so we would like this to be part  
8 of the council's advisory panel or group setup, ad hoc committee  
9 or whatever they feel is the best approach to this.

10  
11 Then what we need from the council today is we need you to  
12 establish this committee, assign the members, schedule the first  
13 meeting, work towards publishing that Federal Register notice  
14 with an agenda, and the question I have, and this may be for our  
15 General Counsel, and it may not be possible, but can we publish  
16 a Federal Register notice that establishes prescheduled monthly  
17 meetings instead of publishing a separate FR notice for every  
18 meeting? We're going to have to move on this if we're going to  
19 meet this December deadline, because it is a very challenging  
20 task, and so that's it.

21  
22 **CARLOS FARCHETTE:** Okay. Any questions or comments for Bill on  
23 MRIP? Hanke.

24  
25 **MARCOS HANKE:** Bill, this effort, if I understand correctly, is  
26 mostly designed to address the USVI?

27  
28 **BILL ARNOLD:** No, it is designed to develop a comprehensive  
29 sampling program for the U.S. Caribbean region and all of the  
30 aspects, administrative, funding, et cetera, et cetera, that go  
31 along with that, and so, yes, Puerto Rico has an MRIP program in  
32 place. The degree to which that is altered, modified, or  
33 changed, I can't say. That's part of developing this plan.

34  
35 **MARCOS HANKE:** Another question, follow-up question, is on the  
36 list of persons that are in there, I didn't see any fishermen  
37 that could, since the beginning, have a participation and an  
38 input on the process. Do you think that's valid, if it's  
39 necessary, and what is your opinion about it?

40  
41 **BILL ARNOLD:** Given the level at which this plan is being  
42 developed, I think it really requires state and federal  
43 interaction at this point, Marcos. That would be my opinion on  
44 it.

45  
46 **CARLOS FARCHETTE:** Bonnie.

47  
48 **BONNIE PONWITH:** The main point is that, to bring comfort to

1 folks that have decision-making authority when it comes to  
2 recreational sampling resources, having a plan in place that  
3 addresses all the questions really can make the difference  
4 between having a successful bid for resources versus one that  
5 falls flat.

6  
7 The idea is to create sort of this plan that talks about what  
8 are the needs and what are proposals for how those needs would  
9 be met and get them into a plan that has some timelines in it,  
10 to make us more competitive in getting some resources put toward  
11 dealing with some of the gaps that we have. Then, when it comes  
12 time to actually implementing that plan, be taking it from a  
13 planning stage and putting it into an operational stage, I would  
14 expect that there would be plenty of room for a higher level of  
15 involvement, and so this is a plan to pull together a program,  
16 just to see if we can get some resources.

17  
18 **MARCOS HANKE:** A follow-up on the reason I asked what I asked to  
19 Bill. At some point, once we start to get to the execution,  
20 just before that, it's very important that they have the input  
21 from the people that have been, in the case of Puerto Rico,  
22 because the program is already running, and things that we see  
23 that create problems in our way of seeing, and I'm going to give  
24 you one example.

25  
26 When they go to the dock and they -- First of all, the people,  
27 most of them that come, they have a very hard time identifying  
28 what they are seeing. That's my experience with the samplers.  
29 That's one. Something that has to be addressed is using  
30 technology or something that fixes the problem, right? That's  
31 one.

32  
33 Second is, once they make -- The way they make the questions, in  
34 terms of methodology, changes a lot. I don't see a standardized  
35 way of approaching the interview for different samplers. For  
36 example, they come to the dock and ask what you caught today,  
37 and they ask the fishermen that are on the charter, for example,  
38 and the guy says we caught a tarpon and a blue marlin, just to  
39 give an example, because, in his mind, tarpon and blue marlin  
40 was what he went for and this is what he reports.

41  
42 On the design of the interview, they are missing or using just  
43 the appreciation of the client or the fisherman. That's number  
44 one. Number two, if I caught bait, and bait includes many  
45 species, that question is never asked to us, and I think it's a  
46 very element. For example, if I catch skipjack tuna and I use  
47 it for bait or blue runners or whatever, that thing is not being  
48 addressed, and there is many, many, many elements that we are

1 losing. That's why I think it's very important to get that  
2 feedback from the industry once it's a designed, a new program,  
3 to fix those elements.

4

5 **CARLOS FARCHETTE:** Any other comments on MRIP? Hearing none,  
6 thanks, Bill.

7

8 **MIGUEL ROLON:** We need to know what you want to do with this.

9

10 **CARLOS FARCHETTE:** Iris.

11

12 **IRIS LOWERY:** I think that the council will need to take some  
13 sort of action if you want to form this as an -- Under the Act,  
14 the council can form advisory panels. You can name it as you  
15 will, but it technically, under the MSA, would be an advisory  
16 panel. The need to do that here would be because there are some  
17 non-government people -- If we could have the list.

18

19 It looks like we have a University of Oregon consultant and -- I  
20 guess it would depend on, and, Bill, I don't know that we've  
21 talked about this, but the role in which those people would be  
22 serving.

23

24 **BILL ARNOLD:** I would anticipate they would be equal  
25 participants in the process. Their input is very important.

26

27 **IRIS LOWERY:** So are these individuals -- Are they working in an  
28 official government capacity or how are they --

29

30 **GRACIELA GARCIA-MOLINER:** Virginia Lesser is under contract with  
31 MRIP, and has been for a while now. Then it's just the -- I  
32 don't know about Janelle Mueller, but I think that she's also  
33 under the MRIP. They work with a number of contractors all the  
34 time, and so at least the last name there is very familiar to  
35 MRIP.

36

37 **IRIS LOWERY:** Okay, and so I believe that, if these are all  
38 government employees, that the council does not need to  
39 establish an AP. I think that, based on our initial  
40 conversations, that wasn't my understanding of the direction  
41 that this was going, but, Bill, am I correct that that seems to  
42 be the case?

43

44 **BILL ARNOLD:** That's the list of plan team participants right  
45 there.

46

47 **IRIS LOWERY:** Okay. At this point, I think my initial advice,  
48 based on this, is probably that the council doesn't need to move

1 forward with an AP, but I will do some additional research while  
2 you all are talking about other things, and so maybe, if we need  
3 to discuss this again, I can raise it.

4  
5 **MIGUEL ROLON:** Yes, because I was the one who suggested this at  
6 the MRIP, but I didn't know what I was going to get into. Then  
7 it was developed by Bill and other members of the National  
8 Marine Fisheries Service, but I believe that we are in the right  
9 direction with this, and so, to me, regardless of what can we do  
10 in terms of AP and all of that, the question to Iris is can this  
11 group start working or not? If they're not an AP, we don't have  
12 to have that requirement for the Federal Register that's as  
13 strict as when we have an AP.

14  
15 **IRIS LOWERY:** Right, and so, if this is a government working  
16 group, then that would be something separate from an AP and  
17 distinct from those, the Federal Register notice requirements  
18 and FACA.

19  
20 **MIGUEL ROLON:** Because, if that's the case, it goes back to my  
21 original idea. My idea was to have this group work outside of  
22 the council and then they can come to the council with reports.  
23 The idea of having it to the council is like a sounding board,  
24 so that we have, at the meeting in December or the meeting in  
25 August, we can have updates of this meeting, so it provides some  
26 structure. At the same time, we have the flexibility of the  
27 government agencies to send the people that they are going to be  
28 sending to discuss this.

29  
30 Once we have -- For example, Bill suggested to have a monthly  
31 webinar or telephone call meetings, so they will advance with  
32 this. I asked Bill whether -- Well, let me get the answer  
33 first. Okay. Now we are looking for a Chair to have this  
34 meeting, and I asked Bill whether he was willing to chair this  
35 or not. He will be out for sometime, and so maybe, in between  
36 Graciela and Bill, they can coordinate to chair the meeting for  
37 the time, or, when they have the committee, they can elect their  
38 own chair.

39  
40 The important thing for the local governments is that it's a  
41 triangle with three points, the federal and you two, and Puerto  
42 Rico already has some commitments. Some of them we still need  
43 to work a little bit more on that. The Secretary already sent  
44 the three names that you saw on the screen, and so Puerto Rico  
45 is onboard with the members of the team. Bill, what do we need  
46 to do next, now that we have heard that we don't need to have an  
47 AP?



1 **CARLOS FARCHETTE:** Before Bill answers that, I have Ruth.  
2

3 **RUTH GOMEZ:** Bill, could we go back to the list of the members?  
4 The USVI DPNR, if possible, I would like to add one of my staff.  
5 His name is Jonathan Brown, and here is my justification. One  
6 of the grants we're getting ready to submit on August 1 to the  
7 U.S. Fish and Wildlife Service is a recreational data program,  
8 and it has many tasks, but one of the tasks that I have asked to  
9 be included this year that has never been done before is back in  
10 the 1980s, I do believe, Mr. Tobias in the back, in coordination  
11 with Bob Trumble, took a look at Act 3330 in addition to a  
12 recreational licensing program for the territory.  
13

14 We understand and we know that there's a need for it. It's long  
15 overdue, and the territory is not averse to it. We welcome it.  
16 We have had several conversations with Commissioner Henry, who  
17 is very much onboard, in trying to establish a licensing  
18 program, but we need to do it in the right way.  
19

20 One of those baby steps, beginning steps, that we're going to  
21 take is Fish and Wildlife staff will go back and take a look at  
22 all the historical information and go back and take a look at  
23 Bob Trumble's work that was done under the supervision, for lack  
24 of a better term, by Mr. Tobias, when he was at Fish and  
25 Wildlife for many, many years, and see what in those old  
26 documents apply now, what will work, and what needs to be  
27 revised.  
28

29 At the end of the first year, we're going to have a report that  
30 says we looked at historical, we looked at what is needed, and  
31 this is what we think will work as the first step in a ladder,  
32 if you look at the recreational program from beginning to  
33 completion as a ladder, the first step in creating a  
34 recreational licensing program. That young man is the principal  
35 investigator of that project, and I think it is important, just  
36 as much as I am to be there, I do believe he needs to be there  
37 as well.  
38

39 **BILL ARNOLD:** That's a great idea. I know J.B. well, and I know  
40 he's a good man, and so we would like to have him aboard.  
41

42 **MIGUEL ROLON:** This constitutes the official request, and we  
43 don't have to have any letter from them to include J.B. So what  
44 will be next? What do we need to do?  
45

46 **BILL ARNOLD:** Unless Iris tells us differently, we don't have to  
47 do anything. We will get this committee going and get to work.  
48

1 **IRIS LOWERY:** I will look into this quickly and hopefully have  
2 an answer for you before the end of the meeting.

3  
4 **CARLOS FARCHETTE:** Thank you. Okay. That's done, and I guess  
5 everything has been blessed and we're going to go forward, I  
6 guess after Iris takes a look at that. Exempted Fishing Permit  
7 Applications, I think that's also Bill.

8  
9 **EXEMPTED FISHING PERMIT APPLICATION - PUERTO RICO DEPARTMENT OF**  
10 **NATURAL AND ENVIRONMENTAL RESOURCES**

11  
12 **BILL ARNOLD:** Puerto Rico has submitted an application for an  
13 exempted fishing permit. This is actually a renewal of a  
14 previous application, maybe slightly modified, but, basically,  
15 it allows them to work in federal waters with commercial fishers  
16 to collect fish species, both for estimating abundance and for  
17 doing age/growth/reproduction type of work, and so it's a very  
18 important piece of work that they do, and certainly it's  
19 important to support it.

20  
21 It is also important for the council to understand what this  
22 sampling involves, and so that's what this presentation is  
23 briefly going to go over, but I would point out that the  
24 application itself is on the council's website and, to really  
25 have a thorough understanding of all the details of what's going  
26 to go on with the sampling program, you might want to read  
27 through that permit application.

28  
29 Now, where we are right now, the notice that the application was  
30 received was published in the Federal Register yesterday. The  
31 public has thirty days to comment on that, and so that's to, I  
32 think, July 28 is the closing day for comments. The council  
33 comments and the public comments, NMFS looks at those comments  
34 and determines if there is any issues or problems that would  
35 require modification or denial of the application. Then we  
36 either grant the exempted fishing permit or not. That pretty  
37 much sums up the whole thing. I know we're in a bit of a hurry.

38  
39 If granted, it would authorize the use of contracted commercial  
40 fishermen, and that's the key part about this, because now  
41 they're going to use private contractors to collect data. They  
42 would either be aboard research vessels or aboard their own  
43 contracted private fishing vessels, and they would collect reef  
44 fish species through two projects in the waters of Puerto Rico,  
45 their Exclusive Economic Zone. Now, they're already doing this  
46 in state waters, and so, really, the exemption is to allow them  
47 to be active in federal waters as well.

1 The project would collect fishery-independent data on abundance,  
2 distribution, and reproductive condition of reef fish in western  
3 and eastern Puerto Rico. It would be valid from the date of  
4 issuance through May of 2018, and, importantly, it involves  
5 activities that would otherwise be prohibited by regulations at  
6 50 CFR Part 622, as they pertain to Caribbean reef fish managed  
7 by the Caribbean Fishery Management Council. In particular, it  
8 would exempt these research activities from seasonal area  
9 closures, size limits, and bag limits.

10  
11 The first project is to determine spatial and temporal  
12 variations in stock abundance of Caribbean reef fish resources  
13 off of Puerto Rico. This would be a continuation of the  
14 collection of information on reef fish abundance and  
15 distribution on both ends of Puerto Rico, as part of their  
16 Southeast Area Monitoring and Assessment Program, a program that  
17 produces data that are used in SEDARs and in multiple  
18 applications.

19  
20 There was an EFP granted in 2013, and it expired in 2015. It  
21 has taken a while, but this is basically a re-up of that, with  
22 some modified methodologies. It would authorize Puerto Rico's  
23 DNER to harvest reef fish by hook and line and bottom longline  
24 gear in federal waters off both coasts, and all reef fish,  
25 including undersized and seasonally-prohibited reef fish  
26 species, would be retained, with the exception of goliath  
27 grouper, Nassau grouper, and all species of parrotfish.

28  
29 The methods involve approximately twenty stations off the west  
30 coast and ten stations off the east coast selected from a grid.  
31 They would be randomly selected, as would the sampling dates.  
32 Sampling would be conducted, as I mentioned, by both bottom  
33 longline and hook and line, as well as non-intrusive, basically,  
34 underwater cameras.

35  
36 The bottom longline fishing would be stratified at zero to ten,  
37 eleven to twenty, and twenty-five to fifty fathoms. These  
38 longlines would be anchored at each end. Now, depending upon  
39 where you drop those anchors, that could be an impact. Surface  
40 buoys would be attached for recovery. They are going to circle  
41 hooks, and they're going to leave these longlines deployed for  
42 forty-five minutes and retrieve and collect the fish.

43  
44 These longlines will be set to minimize impacts to bottom  
45 habitat by avoiding coral reefs and by fastening small buoys at  
46 intervals along the line, to make sure it floats above the  
47 bottom and doesn't lay on the bottom.

1 The hook and line fishing, similarly, the same depth strata and  
2 the same randomization scheme. They will be anchoring and also  
3 drifting. Each sampling area would be sampled twice during the  
4 EFP, two hours of drifting and two hours anchored. Anchored  
5 fishing would be for thirty minutes at four different sampling  
6 locations. That adds up to the two hours.

7  
8 The drift fishing is conducted in fifteen-minute intervals near  
9 the anchor sampling stations, for up to a total of two hours,  
10 and then the underwater camera survey will be deployed for sixty  
11 minutes. They would have a relatively low potential for impact.

12  
13 These are the species that they intend to collect and the amount  
14 they intend to collect of each species, red hind and -- You can  
15 see them, and you can see the weights. Some of this may occur  
16 during seasonal spawning closure periods, and it also, in the  
17 case of yellowtail snapper, may be undersized individuals.

18  
19 Then there is a second project to employ histological methods to  
20 describe annual reproductive cycles and minimum sizes of sexual  
21 maturation for various species. This would involve roughly ten  
22 trips in federal waters in addition to state-water trips. This  
23 is off the west coast of Puerto Rico, and it would authorize  
24 DNER to contract fishers using hook and line gear and spear guns  
25 to collect a minimum of twenty-five samples per trip of the  
26 following reef fish species. That includes mutton, red hind,  
27 coney, white grunt, tomtate, and pluma. For red hind and  
28 mutton, there are closures, and those closures could be -- They  
29 could be collecting during those closures.

30  
31 As I said before, any other species incidentally caught by hook  
32 and line would be released, including Nassau, goliath grouper,  
33 and all species of parrotfish. Ideally, they wouldn't spear  
34 them, because, if they spear them, they're not really  
35 releasable.

36  
37 This is very important. Anchoring and fishing activities will  
38 not take place in Bajo, Tourmaline, and Abrir. That is  
39 particularly important with respect to anchoring, because the  
40 coral doesn't understand the difference between a research  
41 anchor and a fisherman's anchor. They both punch holes in the  
42 bottom.

43  
44 The next steps for this, the council can make a recommendation  
45 regarding the EFP application through a motion or take your time  
46 and look it over, however you want to handle it. As I said, the  
47 public also has a right to comment, and that comment period is  
48 accepted through July 28. Those are the questions, and that's a

1 potential motion.

2

3 **CARLOS FARCHETTE:** Blanchard.

4

5 **TONY BLANCHARD:** I've just got a question for you, Bill, because  
6 you ran that by me a little fast here, but did I hear that there  
7 was a potential for them using this study during a spawning  
8 aggregation or I was falling asleep there?

9

10 **BILL ARNOLD:** They could collect species that aggregate during  
11 their season of spawning.

12

13 **TONY BLANCHARD:** Okay. Now my point is this. We had this big  
14 discussion yesterday as to the spawning aggregations and the  
15 importance of it and everything else. We really want to do  
16 this? That's just a question, because I think we are  
17 contradicting ourselves.

18

19 **CARLOS FARCHETTE:** Graciela or Bill.

20

21 **GRACIELA GARCIA-MOLINER:** A point of clarification. The actual  
22 spawning aggregations that are known take place at Bajo de Sico,  
23 Tourmaline, and Abrir la Sierra. There is a seasonal closure,  
24 everything from the shoreline all the way to the 200 nautical  
25 miles, around Puerto Rico that closes the red hind season, and  
26 so any other aggregations that are not right now protected would  
27 be available for sampling.

28

29 One of the reasons that we need to do that is because there is  
30 missing information from specifically for the red hind and the  
31 mutton, and so they are very specific about the number of  
32 animals that they are going to collect, and they can collect all  
33 sizes, so that the sampling can be completed, because one of the  
34 problems that we keep running into is that we get incomplete  
35 information.

36

37 **CARLOS FARCHETTE:** Bill and then Blanchard.

38

39 **BILL ARNOLD:** Tony's question is a good one, and it is an  
40 important question, but this study needs to be done. Now, if  
41 the council wanted to comment that they want to ensure that  
42 known spawning aggregations are not sampled, that could be a  
43 contingency for this request.

44

45 As Graciela explained, and I guess I wasn't clear on it, they  
46 will be able to harvest species that aggregate during the  
47 spawning season. That doesn't mean that they will be hitting  
48 spawning aggregations, but just that these species may be

1 aggregating elsewhere. In particular, they aggregate on Abrir,  
2 Bajo, and Tourmaline, as Graciela pointed out, but those areas  
3 will not be accessed by this sampling, and so I can't say that  
4 it's going to be absolutely perfect, but I do say that, if you  
5 want to state a contingency, that's fine, but this sort of work  
6 is extremely important to our understanding of the biology of  
7 these species.

8  
9 **CARLOS FARCHETTE:** I have Blanchard and then Miguel and then  
10 Bonnie.

11  
12 **MIGUEL ROLON:** To your question, if we are going to do a study -  
13 - Remember, the purpose is to employ histological methods to  
14 describe the annual reproductive cycle. You do need to sample  
15 at or close to the spawning aggregation. It doesn't mean that  
16 you're going to collect all the spawning aggregation, but it has  
17 been done in the past by other people. What they do is they  
18 collect during the closed season.

19  
20 They collect before and after the aggregation and during the  
21 aggregation, because what you want to have is a map of the  
22 elemental stages of the eggs and sperm, all the histological  
23 parameters that you need to determine what is the reproductive  
24 cycle of the animal.

25  
26 For example, you may find, at the end of the study, that you are  
27 closing the wrong time or you may find, at the end of the study,  
28 that you need to close for that many months. All of that will  
29 come after the study is made, and the scientists will have to --  
30 I am not doing the study, but, in the past, Yvonne Sadovy and  
31 other researchers that are really experts on this -- When we had  
32 the spawning aggregation meeting sometime ago under WECAFC, they  
33 stressed the point that they need to fish very close to the  
34 aggregation or at the aggregation.

35  
36 In one study, you have a thousand members of the Nassau grouper  
37 community of fish and they aggregate and you remove one or two,  
38 one male and one female. Then, during the year, they go to the  
39 places that, the range they have, and they collect during the  
40 year, so they will be able to determine, statistically speaking,  
41 which is the most appropriate time -- Not the most appropriate,  
42 what are the peak times for them to spawn, what are the most  
43 important times during the year that you need to address if you  
44 want to manage those species, and also you need to address  
45 whether the fish is female during the whole year or changes sex,  
46 because that also will have some management implication. If the  
47 females are bigger than the males, you have to maximize when  
48 they are one stage or the other.

1  
2 **CARLOS FARCHETTE:** Blanchard and then Bonnie.  
3  
4 **TONY BLANCHARD:** I understand why it's done and how it's done,  
5 but the funny part about it is most of the time if -- Now, I see  
6 that they have the fishermen's involvement in this program, but  
7 most of the time, if the fisherman takes the lead in this, he  
8 would be in violation, although they will quicker give the  
9 funding to a scientist.  
10  
11 Like Bill just made a statement a while ago that an anchor does  
12 not know the difference between a commercial fisher and a  
13 scientist. Well, when the scientists go into a -- I'm going to  
14 use for an example the grouper bank. When they set the traps  
15 and they pull the traps from the bottom, they're stressing the  
16 fish that we are supposedly supposed to be protecting during a  
17 spawning aggregation.  
18  
19 Now, despite -- Just like the marlins, for example, we say it's  
20 a game fish. They harass the marlin to bring him to the boat.  
21 When you lose the marlin, sometimes you don't think there's a  
22 chance that the marlin would die after you release him, but it's  
23 no different with the grouper. It's the same fish on the  
24 aggregation that we are supposed to be protecting.  
25  
26 The point I'm trying to bring here is it seems to be that when  
27 the rules of the game incorporate certain players that it  
28 becomes labeled as one thing. When it incorporates other  
29 players, it becomes labeled as something else.  
30  
31 **CARLOS FARCHETTE:** Bonnie.  
32  
33 **BONNIE PONWITH:** Thank you, Mr. Chairman. I would just say that  
34 this type of work -- First of all, this is a crucial partnership  
35 link to the SEAMAP data collection. This type of information is  
36 crucial to our success in being able to continue to conduct the  
37 stock assessments that we are working on. These data-limited  
38 approaches that we're using do rely on having more life history  
39 data to be able to incorporate, so that we can get beyond using  
40 simply landings time series, and so these types of data are  
41 absolutely crucial. They're very important components.  
42  
43 **CARLOS FARCHETTE:** Roy.  
44  
45 **ROY CRABTREE:** Tony, the only reason they need an exempted  
46 fishing permit to do this is because they are using commercial  
47 fishermen to do some of the collecting. If this was just  
48 scientists out on research vessels, you wouldn't even be seeing

1 this, because they would not need an exempted fishing permit.

2  
3 **TONY BLANCHARD:** That's where the double standard comes in.

4  
5 **ROY CRABTREE:** That double standard is written into the Magnuson  
6 Act, and so you have to talk to Congress about that, but that's  
7 the way it is.

8  
9 **CARLOS FARCHETTE:** Marcos.

10  
11 **MARCOS HANKE:** I think I'm going to clarify some of your  
12 concerns, and if this comes to a vote, I cannot vote, because I  
13 worked last year with SEAMAP. I am the person collecting this  
14 information, with the older methodology, to the east coast of  
15 Puerto Rico, and I will tell Tony that I did everything that I  
16 could to follow the methodology and to learn and to be effective  
17 on the way I collect the data, because I know how I affect --  
18 The outcome of my job will affect me and you and all of us at  
19 the table.

20  
21 I think the more that we participate in a program like this that  
22 it's going to help us. I understand that, in some other  
23 instances, which is not in this case, but that we are  
24 disconnected from the process, but, in this case, there is  
25 opportunity for us to show that we know how to do science and to  
26 execute on the water and that helps -- Just as fishermen, we can  
27 do it. That's why I believe in the project and I think we  
28 should support it, even though I cannot vote if you guys put a  
29 motion. I will recuse myself.

30  
31 **CARLOS FARCHETTE:** Miguel.

32  
33 **MIGUEL ROLON:** Dr. Garcia, do we need to have -- The sampling,  
34 would that include the fish aggregation time? Is it necessary  
35 or are you familiar with what they want to do? If that will  
36 jeopardize the project or that will be missing that part, then  
37 there should not be any contingency from the council point of  
38 view, but, if want to avoid what Tony is saying, which I concur  
39 with him, but sometimes it's the perception of having a  
40 fisherman there versus having the other and why this one and not  
41 this other one, and so I believe that the scientists have to  
42 tell us whether that will be an intricate, important part of the  
43 project or not.

44  
45 **CARLOS FARCHETTE:** Bonnie.

46  
47 **BONNIE PONWITH:** If the goal of this is to understand the  
48 maturity schedules of these animals, then catching them at a



1 time where they are spawning has certainly some pretty strong  
2 importance to the success of the project.

3

4 **CARLOS FARCHETTE:** Graciela.

5

6 **GRACIELA GARCIA-MOLINER:** The other thing with this is that  
7 SEAMAP is the longest-running fishery-independent survey that we  
8 have. In this case, it's making an exception also to allow for  
9 commercial fishers who are very knowledgeable of the areas to  
10 participate in actually harvesting the species that we need, to  
11 look at not only the function of the habitat, in terms of the  
12 size and the biological status of the populations, but also to  
13 minimize any kind of damage that we can do.

14

15 In this case, the participatory part of the fishers is going to  
16 be extremely useful. One of the other issues that we always run  
17 into is that SEAMAP, being the only and the longest-running  
18 fishery-independent survey, also has gaps. Basically, we just  
19 received, just five minutes ago, the tables to stratify the  
20 collection of species, and so these will be selected on the  
21 basis of that depth for those places for the kind of gear that  
22 is going to go in the water.

23

24 In most cases, we don't have the habitat information, and that's  
25 why the cameras are going in the water. Basically, they have  
26 put together all the gaps that we have from that program in  
27 trying to get everything done within this period of time, and  
28 that will mostly likely be a one-time only, because, once this  
29 is done, for this project, the repetition of that will either  
30 take five years or we will find out that, with the information  
31 that we have been able to collect, because we're also doing the  
32 histology, we then don't need to survey such large amounts of  
33 fish, et cetera.

34

35 Please be reminded that none of the fish that are collected here  
36 are sold or used for the DNER. They are given to social groups,  
37 like orphanages or places for the elderly, and so the  
38 information is collected from the fish and then the fish gets  
39 disposed of by being used by those who actually need it.

40

41 In essence, these two parts of SEAMAP really come at a very  
42 needed time, and they have worked very hard in trying to do,  
43 through one study, trying to collect the information that we  
44 need to close those gaps, but that doesn't mean that the council  
45 cannot say that you oppose the anchoring or that you would like  
46 to have the specification that the cameras go in before the  
47 anchors go in. I mean you are welcome to provide comments, in  
48 terms of how this can be modified, and they would be responded

1 by.  
2  
3 **CARLOS FARCHETTE:** Velazquez.  
4  
5 **CARLOS VELAZQUEZ:** Bill, can you clarify one thing on this  
6 project? This is in federal waters?  
7  
8 **BILL ARNOLD:** The project is not restricted to federal waters.  
9 The exempted fishing permit is required for them to conduct the  
10 project in federal waters, but they are already underway in  
11 state waters doing this work. They have that authority, and  
12 they don't need to ask us for that authority.  
13  
14 **CARLOS FARCHETTE:** Velazquez.  
15  
16 **CARLOS VELAZQUEZ:** I accept the language as recommended by Bill,  
17 and I would make a motion. So I move the motion.  
18  
19 **CARLOS FARCHETTE:** Do we have a second?  
20  
21 **MIGUEL GARCIA:** Second.  
22  
23 **CARLOS FARCHETTE:** Okay. The motion is the Caribbean Fishery  
24 Management Council recommends that the NMFS SERO Regional  
25 Administrator approve the EFP application submitted by PR DNER.  
26 It's moved by Velazquez and seconded by Miguel Garcia. Any  
27 discussion?  
28  
29 You know I read this about one o'clock in the morning when I was  
30 home, when I got my jump drive, but I would like to have seen  
31 this be extended to the USVI, because we're desperate for some  
32 stock assessments, but if this can help the USVI and we don't  
33 have to do it in our waters, I mean that's fine too, but  
34 somehow, someday. Graciela.  
35  
36 **GRACIELA GARCIA-MOLINER:** I mean SEAMAP does have a USVI  
37 component, and so the things run kind of parallel to each other.  
38 In fact, the histological training will be done in Puerto Rico,  
39 and so they collect the gonads here and they come to Puerto Rico  
40 to train, and so UVI is also involved, developing a lab where  
41 that can be done here. There is a lot of coordination between  
42 the USVI and Puerto Rico in terms of SEAMAP.  
43  
44 **CARLOS FARCHETTE:** Perfect. No further discussion? **All in**  
45 **favor say aye; any nays; any abstentions.**  
46  
47 **ROY CRABTREE:** I abstain.  
48

1 **MARCOS HANKE:** I abstain, too.

2  
3 **CARLOS FARCHETTE:** We have two abstentions by Marcos Hanke and  
4 **Roy Crabtree.** The majority rules and the motion carries. Spiny  
5 Lobster Project and Carlos Velazquez.

6  
7 **PRESENTATIONS**  
8 **SPINY LOBSTER PROJECT**

9  
10 **CARLOS VELAZQUEZ:** Hello, everyone. Thank you your time. My  
11 name is Carlos Velazquez, and I am a commercial fisherman from  
12 Puerto Rico and a member of the Caribbean Council. I am the  
13 President of the United Fishermen Corporation Playa Hucaras in  
14 Naguabo. It's a town on the east coast of the island of Puerto  
15 Rico.

16  
17 I will be talking about -- This is an important opportunity to  
18 talk about proposal for fisher's independent study to collect  
19 data for Caribbean spiny lobster. We will be talking about the  
20 spiny lobster fishery, and so I would like to set the tone with  
21 this short two-minute video.

22  
23 (Whereupon, a video was presented.)

24  
25 **CARLOS VELAZQUEZ:** Thank you for watching this video.  
26 Commercial fishers are very concerned about the upcoming  
27 seasonal closures for Puerto Rico in 2016, especially the  
28 lobster closure, which will close starting December 10. We feel  
29 that these closures are unnecessary, that the species in  
30 question are healthy and the current ACLs do not reflect the  
31 true status of the fisheries.

32  
33 ACLs are based on landing reports. It is known that fishers  
34 have been underreporting their landings, and these underreported  
35 landings have been used to establish our current ACLs, which the  
36 fishers believe do not reflect the true status of the fisheries.

37  
38 The Caribbean spiny lobster management plan has set a minimum  
39 carapace length of 3.5 inches, and many feel that this has been  
40 a very successful management plan. Lobster populations are  
41 healthy and abundant, and the lobster fishery has always been  
42 one of the healthiest fisheries.

43  
44 As fishermen, we are very concerned with this situation, and,  
45 for that reason, a few fishermen and myself got together with  
46 Miguel Rolon, Bill Arnold, Carlos Farchette, Bill Kelly, and Ms.  
47 Yuying Zhang for a meeting to discuss our concerns and propose a  
48 project plan to study the local spiny lobster population and

1 improve data collection. The meeting was held on May 5<sup>th</sup> at the  
2 Caribbean Fishery Management Council Headquarters.

3  
4 Bill Kelly is the Executive Director of the Florida Keys  
5 Commercial Fishermen's Association and Yuying Zhang is a  
6 professor at the University of Florida and does research on the  
7 Caribbean spiny lobster.

8  
9 During the meeting, it was pointed out that one of our primary  
10 challenges is to look into the correction factor. The action  
11 plan includes, number one, reviewing the correction factor with  
12 the participation of NMFS and DNER scientists. Number two, with  
13 the help of local commercial fishers and a steering committee,  
14 which will be put together in the near future, collect data to  
15 review the correction factor. Fishers are willing to collect  
16 data of all lobster caught, including those discarded by  
17 regulation, in addition to the regular landing reports they have  
18 to provide. Number three, perform a data mining exercise of  
19 spiny lobster size, which can be found from the TIP program at  
20 the DNER LIP.

21  
22 I have been reaching out to a select group of lobster commercial  
23 fishers and community leaders, mostly from the east and west  
24 coast of the island, and discussed the idea of the project with  
25 them. Those that are willing to volunteer their time and work  
26 on the project will form our project working group. So far, we  
27 already have divers, trap fishers, and trammel net fishers  
28 interested in participating.

29  
30 The Caribbean Fishery Management Council and the DNER will work  
31 with Ms. Zhang to prepare a data collection form. NMFS SERO and  
32 the Southeast Fisheries Science Center will be consulted for  
33 compliance. I would like to clarify that this form would not  
34 substitute the current form being used to report catch landings,  
35 but would be in addition to the current landing report forms.

36  
37 If this project is approved, I will be holding two working group  
38 meetings, one in the east and another in the west of the island.  
39 The meetings will be to review project goals and objectives and  
40 discuss practical aspects of the experimental design, sampling  
41 method, and data collection. The meeting will be scheduled  
42 sometime in July or August.

43  
44 Ricardo Miranda, an east coast fisherman, has already agreed to  
45 participate and began collecting data. Here is a data sheet  
46 that he prepared and uses to log his catch. This is an example  
47 of the kind of information we will be collecting. In addition to  
48 the information here, we may also include weight.

1  
2 This is the sample of the table for the catch. This is the  
3 traps, number of traps, type of trap, number of days. This is  
4 male or female, length, eggs, yes or no, coordinates, the depth  
5 in feet of the water, number of the market lobsters, number of  
6 the short lobsters, species and number of bycatch, species and  
7 number of bycatch discarded, and the trap condition. Tony, any  
8 comment for this?

9  
10 **TONY IAROCCI:** Than you, Carlos. Just for personal reference, I  
11 do have copies of the four completed sheets. I did show them to  
12 Dr. Appeldoorn, and he thought they were very well done. I  
13 would like Bonnie and some of the council members and people to  
14 look at them.

15  
16 This has been revised twice. We're looking for input. There is  
17 different things that the Science Center might want out of this.  
18 I know Dr. Appeldoorn had asked about a current DNA sampling,  
19 which, the last we did, I did part of it in Central America, but  
20 it's not that involved. If he requested or if you guys do  
21 request a current DNA sampling, we can put something together  
22 pretty quick. I can do Central America and we could do it  
23 locally here and I can do Florida, and we could do that whole  
24 thing, just to do a current one, if we do, and I will pass these  
25 around now, and I will get back into this once Carlos finishes.

26  
27 **CARLOS FARCHETTE:** Tony, you said revised, and is that different  
28 to the one that I got in email?

29  
30 **TONY IAROCCI:** No, we started with the original one that Tom  
31 Matthews and I put together, and we revised it, with the help of  
32 the fishermen to make it -- Now, these do have the coordinates  
33 that I don't think all the fishermen are going to put their  
34 coordinates on, and I don't really think -- I think we can break  
35 it down with a chart of east coast and west coast and all that  
36 stuff to start with.

37  
38 **BILL ARNOLD:** Tony, I asked you about this before. On this  
39 form, you've got number of market lobsters, four, but you've  
40 only got size, length of head, for one, and so we talked about  
41 the need to size every lobster coming out of a trap. Have you  
42 adjusted for that?

43  
44 **TONY IAROCCI:** I told them, because we were getting more people  
45 that wanted to get involved and more people wanted to do the  
46 data sheet, and I don't said we don't need to do any more data  
47 sheets until we make changes and get comments from people like  
48 you and people like Bonnie and people like Dr. Appeldoorn,

1 because, as we all know, it's very important for the SSC -- The  
2 last thing Richard said when he left, he said, please, yes, I'm  
3 very interested and contact me and let me know what's going on  
4 about this, because he wants to help put this thing together,  
5 and so we do have to -- That's what this meeting is all about,  
6 Bill. I am telling everybody that this is the start. We've got  
7 a council member here that has taken the initiative to do this,  
8 and let me -- I can go on later.

9  
10 **MARCOS HANKE:** I just want to comment that Ricardo from the  
11 Fishery Laboratory just mentioned the possibility of adding to  
12 the genetic information collected, because if we have the larval  
13 collection, to do it on the larval stages too that they are  
14 collecting, some genetic information.

15  
16 **TONY IAROCCHI:** To that point, Aida Rosario, who we talked to  
17 yesterday, is in the process of making that, and she's going to  
18 make that, and we will have, from the pueruli all the way  
19 through the different sizes and ranges of the lobster, and we  
20 will have a complete dataset once we get started, and I think  
21 that's very important.

22  
23 I think we have a good group of partners. We have industry  
24 willing to play. From what we've got with starting with the  
25 larval, if we can get this set and move forward and make sure  
26 everybody is on the same page and we do this right, so there's  
27 not questions, and I will get into this as an example.

28  
29 What Carlos is trying to do is trying to merge what we've done  
30 in the states, with the Gulf Council and the South Atlantic, and  
31 how the fishermen went through -- Like he is forming this, we  
32 did a review panel, and we had SSC members, council members,  
33 fishermen, and we came through and -- I will get into that after  
34 you do that, Carlos.

35  
36 **CARLOS VELAZQUEZ:** Our expected outcomes from this project are  
37 an up-to-date and accurate data log of spiny lobster size  
38 composition for spiny lobster in local waters that could be used  
39 to improve the correction factor and to provide better  
40 information for determining OFL, ABC and ACL to be applied to  
41 spiny lobster. Thank you, and are there any questions?

42  
43 **CARLOS FARCHETTE:** Miguel.

44  
45 **MIGUEL ROLON:** First, Carlos, that was really brave, and I  
46 encourage you to keep doing it in English. I have known you for  
47 a long time, and also we need to -- Helena worked very close  
48 with Carlos in putting it together.

1  
2 **CARLOS VELAZQUEZ:** Thank you, Helena, for helping me.

3  
4 **MIGUEL ROLON:** For those of you that didn't know what the song  
5 said, it said, jump, little lobster, they are trying to take you  
6 away from me, and he wasn't referring to the council, by the  
7 way.

8  
9 One caveat that Bill and the group that met at the office -- By  
10 the way, we had three people on the phone and Carlos and Dr.  
11 Zhang was on the phone and Bill from Florida also was on the  
12 phone, and so they were interested in participating.

13  
14 When we discuss this, we have to be very careful not to clog the  
15 form that the fishermen will use, because if you ask for every  
16 information in the universe, you won't be able to do anything.  
17 Miranda says that we have to pick, with the scientists, those  
18 parameters that are important for what we are trying to achieve,  
19 so they can be able to do it, and he gave us an idea of how much  
20 time he needs to put all of this information together.

21  
22 The other part that he said is important is that not only will  
23 he be collecting information on the size and weight of the legal  
24 lobster, but those that are discarded by regulation also he will  
25 measure them and throw them back, hopefully alive, and that's  
26 very important for us.

27  
28 The other part of this is that Puerto Rico already, through the  
29 TIP program, has length frequency data, and Graciela and I were  
30 discussing it, and she told me they have more than three to five  
31 years. That will come into play with this project.

32  
33 The other thing is that we have to design the project in a way  
34 that will be scientifically sound. That's why in the  
35 presentation you have the need to involve the National Marine  
36 Fisheries Service Southeast Fisheries Science Center to make  
37 sure that the data that we collect is useful from the point of  
38 view of science.

39  
40 Dr. Zhang, I don't know whether she will give her time freely or  
41 she is just interested, but I leave that to Tony to talk about  
42 later, but I have a specific question for you. What do you want  
43 from the council at this time? Do you need anything?

44  
45 **CARLOS VELAZQUEZ:** To approve this project for the council.

46  
47 **MIGUEL ROLON:** Anything means that you need money, time,  
48 personnel, or just bless you and you go merrily away with it.

1 If I were you, I would ask the council to help you with at least  
2 putting together the two workshops, for the logistics, one in  
3 the east and one in the west, and Helena and the rest of the  
4 staff can help you.

5  
6 At those workshops, you have to prepare yourself, and so, before  
7 the workshop, probably Graciela, Bill, and other people who are  
8 knowledgeable about this can help you with that, and I'm sure  
9 that the ghost of Tony will be here somewhere, and those are the  
10 kinds of things that we have to put together logistically.

11  
12 **CARLOS FARCHETTE:** I have Crespo, Schuster, and then Bill and  
13 Graciela.

14  
15 **NELSON CRESPO:** A few weeks ago, after Helena passed by our area  
16 to talk about this project, the fishermen who met with her  
17 started talking about this, that this is a great opportunity to  
18 prove that the lobster fishery is more healthy than everybody  
19 thinks. Also, it's a great opportunity to include the Snapper  
20 Unit 2 in the same project, because maybe -- Not maybe, but I am  
21 really sure that most of the fishermen that go for the lobster  
22 fishery is in the Snapper Unit 2 fishery. They have the permit  
23 for the cartucho.

24  
25 Also, it's a good idea, and I was talking with Tony a few  
26 minutes ago that maybe it's a good resource too to maybe develop  
27 a separate correction factor for the Snapper Unit 2 and for the  
28 lobster with this information. I think the department has  
29 enough information to develop that correction factor.

30  
31 **CARLOS FARCHETTE:** Before Schuster, let Bonnie go and then  
32 Schuster.

33  
34 **BONNIE PONWITH:** You know I love data, and so what I would say -  
35 - You know I appreciated looking at the data forms. One of the  
36 most important things, when you start a collection, is to know  
37 what question you're trying to answer, so that you collect the  
38 right information to answer that question, as opposed to finding  
39 out, after you have collected all the data, that you were  
40 missing something or wouldn't it have been nice to have included  
41 X.

42  
43 What I would love to do is, rather than looking at the form  
44 today very briefly and making a judgment call, is to consult  
45 with folks in the Science Center and talk to them a little bit  
46 about the form and about what you're doing, so that, if they  
47 look at that and are like, you know, with one more piece of  
48 information or changing the way you're gathering that



1 information that you add this much more value to it, we can have  
2 those conversations.

3  
4 I think that that's very exciting. That way, the data are sort  
5 of purpose-driven and collected for a specific question, and I  
6 think that would be a wonderful thing, and so I just applaud  
7 your initiative on this, and I applaud your colleagues'  
8 willingness to provide good, solid data to help answer these  
9 questions.

10  
11 **CARLOS FARCHETTE:** Eddie.

12  
13 **EDWARD SCHUSTER:** Excellent presentation. Carlos, I met you a  
14 few years ago, and you sat in the audience and you didn't say  
15 much. The first time I met you, you walked up to me and you  
16 spoke to me in Spanish.

17  
18 I just want to commend you on your amazing amount of courage. I  
19 just see in the near future that there is no boundaries for you.  
20 Keep up your hard work, and your English has gone through the  
21 roof. Good job.

22  
23 **CARLOS FARCHETTE:** Bill.

24  
25 **BILL ARNOLD:** Okay. I am going to expand on Bonnie's comments.  
26 If we back up one slide, the expected outcomes, number one, is  
27 to get accurate information on size composition that could be  
28 used to improve the correction factor. Those two have nothing  
29 to do with one another, and so that's what Bonnie was talking  
30 about.

31  
32 You've got to be very careful to say this is what we're trying  
33 to achieve. If we're trying to achieve a better understanding  
34 of the spiny lobster correction factor, you're going to need a  
35 radically different design, and it's going to have to involve  
36 either the entire east coast or one entire sector or every  
37 lobster fisherman in Puerto Rico, and so that's one example, but  
38 if you want to show the health of the spiny lobster population  
39 in Puerto Rico, then a properly scientifically and  
40 statistically-designed program, using size composition, may  
41 actually address that, by showing that, while you've got a  
42 three-and-a-half-inch minimum size, your average catch is  
43 actually 4.25 inches, well above that minimum size.

44  
45 In an unhealthy fishery, pretty much every animal you harvest is  
46 right there at the size limit, because, as soon as they get  
47 there, they're harvested and you're just slaughtering them and  
48 they never have time to grow.

1  
2 I think, if you did do a good size distribution study, that you  
3 would find that it is above, but, as I said at our previous  
4 meeting, I would start with those already in-hand data on size  
5 composition of the lobster fishery and look at those and get an  
6 idea of what five years of size data were.

7  
8 That's not to say that you shouldn't move forward with this one,  
9 but it's just that you need to be very careful to say these are  
10 the goals and here is how we're going to collect the data and  
11 conduct the analyses to achieve those goals or, from a  
12 scientific perspective, test those hypotheses.

13  
14 Now, Miguel mentioned a workshop. I think, if you want to have  
15 a workshop, what you should have is a workshop with a Science  
16 Center staffer and a couple other people, including the fishers,  
17 to say here's what we're trying to do and then the science folks  
18 can say here is how you do it, and you can put a program  
19 together and bring that back to the council or bring that back  
20 to yourselves, wherever you want to go with it, and say this is  
21 what we're going to do.

22  
23 I would emphasize that you need to do that before you get these  
24 fishers too far down the road, because, as we have learned in  
25 the past, there is all these -- It's worse to have the fishers  
26 do something and then find that they didn't do it in a way that  
27 we can use the data than it would have been to not do it at all,  
28 because all it does is create anger and suspicion and lack of  
29 trust, and so I think it's absolutely essential that we get this  
30 thing set up properly going in, with clear goals and clear  
31 experimental designs to achieve those goals.

32  
33 **CARLOS FARCHETTE:** Blanchard.

34  
35 **TONY BLANCHARD:** I also want to commend Carlos, because I was  
36 standing in back of him and having a chuckle to myself, because  
37 he really stepped up to the plate, and his speaking English,  
38 although he was pretty much on target, he was courageous.

39  
40 As for Bonnie and Bill, I think we need to -- He needs to find  
41 out exactly what kind of data is needed to back his project,  
42 just like Bill said, before he finds out, too far into the  
43 project, that that's not the data he needs for what he is  
44 looking for to get out of this project. As far as supporting  
45 him, I think we need to give him whatever support he needs,  
46 whether it is two meetings or whether it's money or whatever,  
47 but we need to try and support this project.

48

1 **CARLOS FARCHETTE:** Miguel and then Iarocci.  
2

3 **MIGUEL ROLON:** Okay. The whole idea of his presentation was  
4 just to create this discussion. We have two objectives, really,  
5 as Bill said. The other one of the slides said to check with  
6 National Marine Fisheries Service for compliance. Actually,  
7 there's a lot behind that word, and I'm glad that Bonnie  
8 addressed it, because you may be collecting the wrong  
9 information, and it's not just the fishers. I have books of  
10 people collecting data for two years that isn't worth a penny  
11 because they didn't design it well.  
12

13 In this case, we need to make sure, first, as Bill mentioned,  
14 that you and your group, and we can help you, but we meet with  
15 the appropriate personnel from the Southeast Fisheries Science  
16 Center to design the form according to the objectives that you  
17 want, and you have two.  
18

19 You need to go data mining for the size frequency that we have.  
20 Maybe we don't need to collect information on the size, because  
21 we already have that, but you will not know until we examine  
22 what we have in place, and Graciela offered to dig into this,  
23 and we know what the data is, and so we can look at it.  
24

25 Once you are clear with the two objectives, and we can help you  
26 with that. You don't have to do it right now. At this meeting,  
27 what you needed to have is, number one, the blessing of the  
28 council so I can put money into helping you with this, and  
29 already Tony, and I don't think that anybody is in disagreement  
30 with what Tony just said. If you need this, we're going to do  
31 it.  
32

33 At the same time, we have to be very careful what do we say to  
34 the fishers, because when we started talking at the beginning,  
35 they thought it was put this together for four months and the  
36 ACL will be increased and everything will be our way and  
37 everybody will happy ever after. Probably, at the end of the  
38 whole exercise, the ACL will go down. We may find that the  
39 fishery is in a deeper hole than we thought.  
40

41 I personally believe that the fishery is okay. It's just that  
42 we need to demonstrate that using the tool that scientists have  
43 at hand, and, just to conclude this, before we go into something  
44 else, I believe that the Chair and I have the authority to  
45 assign some money from what we have, and so far we are healthy.  
46

47 The first step will be to define clearly your objectives and  
48 define where to get the information that you need. You said

1 that you don't need to modify the way that Puerto Rico collects  
2 the information. However, probably this is a good time for  
3 Puerto Rico to sit down with Dr. Ricardo Lopez and look at what  
4 he has, and Daniel, and maybe we can combine the two.

5  
6 If this works for a snapshot, as Todd was saying before, maybe  
7 it will work for the whole year, and we will be able to collect  
8 more information. In order to move those ACLs, you need more  
9 than one year. You need to collect the information for some  
10 time, but this is the first time in many years that the fishers  
11 have taken it upon themselves to come to the plate and discuss  
12 it and offer this information, because Miranda is offering  
13 information that I would like to have if I go fishing. I would  
14 like to know where to get the best lobster and everything, and  
15 so enough said. I need to hear from the council, Mr. Chairman,  
16 clear direction on how you want to proceed with this, so the  
17 staff can go and do something between here and August.

18  
19 **CARLOS FARCHETTE:** Iarocci.

20  
21 **TONY IAROCCI:** Thank you, Mr. Chairman. Back to Yuying Zhang.  
22 I chaired a meeting of the Joint Gulf Council/South Atlantic APs  
23 and SSC members and council members and fishermen last month,  
24 because a review panel was formed. That's what gave me the idea  
25 of what was happening here.

26  
27 The spiny lobster fishery, we know it's -- Well, we've proved  
28 its one stock, and I'm not going to go into the rationale behind  
29 that, but I saw Yuying sitting in the back, an excitable little  
30 Chinese girl, and I'm going, okay. I asked Doug Gregory, and he  
31 was the Executive Director of the Gulf Council, who she was, and  
32 he said she's a FAU professor and she's got funding to do  
33 research on spiny lobster and she does age, growth, size, and  
34 I'm like, oh, God, I wonder if she would go to the Caribbean.

35  
36 On the break, I went back and asked her, because she's working  
37 with us in the states, to help us get better data, and when I  
38 asked her if she would be willing to work in the Caribbean, her  
39 eyes got -- Miguel, you've heard her talk and how excitable she  
40 gets, and you should have heard her at that meeting. She says,  
41 oh, Tony, I have funding and I can travel down there.

42  
43 I told her, I said, we would like to start in Puerto Rico,  
44 because we have a pending closure, but then carry it one step  
45 further into the Virgin Islands. She has got some data sheets,  
46 but what I told her, and what I told you, Carlos, too when we  
47 started is this is just the start of putting this together.

1 The ultimate goal is to get the right data and the Science  
2 Center, DPNR, and the fishermen all on the same page agreeing,  
3 and you know what? Roy told me that sometimes you ask for more  
4 data, just like Miguel had stated, and sometimes that data turns  
5 around, but I am going to quote Gregg Waugh, who is the  
6 Executive Director of the South Atlantic Council, when I talked  
7 to him about this project yesterday.

8  
9 He said, Tony, the spiny lobster fishery, throughout its realm  
10 of where it is, he said, we should be rewarded. We should be  
11 patting ourselves on the back. We should not be closing down  
12 fisheries. This fishery is healthy. The trends from Central  
13 America on up -- Since the Central American fisheries, when we  
14 imposed that closure in Nicaragua, and I told everybody this  
15 already, five years ago, those fishermen wanted to kill me. Now  
16 I go down to Nicaragua and they pat me on the back and say, if  
17 we would have ever put this closure together forward, with the  
18 spawning season closure -- Their last two years have been the  
19 best two years they have ever had.

20  
21 Our last two years have been the best two years. We have had to  
22 put this panel together of both councils, the review panel, and  
23 there's only one -- The SSC on the South Atlantic Council has to  
24 go ahead now and meet at the next meeting, and I talked to staff  
25 yesterday, and it looks good. They are going to raise our ACL  
26 high enough so we don't have to deal with it. Out of the review  
27 panel, this is their recommendation.

28  
29 **CARLOS FARCHETTE:** Okay. I'm surprised those Miskito Indians  
30 didn't want to knife you down there, Tony.

31  
32 **TONY IAROCCHI:** They did. They did. I will tell you what,  
33 Carlos. The panel discussed it and concluded that the ACL --  
34 This is the SSC members, council members, and people on this  
35 panel, but the panel discussed and concluded that the ACL is the  
36 wrong methodology to manage this lobster fishery. It  
37 recommended that the spiny lobster be considered as having a  
38 unique life history and be exempted from the ACL process.

39  
40 I am not saying that's going to happen. It might happen next  
41 year, in 2017. We've got people in D.C. working on it, but I am  
42 not going to hold my breath. That's why projects like this need  
43 to be done. If we're doing the same thing in the South Atlantic  
44 and the Gulf, we need to do the same thing in the Caribbean, and  
45 we've got the mechanism to do it and we've got the people to do  
46 it, and we've got the motivation, and I will do everything I can  
47 to bring everybody together.

48

1 Like I said, if we need a DNA sampling, if that's part of what  
2 Bonnie or Dr. Appeldoorn, Chairman of the SSC, needs, we can do  
3 that. I can do it like I did before in the last one. I can do  
4 that in Central America when I travel down there. We can do it  
5 here, and I can do it in Florida, and so that's not a big deal  
6 to start, if that's needed, but we've got to make sure that,  
7 Miguel, these guys are on top of everything.

8  
9 Then if we do take this -- We start in Puerto Rico and then  
10 later on take this to the Virgin Islands, because this ACL -- We  
11 need to look at this fishery, and, like Miguel said, it might  
12 prove something different, but I think, on the whole, I think  
13 it's a very healthy fishery all the way throughout its range.

14  
15 **CARLOS FARCHETTE:** Miguel.

16  
17 **MIGUEL ROLON:** Can we just pick the brains of Dr. Bill Arnold  
18 and Dr. Bonnie Ponwith and develop the language for the two  
19 objectives and, Bill, I just -- I can take it from the minutes,  
20 but what you just said before about if this is the objective  
21 that you want, this is what we should do, and then Bonnie also  
22 mentioned that if the objective is this other one, then you  
23 should do a, b, c, and d. Can we take a few seconds so at least  
24 you can address one objective and Bonnie can address the other,  
25 so they can take this home and keep working on the development  
26 of the project?

27  
28 **BILL ARNOLD:** I don't really want to take a -- I don't think I'm  
29 the appropriate person to be taking the responsibility of  
30 assigning their objectives to them. They know what they want to  
31 do. They've just got to get it clearly stated. Right, Tony?

32  
33 I think that Bonnie's staff could be tremendously helpful in  
34 designing a sampling program that would meet those goals, but I  
35 think it's really up to the fishers to clearly state what goals  
36 they hope to achieve with this project.

37  
38 **MIGUEL ROLON:** I talked to all the fishers, and they don't care  
39 about the language, as long as they can do the work. At this  
40 time, the only thing I need is a clear statement of what is the  
41 objectives that they can use and then another one from Bonnie.  
42 You don't have to write it there. As Bill said, Bonnie is more  
43 prepared to do that part, but I like the way that you  
44 paraphrased the first part about the size frequency, and that's  
45 the kind of assistance that the fishermen would like to have.

46  
47 **CARLOS FARCHETTE:** Bonnie.

48

1 **BONNIE PONWITH:** Thank you. We would love to work with your  
2 team. I think this is really exciting. I don't want to steal  
3 your objectives from you. I think the important thing is to  
4 understand what you would like to see come out of these data and  
5 then talk a little bit back and forth between your team and my  
6 team and talk about what design best addresses that objective.

7  
8 I will tell you that if I were king of the objectives, the  
9 objective that I would put is to collect data that improve the  
10 quality and reliability and the credibility of the next lobster  
11 stock assessment, and that's what I would pick, but, again, I  
12 want to make sure that we understand what you're trying to  
13 accomplish, and then we can work with you to make sure that your  
14 design matches your objective, so you don't have one of those  
15 tunneling from two ends and don't meet in the middle.

16  
17 I think that we could do that via -- I mean if you're talking  
18 about a workshop, that would be one mechanism for doing it. We  
19 could have some phone conversations and talk a little bit, but I  
20 think the steps that I would line out is, number one, if you  
21 have an electronic copy of your current data form, if you can  
22 get that to me, so it helps me to communicate to my team about  
23 what your team is trying to do.

24  
25 If I can get the electronic copy of this presentation, again, to  
26 help me talk to my team and get them ready, and then what we can  
27 do is figure out what the best way to open those conversations  
28 are, if that's something that is an okay approach for you.

29  
30 **CARLOS FARCHETTE:** Tony.

31  
32 **TONY IAROCCI:** Thank you, Bonnie. That's very helpful, and I  
33 will make sure that you get Yuying Zhang's papers, because she  
34 has some papers already done, and you can peer review and --  
35 She's got goals and priorities and what she wants to do and help  
36 work this stuff out, but the most important thing is, just like  
37 we did in the Gulf and the South Atlantic, I want the Science  
38 Center, the council, and the local people to be all on the same  
39 page with the industry, so we're all in agreement that the data  
40 and the forms and everything they do -- Because, like Miguel has  
41 said already twice, we don't want these fishermen -- When I  
42 first came, after that meeting, I had to keep calling these guys  
43 and telling them this is long-term and this is not -- They  
44 thought that if they did this now that this pending closure in  
45 December would go away.

46  
47 You know how long, Carlos, we had to keep telling these guys  
48 that this takes time. It's going to take time to do it, but we

1 want to take time. Like I stated, this is a start. We want to  
2 do it right, and the fishermen want to do it right. It's time,  
3 when you've got fishermen that want to come to the table, just  
4 like in the Gulf and in the South Atlantic -- The fishermen want  
5 to be a part.

6  
7 There is fishermen now coming up. Before, they all said I don't  
8 want to deal with this stuff. Now they're saying, you know  
9 what, I want to do it. I want to prove my fishery is healthy.  
10 We've got people that want to do that, and we've got to play.

11  
12 **CARLOS FARCHETTE:** Miguel.

13  
14 **MIGUEL ROLON:** Let's see if we can put some structure to this.  
15 Carlos, Helena can help you in gathering the electronic formats  
16 that we need and also the presentation. Helena, you can send it  
17 to Dr. Bonnie Ponwith with a copy to the council members, and,  
18 of course, Bill and Graciela.

19  
20 From the statement made by Dr. Bonnie Ponwith, your last  
21 expected outcome will be covered in more detail and actually  
22 better than I can think of. The first one also could be  
23 included there, because maybe, when the Science Center analyzes  
24 this, they can combine this or probably they can say we have all  
25 the information on the size frequency that we want, but the  
26 first step, Carlos, is for Helena to send that, on your behalf,  
27 to Dr. Bonnie Ponwith.

28  
29 They will respond accordingly. Then, once we have that, we can  
30 discuss it again, and we can have a meeting at the council  
31 headquarters and we will have something to present to the  
32 workshop. Let me clarify that the workshop that we were talking  
33 about is just with the fishers, but we don't want to go to the  
34 fishers thinking that, oh, we can do this or we can do that.  
35 No, we should go to the fishers with a clear statement of these  
36 are the objectives and this is what we are going to do and do  
37 you agree or not? Can you improve the way we're going to do  
38 this and can you do it?

39  
40 Mr. Chair, if the council agrees, we will proceed that way, and  
41 I will meet with Helena and Carlos and looking at the schedule,  
42 the timeframe, of this, so we can assign whatever we need to  
43 assign for a time schedule, but the first part will be you will  
44 be sending this to Dr. Bonnie Ponwith and she will react in  
45 time, according to her schedule, and then, before the August  
46 meeting, you may have something to report back, in English, to  
47 the council as an update of this report. Again, as I say, I  
48 really feel very proud of you for what you did.



1  
2 **CARLOS FARCHETTE:** Tony.  
3  
4 **TONY IAROCCHI:** Real quick. I also want to thank Carlos for  
5 taking the initiative, and I am proud of you too, because I  
6 remember when we first met at that first meeting, when your wife  
7 was pregnant. That was a while ago, and you've come a long way.  
8 Also, Helena, as always, I know the work you do, networking with  
9 everybody, and I really appreciate your work.  
10  
11 Graciela, I want to thank you today for opening up my eyes to  
12 the slipper lobster, because, after that comment, I called  
13 Miranda in San Juan and I called Winston Ledee, who was out  
14 fishing, and I talked to Tom Daley. At certain times of the  
15 year, these guys catch a lot of slipper lobsters, and I'm  
16 talking about Puerto Rico. Miranda said where he is that they  
17 sometimes catch -- Each fisherman comes in sometimes with three  
18 to five slipper lobsters, and some of them are big.  
19  
20 I am not saying it's a lot of pounds, but each fisherman comes  
21 in and sells so many pounds. If you say five or ten pounds per  
22 fisherman per day, there is that many thousands of pounds that  
23 are documented as spiny lobster and not slipper lobster.  
24  
25 If you're looking at an ACL that's being closed down for X  
26 amount of thousands of pounds, and there is slipper lobster  
27 being added as spiny, we have to address that problem, because  
28 I'm not saying it's going to eliminate the closure in December,  
29 but, in the future, we've got figure out slipper is different  
30 from spiny, and we have to address that. I am going to close on  
31 that, and thank you for the pleasure of working with you guys.  
32  
33 **CARLOS FARCHETTE:** Slipper and Spanish lobster. Bonnie.  
34  
35 **BONNIE PONWITH:** To that very point, Dr. Arnold had mentioned  
36 earlier in the meeting that there is one thing that you can do  
37 and do today and do easily that could revolutionize the quality  
38 of the data, and that is report 100 percent and report  
39 accurately.  
40  
41 The reason is this actually illustrates how important that is,  
42 and it is, if indeed we have a problem, where lobster are being  
43 called lobster, even though we have two species in the catch,  
44 and 50 percent of the people are reporting and the rest aren't,  
45 that's a 50 percent expansion factor.  
46  
47 Not only is there a mistake in the data, you're going to  
48 multiply that mistake by double, because you have to estimate

1 what happened with the rest of the fleet. The closer you have  
2 to 100 percent reporting, people turning in their reports, then  
3 the less you have to estimate. You don't have to estimate. You  
4 have those real data in your hands, and the expansion factors  
5 essentially go away.

6  
7 We have that same issue when we do dealer reporting in the South  
8 Atlantic, and so you are not unique. We have dealer reporting  
9 in the South Atlantic, and I tell them the same story. If you  
10 hate expansions, the best way to get rid of them is for  
11 everybody who is supposed to report to report, and then the  
12 expansions go away.

13  
14 **CARLOS FARCHETTE:** Commissioner.

15  
16 **DAWN HENRY:** Mr. Chairman, I am going to have to ask to be  
17 excused, and I just want to thank everyone for the kind  
18 reception here today, and I know I'm going to be leaving the  
19 USVI in the capable hands of Mr. Blanchard, and so thank you  
20 again, and maybe I might see you guys in August.

21  
22 **CARLOS FARCHETTE:** Thank you so much for attending,  
23 Commissioner. I know you're a very busy person. Next on the  
24 agenda is the SEFSC National Climate Science Strategy.

25  
26 **SEFSC: CARIBBEAN REGIONAL ACTION PLAN FOR THE NATIONAL CLIMATE**  
27 **SCIENCE STRATEGY**

28  
29 **BONNIE PONWITH:** Thank you, Mr. Chairman. Last fall, NOAA  
30 Fisheries released a National Climate Science Plan, and the  
31 interesting thing about climate is it's different in different  
32 parts of the world, and the patterns we see are different in  
33 different parts of the world, and they recognized that right  
34 away.

35  
36 They created a national plan and said your first assignment is  
37 to create a regional action plan about what you're going to do  
38 regarding providing meaningful, reliable scientific products and  
39 advice for people who are responsible for marine stewardship of  
40 living marine resources, to help make their decisions easier.

41  
42 We are in the process of developing a regional action plan, and,  
43 of course, one of the things I've said already is that climate  
44 patterns are different in different regions, and we recognize  
45 that, even within our jurisdiction -- Climate manifests itself  
46 differently here in Puerto Rico and the U.S. Virgin Islands than  
47 it would in the Gulf of Mexico, off the coast of Texas.

48

1 What we're doing is creating three unique regional action plans,  
2 and so what I wanted to do is talk to you a little bit about  
3 where we are on the development of the Caribbean Regional Action  
4 Plan.

5  
6 We've talked to each of the three councils. This is our chance  
7 to talk with you. We've created draft actions. It's  
8 essentially a table that says here are things that we think we  
9 can do to provide the fishery management council and the  
10 territories with information that will help them understand the  
11 role of climate in decisions that you're making for fisheries  
12 management or coral protection or things like that.

13  
14 We have that draft list of action items, and we're refining it  
15 now based on feedback we've gotten from the Southeast Regional  
16 Office and from other parts of NOAA. We've been in contact with  
17 the council staff on this, and, ultimately, what we're going to  
18 be able to do is get this table embedded in some narratives, so  
19 everybody understands what we're trying to accomplish, what the  
20 objectives are, and then we will put it out for public comment.

21  
22 It is my greatest hope that when it comes time to put that  
23 product out for public comment that council members will take a  
24 good, close look at this. What we're seeing, in different  
25 regions, is actual changes in the distribution and the density  
26 of whole populations of fishes, and, if we see changes in  
27 current patterns, and those changes in the current patterns  
28 result in movements of fish that are different than what you're  
29 used to, we want to make sure that we understand that a fish is  
30 either here or not here for a reason other than the impact of  
31 fishing.

32  
33 This is really important stuff, and we can't do it alone. We  
34 really need the council to take a look at these actions and make  
35 sure that you're comfortable with the actions and the timing.  
36 The table will have what we intend to do and when we intend to  
37 do it by, and it will be your opportunity to say I like this,  
38 but I think you should do it earlier, to be able to provide us  
39 that kind of feedback.

40  
41 We think we will have that product up and out to the council and  
42 all of our constituents -- Anybody is welcome to comment, the  
43 industry, the partners, research partners, whomever, and then  
44 get those comments back to us. We will likely have it out for  
45 public comment longer than a month, but not longer than two, and  
46 so it will be a reasonable amount of time.

47  
48 Then we'll incorporate the comments that you give to us into the

1 final product, with a goal of having this released by the end of  
2 the fiscal year, so we can start working on those actions and  
3 making some good forward progress. The bottom line is be on the  
4 lookout. You heard it here first, but be on the lookout for  
5 this product. We are really eager to hear your views on this  
6 when it comes out. It's important stuff. Thank you.

7  
8 **CARLOS FARCHETTE:** Thank you, Bonnie. I did read a document  
9 about -- Someone was speaking about juvenile mahi and they  
10 weren't seeing them, and they didn't know whether it was climate  
11 change or some type of effect that made that occur, and so  
12 that's a good point.

13  
14 **MIGUEL ROLON:** Bonnie, you will let us know when -- I will  
15 distribute it to the council members and staff and everybody, so  
16 they can know for the comments.

17  
18 **CARLOS FARCHETTE:** I have a question on Velazquez's project.  
19 Did we have to make some type of motion or anything like that?  
20 Okay. Fine. Outreach and Education Report.

21  
22 **OUTREACH AND EDUCATION REPORT**

23  
24 **DIANA MARTINO:** Good afternoon. I am just going to give a  
25 synopsis of the Outreach and Education Report. Alida isn't with  
26 us today, because she is representing the council at the 13<sup>th</sup>  
27 International Coral Reef Symposium in Hawaii, where she will be  
28 presenting this poster that she created, which explains why  
29 responsible fish consumption is vital for coral reefs. It might  
30 not show well, but it's a very nice poster explaining it all.  
31 It resulted because of a recommendation from the O&E AP.

32  
33 Also, Dr. Ortiz and myself collaborated and produced a special  
34 booklet to commemorate the 40<sup>th</sup> anniversary of the MSA and the  
35 regional fishery management councils, which is the one that I  
36 sent you with the briefing book, and it was given to everybody  
37 at the CCC meeting and sent to all the councils. I sent copies  
38 to every council, so that they can give it out to their people,  
39 to whoever is interested in it.

40  
41 The book is a collaboration of all the councils and of our  
42 group, where it contains some of each council's milestones for  
43 the past forty years. It was done in collaboration by the eight  
44 regional fishery management councils, putting together all the  
45 information, and the Caribbean Council printed the first batch  
46 that was distributed at the CCC meeting.

47  
48 The Caribbean Council also will prepare a special issue for

1 which Janet Ramos, a consultant with Sea Grant, is conducting  
2 interviews to key persons that have contributed throughout these  
3 years with the council and its mandate to manage the fisheries  
4 of the U.S. Caribbean. It is expected to be published in the  
5 second half of 2016, before December. We are also working on a  
6 2017 calendar, which will be dedicated to women in science and  
7 fisheries. Thank you.

8

9 **CARLOS FARCHETTE:** Marcos.

10

11 **MARCOS HANKE:** Diana, thank you for your report. I think  
12 outreach and education are important elements, and I want also,  
13 for my part, to -- I appreciate the support that the council and  
14 this office has been giving to me when the summer camps or  
15 schools request me to go there and talk and to give me  
16 information and booklets and the coloring book. It's a small  
17 initiative, but I think it's very important to engage kids into  
18 it. I have been doing a few of those, and thank you very much  
19 for the support.

20

21 **CARLOS FARCHETTE:** Miguel.

22

23 **MIGUEL ROLON:** I just want to say that the calendar that she  
24 mentioned lightly will have six months dedicated to women in  
25 science, fisheries science, and six months dedicated to women in  
26 fisheries, actual fisherwomen, and we have three, and actually  
27 one of them left, but we have three of the scientists around the  
28 table. We would like to invite Dr. Bonnie Ponwith to pick the  
29 month, but we would like to honor you as one of the key women  
30 that we have and Graciela Garcia-Moliner.

31

32 Graciela Garcia-Moliner will also be part of the calendar, and  
33 we will ask you just two or three questions that will identify  
34 your goals and objectives and your ideas and how you came to be  
35 a scientist. Also, we have Ruth Gomez from the U.S. Virgin  
36 Islands. She also will be one of the scientists and three more  
37 that we have to pick.

38

39 Then there will be the fisherwomen, and we have a list of women  
40 in fisheries that have been really involved in the fishery.  
41 Whether you know it or not, there is a lot of fisherwomen here,  
42 divers and trap fishers and hook and line fishers and netters,  
43 and they have been very good at it. Throughout the Caribbean,  
44 fisherwomen play a very important role. Either they fish or  
45 they sell, but we want to honor all of these women in the  
46 calendar for 2017, and Graciela will be in the middle of it.

47

48 Seriously, this is a way that the council can honor these women,

1 and each one of them will represent a large group of other women  
2 that have been involved in science, that have been involved in  
3 fisheries, and maybe next year, in 2018, we will honor Bill and  
4 his boys and some of the other fishers, but the important thing  
5 is that outreach and education experts use this calendar, and it  
6 has been well received by the community, the fishers and people  
7 don't know anything about the fishery, and I have received a  
8 response from the people who participate and are members of our  
9 group. We hope that the calendar will be ready by November.

10  
11 **CARLOS FARCHETTE:** Okay. Next we have the MREP Update and  
12 Helena Antoun.

13  
14 **MREP UPDATE**

15  
16 **HELENA ANTOUN:** Just a quick update. We talked about the  
17 possibility of doing an MREP in the USVI, and so that is  
18 ongoing. The ball is rolling. Alexa Dayton, who is the one  
19 that is heading the MREP program, she came down with me and we  
20 met with Ruth Gomez and a couple other fishermen, and so the  
21 next steps that we have is -- What we have right now on the  
22 agenda is we're going to hold two town-hall meetings, and  
23 they're going to be in August, around the second week of August.

24  
25 The town-hall meetings are just going to be to present the  
26 project to the fishing community, both the recreational and  
27 commercial fishermen, and get the feedback, and then we're going  
28 to take it from there. We will see how it goes, and then I  
29 guess, in the next council meeting in August, I will have more  
30 information as to what's going to happen next.

31  
32 **MIGUEL ROLON:** Helena, what has been the response so far in the  
33 interest of --

34  
35 **HELENA ANTOUN:** The response so far has been very positive, but  
36 the thing about MREP is MREP is a very community-based program.  
37 It's a fishermen's program, and so it all depends if the  
38 fishermen want it, if the community wants it, and so we'll see.  
39 We will have a better idea of where we stand after our town-hall  
40 meetings.

41  
42 **CARLOS FARCHETTE:** Okay. Great. Thank you, Helena. We have  
43 Enforcement Issues and Puerto Rico DNER.

44  
45 **ENFORCEMENT ISSUES**  
46 **PUERTO RICO - DNER**

47  
48 **MIGUEL GARCIA:** We are combining into just one illustration the

1 data from 2014 and 2015 and 2016, to make a more convincing  
2 argument or a better picture. The blue bars are 2016 and the  
3 orange is 2015 and the green is 2014. That's basically the  
4 information that we've got, and you can compare, if you will,  
5 how some violations are still happening and others are not. For  
6 example, people fishing for undersized lobster and snook is  
7 pretty constant. Basically, that's our report.

8  
9 I got some information on something that I promised to bring.  
10 More than the interventions, it's what has been the fate of  
11 these interventions, if there has been any legal consequences  
12 for the violators, and that's something that I have been  
13 promising, but I haven't been able to do yet. I wish that I can  
14 do better for next time. Thank you.

15  
16 **CARLOS FARCHETTE:** Thank you, Miguel. USVI, Howard said that he  
17 will present his report in August, and we already did the Coast  
18 Guard. Now we have NMFS/NOAA. NOAA doesn't have anything, and  
19 so maybe in August also. Now we have Meetings Attended.

20  
21 **APPOINTMENT OF SSC AND AP MEMBERS**

22  
23 **MIGUEL ROLON:** At this time, Mr. Chairman, we would like to,  
24 before we go into the Meetings Attended by Council Members and  
25 Staff, to address the appointments to the SSC and the advisory  
26 panels. Some of the members of the SSC were up for  
27 reappointment, and then there was a vacancy that occurred when  
28 Dr. Berkson accepted to work somewhere else, and we asked Dr.  
29 Ponwith to see if she could replace Dr. Berkson with another  
30 member of the Southeast Fisheries Science Center. This is  
31 important for the council to have this quality of people, and  
32 so, at this time, I would like to start by asking Dr. Ponwith if  
33 she has a recommendation for the council SSC.

34  
35 **BONNIE PONWITH:** Thanks very much, and indeed we do. I  
36 appreciate the opportunity to have representation on the SSC.  
37 This is an important advisory body to the council, and it's very  
38 helpful to have someone from the Center on that team to help  
39 provide scientific advice for the council. At this time, I  
40 would like to offer Dr. Meaghan Bryan as the representative from  
41 the Southeast Fisheries Science Center on the SSC.

42  
43 **MIGUEL ROLON:** Mr. Chairman, if a member of the council can move  
44 and another one will second, we can vote on it.

45  
46 **MARCOS HANKE:** I would like to move the name presented by  
47 **Bonnie.**

1 **TONY BLANCHARD:** Second.  
2  
3 **CARLOS FARCHETTE:** All in favor aye; any nays; any abstentions.  
4 **Hearing none, the motion carries.**  
5  
6 **MIGUEL ROLON:** At this time, I will ask Diana to read the names  
7 of the members of the SSC that are due for reappointment at this  
8 time, so the council can consider them for reappointment.  
9  
10 **DIANA MARTINO:** The members to reappointed to the SSC are Dr.  
11 Hoenig, Dr. Garcia-Sais, Dr. Joseph Kimmel, and Tyler Smith. We  
12 need a motion to reappoint.  
13  
14 **MARCOS HANKE:** So moved.  
15  
16 **TONY BLANCHARD:** Second.  
17  
18 **CARLOS FARCHETTE:** All in favor say on the reappointments; any  
19 nays; any abstentions. **Hearing none, the motion carries.**  
20  
21 **MIGUEL ROLON:** Then, Mr. Chairman, for the Outreach and Advisory  
22 Panel, we have a set of members whose term has expired. All of  
23 them indicated they would like to continue, and so I would like  
24 for Diana to read the names of those people on the advisory  
25 panel. In addition to that, and she's not here, but Ruth Gomez  
26 requested the council, several meetings ago, that whenever we  
27 have a vacancy at the Outreach and Education Advisory Panel that  
28 she would like to submit the name of Makisha George. She works  
29 in outreach and education.  
30  
31 At this time, we would like to recommend, first, the appointment  
32 of Makisha George to the Outreach and Education Advisory Panel.  
33 Tony, you were in charge of the U.S. Virgin Islands. Can you  
34 help us?  
35  
36 **TONY BLANCHARD:** So moved.  
37  
38 **MARCOS HANKE:** Second.  
39  
40 **CARLOS FARCHETTE:** All in favor say aye; any nays; any  
41 abstentions. **Hearing none, the motion carries.**  
42  
43 **MIGUEL ROLON:** Then the last part for the Outreach and Education  
44 AP, I would like Diana to read the names of those people, so the  
45 Outreach and Education Advisory Panel can be reappointed at this  
46 time.  
47  
48 **DIANA MARTINO:** Alida Ortiz, Cristina Olan, Janet Ramos, Andres



1 Maldonado, Lia Hibbert, Elliette Hernandez, Vilmarie Roman, Kim  
2 Iverson, and Emily Muehlstein.

3

4 **MARCOS HANKE:** So moved to approve.

5

6 **TONY BLANCHARD:** Second.

7

8 **CARLOS FARCHETTE:** All in favor say aye; any nays; any  
9 abstentions. Hearing none, the motion carries. Okay. Meetings  
10 Attended by Council Members. Do we have any?

11

12 **MEETINGS ATTENDED BY COUNCIL MEMBERS**

13

14 **MIGUEL ROLON:** Yes, we attended the Capitol Hill Ocean Week and  
15 we attended the Fish Fry, and I already reported the first day,  
16 and, as I said, it was a success story regarding the Fish Fry,  
17 and Dr. Eileen Sobeck encouraged the council to attend next  
18 year.

19

20 The way that this works is that we start right now coordinating  
21 the next year's meeting, and so Diana has started already. One  
22 possible item that Diana suggested was the inclusion in the  
23 agenda of the Capitol Hill Ocean Week banquet, a recognition to  
24 all councils throughout the nation. Sometimes the councils and  
25 the National Marine Sanctuary Foundation don't see eye to eye,  
26 but they took that into consideration, and so it doesn't  
27 guarantee that we will be there, but the board of directors will  
28 consider Diana's suggestion. If that happens, then they will  
29 invite representation from each one of the eight regional  
30 councils to attend the meeting. Carlos, have you gone to any  
31 meetings that you want to report?

32

33 **CARLOS FARCHETTE:** Just the CCC on St. Thomas, which was a great  
34 success, and I think everything went smooth. We've got some  
35 good pictures, and hopefully we will be able to share those one  
36 day, but I think that the council and the staff did an  
37 unbelievable job at that meeting, with all the logistics issues  
38 that were required to make that a success, and so my hats off  
39 and kudos to the council staff and all the hard work they did,  
40 especially Diana Martino. Thank you.

41

42 **MIGUEL ROLON:** Thank you, Carlos, and Diana deserves all of  
43 that. She's the one who moved the whole thing, and also we have  
44 the collaboration of the other members of the staff, like  
45 Graciela and Vivian and the people at the office, Iris and  
46 Livia. Livia went through an interesting phase of her life.  
47 She got cancer and she was due for an operation, and she told  
48 me, Miguel, I want to work and I cannot think until I have the

1 operation, and so she volunteered to pull all the electronic  
2 files together. To me, it was very emotional to see this woman  
3 do what she did.

4  
5 Thank you for those words, Carlos, and also the banquet, we  
6 recognized members of the fisher folks, and we were really proud  
7 to have Julian Magras recognized in front of everybody. We had  
8 Virdin Brown representing council members and Kitty Simonds, the  
9 Western Pacific Executive Director, she was also recognized, and  
10 it was really good.

11  
12 Then these people conspired against me, Carlos and Diana, and  
13 they gave me a huge plaque, which I like, but the best part of  
14 the whole thing was to see my daughter that flew overnight from  
15 California to carry that plaque to me. It was emotional. When  
16 I saw her, I forgot where I was or what I was supposed to be  
17 doing there, and, again, it was a success story. The next  
18 meeting will be in New England, and Tom Nies will be in charge  
19 of putting together the CCC in February with Brian from the NOAA  
20 Headquarters. Tom and Brian will put together that meeting,  
21 followed by another CCC meeting sometime in the spring or early  
22 summer of next year.

23  
24 **CARLOS FARCHETTE:** Marcos.

25  
26 **MARCOS HANKE:** I guess I have to say that I was at this meeting  
27 too, and one of the things that was very important, besides  
28 everything that was said, is that, on those meetings, you get to  
29 see that all the councils work the same. They have pretty much  
30 same programmatics, and you can see at a higher level the  
31 executive directors and so on addressing issues that have a  
32 positive outcome on the future for all the councils. Basically,  
33 that was the dynamic of the meeting.

34  
35 **CARLOS FARCHETTE:** All right. There is a five-minute public  
36 comment period. Is there anyone that wants to -- Graciela.

37  
38 **GRACIELA GARCIA-MOLINER:** Two seconds, because Carlos Farchette  
39 was made part of the Board of Directors of CARICOOS, and so he  
40 just joined the -- You forgot about that, but I didn't. We do  
41 have representation of the council in the CARICOOS board, which  
42 is extremely important, because it's being used a lot by the  
43 commercial and the recreational fishers and other users of the  
44 marine resources. The website has been improved and we will be  
45 meeting two or three times a year to carry on with the agenda of  
46 the CARICOOS.

47  
48 The other thing that took place was NOAA in the Caribbean was

1 here in May, and Bill Arnold and the group from NOAA were here.  
2 We had a number of sessions, and one of them had to do with  
3 grants, and so people are being made aware that there is funding  
4 opportunities from NOAA that we can apply for, and so that was  
5 well attended. We had eight more sessions during three days. I  
6 mean it was working from the morning to the afternoon and then a  
7 poster session, where people were able to showcase the work that  
8 is being done around Puerto Rico and the Virgin Islands.

9  
10 All in all, it was a very exciting meeting and very, very well  
11 attended, the NOAA in the Caribbean, and so those are the only -  
12 - The national EFH, but that one happened and it was reported on  
13 at the CCC, where all the council staff and regional offices  
14 from NOAA met to discuss essential fish habitat and the  
15 crossroads with the ecosystem-based approach, and so that's what  
16 I have to report.

17  
18 **CARLOS FARCHETTE:** Thank you, Graciela. Now is the comment  
19 period. Is there anybody in the back? No? Okay. Other  
20 Business, anybody have business?

21  
22 **OTHER BUSINESS**

23  
24 **HOLDEN HARRIS:** I am Holden Harris. I am from the University of  
25 Florida. We have Paulina Bennett-Martin with us, and I have met  
26 most of you throughout today or from before, but I just wanted  
27 to introduce our project.

28  
29 We're down here on a Saltonstall-Kennedy-funded project, led by  
30 Emory University with the University of Florida, to look at the  
31 viability for a commercial market for invasive lionfish in St.  
32 Thomas and St. Croix in the U.S. Virgin Islands, and we're not  
33 really focusing on the biological aspect, but more the  
34 socioeconomic side, and we're doing surveys and interviews with  
35 people that buy fish, and so local consumers, tourist consumers,  
36 as well as restaurant buyers and wholesalers, and, very  
37 importantly, fishermen.

38  
39 We've worked with many of the fishermen here. We've been  
40 accepted very much as guests, and we very much appreciate that,  
41 and so all the people here, I want to say thank you. We have  
42 talked with some of you too, and we would look forward to  
43 talking more.

44  
45 We have brief surveys as well as potentially some longer  
46 interviews that we look forward to working with you, and we will  
47 have results. They will be coming mainly from Emory, within  
48 probably the next year, and so we l

1  
2 **CARLOS FARCHETTE:** Thank you. Like they say about lionfish, if  
3 you can't beat them, eat them. Okay. Bill.  
4  
5 **BILL ARNOLD:** You presently have an August and a December  
6 council meeting scheduled. Do you want to schedule your next  
7 spring council meeting, to stay a year ahead of the game?  
8  
9 **CARLOS FARCHETTE:** We're going to have to wait on that, Bill.  
10 Diana.  
11  
12 **DIANA MARTINO:** You know we're going to be holding the next  
13 council meeting in August. It's going to be in Puerto Rico at  
14 the Vanderbilt Hotel. I will be sending everybody, next week,  
15 all the information for you to make the reservations, but, since  
16 we don't have much time, and we only have until the end of July  
17 for making reservations, I would appreciate it if everybody can  
18 call and make the reservations as soon as possible, as soon as  
19 you receive all the information on how to make them. Thank you.  
20  
21 **CARLOS FARCHETTE:** Okay. Anything else? Hearing none, this  
22 156<sup>th</sup> council meeting is adjourned. Thank you so much.  
23  
24 (Whereupon, the meeting adjourned on June 28, 2016.)  
25  
26 - - -