CARIBBEAN FISHERY MANAGEMENT COUNCIL
149TH REGULAR COUNCIL MEETING
Divi Carina Hotel
St. Croix, USVI

April 22-23, 2014

APRIL 22, 2014

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

CALL TO ORDER

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

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

NELSON CRESPO: Nelson Crespo, Puerto Rico.

SHANNON CASS-CALAY: Shannon Cass-Calay, Southeast Fisheries Science Center, Miami.

BONNIE PONWITH: Bonnie Ponwith, NOAA Fisheries.

SHEPHERD GRIMES: Shepherd Grimes, NOAA Office of General Counsel, Southeast Section.

ROY CRABTREE: Roy Crabtree, NOAA Fisheries.

EUGENIO PIÑEIRO: Genio Piñeiro, council member, Puerto Rico, Vice Chair.

CARLOS FARCHETTE: Carlos Farchette, Chair.

MIGUEL GARCIA: Miguel Garcia, council member, Puerto Rico.

TONY BLANCHARD: Tony Blanchard, St. Thomas, council member.
MORGAN FOWLER: Lieutenant Morgan Fowler, U.S. Coast Guard.


GRACIELA GARCIA-MOLINER: Graciela Garcia-Moliner, council staff.

MIGUEL ROLON: Miguel Rolon, council staff.

KATE QUIGLEY: Kate Quigley, council staff.

ALIDA ORTIZ: Alida Ortiz, Outreach and Education Advisory Panel.

RICHARD APPELDOORN: Richard Appeldoorn, SSC Chair.

PHIL STEELE: Phil Steele, NOAA Fisheries.

JEFF RADONSKI: Jeff Radonski, NOAA Enforcement.

LETA DUNMIRE: Leta Dunmire, Pew Charitable Trust.

TONY IAROCCI: Tony Iarocci, Puerto Rico.

THIERRY LEDEE: Thierry Ledee, STFA.


MICHAEL NEMETH: Michael Nemeth, independent marine scientist.

RENI GARCIA: Reni Garcia, UPR Mayaguez, SSC member.

ALEXA COLE: Alexa Cole, NOAA General Counsel, Enforcement.

LOREN REMSBERG: Loren Remsberg, NOAA General Counsel, Enforcement.

MIKE MASTRIANNA: Mike Mastrianni, U.S. Coast Guard.

HELENA ANTOUN: Helena Antoun, contractor.

ROY PEMBERTON: Director Pemberton, DPNR.

DIANA MARTINO: Diana Martino, council staff.

CARLOS FARCHETTE: First on the agenda is Adoption of the Agenda.
ADOPTION OF AGENDA

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

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

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

MIGUEL ROLON: That’s not in Other Business.

CARLOS FARCHETTE: Would that blueprint be Other Business for today or for tomorrow?

GRACIELA GARCIA-MOLINER: Tomorrow.

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

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

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

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

CARLOS FARCHETTE: All those in favor? Any abstentions? Hearing none, the motion carries. Next on the agenda is Consideration of the 148th Council Meeting Verbatim Transcription. Are we all good with the transcript or do you
need more time?

CONSIDERATION OF 148TH COUNCIL MEETING VERBATIM TRANSCRIPTIONS

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

NELSON CRESPO: Second.

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

EXECUTIVE DIRECTOR’S REPORT

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

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

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

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

Sometimes that’s not the case with stocks that we’re assessing here and for things like the assessment process, where you would need a very refined tool in situations where the data may not
support a tool of that level of sophistication.

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

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

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

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

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

Then part of that data cataloging process will be to run a diagnostic utility on the quality and quantity of those data, to help us understand what modeling approaches data of that type could support and then model selection will be based on these diagnostics.
The next step will be a SEDAR-like stock assessment and instead of creating a three-step process, we will hold a big workshop, just like we did for the data. We would hold a big workshop to look at what data-poor analytical tools exist and what the data would --

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

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

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

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

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

I will stop there and see if there are any questions. What I am interested in is what your view is in making this rather dramatic departure from the way we’ve been conducting things in response to the request you’ve made of us saying we need to do something different and this isn’t working.
MIGUEL ROLON: One question before we get into the discussion. I understand that this is all legal and it’s all within the boundaries that we have and so we’ve got that out of the way and also, what is the time schedule that something like this can be done and it can be run parallel to the SEDAR that we have right now or should we stop SEDAR the way we have it now and move into this other --

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

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

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

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

ROY PEMBERTON: Good morning. You’re saying you’re looking at maybe five to seven species.

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

We don’t have a firm commitment to a certain number of stocks.
We plan to throw essentially all of our available staff into this exercise and conduct as many as we can during this process, but a prioritized list would be very helpful.

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

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

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

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

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

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

The thing is you don’t want to commit to something. You have to decide how far down the road you’re going to get, because you don’t want to be doing this for an extended period of time before you decide this just ain’t working, because you could actually be taking a worse -- Taking a more not-so-good approach to assessing the stocks than what we’re working with now.
BONNIE PONWITH: That’s another good question. Right now, with some of our data-poor species, the way we’re managing it is using landings to set the ABCs and we believe that for some stocks that’s the way we best can do it, but for other stocks, there are data that we think we would like to incorporate.

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

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

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

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

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

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

We will be able to look at other species that we have now that they have enough information to do a classical stock assessment and then we have another group of species that we don’t have enough information to use the approach that we have now, where
we have a lot of information for one particular species and you
do the analysis and it would be a group of species that you have
life history. You have how big it gets and what is the maximum
and what time they reproduce and all that.

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

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

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

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

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

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

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

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

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

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

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

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

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

ROY CRABTREE: We haven’t had much success with the way we have
been doing it and so I think we do need to try something
different and this seems to be the plan that the Center has put
on the table and so I would say let’s try it and see if it
performs better than what we’ve been doing. Certainly we need
to make a change and I’m glad the Center has come up with a
proposal and so I guess my view is let’s give this a try.
MIGUEL ROLON: Mr. Chairman, we will need a motion to --

CARLOS FARCHETTE: We need someone to make a motion to approve this process.

EUGENIO PIÑEIRO: I move that we approve this process.

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

EUGENIO PIÑEIRO: Move that we approve this process as proposed by the Southeast Fisheries Center.

CARLOS FARCHETTE: Do we have a second? Second by Blanchard. Any discussion? I have one question. This data from landings, would that include also the discards on the new CCR?

BONNIE PONWITH: Yes, it would be looking at all the data that are available and making determinations on whether they meet the quality standards for inclusion in this assessment and so yes, it would include the discards.

EUGENIO PIÑEIRO: I would point out that for years SEDAR has served us not in the way we wish it had, but it has served well and a lot of people have worked very hard and a lot of dedication and I just want to say this for the record, that -- We have to look back and thank people who have worked so hard for that and have advanced the cause.

MIGUEL GARCIA: (The comment is not audible on the recording.)

BONNIE PONWITH: We would anticipate the players being very much the same. If there are players who have new data, for example, if a scientist has data and can share those data to incorporate in the process, that might represent a new entrant, but for the most part, it’s people who are the most familiar with the fishery are going to be the people who are the most valuable to this process.

CARLOS FARCHETTE: Any more comments?

GRACIELA GARCIA-MOLINER: There is an effort by Walter from the Southeast Fisheries Science Center to look at the ecosystem models. Is this part of what you envision to become part of the process?

BONNIE PONWITH: It is a separate process. That incorporation of ecosystem principles in the stock assessment is an area that
we are working towards making advancements on, but in the
general case, this would be something different and ultimately
as that whole process matures, we could anticipate incorporating
that in, but right now, what we’re trying to do is do the best
job we can on the basics and make sure the basics of the stock
assessment are well understood here and that puts us in a good
position to take better advantage of the more sophisticated
approaches down the way.

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

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

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

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

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

It’s key to get the industry at the table at the beginning and
involve the people through this process, because I know, from dealing with SEDAR in the states and here, I see there’s that crack, where they’re there, but they’re not really there.

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

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

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

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

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

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

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

CARLOS FARCHETTE: Okay. All in favor say aye; any nay or any
abstentions? Hearing none, the motion carries. Next on the
agenda is -- Have you still got more?

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

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

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

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

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

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

MIGUEL ROLON: Mr. Chairman, Alida Ortiz, our Chairman of the
Outreach and Education Advisory Panel, we will conduct some
outreach and education and then we can develop some strategies
to have a meeting to address this and develop this through the
Outreach and Education Panel.
Also, the Outreach and Education Panel is flexible enough so when we need people from different sectors, we can plug them in and so that will be the next step.

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

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

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

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

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

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

We have the right moment at the right time and so during the months of 2014 that we have left until December 31, we are going to be working on this and when we have something ready for you, we will bring it to the next meeting. The next meeting we will
have an Outreach and Education Advisory Panel meeting report. We will have a report that we can bring to your attention and with that, Mr. Chairman, I am finished.

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

**MANAGEMENT ISSUES UNDER DEVELOPMENT**

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

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

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

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

Next are the island-based fishery management plans. This is really the big move getting away from species-based management and moving to island-based management. There’s a lot of things that go into this. I just found out about another one, which is the new assessment process and how that may inform the selection of the species. It’s an important component of this entire process.
Right now, we’re ready to develop the draft environmental impact statements and public hearing drafts, but there’s still a lot to talk about on this issue and we’ll be discussing that today as well.

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

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

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

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

CARLOS FARCHETTE: Thank you, Bill.

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

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

Then there’s what I call the buffer reduction and that is the change from 15 percent to 10 percent or back, based on the overfishing status. That’s something that we could probably make pretty good progress on. Like I said, we’ll discuss it today, but that’s something that we may be well advanced on by the August meeting.
As far as island-based is concerned, we’ve got a long way to go on that, but the management of seasonal closures, I think that’s coming along and we’ll have discussion on that topic.

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

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

ISLAND-BASED FISHERY MANAGEMENT
SSC MEETING REPORT

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

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

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

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

National Standard 3 says a stock should be managed throughout its range and so range is going to be important and the choice of a management unit may be organized biological, geographic, economic, technical, social, or ecological perspectives. All of
those are things that we had to consider as well.

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

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

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

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

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

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

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

Economic importance was defined as total economic value and not just ex-vessel price and this would include, for example, non-consumptive uses, recreational value, sociocultural importance, et cetera. There are ways that economists have to put value on those kinds of activities and we figured this could be considered.
Whether a species is a target species or a bycatch is of importance. Obviously if you’re a target species, you’re more likely to be included that if you’re a bycatch. Landings, and these were being primarily used to establish upper and lower thresholds and I will talk about that a little later.

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

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

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

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

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

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

Here is what we did looking through the species. You can see we have spiny lobster, dolphinfish, and octopus here and we have the criteria going across and what we tried to do is basically rank things as low, medium, and high. High would mean you are more likely to be included and low, you’re less likely to be included as a fisheries management unit.
There was a lot of discussion about each of these species and
each of the topics and so this is the part when we say what do
we mean by ecological value and what do we mean by whether it’s
protected or managed or whatever? That helped drive those
definitions that I gave you before.

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

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

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

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

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

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

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

Considering the thresholds, first of all, the actual thresholds
were not developed and the use of thresholds did not take into
consideration possibly some species with low landings being
considered as potential ecosystem component species. We were
thinking more of the species that are going to be -- The kind we’re going to do stock assessments on on a reasonable basis and so that part didn’t work out.

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

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

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

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

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

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

The last slide is we had this on the agenda, the ABT closures, but we did not get to it, other than to say that we would like
to be able to review the scientific information relative to those ABT closures before a final decision is made by the council and so that’s it.

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

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

CARLOS FARCHETTE: Any more questions for Dr. Apeldoorn?

BILL ARNOLD: Richard, can you explain what an ecosystem component species is?

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

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

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

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

RICHARD APPELDOORN: I think there’s wiggle room on the for the most part not retained. I don’t know if we want to seek legal
guidance on that, but my reading of it was not something that said even though you’re not catching very much of it, if you sell it all, you rule it out. In the very beginning, you weren’t catching much of it.

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

CARLOS FARCHETTE: Any more questions for Dr. Appeldoorn?

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

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

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

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

If you proceed to the scoping meetings, you don’t need to have any table at all, but if you do have a table that includes we need the help of the scientists and the fishers to help develop the table a little bit better and also we discussed that you will see that there are two or columns that people would like to address the criteria.
Richard has mentioned one fact of market driven and especially in the area of St. Thomas, market driven is of high concern, because when you’re using landings, you have just the middle of the size distribution and it may give some indication of the wrong way.

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

CARLOS FARCHETTE: Any more questions from council members or comments? Hearing none, we’re going to take a fifteen-minute break.

(Whereupon, a brief recess was taken.)

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

OUTCOMES FROM THE SECOND ROUND OF ISLAND-BASED SCOPING MEETINGS

GRACIELA GARCIA-MOLINER: What we’re going to do is we’re going to go over this presentation that we took to scoping meetings and the comments that the public submitted for the council to consider.

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

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

This is the table that we usually look at in terms of the people who come to the meetings and the deponents we have. As you can see, we didn’t have too many people show up at the scoping meetings this time around. The little stars that you see behind the number of attendees represent the number of fishing associations that were present, either their president or vice
president or someone from the association where they are representing them. In Naguabo, you had five of these fishing associations from the east coast and one group that was represented by a fairly large number. That was the one that we had the most attendees.

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

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

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

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

Then there would be some language to the effect that they will be looking in the future at other species. The other important part is that some members of the audience wanted to have a management plan for the entire range of the species, from zero, the beach to the EEZ, and not only for the description, but also for implementation of management measures and that’s something that the council needs to discuss further. It has some legal implications.
GRACIELA GARCIA-MOLINER: In fact, in some of the meetings in Puerto Rico, that was also the case, that the compatibility between the states and the federal waters, so that the species would be treated throughout its range and so that was also one of the comments that we received throughout.

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

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

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

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

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

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

We explained that even though the SSC hadn’t done that in the economic aspects of the criteria, people kept mentioning the fact that some of these species are very important socially and culturally and that perhaps that should be kept as a separate criteria and looked at. I will explain that in a little bit
more detail as we come to the results of the comments received.

These are basically the same criteria that Richard discussed and we also went through how you would choose species to be included or not. We looked at the state versus federal waters and if they were in the state waters, they would be excluded and that’s when most of the comments came up that had to do with the fact that they would like to see, even if they are only in the state, that they should be managed federally.

One of the reasons for that is because some of the species that are in the state waters are species that are needed for the federally-managed species, for a food source, for example, or --

MIGUEL ROLON: Actually, that’s one of the issues. That was brought up in different areas, especially in Puerto Rico. Can you expand a little bit on that, Graciela?

GRACIELA GARCIA-MOLINER: It was not only for species, but they also talked very specifically about baitfish. For example, some of the baitfish that are reported in the landings are skipjack and ballyhoo. If you look at the total amount of landings that are reported there, it’s 5,000 or maybe a thousand pounds.

They are very small species and so therefore, they waste very little, but they are extremely important for fisheries such as the yellowtail snapper and the tiger grouper. They are used as life bait and some of the sardines are used as chumming.

We have a problem, because a lot of the sardines that are harvested for chumming in Puerto Rico don’t go into the catch reports. If they are harvested alive, they don’t go into the catch reports and in some areas, it’s vice versa. Baitfish is something that they take very seriously and this is one of the group of species that was discussed on the north coast because apparently the north coast is one of the main producers of bait for quite a number of these fisheries.

The fisheries are not only commercially-driven fisheries, but they are also recreational fisheries, such as the marlins, etcetera, that require ballyhoo, although there are many that use lures, but ballyhoo is still a very sought after species.

The deepwater snappers also use skipjack and so you harvest skipjack not to sell into the market as food fish, but you might harvest it for your own use or you might sell it as bait for other fisheries and so that’s one aspect of these fisheries that are in state waters.
The other aspect of that is that they actually serve as food for the large forage fisheries for the fisheries that are both in state and federal waters, such as the groupers. Groupers that do use shallower near-shore areas when they are growing up are feeding on these smaller forage fish that are either also used as baitfish or as forage fish for these species.

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

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

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

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

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

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

MIGUEL ROLON: Just to save time in St. Thomas and St. John, the
people who addressed this issue said that if Number 4 is the one selected by the council, then they would like to have more time to look at the table and also they would like to have an ad hoc committee to specifically address the species and also they would like to hear more discussion about the rationale behind the different criteria.

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

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

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

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

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

In Naguabo, they showed me pictures of 7.5 pound octopus and that was the biggest that they harvest, but anywhere between four and six pounds is their normal harvest and so it depends upon whether you have someone to sell it to or not, because most people prefer the smaller size octopus.
That’s the kind of information. I haven’t received the picture of the octopus yet, but they promised that they would send it in and he actually has the measurement of the octopus next to the person who harvested it. The exchange of information was incredible while we were working on this table.

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

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

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

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

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

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

Even if we don’t do a plan for each coast separately, to have the information analyzed by coast separately and look at what
species are harvested and what are the most important in terms
not only of landings, but in terms of how they are used and what
they are used for.

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

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

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

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

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

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

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

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

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

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

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

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

MIGUEL ROLON: Graciela, from the list that you have there, it is understood that some of those ideas the people is one guy or the majority of the group?
GRACIELA GARCIA-MOLINER: One person brought the information to the table, but there would be someone who would second that and, in some cases, even the recreational fishers who were there also supported the information that came from the commercial fishers.

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

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

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

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

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

There was also a request to open the EEZ to the fishing of queen conch as it’s done in St. Croix, either establish a quota that can be taken from the EEZ or limit the number of people who can actually harvest or limit the harvest to a certain depth, because there are safety issues in the EEZ, but they are aware
of reports that have been presented to the council where the population of the deeper water seems to be in fairly good shape and the problem is a safety issue with diving.

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

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

They would like to see information in Spanish, at least in Puerto Rico, and so they would like to receive more information in that language and they would like to receive more information in general regarding the work that is done, the surveys that are conducted, and the information that we’re trying to put together.

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

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

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

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

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

**MIGUEL ROLON:** Yes, but the point is that the only person who
can add more time or not is the council. There was one letter of the St. Thomas -- The concept of the island-based management plans, the concept that they had at the time was that when you say St. Thomas/St. John, you would have an FMP, but also, the advisory panel and people from the SSC from the St. Thomas/St. John area would work together to develop management for that area.

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

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

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

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

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

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

The other thing that we need to hear from the council is whether you would like to have a ninety-day or sixty-day or thirty more days to discuss this and what will be the next step? Do you
want to go back to scoping meetings in 2014? I want specifics. Do you want to address the scoping meetings or are you ready to instruct the staff to prepare a document that will be taken to public hearings?

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

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

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

MIGUEL ROLON: Tony, can you explain how you envision this happening?

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

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

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

EUGENIO PIÑEIRO: Bill, what guidance -- Would be the steps?
Can you do it in sixty days or ninety days or thirty days? What guidance would you give us about this point before we -- If we are going to make motions relative to this?

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

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

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

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

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

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

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

MIGUEL ROLON: We have to decide whether to expand it to sixty days or thirty days or ninety days.
EUGENIO PIÑEIRO: Bill is saying sixty days.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The other thing is that this can be as simple or as complicated as you want to make it. It might take a couple of years and remember, really fast in the federal government is three years,
unless it’s an emergency. If you think this will be implemented by the end of 2014, it’s not going to happen, unless something drastic happens.

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

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

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

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

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

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

I think the critical decision here is I don’t think we ought to be worrying about what the size limit on spiny lobster is. I don’t think this is the place to be talking about specific management measures like that.
The real decision here that I regard as the biggest one is what species are we going to manage and include in each of these island FMPs. I don’t think you can just take a list of species and import it in and say one group has no action on that.

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

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

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

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

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

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

Let’s say that you want a hundred people on the AP and we only have money for thirty-five, that also gets into the costs, but also, you can have a meeting in St. Thomas, the St. Thomas area, and it’s cheap, because I don’t have to pay anything. They are there and so they can take part.
If the council considers this, Mr. Chairman, the next step would be to address what Dr. Roy Crabtree is saying and then decide whether we would like to establish those three advisory panels.

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

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

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

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

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

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

MIGUEL ROLON: Mr. Chairman, I think that the thing to do would be to decide whether you are agree or not with Dr. Crabtree’s suggestion and if you do, then we should have a motion to get three advisory panels and, again -- We can have three motions to have these three advisory panels created. St. Thomas/St. John would one and St. Croix another one and then Puerto Rico. Roy Pemberton mentioned that you already have two advisory bodies, one in St. Thomas/ST. John and one in St. Croix. Those
members could be members of those advisory panels and each one represents a sector and then you need to look at the different sectors and then incorporate those people in the sectors.

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

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

TONY BLANCHARD: Second.

CARLOS FARCHETTE: It’s seconded by Tony Blanchard. Any further discussion on this?

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

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

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

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

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

MIGUEL ROLON: Actually, if we copy what we have in others, that’s exactly what -- That’s why I said fifteen, because we want to make sure that all the sectors that are already represented in most areas, like the U.S. Virgin Islands, will be also in it, in these advisory panels. Also we need to have NGOs
and we need to have the local government officials.

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

**BONNIE PONWITH:** Will you be developing a terms of reference for this AP?

**MIGUEL ROLON:** Yes and you have to develop a charge for each one.

**CARLOS FARCHETTE:** Any more comments? I know I would like to at least have both.

**NELSON CRESPO:** (The comment is not audible on the recording.)

**MIGUEL ROLON:** In the case of Puerto Rico, what we have done what we have done -- That is to get each sector represented and then incorporate other people as we need to and you will need to have not only the four coasts, but you need to have representation from Vieques and Culebra.

Every time that we go to the APs and they ask me this is for the local government -- Now these management plans are different and they might be affected and so they should participate. In Puerto Rico, my suggestion is, if this is approved, we will circulate an announcement and will have that and make sure -- For example, Helena Antoun has a list of representatives and groups and we want to make sure that the recreational sector and NGOs and anybody that has something to contribute to this process will be present. Remember all these meetings are open to the public and so everybody is invited to come to these meetings.

**SHEPHERD GRIMES:** Just a couple of things. First, I would encourage you to have some flexibility as to the size of the panels. I wouldn’t think you would need to have them the same size on every island. Puerto Rico is a larger area and maybe you would need more people there than the other areas.

Before you move forward and populate these APs, it would seem to me that you would have a good idea of what you would want them to do and develop the terms of reference and that charge and once you have that, it should inform how big you want to make it and what representation you want on the AP.

Finally, just relative to species that get included, I don’t intend this to be offensive in any way, but it’s not a popularity contest or a political decision for what species are
in need of conservation and management.

I may have a favorite species, but that doesn’t necessarily mean it needs to be in the FMP and needs conservation and management and there should be clear, identifiable criterion used to evaluate whether species get included or not.

MIGUEL ROLON: That’s exactly what we’re trying to tell the people, that the table that the SSC came up with is probably a step in the right direction, because we’re trying to have criteria that apply from the point of view of science that are germane to the issues that we have here and also from the point of view of the industry and the governments.

ROY CRABTREE: It seems, to me, we would appoint these APs in August and so that’s plenty of time to ask staff to work on terms of reference and a charge. I guess we’re planning to have another SSC meeting over the summer or something, to finish work.

We would have the SSC’s criteria worked out and that would be something we could take to these APs to get their comments on, but I think when we come in in August that we ought to have a charge and a terms of reference of what we need these APs to do and what we want them to work out and to review.

MIGUEL ROLON: Also, we need to decide what to do with the other AP. Do we dissolve it?

CARLOS FARCHETTE: Any other comment from council members? Hearing none, we’re going to take a vote. I will start on my right.

TONY BLANCHARD: Yes.

MIGUEL GARCIA: Yes.

ROY PEMBERTON: Yes.

EUGENIO PIÑEIRO: Yes.

ROY CRABTREE: Yes.

NELSON CRESPO: Yes.

CARLOS FARCHETTE: Yes. Any nays or any abstentions? Hearing none, the motion carries.
ROY CRABTREE: Miguel, I think it would be premature to dissolve the APs. I think we need to get a lot farther down the road before we get to that point, because we’ve still got other amendments we’re working on that we’re going to talk about this week that we may want to get our existing APs to comment on and so I don’t think we need to worry about dissolving APs at this stage.

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

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

MIGUEL ROLON: The plan that Roy is talking about is a mechanism.

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

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

- - -

April 22, 2014

TUESDAY AFTERNOON SESSION

- - -

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

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

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

MIGUEL ROLON: At least for the AP, establish the terms of reference and we will be flexible around fifteen and also, we
want to ensure that we announce to the public that the council is looking for candidates to these three panels.

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

ROY CRABTREE: Then we’re going to have the SSC meet at some point and keep working on the table and the criteria?

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

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

MIGUEL ROLON: What was the first part? Bill, what was the first part?

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

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

I was thinking, just above my grade a little bit, that you might want to have a one-day meeting, a call-in-type of meeting, in June, at which you could finalize the membership on those AP panels and then they could meet sometime after that and the SSC could meet sometime after that, before the August meeting. Then we would have this information to work with at the August council meeting.
MIGUEL ROLON: The problem with that would be rushing, but I was talking to Richard Appeldoorn and the first meeting, this group should receive a presentation just like the one today from the SSC as to the criteria and all the other discussion they had, so they have some of the discussion what was involved.

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

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

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

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

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

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

Maybe for that meeting, we can invite nonmembers of the advisory panel that may have something to contribute to the discussion and that will be more or less the schedule between here and August and then we need to make sure what Bill said -- We need to have the schedule and so between here and December, we need
to have one or two meetings of the SSC and a couple of meetings, at least one, of the three advisory panels.

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

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

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

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

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

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

I think if the word is given out by Roy or his staff and then -- That would catch a larger, I would say -- More people and then I suspect that they will talk to other people and go to other people and I think the best way to get out our information is word of mouth and that’s just me.
MIGUEL ROLON: Also, we need to draft the terms of reference that can be distributed that this is what the council expects of our advisory panel and we will meet this many times and we will addressing this and that. With that information, we can distribute that information at that time.

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

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

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

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

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

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

ANNUAL CATCH LIMIT CONTROL RULE

BILL ARNOLD: Now we’re going to talk about the annual catch limit control rule and what this really is, it’s determining if our reduction from the ABC to the ACL or from the OFL to the ACL, depending upon which one we have established for that reduction, is going to be 10 percent or 15 percent. That’s the issue at hand.
I am going to put the purpose and need up here and the council should certainly comment on this purpose and need, because we want to make sure that they’re in agreement with it and that they have a firm rationale for why we’re doing this. It is absolutely essential as we move forward with any of our actions. The purpose and need is always the foundation of these things.

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

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

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

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

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

BILL ARNOLD: I agree 100 percent. Need for action, the need is to establish the mechanism that describes this relationship between overfishing status and the reduction buffer that’s applied to the ABC or, if there is no designated ABC from the
SSC, then to the OFL and it’s used to determine that ACL.

The proposed mechanism would adjust the buffer reduction, as appropriate, to reflect the change in classification to the FMUs. This amendment will provide for a new and straightforward process that will allow for ACL revisions based on OFL or, more importantly or more commonly, ABC steps.

The key word in there is “process”. What we’re looking to do is to establish a process, so that when something happens, that process is put into effect to make the response to change and that’s something that does not require a full plan amendment each year and so it’s a little bit more of an automatic response to the change. This happens and we do this and this is the outcome. Any questions about this? All right.

This is just a table of what kind of changes in the ACLs will be realized if this was in effect right now. I think that’s what it is and so anyway, for the 2010 stocks, if you remember, we had two groups. We had 2010 ACL species and those are the ones that at the time were undergoing overfishing. It’s basically snappers and groupers and parrotfish and queen conch.

Then the second group down below are the 2011 stocks and those are all the other species that we named that were not designated as undergoing overfishing. They may have been designated as unknown, but they weren’t designated as undergoing overfishing.

What would happen almost immediately from this, if it’s put into place, is those 2010 stocks may well change from undergoing overfishing to either unknown or not undergoing overfishing and so in the present scenario, if this process was in place, most of those had a 15 percent buffer reduction and that would change to a 10 percent buffer reduction and essentially the allowable catch, the ACL, would go up by 5 percent.

It’s not a huge amount, but that’s still dollars in fishermen’s pockets and it’s sustainable dollars in fishermen’s pockets and that’s kind of what we’re looking for.

For the 2011 stocks, as I said, those were already designated as either unknown or not subject to overfishing and so there would be no change for those, but for these or any other ones, if later designations were that it is undergoing overfishing, your jacks or your squirrelfish or something, it could now have a 15 percent buffer reduction applied instead of a 10 percent buffer reduction.
The control rule, and this would be very much a control rule, would shift the buffer applied, depending upon overfishing status. It would simplify the process of adjusting ACLs, if needed, in the future and it would provide for more responsive management.

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

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

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

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

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

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

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

If you want that to stay in place, it would stay. No matter what their overfishing status is, they would continue with 0.75...
multiplier instead of the 0.85 or the 0.9.

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

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

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

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

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

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

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

If Alternatives 2 and 3, and only if subalternatives are chosen, the basically grouper and snapper are going to go up by 5 percent under the present scenario and queen conch, parrotfish, surgeonfish and all the others would basically remain as they are right now. That’s what all the exemptions do.
This would be a comprehensive plan amendment. This would go in within the context of the species-based FMPs that we presently have in place. There would be a plan amendment for each of them, because even in the corals and reef-associated plants and invertebrates, we have aquarium trade species and, of course, the reef fish would get adjusted and queen conch get adjusted and spiny lobster would get adjusted and so it’s comprehensive to all four of our presently existing management plans.

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

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

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

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

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

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

BILL ARNOLD: I’m not sure exactly what you mean, Tony.

TONY BLANCHARD: If you put the three islands together, Puerto
Rico, St. Thomas/St. John, and St. Croix, and the ACL that was
given for the snappers was not exceeded by Puerto Rico, because
it was over three-hundred-and-something-thousand pounds. Can
that also be used as a penalty? If they’re over and if you’re
using it to come up with an average to justify -- Maybe use
another word and not justify, but to see whether they exceeded
the ACL, if they have over exceeded the ACL by using that
approach, wouldn’t everybody suffer a penalty?

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

TONY BLANCHARD: I understand and that’s exactly what I thought
it was.

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

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

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

BILL ARNOLD: I would agree with that and that’s probably
something we need to work out with headquarters, to get that
straightened out.

ROY CRABTREE: Back to Tony, I can tell by the way you reacted
to the answer that you don’t like that situation. I understand
that and that’s something that we can come back to in the
island-specific plans and maybe we do differently when we get to
that point, but for right now, that’s how it’s set up.
TONY BLANCHARD: I don’t agree with that. I don’t agree with OFL when you take into consideration the three islands, the Caribbean-wide approach. When we went into the ACLs and the OFLs, each individual island, why are we taking a three-island approach?

I am still suffering a penalty from -- In the cases that you’re -- I am being penalized once again. -- We have a problem and we need to get this Caribbean thing here and be dealt with on a one-to-one basis, island-wide.

ROY CRABTREE: I hear what you’re saying, but that’s the way the council set it up when did the ACLs and so to change that, we’ve got to go through the process and that’s one of the things that I think will go into these island-specific FMPs. That would enable you to do that.

Just looking at the alternatives here, Alternative 2 is a problem, it seems to me, because, one it would eliminate some of the buffers we put into place for reasons that were different than uncertainty in the buffers to begin with.

Queen conch, I think we reduce the queen conch both under Alternative 2 and -- If we came in and tried to raise the parrotfish ACLs, we would have to go through a whole biological opinion and all of that and bear in mind that we’re still involved in litigation over the last biological opinion and that’s not fully resolved and so it seems, to me, we would be ill advised at this point to do something like that.

I would make a motion that our preferred alternative be Alternative 3 and all of the Subalternatives 3a, 3b, 3c, 3d, and 3e.

CARLOS FARCHETTE: We need a second.

EUGENIO PIÑEIRO: Second.

GRACIELA GARCIA-MOLINER: Can we just type in preferred for everything that you said?

ROY CRABTREE: It’s basically Alternative 3 and all of the subalternatives.

MIGUEL ROLON: The motion is to have the preferred alternative be Number 3 with all the subs, a through e or whatever the number is. It’s from 3a to 3e. Does that reflect your motion?
ROY CRABTREE: Yes, that’s it.

CARLOS FARCHETTE: Any further discussion?

SHEPHERD GRIMES: I would just note that this is essentially the same policy that this council chose and the same path this council followed in the 2010 and 2011 ACL Amendments. It’s just putting it in the form of a control rule, so that these adjustments would be automatic in the future and the council won’t have to come in and take one regulatory action after another to pursue the policies that you essentially have. It’s not really status quo, but it’s kind of status quo.

CARLOS FARCHETTE: I have a question here. Since we have agreed to have -- I know the issues with the parrotfish and the biological opinions, but since we have already approved size limits on parrotfish, do we need that 5.8822 at all?

ROY CRABTREE: I would advise against it. That would require a whole new biological opinion and I think it would stir up a big controversy and, as I said, the litigation over the last biological opinion -- Remember that we won on a lot of things, but we lost on one specific count relative to the incidental take statement.

If you raise that quotas, that would require a new incidental take statement and so I would recommend against doing anything like that and remember too that we’ve talked about, at previous council meetings -- We did have a petition to list a whole list of additional coral species.

There was a proposed rule that was published some time ago that proposed to list several additional species of corals and I think the timeline we’re on now is to have a final rule at some point during the summer and I don’t remember the exact date.

Once we get to that point, we’ll have to at some point reinitiate consultation on the whole issue and go through it again, but I certainly wouldn’t advise taking any steps to try and change those catch limits until the current litigation is done.

CARLOS FARCHETTE: Another question. Bill, when you said about angelfish and surgeonfish going from 25 to 10, what about 25 to 15?

BILL ARNOLD: They’re not presently listed as undergoing
overfishing and so they wouldn’t get assigned a 15 percent reduction. They would get assigned a 10 percent reduction if we didn’t exempt them and so it’s either 25 percent, which is the specific reduction that you assign to them, or it’s the 10 percent reduction that applies to all of the species not undergoing overfishing.

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

CARLOS FARCHETTE: Any more comments?

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

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

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

NELSON CRESPO: Yes.

ROY CRABTREE: Yes.

EUGENIO PIÑEIRO: Yes.

ROY PEMBERTON: Yes.

MIGUEL GARCIA: Yes.

TONY BLANCHARD: Yes.

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

BILL ARNOLD: This is the timeline for getting this thing done. This is the timeline that would take place if you scheduled a June meeting to address this issue. Today, the council reviews
the public hearing draft and the EA that goes along with it and you saw the preferred alternatives and you approve those for public hearings and we schedule these public hearings and get out there and get them done.

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

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

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

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

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

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

GRACIELA GARCIA-MOLINER: We’ve already selected preferred alternatives.

MIGUEL ROLON: The Chair can tell us when and where to have the public hearings. The document is ready and Bill Arnold and I will sit down and look at the time and places, but right now, what we need to decide whether to have the preferred schedule as
the first schedule or the second schedule. Do you want to have a June meeting or do you want to just discuss this at the August meeting and then you will end up finishing two months after December?

BILL ARNOLD: We need two things. We need you to approve the public hearing draft for us to take out to public hearings and then we need you to choose your schedule.

ROY CRABTREE: I move we approve the public hearing draft.

EUGENIO PIÑEIRO: Second.

CARLOS FARCHETTE: Any more comments? Hearing none, we will take it to a vote.

NELSON CRESPO: Yes.

ROY CRABTREE: Yes.

EUGENIO PIÑEIRO: Yes.

ROY PEMBERTON: Yes.

TONY BLANCHARD: Yes.

CARLOS FARCHETTE: Yes. One absent, Miguel Garcia. Any nays or any abstentions? Hearing none, the motion carries. There is one more thing on this same subject. We had put ACL overruns, Bill, one the same topic.

MIGUEL GARCIA: Wait, do you want to do the first schedule or the second schedule? Do you want to finish in December or do you want to finish in March?

BILL ARNOLD: If you’re asking me, I want to get this done as soon as possible, but it’s your meeting.

MIGUEL ROLON: But you’re the one doing this and so if you want us to --

BILL ARNOLD: The council has to be available for a June meeting. I can’t just say you guys have to have a June meeting, but a June meeting would --

GRACIELA GARCIA-MOLINER: Does it have to be face-to-face?

BILL ARNOLD: I think it would require a vote.
ROY CRABTREE: What would do at the June meeting? We would go 
over this and then -- If we had a June meeting, Miguel, could we 
at that stage review the applications for the three APs and deal 
with that at that meeting as well? Is there anything else we 
would do or would that be pretty much it?

BILL ARNOLD: I think we should go over the island approach, the 
seasonal closure timing, and the ABT and you may or may not 
decide that you could do something with that at the June 
meeting.

ROY CRABTREE: I think it’s up to you guys. You could have a 
conference call meeting or something. We’ve done that before 
and you can vote on those. It’s harder to have a discussion and 
it’s harder to really get into things and it’s not as convenient 
for the public, but it doesn’t require all the travel time. I 
think it’s up to you.

MIGUEL GARCIA: For the timing, if I were going to make a 
decision, I would think the second one. It’s not critical. I 
know that Bill would like to get this off his desk so he can 
work on something else, but at the same time, I don’t want -- If 
we have the public hearings this summer and then we have a 
meeting in August to discuss this, we may have another half-day 
in August, but we could do it there, because we have the AP 
meetings in the summer and we have found that when you ask the 
fishermen to come to a meeting to discuss three topics at the 
same time, it’s difficult.

TONY BLANCHARD: I think we need to go just like Miguel said. 
Two months really ain’t going to make a difference. I think 
when you start pressing for time that you start mistakes. As 
for conference calls, I ain’t too fond of that. I say look 
across the table and see what I see.

MIGUEL GARCIA: We tried before and we tried to have listening 
stations and I know that the people didn’t know what the 
listening stations were and so can we do it in August? For 
that, you don’t need a motion. Just let the Chair pick one and 
then by the time we meet again in August, we will have all this 
in the agenda and we have more time for consulting with Bill and 
Graciela when we develop the agenda for that meeting.

TONY BLANCHARD: Let me stop beating around the bush. I think 
we need to hold it in August.

SHEPHERD GRIMES: I was just going to ask Dr. Arnold. Approving
it earlier doesn’t mean that the ACLs are going to increase for 2015. Well, I guess you would say approving it later will not prevent the ACLs from increasing, the ones that are adjusted from 15 to 10 percent. They are going to increase in 2015 at some point. Doing it later in the year doesn’t mean it isn’t going to happen in 2015, correct?

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

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

**CARLOS FARCHETTE:** August it is.

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

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

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

**DISCUSSION OF ACL OVERRUNS**

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

If we find that in any case the annual catch limits have been exceeded, we have to apply accountability measures for that unit. There’s only one accountability measure basically that we have right now and that is shortened seasons by the length of time necessary to ensure that the annual catch limit is not again exceeded.
We have been through this for -- We applied these in 2013. We shortened the Snapper Unit 2 fishery to September 20 or something like that and so that was when the season ended, because everything -- We start on December 31 in every case and we count backwards.

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

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

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

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

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

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

If you used the 2011 catch rate, which is lower, because we have been through all of this, that they’re pulling people out of the fishery and the rates have been reduced as the fishery has been refocused back on true commercial fishermen, you would close the 24th of September.

If you use the 2012 catch rates, which are the most recent and most reflect the present status, because now all these people
have been out and gotten back, as Genio has explained to us, gotten back to the true Snapper Unit 2 fishermen, you would actually have no closures. At the rate they’re fishing, they won’t hit their ACL until the end of the year.

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

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

If you use the 2011 catch rate, there is no closure and if you use the 2012 catch rate, because now they’re catching wrasses at a faster rate, you would close on the 7th of October, but I would certainly personally argue that you should use the same catch rate for both of them.

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

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

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

MIGUEL GARCIA: Bill, under that guidelines, then we will pick 2012?

BILL ARNOLD: It’s up to you guys, but yes, 2012 would be the most recent year of data that we have that we can use to
determine how they’re catching these species in the most recent history.

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

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

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

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

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

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

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

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

MIGUEL ROLON: For that, we don’t need to do anything else and
just leave it?

ROY CRABTREE: I don’t think you need to do anything right now.
I think you’re okay with that approach.

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

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

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

ROY CRABTREE: I think that we’ll need to work with Miguel and
folks in Puerto Rico to get some estimate of how much a separate
reduction program is likely to affect catch rates and get with
our number crunches and figure out where that leaves us, because
we’ll have to be able to explain how we’re doing it.

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

CARLOS FARCHETTE: Any further discussion?

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

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

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

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

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

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

SHEPHERD GRIMES: What’s our long-term plan for addressing the
ACLs for species where reporting has improved? It seems we’ve set ourselves up that we’re going to exceed it every year and we’re going to be making the same determination and at some point, we need to go back and assess ACLs based on the actual newly-reported landings.

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

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

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

TIMING OF ACCOUNTABILITY MEASURE-BASED CLOSURES ACTION

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

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

The second problem is if you have more than one accountability measure-based closure for a particular island, then, for at least some period of time, those closures are going to overlap and so you double or triple or whatever whammy these guys, because now you’re taking species out of the rotation.
That can mean even more of a problem when you’re operating a trap fishery, because now you’re getting these species in your traps along with other species that it is legal to harvest and things just get messy and really, just the bottom line is no control over when the closure takes place.

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

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

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

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

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

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

What we have is a draft scoping document working on this issue. The purpose of the scoping document, the purposes are to identify the issues and solicit input from the public on ways to deal with those issues and, of course, we’ll put some ideas out there, but they’re just ideas to stoke the fires and they’re not anything that’s preordained. Then we need to develop the
scoping document and we’ll provide some means of addressing these problems and proposing solutions.

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

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

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

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

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

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

The advantage of this is that it guarantees time needed for that closure is available to you, because you’ve got all 365 days of the year. If you need a 360-day closure, you’ve got 360 days to work with. Some of the other things we propose may not give you those lengths of time you may need, but there is some caveats that go along with that.
The fishers have noted that that results in some negative socioeconomic consequences and it’s not just the fishers that have pointed that out. If several units exceed their ACL during the same year and AMs are required from the same island, and I mentioned this earlier, they’re going to overlap, just magnifying the impact to the fishers and to the community and not just the fishing community, because this affects markets and restaurants and folks that sell this stuff, et cetera, et cetera.

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

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

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

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

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

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

September 1 is late in the year and using the customized approach, you never get it done and in place in time, as I mentioned earlier. The timing for the regulatory process, the council has to meet and they have to publish the proposed and
final rules and you have to have public comment periods. As you
guys know, these things can take a very long time and that’s why
it’s not real practical as things stand now.

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

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

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

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

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

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

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

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

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

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

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

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

BILL ARNOLD: We’ve got to get the poundage.

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

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

If you chose January 1 going forward and they don’t fish for that species for three months, then for the first three months, you will harvest zero pounds and you will have gotten nowhere.
You still have to go into a period when you’re actually catching the fish and then you have to close a number of days, however many days it takes, to achieve that reduction in the total pounds harvested.

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

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

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

MIGUEL ROLON: Why can’t we do the cool things they do in the Gulf and South Atlantic?

BILL ARNOLD: Start with a checkbook.

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

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

If they didn’t buy any fish over the course of the week, they are required to send a no fish report, so we can differentiate between that versus I am just late and I am not going to tell you what I bought. In those situations, we extrapolate what their purchases were to help us round out what the landings activities were.
We take those real-time data and use the catch rates we see reflected in them and project out and say if they’re catching this many pounds a week, how many more days or weeks can the fishermen go before we think it’s going to need to be closed and then use that to project what the end day of the season is in near real time.

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

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

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

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

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

MIGUEL ROLON: What you have there is the timeline?

BILL ARNOLD: Yes.

MIGUEL ROLON: Can you describe it?

BILL ARNOLD: Sure. We are on today, April of 2014, and you are receiving, in your briefing book, it is there, the draft scoping document. What we would like is scoping meetings to be scheduled for summer of 2014 and so obviously we’re talking about, between public hearings and scoping, several different
events that to some degree -- Some may be able to be scheduled together and others probably shouldn’t be, because when you put things together, as you know, Miguel, it’s just too much time and not enough organization.

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

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

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

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

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

BILL ARNOLD: Yes.

CARLOS FARCHETTE: We need a motion.

EUGENIO PIÑEIRO: I move to instruct staff to --

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

GRACIELA GARCIA-MOLINER: Timing of Accountability Measure-Based Closures Action.

MIGUEL ROLON: Yes, what we have in the agenda. Genio, do you
agree with the language there?

EUGENIO PIÑEIRO: Yes.

CARLOS FARCHETTE: We need a second.

NELSON CRESPO: Second.

CARLOS FARCHETTE: Second by Nelson Crespo. Any further discussion? Hearing none, we will take it to a vote. I will start on my left with Nelson.

NELSON CRESPO: Yes.

ROY CRABTREE: Yes.

EUGENIO PIÑEIRO: Yes.

ROY PEMBERTON: Yes.

MIGUEL GARCIA: Yes.

TONY BLANCHARD: Yes.

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

MIGUEL ROLON: Bill, are you finished?

BILL ARNOLD: Yes.

MIGUEL ROLON: Now the next step will be Graciela and Bill will work together with me and come up with a schedule for the scoping meetings. We already have scoping meetings for some areas and we may need also to -- That’s why Bill was saying that it’s good to have a schedule, but we need to have the flexibility to accommodate each one of the scoping meeting actions that we have for the summer.

CARLOS FARCHETTE: We will take a quick break, about ten or fifteen minutes.

(Whereupon, a brief recess was taken.)

CARLOS FARCHETTE: Next on the agenda we have Abrir/Bajo/Tourmaline Consistency of Regulations by Dr. Graciela Garcia-Moliner.
ABRIR/BAJO/TOURMALINE CONSISTENCY OF REGULATIONS

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

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

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

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

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

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

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

This is western Puerto Rico here and that’s Tourmaline. The red line in between is the nine-nautical-mile boundary. Abrir la Sierra is 100 percent in federal waters. You have, in these two areas, since 1996, since Tourmaline began, but in 1996, when the
three areas, Bajo de Sico, Tourmaline, and Abrir la Sierra, came under federal management and by Administrative Order of the DNER, also compatible regulations were established in 1997 to protect the red hind spawning aggregation and areas were closed between December 1 and the last day of February of each year.

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

Bajo de Sico, however, has a different season when it’s closed and that’s between October 1 and 31 and the 31st of March. There is no anchoring allowed at Bajo de Sico, while there is anchoring permitted as long as there is a retrieval system on those anchors at the other two sites and, again, all bottom-tending gear was prohibited.

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

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

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

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

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

In terms of species being managed in the state waters, there is no changes to that for the regulations of 2010. Anchoring is prohibited in Bajo de Sico, but it’s allowed with a retrieval system in the other two areas. Puerto Rico actually mentioned
that there is a prohibition on the anchoring in these three areas, but the regulations speak to Abrir la Sierra only when it’s only federal waters.

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

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

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

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

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

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

MIGUEL ROLON: We need to have address what we have now and then check if we have compatible regulations in the federal zone and then ask Puerto Rico whether they are willing or able to do compatible regulations in the three areas of Tourmaline, Bajo de
Sico, and Abrir la Sierra and whether they are prohibiting something they don’t have authority to prohibit. That’s where we are at.

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

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

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

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

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

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

There is a long history of what we’ve been trying to do with the ABT, Abrir la Sierra, Bajo de Sico, and Tourmaline. It began in
2011 and so you have a little bit of the history here.

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

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

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

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

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

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

You do have the spawning season of the red, the black, the
tiger, the yellowfin, and the yellowedge grouper during the
months of February, March, and April. You do have confirmation
of Nassau grouper finally moving back into the areas that they
used to spawn and so this is the science behind it.
The October, November, December closure had to do with silk snapper and now there is compatible regulations between the state and the EEZ in terms of the silk snappers and so there is a seasonal closure for silk snapper everywhere.

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

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

GRACIELA GARCIA-MOLINER: Five.

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

GRACIELA GARCIA-MOLINER: We can do that.

MIGUEL ROLON: Go ahead, please.

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

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

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

Alternative 3 would be to prohibit fishing for and possession of council-managed reef fish during the seasonal closure
established in Action 1 and that would be for Abrir la Sierra and Tourmaline, because remember they have a no fishing ban and so this would be changing it to only managing reef fish in this action.

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

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

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

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

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

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

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

The actions here are the no action and then Alternative 2 is to
request that the council prohibit bottom longline fishing for HMS year-round in Bajo de Sico. Alternative 3 is upon request of the council, prohibit fishing for HMS in some or all of the three areas during the time period established in Action 1. That’s for the three sites.

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

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

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

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

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

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

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

Then, if you look at the six months, you are talking about October to March and the three months that you have now are compatible, December 1 through February 28. This is to protect the red hind at that time and if you close for six months, you will be protecting other species besides the red hind.
When you go back to the Action 1, modify the length of the closed season, you have those five alternatives and those alternatives reflect the yellow section that you have there and so you have to look at the alternatives that you have and select which one would fill the essence of what you desire and that’s what you need to do. Then with the others, we can do the same.

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

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

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

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

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

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

TONY BLANCHARD: I guess the point I’m trying to make is I don’t see the sense in staying closed to the HMS species to the fishermen and the user groups when action is being targeted as the reef fish and there’s two separate water columns. One is
the bottom dweller and the other one is up higher in the water column.

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

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

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

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

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

Then you have Number 4 and it’s December 1 to May 31 and that December 1 means that it leaves the first one out, but it will extend all the way to May 31 and that’s the alternative that you should be addressing at this time.
TONY BLANCHARD: The reasoning why I asked that is because that would be during the nighttime and I would be looking at it just to be compatible with everybody with the six months, with the stipulation that we also open the water column to the HMS species.

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

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

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

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

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

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

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

GRACIELA GARCIA-MOLINER: That you would only surface trolling and spear gun for bigeye, albacore, yellowfin, and skipjack
tunas.

MIGUEL ROLON: Remember, when we request something from HMS, it’s up to them to accept it or not.

NELSON CRESPO: Every day I talk with fishermen and we always agree that we have to have compatible regulations, the same compatible regulations that we have in Bajo de Sico. I think we should select the Alternative Number 3 in the Action 1, because that’s what all the people in the west area of Puerto Rico want.

MIGUEL ROLON: Nelson, if you feel strongly about something like this, you can make a motion and then we’ll discuss it and they will decide whether to accept it or not. Graciela, can we go to the blank page of motions?

What you’re saying is -- Let me say this and see if I can capture your thinking. That the alternative -- The preferred alternative will be Action 1, Number 3, all three areas will have October through March 31 and the closed season? Nelson, does that capture your thinking?

NELSON CRESPO: Yes.

CARLOS FARCHETTE: We need a second.

ROY CRABTREE: So you’re selecting Subalternatives a and b as preferred here, right? Alternative 3 and just make that clear in the motion.

CARLOS FARCHETTE: We need a second.

TONY BLANCHARD: Second.

CARLOS FARCHETTE: Second by Tony Blanchard. Any discussion?

EUGENIO PIÑEIRO: Nelson, in order to have clear the spirit of what you just said, have you decided what you want for compatibility for the closure of Abrir la Sierra, Tourmaline Bank, and Bajo de Sico? Basically, the idea of all this is to have Tourmaline and Abrir la Sierra follow suit with the Bajo de Sico management regime.

MIGUEL ROLON: Remember, this is for the EEZ and then we need to address local government concerns, but at this time, the motion is to have compatible management measures in the EEZ for those areas.
MIGUEL GARCIA: Under the current administration, the Secretary seeks to have the advice of the Fishing Advisory Board and it has not been discussed and I just want to say that.

MIGUEL ROLON: What does that mean, potentially?

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

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

CARLOS FARCHETTE: Any more discussion?

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

MIGUEL ROLON: Just for the record, Richard, it’s a preferred alternative and it doesn’t mean that it will be the final alternative.

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

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

ROY CRABTREE: It makes me have second thoughts about it though and I’m wondering if we wouldn’t be better off with the December to May closure and I’m curious as to whether -- The amount of time closed is the same for either Alternative 3 or 4, but does
it make a big difference to fishermen of one over the other?

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

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

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

ROY CRABTREE: I take the SSC hasn’t -- Have they reviewed this and then they had questions? Is that what I’m hearing.

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

ROY CRABTREE: Which will be when, this summer?

GRACIELA GARCIA-MOLINER: Sometime this summer, yes.

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

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

GRACIELA GARCIA-MOLINER: May 1 or to April 30.
NELSON CRESPO: They are going to be protected already.

SHEPHERD GRIMES: My only response to that would be that they’re caught and you have baro-trauma issues associated with it and they can’t be harvested, but you can fish for them and you’re still going to have associated mortality and that’s the point of closing the area to all reef fish fishing activities.

MIGUEL ROLON: Can we go without a preferred alternative?

SHEPHERD GRIMES: Yes, you can go without a preferred alternative. I was just talking to Dr. Crabtree about that, but you should go with a preferred alternative if you have one. There is no problem with changing the dates and given the structure of all this, my advice would be that you go in and pick preferred alternatives.

If you can’t settle on a date, then leave the date open, but with the other actions, the gear restrictions and what species and anchoring and those types of things, you should go ahead and pick a preferred if you can agree on one.

MIGUEL ROLON: Personally, I believe we should go to the public with a preferred alternative, either one or the other, so that the public will be clear on what your preferred alternative is. Every time we go, especially to the area of the west coast of Puerto Rico, this is a very sensitive issue for the west coast fishers. If this is what you would like to have -- We have to always look at the biology of the fish and the socioeconomics of the fish. That’s why the law is written the way it is.

Probably if we go one way or the other, you need to provide more information as to the rationale of your preferred alternative, either right now on the record or sometime in between and August. Certainly from the biology point of view, we already have the statement by Dr. Richard Appeldoorn that has a lot of weight from the scientific point of view.

ROY CRABTREE: We have a motion up there and I had come in thinking that Alternative 3 was the way to go. I guess I am still okay with the motion, but if the SSC reviews this and comes in with a strong recommendation that the protection would be better if it was December through May and that’s the way to go, then I am going to probably change my mind and want to change it to Alternative 4.

MIGUEL ROLON: The SSC has to come up with a recommendation
based on the biology and the socioeconomics and they cannot say I like the fish during this month and I don’t know anything about the economy of the fishery and so be it. I need from the SSC information on the economy of the darned thing and the biology of the fish before you make a sound decision on this one.

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

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

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

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

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

EUGENIO PIÑEIRO: Let’s call the question. I am calling the question.

ROY CRABTREE: I will support the motion. I think it is heading in the right direction and I think it is better than status quo, but I really want to see what the SSC says when they come back,
but at least for right now, I think Alternative 3 is superior to the status quo.

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

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

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

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

NELSON CRESPO: Yes.

ROY CRABTREE: Yes.

EUGENIO PIÑEIRO: Yes.

ROY PEMBERTON: Yes.

MIGUEL GARCIA: Abstention.

TONY BLANCHARD: Yes.

CARLOS FARCHETTE: Yes. Any nays? We have one abstention. The motion carries.

MIGUEL ROLON: A point of order, Mr. Chairman. When somebody calls the question, you stop the discussion and vote, just for next time.
CARLOS FARCHETTE: The next action is --

GRACIELA GARCIA-MOLINER: The next action that you have on the left side of the screen is to modify the reef fish fishing activity. The no action would keep Bajo de Sico and the prohibition on the take of council-managed reef species and keep the total prohibition on fishing at Abrir la Sierra and Tourmaline.

You have three alternatives and one of them is to prohibit fishing for council-managed reef fish in Bajo de Sico during the closure that you just selected of October through December and so that’s what it is and prohibit fishing for and possession of council-managed reef fish during the seasonal closure and you have selected October through March for Abrir la Sierra and Tourmaline and this will bring these two areas consistent.

MIGUEL ROLON: Graciela, I don’t see -- We need to choose between reef fish only and queen conch within the EEZ, which is Bajo de Sico, and Tourmaline and Abrir la Sierra and can you read that for us, please?

GRACIELA GARCIA-MOLINER: You have to select between prohibiting fishing for the council-managed reef fish species in Tourmaline and Abrir la Sierra or prohibit all fishing at Bajo de Sico. You’re only dealing with the reef fish species sat Bajo de Sico and Tourmaline and Abrir la Sierra, but that action also includes an alternative to allow spear fishing for council-managed reef fish during the seasonal closure established in Action 1.

MIGUEL ROLON: Status quo in Bajo de Sico on queen conch, what is it?

GRACIELA GARCIA-MOLINER: The EEZ is closed to queen conch and it’s just to make sure that queen conch is closed where it’s represented by both federal waters and the state.

ROY CRABTREE: One concern I have is with just prohibiting fishing. It seems to me that prohibiting fishing but allowing possession really makes this almost unenforceable. How do you say you’re fishing for this? The only way you say someone is fishing for it is because they’ve got them in the boat and I guess I would like to hear Coast Guard’s comments on that and Jeff Radonski is with NOAA Law Enforcement, but it seems, to me, that just prohibiting fishing but not prohibiting possession is going to be a real problem.
MORGAN FOWLER: When you get into transit provisions or something where someone is transiting through that area and we board them and they have it on the boat, then who’s to say whether they caught it outside of that area or they caught it inside?

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

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

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

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

MIGUEL ROLON: With that rationale, we’re looking at Number 3, fishing and possession of council-managed species is not allowed.

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

TONY BLANCHARD: Second.

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

GRACIELA GARCIA-MOLINER: The reason is that this will become compatible with Bajo de Sico, because in Bajo de Sico, already the regulations read to prohibit fishing and possession of council-managed reef fish during the seasonal closure and so Abrir la Sierra and Tourmaline will be the same as Bajo de Sico.
MIGUEL ROLON: Remember that we are addressing only the EEZ at this time and then when we finish this process, we will talk with the local government and have a meeting and we will address this and then pass the word to the Secretary for consideration. At the end of the year or whenever we finish this, if everything goes smoothly, we may have compatible regulations throughout the range of the areas, but at this time, we need to address only the EEZ.

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

TONY BLANCHARD: Yes.

MIGUEL GARCIA: Abstention.

ROY PEMBERTON: Yes.

EUGENIO PIÑEIRO: Yes.

ROY CRABTREE: Yes.

CARLOS FARCHETTE: Yes. Any no? We have one abstention. The motion carries.

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

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

MIGUEL ROLON: Can we go back to the yellow? From the timing of the --

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

MIGUEL ROLON: Do you want to address this in Action 2 or do you
have some other place to address the spearfishing?

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

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

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

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

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

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

ROY CRABTREE: I don’t want to allow spearfishing for reef fish in these areas. I think that will undermine the whole thing. The prohibition on possession then is out the window and I don’t believe for a minute that you can count on not spearing the ones that are spawning versus the other. They are going to go down and spear fish. I think that will be a problem and we shouldn’t allow it.
EUGENIO PIÑEIRO: We should be consistent and then, Shep, how are we going to tackle the issue of divers that only spear for wahoo? Can we have no spearfishing allowed in the closed season? Would that be the answer?

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

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

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

GRACIELA GARCIA-MOLINER: No, because once you prohibit fishing and possession of those all the year, it’s prohibited.

EUGENIO PIÑEIRO: Is there one for the three areas?

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

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

EUGENIO PIÑEIRO: I was talking with Dr. Garcia-Sais this morning and he is our expert and he says there is a lot of people spearfishing there and so if it’s not allowed in Tourmaline and Abrir la Sierra, we need to be consistent with what we want to bring to the table, a management regime that is consistent, then we need an action to prohibit spearfishing
across the island. Miguel, what are you --

MIGUEL ROLON: That’s why I said it’s -- That Number 4 doesn’t make any sense under Action 2 and you already picked Number 3 as your preferred alternative and you want to have a clear understanding by the public of what you want to do.

If you are going to address the spearfishing, have an action addressing spearfishing and then you have a no action and then you can have spearfishing and then pick one that will make sense to you as a preferred alternative.

GRACIELA GARCIA-MOLINER: We can make it more --

ROY CRABTREE: I think that Miguel is right. If we want to do this, I would add another action in that looks at prohibiting spearfishing and then you could have an alternative to prohibit it for council-managed species and you could have an alternative to prohibit spearfishing, period. It seems cleanest to put that in as a separate action, to me.

MIGUEL ROLON: In deference to the staff, can we allow the staff to write this tonight or this afternoon and so tomorrow morning we can address that, Graciela and Bill, or do you want to do it right now and get it over with? It’s up to you.

GRACIELA GARCIA-MOLINER: If you add an action, the action would be to address spearfishing and modify spearfishing --

MIGUEL ROLON: Graciela, we will allow you to draft it, a paragraph or two, and then we can address it tomorrow morning and then we can proceed with the other actions. In this case, we remove Alternative 1 for Action 2 and if we can comply with NEPA and we don’t need three alternatives, then you have the preferred alternative already of no possession and then we can move to the other action that we haven’t covered yet.

GRACIELA GARCIA-MOLINER: Okay. For Action 3, you have to modify spiny lobster fishing activities in Bajo de Sico. There is no regulation on fishing for lobster except that you’re not allowed to have any bottom-tending gear and so lobster has to be fished using your hand or a snare. Other gear types are prohibited for fishing for spiny lobster.

The alternative of no action would keep the no take for lobster in Tourmaline and Abrir la Sierra and would retain the spiny lobster fishery open in Bajo de Sico during the seasonal closure. The Alternative 2 would prohibit fishing for spiny
lobster during the seasonal closure.

Alternative 3 will prohibit fishing of and possession of spiny lobster during the seasonal closure and then bring it for the three areas, Abrir la Sierra, Bajo de Sico, and Tourmaline.

Alternative 4 will prohibit fishing for spiny lobster year-round and Alternative 5 will prohibit fishing for and possession of spiny lobster year-round. You have just regulate the fishing or regulate the fishing and possession and we can do it only for the seasonal closure, the one that you’ve selected in Action 1, or you can have it for the whole year.

MIGUEL ROLON: No action will allow for the fishing of spiny lobster in Bajo de Sico by snare and by hand. The other three prohibit it and so now is the time to pick one.

ROY CRABTREE: My concern about it is I have watched divers fish for spiny lobster and I’m seeing them do a lot of damage to corals and things on the bottom. Some of these guys go in there with bars and things and the lobsters pull back into those crevices and they beat the hell out of things to get the lobster out.

While it sounds like fishing spiny lobster should be pretty benign, I think over the years though there could be quite a bit of damage to the corals done by it.

SHEPHERD GRIMES: My point would be that it seems that this again is a habitat issue and it’s not a spawning aggregation issue and so it would seem that if you think it’s a habitat problem, then you should address it year-round and not on a seasonal basis, unless I’m missing something, and I don’t think I am. This is one that if it’s a problem, you should address it year-round and if it’s not, then obviously you wouldn’t have to do anything.

MIGUEL ROLON: Nelson and Genio fish in that area and could you tell us what happens here?

NELSON CRESPO: For me, we should select the Alternative 1, no action, because there is not many people that target lobster there. You can count with your fingers the divers that target lobster at Bajo de Sico and so I don’t think they’re going to harm the corals.

MIGUEL ROLON: I have twenty fingers and if we have twenty fishermen fishing in that area with crowbars, it makes a
difference and so we go back to the question of whether this is an essential fish habitat protection measure or not and also whether prohibiting the lobster fishery in the Bajo de Sico area -- It’s already prohibited in the other two and would it have a significant impact on the lobster fishery economy for that fishery?

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

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

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

**EUGENIO PIÑEIRO:** That’s what we’re looking for and that’s what we wish to do.

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

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

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

**GRACIELA GARCIA-MOLINER:** You are changing now to six months in
your -- Your preferred alternative is six months, October through March, for the three areas, and you have done that for reef fish and now you’re working on spiny lobster.

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

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

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

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

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

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

MIGUEL ROLON: To that point, if it’s the habitat, then you have to close the darned thing to all fishing year-round in order to protect the --

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

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

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

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

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

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

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

Then it evolved into coral reef protection and we ended up with what we have now and what Roy was saying is that he has seen
fishermen fishing for spiny lobster and they do affect, negatively, the coral reef. I have seen that in la Parguera myself, actually.

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

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

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

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

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

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

ROY CRABTREE: I think, given the value of the coral in these areas, we definitely want to prohibit anchoring year-round. I would move Alternative 3 as the preferred alternative, Subalternative a and Subalternative b.
EUGENIO PIÑEIRO: I second.

CARLOS FARCHETTE: It’s seconded by Genio Piñeiro. Any discussion? We will take it to a vote, starting on my left.

NELSON CRESPO: Yes.

ROY CRABTREE: Yes.

EUGENIO PIÑEIRO: Yes.

ROY PEMBERTON: Yes.

MIGUEL GARCIA: Yes.

TONY BLANCHARD: Yes.

CARLOS FARCHETTE: Yes. Any nays or abstentions? The motion carries.

GRACIELA GARCIA-MOLINER: The final action in the document is to modify HMS fishing activities. Remember that you are selecting a preferred alternative to recommend or request from the HMS people to do as you request.

The bottom longline is already prohibited year-round from the three areas. However, there is some bottom longline that is used under the HMS fisheries and so the first one is the request of the council to prohibit bottom longline fishing for HMS year-round in Bajo de Sico and a request from the council to prohibit fishing of HMS in some or all of the three areas during the time period established in Action 1, which is October through December.

Alternative 4 is to prohibit fishing for HMS in some or all of the three areas during the time period established in Action 1, October through March, with the exception that we allow only surface trolling, as defined in the regulations for all HMS, and spear gun fishing gear for the bigeye, Albacore, yellowfin, and skipjack tunas. This addresses the divers that use the area for that. What do you want to request of HMS?

MIGUEL ROLON: I have a comment. We are going to public hearings and we will request to HMS and so I don’t see the point. When we finish, maybe we can tell HMS that this is what we did and they can think about it, but I don’t know --
SHEPHERD GRIMES: It’s my understanding that HMS is going to participate in all this concurrently and we’re going to do one rulemaking. They will go around and do public hearings in conjunction with you and so you don’t pick a preferred for this part of the document because it’s not your decision.

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

You have to decide what your preferred -- You don’t pick a preferred alternative, but you request that HMS implement alternative whatever and it will seem that maybe you just want compatible restrictions, like no bottom longlining, which seems pretty straightforward and I haven’t heard much discussion that would support allowing bottom longlining.

Then you would have to decide what you would want in terms of other compatible restrictions, whether or not you allow surface trolling, which your restrictions would allow, at least according to your current preferreds, and then this spear gun thing, which is in limbo at this point.

Depending on what you do for spear gun, you may want HMS to implement something other than what they have here in the document. They don’t have the alternative that you want implemented in here, because Alternative 4 is the only one that addresses spearfishing and the thought was that spearfishing would be allowed and there seems to be some question about that.

MIGUEL ROLON: That’s my question. This is okay that we go out to public hearings with this?

SHEPHERD GRIMES: I think HMS is planning to participate in the public hearings. They are going to go out and gather information at the same time and my guess is that they’re probably going to implement, or at least go to public hearing suggesting that they will implement, compatible regulations if you request them. They will add HMS preferred to the document and go out at the same time. At least that’s my understanding of it.

MIGUEL ROLON: That’s what I wanted to make clear, because this is our document and it’s not an HMS document, but if we are
SHEPHERD GRIMES: It’s everybody’s document. The EA and the NEPA analysis, it’s a joint thing. I am working on the team and HMS staff are writing this part of it and Caribbean Branch staff are writing the Caribbean parts of it.

GRACIELA GARCIA-MOLINER: This is especially in response to what we already have in the books, which is we are already compatible with Abrir la Sierra and Tourmaline and that is Alternative 3 specific to the HMS bottom longline.

MIGUEL ROLON: My concern is not what is written there, but just that we do the right thing, but Shep just clarified that. If I understand it, Mr. Chairman, we don’t need to have a preferred alternative at this time and it seems like you have just finished.

EUGENIO PIÑEIRO: One quick thing. It’s a good thing that we don’t have to pick a preferred alternative and at least we know that the council will formally ask HMS to implement for albacore and bigeye, because we don’t harvest them in there. We do harvest blackfin tuna and it’s similar to the bigeye, but it’s a smaller size. We don’t have the -- Albacore is in cold waters and so we don’t get that.

SHEPHERD GRIMES: That’s how they manage this. It’s what they call BAYS and it’s bigeye, albacore, yellowfin, and skipjack. It’s an acronym and the restrictions are all towards BAYS tunas and so that’s where that comes from. Again, like I said, you’re not really picking a preferred alternative, but before you leave this meeting tomorrow, this council needs to know what it wants HMS to do, assuming everyone is onboard with that, so when you go to public hearings, the public has an idea of what the preferred alternative would be.

While you’re not going to say that our preferred alternative is Alternative 2 and Alternative 4, you need to say we want HMS to prohibit bottom longlining in Bajo de Sico and we want them to implement Alternative 4, if that’s what you are --

MIGUEL ROLON: Speaking of going to the public, if we don’t have a preferred alternative --

SHEPHERD GRIMES: You give them an indication of what you want to request of them and if you want compatible HMS measures, then HMS will indicate that those are their preferreds in the document and then it goes to public hearing and everybody will
see what the preferred alternatives are and you will get more meaningful comment guided directly by your preferred actions.

MIGUEL ROLON: Thank you for that, because my concern is when I am sitting there with Graciela or Bill, I want to be sure what I can tell the public regarding this section here and he just told us.

RICHARD APPELDOORN: Now that I’ve heard all this discussion, I have two comments relative to the SSC. One is we’re going to want to see, obviously, whatever scientific information we have on the biology. If it’s just going to be something like the timing of spawning of these species or when is the timing of the most catches of these species and is that related to the spawning seasons and anything we can do to say something about the biology and what species do we actually know spawn in these areas, as opposed to just it’s the spawning season, but we don’t know exactly where.

In addition, as was brought up, that needs to be balanced against the socioeconomic and cultural information and so when are the big demand seasons? I know Easter obviously is a really big one and what are the -- Christmas may be another one.

We need that kind of information so we can balance that. The other point is that, listening to the conversation, we’re going to want to know what your rationale is here, because so far I’ve heard protecting spawning species and protecting habitat and making enforcement easier.

GRACIELA GARCIA-MOLINER: All of the above.

RICHARD APPELDOORN: That might be, but the point is you’re actually bringing up different types of rationale for the various things that you’re looking at and if we’re going to evaluate that, we need to know what the rationale is.

One would hope that it’s across the board and I would think if you’re going to go to HMS and ask them to pick something, you have to give them a rationale of what you’re trying to achieve and I don’t think I really heard that being consistently stated upfront. What are we trying to achieve, other than compatibility? I think that was clear, but compatibility to do what? I don’t think that was clear.

ROY CRABTREE: I think we clearly have dual purposes here. One is to protect the habitat, the corals, but the other is to protect the spawning aggregations that are associated with the
coral and so the one thing I see in Action 5 that it seems clear to me that we would want to do is Alternative 2, which is ask them to prohibit bottom longline fishing. Beyond that, it’s not so clear to me what we would be doing, but I guess we’ll come back to that tomorrow.

EUGENIO PIÑEIRO: Is it prohibited in Bajo de Sico, bottom longline? I believe it is.

GRACIELA GARCIA-MOLINER: No, this is an HMS bottom longline, but it’s a gear capable of fishing for other species, especially the larger groupers, and damaging the habitat.

SHEPHERD GRIMES: There’s sort of a convoluted history with all of these different areas, but HMS -- Your regulations are codified in 50 CFR Part 622. Highly migratory species regulations are codified in 50 CFR Part 635.

For Tourmaline and Abrir, HMS did what they call a backstop, meaning you prohibit bottom longlining and it’s worded towards council-managed species, reef fish bottom longlines and the like. They implemented them under 635, which is geared towards HMS.

It’s just a backstop so there’s no loophole that nobody goes out there and sets a bottom longline and is impacting spawning aggregations of grouper, but claiming they’re trying to harvest some shark species that you don’t have the authority to prohibit it because it’s HMS activity, which is regulated only by the Secretary and not subject to council authority.

MIGUEL ROLON: Mr. Chairman, I believe that if you guys -- Tomorrow, Graciela will bring the language for the two actions that we are talking about.

GRACIELA GARCIA-MOLINER: Apparently Brittany has been listening and so she already emailed something, but also, please consider Alternative 4, if you want it the way it is or if you want it separated for trolling on one and spear guns.

MIGUEL ROLON: We will discuss it tomorrow and I would like to take the time here, and I was discussing it with Bill, but this guy has made a tremendous work, Graciela and Bill, but we have Miguel and Brittany and the whole Caribbean Branch that have worked on this and we are very grateful.

I can’t forget about Shep. Actually, you know what I do after each meeting? When I get the transcript, I copy everything that
you have said, but thank you for that, because we have changed
the way that we operate and the council prepares a document and
sends it to the Regional Office for compatibility and all that
and we -- At the Regional Office, Roy Crabtree and Phil Steele
and the group, we have come a long way. I call these guys
honorary staff members, because they do a lot of work and I
believe that they believe some thanks.

GRACIELA GARCIA-MOLINER: Also, the Science Center has seen
request after request for the information to be used for these
documents.

MIGUEL ROLON: Tomorrow, Mr. Chairman, first thing in the
morning, we will do what is left of this.

ROY CRABTREE: I don’t know if I told you all or not, but I have
to leave in the morning. Phil will be filling in for me.

MIGUEL ROLON: Any important words?

ROY CRABTREE: Make really smart decisions.

CARLOS FARCHETTE: Thank you, everyone, for your participation
and hard work. I will entertain comments on some of these items
tomorrow, but as of right now, this meeting is in recess and
we’re going to move to the Administrative.

MIGUEL ROLON: No, we don’t do that anymore. We go through the
agenda items and SEDAR-35 and the Outreach and Education. I
believe that you guys -- Probably we should move these two for
the first thing in the morning, the SEDAR Report and the Alida
Ortiz report.

I promise that we all will be awake tomorrow to hear what you
have to say and then what we have done is that now we have move
through each agenda item that is public matters and for people
who have suffered through us during the day and the ones who
stay here, they can meet, but if not, the meeting is open to the
public and we can jump into the three items.

GRACIELA GARCIA-MOLINER: Except for the closed session. You
have a closed session.

MIGUEL ROLON: The only part that we will close it is when we
get to the SSC considerations and so non-members of the council
should leave. I already did address the budget issue. We have
a problem with something called SAM.
In order for you to receive money, you have to have a mechanism that you will identify you and we have some glitches with that, we the people who are running the grants in Washington and the people who wrote the webpage. Anyway, they are through it and now we are able to enter the information.

In 2014, as I said today, we have enough money to cover our expenses through the year, but we need to wait until the funds are received. We received the money from the habitat --

GRACIELA GARCIA-MOLINER: No, that was the $300,000 that we requested for the council.

MIGUEL ROLON: They are still there, but the money from the habitat will be available and the money for the council. At this time, Mr. Chairman, we have a five-minute break, so we can address the SSC membership.

CARLOS FARCHETTE: We will take a quick five and the balance of the meeting will be closed to the public.

(Whereupon, the meeting recessed on April 22, 2014)

---

April 23, 2014

WEDNESDAY MORNING SESSION

---

The Caribbean Fishery Management Council convened at the Divi Carina Hotel, St. Croix, USVI, Wednesday morning, April 23, 2014, and was called to order at 9:07 o’clock a.m. by Chairman Carlos Farchette.

CARLOS FARCHETTE: Good morning. We’re going to get started here. This is the second day of our 149th Caribbean Fishery Management Council meeting. It is April 23, 2014 and at the Divi Carina Bay Hotel and it’s 9:07 a.m. I believe we have a continuation of where we left off yesterday with Abrir, Bajo, and Tourmaline. First, we need to do a roll call.

GRACIELA GARCIA-MOLINER: Graciela Garcia-Moliner, council staff.

TONY BLANCHARD: Tony Blanchard.
BILL ARNOLD:  Bill Arnold, NOAA Fisheries.
MORGAN FOWLER:  Morgan Fowler, U.S. Coast Guard.
TONY BLANCHARD:  Tony Blanchard again.
MIGUEL GARCIA:  Miguel Garcia, council member.
DIANA MARTINO:  Diana Martino, council staff.
MIGUEL ROLON:  Miguel Rolon, council staff.
CARLOS FARCHETTE:  Carlos Farchette, council chair.
EUGENIO PIÑEIRO:  Genio Piñeiro, council vice chair, good morning.
PHIL STEELE:  Phil Steele, NOAA Fisheries.
SHEPHERD GRIMES:  Shepherd Grimes, NOAA Office of General Counsel, Southeast Section.
BONNIE PONWITH:  Bonnie Ponwith, NOAA Fisheries.
SHANNON CASS-CALAY:  Shannon Calay, NOAA Fisheries.
NELSON CRESPO:  Nelson Crespo, council member, Puerto Rico.
VIVIAN RUIZ:  Vivian Ruiz, council staff.
TONY IAROCCI:  Tony Iarocci, Florida.
LETA DUNMIRE:  Leta Dunmire with the Pew Charitable Trust.
MICHAEL NEMETH:  Michael Nemeth.
HELENA ANTOUN:  Helena Antoun, contractor.
HOWARD SCHNABOLK:  Howard Schnabolk, NOAA Fisheries.
JEFF RADONSKI:  Jeff Radonski, NOAA OLE.
RICHARD APPELDOORN:  Richard Appeldoorn, SSC Chair.
ALIDA ORTIZ:  Alida Ortiz, Outreach and Education Advisory Panel.
KATE QUIGLEY:  Kate Quigley, council staff.
THIERRY LEDEE: Thierry Ledee, STFA.

TOBY TOBIAS: Good morning, Toby Tobias, St. Croix Fisheries Advisory Committee.

KEN STUMP: Ken Stump working with Pew.

LOREN REMSBERG: Loren Remsberg, NOAA General Counsel Enforcement Section.

ALEXA COLE: Alexa Cole, NOAA General Counsel Enforcement Section.

CHARLES STEINBACK: Charles Steinback, Point 97.

RENI GARCIA: Reni Garcia, UPR Mayaguez.

RENE ESTEVES: Rene Esteves, fish liaison.

CARLOS FARCHETTE: Thank you. I guess we will hand it over to Bill and Graciela for discussion or continuation of Abrir, Bajo, and Tourmaline consistency of regulations.

GRACIELA GARCIA-MOLINER: Just a brief reminder, we are dealing with the public hearing draft for developing consistency regulations for the three seasonally closed areas off of Puerto Rico, Abrir la Sierra, Bajo de Sico, and Tourmaline.

I will remind you that the purpose of this amendment is to establish consistent regulations covering the target areas as a means of ensuring protection of spawning aggregations of reef fish and the benthic habitats supporting those aggregations, which also serves as residential, recruitment, and foraging habitat for a variety of species.

The need, and this is stated in the document, is there is a need to modify the seasonal closures to ensure continued and consistent provision of the important ecological services they provide, including recruitment, residential, foraging, and spawning aggregation habitats for commercially and recreationally important reef fish and shellfish, as well as sea turtles.

There is also a need to establish consistency among the three closed areas to facilitate enforcement and avoid confusion among constituents.
Yesterday, when we left off, you requested that we look at --
Yesterday, you selected a number of preferred alternatives and
those were in Action 1 to modify the length of the closed season
and you selected as a preferred alternative Alternative 3 and
Subalternatives a and b and that was to modify the closed season
to be October 1 through March 31.

MIGUEL ROLON: Yesterday, we missed two and so the only thing we
need to do now is to go through the language of those two.

GRACIELA GARCIA-MOLINER: Okay. You requested an action and
alternatives to modify spearfishing and Brittany -- You also
have Maria and Brittany and Miguel Lugo and Rick Pearson, I
believe, on Go to Meeting. They sent us this yesterday and
we’ve modified this a little bit today.

This would be a new action and it would be Action 6, modify
spearfishing activities. You have an alternative of no action,
retain the existing spearfishing regulations in each of Abrir la
Sierra, Bajo de Sico, and Tourmaline.

You have an alternative to prohibit spearfishing for council-
managed reef fish during the seasonal closure that you’ve
established in Action 1. Alternative 3 is to prohibit
spearfishing for all species during the seasonal closure
established in Action 1.

Alternative 4 prohibits spearfishing for all species year-round
and Alternative 5 is to allow spearfishing year-round in all of
the seasonally-closed areas and so those are the five
alternatives under the new action to modify spearfishing, which
you had requested to include a couple that allow spearfishing in
these areas. Do you want me to discuss all of them or do you
want to go one-by-one and make a decision now?

SHEPHERD GRIMES: Just a housekeeping comment. Then I guess
we’ll remove Alternative 4 from Action 2 that deals with
spearfishing now, because it will be in here. That’s something
the IPT can do, but I just didn’t want it to catch any of you
off guard. Thanks.

EUGENIO PIÑEIRO: In this action, I would support the use of
spears. It’s a very selective gear and no harm done and then we
have a group of divers and we have also a group of people who
fish in those places and I want it to be uniform and consistent
and I think that we should allow the use of spear.

SHEPHERD GRIMES: Spear for what species? All species or non-
reef fish species?

EUGENIO PIÑEIRO: Not the council-managed species in the closed season, but all the other species, yes, because the divers target basically the wahoo and the coastal pelagics.

SHEPHERD GRIMES: If I understand that then, you would be looking at Alternative 2, all three subalternatives, and it’s phrased the opposite of what you just phrased, but it’s prohibiting spearfishing -- Wait a minute. It’s prohibiting spearfishing for council-managed reef fish during the seasonal closure. That would mean you would allow spearfishing for other species year-round and spearfishing for council-managed species when it’s outside the closure.

MIGUEL ROLON: Genio and I were talking about this and we also were discussing the gear in conjunction with the scuba diving and in Puerto Rico, only commercial fishermen are allowed to fish with spear and scuba diving equipment.

In this area, do you want to extend that regulation to the EEZ, which means that only commercially-licensed fishermen can be allowed to fish with scuba or not or whether you want to ban scuba altogether and if you are spearfishing, you do so, but you only do it skin diving? That could be another iteration of the alternative.

Also, we were talking about to ask Reni about his experience and Nelson, the fishermen out there, of what is the usual gear they use and do you know of fishermen, commercially-licensed fishermen, that fish in that area with scuba diving and spear?

NELSON CRESPO: The fishermen that usually use the scuba diving, they are -- Most of them are going to target lobsters, but they bring their spear gun just to -- If they see a big fish, they shoot it, but it’s a complement, because their main target is lobsters.

MIGUEL ROLON: If you pick Number 2, they will not be allowed to spear anything and they will be allowed only to catch lobster by hand or snare.

GRACIELA GARCIA-MOLINER: That would be only during the seasonal closure.

MIGUEL ROLON: Yes, I am talking about the seasonal closure.

GRACIELA GARCIA-MOLINER: No one should be able to spear fish
during the seasonal closure, council-managed reef fish species. That’s what Alternative 2 says.

NELSON CRESPO: The species managed by the council, no.

MIGUEL ROLON: But that’s the point. What you just said, that would be in violation of Number 2, is they occasionally fish something else but lobster with a spear.

GRACIELA GARCIA-MOLINER: But that would be during the seasonal closure and so October through March, even commercial fishers would not be allowed to spear fish that are managed by the council and that would include any of the groupers or snappers or jacks or boxfish, et cetera.

NELSON CRESPO: That’s right.

CARLOS FARCHETTE: I have a question. If it’s a 2010 and 2011 species, wouldn’t that just be about every fish?

GRACIELA GARCIA-MOLINER: I am just saying that they would be looking for very large snappers or groupers or something like that and so none of the twenty-three species listed in the FMU units would be allowed.

SHEPHERD GRIMES: Just to be clear though, the way it’s set up, you could be in possession of a spear gun and you could take it down, but you just couldn’t shoot reef fish with it. You could shoot dolphin or you could shoot wahoo or mackerel or I don’t know what else they’re really going to shoot, but you wouldn’t be able to shoot reef fish.

Those are the species, or at least some of those species, that are going to be aggregating and spawning so we don’t want to take the chance and allow anybody at that time, but you could still be in possession of spear gun. They could take it down and if they saw a non-reef fish species, a big fish swim by, they could shoot it.

TONY BLANCHARD: I would have to back Genio on this, because when you’re dealing with a spear gun, it’s a very selective thing and you can’t mistake something for something else. You are actually picking your target and so I think that’s a very selective way of taking what you want and so it shouldn’t really have any discrepancies as to what the fish is or you make a mistake. He didn’t get hooked on a line and instead, you’re shooting him with a gun and so you’re seeing exactly what you’re shooting.
PHIL STEELE: Some of the concerns that have been brought to me about this is, first of all, we don’t have a lot of enforcement out there and to allow a spear fishermen to have this gear available, even during the closed season, it does allow you the opportunity to pop the occasional reef fish and these are the concerns that have been brought to me and I think it’s something the council certainly needs to consider.

You will have the opportunity. There is not much enforcement and so there is the potential for people to illegally take these council-managed species during the closed season if you allow spearing and so that’s just something for the council to think about.

EUGENIO PIÑEIRO: On the other hand, commercial fishermen are not going to -- They are not the problem. They are not the ones who shoot these species and the recreational fishing in Puerto Rico, they are not allowed to use scuba gear. These are fairly deep areas and so it is very unlikely that they will do it. In fact, most of the recreational divers who use those waters, they just stay in the water column and go for wahoo or something like that, apnea divers, which I don’t recommend. I don’t see the fun of it, but they do it.

TONY BLANCHARD: I understand Phil’s concerns, but it’s just like you having a permit to walk with a gun. Just because you’re walking with it, it don’t necessarily mean you’re going to use it and so I understand the point of enforcement, but you have to let’s say put some kind of trust in the guys that are going there that they’re going to do the right thing.

Now, we all don’t always do the right thing and that’s just human nature, but sometimes you have to put some kind of trust in people and have them decide, you know what, I just ain’t going to do this, because it ain’t right. It’s against the law, number one, and if I get caught, number two, I’m going to have to suffer the penalties.

You could also look at it from that standpoint and so I understand the concerns for enforcement, but somewhere you’ve got to be able to give something, because if people feel you don’t trust them -- You don’t trust me already anyway and so what’s stopping me from doing what I want to do if you don’t put no trust in me. It’s a trust issue.

It’s giving somebody the opportunity to do the right thing. Sometimes just by giving them the opportunity, they does do the
right thing, instead of always assuming that they’re going to do
the wrong thing.

CARLOS FARCHETTE: We also have a situation on St. Croix, which
I’m assuming -- Maybe the divers in Puerto Rico are also doing
it, but they carry a spear gun with them even if they’re lobster
divers for their protection actually, for sharks or something
like that.

GRACIELA GARCIA-MOLINER: One issue with the spear gun is the
following. Spear gun, it is true that it’s a very selective
gear, but it’s also very selective for the larger fish in the
population and so therefore, you will be removing the bigger
spawners or the bigger animals in the population, which are the
most fecund.

That’s the other part of spearfishing and once the seasonal
closure is over, the fish that will be moving out of these
spawning aggregations are going to be the larger fish that came
over.

In addition to that, if you’re removing the larger fish in
groupers, for example, you will be removing the males and so you
will have that aspect of groupers that makes them vulnerable
also to overexploitation and so those are aspects of the
spearfishing activity that have to be thought about.

You are discussing prohibiting it during the spawning season and
you also have a prohibition for all species year-round and so
that’s another alternative that you are considering and the
science behind it would be that you would be removing the larger
individuals of the population.

PHIL STEELE: Do we have any idea of the magnitude of the
spearfishing fishery out there in these areas and how much
they’re actually taking? Is this a large concern? Is it a
small amount of take? Do we know? Do we have any idea how big
this fishery is?

CARLOS FARCHETTE: I would defer that question to Miguel Garcia.

MIGUEL GARCIA: We don’t know and I don’t know if Reni Garcia
wants to talk about this, Reni or maybe Nelson or Genio, but my
understanding is that it’s not a big business, because it’s very
deep water where they can’t fish and it’s not very safe to do
that anyway.

MIGUEL ROLON: We asked the same question about ten years ago
and we’re still waiting for the report. Nobody knows how many
people fish there or what they fish or what they do. The only
people who really have stated that they use the water column for
sport are the apnea group and occasionally you see a commercial
fisherman diving for lobster there and they shoot anything that
moves.

Don’t tell me that they will go there and -- That’s not what is
happening. I have seen boats coming from that area with Nassau
grouper and with big fish and a lot of lobster and there are not
a lot of them, but the people who do fish in that area and carry
the spear guns, they do fish the big fish and Graciela keeps
reminding us that we are talking about the closed season.

They can have the rest of the year to shoot whatever moves in
there and so your decision is when you have a closed season, the
six months or whatever, do you want to allow spearfishing in
that area? Do you want to allow spearfishing for the species
managed by the council or do you want to allow spearfishing
during the closed season for those species that are not managed
by the council?

Then the enforcement concern is that it is very difficult to
enforce a situation where you are allowed to fish in the same
place for some species but not others. You are in possession of
a spear gun capable of fishing all the species, the prohibited
ones and the not prohibited ones. Both are things you need to
discuss and make sense out of this.

Then you can put it the other way around. Think about what you
want to do and if you can do it. Then look at the actions that
you have there and if they meet your criteria, that will be your
preferred action, but from the discussion I am hearing now and
before, one, you don’t have any data on how many people fish
there and so if you err on the side of the resource, you should
prohibit the spear gun.

If you want to allow spear guns, then you have to decide whether
the commercial fishing, in conjunction with scuba equipment,
could be allowed or not and the other point is that you have two
areas where Puerto Rico has done nothing yet and they are may be
moving into compatible regulations, but if they allow spear gun
in their area -- We are taking about a place that if you put a
big boat with the Coast Guard, it will cover both areas.

You will have people coming in and out of the local and federal
area with spear guns and there’s no way you can manage that. I
believe that those are the issues.
CARLOS FARCHETTE: From that statement, I can see where Alternative 3 would prohibit all species during the closed season and when the season is open, I guess they can spear, but for their safety, I don’t know if you want to prohibit possession of a spear gun in the area.

JORGE GARCIA-SAIS: I am going to give you my opinion regarding the use of fisheries that I’ve seen in Bajo de Sico. I may have been there, during our study, for thirty or thirty-five days. Most of the boats that I saw around fishing were trolling for migratory pelagics.

There is a group of people that fish there that are the apnea guys. They fish without scuba tanks and they are mostly looking for pelagic fish. I am not sure to what extent they go down. The minimum depth at Bajo de Sico, at the shallowest peak, is seventy-five feet. That is a very small area. It gets to eighty-five or ninety or a hundred feet quite fast.

I do not know if they actually go down for groupers. I wouldn’t know that. The times that I saw them there, which were two or three times, they were -- Somebody that actually has some kind of charter business that takes people to go spearfishing at Bajo and that guy targets groupers.

What is the amount of fish that he extracts from there? I don’t know. He usually goes for one fish, one big fish, and comes out. I don’t know what has been his yield over the years, over a year, and so I wouldn’t know.

I also want to comment on in terms of the seasonality. Bajo de Sico is a place where there is very few snappers. Actually there is a big population of schoolmaster snappers and that’s about as much as I’ve seen. I’ve seen maybe one or two cubera there, but it’s not a snapper area. It’s big grouper, black and yellowfin and mostly Nassau grouper area. I don’t know if extending the season for protection of snappers has any meaningful application, but that is my take on that.

MIGUEL ROLON: Reni, these people that you have seen fishing there, do they fish with scuba tanks?

JORGE GARCIA-SAIS: I have never seen anybody spearfishing with scuba tanks there, no. The apnea people, they just don’t even carry them in their boats. They use strings or some flashing lights and stuff they use to attract the pelagics and they are quite good at it. They have records and all that stuff. I have
never seen commercial divers for lobster there and I haven’t seen -- Actually, those are the only people that I have seen fishing there.

I only worked there for a year or a year-and-a-half and it’s not that I am a local at Bajo. I was there for about a year-and-a-half and I may have gone there thirty or thirty-five times and I did see a lot of -- Well, some effort for trolling fisheries, migratory pelagics, and the apnea people. I never saw a big commercial thing going there for commercial fishermen, nor in Tourmaline and not even in Abrir la Sierra, which was more heavily visited.

Actually, we left everybody behind, because most of the commercial fishermen there, they fish at the shallow area and they don’t go beyond eighty feet and we start at a hundred and so within that hundred to 165, which is where we work, actually down the insular slope, we didn’t see anybody fishing there and I’m sorry, but we just did not.

There is some people going further outside for deepwater snapper, but the area that we work, very few people that we saw actually, even bottom fishing -- They do bottom fish and they do a lot of diving within that shelf, but not beyond the first shelf edge.

Abrir la Sierra has sort of like a false shelf edge that goes to a deep base and then comes up again for the true shelf edge, where the shelf ends. Beyond that first drop, very few people go there. I know that there is some kind of effort, because we saw a lot of -- Not a lot, but we have seen some broken conch shells and so we know that at some point in time that people were fishing there, one-hundred-feet-plus, fishing for conch, but the effort that I’ve seen -- We never saw people spearfishing or fishing with tanks near Bajo de Sico nor at Tourmaline nor at Abrir la Sierra.

Altogether, it was about four years or a little bit more that we were there within that zone. There is some effort, but the effort is shallower and not that deep and at Bajo, the apnea people.

GRACIELA GARCIA-MOLINER: I thought you said that there was a charter operating in the area that went for the one big grouper. Didn’t you say that?

JORGE GARCIA-SAIS: I was told that and in a meeting, I met the guy. He was at a council meeting once and he told me that and
he even gave me a card. He would take people fishing for these exotic big fish and so Fred or something is his name, I believe, but I don’t know, but he was here. He was here and he spoke and everything and he has some kind of charter operation essentially to go and get one fish and come back, but over time, I don’t know how many fish he can take. The other thing is that there’s not a gigantic population of black groupers there and so it’s a very finite population.

MIGUEL ROLON: If you don’t know how many people are there and there are so few of them, you can close the entire thing during the closed season area and you will not be affecting that many people anyway.

Genio was telling me the name of the guy fishing, but we are on record and so I’m not going to say, but anyway, he’s a crazy guy. He’s the only one I have seen fishing in that area shooting everything and so he doesn’t fish there anymore.

If you want to err, again, on the side of the resource, close the entire thing during the closed season and then let them fish the hell out the other six months. Then the issue of the apnea group, they came to a scoping meeting of the council in Mayaguez and they told us that they would like to be allowed to fish, the sport that they have.

You may have a special consideration in that case, if you wish to, but the main point is whether you will allow a gear capable of fishing managed species under your FMP during the closed season or not.

The enforcement angle, it’s easier or a more effective tool for them to enforce if you have a total closure on possession of the gear capable of fishing those species during those six months.

EUGENIO PIÑEIRO: I have been listening to what Dr. Garcia-Sais has to say and Reni is a man that I respect a lot and I see no other alternative than to prohibit the spearfishing in the closed season, but then we have a question.

What do we do with the apnea divers, the people who fish in the water column? Can we move that they are allowed to use their spears if they are not targeting bottom fishing and then during the closed season no spear and then no tanks and spear allowed? That’s my question.

MIGUEL ROLON: The consideration is what you are doing is allocation to a sector of a fish and actually, if you look at
the species they target, they are not even under management, the wahoo and the dolphins and the other fish. They can shoot whatever they want as long as they are not fishing managed species by the council, but the point, again, is whether you would like to close the gap of allowing somebody capable with a spear gun in hand, capable of hurting the little guys that you want to protect.

The first thing that you need to do is to decide whether you want to allow a spear gun or not here and then you have a motion and vote on that one, no spear guns during the closed season.

Then the second thing is to discuss the apnea group and whether it’s still within your area of authority to prohibit something that you are not managing. The other angle is personally, I believe, if I’m an apnea person or a sport fisherman, do I really need those six months to fulfill my activities or sport activities? I don’t know. Is it my desire to get a lot of desire to get a lot of adrenaline during those two months? Do they fish the warmer months or the winter months, because we are closing the winter months.

GRACIELA GARCIA-MOLINER: The winter months are usually the running of the dolphin and the wahoo. It’s usually November, one of the calmest months. In terms of the species, the pelagics would be available during that time of the year.

PHIL STEELE: Just two more things and this is going to go out to public hearings and so we’ll get some good input on this, I think. The two things we should certainly ask the public at that time is do you have concerns and what Graciela brought up today is very important. You see the divers all over go for the biggest fish, the spawners. That’s just the way it is. Is that a concern?

Number two, allowing spearing, are we going to see an increase or some level of illegal spearing during the closed season? Again, I want to reiterate those two points and we’ll get some public hearing input on this, I’m sure.

CARLOS FARCHETTE: I agree and I met those apnea guys in Mayaguez and they’re a unique set of guys who free dive and take training to free dive to 110 feet. I mean they’re amazing what they do and I would like to find a way that we can either get some kind of alternative or special permit for these guys to do their coastal pelagic spearing.

MIGUEL ROLON: Mr. Chairman, I suggest to take a preferred
alternative and go to public hearings and let the apnea group
defend themselves and when you come back, you will have a
rationale to decide one way or the other how you do it.
Remember, we are working only in the EEZ. Puerto Rico may allow
the apnea group people to fish all year round and it’s up to
them.

MIGUEL GARCIA: We already met with the apnea people, a couple
of months ago maybe, and had some conversation with them and
there is an intention, and this is not official yet, to let them
fish for pelagics in the state waters of the sites. That’s an
intention and it hasn’t been decided and the regulation hasn’t
been put out yet, but that’s the intention so far and the
discussion that we had with them.

MIGUEL ROLON: Year round?

MIGUEL GARCIA: We were not specific. Maybe we can come to a
happy medium, if we can call it that, but we have the intention
of letting them fish pelagics in the state side of the sites.

EUGENIO PIÑEIRO: Given what Dr. Steele here has said, then I
think we should move forward and choose a preferred alternative.
I would like to move the no spearfishing during the closed
season and go to public hearings and let them hammer out and
come up with their positions, but let’s move forward and see
what happens at the public hearings.

CARLOS FARCHETTE: Is that your motion?

EUGENIO PIÑEIRO: Yes, that’s a motion.

TONY BLANCHARD: Second.

SHEPHERD GRIMES: I would suggest the easiest way to do that is
that you’re moving that Alternative 2, Subalternatives a, b, and
c be your preferred alternative.

GRACIELA GARCIA-MOLINER: It would be Alternative 2, council-
managed reef species, right? It reads: Prohibit spearfishing
for council-managed reef fish during the seasonal closure
established in Action 1. Subalternative a is Abrir la Sierra
and Bajo de Sico and Tourmaline Bank are b and c.

MIGUEL ROLON: What Genio said actually is Number 3, prohibit
fishing for all fishing, and let them come to the council at
public hearings and discuss the issues and then you can come
back and maybe you can move to another alternative, but the
preferred of what Genio said was Number 3, prohibit spearfishing for all species under the seasonal closure established in Action 1 and 2, Subsection a, b, and c. Then at the public hearings, people will come and discuss the issue.

SHEPHERD GRIMES: We need to think about this and it’s fine and you can set this as your preferred alternative, but in terms of developing rationale to support whatever final action we take, think about -- There are dual purposes in this area, protecting habitat and protecting spawning aggregations.

The spawning aggregations are reef fish and so prohibiting fishing for those reef fish makes sense, because those are the things you’re primarily trying to protect.

If you’re going to prohibit spearfishing or fishing for other species that aren’t the ones you’re trying to protect, what’s the logic behind doing that? I would say that the logic would be that you don’t want a potential enforcement loophole for people to be down there who say I’m shooting wahoo and then a big Nassau swims by and he can’t resist shooting that one.

That’s completely reasonable, but anyway, just have that in mind. I don’t think you need to offer it now, because you’re not taking final action. You want to get public input on this and you don’t want to set your position in stone and so just be ready for the next meeting to present whatever rationale in support of your final preferred alternative.

CARLOS FARCHETTE: Looking at it now, 2 would give the apnea guys the opportunity to fish for coastal pelagics. They just can’t go to the bottom for reef fish, but they can stay in the water column and spear.

MIGUEL ROLON: The only rationale you have for Number 3 is enforcement. Number 2, you open the window for people. An apnea guy can fish to a hundred or 110 feet and you heard Dr. Garcia here that that’s where the groupers are in some of the areas. Maybe we are talking about something that is insignificant, but it’s just the principle that we’re talking about and the legalities of what we do.

If you want to go to public hearings to call the attention of the people, you prohibit everything as your preferred alternative and let the people convince you that they should be excluded.

CARLOS FARCHETTE: We’re back to Genio’s motion and so we’ve got
to figure this one out.

EUGENIO PIÑEIRO: My intention here, of course, is to shut down the --

CARLOS FARCHETTE: We are going to take a quick break here and then we’ll allow Genio to come up with his plan of action.

(Whereupon, a brief recess was taken.)

CARLOS FARCHETTE: Can we all have a seat again? We had the break and the meeting of the minds got together here and I think they came up with a proper alternative.

EUGENIO PIÑEIRO: Thank you, Mr. Chair. I think we do have a quorum. I would like to move that we adopt as a preferred alternative Alternative Number 3, prohibit spearfishing for all species during the closed season of the three areas.

NELSON CRESPO: I second.

CARLOS FARCHETTE: Second by Nelson Crespo. Any discussion?

PHIL STEELE: I would like to get some input from Jeff from OLE on this whole situation if we could, Mr. Chairman.

CARLOS FARCHETTE: Sure. Could we get a microphone?

JEFF RADONSKI: Just talking about closed areas and enforceability, one of the things you have to understand is this is strictly -- When we close an area off, it’s going to be strictly an at-sea operation and we aren’t going to be able to do much dockside work on it or at the marketplace.

For OLE, that kind of takes us out of the game, because we don’t have the assets or the personnel to do at-sea patrol and so we would have to leave it up to the Coast Guard and our JEA partners.

In doing that, if we want to have the consistency and close it off, we’ve got to have clear regulations that will make it easy, because the first element they’re going to have to prove are the vessel and persons are in the closed area. That’s going to be key number two and then go to the activity that might be illegal.

I do like where the council is heading with Number 3 and looking at that, but I think we have to always keep in mind
enforceability of a program and small closed areas offshore is one we are not going to get 24/7 coverage on. I know the Coast Guard would not have those capabilities and JEA partners and so that’s just some of the points I wanted to make.

CARLOS FARCHETTE: Any further discussion? Hearing none, we’re going to take it to a vote starting on my left.

EUGENIO PIÑEIRO: Yes.

NELSON CRESPO: Yes.

PHIL STEELE: Yes.

MIGUEL GARCIA: Abstention.

TONY BLANCHARD: Yes.


ROY PEMBERTON: Yes.

CARLOS FARCHETTE: For the record, Roy Pemberton is yes and so there were no absences. The next item on the same topic?

GRACIELA GARCIA-MOLINER: You also requested that we make some modifications to Action 3, the spiny lobster fishing activities. You specifically requested that we come up with an alternative to allow fishing for spiny lobster year-round and so these are the two alternatives that can be added to the Action 3.

Alternative 6 reads to allow fishing for spiny lobster year-round and Subalternatives a, b, and c are Abrir la Sierra, Bajo de Sico, and Tourmaline. Alternative 7 is allow fishing for spiny lobster during the seasonal closure established in Action 1 and, again, for all three areas.

CARLOS FARCHETTE: I know yesterday I had something to say about this, but I’ll wait until maybe any other council member wants or I should just go ahead and make my statement? Okay.

I know we had some discussion on this yesterday and they were talking about the coral reefs and, of course, Dr. Crabtree made the comment about how he’s seen them dig out and destroy coral and stuff, but we have commercial divers or our commercial divers, which are 90 percent of Puerto Rican descent, and when they fish for lobsters, they just don’t go down there and tear
up just to get the lobster and practically knock it unconscious before they get it out of the hole.

They are very careful about what they’re doing, because they cannot sell a lobster that is missing its legs or whatever part or anything, because they know, first of all, the lobster dies real fast and so they want that lobster whole and intact with all its legs and stuff in order for it to live long enough and also get it sold.

You’ve got to hold on to the rock or the coral or something when you’re diving for lobsters to reach into the cave. If you are looking to protect the reef or if you’re going to prohibit lobster fishing, because of the habitat or what it may cause to the habitat, then really you should do that for the whole U.S. Caribbean, because everywhere there are lobster, it’s a habitat and so I don’t know which way anybody wants to go. This is really for Puerto Rico’s decision on how they want to proceed with this.

EUGENIO PIÑEIRO: Since we are not going to be allowing spearfishing down there and those are EFH areas and no pots and no traps and no trammel nets, the only thing that the divers are going to be allowed to use is the snare, which causes no harm to the habitat. I would move that we allow spiny lobster fishing all year-round.

CARLOS FARCHETTE: Is that your motion?

EUGENIO PIÑEIRO: Yes, that would be a motion.

NELSON CRESPO: Second.

GRACIELA GARCIA-MOLINER: Just to remind you, the no action of this alternative is that you would change Abrir la Sierra and Tourmaline to have a prohibition on the take of lobster during the closed season and Bajo de Sico allows the take of lobster during the whole year and so you would make them consistent.

EUGENIO PIÑEIRO: That would be Number 6, right, Graciela?

GRACIELA GARCIA-MOLINER: Yes.

EUGENIO PIÑEIRO: Then Number 6 it is.

CARLOS FARCHETTE: That was seconded by Nelson Crespo.

SHEPHERD GRIMES: Again, I am not looking to cement your
rationale, because I think you want to get public comment on it, but we ought to look and see what additional information we can find out relative to the impacts of harvesting spiny lobster on coral resources, having heard what you said that you’re not concerned about the stuff that Dr. Crabtree raised about pry bars or what have you, but you did hear that you’ve got to hold on to the coral communities to do that.

I hear your point that while we -- If that’s our concern, we would prohibit lobster harvest everywhere, but I think that’s a bit of a red herring. These are special resources or a special area, or at least this is the position the council has taken. It’s unique and we’re looking to protect just that area.

If you’re going to end up sticking with this as your preferred alternative, I think your logic has to be that holding on to the coral in order to access the cave to harvest the lobster doesn’t present much of a significant potential for adverse impacts to the coral. I am not the person to answer that and it would be best if you had some corroboration of that via scientific studies, but keep that in mind before you take final action, please.

PHIL STEELE: I don’t think you can disregard the impacts of diving for lobster on coral reefs. I have worked in this fishery in the Keys and I know some of the damage they can do.

Given that, to go along with the conservation theme we have here of protecting these spawning areas and their habitats for the six-month area, I am thinking this is a theme we should follow. If nothing else, maybe we want to consider a six-month. That’s just my comments on that and I’m not making a motion for that, but it’s just something else for part of this discussion that we may want to do.

Diving and lobstering does have an impact on the habitat. I’ve done it and I’ve seen it myself. I still have concerns about that and with the theme we’re following with the six-month closure in this area, allowing diving for lobsters out there will allow more people out there on this habitat and who knows what else they’re going to be doing besides diving for lobsters. Prohibiting this will keep the people out of the area and that’s kind of my thoughts on it.

EUGENIO PIÑEIRO: When I was at the MPA, people say, with all due respect, which means that I really don’t care what anyone else is saying, but I understand your concerns and Shep’s concerns, but let’s face it. Let’s face reality. The divers
who use the snare, they really don’t even touch the rock. They barely -- They don’t do that much at all.

TONY BLANCHARD: Now, I just want to back Genio on this here, because I know in Florida, and correct me if I’m wrong, but a lot of them do -- They catch the lobsters by hand. Going in by hand to catch a lobster is where I feel they would make the most damage, because you’ve actually got to go in and grab it.

How we do it down here is with a snare and so what you’re actually doing is standing outside the hole and passing the loop behind the lobster tail and pulling him out and so I am not saying that it probably doesn’t have some kind of impact, but I don’t think that the impact that Phil is thinking is the same kind of impact that we have here.

Nobody don’t go down with no crowbar here to try to get a lobster out of a hole. That’s crazy. We don’t fish that way here and I’m not saying that they don’t do it that way in Florida, but to the best of my knowledge, I think Genio is right on target and it’s very minimal contact with the reef and, like I say, we all use snares here and nobody goes down to try to grab the lobster. That’s not the practice that we use.

PHIL STEELE: I understand that and some of the divers in Florida use snares too, but it’s just not the activity of catching the lobster itself. It’s the diver’s presence on the reef itself, whether it’s standing on the reef or the fin damage.

This thing is well documented. It’s well known that divers do impact reefs, whether they’re catching them with snares or ropes or by hand. That’s the concern too and it’s just not the actual action of catching that lobster. It’s his presence standing on that reef and so there is impacts. There is damage done.

ROY PEMBERTON: I understand the concerns about the way the Florida fishery operates and everything and I caution NOAA folks all the time that you’ve got to come down here with a different perspective.

Like what my fellow council member, Tony Blanchard, is saying, guys just don’t stand up on the reefs. I understand that we have the issue in Florida where it’s like a derby fishery and the minute the season opens, you have all kinds of yahoos out there fishing.

This is a particular area where you’ve got to know what you’re
doing, for the most part, to head all the way out to that far reaches to do this fishery, if you’re going to participate in it.

I think you have enough protective measures by banning traps and so forth, which can cause a whole hell of a lot of damage of the reef, comparatively speaking, but you have to give them something.

You are closing the area and I understand you’re protecting it and you’re trying to do what you can for the resource. You can go about and put some other protective measures in there, six months or what have you, but these guys are really not going to have much to fish for, if anything else, on that western end and so you have to give them some kind of opportunity, or else they’re just go right back to poaching.

TONY BLANCHARD: Yes, exactly.

MIGUEL ROLON: I encourage you to move. You are only talking about preferred alternatives to take to public hearings and here, you’re pretending to have your whole discussion that is supposed to happen after the public hearings and forget about Florida. There are other places in the world that we can talk about the same thing that we have here and we have other stuff to cover. Graciela, did we finish with Bajo de Sico and the ABT?

GRACIELA GARCIA-MOLINER: No, you have one more action to deal with, which is the HMS.

MORGAN FOWLER: I just want to say, from an enforcement perspective, as Jeff was saying, it’s a lot easier if you close it for the six months if you close it for everything.

If we see someone out there that is fishing for lobster, then now we have to get onboard and check and make sure that they don’t have any fish and that they only have lobster and so it would be easier for us if for that six months you close it for fishing and you close it for lobster and you don’t allow anchoring and so if there’s no vessels in there, it’s extremely easy for us to enforce that.

BILL ARNOLD: I am just curious, but these are deepwater coral habitats and they’re structured a lot different from the shallow-water habitats and I don’t know if anybody can comment on this, but perhaps they’re more susceptible to diver damage because they’re plate corals and you have to dig under them or
maybe this isn’t a problem, but I would be curious as to any insights in that regard.

MIGUEL ROLON: That’s the beauty of the whole thing. We don’t know anything about it. At least we haven’t documented it. I have friends and Reni and people who have dove these areas and actually, if you look at the pictures they have, it’s almost pristine, but, again, the -- Anyway, when you deliberate this kind of thing, you have to take into consideration -- Right now, we’re talking about safety and the biology of the fish and the socioeconomics and the enforcement.

The only issues you have here really that stop you from -- Well, that is important is enforcement. If you want to have ease of the work of enforcement, to make it more effective, you should be looking at a total closure, but, again, I believe, Mr. Chairman, that we can vote on this, if we haven’t voted yet, call the question, because you have two others and those two others may take some other discussion.

CARLOS FARCHETTE: Okay and since it has to go to public hearing anyhow.

EUGENIO PIÑEIRO: In that case, I will call the question and let them hammer it out at public hearings.

CARLOS FARCHETTE: We’re going to take it to a vote and start on my left with Crespo.

NELSON CRESPO: Yes.

PHIL STEELE: Yes.

EUGENIO PIÑEIRO: Yes.

ROY PEMBERTON: Yes.

MIGUEL GARCIA: Yes.

TONY BLANCHARD: Yes.

CARLOS FARCHETTE: Yes. Any nays or abstentions? Hearing none, the motion carries. Next on the list?

GRACIELA GARCIA-MOLINER: The last action is Action 5 --

EUGENIO PIÑEIRO: No, that’s not the last action. We still have to work out the water column.
GRACIELA GARCIA-MOLINER: That’s Action 5 with the HMS.

EUGENIO PIÑEIRO: With that water column? Is that so?

GRACIELA GARCIA-MOLINER: Yes, you have a request to the HMS group and these are -- You have on your left --

MIGUEL ROLON: Graciela, refresh our memories. What are the two pending actions?

GRACIELA GARCIA-MOLINER: You have to select, if you want to, or request that HMS do something and that’s Action 5 over there. You had requested that we look at the -- Let me make this bigger so you can see it.

MIGUEL ROLON: If I recall, we wanted to add something to the action that we wanted to request to the HMS, but also we said that we would like to go with our preferred alternative to HMS. Am I right or am I missing something?

GRACIELA GARCIA-MOLINER: What you wanted to do with Alternative 4, which includes both the allowing trolling, surface trolling, for HMS and allows spear gun fishing for the BAYS, for bigeye and albacore, et cetera. That is the Alternative 4 and whether you want to divide it up or --

MIGUEL ROLON: What we said yesterday was that we wanted to have a separate action for that one, isn’t it?

GRACIELA GARCIA-MOLINER: It is a separate action. It’s Action 5 and you can separate the alternative in two and have surface trolling separate from spearfishing allowance.

MIGUEL ROLON: Okay and so that’s a question you have for the council at this time.

GRACIELA GARCIA-MOLINER: Exactly.

SHEPHERD GRIMES: My recollection of the discussion yesterday was that the only new action that was going to be added was spearfishing and we’ve already covered that one and I believe that means this is the only action remaining for which the council has not selected a preferred alternative.

Then once you have a preferred alternative, you will approve the document for public hearing and we’ll go out to public hearing. Now, given what your preferred alternatives are in the rest of
this document, based on what you just selected here a few
minutes ago, the only thing that you’re allowed to harvest
during the closure is spiny lobster, correct, because your
preferred alternative was to prohibit all fishing during the
six-month closure, again except for the harvest of spiny
lobster.

If you’re going to go ahead and indicate a preference for what
HMS implemented, it would seem that you want them to do the same
thing that you have, right, which would be harvest nothing
during the six-month closure and then when it’s open, just
prohibit bottom longline and traps and that kind of stuff.

CARLOS FARCHETTE: I see your point. That means after the
public hearing, we would have to request -- If they wanted, we
would have to request HMS to go along with the BAYS only.

SHEPHERD GRIMES: I don’t think you have an alternative in here
-- Let me look to make sure.

GRACIELA GARCIA-MOLINER: On the left, that’s all the HMS
alternatives that we have in the document.

MIGUEL ROLON: Graciela, what he’s saying is do we have an
alternative that reflects what he just said?

SHEPHERD GRIMES: I guess if you went with Alternative 3, upon
request of the council, prohibit fishing for HMS in some or all
of these three areas during the time period established in
Action 1.

I think, if I have this correct, then your current preferred,
consistent with all of your other preferreds in the document,
would seem to be Alternative 3, all the subalternatives, which
means no HMS fishing during the closed period for all three
areas, knowing that you may change your mind after public
hearing and you would ultimately request something different
from HMS, but right now, it sounds like this is where you’re
headed.

Understand that HMS is going to do their public hearings in
conjunction with you, I believe, and so I would prefer to have
some formal vote to acknowledge that that’s the way the council
is leaning. Thank you.

CARLOS FARCHETTE: Actually, we wouldn’t need to touch Action 5
right now.
MIGUEL ROLON: No, what he’s saying is that your preferred action should be Alternative 3 of Action 5 and that will indicate, as per your current discussion, the wish of the council to the HMS and the public.

EUGENIO PIÑEIRO: Shep, the purpose for this measure was to open the three -- To have a consistency, we were opening all the three closed areas and have a replica of Bajo de Sico and so our intent is to open the closed areas, the water column, open the water column.

MIGUEL ROLON: That’s the point. You haven’t done that. You have done the opposite.

EUGENIO PIÑEIRO: That’s what we want to do, but from day one, from the first minute, we told that we wanted to have that open.

GRACIELA GARCIA-MOLINER: Can I say something? Do you want to go through the Action 1, which is the --

MIGUEL ROLON: Wait, wait, wait. Don’t mess it up.

GRACIELA GARCIA-MOLINER: It indicates the council-managed reef species that you have prohibited.

MIGUEL ROLON: What you have done today is during the closed season, you don’t allow anything but lobster to be fished in that area. That’s what you have done and whether the intent was something else, that’s something else, but if you follow the logic, if you follow the logic, that’s what you have done so far and that’s what Alternative 3 will follow.

You may also say I don’t need a preferred alternative for HMS at this time and you may also rethink the whole thing after you come from public hearings about the water column issue, but the point that Shep is bringing to attention is if you follow the logic and the steps you have taken today, in essence what you have done is to close the entire thing.

Now, if you follow that -- If everybody dies today and HMS comes tomorrow and sees our record, they will choose Number 3. That’s where we are now.

EUGENIO PIÑEIRO: I cannot support to go to public hearings, send anything to public hearings, that says that we’re going to close the water column. My intention all the time, and that’s why I asked for discussion of 2 or 3, was to keep the water column open and that has been the intention all the time, since
day one, and so I cannot support sending this document to public
hearings, because that is not the -- I don’t think that is the
intent of the council to close off those areas. I don’t see it.

MIGUEL ROLON: But, Genio, with all due respect and everything
that you said before, you are only one person here and so
whether you voted by mistake or not, that’s your problem, but
when you follow the logic -- As a council, as a group, what
you’re doing now is to go to public hearing, but this is not the
last word on this one and so that’s what I told you on the
break. We need to develop the record as to what you want to do,
but also we need to follow what you have already written.

EUGENIO PIÑEIRO: I would like to have a motion to add another
alternative to have the water column open.

SHEPHERD GRIMES: This has gotten fairly chaotic all of a
sudden. I think what’s on the board is inaccurate, because I --
In hearing Mr. Piñeiro, when he first wanted to make the motion,
I thought he was saying prohibit just reef fish fishing and
allow fishing for these other species.

We had some discussion between you guys that that was not what
he was intending and you made the motion to have no fishing,
right? What’s on the board has Preferred Alternative 3, Action
2, Alternative 3, but it was my understanding --

GRACIELA GARCIA-MOLINER: It would be council-managed species.

SHEPHERD GRIMES: Yes, but it’s my understanding that after the
break it was Alternative 2, no fishing during the six-month
closure. That’s what discussion we had.

MIGUEL ROLON: No, it was the other way around.

GRACIELA GARCIA-MOLINER: It was no spearfishing.

EUGENIO PIÑEIRO: No spearfishing, Shep.

GRACIELA GARCIA-MOLINER: If I may, Mr. Chair, Action 1 closes
October to March and Action 2 allows fishing in the water
column, but it closes the council-managed species and so there
is no fishing for that. Spearfishing is a different story and
that’s what you did today.

Now, the question is whether you want to allow spearfishing for
BAYS and have that requested to the HMS group or not or if you
want to allow trolling for HMS or not. You have already -- What
you have done regarding the spearfishing is specifically to
prohibit spearfishing for all species, but it’s by spearfishing
and so you still have to decide whether you want to do the same
with HMS and tell them prohibit all spearfishing of BAYS and
allow trolling or if you want to tell them don’t allow anything
or if you want to tell them to allow everything. That’s the
Action 5 that you have to deal with today.

EUGENIO PIÑEIRO: Thank you, Graciela, for the explanation and
thank you, Shep. At this time then, I would like to add an
alternative to open the water column in the three areas.

SHEPHERD GRIMES: With that clarification, thank you, Graciela.
Then we don’t have an alternative in here that would implement
compatible regulations with our current preferred alternatives,
because compatible HMS regulations would prohibit spearfishing
during the closed six months, but would still allow surface
trolling activity.

They could troll for highly migratory species, but they couldn’t
spearfish, presumably for the same reasons we wouldn’t want
somebody down there with a spear gun to be tempted to shoot an
aggregating spawning reef fish.

CARLOS FARCHETTE: It could potentially change after the public
hearing.

SHEPHERD GRIMES: Absolutely, which is why I said nothing is set
in stone and we’ve been generally discussing things and not
setting any concrete rationale to support our preferred
alternative, because you want to get input from the public and
we’ll develop that at the last meeting.

MIGUEL ROLON: If you are confused and you have been working for
us for ten years, do you think the public will understand
everything that you are saying in the meetings? If your
intention all along is to open the darned water column, say so.
I want to open the water column and then let Graciela and Bill
figure out how we do it.

With Graciela’s explanation, actually the water column is open
for the species you are talking about. We are not saying that
we are opening the water column, but we are saying that we allow
for trolling and blah, blah, blah, which is equivalent to having
the water column open, but for the record, you need to clarify
the intention of the council and also the poor soul who is going
to be chairing these hearings who has to explain to the public
exactly what you want.
GRACIELA GARCIA-MOLINER: Your Alternative 4 under Action 5 is to modify the HMS fishing activities. Following the logic that you have followed so far, you would like to delete from there “and spear gun fishing gear for bigeye, albacore, yellowfin, and skipjack tunas”. This allows for surface trolling and it takes away the use of spear gun.

CARLOS FARCHETTE: I guess I would like to get some input from the fishers to get their opinion as to -- We know what it’s going to be and like Miguel just said, we want to open the water column for these apnea guys and also allow for trolling for the HMS or the coastal pelagics.

GRACIELA GARCIA-MOLINER: But what Shep is saying is that you prohibited, in the previous action, the use of spear gun for all species in these areas and so in order to be consistent with what you’ve done so far, you take away the spear gun section of this alternative or make a new alternative only to allow surface trolling and then you select this one as telling the HMS guys that you want only surface trolling.

CARLOS FARCHETTE: Yes, because -- I know what the response is going to be. It’s going to be the same thing that we got in the scoping meetings. They want to be able to spear these fish, because that’s what they train for, these coastal pelagics and also the BAYS. I don’t know if we have to go back to Alternative 3.

GRACIELA GARCIA-MOLINER: I will type up a new alternative.

EUGENIO PIÑEIRO: Right. Type a new alternative to open the water column. I think that’s what we want.

SHEPHERD GRIMES: Again, keep in mind that this is not really our section of this document. This is HMS and so what I would suggest we do is let the HMS staff -- Rick is probably listening to this right now and hopefully he’s not as confused as some of us, but he can develop the language for the alternative, but the bottom line is right now the council is leaning towards HMS implementing regulations consistent with the current preferred alternatives, which would allow surface trolling during the closed period, but not allow spearfishing.

What I think you should do is make a motion to that effect, so that the record is fairly clear. They can develop that alternative and add it to the document and take it out to public hearing and get comment on it and then you would come back and...
respond to that information.

MIGUEL ROLON: Can you provide the language, so somebody can say so I move and it’s easy on Graciela, because she has to write it.

SHEPHERD GRIMES: I guess the motion would be to move to inform HMS that the council’s current preferred alternatives would support HMS implementing consistent regulations to allow surface trolling only during the closed period or during the closure.

EUGENIO PIÑEIRO: It’s for the whole year.

SHEPHERD GRIMES: Well, but just during the closure. When it’s not closed, it’s open season on everything anyway and so you’re just addressing what regulations they would implement during the closure, which means surface trolling only, no spearfishing activity, no bottom longlines. They should know what to do with that. If that doesn’t make sense to them, I hope they’re listening and they send me a message real quick and I’ll make sure we take care of it.

EUGENIO PIÑEIRO: Thank you, Shep. So I move.

CARLOS FARCHETTE: Second by Nelson Crespo.

MIGUEL GARCIA: I just wanted to add that that’s the intention of our agency, to allow the surface trolling in the area and the open column, for sure.

CARLOS FARCHETTE: If there are no more comments, we will go to a vote, starting on my right.

TONY BLANCHARD: Yes.

MIGUEL GARCIA: Yes.

ROY PEMBERTON: Yes.

EUGENIO PIÑEIRO: Yes.

PHIL STEELE: Yes.

NELSON CRESPO: Yes.

CARLOS FARCHETTE: Yes. Any nays or any abstentions? Hearing none, the motion carries.
MIGUEL ROLON: Are we finished, Graciela?

GRACIELA GARCIA-MOLINER: You need to instruct the staff that you adopt the document or approve it to take to public hearings.

EUGENIO PIÑEIRO: I would like to make a motion to bring this document to public hearings.

CARLOS FARCHETTE: Should that include to instruct the staff to prepare the document to take to public hearing? Should that be in there or it’s not necessary?

MIGUEL ROLON: Scratch “bring” and write “take”. That’s what they are saying.

GRACIELA GARCIA-MOLINER: Do you want the schedule for the summer?

MIGUEL ROLON: No, leave that to the discretion of the Chair and the staff and so it allows you to prepare it and all that and also, I believe that, according to what we said yesterday, the Chair would open some time for public input.

CARLOS FARCHETTE: Okay. That was a task. We will take it to a vote, starting on my left.

NELSON CRESPO: Yes.

PHIL STEELE: Yes.

EUGENIO PIÑEIRO: Yes.

ROY PEMBERTON: Yes.

MIGUEL GARCIA: Yes.

CARLOS FARCHETTE: Yes and one absent, Blanchard. Any nays or abstentions? Hearing none, the motion carries. Now we’re going to allow for public comment on the Abrir, Bajo, and Tourmaline, the discussions that we just had, if there’s any comment from the public. We are giving you five minutes.

LETA DUNMIRE: Good morning. My name is Leta Dunmire and I’m with the Pew Charitable Trust. We are certainly very interested in this issue. This is the Abrir, Bajo, and Tourmaline consistency issue and we wish to provide meaningful input based on science.
I have some general thoughts that I’ve been trying to capture over the last day of the discussion. I think right now we can’t really provide specific actions and alternative recommendations. The version that was posted online that we were working from for the last few months is actually not the most recent. We got the most recent one as the discussion was starting yesterday.

It would really help us and other stakeholders to provide more meaningful input if the council can post and provide updated versions of council documents as soon as possible. With that in mind, I am just going to provide some sort of general comments based on trying to pull them together, like I said, in the last twenty-four hours here.

Fish spawning aggregations are unique life history events that take place at specific places and times. They are highly vulnerable to overfishing, even at moderate harvest levels, and increasingly, the target of fishing pressure.

Since aggregations may represent the primary source of the species reproduction, losing an aggregation may severely deplete the local population and cause recruitment failure. Historically throughout the Caribbean, grouper and snapper fish spawning aggregations have disappeared due to overfishing and have not recovered. Such a loss can create economic hardships for local fishing communities and result in localized population extinctions.

A seasonal or year-round fishery closure is one effective management tool for protecting spawning aggregations. This approach has yielded the recovery of aggregations of groupers, such as the Hind Bank and the Nassau grouper aggregation in the Cayman Islands.

Abrir, Bajo, and Tourmaline each contain known aggregations of large-bodied grouper and snapper, including Nassau, and reef-building corals, including species that may soon be listed as threatened or endangered under the Endangered Species Act.

Compatible, enforceable regulations among the three protected areas are critical for their effectiveness in protecting spawning fish and critical coral reef habitat. Science has shown that spawning activity is highest at those areas during the months of December, January, February, March, April, and May and enforcement is easiest and most effective when no fishing activity is allowed at a defined area during a defined time.

Given the lack of resources for enforcing fishing rules in this
region, the rules need to be simple and as easy to enforce as possible, to ensure meaningful protections for these aggregations.

There has been a lot of discussion of closing and opening water columns, but we would strongly encourage you to consider no fishing for and no possession during the spawning season closure of six months, December to May, and a year-round prohibition on anchoring at these three sites to protect the coral reef habitat. That’s all for now and we look forward to engaging as the discussion moves on.

CARLOS FARCHETTE: Thank you, Leta. Any more public comment? Hearing none, we will move forward on the agenda to SEDAR-35 Red Hind Update with Dr. Graciela Garcia-Moliner. Before, I want to talk about the SEDAR here and I want to address this to Dr. Ponwith.

I know we had discussion about the methodology we’re going to be using now with this assessment and stuff, but I know that -- I believe 2015 is SEDAR lobster and queen conch assessment, on the schedule. That would still continue, right? Just because we decided on something else, that wouldn’t stop that? I think that’s important for us.

BONNIE PONWITH: The notion would be to actually not carry those out, because I’m not certain we could actually carry those out and do the large data workshop at the scale that we think it needs to be done to be successful and so it’s an important decision.

CARLOS FARCHETTE: Yes and I’m very concerned with it.

MIGUEL ROLON: Those species can be included in the three island and so you would kill two birds with one big stone.

BONNIE PONWITH: That’s absolutely correct. Part of the data triage would include collecting data on those. It’s just that the traditional stock assessment on those two stocks wouldn’t be carried out in 2014.

CARLOS FARCHETTE: Okay and so if I wanted to make sure that happened or see that, that would be one of our top-priority species or something that we can do?

SHANNON CASS-CALAY: I think that’s very fair to list those as high priority from the council, as a council recommendation even.
CARLOS FARCHETTE: Okay, great, because I know that I’m still on this conch battle. I lost the battle, but I ain’t losing the war.

MIGUEL ROLON: Okay and because this is supposedly easy and fast, can we move that those two species be included as top priority and then say so I move?

CARLOS FARCHETTE: We need a --

TONY BLANCHARD: So moved.

MIGUEL ROLON: Give Vivian some time to write it. It’s to include spiny lobster and queen conch as top priority in the list of species that will be considered by the new approach for analyzing and provide stock assessment to the CFMC-managed species.

CARLOS FARCHETTE: We need a second.

MIGUEL ROLON: Who moved it?

CARLOS FARCHETTE: Tony Blanchard made the motion.

MIGUEL ROLON: It’s Tony and seconded by Genio Piñeiro.

CARLOS FARCHETTE: All in favor say aye; any nays; any abstentions. Hearing none, the motion carries. Now we can go ahead with SEDAR-35.

SEDAR-35 RED HIND UPDATE

GRACIELA GARCIA-MOLINER: Just a very short report. We hosted the SEDAR data workshop and the one -- We are still trying to collect some of the data that are out there and are needed to establish some indices, but we were able to get the information from Rick Nemeth, because we’re working on the red hind, and that was extremely useful and very important information, because it’s really the only long-term monitoring specifically of the red hind and the MCD.

Fishers were there and Tony was there and the fishers from Puerto Rico were there and it was very valuable information, what they brought to the table. We looked at all the data that had been provided by the Southeast Fisheries Science Center and the local governments for red hind specifically.
Aida Rosario is working with Walter Ingram from the Science Center also in making a copy of the SEAMAP data and so that should be available pretty soon and that’s something that we’re all really looking forward to. It would be GIS spatially explicit information.

We are still missing some data, but the effort that has gone into collecting the information and not only for red hind, but any of the surface surveys that are out there has been very big and so there were big issues with the correction factors for Puerto Rico and Daniel Matos and company are working on those.

We are proceeding with the assessment workshop, but this is going to be in the form of a webinar and it’s going to take place between May and July. There will be five webinars to assess the condition of the red hind and a final review workshop in September in Miami.

That’s ongoing work. Red hind is one of the species that probably has the most information available and I don’t know if we have any news in terms of what have we been able to do. We have had conference calls, webinars actually, to answer some of the questions that were raised at the SEDAR meeting, for example some of the MRIP data.

MIGUEL ROLON: Graciela, according to the schedule, we should expect a final product by when, more or less?

GRACIELA GARCIA-MOLINER: The review will take place September 3 in Miami and that’s one week and so when would the final report be?

SHANNON CASS-CALAY: I believe the final report is due on October 6. That’s the dissemination of the final report.

GRACIELA GARCIA-MOLINER: Then that will come to the SSC and then to the council.

MIGUEL ROLON: Exactly. The council should expect a final product reviewed by the SSC at the December 2014 meeting and that’s all we need to say about red hind at this time. Now, finally we have Alida Ortiz with the Outreach and Education. I tried to allow her to talk the first day, but sorry, Alida.

Outreach and education is usually the last thing that you consider when managing a fishery, but it’s probably one of the most important aspects of managing a fishery, is to allow the public to understand what you do and convey the right message.
Alida, are you ready?

OUTREACH AND EDUCATION REPORT

ALIDA ORTIZ: It’s good to be here. We were supposed to give this yesterday and so we celebrate Earth Day. We’re one day late, but it’s all year-round.

I am going to give a very short update of what the outreach and education products and activities have -- What state that they’re in and from this meeting, we get today a lot of outreach to do, a lot of outreach to do.

We will be changing the newsletter to make it a bulletin and shorter and with more of the highlights of the meetings and I think that much of the information that we have been talking about this meeting should be in like information for people to review and to sort of refresh the content.

There are so many concepts and there are so many -- So much information that is managed in the management of the species that the stakeholders have to have it in a different language and so we will work with the documents that are now in the process for public hearings, for scoping meetings, and we hope to make them more digestible, let’s say, to make decisions.

Please, if you have any activities that you know of, send us the information so that we can put it in there and we are working on the design and preparation of the calendar for next year and these are some of the activities that we presented in the last meeting.

We have worked with Sea Grant to develop the Caribbean Fisheries Resource Book as some part of the modules that they have been doing on habitats. A fishing app for Smartphones will be presented in the August meeting of the council and also, we will have, we will have, the CFMC brochure by August.

At this time, Helena has been collaborating with the Department of Agriculture and La Ruta del Pescado. This is like a promotion tourism action for the coastal products in Puerto Rico and at this time, we also have something that we presented in the last meeting to have the visual aids so that we can see what’s really happening in the habitats, coastal habitats, that are considered essential fish habitats, but in the eastern part of the island.

In August, we will present the product. We have taken two field
trips already and there are some videos that are being completed. Marcos Hanke will be with us.

MIGUEL ROLON: Alida, in the case of La Ruta del Pescado, the link with us is that this is a webpage and also it will be an application where anybody can punch it and look at the areas where the fishers have facilities, where they can sell the fish.

There are two things that we want to achieve. One is to promote the uniqueness of those areas, so the fishermen will have a better income and be proud of what they have, but also, we will include management measures so that won’t consume fish that aren’t properly managed and all that and that’s the important part of the La Ruta del Pescado.

The important part is that this is an outreach and education activity that is promoting sustainability of the fish and we would like to -- What we are trying to do is to create a consciousness of the public.

ALIDA ORTIZ: Actually, I think most of the people that buy fish, seafood, in the restaurants, know very little or nothing about what are the closed seasons and why they shouldn’t request any species that is in closed season and so this should be part of that, but we will let you know more in the next meeting, when we see what are the results at this time.

EUGENIO PIÑEIRO: Alida, I would like to add to it that a special thanks to Gustavo Garcia from the DNR and, of course, our Helena Antoun who did the tremendous job there and also Miguel Lugo from SERO. He was there and he assisted us and he was there all the way and so those guys did a great service to La Ruta del Pescado and the best interests of sustainability. Thank you.

ALIDA ORTIZ: Actually, the Virgin Islands is working on the sustainable fish and Lia is working on that and we will try to be part of that.

MIGUEL ROLON: It’s called Sustainable Seafood Initiative.

ALIDA ORTIZ: Yes and we will try to try to tie that into that Ruta del Pescado. Let’s talk a little bit about the USVI outreach and education. That’s the Marine Outreach and Education VI Style that Lia coordinates in St. Croix and St. Thomas and St. John.

The Don’t Stop Talking Fish is well advanced and it will be
celebrated on June 28 and we have an announcement that she sent yesterday. There are more activities in the USVI and they have received -- They participated in the outreach and education when the Nancy Foster mapping mission was here and they did workshops for managers and K-12 students in science, technology, engineering, and math for students and teachers and so they are sort of pitching in any activity where outreach and education can have a good space.

They received funding from NOAA for the fiscal year 2014 and they will be working in the increasing fishing community awareness and compliance project. This is the orientation to the fishers in their licensing process and Lia is coordinating that.

The sustainable seafood campaign that we mentioned, they had a workshop where ten restaurants were recognized as reef responsible and this is very similar to what Miguel was saying about la Ruta del Pescado.

Fuete y Verguilla, the special issue that will be produced or is being produced for St. Croix, this is just a cover, but it will be ready by the end of May and Lia has been working with UPR Sea Grant and it is like a history of how the social and cultural aspects of the fishing communities in St. Croix have developed throughout the years. They are filming and the writing group, the editing group, was here for I think two weeks and Carlos was part of that project here. Carlos, you will see the product in May. It’s beautiful.

Now, we will talk a little bit about the activities in Puerto Rico and Helena Antoun is our field presence with the fishermen and Helena will talk a little bit about this.

HELENA ANTOUN: Good morning, everybody. Just a brief recap of what the commercial fishing program is, or PEPCO, but this is an initiative that started because the commercial fishers on the island were having a lot of issues with their licenses.

There were a lot of problems that they were not getting their licenses on time and there was a lot of misinformation out in the field and so DNR and the CFMC got together and we decided that we were going to create this program that’s going to clear out all the cobwebs and just get straight down to the point and make sure that everybody understands exactly what they need to do and how to do it. Then also take advantage of that and then just add a couple of other important information that all commercial fishers need to know.
It also expanded a little bit to include the Department of Agriculture and so it was a collaboration between the three agencies, CFMC, DNR, and the Puerto Rico Department of Agriculture.

The general content or what is offered in this course is this is about a six-hour course that is given and so people are there and they’re the whole day there and, like I said, we go over from A to Z everything that you need to know and do to acquire your commercial license and permits and all that sort of stuff, clear up all the questions and all the misconceptions and all the doubts.

Then we also go into fisheries statistics and data reporting and so the port agents, these are the people that are actually offering these workshops. They will go into detail step by step of how to fill out that data reporting information and not only that, but what happens after that?

Once that information is given to the lab, where does that information go and how is it digested and how is it used? Who are the people that take care of it and then how and what are the implications of this data reporting and fisheries management, or the lack of information for that.

We really hit it hard right there of how important it is to do the data reporting and what the implications are and then, of course, once fishermen -- Once they have all their licenses and they have all their certifications and everything, the Puerto Rico Department of Agriculture has programs for commercial fishers.

These are incentives where they can get all kinds of financial help and they can become a certified -- A bonified fisherman certification and so the Department of Agriculture collaborates here and they get the -- If you do all this and you get all your licenses and everything here and you do the statistics, this is the stuff that you can get, all the advantages and stuff.

Then, of course, we go over the regulations and then, finally, people that complete the course, they are given a certification at the end.

Between February 19 and March 27, we did a total of six regional workshops or six regional courses. We covered all of these areas in the island and our participation was excellent. It was way more than what we expected and in fact, we actually had --
After the first two, we actually had to put a cap and say no more than so many people, because we were really getting packed.

The feedback was great and we had a total of about 179 participants that completed the course and of the participants at the end of each course, everybody is given an evaluation form and asked for their comments and recommendations and so everybody pretty much evaluated the program as between excellent and good.

Among the many comments that they did give us, there was requests to do this more often and at more fish villas and so they do want it. They do want to see this in their areas.

I have a follow-up meeting scheduled now for the end of April or maybe beginning of May, depending on everybody’s schedule, with the DNR Fisheries Laboratory. We’re just going to sit down and go over all of this and decide if we need to add anything or change anything or modify anything and what our next steps are going to be.

We already have requests from other villas to go visit and offer the workshop and so we’re going to be continuing doing this around the island. This is just a quick table of that evaluation form. I just pulled all the information together, if anybody wants to take a quick look at it or have any questions. Before I go into this, is there any questions regarding PEPCO?

MIGUEL ROLON: Do you plan to continue PEPCO in 2015?

HELENA ANTOUN: Yes, I hope so.

BILL ARNOLD: I just want to say I hope you continue it too, because I think it’s an incredibly important program.

HELENA ANTOUN: Okay and so now just going into the GMRI, or the Gulf of Maine Research Institute, Marine Resource Education Program, a quick recap on this. A year back, one of our fishermen from Naguabo was one of the first fishermen from Puerto Rico to participate in this program.

He came back totally psyched and said it was awesome and we need to do this over here and then we sent another fisherman for the second half and he also came back totally psyched and said we need to do something like this over here.

We spoke with the people at MREP and we had our first planning committee meeting this past March of 2014 and we had a small
group of people that got together, including, of course, the
program coordinator of MREP, Alexa Dayton, and we all agreed
that yes, MREP is interested in opening a chapter for Puerto
Rico and we’re going to be working on that.

We have a steering committee scheduled for May 9 and so we’re
going to be bringing in a couple more people, mostly fishermen,
hopefully to start really seriously talking about bringing an
MREP chapter to the island and doing this broad marine resource
education program.

MIGUEL ROLON: Helena, can you briefly explain what the program
is, the Marine Resource Education Program?

HELENA ANTOUN: Sure. The Marine Resource Education Program is
a program that was developed first by the Gulf of Maine Research
Institute. It started out as a program for fishermen by
fishermen.

Tony Iarocci can probably elaborate a little more, if I’m
missing anything, but it was basically a program that the
fishermen requested, because they wanted to get rid of the all
the scientific jargon of council meetings and all this data and
all this information and just simplify things and make it easier
so that fishermen could understand how the council works and
what the process is and how their information is being used and
taken for management decisions and also, very importantly, how
they can be more involved in the management decision and in the
management process.

The program, I participated in the management section, where it
basically broke down the entire -- This entire scenario that
we’re having right now, they broke it down and explained how
this is done and what’s going on and what are Roberts Rules and
all that sort of stuff and all the details and just bring it so
that fishermen cannot be so intimidated by the council.

It was just basically to give them an idea of how this works and
how they can become more involved and then there’s also a
science section, which I’ll let Tony talk a little more about
that, because I wasn’t in that one. Tony, if you can give a
little bit.

TONY IAROCCI: Thank you, Helena. I can’t stress the
importance of a project like this for the commercial fishermen.
My first time going through this, it was up in New England in
Newport, Rhode Island, in a big snowstorm. We got snowed in
Newport, of all places to get snowed in.
I was a fisherman at a roundtable and it’s fishermen to fishermen from different areas and so fishermen were able to communicate and learn from the get-go.

You have a mock council setting, from the management end to the science end, and it brings the fishermen from the boat to the table with the management process and it’s simplified fisheries management to teach the fishermen to be a part of it.

I think Eddie Schuster was at one and Nicky went to one, but Carlos Valasquez was so excited when he did go to that and he brought that enthusiasm back to carry this forward and I hope we can keep moving this forward and get not only people from Puerto Rico, where they’re very excited, but I think there’s a very big need for this in St. Thomas and St. Croix, for some of the fishermen to be able to go to that.

It’s very good for anybody working into the council process, to get them better educated through your outreach program, and even a new council member, unlike our Tony Blanchard here, who does not need any of that guidance and help. He’s already got all that stuff covered, but anybody else would be considered and this would be a great learning curve and I highly support the program.

MIGUEL ROLON: The program in Puerto Rico will be financed mostly by the council. We have Sea Grant also who will join in and an NGO that will join in and the meeting that I attended, they also this is something biblical.

The idea is to bring twenty-five people to learn this so they can go back to their places and pass the word around and also, we want to continue this. If this works, the idea is to transfer the same approach to the U.S. Virgin Islands, so we have another similar workshop in the Virgin Islands.

The one that I attended, we had a presentation by Dr. Roy Crabtree explaining the National Marine Fisheries Service way of working and we had Shep Grimes and other lawyers providing information about aspects of the law that we need to abide by.

Also, we found that there were fish dealers and recreational fishers and commercial fishers and charterboat operators all interested and there was one fisherman who has his own webpage and he came to the table to provide all the information.

I need to officially thank Tony Iarocci, because he was the one
who came with the crazy idea of hey, Miguel, I have this thing that is good for fishermen and we were able to secure three seats for our fishers there.

We probably will be informing the schedule after the May 9 meeting. Helena will need to work with the group and also, can you briefly tell us the approach that we have? The facilitators will be two fishermen, rather than two people from outside, and can you elaborate a little bit about that? It’s key to the program.

HELENA ANTOUN: Like we mentioned, this is a program that’s supposed to be fishermen for fishermen and so we really want the fishermen to have a big part in this and one of the things that we will be doing is the facilitators of the workshops will be fishermen.

We are going to get two of them and one will be commercial and one will be recreational, so that each can -- You’re getting both sides and that’s pretty much it. The steering committee will be working on the curriculum and that’s what the whole May 9 meeting is going to be mostly about, like what is the focus and where are we going to go and what do we need and who are the key people that we need to bring and how are we going to get this out? How are we going to do the outreach for this program and bring people in and then figure out the logistics?

SHANNON CASS-CALAY: I just wanted to let you know that the Southeast Fisheries Science Center staff is also very enthusiastic about this opportunity. It’s a fantastic opportunity for not only the stakeholders, but also those of us who could benefit from learning better collaboration and communication with the stakeholders and the managers here in the Caribbean.

I supervise the staff that’s responsible for the stock assessments that are conducted in the Caribbean and we would be very interested in helping out however we can.

HELENA ANTOUN: Thank you. Yes, we will definitely be looking forward for that.

TONY BLANCHARD: I think it’s a good program, but I think we need to incorporate the public into this program, because a lot of times, because of how our community is set up, we interact with the same people and they want to know why something is a certain way.
I think in the translation between the fishermen and the scientists and whoever, the message would come across as to why more clearly things are done a certain way and in that, that message will be passed on.

**ALIDA ORTIZ:** I think this aspect of communication between the scientists and the public is most important, not only for the fishermen that have to understand, but to the scientists it has to be understood and the language that we use on both sides is not always as clear as it should be and on the other side, when we say participation of the public, we have to have an educated public to participate.

Each one of these documents that are produced for the options papers and for scoping meetings and for public hearings, they do carry a vocabulary that is very technical and that is very narrow to law and narrow to the biology or to the oceanography or the ecology, but we have to translate that and we do have the vocabulary. We just have to sort of substitute and interpret without changing the meaning, but something that makes sense to the people who have to make a decision or have to make a recommendation.

This, I think, is where MREP, on one side, will professionalize without making it too elitist, the function of the fishermen. They will understand better and they will be also more able, more capable, of giving recommendations that make sense and recommendations that they can stand by, because they understand the basis for that.

**MIGUEL ROLON:** Are you finished?

**CARLOS FARCHETTE:** Before you finish, right on the heels of Alida and Helena’s presentation, in yesterday’s St. Croix paper, there was a reef responsible initiative for a sustainable seafood initiative that was officially launched at the 2014 Taste of St. Croix, which is a big event here on St. Croix.

I am not going to read through the whole thing, but just a couple of captions. Nature Conservancy U.S. Virgin Islands Program, partnered with the Division of Fish and Wildlife, NOAA Fisheries, UVI Marine Science, St. Croix Reef Jam, and Taste of St. Croix launched the initiative and partner organizations worked to develop a suite of outreach materials and provide training to local restaurants on St. Croix.

These restaurants receive information on seasonal closures, size restrictions, and a good choice of what to eat and what not to
eat. It’s not only important for our fisheries, this initiative will also help to improve the health of our coral reefs and they also mention about the importance of coral reefs to our marine habitat and coastal defense.

By making conscious decisions about the seafood that we catch, purchase, prepare, and serve, we can all become reef responsible and, very importantly, support our local commercial fishers. Purchase seafood when in season or within the correct size restrictions and support our reef responsible-certified restaurants and the list of the ten restaurants that you have up there are here and so I will leave this out and it’s a full page ad and that’s very expensive here and so I think that was a good job. This was an initiative with Lia and Nature Conservancy and it was supported by the St. Croix Fisheries Advisory Committee.

ROY PEMBERTON: I just wanted to add that along those lines, we had several meetings over the course of the last year or year-and-a-half where we actually developed a calendar and on that calendar will then be all those different information about the seasonal closures and what fishes are good to eat or not to eat and so forth.

We developed the calendar so that they can place it in the restaurant, in the back. It’s laminated so that the cooks in the kitchen can just look right up on the wall and see here’s what I’m supposed to be looking at for this month or this particular part of the season.

The next step to this is actually working and developing a list of licensed fishermen that are willing to then participate with the restaurants in terms of selling fish and that way, the restaurants will have a list of actual real licensed fishermen and not necessarily people that are doing it the illegal way and trying to sell fish under the table.

ALIDA ORTIZ: That’s great.

CARLOS FARCHETTE: Right and also attached on the list that Roy was talking about, they have a list that’s provided for the Go Slow and Good Choice and on good choice, they put like dolphinfish and lionfish and tuna and wahoo and go slow so that you don’t overfish and they list the groupers, grunts, jacks, parrotfish, queen conch, snappers, surgeonfish, spiny lobster, swordfish, triggerfish, and whelk and under don’t eat, they put Nassau grouper and the three large parrotfish of midnight, blue, and rainbow.
ALIDA ORTIZ: That’s great and I hope that we will be able to partner with Lia and see how we can do that in Puerto Rico, where fish and seafood restaurants are getting very, very, very popular. Any questions?

TONY IAROCCI: Two comments. Today, yesterday and today, there is a meeting in Florida and there’s two representatives, Helena, from the Caribbean at that meeting that’s being held and there will be opportunity for more, hopefully more, and there will be funding and support for this to send up other people.

Also, what Shannon and what Tony had said and the importance of your comments. When I was a fisherman before -- I am looking at myself coming into MREP before I got on the council and before I got involved in management and stuff.

I was always -- I drew the line. I was a commercial fisherman and he was a recreational fisherman and they were a council member and there was the NGOs and I kept them all -- I always -- Now, and I think the other day, Genio, you said we need to form a perfect marriage with the NGOs and I said, well, maybe a relationship, but not a marriage. We talked about that and I won’t get into that.

The time has come where we are all at the same table dealing with the same issues and times are changing in the Caribbean right now. We’ve got to prioritize these issues and sit at the table and work together and I think, through this program, Caribbean-wide issues, Puerto Rico to start with, and you bring in the NGOs as equals with the scientists and the fishermen and talking about the same things and mock management decisions and habitat decisions, where this thing will help the process go along and enlighten everybody and not just the fishermen. You talk to some NGOs about some issues and they need to be as educated as the fishermen do and I will leave it at that.

ALIDA ORTIZ: Yes, definitely.

EDWARD SCHUSTER: This question goes out to Director Pemberton. With the calendar that you guys brought out, was it shared among the FAC? I would like to see it and maybe just a thought out there for you guys is to probably -- If you come to St. Croix, is to incorporate the hotel association and maybe the chefs and make them aware of species when in season and when out of season and how to identify an undersized species, especially lobster, and how to measure them.

Gerson and I took it upon ourselves, when we had a flaw in the
measuring scale and we went around to restaurants that we supplied at the time and educated their chefs and the owners of measuring the lobsters with the scales that we have to identify an undersized lobster to keep it out of the fishery or in our fishery, but out of their tables or in the restaurants.

It worked and they rejected a lot of illegal fishers that were bringing in undersized lobsters through the back door and so that’s just food for thought.

CARLOS FARCHETTE: Roy, I know that the calendar was put on a PowerPoint presentation at our FAC.

ROY PEMBERTON: Yes, it was done several months ago. TNC came in several months ago.

TONY BLANCHARD: Since I’m going to be head-to-head with Ed here, I’m going to ask to see our calendar before it goes out. I am kind of curious of what it looks like.

ROY PEMBERTON: The calendar is just the closed seasons and it’s not something that’s developed outside of that. It’s just giving the restaurant folks an idea of when to close seasons for whatever different federally-managed and locally-managed fishing species are.

It just goes along the lines of this part of the month and say, for example, right now we have the mutton snapper closure and the areas that’s closed and so it’s always designated on the calendar for that particular time period. Any new regulations that come in, of course the calendar would have to be updated.

CARLOS FARCHETTE: It’s similar to the calendar that the council put out and I don’t know if you’ve seen that one, but it has the same thing.

HELENA ANTOUN: I just wanted to say, for the record, a big thank you also has to go to TNC, because they did, for all these PEPCO -- The Nature Conservancy, because for all the PEPCO workshops that we did that were like six hours long and those fishermen were sitting there with us for six full hours, pretty much a whole day, they did feed us and that was -- It sounds like a little thing, but it’s a pretty big thing and it goes a long way and so a big thank you there for them.

CARLOS FARCHETTE: Thank you and kudos to them also. We will continue.
MIGUEL ROLON: Now you can get to the agenda of today.

CARLOS FARCHETTE: We have the Planning for FY14 Funds Received to Support Improvement in Data Collection Management in the U.S. Virgin Islands and Puerto Rico and Dr. Bonnie Ponwith.

UPDATE: PLANNING FOR THE FY14 FUNDS RECEIVED TO SUPPORT IMPROVEMENTS IN DATA COLLECTION MANAGEMENT IN THE U.S. VIRGIN ISLANDS AND PUERTO RICO

BONNIE PONWITH: Thank you, Mr. Chairman. Two things have happened recently that I think are very, very good news for the region. First of all, if you will remember last year, at the end of July, we sent out a notice to inform everybody that the Saltonstall-Kennedy annual call for proposals included a special territorial science initiative component as a priority area.

Last year, the call for proposals was for up to $10 million worth of work nationwide. It was a nationwide competition and last year’s call included six priority areas. One of those six priority areas was the territorial science initiative.

What that meant was $1 million was pulled out of the ten and set aside and the only people that could compete for that were people who were making proposals to improve science or fisheries management in the Western Pacific and the U.S. Caribbean. That dramatically reduces the number of competitors for that piece of money.

Unfortunately, I am not convinced there was the level of engagement for the proposals coming in from the U.S. Caribbean that we had hoped there would be and so the call for proposals for 2014 hasn’t come out yet and so we don’t know what’s in it, but I think it would be valuable to take a look at the 2013 call and consider looking that over really carefully and using it as a point of departure.

If the 2014 call looks like 2013 and includes the territorial science initiative again this year, it represents a really unique opportunity for getting some good proposals funded that don’t have to compete with New England or Alaska. The competition is just among people proposing to do work in the U.S. Caribbean and the Western Pacific.

Again, I think that’s a really good opportunity for us to get some of the work done that we’re desperate to get done in the region. It represents a really unique opportunity and capability of getting that work done.
The rules on it are NOAA Fisheries is not an eligible recipient and so it would be the local governments and it would be academic researchers and it could be fishing groups coming up with proposals.

The competition, in my experience, is very rigorous and so they have to be really good proposals, but it could be a way of being able to get additional data that we’re all really eager to have, data like the topics that Director Pemberton had brought up and that is making sure we have really solid biological sampling.

Not just biological sampling from the landed catch, but biological sampling from fishery-independent efforts as well, so that we understand what the length frequency and fecundity and age at first maturity of these species in their natural environments are.

That’s one piece of news and the other piece of news, completely separate from that proposal process, is that the Southeast Fisheries Science Center, under its expand annual stock assessment budget line, received a half-million dollars to devote to work on improving data collections and data processing in the U.S. Caribbean.

If you will remember last year, in the summertime, we made the announcement that we were receiving a plus-up and it was under $200,000 last year and we got it very late in the year, but we used that to beef up the staffing in Puerto Rico and used that staff enhancement to be able to clear some of the backlog that we were experiencing in data entry for the commercial landings data.

That was a very successful partnership and we really achieved what we set out to do with those resources and so that was a happy day for us.

This year, what we’re looking for the plus-up that we received is, first of all, to let a contract that will focus on a sampling design to groundtruth self-reported commercial landings data. We get those data and what we’re looking for is a port sampler program, where those landings can be intercepted in a way that’s random and statistically sound.

In those landings intercept sampling, we would be looking at what the catch is and collecting biological samples from the catch length and gonads for fecundity and other types of measurements and we would use that then to calibrate and
groundtruth the self-reported data, to make sure that the data
we’re using to manage these fisheries are the very highest
quality.

The contract will be to create the study design to do that work
and then as that progresses, the second step will be to actually
bring on additional port samplers in both the U.S. Virgin
Islands and in Puerto Rico, so that we have more encounters with
those fish, more boots on the deck, on the docks, so to speak,
to be able to have more encounters with the fishermen and with
their catches, to improve the quality of those data.

Those are two things I wanted to bring to your attention. The
earlier thing I talked about, the SK, that’s Saltonstall-
Kennedy, the code name for it is SK. When you see an email come
through that says “SK”, pay attention to that one. There’s a
half-million-dollar prize, potentially, associated with it if
indeed it does include that focus area for the U.S. Caribbean.

Even if it doesn’t, my hope is that we would still see lots of
proposals coming through from the U.S. Caribbean, because
there’s nothing preventing us from competing for the other focus
areas when that comes out. Last year, the SK call for proposals
was released on the 31st of July and there was a sixty-day
turnaround for when those proposals were due and so it’s a short
amount of time.

My suggestion is don’t wait to see the call for proposals, but
use last year’s as a point of departure and begin thinking about
who your partners could be and what ideas you think are good for
writing those proposals and make good headway on those proposals
now, so that when the call comes out, you can then refine those
proposals based on the actual call.

CARLOS FARCHETTE: Thank you, Bonnie, and that’s great news on
the possibility of increasing port samplers in the U.S.
Caribbean.

TONY BLANCHARD: That was along the lines I was thinking and so
this money could be taken from -- Let’s say Roy puts in a
proposal and it’s accepted. He could actually bid for this SK?
That would solve some of your money problems, Roy, and so I
would suggest that if it comes around, bid for it.

CARLOS FARCHETTE: That’s great and now all we’ve got to do is
find funding for enforcement officers, but that’s got to be a
recurring funding. If it’s not recurring, we can’t hire.
MIGUEL ROLON: Graciela is always checking on this and so what the council can do is we will fetch the 2013 and Graciela will be in communication with you and then we can send it to SSC members and AP members and local governments, anybody we can think of, contacts that we have.

GRACIELA GARCIA-MOLINER: We did it last year. We sent it all around.

MIGUEL ROLON: I know that we did it, but the point is we want to do it again with 2014 before we get it. That will be our two contributions to the effort, but you know people who are researchers, like Richard and others at the universities, they know how fast these proposals move. Yea or nay will come within sixty days of when they are announced and we mostly will be competing with the Pacific area, the South Pacific and all the islands that belong to the U.S. in the Pacific.

It’s really a contest and that doesn’t mean that we’ll be out of the picture, but I encourage anybody who has anything to contribute to participate.

BONNIE PONWITH: If I may, the NOAA Fisheries Service employees are not eligible recipients of the funding, as I had mentioned before, but there is no prohibition of us being involved. If you have questions of is this more important than that or if we wanted to do this, is it better to do it this way or that way, those kinds of discussions are fine and that doesn’t break any rules.

We are encouraged to engage, because anything we can do to make these important programs stronger is good, but we just can’t be a recipient of the money.

Then the second thing related to this is last year, you will remember, in June we hosted a peer review and the whole idea is we work so hard together to make our data better and last year, we held a peer review of our data collection programs that feed into stock assessments for Magnuson-Act-managed species.

In continuing with those efforts, this year we’re going to host a peer review of the stock assessments themselves, the process we use and the methods we use to assess stocks in the U.S. Caribbean and in the South Atlantic and in the Gulf of Mexico.

I will send out an email to Miguel, but I wanted to make sure you’re aware of the dates. The dates we’re holding that meeting will be the 8th through the 11th of July and it will be in Miami.
We are going to hold the meeting at a hotel. The contract for the hotel is still being negotiated and so I can’t release that information until we’re sure we’ve got that nailed down, but, again, it’s the 8th through the 11th.

We will be extending an invitation to your Executive Director and your Council Chair, but it’s an open meeting and anybody who wishes to participate and watch this unfold is welcome to and the format of it is we’ll have a panel of five esteemed scientists come in and hear presentations from the staff at the Southeast Fisheries Science Center explaining how stock assessments are done and get feedback from this esteemed panel of scientists to see areas that they believe that we have opportunities to improve that process.

Each of the three days, the three days that the meeting is going to be held to do those exchanges, will be Tuesday, Wednesday, and Thursday and so it’s the 8th through the 10th and there will be a public testimony opportunity at the close of each of those days, so people who are there to observe will also have an opportunity to bring important points forward to the panel for their consideration. Thank you, Mr. Chairman.

CARLOS FARCHETTE: Thank you, Bonnie.

TONY IAROCCHI: Bonnie, I really appreciate those comments about your support with this process and Graciela and Director Pemberton and what Tony had said earlier, we’ve got the three associations from Puerto Rico, St. Thomas, and St. Croix who are very interested in doing some sort of research or getting funding for something that would be a priority within the council process.

I look to Graciela and Roy and yourself and Shannon now to look at maybe prioritizing, because the fishermen want to be a part of it, but they need direction and they need guidance in this process.

If we could outline for them what would work for the associations to be involved and maybe kind of talk about priorities for this and then look at maybe a grant writer to put forth something, because, like you said, before you know it that date is there and you’ve got sixty days and if you don’t start outlining and addressing your priorities and concerns for this, you blow the show and you’re too late.

I think any way we can move forward with this and get funding for the fishermen to be a part of this and to do something
that’s a priority with the council, I am all for it.

TONY BLANCHARD: I would just like to touch base on what Tony said and then I’ve got a question for you. Like he said, our association would be competing against people that know how to write a grant. Right now, we don’t have anybody that could write a grant and so basically, you know what is happening. Our paperwork is getting discarded if it comes down to it, because we just don’t have somebody that could write a grant.

Basically, we’re competing against people that have got the money to back and the grant writers to back what they want to bring forward and the government may have grant writers, but they basically deal with the government. That’s the first statement.

The second statement is the group of people that you say look at how data is collected this year is a complete separate set of people from the -- Let’s say like the council would collect data in a way and let’s say Nelson would collect data in a way or whichever groups are involved. The people that look at this data and analyze it is a completely different group than what is submitting the data.

BONNIE PONWITH: Just for clarification, last year was the year that we did a peer review on how all the data are collected and managed to feed into the stock assessment process and that included the federal players and it included the state and local government players and it included the academics, anybody who collects data that we use in stock assessments.

That whole process was peer reviewed and the peer review panel gave us some recommendations on here’s some things you should think about doing that would make your process better. This year, in July, that same kind of a peer review is going to be held, but it will be on the stock assessments themselves. How do we determine the health of a stock in its environment relative to the way we’re fishing on it?

Those stock assessments, the process and the actual modeling approaches we’re using to doing those stock assessments, is going to be peer reviewed this summer.

TONY BLANCHARD: I probably was a little confusing as to the question. The people that are doing the peer review -- In other words, let’s say is the council doing the peer review? For example, would they be overseeing their own data collection? That was the question.
BONNIE PONWITH: For the peer review -- You’re asking who is going to be on the peer review panel?

TONY BLANCHARD: Right and if they’re the same ones that are analyzing their own data.

BONNIE PONWITH: For this peer review -- Let me say in general when you see the word “independent” in front of “peer review”, what that means is that there are people who are completely outside of the process involved in the peer review.

When we do a peer review of a stock assessment for the Caribbean, for example the red hind assessment, that will include people who were watching from an arm’s length away the process and so they’re familiar with how the assessment was done, but in addition, some people who have had absolutely nothing to do with it.

The tradition is you never ask someone to peer review their own work, because there’s a conflict of interest. For this review, the reviewers, the one that’s going to happen this summer, it’s not on one stock assessment. It’s on the whole process and the peer reviewers, it will be a fisheries scientist from Europe, from the UK. He’s actually from the UK. He is involved in stock assessments for the UK.

It’s going to be a fisheries scientist from the Great Lakes area who is accustomed to doing catch at age assessments, but in a completely different region, and it will include a peer of mine from a completely different Science Center. Basically, these are people who have nothing to do with our day-to-day stock assessments.

MIGUEL ROLON: I want to know who is Bonnie’s hero? Who is the person who is hero of yours, the person that you mentioned? The reason I ask you is I am supposed to put together a panel of people for the western Caribbean on some aspect of lobster and queen conch and I am looking for names. It’s selfish.

BONNIE PONWITH: I would be happy to touch bases with you to find out what your requirements are and then we can get you some recommendations.

GRACIELA GARCIA-MOLINER: Whatever happened with the Cooperative Research Program? Is that still ongoing, because that’s one that was used here a couple of times to actually get fishermen involved in research.
BONNIE PONWITH: The Cooperative Research Program is alive and well. The call for proposals comes out usually in June and so the new call for proposals will be coming out very, very soon. That, again, is also very competitive and it has the same problems.

We love to see fishermen involved, because that’s part of the strength of the Cooperative Research Program, but it creates challenges, because fishermen are good at fishing and they are good at understanding the ecosystem, but they may not have as much experience on how to write a proposal.

To me, the ideal collaboration in cooperative research is for the fishermen to get together with academic scientists or the fishermen to get together with government scientists, whether they be federal or non-federal government scientists, to work together to craft those proposals. In that case, we are strongly urged to be cooperators in helping to craft proposals, for at least a part of those.

CARLOS FARCHETTE: Thank you. We are going to break for lunch and you’ll get an hour-and-a-half. We’ll be back at 1:30.

(Whereupon, the meeting recessed for lunch on April 23, 2014)

---

April 23, 2014

WEDNESDAY AFTERNOON SESSION

---

The Caribbean Fishery Management Council convened at the Divi Carina Hotel, St. Croix, USVI, Wednesday afternoon, April 23, 2014, and was called to order at 1:30 o’clock p.m. by Chairman Carlos Farchette.

CARLOS FARCHETTE: We are going to get started again. Next on the agenda is MRIP Caribbean Report by William Tobias.

MRIP CARIBBEAN REPORT

TOBY TOBIAS: Good afternoon. We’ve heard about MREP this morning and this afternoon, we’re going to learn about MRIP, the Marine Recreational Information Program, in the U.S. Caribbean, specifically though in the U.S. Virgin Islands.
To give you a little bit of background about this program, in 2012, Dr. Kojis and I were contracted to conduct two workshops, one in Puerto Rico and one in St. Thomas, U.S. Virgin Islands. Puerto Rico has been involved in an MRIP program since about 2000 and so they had about twelve years worth of data that they had been collecting.

The emphasis of their workshop was to look at the information they had been collecting and see what type of problems they had and how to work through those problems. For the U.S. Virgin Islands, the topic of the workshop was quite a bit different, because we have not had an MRIP program in the U.S. Virgin Islands.

The subject matter was to take a look at the recreational information that had been collected through the years by the Division of Fish and Wildlife and to see what might be applicable to expand into a marine recreational information program for the U.S. Virgin Islands. What would be possible? It was not necessary for us to follow the norm of how MRIP had been operating in the states.

What I would like to present to you this afternoon is a proposal which has been funded for 2013 to look at the boat-based recreational fishing effort in the U.S. Virgin Islands.

The team leaders in this project are Roy Pemberton from Fish and Wildlife, Dr. Bill Arnold from NOAA Fisheries, myself and Dr. Kojis, as Virgin Island consultants, Graciela Moliner from the Caribbean Fishery Management Council, and Dr. Virginia Lesser, our consultant from Oregon State University.

This project is actually laying the ground work and a first year project of a multi-year effort to collect baseline information on the recreational fishery of the U.S. Virgin Islands and to characterize the boat-based recreational fishery by utilizing the boater registration database that’s maintained by the Department of Planning and Natural Resources Division of Environmental Enforcement and to conduct a pilot study of these registered boat owners.

Our objective is to determine if the frame for surveys of recreational boat-based fishers can be derived from the boater registration database maintained by DPNR. This gives you an idea of the hard copy files that are maintained by the Division of Environmental Enforcement.
This is a St. Thomas picture. There may have been fifteen or twenty of these file cabinets and the St. Croix database of hard copies was considerably less than that, about half.

The project methodology involved several tasks. The first was to obtain and proof the vessel registration database. This meant that all those files that you saw in the picture, all those hard copy files, had to be compared with the electronic database that was provided by the Division of Environmental Enforcement.

We want also to compare this registration database with the HMS and saltwater angler registry databases and to categorize the vessels capable of participating in this recreational fishery.

Status of Task 1, we have converted the vessel registration database from Access to Excel and proofed the electronic database hard copy files using the complete calendar year of 2013. In St. Thomas, there were almost 3,500 vessels and in St. Croix, 1,242.

We categorized the vessels by boat type, using powerboat, sailboat, rowboat, Jet Ski, and kayak. Any of these could be used as a recreational fishing surface platform and in progress yet is the comparison of the registration databases from HMS and the saltwater angler registry.

Task 2 was to develop a survey instrument to characterize the boat-based recreational fishery, using the help of stakeholders and the MRIP team. We were able to conduct public meetings, along with Dr. Theresa Goedeke. Dr. Goedeke, with the NOAA Biogeography Team, had received a Coral Reef Conservation Program grant also looking at the recreational fishery, but a different aspect. She was looking at the shoreline anglers and is currently involved in a shoreline angler survey on St. Croix. We were able to develop, pretest, and revise both a mail and phone survey instrument.

Some of the examples of questions that are on this survey are do you participate in commercial, recreational, charter, or subsistence fishing? In other words, do you use your boat for this activity? Do commercial fishers recreationally fish? If they do, where do they record that information?

Why do you fish and what type of boats do you use? How often do you fish and where do you fish, in regard to territorial water or federal waters? Where and when do you land your catch and what are the types of fishing methods you use? What are your
target species and when during the year do you fish for them? What comments do you have about recreational fishing in the Virgin Islands? There are nineteen questions in the survey.

Task 3 is to identify statistically-valid recreational boat-based fishery sector sample sizes, develop a protocol for both the mail and telephone surveys, conduct a pilot study for both, and compare the response rates for both.

The ultimate goal we’re after here is what is the proper mode, the most successful mode, with the highest response rate to collect recreational fisheries information? Is it phone or is it mail or is it both?

We have identified sample sizes by district and these sample sizes are proportional to the vessel categories that were previously mentioned, powerboat, sailboat, Jet Ski, kayak, or rowboat.

For St. Thomas/St. John and St. Croix, the sample sizes are going to be the same, 200 mail and 200 phone surveys. We have developed a protocol for both surveys. The phone survey protocol consists of, on day one, pre-letters go out. These are letters informing the public that we intend to contact them either by phone or by mail. This letter is also going to be prepared in Spanish.

After day six or seven, we start initiating our contact attempts. We are going to require our interviewers to make six attempts to contact that individual by phone. The contact attempts are going to be at different times of the day and different days of the week and the results of those contact attempts will be recorded.

Mail survey, we’re using a four-step approach. The first step is going to be similar to that of the phone survey. It’s going to consist of a pre-letter. However, in that pre-letter, we’re going to include a stamped, self-addressed postcard asking them whether they want to receive their survey in Spanish or in English.

Six to seven days later, the first survey mailing goes out. We are going to also test the possibility or I should say the results of using an incentive in that mail survey. Half of the individuals to receive mail surveys will receive an incentive.

That incentive will be simply a $2 bill thanking them in advance for their assistance and we’ll compare then the response rates
of those that did not have the incentive versus those that did have the incentive.

After days thirteen and fourteen, there will be a follow-up postcard if they have not responded and sent something back to us and at day twenty-eight, a second mailing, once again, if we do not have that questionnaire returned.

The pilot mail and telephone surveys have not been started as yet. We are in the process of preparing those Spanish translations of the documents and as of this part in time, of course, we have not been able to compare response rates, because we’re not there as yet. We’re anticipating to start by the end of this month.

The ultimate goal is to utilize the information from this pilot study to develop into a standard method for surveying boat-based recreational fishers in the U.S. Virgin Islands. Thank you.

Are there questions?

TONY BLANCHARD: I don’t really have a question, but I’ve just got a statement. When I hear you say that you’re going to give some incentives and others are not going to get incentives and see who will return what, I think you just might not get a reaction because of that. I think either you should go all in and give everybody an incentive or don’t give anybody an incentive. That’s just my opinion.

TOBY TOBIAS: Thank you, Tony. We will take that into consideration. However, we feel that it’s necessary, with this pre-survey, to test to see whether that incentive is even necessary.

Some individuals, of course, I guess they will know one another and the word will get around and I’m sure that’s what you’re thinking about. We have not started this as yet. I believe we may have sufficient funds to be able to provide incentives to everyone and if that is a suggestion to take from this council, then we will consider that. However, it’s not going to be possible then to test those that receive versus those that have not.

TONY BLANCHARD: I wouldn’t say it was a suggestion from the council. I was just speaking from my standpoint that just observing from what you say. I just don’t think it’s a good idea.

I think because you’re going to cause one group looking at
another group and why you got an incentive and I didn’t get it, because you know in the Virgin Islands, just about everybody knows everybody and I think you might get a negative reaction and a backlash there and that’s just me thinking and maybe I could be completely wrong, but I am just standing on the outside and listening and think that it’s going to be a problem somewhere along the line.

BILL ARNOLD: I am just curious, Toby, but is it possible to not have an internal means of testing the success of it and instead comparing the previous surveys done in other areas to -- Say if we’re getting a 33 percent return rate, typical return rates are 50 percent or typical return rates are 10 percent, and would that give you that measure of success that you need without having to get wrapped up in this incentive thing? I am just asking and I’m certainly not suggesting.

TOBY TOBIAS: In order to compare the response rates, we need to have at least a 20 percent response rate from both groups. I know that this was a recommendation that was made by Dr. Lesser in a survey that she had done and we were simply going to be following suit in that regard.

TONY BLANCHARD: Something just come across my mind that it might be a good idea to go to some of the local festivities and just have somebody there and go through the crowd, a local face that a lot of people know, and just ask them the questions. Do you recreationally fish? Just basic questions and see the response you get.

I don’t really -- To the best of my knowledge, that phone thing I don’t think is going to work, because if you ever get a phone call on a survey and sometimes you just don’t want to be bothered by it and so you just dismiss it. I think I am not sure what the percentage is by the dismissal, but I think that’s going to be an issue.

I think if you want to reach the masses that use, you need to go to where the crowds is. I think the festivals and the ag fair and different stuff like that, you might get a better response, but, like I said, that’s just my opinion.

GRACIELA GARCIA-MOLINER: It’s a very valid one. We are developing the approach and we’re trying to follow the MRIP, the way that things are done. We’re trying to figure out how it’s going to work in the Virgin Islands, because a previous survey that was conducted was not really successful.
We are trying to find our way and the same thing was done for Puerto Rico. We examined what we had done up to date and how we can change things. At the beginning, we even had more incentives. We were thinking about hats and cup holders and things like that, because that’s part of what is in the literature and what people have done to get people to answer.

We had that discussion and, as Toby said, we’re following recommendations. There was a group of consultants who do this all the time and it’s just one of the things that we have.

We will probably think about it. Do we really answer mail surveys here in Puerto Rico and the Virgin Islands? We don’t, but MRIP has a section that goes through the steps and so we’re going to most likely show that it doesn’t work and that our response rate is very low, so we get that out of the way.

Our next step is to figure out a way on how to do it. We were thinking about accessing the points where people go fishing and we talked about the problem of doing that at night, when people go for mutton, for example, from the shoreline and things like that.

This is basically trying to see how MRIP will not fit in the Caribbean, if I may put it like that, because we’re checking boxes and we’re trying to integrate the survey into that big system.

We have been talking about whether this is going to be done on a yearly basis versus doing it like that, pilot studies or pilot work, but the idea about the festivals and things like that, that might be -- That is not part of the --

TOBY TOBIAS: That’s very interesting. We actually will be having three recreational information surveys going on. I should say not three, but one Marine Recreational Information Program survey, which is ours, but we have two Coral Reef Conservation Program survey grants going on as well.

I mentioned Dr. Theresa Goedeke’s survey of shoreline anglers and Dr. Jim Berkson also has a survey of boat ramp areas on St. Croix and so he’s going to be surveying recreational fishers that use boat ramp facilities and that’s not scheduled to start until October, I believe. Dr. Goedeke’s survey is ongoing right now and our survey will be starting shortly and will end prior to the start of Dr. Berkson’s.

EDWARD SCHUSTER: The effort is good. My concern is just what
happened in the past when the legislature had the stir-up when we tried to do it from our FAC. Maybe some sort of approach, maybe a flyer or maybe just letting them know -- I think the Department of Health does it sometimes, saying that you might receive a phone call or something and to participate in the information.

People get hesitant to divulge the information, because they start thinking about, wait a minute, they’re going to stop is from recreational fishing and just to make them aware of the information and it’s not going to harm them or take away their recreational fishing. That might be something to educate them prior to the survey. That’s just a thought.

GRACIELA GARCIA-MOLINER: The Coral Reef Conservation Program paid for the development of recreational fishing regulations for the Virgin Islands and so that went all the way up to the lawyers making sure that if the Commissioner or the legislature were going to sign off, it was ready to go.

That already happened and many meetings took place and people being aware, but, again, there would have to be a fee, most likely, for the recreational fishing license and that’s where the effort basically stopped.

MIGUEL ROLON: The what?

GRACIELA GARCIA-MOLINER: You would have to charge for the license and the idea was that people would have a recreational fishing license, but at the time, they would be submitting landings data, because that’s one big gap that we have, but that’s where it stopped. We developed that between 2006 and 2010 and that’s all I know about whatever happened to the legislation.

CARLOS FARCHETTE: I know that Goedeke’s project is ongoing and her interviewer is going out at night, on the beaches, and early morning. I had a suggestion for the recreational boat fishers. First of all, I want my $2 bill to be a silver certificate, but maybe if you can put a body in the St. Croix enforcement office and the St. Thomas in June, when it’s boat registration time.

They can actually -- Anybody that comes to register their boat, they can do the questionnaire with them right there and you can get that feedback from them. That will be probably immediate. That’s just a suggestion.

TOBY TOBIAS: That’s a very interesting suggestion. We hadn’t
thought of that in particular. It has been a good time to catch
individuals as they do come in though and collect information.

MIGUEL ROLON: Toby, are you finished?

TOBY TOBIAS: Yes.

MIGUEL ROLON: I was going to mention that when Graciela and I
went to the MRIP Steering Committee meeting in Baltimore, the
idea came up to see if we can copy what the Western Pacific is
doing in their area, which is to have a panel of local people
and the council and NMFS, both the Southeast Fisheries Science
Center and the Regional Office.

They would come to a meeting twice a year, once to receive
presentations like this and another to plan ahead, a five-year
plan. The idea was to see if we can get enough information from
the recreational sector to assess the information that we need
for ACLs, because we are missing that part.

Right now, one of the issues that we discussed at that time is
that there’s a lot of people doing research here that at some
level we don’t know what they’re doing and who is doing it and
what is the relationship that it has with the data that we need.

Just for your presentation, which, by the way, thank you very
much. It was very concise and to the point. We are learning,
at least in the St. Croix area, that you have three projects
going or through history, you have four, because you also have
the one that was mentioned by Graciela.

In Puerto Rico, we have some others. The other issue was that
Puerto Rico lost some money, because of whatever reasons. Then
there were some people in the Gulf that were not very happy,
because they put a lot of money into this project and that money
could be sent to the Gulf or to the South Atlantic, but it was
sent here and because the local government did not comply with
what they were supposed to, we lost that and we’re talking about
$180,000.

Anyway, the point is that we asked the group of people whether
it was a good idea and we met with Miguel and Roy and they
believed that it was a good idea, but then when we sent out a
request for an opinion from the Regional Office and the
Southeast Fisheries Science Center, I don’t know whether we did
it wrongly or whatever, but we never got any response.

I have to interpret that two ways. One is that it’s in our
interests to have that committee or, two we did it wrongly. I decided to pull out of that exercise and leave it the status quo, because I don’t want to get the council involved in something that will cost money or create some problems.

The idea was that the two local governments will have this committee and the chair will be shared by Puerto Rico and the Virgin Islands, similar to what they do with SEAMAP.

That way, the local government and federal government will be on the same page as to what are the data needs and where is the money coming from and who is going to do what to collect the information that we need to satisfy the needs of the local governments and the federal government and, of course, the council in terms of the data that we need.

That’s all I have and I believe that we will remove from the project and we will continue the way that we are, which is the local governments and whomever has the money will hire private consultants to do the work. Maybe in the future we can have a plan, but there’s still a need for the council to receive that information on the recreational sector that we’re missing.

So far, Puerto Rico -- I don’t think that you have been able to implement, Miguel, the fishing license and every time that Miguel comes here, he shies away from promising that next month we’re going to approve it, because Miguel and I have talked about this privately and it seems that we are far away from implementing a fishing license in Puerto Rico, meaning that we are not -- We’re not in compliance, but we are not voluntarily joining the MRIP at the national level.

When you see the need for registration and you fish in the federal waters, you have to register with NMFS. Puerto Rico is not accepted as a valid permit or whatever. That’s the status, Mr. Chairman, of the recreational MRIP.

CARLOS FARCHETTE: Thank you, Miguel.

BILL ARNOLD: To provide the council with some context on this, is going to be a multiphase, multiyear process just to develop the sampling design and then, of course, it will take multiple years to get enough data to actually start drawing conclusions.

We badly need recreational information for the USVI and it’s going to take a while to get it and so I don’t want anybody getting anxious about this, because there’s a lot left to be done.
MIGUEL ROLON: Do we have, from Puerto Rico, something that we can use in the near future?

BILL ARNOLD: We are using MRIP data from Puerto Rico. That’s how we divided out the commercial and recreational sectors when we set the ACLs. At least we have something there and it’s not perfect, but nothing is, but we have nothing in the USVI, no real usable recreational harvest or activity information at all.

MIGUEL ROLON: In the case of Puerto Rico, my understanding is there are some doubts as to whether we will be collecting the information in the future or have you been able to secure funding for continuation of collecting that information, Miguel?

MIGUEL GARCIA: We have a new project about recreational data, but it’s going to be for focusing on going over the data that we already have and that’s all I know for now. I don’t want to comment about the license again, but we’ll see.

MIGUEL ROLON: The point is that although we use the best available data from Puerto Rico for the past years, the next five years, there’s some doubt as to whether we’re going to have that data again and so there will be a gap in terms of the data that you need to manage these fisheries.

Probably, at the end, we will have better datasets from the U.S. Virgin Islands, but then we have disparity again with Puerto Rico and you will be better off the way that you are doing it, because according to your presentation, not only do you have a pilot project, but also you will have a methodology that can be applied in the future to collect that information on a timely basis.

The last thing that I was going to say is that you will hear an electronic reporting pilot project report on a meeting that Carlos and I attended. There were some ideas as to how to collect the recreational fishing data.

In the Gulf, they have iSnapper and in other states, they have electronic reporting systems and we need to decide in the future whether we can have that electronic reporting system for the recreational fishers as well as the commercial.

CARLOS FARCHETTE: I know that we’re getting a lot of pushback from our legislature and I’m pushing back also and so let’s see who wins the tug-of-war. Like Bill Arnold was saying, it’s going to take so many years, I want to push for at least -- If
not a license program immediately, at least a bag limit on recreational harvest.

If we can get that going through our St. Croix FAC, at least it will resolve some of the issues we’re having between the commercial and the recreational fishers.

GRACIELA GARCIA-MOLINER: For the EEZ, you already have bag limits for all of the reef fish.

CARLOS FARCHETTE: Yes and it’s the territorial waters that I’m fighting with.

ROY PEMBERTON: It’s a complex issue and I think a lot of it is fear. From my understanding of a lot of folks that have been coming forward, their understanding of it is something to shut them down and they don’t understand that these programs are well established in the U.S. and there’s also an age disparity issue.

Folks figure that I’m going to go after the grandparents out there trying to take their grandchildren fishing or something to that effect and so there definitely needs to be an education process that goes on amongst the public and so I do agree with the outreach. That’s probably going to be the most important factor in trying to get the word out of how important it is.

I can tell you what Mr. Blanchard did two weeks ago fishing. I can’t tell you what any of these recreational guys -- I am hearing about pictures of big mutton snappers and things like that, but we don’t have any documentation that’s worthwhile for that.

CARLOS FARCHETTE: Okay. Thank you, Toby. Next on the agenda, we have Electronic Reporting Project for Puerto Rico and the U.S. Virgin Islands by Point 97.

ELECTRONIC REPORTING PROJECT FOR PUERTO RICO AND THE U.S. VIRGIN ISLANDS

CHARLES STEINBACK: Good afternoon. I am going to give a presentation on kind of an overview of where we’re at with an electronic catch reporting system and then also talk about lessons learned and next steps, based on kind of those lessons learned and some recommendations that we’ve come up with. I also have a handout that kind of summarizes all of that information as well.

As a quick reminder, the goal of this project was to develop,
test, and implement an electronic catch report system to support improved tracking and quality of fisheries data and demonstrate how it could potentially aid in looking at ACLs and different management decisions. You will get a sense for that when I present the dashboard.

It would provide fishermen with their own catch data and so as they enter data, they have access to that data themselves and then also to kind of demonstrate and work with the agencies here and the council on being a leader in the field of electronic reporting.

As Miguel mentioned, the workshop that he and Carlos attended, I attended that as well in Seattle and nationwide, there are only a handful of I would say fisheries that are actually implementing or piloting electronic reporting and the USVI and Puerto Rico is one of those examples.

The first phase of the project was where we’re at now. I will go through the timeline on the next slide, but the main elements here were to work closely with fishermen to design what this platform would look like, work with them and kind of do a needs assessment of their exposure to technology and their exposure to Smartphones. How do they currently fish out their catch reports and what are the key elements of those catch reports, so that we could really focus in and tighten up the design of the app?

There’s a lot of emphasis on user experience and as Tony can definitely attest to, multiple iterations of different designs and bug fixing to get it stable and make sure it’s robust.

We recruited and trained fishermen from -- Fifteen from St. Thomas, seven from St. Croix, and four in Puerto Rico. In addition to the app that the fishermen used, we also produced a dashboard, where the data, as it’s being collected and submitted, goes to a dashboard that then worked closely with the agency staff to think about how they would want to be able to access that information to review for quality control and assurance and then different ways in which they would want to be able to ask questions of that information.

Just a quick rundown of the different folks that we worked with, partners on this project. This is a one-year project that began last summer and we’ll be wrapping up in June.

The beginning phase was a needs assessment and then, like I mentioned, we designed the system and then we did a lot of testing, active testing, multiple trips out to the U.S. Virgin
Islands and Puerto Rico. Right now, we’re in the implementation or the system expansion and kind of next-steps phase.

This slide and the next slide are two screenshots of what the app looks like. These are just kind of selections within the app. This one is the -- As you guys know, the USVI catch report and the Puerto Rico report are different. Both are within the same app and the user can kind of select do I fish from the USVI or do I fish from Puerto Rico and they get different experiences based on how those apps are designed.

This here kind of shows how the catch report for the USVI is organized and designed around gear types and so an aspect of it is that you’re able to select the gear type and then associate the species caught with that gear type.

One kind of advancement we made areas, in identifying the areas, is actually building an interactive map within the app and so instead of fishermen typing in the catch areas, they could actually grab the map or come to the map and select the different areas in which that catch was associated with.

I think this also kind of gets -- There was a lot of confusion when we first came out, at least in the USVI, about what blocks are we reporting to. There seemed to be different versions of grid systems that fishermen were using versus what the agencies wanted them to use and so this I think will kind of help alleviate some of that as well.

There is one system or one set of blocks that’s kind of -- It’s been authorized by all agencies as the one to be using and I think it will minimize the confusion of do I enter P or do I enter T or J, which we came across quite a bit.

The same thing, but for Puerto Rico. As you guys know, Puerto Rico’s catch report is actually -- Instead of kind of grouped or organized around gear type, it’s organized around species and so it reflects that and it’s also all translated into Spanish as well and a similar type of experience and design and layout, access to a map that has those same catch blocks.

This is a slide of the dashboard and so as it is being submitted, it goes to an online database and to give you -- There is different views of the dashboard and this is kind of the landing page of the dashboard that agencies would have access to.

On the upper left, you can see the total number of reports that
are coming in and then there’s this kind of review process that’s also built into it, so you can get a snapshot of like how many need to be reviewed. This is on our development server and so all of them need to be reviewed. We haven’t been reviewing them and just testing.

Then there’s the component of flag and so there’s this built-in ability, as you’re reviewing the catch reports that are coming in, if there’s a potential error or a question about what was being reported, then the administrator of the system can flag it and then send a comment directly back to the fisherman through the app and then the fisherman can fix the error or respond to the potential question.

Then this is also giving you an example of the administrator can go in and set different targets around the ACL and then, if this was an active system fully being utilized by all fishermen, data could then start to populate in real time and measure progress around those ACL targets fairly actively.

You can select by region and for the U.S. Virgin Islands and Puerto Rico, but also for just St. Croix or St. Thomas/St. John or Puerto Rico.

You can also look at the catch report data itself and so what’s not being shown on this dashboard, but what is active is you can filter by date range, in addition to those different regions. Then that search down there, you can search on any species and then it would basically filter down to that species for that date range and that region and show the total landings and then it would populate the map with the areas that were associated with that catch.

This is a screenshot of being able to review the catch reports and so this is kind of a staff view, where they can go in and they can search on a fisherman’s ID or their name, any of the variables that are in the system. It’s a pretty robust search.

They can then click on one of those red tabs and then the tab will expand and it will have the full catch report, where they can go in and review it and then either flag as it needs follow up or if it’s a good report, then it’s good and it’s fully in the system and can be used for further management.

This is a screenshot of it being used in the field. That was, as you can tell, one of our -- The screen is different or the design is different and this was early on in the project, when we first were testing the system and it has since evolved.
In terms of usage statistics over the last seven months, we’ve had, like I said, twenty-seven fishers using the app. Fishers have submitted reports in the last seven months and so, on average, about sixteen per fisherman, but that varies. There’s a range there. A few guys have only submitted a couple and we have, on the other hand, a few who have a submitted sixty-five and in the fifties and forties as well.

The dashboard is now complete, or at least meets kind of the minimal viable specs for testing and we’ve also been working with the Southeast Fisheries Science Center on their ability to be able to extract data from this system and so that part still needs to be tested, but I’ve been working with their staff to understand what their needs are in terms of exporting the data to pull into their system.

This is myself and Thierry working on his phone. One other aspect of the dashboard that we just built and haven’t had a chance to roll out yet is not only can they now submit their catch reports using the app on the phones, but a lot of fishermen expressed interest in just being able to go online on their desktop at home or their laptop or whatever they have at home and be able to enter their catch report that way as well.

That’s now available, where they can log on to the dashboard and sign in with their user ID that they use to sign into their phone, where they can add a new catch report. As long as they have an online connection, they can do it at home through their computer as well. They also have access to all their previous catch reports as well.

Key lessons, for us, these are some of the kind of take-aways that we’ve learned over the course of the project. Developing the app with fishers was key. We, from the onset, worked with that group of twenty-seven fishermen to just really closely with -- And the agencies as well, to really understand not only how to design the app, but the toughest part, I think, has been not necessarily the technology or the app itself.

Sure, there were bugs and things that we had to get through, but really, the toughest part was understanding their traditional habits in terms of entering data and how do we modify those and work with them to -- Are they submitting their reports or filling out their reports currently right after they go fishing? Most likely not.

It may be at the end of the week or the end of the month or
whatever the potential requirements are, but this system will allow them to -- It’s pretty easy and it takes about five minutes to run through and submit their catch report.

Now, I think it’s probably -- We’re trying to figure out and work with fishermen to kind of build those new habits around as soon as you’re done fishing and go home and take shower and you’re relaxing, just fill out your catch report and it’s that simple. It sounds simple, but it’s actually -- Those habits are somewhat kind of hard to create.

In terms of the project structure, one of the kind of key lessons for us or things that was difficult was project distance. We’re located on the west coast of the United States and at times, we’re four hours behind and so that -- It would be nice and I think things could have probably -- Some of those habit-forming things and some of the connection and relationship building could have been a bit better if we were closer or we had on-island support and that’s part of our kind of recommendations of moving this project forward.

Limited resources, just in terms of budget. We had some hardware issues, both in terms of -- We first set out to design the app using android phones and we ran into some issues with that and had to switch over to iPhones.

We had some interesting issues with data plans as well and AT&T on St. Thomas and some unexpected things there. That said, it does work on both iPhone and it will be working on Android by the end of the month.

Fishing schedules really -- It wasn’t until probably about the second or third trip that we got a pretty good sense of like the weekly schedules for fishermen and when they go fishing and when they’re in the markets and where the markets are at and how to kind of track them down. I think, as Tony and Thierry and others can attest -- They might think I have some sort of tracking device on their phone, so I know where they’re at all times, to track them down.

Then thinking through like what are the incentives and how they need to be aligned with fishers’ interests and that will, I think -- I think that will change over time.

I think the next incentive that -- That’s part of kind of the next phase, is lining incentives around -- Like right now, the fishermen have been great and they’ve been awesome, given that they also have to fill out paper catch reports in addition to
testing this out for us themselves.  

I think one of those incentives, moving forward, is figuring out kind of what that roadmap is for implementation with the agencies, so that we get to a point where it’s viable option and they only have to submit an electronic catch report and not do double duty on both filling out the paper record as well as the electronic submission.

Also, I think by having the desktop and being able for them to log on online on their laptop or tablet and submit through -- Not necessarily on the phone will help recruit more fishers into the program.

Recommendations, we’ve got a lot of great momentum on this project. The guys that we’ve been working with have been, like I said, amazing and really supportive and I think, even before we showed up, there was a lot of interest in wanting to have a program where they could submit their catch reports electronically.

I think we want to figure out how to best capitalize on the current investment and momentum that we have in the region. We want to make -- What are the things that we can do to make this scalable and adoptable to the region?

Like I mentioned, us being on the west coast of the United States, for this to really take hold, we would be looking to, in the next phase, look to find staff locally on each of the islands to really work closely with the fishermen and kind of just hound them, really, about did you submit your catch report, did you submit your catch report, did you submit your catch report, or providing access to public computers, so that they can submit their catch reports, things like that.

I think, moving forward, one of the things that we want to figure out and kind of move away from is we supplied all the phones and data plans and that’s difficult for us to do and so we want to work towards fishermen -- I know this will be a tough issue that needs to get figured out, but that they’re using their own phones and their own data plans to submit via phone.

We’re in the process of making the apps available in the app store and so they will both be available in the app store, as well as Google Play.

There’s some work that we have to do. We’ve had some back and forth with some of the agencies about that. In order to do
that, we kind of need to put some sort of -- Security is not necessarily the best word, but some sort of verification system, so not just anyone can download this. They would have to like download and then submit maybe their fisherman ID into the system in order to be able to access the app. If anyone was downloading it, then anyone could be submitting data to the dashboard and that just wouldn’t be good.

Then just kind of -- We didn’t get a chance to do a lot of coordination with the agencies around report accounting. What I mean by that is looking at the submissions submitted electronically and then comparing them to paper records and then just doing a verification of are we seeing the same thing and are we getting the same thing. We just didn’t have a chance to get to that point yet.

Then this last recommendation here is around codifying paper list process for participants and so what are going to be the next steps that we need to work with, the agencies on both the USVI and Puerto Rico, as well as NOAA and the Southeast Fisheries Science Center, to move this in the direction of this is a viable option for fishermen to be able to submit their data as compared to a paper system.

Kind of building on that -- I’ve got this slide and then another slide that kind of lays out the costs associated with each one of these phases or each one of these components of the second phase.

We are nearing the end of Phase 1 and based on that are some of our further recommendations about what Phase 2 would look like. There is three things that we want to tackle and pretty much in this order.

There’s expansion of use and so attract thirty additional users and get the app in the app stores and then also deliver the desktop app. Like I said, the desktop piece is built, but we just haven’t had a chance to work with fishermen to sign them up and get them to use it.

Then the big component I think for us too is this roadmap to implementation. Like I just mentioned on the previous slide, that electronic submission is a viable option and working with the different partners to identify what’s the checklist and what’s the list of steps and timeline and identify the different policies and regulations and legal framework that needs to be put in place as well as standards.
What are going to be the electronic standards that the Southeast Fisheries Science Center and the agencies put in place to accept electronic data?

That’s just not an issue that’s unique to the USVI and Puerto Rico. That is a U.S. national issue of creating standards for electronic submission of catch report data and then the third piece is continuing -- Just continuing kind of the tech piece, the development of the system itself.

There’s a laundry list of things that were brought to our attention or as we’re implementing this work, oh, wouldn’t it be nice to provide access to moon phases and compare that with their past catch history to fishermen or there’s a list, believe me, a list of more development that could be done. Again, that would be done working closely with the fishermen and the agencies.

With that, we have one proposal -- We are seeking additional funding and we have one proposal that’s in right now with NFWF, National Wildlife and Fish Foundation. That work is to expand into Puerto Rico specifically and so it would tackle portions of the expansion of use as well as begin to work on the roadmap to implementation.

In addition to that, that just kind of covers one piece of it and so the total amount that we’re looking to go and raise money around to carry out this second phase is $375,000 and then it’s kind of broken up into these different phases.

The expansion online support is getting additional users, but also having funding to contract or staff locally on each island to work closely with the fishermen to carry out the expansion and then the second component, like I touched on the last slide, is roadmap for implementation and then just continue development is more of kind of software development piece and so with that, I am happy to answer questions.

MIGUEL ROLON: Before I forget, there is a fisherman, Carlos Valasquez, and he was expecting to be part of the first line, but somehow, he didn’t receive the equipment and so I encourage you, if you go to the second phase, to please include that group, because they fish different from the west coast.

The question I have before the council discusses the whole thing is we have, at the national level, an initiative to go, as much as possible, to push for electronic reporting systems wherever applicable.
We are going to be discussing it in the near future, the initiative with National Marine Fisheries Service. This initiative is about reporting, electronic reporting, and also, we discussed with Puerto Rico the proposal that was presented here by the Dr. Gonzalez and I don’t know what happened with that, but we need to ask Miguel.

The point is that the Point 97 project is way ahead of what we expected so far. They discussed money and you need talent and you need the concurrence of the fishers and so forth and we need to discuss here what the council would like to do with this pilot project and also the local governments.

You mentioned it lightly, but we need three points. We need a person at the Southeast Fisheries Science Center or a machine and the software and another one in Puerto Rico and another one in the Virgin Islands, to make sure that the records that are sent are correct and they have bells and whistles there that they can track that or we can have just two people, one in Puerto Rico and one in the Virgin Islands, as we do now, to make sure that the data is correct and then the data will be forwarded to the Southeast Fisheries Science Center when cleared.

The other part is that Charles and some of the guys from Point 97 were talking about the possibility of the council giving a letter of support to the proposal that you have, because it costs a lot of money and I don’t know whether we will have money from government sources to pay for this local and federal. Those are the points that we need to discuss and the idea is to have some clear direction as to where the council wants to go with this.

NELSON CRESPO: I showed this application to a few fishers on the west coast of Puerto Rico and when they get familiarized with the application, all of them all agree that it’s more easy to fill this form instead of the one that is the traditional trip ticket that they usually use to fill and then send to the DNR Lab.

They also all agree that they can maybe bring the data in the same day that they are going fishing or maybe during the week and that is perfect in the scenario of the deepwater snapper that we have to be looking at the reports, because this — Maybe in the near future, if we find the funds, maybe this council can consider to add the deepwater snapper fishers to this project, in conjunction with the local government.
CARLOS FARCHETTE: So I guess you’re agreeing on the letter of support.

GRACIELA GARCIA-MOLINER: No one else can see the fisher’s report, right? Only he can see it and the public can actually see the total amount? Can we see the total amount or not yet?

CHARLES STEINBACK: Not even the total amount. It’s all secure and so fishermen can only see their information and nobody else’s information and administrators of the system, like the agencies, can see the total amount, as well as each fisherman’s information.

TONY BLANCHARD: I think, from working with Charles, they’ve got a lot of potential. I see it going in the right direction and a lot of the guys would all agree that this ain’t a bad idea. The only problems that I see with it is that for some of the older guys, you have to ask them for the investment of a computer and some of them don’t want to learn how to use a computer and that’s a mindset and I will include myself in that group.

It’s not the ability of not knowing how to work it if I choose to do it, but it’s just that I don’t want to. I have no interest in that.

As for the phones, once you incur a computer and a phone, that’s another bill to pay and we all know how tight money is and so some of the younger guys, they’re into the phones and all the rest of the gadgets and gizmos that go with it, because that’s just their thing.

The older guys, I see them sticking to the paperwork and this could be adapted, like Charles says, if you’re going through the computer. You have a base where they go to and they give them the paper trail and somebody there enters it into the computer to avoid a problem, but I don’t think that it being standing by itself to ask a fisher to go out and make an investment of a phone if he chooses not to and to have to get the internet, because you need internet access for this and I’m pretty sure about that, or to get a computer. You’re asking them to incur another bill.

Like I say, if you have a station where they could go to and have somebody that knows how to use the computer log it in, I could see it working to pretty much probably a ninety-something percentage on the working side.
MIGUEL ROLON: Tony, as we discussed, it’s an excellent idea and just to give you some information, we discussed this with some of the fishers that represent the fishermen associations in Puerto Rico and also, I discussed it at a meeting that was held in Puerto Rico and they have special projects.

They all concurred that whenever the local government develops a reporting system and/or the federal government a reporting system that the majority of the fishermen are willing to participate, provided they have a station such as the one that you just described.

The reason, one, is some of them don’t even know how to read or write and their daughters, their children, their wife, they do — They are knowledgeable about this and they are the ones who take care of the number crunching.

If this flies, and I hope that it will, we have mechanisms to accommodate the type of fishermen that you were talking about through these stations.

Also, in the case of Puerto Rico, what Nelson brought to the discussion, some of the fishers that work for the deepwater snapper grouper, the fishers, they are in the -- Supposedly all of them should be in the program, limited entry program or special permit program, that Puerto Rico implemented through an executive order.

They could do it voluntarily at this time or they could do it -- If you want to be in, you have to go into the reporting. The reason for that is that the ACLs and this fishery are linked in a way that’s kind of special, if you compare it to the rest of the island, but that’s a possibility, to have the electronic system for these people.

The other angle that we were talking is that this presentation is only for commercial fishermen and we are not including at this time recreational fishers, but that will be another stage.

Two points. Can we go ahead with this type of project, if the council is going to support it? We would like to hear comments from the local government and the federal government as to feasibility of having something like that.

Then if it’s yes to this question, then we have to sit down and prepare a plan of action, similar to what the National Marine Fisheries Service is trying to do at this time.

ROY PEMBERTON: Tony, we don’t want to make this more of a
hardship for any of the commercial guys. We have talked about this in-house and the possibility of setting up a terminal there, where fishers can come in and input the information that way electronically or what have you.

There is also talk with working something out with VINGN in local areas around the various districts, where there will be the possibility of a portal available for fishers to utilize to kind of get their data inputted.

In terms of the rapid uplink of the data, I think it’s very important that we can get the data that quickly, because then we can make some management decisions, particularly when it comes to some of our quota-based fisheries like queen conch and so forth.

Everything being ACL driven, we can make sure that we can stay out of the problem areas of having to deal with ACL overages and so I think it’s a positive thing. From the beginning, we have supported this project and we’re very much looking forward to it going to a different level also, the possibility of taking it to the recreational fishing group.

I know that’s further down the road, but that’s something that we were looking at it as well, as a possibility, especially since it could be potentially app-driven and that potential for the community being able to download it to utilize it and upload information, along with a picture of the catch.

A lot of folks like to show off that kind of information and so we would be willing to push that forward and it will have full support from my division.

EUGENIO PIÑEIRO: In fisheries management, as in life, everything winds up to pitting costs versus benefits. In our case, or in the case of Puerto Rico specifically, Nelson’s Snapper Unit 2, they really had a lot of economic damage caused to them and I believe that with good use of this electronic data reporting system that this can be avoided in the future and I’m pretty sure that our brethren in the Virgin Islands will be able to deal with that and use it for their benefit, too.

TONY BLANCHARD: I think the council should support it. I think it’s a good -- We are headed in the right direction. I think we just might need to adjust certain things to accommodate for a period of time.

What I would also like to see is in the program if you could
have the information to all the fishers that plug into it of where we are sitting from the ACL to the fish species. In other words, if we’re going to meet the grouper ACL, how far we is from it, like a countdown, like a clock countdown. I think that would be beneficial to all of us.

That way, we’re going to know whether we need to scale back or whatever and give us an idea of where we’re sitting for us to decide how we’re going to deal with it. That’s just a suggestion to me, which I think that you probably could do it.

CARLOS FARCHETTE: Thank you and you know, you were talking about -- Roy Pemberton mentioned VINGN and that’s Virgin Islands Next Generation Network, where the VI government got funded like $100 million to bury high-speed internet.

They’ve already gone all through all that, but the company now is mandated to provide mitigation opportunities and if Lia was here, she would talk more about it, because she’s going to take it and run with it, because we agreed where they could have stations that the fishermen can actually go in there now and put in their information.

CHARLES STEINBACK: Yes, we talked to Lia yesterday and she mentioned this as well.

CARLOS FARCHETTE: We will talk some more down the road, but I also want to talk about -- I know in St. Thomas I was mentioning about being able to -- When you Dropbox the discards, if it’s species identified or if not, can they type it in or not and we’ll talk more about that.

CHARLES STEINBACK: That’s a good point and to be clear, we just took the existing catch reports and turned that into an app and so I think one of the nice things about it being electronic is if changes need to be made to the catch report, like the one you suggested or if there are future ones, instead of making that change and printing out thousands of paper catch reports, you can just make the change within the app and push a new version of the app out and you would see that information being available for them to fill out.

MIGUEL ROLON: This may be a business question, but do you envision Point 97 selling the software once it’s finished to the local governments, to the local people, so they can finish whatever or do you envision yourself attached to this forever?

CHARLES STEINBACK: That’s a good question. I think where we
would like to get to -- I think if we could get through this second phase of expansion, adoption, and fix some enhancements to the system, I think where we would like to end up is basically like licensing the system to the local government, like on a kind of yearly license subscription.

Really, what that would cover, and I don’t know the cost of it, but it wouldn’t be a lot. Basically what that would be is just continued like technical support. At that point, there would probably be, hopefully, in place like the on-island support to kind of do the leg work on the system, if there’s the on-ground technical support covered by the agencies or local partners.

I think we’re still a few years off on that and that’s the model that -- We have projects like this in a few other places as well and we’re kind of advancing the projects to get to that point of implementation and then once they’re implemented, then it’s basically the software would then just be licensed to the administrating entity.

MIGUEL ROLON: The other question is we are discussing this one company and one project and one pilot study, but if the day after tomorrow, I announce that this area is interested in developing that, maybe we’ll have a myriad of people coming in and then we have to follow the process that we are not familiar with, bidding processes and everything.

Personally, I doubt it very much that they will be as far as you have gone, but one lesson that we learned at the national meeting in Seattle was that this works only when you have the people from the base up working together, meaning the fishermen.

Every project that we have presented to us at the meeting in Seattle, and this meeting had people from Europe and people from Africa and all over the United States, and they all agreed that the constituents had to be involved from the get-go.

They also agreed that it should be easily accessible, meaning an application that can be used on your tablet or on your cell phone or a desktop and that will make the difference, actually. He said that once you get into the desktop, you probably will have a lot more people involved in getting into this.

The other point is that the local government must have a person, a warm body, dedicated to this work, because otherwise, you won’t be able to validate the data that you need to do to submit it to the local government.
Also, this is not the first time we do something similar, because already the data is collected for the TIP Program, the Trip Interview Program. It’s entered into an electronic format and sent to the Southeast Fisheries Science Center and this is the only data that we have now, basic stuff, done that way.

The other thing that I like about this project is the dashboard. This morning, we were talking about how difficult it is to know where you are with the ACLs, but if we ever get into an electronic reporting system that will cover X percent of the total amount of fish that is landed here, then you will be able to assess where you are in terms of the ACLs. You will be able to pinpoint what time of the year you should close and what time of the year you should keep it open, et cetera.

At this point, Mr. Chairman, what we need from the council is whether you would like to submit the letter of support and also the reaction from the Southeast Fisheries Science Center and the Regional Office, if any. You don’t have to say anything, but I am curious.

PHIL STEELE: You made a good point a few minutes ago, Miguel, that the national incentive is to go towards electronic monitoring and electronic reporting. Both the Gulf and the South Atlantic have taken actions to require electronic reporting from their dealers, number one, and that’s just passed as a final rule.

We also passed a rulemaking this year to require electronic reporting from our headboats and we are somewhat down the road a little bit requiring electronic reporting from our charterboats.

It’s all about the ACLs and providing more accurate and timely data and this was kind of the rationale we’ve used in a lot of ways to let -- The buy-in from the fishermen is critical and if they see that we get more accurate and timely data, instead of having to use projections and so forth, they stand a better chance of having a longer or a better fishing season and so this is the hook that we use.

We’re certainly in support of this. Now, to go forth with this same message here, we’re doing it, I think, but to go forth with requiring electronic reporting, of course, we’ll have to go through rulemaking and the whole process that we normally do, but, like I say, buy-in from the fishermen, the idea being better and quicker. It’s better for you and those ACLs and so we certainly support it.
TONY IAROCCI: Phil, you pretty much covered a lot of the issues I was going to say, but this is the future, this kind of reporting. I remember yesterday, in Bonnie’s presentation, where she said the cool things that the South Atlantic and the Gulf are doing and to support what Nelson Crespo had stated about the deepwater snapper fishery on the west coast of Puerto Rico.

It is a very unique fishery and you have mainly one dealer and you talk about dealer reporting and the efficiency of the dealer reporting and Genio Pennetta is pretty much -- He buys most of that stuff and I think if you carried this to the next step and had him put the data together for the fishery there, because I think is the majority -- Nelson, correct me if I’m wrong, but he does buy the majority of the fish there and so it would be one reporting and it would be like a dealer reporting and that would take the time and get the efficiency of getting the data quicker.

CARLOS FARCHETTE: Thank you, Charles. If there’s no other questions, we would like to go in support of the letter for expansion and implementation of this. Everybody say aye; any nays; any abstentions. Hearing none, the motion carries.

MIGUEL ROLON: Charles, when will you know whether your proposal has been approved or not? What will be the schedule of your next steps as you presented today?

CHARLES STEINBACK: Good question and so the one that we have in now, we’ll know probably in June and so we’ll get it submitted. It’s due at the end of this week and so we need that letter soon.

We will know about that one in June and then we have a couple other prospects that we’re going after right now to raise the rest of the funds and so it’s high on my list of things to raise money around and so we’ll definitely be in close communication on that.

One other thing is we actually have two other proposals actually that were NOAA opportunities that weren’t funded already and so we’re looking to repurpose those as well.

CARLOS FARCHETTE: Thank you. We’re going to bump the fishery-independent data workshop plans and I have Shannon Calay. Then after that, we’re going to have Lang Bank Report by Dr. Jorge Garcia-Sais. Actually, trap reduction and then Lang Bank.
SHANNON CASS-CALAY: Thank you very much and I will endeavor to make this short, since I think most people would like to have a cookie. This is work that Bill Arnold and I have been working on together, along with Meaghan Bryan and Jennifer Shull at the Southeast Fisheries Science Center.

The title of this proposal was “U.S. Caribbean Fishery-Independent Survey Workshop to Evaluate Extant and Novel Fishery-Independent Surveys in the U.S. Caribbean in Order to Maximize Utility for Stock Assessment”.

Just so I don’t forget to say it, the tentative workshop dates for this event are the second or third week of September of 2014 and this workshop will occur in Miami, Florida. The participation is still open to negotiation. We would very much like to have expertise from the U.S. Caribbean. If you are interested in participating in this workshop, contact Bill, myself, or Graciela.

The specific objectives of this workshop are to evaluate the design, data collection methodologies, et cetera, of the available fishery-independent surveys that exist in the Caribbean and to explore the utility of these surveys with respect to stock assessment.

In many cases, we have not successfully used some existing surveys in the stock assessment context, due to some temporal or spatial -- Well, basically they’re short duration, often, and they’re often spotty or small locations or discontinuous locations.

What we would like to do is really evaluate the methodologies for each of these surveys that exist and make some short-term and long-term recommendations on how to improve data collection methodologies to enhance the utility of this information for stock assessment, recognizing that many of these surveys occur for different purposes other than stock assessment. They need to remain consistent to the objective of those surveys, while enhancing our ability to use them for stock assessment.

We would also examine some of the costs and benefits that could be obtained from this enhancement and the group would also try to discuss some action items, some things that could be done over a shorter term that would greatly benefit these surveys in the context of stock assessment.
The scope of the work, we intend to focus on the U.S. Caribbean, but there may be something we can learn from surveys that exist in other areas, such as the Dry Tortugas or the Florida Keys, but the focus will be on the U.S. Caribbean.

We intend to examine all the available fishery-independent surveys, including historic surveys that no longer occur. For example, diver-based visual surveys, which are critical here in the Caribbean, SEAMAP Caribbean survey, the St. Croix trap study, trap studies in general, as well as ROV studies, camera surveys, or deep diver surveys.

Just a brief walkthrough of the agenda, this is a three-day meeting that we envision and on the first day of the meeting, we would review the available models that we’re using in the United States Caribbean to conduct stock assessments and their data requirements.

We would discuss current practices that exist and this would be just a short primer to how we conduct business today in the U.S. Caribbean and how we use indices now. The afternoon session would be -- We would begin to describe each index and so I kind of mentioned what we would want to know, but, for example, the selection of the sampling locations. For example, are they stratified by habitat?

The sampling intensity, including the temporal spatial coverage of the sampling effort, and the frequency of occurrence of relevant species. We would also like to know the data that’s collected, in terms of number of species, length information, gender, age, sampling for hard parts, and the training and equipment needs for these surveys.

We envision identifying a point of contact for each of the surveys that we know to exist and have that point of contact prepare a thirty-minute presentation to describe these variables. We will be reaching out to many who have expertise in these fishery-independent surveys between now and September.

This discussion would continue into day two, but in the afternoon of day two, we intend to look at the integration of these surveys into stock assessment and enhancement and so we would be describing the strengths and weaknesses of the surveys with respect to assessing the status of stocks and we would be looking at what we’re calling a gap analysis, which just means is there sufficient spatial and temporal coverage?

Are there animals or taxa that cannot be observed by a survey?
For example, are there deepwater fisheries but we’re using a shallow-water methodology or are there diver shy species or cryptic species that cannot be observed? There are plenty of other things that could occur on this list, but these are the ones that came to mind.

Then on day three, we would discuss what additional sampling might be required to enhance the utility of an extant survey for stock assessment purposes and the predicted benefits that could be obtained from that enhancement.

Finally, in the afternoon of day three, we intend to develop our workshop summary and recommendations and so those would be the consensus recommendations from this working group, if possible, and also some action items that we recommend take place in the shorter term and I have reached out to many.

This is a list of the folks who have gotten an email from me to date. We would also like to find additional participation from the U.S. Virgin Islands and Puerto Rico and Graciela has provided me with an additional list and, like I said, this is an open workshop.

We have a small amount of money to fund some travel, but we don’t intend to turn away people who can arrange their own travel funding and so I think this is an exciting opportunity and I hope that many of you will reach out and be involved if you have important work to describe to us.

Anyway, if you need to contact somebody, you can go ahead and contact Bill Arnold or myself or Graciela and we will make sure we circulate that communication. Thank you very much.

MIGUEL ROLON: We have been dragging $10,000 since last year that was a contribution to this and Bill and I have been in conversations and we would like to use that money as best as possible and so I will rely on you and Bill to allocate those funds the best way and, also, we were talking about the possibility of in-kind contributions to provide the recording of the meeting and I believe the meeting will be someplace in Miami. Do you have the actual dates in September or it’s too premature for that?

SHANNON CASS-CALAY: I wish I had the actual dates, but I don’t. We have narrowed it down to two weeks in September and it’s the second and third week of September and it’s just a matter of finding availability either at the Science Center itself or, preferably, across the street at the laboratory, but I will get
that information very shortly.

As far as additional support from the council, we are very grateful for that offer and I hope that we can make that work. That would be very helpful and we do intend to write a report as the deliverable product of this meeting and I know we had some discussion of a translation to Spanish too for that report and so we would be very interested in that. I think this could be a very productive collaboration and so I thank you very much.

MIGUEL ROLON: Also, I discussed briefly on the side, and not on the record, but there is a lot of countries in the Caribbean that when I talk to some of the key people, they are looking at the product of this workshop and now that we are on record that it’s going to happen, once we have a product like this, we can distribute it to the Secretary of WECAFC and OSPESCA and the Caribbean Regional Mechanism for Fisheries and, as I said, they have a lot of scientists that are looking forward to this, because they have done similar exercises, but this will be kind of comprehensive and in one place.

CARLOS FARCHETTE: Thank you. We are going to move forward with Tony Iarocci and Lobster Committee and Lobster Trap Program.

LOBSTER COMMITTEE AND LOBSTER TRAP PROGRAM

TONY IAROCCI: Thank you, Mr. Chairman. I want to start off with a quick report of the Spiny Lobster Management Committee from St. Thomas. First, the committee would like to thank the council and DPNR for their support in helping the fishermen co-manage their fishery with a bottom-up approach that all user groups have a say in the management process.

The committee has been addressing their goals, priorities, and objectives. As with the fish trap plan, the main goal of the lobster committee is sustainable management of the resource, but not reduction planning, as it was with fish traps.

They want to preserve and protect the historical and cultural Virgin Islands lobster fishery and make sure all user groups are represented and involved. They want to address the ACL with better data.

They are very concerned about, and this has been said and I’m glad Howard is here to hear this, but the sale of undersized and imported tails to be documented, because that’s addressing their market. They want to improve enforcement and they have concerns about the lobster habitat and there is some issues with opening
of a lagoon on St. Thomas.

They would like to stabilize the lobster fishery with the right amount of traps and they do have data requests. They want a breakdown of each gear type in the landings and we will be scheduling a next meeting and address some of these issues in the future. At this time, I would like the new President of STFA to maybe say a few words about the committee and his involvement in the process.

THIERRY LEDEE: Good afternoon. My name is Thierry Ledee and I’m President of the St. Thomas Fishermen’s Association. I am looking forward to working within the council process and representing the St. Thomas Fishermen’s Association and the fishermen of St. Thomas.

Also, Julian Magras sends his regrets for not being at this meeting, but looks forward to working with everyone in the future. Finally, thanking the council for their support in the fish trap reduction plan and hopefully finalizing the plan. Last, but not least, I have been through a couple of these meetings, but this one has been the most interesting.

CARLOS FARCHETTE: Thank you for that.

TONY IAROCCHI: Thank you, Thierry, and I think we all appreciate your involvement now as the new president and also being at these meetings. I know it’s hard to take, like you said, four days away from the meeting.

Next, I would like to start in on the trap study that we’re doing and we do have -- I want to thank Tom Matthews for taking the time to be here for this project. He is here and he will get a few things to say, but just a little background on this project.

We do have four sites with a hundred traps per site being built by the fishermen. Area fishermen will build their own traps and haul their own traps and gather data from each haul. Tom is finalizing the data sheet right now and he does have copies of that and we’ll have it both in English and Spanish. Hopefully someday this can be done electronically, similar to what we’ve talked about earlier.

The proposed research addresses research needs identified in the ACL draft amendment to the United States Caribbean to determine fisheries-independent CPUEs for principle gear in the Caribbean and develop and implement effective sampling programs for
fishermen.

The latter recommendation highlights the need for information that can be utilized for assessment in the pending SEDAR review for spiny lobster. We will test alternative trap designs tested in Florida to reduce bycatch of fish traps, movement in storms, and also use pop-ups and leads on the ropes.

To date, I spent one week in Rincon building traps and one week in Naguabo. This week, I am here on St. Croix and I think, Helena, if you’re prepared, we could maybe go into your presentation and then I can phase into Tom with his stuff, so they can see exactly where this thing is going.

(Whereupon, there was a video presentation showing construction of lobster traps.)

MIGUEL ROLON: Helena, I believe that this video can also be used for PEPCO, to expand the word that this project is going on.

CARLOS FARCHETTE: Great job and great job by Helena with that video.

MIGUEL ROLON: We have three good pictures of Helena, but she was modest. Also, she went and worked with the fishermen building traps and that’s the way of doing it, working with the fishermen and participating. That’s one of them and so thank you, Helena.

TONY IAROCCHI: I can’t begin to thank you, especially with the accompaniment of Bill Arnold on drums along with that. That went very well and, Helena, I know a special thanks from all the fishermen too because of your involvement.

You made this project so much easier to work with and that right there, hopefully everyone will get a chance to see that and the importance of especially that one picture with that funnel, when Carlos had that six-and-a-half or seven-pound lobster going in and out, because they all, at the beginning, they all said these little traps will not work and we work big traps and they won’t go in that funnel and they won’t go in the top of the trap.

Then you saw a picture is worth a thousand words. You did see how these traps do work and they’re able to fish differently, where now they can pick these smaller traps up and put them on the boat and move them to where they’re catching lobster and they fish more efficiently and not have to worry about that big
heavy trap and dealing with that, especially with the smaller boats.

I will address some other stuff, but while we do have Tom and I know it’s getting late, I would like Tom Matthews to come to the table and address the group.

TOM MATTHEWS: Thank you, all. I am really looking forward to working down here again. I know about half of you at the table, but I actually haven’t done that much work in the Virgin Islands and Puerto Rico.

I am sort a one-species kind of a guy. Lobsters is pretty much all I’ve ever done, but it’s a good species to work with. I’ve been doing that with the State of Florida for twenty-three years now. I actually am pretty familiar with the Caribbean.

I’ve got nine other projects, mostly building casitas and managing MPAs, in three other countries, but this actually will be the first time I’ve been working in the U.S. Caribbean.

CARLOS FARCHETTE: Any questions for Tom Matthews or Tony Iarocci?

ROY PEMBERTON: I’m glad you guys are onboard and I really appreciate the hard work you guys have been doing between here and Puerto Rico. I have a couple of just technical questions in terms of the weight on the traps. How much weight are you putting in these traps?

TOM MATTHEWS: These traps are actually bigger than the ones I’ve originally designed. Do you know how much -- Are they twenty-four-thirty-sixes?

TONY IAROCCHI: Twenty-four-thirty-twos.

TOM MATTHEWS: Thirty-twos. The angle of the picture looked a little bit larger and generally, it’s about seventy pounds, which is about fifty pounds of concrete. They can use a little bit less or use a little bit more, but they’re a little more buoyant at the beginning and so I suspect some fishermen might actually put some sort of bricks in them initially that they could subsequently remove.

MIGUEL ROLON: Tom, what was the origin of this trap design?

TOM MATTHEWS: We have been doing trap impacts on the reef in Florida for about ten years and this was some work that Pete
Sheridan and Ron Hill started around ten years ago. They have no idea this is what we started this on and we were looking at traps on the reef and we were pretty pleased with our results not impacting the fishermen.

There is only about the size of hand damaged when a trap was raised and lowered. About 2 percent of our traps were actually on the reef and then, unfortunately, December came and we got a cold front and our cold front is twenty-knot winds and these traps on the reef were moving, at the most, about twenty meters, but, on the average, about four-and-a-half meters.

I think of it as the old shaving commercial. The first stretches out the gorgonian and the second cuts it off and that’s when we got into the idea of trap movement.

Subsequently, we’ve worked with the fishermen in the Florida Keys to try to design different things, different buoys, different ropes, legs on traps. We actually tried thirty-six different options on a trap.

Pretty much the only thing that worked was replacing wood with wire. We couldn’t go all wire, because that increased the bycatch of fish quite a bit and even though we weren’t really keeping that many of the fish, even if you bring that trap up from ten meters, most of the smaller fish were embolizing and dying.

Keeping one side of the trap wood, the fish seemed to be moving out of it very regularly and we’ve had -- The mortality we’ve seen in the traps is so low that we can’t statistically analyze it and so it is really a rarity for a fish to die in the trap, but the effectiveness of the trap, the critical thing is to keep the fish out.

Lobsters have an antagonistic relationship with every fish and so whoever is in the trap first, if it’s fish, that will tend to lower the lobster catch. If you can get lobsters in there first, that will largely exclude the fish and so that’s why making a more effective lobster trap that actually excludes the fish seems to improve catch quite a bit.

MIGUEL ROLON: They say that you cannot build a better mousetrap, but you did it.

TOM MATTHEWS: Quite honestly, the fishermen have been using this design for quite a while. We basically did not change the throat or anything like that. We just really went from a bay
trap, which was all wood, to what some fishermen were using to keep turtles out and make the trap a little sturdier. Sometimes it’s a little better to use in deep water and so really, fishermen have been using this trap for a long time and we just sort of have done the work to point out what it was doing.

MIGUEL ROLON: Anyway, we would like to thank you for all your efforts in being here, but I have a question to both of you and we talked it over and I feel like Johnny Carson asking the question after I know the answer, but there is a possibility of expanding the project into other areas of Puerto Rico with a minimum amount of money.

I wanted to ask both of you what would be the possibility, because now that the word has been spread, there are fishermen in the Virgin Islands and Puerto Rico who are interested in following this and in order -- Rather than finishing this up and then come back with another iteration of the project, probably, it will be easier to add that area and have some set of traps and other fishermen involved and so can you address that, Tony and Tom?

TONY IAROCCI: Thank you, Miguel. This subject came up -- It started in Rincon, when I started working with the fishermen there. They came to me and once they accepted me as a fisherman and we started getting the project going, they started to talk to me fisherman-to-fisherman.

We like to address other problems in the fisheries and a couple of them brought up these trammel nets and they addressed these trammel nets that are being used to catch lobsters and I asked to be taken to look at these trammel nets and they are nylon and they’re a three-wall trammel net.

I think anybody in the room that knows what a trammel net is and what it catches and what it can do and not only the damage to the habitats, the turtles, the birds, the dolphins, the Nassau grouper, they were addressing all these issues.

We had talked about, and Helena can chime in on this also, but we had talked about maybe expanding this to an area where these guys who are using trammel nets and also, in particular, there’s an area, and Helena can address this later.

One of the fishermen in Naguabo named Tonito is a great guy and he was a diver that got the bends and he can’t dive anymore and this is a great alternative, this trap, for these divers and they’re smaller traps and they’re easier to use than the big,
heavy-duty wire trap to target lobster.

He is tickled to death, because he knows the places where he wants to put these traps that he can’t dive anymore and he can address that. I, myself, like I said, I’m going to try to keep the cost down as much as I can so we will have money, hopefully, left over or figure out how we can expand to these other areas and I hope -- I know Tom’s time is -- He has got other areas and other things to do, like myself, but I am going to make all the time I can to address these issues in these areas too and hopefully work very closely with Helena and the council to address these areas.

MIGUEL ROLON: Then I will wait for your signal of whenever you’re ready and have a -- It will be a matter of adding a couple of paragraphs to what you already have and then we can address it, the new areas.

TOM MATTHEWS: As you sort of know, the biggest cost is always personnel and so one of the -- It’s actually not overly expensive to get gear into the fishermen’s hands. It’s a little bit difficult to ship it here and get the parts and things here, but some of the observers to be on the boat to actually improve the data gathering, that was actually a fairly substantial cost.

Depending on if we tweak the goals to more get acceptance of this particular kind of gear versus improved data management, those goals actually are part of the cost.

MIGUEL ROLON: I will leave that to you three, especially you two, and please let me know, but the point to bring this to the attention of the council is that by putting $7,000 or $8,000 more, we will have a lot of bang for the buck on this project.

TONY IAROCCI: I want to thank everybody involved and especially the fishermen and I’ve dealt with the fishermen and, like I said, we’ll be doing this project in St. Croix and a follow-up in St. Thomas, but I want to especially thank the guys in Rincon, Tito and Richard, and Carlos Velasquez in Naguabo and some of the other guys.

They accepted me as one of the boys, so to say, and I couldn’t have did this without Nelson and I think, Miguel and Carlos, you followed the problem we had paying the different importation taxes and the shipping and all that stuff. I was so frustrated and it absolutely -- It got so mad to not be able to -- I wanted to get this thing done so fast and get it rocking and rolling, but I have to say this.
Everyone in this room needs to go to Rincon and go out on one of these boats at that boat ramp and see what these guys have to do every day when they go fishing.

They not only have to go down this boat ramp where the surf mostly breaks by the break wall, but you’ve got surfers and body surfers and boogie-boarders and people swimming and all these young girls in bikinis in the way, too, and so it’s kind of a deterrent for the fishermen. It’s a different, different setup.

I thank everybody, and especially the council too, and Genio. You’re there and I know you’re with the marketing and helping these guys get the stuff and we can identify some of the other areas to address the needs and get some of these traps for alternative fisheries. Thank you.

CARLOS FARCHETTE: Thank you, Tony. I want to also thank Dr. Crabtree for bringing Tony Iarocci down to the U.S. Caribbean. You have done good here, Tony, and we plan to keep you. Next on the agenda will be Lang Bank Report by Dr. Jorge Garcia-Sais.

LANG BANK REPORT

JORGE GARCIA-SAIS: Good afternoon to all of you. Today, I want to start by acknowledging the participation of my colleagues, most of them former students of mine, in this work. It has been a series of work in areas far away from land and it’s been many long navigation trips with heavy seas and very deep water diving and so I am very grateful for their help and participation and collaboration in this project.

I also want to express my gratitude to the Caribbean Council for trusting us in this mission of characterization of these series of important fish habitats that have been federally regulated.

Today, I am going to be presenting the work that we have done so far in Lang Bank. All the field work has now been completed. This is a preliminary report. We have not still finished all our statistical and data analysis, but I have here a presentation of the point where we are so far in the process and so here we present the work that has been done in Lang Bank.

Lang Bank is on the eastern tip of St. Croix. It’s about eight miles offshore from the tip of St. Croix and it was about a fifteen-mile run from where we were staying in Christiansted. The area had been surveyed in multibeam bathymetry by the Nancy Foster in 2006 and previous from that, by Geophysics GPR, where
they did a side scan sonar of the area.

Us from Puerto Rico, we have never dove or knew Lang Bank and so we had to design our characterization survey by starting by the multibeam bathymetry blueprints and so we did some preliminary –

Let me go through the objectives first.

They were pretty much the same that we have carrying on in the different studies that we have done so far in the different areas that we have worked, including Tourmaline, Abrir la Sierra, Bajo de Sico, and El Seco in Vieques.

We wanted, in these areas, to provide a quantitative and qualitative characterization of the both benthic and fish communities associated with the principle mesophotic reef habitats within a depth range of thirty to fifty meters.

Then produce, from the direct diver observations, a map of benthic habitat distributed within this depth range and usually we -- What precludes our work is the work of the Nancy Foster in terms of the multibeam bathymetry and so this kind of blueprint of multibeam bathymetry depth information is essential for our benthic habitat map productions.

We analyzed the relationship between benthic and fish community structure with physical factors, such as habitat depth, substrate rugosity and slope, and then evaluate the function of these habitats in the life cycle of the most important commercial reef fish and shellfish populations.

In this particular work, as long as some of the others do, we wanted to provide a fishery-independent survey of the composition and size frequency distribution of the most commercially-important fish and shellfish, mostly referring to the queen conch and spiny lobster, associated with the mesophotic habitats within the thirty to fifty depth range.

In terms of sampling design, what we were trying first to do was to provide a depth and physiographic zone stratified sampling design and so what I am mostly referring from this is that for each physiographic zone, since we didn’t know what type of habitats we were going to find there, we were going by physiographic zones and within each physiographic zone, we wanted to provide a depth-stratified analysis to see what kind of variations we could have within habitats. Essentially, it’s a two-stage stratification by depth and by physiographic zone, which then can be converted into depth and habitat stratification design.
Then we started by setting up a series of ten stations at the outer shelf edge with one to ten-meter linear photo transects for the benthic characterizations, each at thirty, forty, and fifty.

We took the outer shelf of Lang Bank and established the ten stations, which I’m going to show pretty soon. At each of those lines, we sampled at thirty, forty, and fifty meters. Then we set one transect at ten meters and continued for benthic and small fish and then continued to twenty meters for larger fishes and shellfish.

Also, we added ten transects at the inner wall of the shelf edge and ended up working a total of forty-three transects within the deep basin, which we found interesting stuff there. Also, there’s an area identified as a spawning aggregation site for the red hind and we set up a couple of transects also within the main habitat of the spawning aggregation site.

Also, in terms of the fishery-independent effort, we included thirty, at least thirty, transects that went from 100 meters, 100 meters long, by four meters wide. This is what we call belt transects for fishery-independent surveys of the commercially-important fishes and shellfishes and we include there like conch and lobster and lionfish, mutton snapper, groupers and snappers.

We ended up surveying -- This is our approximate areas and since I still don’t have the final nitty-gritty of all of this, but, more or less, we end up at habitats identified as the bank coral reef, we had nine fishery-independent transects for 3,600 square meters.

The coral pavement habitats, which includes most of the outer shelf edge area, fourteen for 6,800 and the colonized rhodolith reef, a few areas that we found, small areas, but important, was 1,200 and for the spawning group, we had four transects in search for red hinds associated with the spawning aggregation, which, in fact, we occupied -- On one of our four trips, we occupied the season, the day before the full moon and after, trying to coincide with their aggregation, and we did not.

We analyzed our data, among other ways, by a multivariate analysis of the relative abundance of individuals in transects for both assessing benthic and fish populations and I’m going to show you a little bit of that.

There is our initial design. Our original design, as you can
see, the setup of the equidistant stations at the shelf edge in a depth-stratified way and also at the inner wall. We did this and then we set up a series of stations within the first shelf edge, first drop of the shelf edge, and then we tried to accommodate different sampling stations without falling into the huge holes, which all these areas are much deeper than fifty meters.

We’re trying to essentially stay within our depth limits and not fall into the blue holes. This place that has gaps that go more than 200 feet at some points and so we couldn’t actually drop into those black holes and so trying to reach the divable areas and to look beyond without knowing really what to expect.

That’s what we proposed. That was on paper, before going into the water. That was what we had on paper and I’m going to show you a little bit more of what we did afterwards without being able to provide today here the benthic habitat map that we produced based on these observations.

These are the benthic habitats that we found there. We found bank coral reef, which had been previously described by Nemeth, et al., call for the MCD and also by us for El Seco. This environment has been pretty well described already.

We have a colonized pavement habitat, which is very variable and includes several physiographic zones. We had a colonized rhodolith reef, which I have described in detail this habitat, because it’s the one that prevails at Abrir la Sierra. There is a lot of conch there and the spur and groove reef, which is a very typical formation of shelf edge reefs and which is the site for the spawning aggregation site and then sand abiotic habitats, which I’m not going to talk about here.

I’m going to just show you some of the images of the different habitats where we worked at and this is the bank coral reef. It’s an extensive and impressive formation. This is mostly one species of coral actually and it’s what we used to refer to as Montastraea franksi, or boulder star coral. Now the name has changed to Orbicella annularis or Orbicella franksi, in this case. We see a lot of that covering much of the substrate.

This is a combination of corals, but all this laminar coral growth is what is called boulder star coral. You see in some places some of these laminar colonies overlap with each other and create areas of very high coverage.

These are the spur and groove reefs and this is -- Actually, we
worked on this reef right at the edge, because this reef actually ends at 100 feet, or thirty meters, which is the upper limit of our depth range for the study.

This reef actually goes from about sixty, seventy, eighty, ninety and ends almost at a hundred feet and where it ends is where the spawning aggregation has been identified and there where there are instruments from the people from the UVI. We knew we were in the right place, but at that time, we could not see the fish aggregated there, but we still did some work at the spur and groove reef.

Here, I show you the area of the outer shelf, which we call a colonized pavement area. It’s very variable degrees of colonization and it’s an interesting slope. Gorgonians and sponges predominate in this area and I’m going to show you the actual -- Close to the shelf edge, there is a lot of rock formations and there’s a lot of lionfish and lobsters and good stuff.

This is close to the base of the inner wall and this is what we call the rhodolith reef. It’s like a deposit of crystals, algal nodules. They look like rocks, but when you take them, they don’t weigh anything, because they are made out of carbonate deposits by algae and so they come in different sizes.

In places like Abrir la Sierra Desecheo, they usually harbor -- They serve as substrate for the growth of corals and sponges and you can actually -- These things almost form a reef or sometimes form a reef, but they are completely unattached to the bottom and you can actually lift the entire thing with the coral and everything.

GRACIELA GARCIA-MOLINER: What’s the depth there?

JORGE GARCIA-SAIS: The depth there can be in the range of forty-five to fifty meters and let me tell you that I have never dove in any place where the visibility has been so incredible. We could see the bottom on Lang Bank from 200 feet from the surface sometimes and so it was something out of range for us, working in Puerto Rico.

Essentially this is what we ended up doing and here, this is what we have. This is our preliminary work for the benthic habitat. You can see, from here, we identified our dives. We ended up doing 110 dives and in each dive, essentially we did at least one transect, where it was fishery-independent or for benthic and demersal fish.
We have preliminarily identified these points and these points outside here. These are colonized pavement, bank coral reef, rhodolith reef. We saw a couple of patch reefs and we have now merged the data with the coral reef and then the ones that we found on the spur and groove.

The FIT transect is what we call the fishery-independent transects and there is about thirty of them distributed around the area and, again, you know there’s a big section of Lang Bank, even within what we called the Deep Terrace, that we could not go in because it was so deep. It was just too deep, deeper than 150 meters.

For the bank coral reef, I am going to show you an image, so you have the image of the habitat that I am referring to. Here is a little graph showing the main benthic categories and the mean percent reef substrate cover by each of these categories and it usually always includes live coral, octocorals, sponges, benthic algae, and abiotic.

You see that for the bank coral reef it’s very close to 30 and sometimes gets up to 40 percent of live coral coverage and that is very high. That ranks as high as the best shallow reefs in Puerto Rico.

Even the areas that are covered by -- That you see here covered by benthic algae, it’s the spaces that are not covered by coral that for one reason or another -- For example, these areas here, where there is no coral, but actually there is very little area that there is gaps, big gaps, in the reef.

It’s actually coral-dominated. It’s certainly a coral-dominated area and you always know that when these two guys are very low, both octocorals and sponges are low, usually live coral or benthic algae, in this case, but live coral at 30 to 40 percent coverage, it’s a very high cover for any reef.

The bank coral reef is an extensive and impressive bank reef formation of scleractinian corals and it’s distributed mostly within the deep outer shelf, as I showed you on the map, the outer shelf basin, at depths between thirty-five and fifty meters, plus.

We ended up doing transects at Lang Bank where we started at 160 feet and ended up at 173 feet and we believe that there is coral there down to 180 feet and this is not strange, because we have been doing work with other fiber optic cable companies and we
have seen reef growths to 190 feet south of St. Thomas and so this is not a -- It was not a big surprise.

The main structural build is of Orbicella franksi or the bolder star coral. It’s growing in the typical large table-shaped colonies of the deep water. We identified, within the bank coral reef, twenty-eight scleractinian coral species, twenty octocorals, sixty-two sponges, and sixty-seven out of 102 fish species identified that we identified from Lang Bank and this is a preliminary count as far as we have analyzed the data.

The mean substrate cover by corals is 29 percent, of which bolder star coral represents 23.1 percent, or 80 percent of the total cover by stony corals. This habitat, we based on the structural composition of the benthic categories. It presented the highest similarity within the habitat transects measured at Lang Bank of 57.8 percent. The main contributors to the similarity is the main structural coral builder, Orbicella franksi, and also Porites astreoides, which is what drives the similarity within the transects within the bank coral reef habitat.

This is a multidimensional scaling plot and what this does is it takes every single transect that we did on the reef and based on the relative abundance and composition of its components, of its structural components, it provides a value which can only -- It only is good to see in relation to others and so you can see that there is an area here that separates from everything else and that is for the bank coral reef.

See how this area pretty much holds together, although there is a variation. That variation is the next step in our analysis process, because it may be that this separation here is because of the depth difference in which we had done our transects, because remember that I mentioned that our design was habitat and depth stratified.

I am showing here the habitat stratification, but merging all the depths together and if you see, for example, coral for colonized pavement, how the spread is much higher. That may be that it’s not only depth, but actually there are differences within the habitat that may be associated with depth. It’s one initial step in our analysis of the composition of the different habitats.

For the colonized pavement habitat, this is almost as extensive as -- I still don’t have the numbers of the areal cover and you see that the live coral here is much, much less and the sponges
actually prevail over the corals and the dominant is benthic algae.

You see all this area here and it looks like sand and when we look closer, it’s what we call turf algae. It’s a very short, articulated algae and it serves like a mat and covers much of the hard substrate and so gorgonians and sponges and it varies.

This level of colonization varies with depth very, very strongly and so we have not go to that point in the analysis, but it’s what we expect to find and also there is a considerable abiotic cover of the bottom as well.

These are usually low-relief, hard-bottom habitat and it’s usually along the shelf edge of the deep shelf basin and at the insular shelf edge and slope. We have identified there eighteen scleractinian corals, eighteen octocorals, fifty-two species of sponges, and fifty-one species of fish.

The benthos is mostly colonized by turf algae, sand rubble, sponges, octocorals, and scleractinian corals are about 4 percent. The corals don’t form reefs. They are isolated coral heads and they’re not forming reefs and they’re sometimes in bioherms with sponges. The main components of the benthos are Orbicella annularis, Porites astreoides, and Siderastrea siderea.

Within habitat similarity, it’s very low. It means that there is a lot of variation within the habitat and it may be because of the different physiographic zones and the inner wall versus the outer wall and different depths within the outer wall and all that and that is further on in the analysis and I don’t have that data yet.

The colonized rhodolith reef, it’s a very high composition of algae and abiotic. It’s mostly flat, homogeneous bottom of crustose algal nodules deposited over sand. We found it to show a small mesophotic areal extension of Lang Bank, contrary to Abrir la Sierra and to Bajo de Sico. Actually, most of the area that we expected to see rhodolith deposits is actually colonized by the bank coral reef here. We believe that perhaps the increased water transparency has allowed coral to grow to much deeper than in Abrir la Sierra and Bajo de Sico.

We identified here eleven corals and five octocorals and forty-one sponges. It’s a sponge algal dominated thing, dominated habitat, and these are the main fish assemblages, demersal fish assemblages, but it’s the most important habitat for queen conch
here as well as everywhere else that we have studied mesophotic habitats so far.

Queen conch are found in greatest densities right at this rhodolith, colonized rhodolith, reef habitat, which people in Puerto Rico call fundo de bolillos. De bolillos means little balls and so that is what these things are called. That allows me to -- That’s my cue for the fishery-independent data.

I am going to show just some, because we have a lot of information, but I am presenting here what I think that is going to be of most interest to you.

This is the distribution in terms of density, individuals for 1,000 square meters. It’s very close to the area that we surveyed. We surveyed around 800 meters and then all our previous data is in individuals per 1,000 meters within other units being reported, but we’re going to stick with ours, because we have done that for our previous work.

This is the distribution of densities, the variation of densities of red hind in Lang Bank on the different habitats that we studied, the bank coral reef, the colonized pavement. Evidently it is more common on the bank reef and the colonized pavement and also the spur and groove than on the rhodolith, although we have seen very juvenile red hinds in this colonized rhodolith reef at 160 feet and I am talking about red hinds that are inches long.

I thought that this might be of interest to you, which is a comparative analysis of the densities and not of the total population. I can give you an estimate of the population of red hinds as soon as I have the areal extensions of the habitats that we are calculating as I speak here.

It gives you an idea of how the density of red hinds -- This is across all habitat studied. This is an average across all habitats. This is the total.

I actually merged also the length frequency data, just to -- This is a double-whammy here, but see that it is very much like Abrir la Sierra and Desecheo in terms of the length frequency distribution, although I think that we saw more bigger animals here and for the data that I saw from Nemeth, I believe that this is a tendency for larger red hinds in the Virgin Islands than in Puerto Rico, although in Desecheo, we have seen the biggest ones, but that’s only a few individuals.
Consider these data in the red hind workshop. I promised this data and so Graciela is going to have it in her hands pretty soon.

For mutton snapper, distribution among habitats, it’s pretty much everywhere. Mutton snapper is probably one of the snappers that is one of the main predators here of the colonized rhodolith reef. They also like a lot people cleaning queen conch and so they sense the divers and they immediately show up, because they are looking for queen conch scraps.

This is interesting stuff. It doesn’t look pretty, but it carries a lot of interesting information, this graph right here. See that mutton snapper -- We have dove a lot in these places, but mutton snapper, we saw a good amount of them in Lang Bank and also in Abrir la Sierra. Note that the oceanic size of Bajo de Sico and Desecheo, there is mutton snappers.

What we think is that these areas have -- These oceanic areas lack the recruitment habitats that these areas that are close to land, and that’s shallow reefs and mangrove areas, seagrass beds, that kind of thing.

For queen trigger, they are pretty much everywhere and particular queen trigger is one of the main predators here of the colonized rhodolith reef and it’s quite common here. Look at the comparison of the densities of queen trigger of Lang Bank with other sites and it’s almost out of the chart. They’re pretty big ones, too.

Lionfish has become one of my favorite fish, because we’re seeing it everywhere, except for the colonized rhodolith reef, because there is no protection there. There is no protective habitat there and so it doesn’t hang out there and so we have a lot of data and then there is this very interesting note here to see that for Lang Bank we have bigger animals and I believe that it is just the -- This is just because we are doing the Lang Bank study two years after and they have kept growing.

We started these surveys at Desecheo when the first invasion of Desecheo and Bajo de Sico and then Abrir la Sierra, when the fish were just recently colonizing this Puerto Rico and USVI habitats.

Then as the years have gone by, they have kept growing and growing and growing and since Lang Bank has been a more recent survey site, they show the biggest animals and so I’m almost sure that’s what it is.
Queen conch, there is very few queen conch everywhere in Lang Bank except in those very small areas of the colonized rhodolith reef that we found, but where we found them, they were in very high densities and this graph shows pretty much it’s head-to-head with Abrir la Sierra and there is a lot of queen conch in Abrir la Sierra and the same site, the same habitat, rhodolith reef. They really like -- For some reason, they really, really like that habitat there.

Spiny lobster, except for colonized rhodolith reef, we found in dispersed groups. We found some of them on colonized pavement also and, in fact, most of the -- Even though the densities are lower, this is where we found most of the lobster in Lang Bank, particularly in the reef associated with the outer shelf edge and small coral heads and lots of lobster and really big too. I’m going to show you now.

It’s off the charts compared to other sites, spiny lobster, and the size distribution shows up well, that there is more bigger spiny lobster here than everywhere we had worked before in terms of mesophotic habitats in Puerto Rico.

TONY BLANCHARD: This is more like a statement. I have been noticing that you’re saying that the hind, the snappers, and lobsters are much bigger. The question is this. How deep is the water outside of Lang Bank on the deep side?

JORGE GARCIA-SAIS: How deep, do you mean?

TONY BLANCHARD: Yes, how deep does it slope off to?

JORGE GARCIA-SAIS: We only worked to fifty meters, but it goes beyond. We are not surveying anything beyond fifty meters.

TONY BLANCHARD: Right. The point that I’m trying to bring here is maybe why the fish and the lobster are so big here is because the nutrients are being pushed up from the deeper water, like for the pelagics. You find the baitfish hanging on the edge, because the nutrients are being pushed up from the deeper water.

It could be that the nutrients are being pushed up from the deeper water and you have this scenario here, as well as -- That’s just what I’m thinking, as well as you know in a smaller area that it’s going to hold -- It might hold bigger fish and bigger lobster, but it’s also going to hold a smaller population and so that would be my analysis of what you’re just saying here. That’s just me.
JORGE GARCIA-SAIS: It may well be. It may well be. It could be more food available. In this case, I believe that it -- It may be a reflection of lower fishing pressure compared to Puerto Rico. It could be. These are lobsters in the three to five-pound and these are lobsters in the over five pounds these are lobsters of two and three pounds, but we saw more bigger lobsters certainly at Lang Bank than at other places.

CARLOS FARCHETTE: Reni, do you know how much more time you’re going to need?

JORGE GARCIA-SAIS: Here is my conclusions. Some of the preliminary conclusions is that Lang Bank has an impressive and extensive coral reef system within mesophotic depths. The predominant coral reef formation is the bolder star coral, which is distributed throughout a deep outer shelf terrace right before the shelf edge.

The reef top at the shelf edge is an important habitat for spiny lobster and red hind and the colonized rhodolith reef habitat has limited extension, but, where found, it sustains dense populations of queen conch and the shelf edge and slope are mostly featureless and dominated by lightly colonized pavement. If you have any further questions, I will be happy to answer.

TONY BLANCHARD: Reni, I would just like to throw a statement out at you and see what you think. You said the possibility of them being bigger in that area is just because -- It could be because the area is not being fished, but we also have to take into account that there is no fences around this area either and so there’s nothing stopping them from moving in and moving out.

We all know with lobsters, and I’m pretty sure the guy from Miami, Tom, might be able to verify this, but lobsters run by barometric pressure, correct? There is nothing stopping the lobsters from moving in and out either. They get drived with the barometric pressure from up by Florida down the chain and so there’s nothing stopping them from being confined to that area is the point I’m trying to make.

JORGE GARCIA-SAIS: I am not arguing against you. It may very well be. It’s a possibility. It has not been perhaps confirmed by a study, but that observation is important. The reasons why it is like it is is actually beyond my research, which is mostly a characterization of what we found there.

There are some trends that I tried to carry across from the
observations on the different studies and we had noted, for example, the fact that there are more bigger red hinds here. When I attended this red hind workshop, and I believe that you were there, we noted that. There is a bigger fish here in the USVI, particularly from the MCD.

We are not sure if it’s because of the protection, because in Puerto Rico, even the protected areas are full of lines and hooks and stuff on the bottom and so it means that there is very little enforcement whatsoever, but there is the possibility of perhaps their habitats reaching deeper depths and being -- When you look at this 165 or 175 feet, that is very close to the thermocline.

By having a deeper distribution, the animals can be influenced by cooler water and cooler water means lower metabolic rates and the fish can grow bigger and so all of these are possibilities.

I would very much like to carry out a plankton analysis of these waters, to see if they are more productive, as you say. That would be nice to see, because I could answer the question with an analysis of zooplankton abundance and composition. It’s interesting to note.

TONY BLANCHARD: I think you might be right on target when you say because of the clarity of the water and that’s why you have the coral growing in the deeper water than in some other places, because of the clarity in the water column.

TOM DALEY: I have fished this area for the past thirty or forty years and the only fisherman who can say that. It’s a challenging area and it’s an area that protects itself. It’s the only place on St. Croix with a gradual decline, the area surveyed now with a gradual decline.

It’s a place that you cannot hurt and our chart shows it. On the chart, it says it rolls in bad weather and what that means is if you don’t have a boat like my boat, like the Mona Queen, who once used to ferry passengers from Mona Island to Mayaguez, you can’t fish Lang Bank on certain times in the year.

Even on any given time, Lang Bank fishery is only an eight-month fishery, even with the Mona Queen and so that area there, that is why I am so much against -- I have told the Caribbean Council this. Without what I’m saying, human intervention -- They have it closed now and it’s bad for Lang Bank and you must have -- Nature must be able to balance itself and that’s that area. You have to have somebody going in there and equalizing, because now
that lionfish is in there and they are going to be bigger than any other place, because that’s the area.

If you want to see a place where grouper is, right there is where it is and I don’t want to tell anybody that, because I don’t want divers to go up there and destroy it, but I’m telling you if you go to Lang Bank at the right place, you will see fish that you wouldn’t even -- On my fathometer, if you go there sometimes, the amount of noise that that will make, it’s the fish that you find on that area and it’s an unusual area. It’s the only area if you fish there -- There is no place on Earth that is like there.

JORGE GARCIA-SAIS: Lang Bank is a scary place to be.

TOM DALEY: It’s the truth.

JORGE GARCIA-SAIS: We have been there in really rough weather and ended up saying it’s either this way or no way, because the weather is not getting any better. It’s always like this and you have to work in six and seven feet of waves and there’s no way around it. You cross your fingers that it’s six and seven feet and there is no current. You cross your fingers.

TOM DALEY: I have brought fishermen down from up there through the years that they were heading in the wrong direction to come home.

JORGE GARCIA-SAIS: At least I can say we held pretty good, as best I can tell you, but you’re right that it’s really a challenging place to be.

TOM DALEY: Thanks for the study.

CARLOS FARCHETTE: Yes, thank you very much, Reni. We are going to take a --

GRACIELA GARCIA-MOLINER: Just one thing. This work has been done, the characterization of the mesophotic reefs, through the Coral Reef Conservation Grant Program. They are the ones who have been funding this kind of research over the years.

This is really the first characterization of Lang Bank to the depth that you are presenting. Rick Nemeth and UVI have been working on very specific sites along the bank, but this time, we have covered most of the area, at least to give you a first glimpse of what’s there.
The Nancy Foster this year was here in St. Croix and was able to fill in the bathymetry down to a thousand meters and so we will have all that habitat information to a thousand meters within the next year or so.

CARLOS FARCHETTE: We need to take about five minutes, so that the recorder can do some adjustments here.

(Whereupon, a brief recess was taken.)

CARLOS FARCHETTE: We are going to get back online, since we don’t have much time left and we want to finish up the agenda. We have now on the agenda Queen Conch Minimum Size Limit Clarification of Regulations in 50 CFR Part 622.492 with Dr. William Arnold.

QUEEN CONCH MINIMUM SIZE LIMIT REQUIREMENTS - CLARIFICATION OF REGULATIONS IN 50 CFR PART 622.492

SHEPHERD GRIMES: I will do this. This should just take about fifteen seconds, tops. If you look up here on the screen, on the right-hand side, you have the existing codified text for the size limit, minimum size limit, for queen conch.

You can see in red there is an “and” in that first sentence and the record, or at least the council action, and I don’t know if it was a framework or a plan amendment, but anyway, the council’s intent, as clearly expressed in the second sentence, was that queen conch need only meet one of these two size limits, either the length or the lip thickness.

If you read the rest of the regulatory text now, I think it’s fairly clear, but people have expressed concern that the “and” in that first sentence is confusing and they think that you have to meet both the lip thickness and the length and so we’re going to change it and we’re going to change that first “and” to an “or”, to make it abundantly clear that you only have to meet one or the other and that’s really it.

CARLOS FARCHETTE: Thank you. That was one of the big concerns, about the “and”. I am glad for that clarification and we’ll spread the word out to the fishermen that that will be taken care of. Now we are going to go to Enforcement Reports and we’re going to start with Puerto Rico DNER.

ENFORCEMENT REPORTS

PUERTO RICO DNER
MIGUEL GARCIA: It’s going to be a quick presentation from Puerto Rico. There have been, since January to March, thirty-seven interventions. Most of them were related to fish gear, using illegal fish gear.

You can see from here the second one was undersized fish and protected species, fishing for protected species, fishing licenses, and protected areas.

I just put in this graph, because the last time that we were presenting some of the information, the use of trammel nets was the most reported intervention, with twelve in that year. We are still seeing that the use of illegal fishing gear is one of the major problems in Puerto Rico.

This happened last April, during this April, April 13. It was in la Parguera and you can see it was a net, an illegal mesh size net. It is my understanding that people are still using this illegally to fish and interestingly, the fisherman who owns this net went to claim, to get it back, and so there is an investigation ongoing on this time and so that’s my report from Puerto Rico.

CARLOS FARCHETTE: Thank you, Miguel. Any questions for Miguel Garcia? Hearing none, we’re going to move to Director Forbes and Enforcement DPNR.

U.S. VIRGIN ISLANDS DPNR

HOWARD FORBES: Good afternoon. I’m Howard Forbes for the Department of Planning and Natural Resources. This report reflects the JEA report for January through March of 2014. Dockside boarding hours was 140 hours and sea patrol was thirty-six hours and vessel hours was twelve hours and fisheries warnings issued were twenty-nine written warnings that was issued. Contacts was 136 and outreach hours was nineteen hours.

In early March, the St. Thomas District received a patrol vessel and it’s, once again, able to sea patrol for fisheries inspection in addition to providing law enforcement capabilities.

Presently, we are working to complete repairs of a second vessel for the St. Thomas District, with funding from the JEA. This will refurbish all electronics, electrical wiring, and cosmetic repairs. The target date will be hopefully by late summer and that’s my report for the Virgin Islands.
CARLOS FARCHETTE: Thank you, Howard. Any questions for Enforcement for the Virgin Islands? Hearing none, we move to the U.S. Coast Guard.

U.S. COAST GUARD

MIKE MASTRIANNI: Thank you, Mr. Chairperson. My name is Lieutenant Mike Mastrianni and I’m sitting in for Lieutenant Morgan Fowler, who is the normal representative to the council from the U.S. Coast Guard.

I run the Regional Fishery Training Center and so basically I run the school that teaches all the Coast Guard law enforcement officers how to enforce the regulations from the council and the NOAA regulations that apply to fishing in the Caribbean.

Anyway, since January of 2014, we have had the Coast Guard in this area conduct twelve boardings, all in federal waters, with twice as many queries, three of which of those queries were off of -- In February, we did an op over into the western side of Puerto Rico, in the Bajo de Sico area.

We found three vessels in the area, two of which were in state waters. We queried them just over the radio and one was in federal waters. The vessel came alongside and actually looked inside the vessel and spoke to the person onboard and did not find any apparent violations at the time.

I did want to pass along that, as always, we encourage anybody with knowledge of any type of violations or anybody that thinks that the Coast Guard isn’t aware of some type of violation, whether it be a multiple repeat violator, a single person, or just an ongoing violation of somebody fishing where they shouldn’t be or using gear they shouldn’t be that they always should, and we encourage them, to contact us, whether it be over the radio at the time, VHF Channel 16, or via the local phone number if they don’t want to broadcast their position or who they are at the time.

They can always just call us on the phone to pass us that information. We will either be able to take action then or we will use that information for future planning purposes. That’s all I have, sir.

CARLOS FARCHETTE: Thank you and, once again, I always mention this, but I want to thank the U.S. Coast Guard for their participation and the partnership with both Puerto Rico and the U.S. Virgin Islands state JEA partnership. Thank you for that.
Your assets are invaluable to us and so thank you. I wrote down here NOAA OLE and I’m not sure if there is any, but since -- We won’t have that.

EUGENIO PIÑEIRO: Jeff is gone, but it might be good to point out that the grand jury accused an individual of poaching turtles and he was convicted in federal court and he got fifteen days in jail. That was a couple of weeks back. Thank you.

CARLOS FARCHETTE: Thank you. Moving on.

MEETINGS ATTENDED BY COUNCIL MEMBERS AND STAFF

MIGUEL ROLON: For meetings attended, we have one. The Chair and I went to the WECAFC meeting, the Western Central Atlantic Fishery Commission. We learned a lot and germane to this council is that this council -- The CFMC is recognized as one of the partners within the area of the WECAFC, which is all the Caribbean countries that have any fisheries, from Central America all the way to the islands and the coast of the United States.

The meeting was attended from the U.S. by Nancy Daves, representing the Office of International Affairs of National Marine Fisheries Service.

What we are going to do is, following our initiatives in 1996, we are going to help WECAFC and OSPESCA, which is a central Atlantic fishery body, and the CRFM to develop a management plan region-wide for the entire Caribbean to try to manage the queen conch on a harmonized basis.

We already have the concurrence of Cuba and Mexico is willing to participate and then we will have a team of experts that are going to meet during this year and prepare a draft fishery management plan.

We are not starting from scratch. Almost every country has a fishery management plan. In the 1980s, I participated on a team that developed a recipe book for fishery management plans and so we had a manual that was paid for by the council.

If everything goes okay, we are going to have the meeting probably in November and we can report to you back in December. The idea is that the countries will identify those management measures that can be implemented across a range of the species. So far, we have the queen conch three-month closure from July through September, July, August, and September. Everybody
agreed except for Puerto Rico to move it out, but anyway, that’s another story.

We are going to have that one adopted throughout the range of the species and now they are also talking about marine reserves probably and they are also talking about reducing the amount of boats that fish for queen conch in some areas.

In addition, in some parts of the Caribbean, you are not allowed to fish with scuba for queen conch and it’s only free diving. They are going to address monitoring, electronic monitoring, which is different from electronic reporting. In electronic monitoring, you have some device in the boat that will tell the people who are tracking the movement of the boat where are they at all times. That’s all we have.

We are cooperating with WECAFC in other areas, like the Nassau grouper and other species that aggregate. We initiated that last year and we are going to continue helping by hiring, for a second time, Dr. Yvonne Sadovy, to finish that report. That’s about it and those are the two that we are supposed to be the conveners.

CARLOS FARCHETTE: Thank you, Miguel. I have always said that this partnership that we’re doing with this regional plan is important, because we fall within that Caribbean Basin and whatever happens around us affects us and particularly the island of St. Croix, who sits completely inside the Caribbean Sea. I think this will be a success story when we’re finished. Going into the Other Business, we have the NOAA Blueprint by Howard.

OTHER BUSINESS
NOAA BLUEPRINT

HOWARD SCHNABOLK: Thank you, Mr. Chairman. My name is Howard Schnabolk and I’m from Charleston, South Carolina and I work for NOAA’s Office of Habitat Conservation in the Restoration Division. I am currently serving as the co-chair of the Habitat Blueprint Focus Area Selection Team.

Before I start, I just want to say thank you to Graciela for helping facilitate this presentation on short notice. I know it’s getting late so I will be kind of quick and interesting. Quickly, some background on the habitat blueprint. Basically, it’s NOAA’s framework for increasing our internal coordination on habitat programs. Prior to the blueprint, we found that
there is very different programs and line offices within NOAA who are working on habitat conservation and not communicating and so this is -- A big part of this blueprint is increased internal coordination to produce better results.

Some of the guiding principles, which are pretty straightforward, are to prioritize resources and activities across NOAA to improve conditions and make decisions in an ecosystem context, leverage partnerships, and also improve the delivery of habitat science to facilitate decision making.

I see it as a clear benefit to the council. If we’re doing increased conservation efforts, obviously hopefully we’ll see increased benefits to managed species and also hopefully we’ll have better habitat science to facilitate decision making for all of you.

Under these four key approaches, I am really just focusing today on Number 2, the establishment of habitat focus areas. Basically, this is a -- The idea is for NOAA to identify these focus areas to concentrate efforts and concentrate resources in one particular geographic region to show some dramatic effects over both the short term and the long term. The short term is three to five years and the longer term.

As I mentioned, it’s partly an internal NOAA exercise. We are drawing information from the Ocean Service and from Fisheries and from the Weather Service to improve these efforts, but it’s equally as important to reach out to the public and to our stakeholders and we consider the council a key stakeholder and that’s why I’m here today.

Really, there is an opportunity that exists now for the council to provide priority habitat ideas to this process, to help us not only make the right selection for the right area, but once we get to that area and we start implementing activities, hopefully you will be a key partner and help to implement them.

Here is a map, just to give you kind of an idea of how this is working nationally around different NOAA regions. This is occurring out west and there was a pilot project that has already identified habitat focus area and also in a few other areas.

The western project in California is already beginning to implement activities and their focus area is the Russian River Watershed. I also want to point out that several of these regions have decided to select two habitat focus areas and
that’s also the same instance for the South Atlantic and the Caribbean. We have decided to find one area between the Carolinas and Florida and then also we will identify an area somewhere within the Caribbean.

One further point too about those other efforts around the country. In all those regions at some point, the councils were notified in presentations or in some manner were given sort of like what I’m doing now and so you will see in the next few slides actually how the council can be involved at this point.

Here’s some examples of the objectives, just to give you a sense of what would occur in these habitat focus areas. I don’t want to belabor all of this stuff at this late hour, but I thought the example of the Hawaiian focus area was similar to what we might see here in the Caribbean and basically that’s focusing on reducing land-based pollutants and sediments and that kind of thing and also addressing climate change effects on coral reefs and also building community capacity. I know before lunch we heard a lot about some of the efforts that are already occurring in that regard.

Back to the actual selection of the habitat focus areas. Currently, there is a team of NOAA scientists. There is about twelve or fifteen of us and they are all from different line offices. Some are from Fisheries, but, again, we have tried to pull in people from different disciplines to help with this process.

That group eventually, with input from partners such as yourselves, will make that decision to where those focus areas are, but these are just some of the line offices that are represented.

Just also to give you an idea, these are the criteria we came up with when we’re going to look at all these candidate areas. We are now in the process of just compiling all these potential areas to analyze, but these are how we’re eventually going to score them and make a selection.

The first one is the blueprint outcomes and basically the five areas there are increase fish populations, how the area affects threatened and endangered species, are protected areas involved, are resilient communities considered, and also increased recreation. The list goes on and, as I mentioned earlier, we would like to demonstrate long-term impacts, but also some impacts in the short term.
It’s real important to have, as I have been talking about, cross-NOAA collaboration from different line offices and then external partnerships, as I’ve explained. Increased scientific understanding of habitats and so all of these components will be tied in, leveraging capital and resources and also consistent with what’s already happening in these regions.

Lastly, the three considerations we have are the transferability of what we learn, the benefits to local economies and the communities, and building off of existing activities and relationships and investments.

Here is the timeline for our selection process. We have been at it since January and we formed the team and we’re moving pretty rapidly with this initiative. We finalized the criteria that I just went through and at this point, we’re going through and designing a stakeholder strategy and part of my visit to you is implementing that stakeholder strategy.

In the next month, like I said, we’re trying to identify candidate areas and so this is the point where people can speak up, mostly to our team or our partners, to come up with ideas and present them to us.

We will eventually narrow those lists of focus areas and our team will have a workshop in July to select the area and then hopefully in the fall the areas will be identified and we’ll start in the implementation process.

Back to the stakeholder engagement and, again, we look at the council as a key stakeholder. Right now, we’re obviously in April and this is where we’re reaching out to key stakeholders such as yourselves and asking for suggestions on any potential focus areas.

Then later in the summer, once we have our candidates together, we are going to look to you all or maybe a representative from your group to help review what our candidate areas are and to provide some important feedback to guide our selection. Then, like I mentioned earlier, hopefully once we select that area, we will continue the communication and involvement of the council to help implement some of these actions.

That was a real rapid presentation, but, as I mentioned, I’m the co-chair, along with George Sedberry. Here is my contact information and I will continue to be in contact as we go through this process, but I am willing to answer any questions at this point.
CARLOS FARCHETTE: Thank you. Are there questions?

MIGUEL ROLON: I imagine that you will work with our local Puerto Rico habitat person, Jose Rivera?

HOWARD SCHNABOLK: I don’t know if -- Our representative from Puerto Rico is from Sea Grant. They are participating.

MIGUEL ROLON: National Marine Fisheries Service has stationed an FTS, Jose Rivera, and he is charge of habitat issues and the council relies on National Marine Fisheries Service on this type of discussion, but also a question is if you would like to see the council involved with this a little bit further, please let us know and send us a note, besides this meeting, and Graciela and I can help you with that. Also, at the SSC level, our SSC panel, we have experts on habitat that can help you with that, along with the local governments.

HOWARD SCHNABOLK: Great. Thank you.

GRACIELA GARCIA-MOLINER: It just came to mind when you were talking about the selection of an area. I don’t know if you saw the film where they were building the traps. The bay behind that, it is continuously being bombarded with use waters and it’s a very shallow area.

They don’t actually fish there, but the boats come into that area. They do have restaurants around the area and so it’s not very nice when you’re walking around inside that and so would that be the kind of area that -- It used to be a nursery ground habitat and I have no idea what’s left in that area anymore, but would that be the kind of areas that we would be looking at?

HOWARD SCHNABOLK: Yes, I think so. I think some of the main points is if we can improve the habitat and I think the thought is if it eventually could be very productive.

You have a lot of partners involved locally and I think those are probably the biggest benefits that we’ll weigh and so the answer is yes. I can provide some of our materials to document these potential areas and they’re pretty straightforward and easy to fill out at this point.

CARLOS FARCHETTE: Any further questions or comments? Thank you, Howard. We are going to move to Approaching the End of the Grouper 4 Rebuilding Plan with Bill Arnold.
Bill Arnold: This is just a reminder. Back in 2005, the Sustainable Fisheries Act Amendment listed four species as being overfished: Grouper Unit 1, Nassau grouper; Grouper Unit 2, goliath grouper; Grouper Unit 4, which was five species; and queen conch.

Each of those had a rebuilding plan established. The shortest of those was for Grouper Unit 4 and that was ten years and so it expires basically in 2015 and so that’s going to have to be addressed one way or another. Maybe NMFS will do it, but I just wanted to make sure the council was aware of this.

There’s a corollary concern with that and that is since that Grouper Unit 4 was established as being overfished, it’s been split into two separate units and so we’ve got that complicating factor and we don’t really know, or I don’t know, which of the species led to the overfished designation and whether those species are still in Grouper Unit 4 or if they’re now in Grouper Unit 5 or if they crossed that boundary.

This is something that we want to stay ahead of the game on, so that we’re ready when the rebuilding plan ends to address it. It was put on the rebuilding plan using expert opinion and so one way to deal with what its status is going to be going forward is to convene another panel of experts to determine where we are with Grouper Unit 4.

Just so you know, the original Grouper Unit 4 was yellowfin, red, tiger, yellowedge, and misty. Please correct me if I’m wrong. Now we have Grouper Unit 4 is yellowfin, red, and tiger and we added black in the 2010 Caribbean ACL Amendment. Then in that same amendment, we took yellowedge and misty out and put them in Grouper Unit 5. That’s it and I just wanted to make sure that we got this into the pipeline.

Miguel Rolon: That approach will be 2015 or within 2014?

Bill Arnold: The rebuilding plan would end in 2015. Exactly when in 2015, I don’t know, but probably ten years from the formalization date of the SFA Amendment and I don’t know exactly what that is, but it will be in the Federal Register notice for that SFA Amendment.

Graciela Garcia-Moliner: The only information that we really had at the time came from the tiger grouper aggregations off of Vieques and they have not been monitored since five or six years.
ago and so we will probably have little information on that.

Yellowfin, however, is one of the groupers and black that are being monitored at Bajo de Sico and Mona, et cetera, and so we should have a little bit of information to bring to the expert panel.

MIGUEL ROLON: The point is, for the report, is do you expect some action in 2015? Some people thought that after the end of the rebuilding period that it would be automatically opened, but no. We have to assess the status of the fishery and maybe we have to have another rebuilding period extended, but that will occur in 2015 and not today at this time.

BILL ARNOLD: You have to check and see if you met your rebuilding goal. You can’t just assume that you’re where you want to be and I would also point out that, five years down the road, queen conch had a fifteen-year plan and Nassau had a twenty-year plan and correct me if I’m wrong on this.

GRACIELA GARCIA-MOLINER: Twenty-five.

BILL ARNOLD: Twenty-five for Nassau and maybe thirty for goliath. They’re still down the road and so we don’t have to worry about those yet, but we should be thinking about Grouper Unit 4 and I wouldn’t be waiting, necessarily, until 2015 to tackle this issue. We at least need to be thinking about it, because if you’re going to convene the expert panel, that alone could take a while to compose the members and get them together and make progress on the issue.

MIGUEL ROLON: Do you think we can have a one-page addressing this by August, the experts that we need and all that, or should we do it for December?

BILL ARNOLD: I would suggest December.

MIGUEL ROLON: Okay.

CARLOS FARCHETTE: You know for the years that I’ve been going into the market, I don’t see yellowfin grouper. I think I saw one yellowfin grouper in the market on St. Croix and I don’t know why that is. Reni, did you see any out there?

GRACIELA GARCIA-MOLINER: They are called Mycteroperca venenosa for a reason.

CARLOS FARCHETTE: We don’t get much ciguatera in St. Croix.
GRACIELA GARCIA-MOLINER: The other thing is that the yellowfin and tiger and the ones in this group are hardly seen during most of the time. They used to be fished at the time of the aggregation and so it’s not until recently that, because of the depth, that the diver surveys would not see them.

MIGUEL ROLON: Just remember all that for December.

CARLOS FARCHETTE: I know they are harvested on St. Thomas, the yellowfin.

MIGUEL ROLON: We are all tired, but I don’t know if you can clap your hands, but today is Secretary’s Day. Yesterday was Earth Day and Earth Day is important, but, to me, Secretary’s Day is as important. I don’t know about you guys, but me without a secretary is lost. My wife is also a retired secretary and so figure that out yourself, but at this time, I would like to recognize publicly our three secretaries.

We have two at the office, Iris and María Pastrana and especially Iris. You know her. She is always there for everybody and Diana here. I keep forgetting she is my secretary, because she is always kicking me under the table and saying don’t do that and do the right thing. At this time, I would like to recognize them by just saying how we appreciate the work and a round of applause for these ladies who make our lives easier. Thank you, Mr. Chairman.

CARLOS FARCHETTE: We have a five-minute comment period if there is anybody from the public that wants to make comments. It’s your time to shine. I guess the next council meeting, I think that’s already set for August and it’s on the website. That’s the tentative date.

MIGUEL ROLON: It’s tentative unless we have a hurricane. We already have the contract signed. It will be in Puerto Rico and it will be the 12th and the 13th. We hope to see all of you in Puerto Rico in August.

CARLOS FARCHETTE: That draws us to the end of the 149th Caribbean Fishery Management Council meeting. This meeting is adjourned. Thank you very much and I think this was a successful meeting.

(Whereupon, the meeting adjourned on April 23, 2014)