

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

258TH MEETING

FULL COUNCIL SESSION

Doubletree by Hilton Austin

Austin, Texas

APRIL 6-7, 2016

VOTING MEMBERS

- Kevin Anson (designee for Chris Blankenship).....Alabama
- Martha Bademan (designee for Nick Wiley).....Florida
- Leann Bosarge.....Mississippi
- Doug Boyd.....Texas
- Roy Crabtree.....NMFS, SERO, St. Petersburg, Florida
- Pamela Dana.....Florida
- Dale Diaz.....Mississippi
- Myron Fischer (designee for Patrick Banks).....Louisiana
- Johnny Greene.....Alabama
- Kelly Lucas (designee for Jamie Miller).....Mississippi
- Campo Matens.....Louisiana
- Robin Riechers.....Texas
- John Sanchez.....Florida
- Greg Stunz.....Texas
- Ed Swindell.....Louisiana
- David Walker.....Alabama
- Roy Williams.....Florida

NON-VOTING MEMBERS

- Jason Brand.....USCG
- Glenn Constant.....USFWS
- Dave Donaldson.....GSMFC

STAFF

- Steven Atran.....Senior Fishery Biologist
- Assane Diagne.....Economist
- Douglas Gregory.....Executive Director
- Karen Hoak.....Administrative and Financial Assistant
- Ava Lasseter.....Anthropologist
- Mara Levy.....NOAA General Counsel
- Emily Muehlstein.....Fisheries Outreach Specialist
- Ryan Rindone.....Fishery Biologist/SEDAR Liaison
- Bernadine Roy.....Office Manager
- Carrie Simmons.....Deputy Director

OTHER PARTICIPANTS

- Dexter Anderson.....Port Mansfield, TX

1 Pam Anderson.....DCBA, Panama City, FL
2 Roger Anderson.....TX
3 Dan Appling.....TX
4 Greg Ball.....Galveston, TX
5 Patrick Banks.....LA
6 Steve Branstetter.....NOAA Fisheries
7 Eric Brazer.....Reef Fish Shareholders Alliance
8 Gary Bryant.....Gulf Shores, AL
9 Shane Cantrell.....CFA, TX
10 Bubba Cochrane.....GMSA
11 Mike Colby.....Clearwater Marine Association, Clearwater, FL
12 Chris Conklin.....SAFMC
13 Jason Delacruz.....FL
14 Ed Fleming.....TX
15 Tim Franke.....Austin, TX
16 Mike Garcia.....TX
17 Gary Glick.....TX
18 Larissa Graham.....Sea Grant
19 Jim Green.....DCBA, Destin, FL
20 Buddy Guindon.....TX
21 Ken Haddad.....American Sportfishing Association, FL
22 Christine Hale.....Sea Grant
23 Scott Hickman.....Galveston, TX
24 Gary Jarvis.....Destin, FL
25 Robert Jenkins.....
26 Mike Jennings.....CFA, Freeport, Texas
27 Bill Kelly.....FKCFA
28 Kevin McConnell.....Austin, TX
29 Neal Meinzer.....Austin, TX
30 Michael Miglini.....Corpus Christi, TX
31 Ken Milam.....TX
32 Ron Moser.....Port Aransas, TX
33 Virginia Moser.....Port Aransas, TX
34 Jake Neubauer.....Austin, TX
35 Bart Niquet.....Lynn Haven, FL
36 Chris Niquet.....Panama City, FL
37 Mike Nugent....Port Aransas Boatmen Association, Port Aransas, TX
38 Alex Pittman.....
39 Clay Porch.....SEFSC
40 Brandi Reeder.....TPWD
41 Daren Ross.....
42 Scott Sanderson.....Austin, TX
43 Rob Schneider.....
44 Rich Seagraves.....MAFMC
45 Clarence Seymour.....Biloxi, MS
46 Eli Sierra.....TX
47 Bill Staff.....
48 Cliff Strain.....Port Aransas, TX

1 Bill Stringer.....Austin, TX
2 Dave Sullivan.....Port Aransas Boatmen, Port Aransas, TX
3 Steve Tomeny.....Port Fourchon, LA
4 Ted Venker.....CCA
5 Ed Walker.....FL
6 Wayne Werner.....Alachua, FL
7 John Wilkerson.....TX
8 Daniel Willard.....EDF, Austin, TX
9
10 - - -
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TABLE OF MOTIONS

PAGE 22: Motion to accept the bycatch letter, based on changes suggested at full council. [The motion carried on page 22.](#)

PAGE 32: Motion that the council invite Chris Doley from the NOAA Restoration Center to the June council meeting to present highlights from the final BP Deepwater Horizon Programmatic Damage Assessment Plan, focusing on relevant open ocean and fishery resources and the process and timeframe for identifying projects. [The motion carried on page 33.](#)

PAGE 114: Motion to recommend the Texas closure run concurrent with the date that the state of Texas recommends, out to 200 miles, for the 2016 season. [The motion carried on page 114.](#)

PAGE 116: Motion to follow the IPT's suggestion and remove Alternative 3 in Action 3. Alternative 3 is set a threshold number of valid or renewable Gulf shrimp vessel permits based on the predicted number of active permitted vessels (those with landings from offshore waters) during 2009, which is the threshold level of effort for the incidental take statement for sea turtles in the 2014 biological opinion (1,074 permits). [The motion carried on page 119.](#)

PAGE 119: Motion to remove Option c from Alternative 6 in Action 3. Alternative 6 is set a threshold number of valid or renewable Gulf shrimp vessel permits based on the predicted number of active permitted vessels (those with landings from offshore waters) in a year with relatively high CPUE in the offshore fishery during the moratorium without substantially reduced landings. Option 6a is 2007 (1,133 permits). Option 6b is 2012 (990 permits). Option 6c is being removed. [The motion carried on page 123.](#)

PAGE 123: Motion to remove Options 7a, 7b, and 7c in Alternative 7 in Action 3. Alternative 7 is set a threshold number of valid or renewable Gulf shrimp vessel permits based on the number of valid permits at: Option 7a, the beginning of the moratorium (1,933 permits); Option 7b, the end of 2009 (1,722 permits); Option 7c, the end of 2011 (1,582 permits); Option 7d, the end of 2013 (1,501 permits); Option 7e, the end of 2014 (1,470 permits); Option f, the end of the initial moratorium, October 26, 2016 (number of permits unknown). [The motion carried on page 125.](#)

PAGE 125: Motion to move Action 5 to an appendix in the

1 document for possible future consideration. Action 5 is
2 Issuance of Reserved Gulf Shrimp Vessel Permits. [The motion](#)
3 [failed on page 128.](#)

4
5 [PAGE 128:](#) Motion in Action 4 to add a new Alternative 4. When
6 the number of valid or renewable permits reaches 1,300, the
7 council will form a review panel to review the details of a
8 permit pool and other options. If the number of permits reaches
9 the threshold set in Action 3, any permits that are not renewed
10 within one year of the expiration date on the permit will go
11 into a Gulf Shrimp Vessel Permit Reserve Pool. The panel would
12 consist of Shrimp AP members, SSC member, and NMFS and council
13 staff. [The motion carried on page 132.](#)

14
15 [PAGE 132:](#) Motion in Action 5, under the alternatives to accept
16 the AP and IPT recommendations, to modify the language in Option
17 d and add Option e. [The motion carried on page 138.](#)

18
19 [PAGE 138:](#) Motion in Action 5, in Alternatives 2 through 4,
20 remove Option b. Option b is be a U.S. citizen or business.
21 [The motion failed on page 140.](#)

22
23 [PAGE 142:](#) Motion in Action 2-2 to make Alternative 2 the
24 Preferred Alternative. [The motion carried on page 142.](#)

25
26 [PAGE 144:](#) Motion in Action 4 to make Alternative 2 the
27 preferred alternative. [The motion carried on page 144.](#)

28
29 [PAGE 144:](#) Motion in Action 5 to concur with the South Atlantic
30 Council and to make Alternative 3, Option 3b, and Alternative 4,
31 Option 4a, the preferred alternatives. [The motion carried on](#)
32 [page 144.](#)

33
34 [PAGE 145:](#) Motion in Action 8 to make Alternative 4, Options b
35 and f, the preferred alternative. [The motion failed on page](#)
36 [156.](#)

37
38 [PAGE 158:](#) Motion to approve CMP Amendment 26 and that it be
39 forwarded to the Secretary of Commerce for review and
40 implementation and deem the codified text as necessary and
41 appropriate, giving staff editorial license to make the
42 necessary changes in the document. The Council Chair is given
43 the authority to deem any changes to the codified text as
44 necessary and appropriate. [The motion carried on page 159.](#)

45
46 [PAGE 160:](#) Motion that staff begin development of a document
47 which will address the utilization of uncaught quota and any of
48 the associated accountability measures for king mackerel. [The](#)

1 [motion carried on page 168.](#)
2
3 [PAGE 168:](#) Motion that the council select Alternative 4 as a
4 Preferred Alternative. [The motion carried on page 169.](#)
5
6 [PAGE 169:](#) Motion that the council approve the Framework Action
7 to Modify Red Grouper ACL and that it be forwarded to the
8 Secretary of Commerce for review and implementation, and deem
9 the codified text as necessary and appropriate, giving staff
10 editorial license to make the necessary changes in the document.
11 The Council Chair is given the authority to deem any changes to
12 the codified text as necessary and appropriate. [The motion](#)
13 [carried on page 170.](#)
14
15 [PAGE 171:](#) Motion that the council add an Alternative 4 to
16 Action 3 to add a recreational closed season starting January 1
17 through February 28, open March 1st, and keep June 1 through
18 July 31 as a closed season. [The motion carried on page 171.](#)
19
20 [PAGE 171:](#) Motion that the council add an Alternative 5 to Action
21 3 to add a recreational closed season starting February 1. [The](#)
22 [motion carried on page 172.](#)
23
24 [PAGE 172:](#) Motion in Action 2 to add a new Alternative 5. [The](#)
25 [motion carried on page 172.](#)
26
27 [PAGE 172:](#) Motion that in Alternatives 2 through 4 in Action 2,
28 to add a sentence in each one that any vessel opting out from
29 the federally-permitted red snapper charter for-hire program
30 will not be able to harvest red snapper. [The motion carried on](#)
31 [page 172.](#)
32
33 [PAGE 175:](#) Motion to ask staff to add or modify the proposed
34 alternative with a range of options of 25 to 75 percent for each
35 option with 25 percent increments and an option for equal
36 weighting of the three components. [The motion carried on page](#)
37 [181.](#)
38
39 [PAGE 181:](#) Motion that in Action 3, to add two new options to
40 Alternative 5. Option 5d is use average landings for years 2003
41 to 2012, excluding landings in 2010. Option 5e is establish a
42 timeline as found in Amendment 40, which is 50 percent 1983 to
43 2013, plus 50 percent 2006 to 2013, excluding landings from
44 2010. [The motion carried on page 181.](#)
45
46 [PAGE 181:](#) Motion in Alternative 5 to remove 5a, 5b, and 5c.
47 [The motion carried on page 182.](#)
48

1 [PAGE 182](#): Motion in Action 1 to add an alternative to establish
2 a PFQ program that uses annual allocation but not shares. [The](#)
3 [motion carried on page 182](#).
4
5 [PAGE 182](#): Motion that staff, time permitting, reconvene the
6 Charter For-hire Advisory Panel, prior to the June Council
7 meeting, in order to continue their work on recommendations for
8 Amendment 41. [The motion carried on page 182](#).
9
10 [PAGE 183](#): Motion that the AP take up the harvest tag program
11 that provides recreational participants with annual allocation
12 distributed in the form of harvest tags, and specifically
13 evaluate this Alternative 5. [The motion carried on page 183](#).
14
15 [PAGE 183](#): Motion to move Alternative 3 in Action 1 and Section
16 C, fishing cooperatives, to the considered but rejected section.
17 [The motion carried on page 183](#).
18
19 [PAGE 183](#): Motion to have staff examine the following
20 traditional measures and report back to the council how these
21 measures impact season length for the charter for hire sector:
22 1)one-fish bag limit; 2)split seasons; 3)a range of size limits.
23 [The motion carried on page 184](#).
24
25 [PAGE 184](#): Motion to ask National Marine Fisheries Service to
26 publish a control date of December 31, 2015 for participation in
27 the reef fish headboat program. [The motion carried on page 184](#).
28
29 [PAGE 184](#): Motion in Action 2, under Preferred Alternative 3,
30 that Option 3b be the Preferred Option for MSST. [The motion](#)
31 [carried on page 185](#).
32
33 [PAGE 185](#): Motion in Action 3 to modify Alternative 3 to read as
34 follows and make it the preferred alternative. Alternative 3 is
35 the constant catch ACL is set at 219,000 pounds wet weight,
36 based on the constant catch ABC recommendation for the years
37 2016 through 2018 of the SSC. Option 3a is ACT will not be
38 defined. [The motion carried on page 187](#).
39
40 [PAGE 187](#): Motion that in Action 4 the Preferred Alternative be
41 Alternative 4. [The motion carried on page 187](#).
42
43 [PAGE 188](#): Motion in Action 5 that Alternative 2 be the
44 preferred alternative. [The motion carried on page 188](#).
45
46 [PAGE 188](#): Motion to select Alternative 2 with Option 2a as the
47 preferred alternative and preferred option. [The motion carried](#)
48 [on page 191](#).

1
2 [PAGE 191](#): Motion to take Amendment 45 to in-person public
3 hearings. [The motion carried on page 191.](#)
4
5 [PAGE 191](#): Motion in Action 1 to make Alternative 5 the
6 preferred alternative. [The motion carried on page 193.](#)
7
8 [PAGE 193](#): Motion to approve the Framework Action to Modify
9 Commercial Gear Requirements and Recreational/Commercial Fishing
10 Year for Yellowtail Snapper and that it be forwarded to the
11 Secretary of Commerce for review and implementation and deem the
12 codified text as necessary and appropriate, giving staff
13 editorial license to make the necessary changes in the document.
14 [The motion carried on page 195.](#)
15
16 [PAGE 199](#): Motion to recommend accepting the 2016 budget and
17 activities as written. [The motion carried on page 199.](#)
18
19 [PAGE 200](#): Motion that the council approve the Proposed Protocol
20 Form for Background Checks on Gulf Council Advisory Panel
21 Applicants as revised. [The motion carried on page 200.](#)
22
23 [PAGE 202](#): Motion to send a second letter to the Office of Law
24 Enforcement emphasizing that complimentary boardings be given
25 the lowest rating possible or not be considered. [The motion](#)
26 [carried on page 208.](#)
27
28 [PAGE 212](#): Motion to convene the Technical Data Committee to
29 review the minimum data elements that the Southeast Fisheries
30 Science Center deems necessary and look at different
31 hardware/software options and advise the council on findings.
32 [The motion carried on page 213.](#)
33
34 [PAGE 216](#): Motion to recommend to the Council Chair and
35 Executive Director that an assessment of king mackerel be
36 conducted in 2018 in conjunction with the Gulf of Mexico Large
37 Marine Ecosystem joint project with Mexico of the same species.
38 [The motion carried on page 216.](#)
39
40 [PAGE 216](#): Motion to add gray triggerfish to the SEDAR schedule
41 for 2019 at the appropriate assessment level. [The motion](#)
42 [carried on page 216.](#)
43
44 [PAGE 216](#): Motion to add cobia to the SEDAR schedule for 2019.
45 [The motion carried on page 216.](#)
46
47 [PAGE 216](#): Motion to add Spanish mackerel to the SEDAR schedule
48 for 2019. [The motion carried on page 217.](#)

1
2 [PAGE 216](#): Motion to add yellowedge grouper and tilefish to the
3 SEDAR schedule for 2019. [The motion carried on page 217.](#)

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1 The Full Council of the Gulf of Mexico Fishery Management
2 Council convened at the Doubletree by Hilton Austin, Austin,
3 Texas, Wednesday morning, April 6, 2016, and was called to order
4 at 10:35 a.m. by Chairman Kevin Anson.
5

6 **CALL TO ORDER, ANNOUNCEMENTS, AND INTRODUCTIONS**
7

8 **CHAIRMAN KEVIN ANSON:** Welcome to the 258th meeting of the Gulf
9 Council. My name is Kevin Anson, Chairman of the Council. If
10 you have a cell phone, pager, or similar device, we ask that you
11 keep them on silent or vibrating mode during the meeting.
12

13 The Gulf Council is one of eight regional councils established
14 in 1976 by the Fishery Conservation and Management Act, known
15 today as the Magnuson-Stevens Act.
16

17 The council's purpose is to serve as a deliberative body to
18 advise the Secretary of Commerce on fishery management measures
19 in the federal waters of the Gulf of Mexico. These measures
20 help ensure that fishery resources in the Gulf are sustained,
21 while providing the best overall benefit to the nation.
22

23 The council has seventeen voting members, eleven of whom are
24 appointed by the Secretary of Commerce and include individuals
25 from a range of geographical areas in the Gulf of Mexico and
26 with experience in various aspects of fisheries.
27

28 The membership also includes five state fishery managers from
29 each Gulf state and the Regional Administrator from NOAA's
30 Southeast Fisheries Service, as well as several non-voting
31 members.
32

33 Public input is a vital part of the council's deliberative
34 process and comments, both oral and written, are accepted and
35 considered by the council throughout the process. Anyone
36 wishing to speak during public comment should sign in at the
37 iPad registration station located at the entrance to the meeting
38 room. We accept only one registration per person. A digital
39 recording is used for the public record. Therefore, for the
40 purpose of voice identification, each member is requested to
41 identify him or herself, starting on my left.
42

43 **MS. LEANN BOSARGE:** Leann Bosarge, Mississippi.
44

45 **MR. DAVE DONALDSON:** Dave Donaldson, Gulf States Marine
46 Fisheries Commission.
47

48 **MR. JOHNNY GREENE:** Johnny Greene, Alabama.

1
2 **MR. DAVID WALKER:** David Walker, Alabama.
3
4 **MR. CAMPO MATENS:** Camp Matens, Louisiana.
5
6 **MR. PATRICK BANKS:** Patrick Banks, Louisiana.
7
8 **MR. MYRON FISCHER:** Myron Fischer, Louisiana.
9
10 **MR. ED SWINDELL:** Ed Swindell, Louisiana.
11
12 **MR. ROY WILLIAMS:** Roy Williams, Florida.
13
14 **MR. JOHN SANCHEZ:** John Sanchez, Florida.
15
16 **DR. PAMELA DANA:** Pam Dana, Florida.
17
18 **MS. MARTHA BADEMAN:** Martha Bademan, Florida.
19
20 **MR. GLENN CONSTANT:** Glenn Constant, U.S. Fish and Wildlife
21 Service.
22
23 **MR. CHRIS CONKLIN:** Chris Conklin, South Atlantic Council.
24
25 **MS. MARA LEVY:** Mara Levy, NOAA Office of General Counsel.
26
27 **DR. ROY CRABTREE:** Roy Crabtree, NOAA Fisheries.
28
29 **DR. STEVE BRANSTETTER:** Steve Branstetter, NOAA Fisheries.
30
31 **DR. CLAY PORCH:** Clay Porch, Southeast Fisheries Science Center.
32
33 **MR. ROBIN RIECHERS:** Robin Riechers, Texas.
34
35 **DR. GREG STUNZ:** Greg Stunz, Texas.
36
37 **MR. DOUG BOYD:** Doug Boyd, Texas.
38
39 **MR. DALE DIAZ:** Dale Diaz, Mississippi.
40
41 **DR. KELLY LUCAS:** Kelly Lucas, Mississippi.
42
43 **LCDR JASON BRAND:** Jason Brand, U.S. Coast Guard.
44
45 **EXECUTIVE DIRECTOR DOUGLAS GREGORY:** Douglas Gregory, council
46 staff.
47
48 **CHAIRMAN ANSON:** Thank you. Before we go into the agenda, I

1 just wanted to speak on behalf of the council members for the
2 Charting Fishing Association, Share the Gulf, and the Gulf Reef
3 Fish Shareholders Alliance that put on the reception last night.
4 We certainly appreciate the hospitality and the time to discuss
5 fisheries issues and meeting everyone, and so thank you.

6
7 We have Adoption of the Agenda is next, Item Number II. Are
8 there any changes to the agenda? Mr. Riechers.

9
10 **ADOPTION OF AGENDA AND APPROVAL OF MINUTES**

11
12 **MR. RIECHERS:** Yes, Mr. Anson. I would like to move that we add
13 a Texas JEA Presentation to the Presentation Section there
14 between 10:50 and 12:15. At the pleasure of you, it can come up
15 any time in there.

16
17 **CHAIRMAN ANSON:** All right. Dr. Crabtree.

18
19 **DR. CRABTREE:** I would like to give an update on a red snapper
20 workshop that was held looking at a research plan for the \$10
21 million appropriated in the last budget and also a brief update
22 on where we stand with a status review for the Bryde's whale in
23 the Gulf of Mexico.

24
25 **CHAIRMAN ANSON:** Any other items? Robin, I will put the JEA
26 Presentation as the last slot in the 10:50 to 12:15 time period.
27 Then, Dr. Crabtree, I will add your two items to Other Business
28 for the end of the council meeting, if that's okay. Mr.
29 Riechers.

30
31 **MR. RIECHERS:** I move adoption with amendments.

32
33 **CHAIRMAN ANSON:** There's been a motion to accept the agenda as
34 changed. It's seconded by Mr. Diaz. Any discussion on the
35 motion? **Is there any opposition to the motion? Seeing none,**
36 **the motion carries.**

37
38 Next, we have Approval of the Minutes, Tab A, Number 3 and 4.
39 Does anyone have any changes to the minutes from the previous
40 meeting? Seeing none, is there a motion to accept the minutes?

41
42 **MR. RIECHERS:** Move to adopt the minutes as written.

43
44 **CHAIRMAN ANSON:** There's a motion by Mr. Riechers and seconded
45 by Ms. Bosarge. Any discussion on the motion? **Any opposition**
46 **to the motion? Seeing none, the minutes are approved and the**
47 **motion carries.**

1 Item Number III is a Review of Exempted Fishing Permit
2 Applications. Dr. Crabtree, are there any applications to
3 review? All right. Thank you. Next, in Item IV, we have the
4 first presentation, which is Review of Proposed Rule
5 Standardized Bycatch Report Methodology. It's Tab A, Number 7
6 and Tab A, Number 7(b). Dr. Branstetter.

7
8 **PRESENTATIONS**
9 **REVIEW OF PROPOSED RULE STANDARDIZED BYCATCH REPORTING**
10 **METHODOLOGY**

11
12 **DR. BRANSTETTER:** Thank you, Mr. Chairman. I want to apologize
13 right upfront. Someone thoughtfully shared a cold with me on
14 the flight over here, and so if my voice cracks and breaks while
15 I'm doing this, I apologize.

16
17 This presentation is primarily to provide you with an overview
18 of the proposed rule that published recently regarding
19 standardized bycatch reporting methodologies and the process
20 that will be occurring within our group at SERO and working with
21 the Science Center folks.

22
23 We established a workgroup about a year ago, and we have begun
24 putting together some of the ideas and concepts and looking at
25 what we had in place and where we could possibly improve. We
26 recently provided that to council staff, and they will be
27 beginning to look at that as well.

28
29 This presentation will primarily focus on the rule, and I will
30 also go through some of the stuff that I talked briefly about at
31 our October meeting on discards in the Gulf and then SBRMs that
32 we have and then I will finalize with some of the ideas that our
33 workgroup has come up with for considering what SBRMs we have
34 and what we may need.

35
36 The proposed rule published in February. Comments are due
37 through April, and I'm sure there will be a lot. Basically, the
38 Magnuson Act requires all FMPs to establish standardized bycatch
39 reporting methodologies to assess bycatch and to assess the
40 effects of bycatch on the various stocks under our jurisdiction.

41
42 The proposed rule basically lays out definitions,
43 standardization, so that everyone is working from a level
44 playing field as to exactly what standardized bycatch reporting
45 means.

46
47 Number one, of course, is just to define what standardized
48 bycatch reporting methodology means. The rule also tries to

1 clarify the procedures for identifying and documenting and
2 reviewing those SBRMs that you have in your various plans, and
3 then the rule also would establish different ways that you have
4 to make it as adaptable as possible.

5
6 According to the rule, the methodologies mean an established
7 procedure or procedures used to collect, record, or report
8 bycatch data in a fishery. The standardized can vary from
9 fishery to fishery. The procedures may be different. I mean
10 MRIP is different from commercial logbooks. Those both could be
11 recognized as standardized bycatch reporting.

12
13 The bycatch data would be collected and recorded under these
14 methodologies and then used to provide information for stock
15 assessments for the amount of bycatch in the fishery and the
16 effects of that bycatch on the stock itself or on other stocks
17 where bycatch is occurring as a non-target. This will help us
18 improve our assessment work in our other research areas.

19
20 What the rule is looking for is that the FMPs must clearly state
21 what the methodologies are. For the Gulf, we specifically have
22 standardized bycatch reporting methodologies in the reef fish
23 commercial fishery through our observer program. We have an
24 identified standardized bycatch reporting through the observer
25 program and the ELBs in the shrimp fishery.

26
27 The FMPs will also need to lay out why the methodology that is
28 being selected is an appropriate methodology and why are
29 logbooks necessary and why are they the appropriate methodology
30 in maybe one fishery, but not in another. Where possible, the
31 whole idea is to also incorporate by reference from other
32 documents and other analyses that have been done and are those
33 standardized methods valid for inclusion and consideration.

34
35 When considering and reviewing the methodologies, the council
36 needs to consider conservation and management objectives of the
37 fishery, the quality of the data, the characteristics of the
38 bycatch, such as how much, the importance of it in estimating
39 total discards, and the impact of bycatch on the ecosystems
40 themselves and also, and this is one of the big driving forces,
41 as we have talked about unfunded things at this meeting, is the
42 feasibility of the methodology. Is it cost efficient? Is it
43 proper technical analysis? Is it functional and operational to
44 be used in a broad scale? Again, it must be designed to be
45 implemented with available funding.

46
47 The council can also consider the overall magnitude or economic
48 impact of the fishery. For example, there is the catch of blue

1 runner in the king mackerel fishery and what is the impact on
2 that? Are the techniques available? Again, you can't identify
3 something that you can't fund, that you can't support, and that
4 isn't feasible to actually use within the system.

5
6 The adaptable part of this, the FMPs will need to develop a
7 process for adjusting these. It will be sort of like a
8 framework procedure. If you identify that you need to modify
9 your standardized bycatch reporting methodologies, then you need
10 to be able to spell out the types of adjustments that you may
11 want to use, whether that may be in increases or decreases in
12 intensity. You would also describe the limits for using this
13 process, this modification process, and how often you need to
14 reevaluate your SBRMs.

15
16 These reviews should occur on about a five-year basis. The
17 review would look at your existing SBRMs, the data being
18 collected through those methodologies, and whether or not it is
19 adequate for your needs for management. As I said, this would
20 require that review at least every five years.

21
22 I am going to quickly walk through some of the discards, the
23 reef fish discards. These are some of the estimates from the
24 commercial reef fish hand line/longline components. Red
25 grouper, obviously, is the number one, but, as you can see, they
26 rapidly fall off. That's where the council would need to make
27 that kind of a decision as to do we need better information on
28 gray snapper as a bycatch and a discard within the reef fish
29 fishery.

30
31 In the commercial coastal migratory, surprisingly, sharks are
32 number one in the gillnet, and then king mackerel is the number
33 one discard, and it's a regulatory discard, within the hook and
34 line and troll segments of the fishery, but, again, these are
35 the kinds of things you need to identify. How important are
36 these discards to the overall status of the stock?

37
38 From a recreational standpoint, as you can see, there is a high
39 level of cobia discards in the private sector. There is a high
40 level of Spanish mackerel discards in the private sector, and,
41 again, you need to evaluate and rank these as to their
42 importance as to how it affects the stocks.

43
44 Spiny lobster, we don't have a whole lot of information on the
45 bycatch in those fisheries, other than some studies from several
46 years ago, where most of the bycatch is just discards that are
47 non-commercially important species. Very low mortality rates,
48 and I think something like 98 or 99 percent of everything

1 released out of a lobster trap is alive, but this will be one
2 that we probably will need to focus on as to improving
3 standardized reporting.

4
5 For the shrimp discards, obviously this is a very long-standing
6 survey that's been going on through what began as a voluntary
7 observer program and has now continued on as a mandatory
8 observer program. We also have the shrimp effort information
9 with the ELBs, but this is one that the observer coverage is
10 relatively low and you would need to make a decision as to is
11 that something that needs to be improved.

12
13 This is kind of a summary of some of the reporting programs that
14 are in effect right now. We have the headboat observer program
15 and we have the MRIP and charter surveys, Florida Fish and
16 Wildlife, we've got the headboat survey, commercial observers,
17 and commercial logbooks. Some of these, you can see where
18 they're marked as "X" here. These are directly being reported.
19 Some of these simply need to be identified as standardized
20 bycatch reporting methodologies in the FMPs. It would be up to
21 the council to decide are they adequate and do they need to be
22 enhanced?

23
24 Now, our group has put together a working document to identify
25 ways to improve these methodologies, and this is not a list of
26 things you need to consider. It is of things that could be
27 considered. You will see, as I go through these, there's a lot
28 of redundancy to it.

29
30 Some very common themes running through it are for the Reef Fish
31 FMP, maintain and perhaps enhance the observer coverage,
32 although right now the observer coverage is far above exceeding
33 the requirements of the biological opinion for turtles.
34 Integrate electronic technology to supplement observers, this is
35 one that's going to be a common theme throughout, is to get
36 these electronic reporting technologies improved.

37
38 Also, to enhance the commercial logbooks to better identify
39 target, landed, and discarded stocks and add things like corals,
40 mammals, protected species, and their interactions with the
41 fishery.

42
43 For the recreational fishery, add the headboat observer coverage
44 to the SBRMs is a possibility. Identify the MRIP Program as an
45 SBRM specifically and then, again, supplement it or replace that
46 with electronic reporting, as you have discussed and are doing
47 for the headboats and you're talking about for the charter
48 boats.

1
2 Then to perhaps add observers or other electronic means, such as
3 cameras or other electronic reporting methods, to enhance
4 recreational reporting. For the coastal migratory, this is one
5 where we have not specifically identified SBRMs, but we do have
6 them in place. Like I said, we have logbooks and we have the
7 MRIP program.

8
9 There are other things that could be done here, again, enhancing
10 electronic reporting within the commercial fishery and adding
11 things to make it more of a census than the logbooks currently
12 are. Adding observer coverage, if possible. Many of these
13 boats are small and probably can't have an observer, and, again,
14 adding corals, marine mammals, and protected species to the
15 discard logbook are potential methods to improve bycatch
16 reporting in that fishery.

17
18 For the recreational, again, just like with reef fish, add the
19 observer coverage and enhance it as needed, identify MRIP as a
20 program, and add electronic reporting to the for-hire, both the
21 headboat and charter sectors.

22
23 For coral, obviously we do not allow the harvest of coral.
24 There is no fishery for coral, but coral does occur as a bycatch
25 in other fisheries, and so, again, adding this as a specific
26 component to the logbooks might be sufficient as a way to
27 improve bycatch reporting for coral takes.

28
29 In the Shrimp FMP, again, enhance the current observer program
30 and ELBs, although I think the Science Center has pretty well
31 identified that the ELB coverage is probably sufficient at this
32 point. Once again, identifying specific ways to have a
33 reporting for marine mammals and other protected species,
34 especially sawfish, where they are interacting in southwest
35 Florida.

36
37 Perhaps electronic monitoring could serve as an alternative for
38 observer coverage within that fishery, such as camera systems,
39 or even having electronic reporting from the shrimp fleet, but
40 this one is one that would take careful consideration, because
41 obviously there is a very high diversity of species taken every
42 drag, and it would be very difficult for a captain to make that
43 kind of a logbook report.

44
45 For red drum, again, we don't have an active fishery for this,
46 and so it would be to make sure that the other fisheries do
47 adequately report any take of red drum and discard of red drum.
48 Once again, coming through with enhancing the reporting parts of

1 the commercial logbooks and bringing the system up into
2 electronic reporting that might be simpler for both the
3 commercial and recreational fisheries to be able to make these
4 reports.

5
6 For spiny lobster, this is one that, as I mentioned, it has a
7 very low bycatch within the fishery itself, and this would be
8 true for mackerel. Observer coverage just every few years, to
9 verify exactly what has been self-reported by the fishery
10 through logbooks and, again, enhanced logbooks to better report
11 on all of these other species, and perhaps include spiny lobster
12 in the MRIP reporting. With that, I will try to answer any
13 questions that you might have.

14
15 **CHAIRMAN ANSON:** Thank you, Dr. Branstetter. Any questions?
16 Ms. Bosarge.

17
18 **MS. BOSARGE:** Thank you, Dr. Branstetter. I did have one
19 question. You mentioned the five-year review. Now, is that
20 something that's coming from above or did that come from the
21 working group or is that something we can comment on?

22
23 **DR. BRANSTETTER:** That's part of the proposed rule, yes, and I
24 think Carrie is going to go over some of the comments that your
25 council staff has worked up for the rule.

26
27 **CHAIRMAN ANSON:** Any other questions? Dr. Simmons, you're going
28 to present Tab A, Number 7(c), the summary?

29
30 **DR. CARRIE SIMMONS:** Yes, and, thank you, Mr. Chairman. We
31 circulated the proposed rule around to staff and read it several
32 times. It was a very exciting rule, and I have a draft letter
33 before you. It was the best way to try to come up with some
34 comments on the proposed rule for your review.

35
36 We tried to parse it out into the sections we thought were most
37 important for us to comment on. We didn't have the presentation
38 that Dr. Branstetter gave in front of us, and we were just going
39 by the proposed rule.

40
41 We will start on page 1, the review timeline. Overall, I wrote
42 that the council supports the timeline in this proposed rule
43 that allows five years for the adoption of these standardized
44 bycatch reporting methodologies that's consistent with the rule
45 and appreciates the flexibility for reviewing and documenting
46 these in the various fishery management plans.

47
48 However, after the initial reviews are completed, and the

1 proposed rule states that we should review it at least every
2 five years thereafter, staff has a lot of concerns about
3 workload and the number of reviews that we would be conducting
4 thereafter, based on the fact that we have numerous regulatory
5 reviews, such as EFH, the limited access programs. The other
6 reviews include the charter for-hire permit moratorium and the
7 commercial IFQ programs.

8
9 In the letter we're drafting on the council's behalf, we're
10 saying the council proposes to extend the required review time
11 to ten years after the initial review or on an as-needed basis.
12 We probably should have the council comment on that, but that's
13 a staff suggestion, just based on workload and just as a comment
14 on the proposed rule, but we have grave concerns about that
15 after the initial five-year review.

16
17 **CHAIRMAN ANSON:** Ms. Bosarge.

18
19 **MS. BOSARGE:** I think you took the words right out of my mouth.
20 I think this is very important, and it's definitely something we
21 need to take a hard look at and get it on the books, and we do
22 need to review it periodically, but my thought on that five-year
23 review was the same thing.

24
25 I was thinking about the other reviews that we already have
26 scheduled, the five-year reviews for any IFQs and I mean it's
27 just -- I worry that sometimes, at some point in the future, we
28 may not spend the bulk of our meeting reviewing things as
29 opposed to addressing things that are immediate concerns, you
30 know our rebuilding programs and things like this. I just want
31 to make sure we don't get into a situation where we're having to
32 prioritize one thing above the other when maybe our overall goal
33 is not being met, and so thank you.

34
35 **CHAIRMAN ANSON:** Dr. Simmons, any --

36
37 **DR. SIMMONS:** Thank you, and so that was appropriate as drafted
38 in the letter. Under the required factors for establishing or
39 reviewing these methods, we wanted to point out that the council
40 understands and supports the concept of this proposed rule that
41 requires that each SBRM be designed to be implemented with
42 available funding and will consider feasibility when reviewing
43 these.

44
45 We also wanted to point out that the Gulf States have
46 implemented their own data collection programs aimed at
47 improving the private recreational anglers' landings and effort
48 information.

1
2 One question that came up during the staff discussion on this
3 was as these programs become more developed and are certified,
4 these programs may or may not be including the bycatch reporting
5 methodologies, and so where would that fall? Would the council
6 then incorporate that information in our FMPs when that becomes
7 certified?

8
9 Just, as we move forward, how would that work? That's just
10 something we wanted to point out as far as those bycatch
11 reporting methods. I'm sure it will be a joint effort, but it
12 is an ongoing, changing dynamic with the Gulf Council right now,
13 and so I will stop there for a second.

14
15 **CHAIRMAN ANSON:** Mr. Riechers.

16
17 **MR. RIECHERS:** I guess I always get a little concerned when
18 we're asking the feds whether or not something is going to work
19 for them as a state. I would suggest we just delete that second
20 paragraph there. I realize what you're trying to do, which is
21 to say we've got ongoing systems, but we do that both
22 recreationally and commercially now. We have changes in systems
23 coming forward.

24
25 They're either going to fit under this or they're not, and it
26 seems to me that's a decision that people, and us, in reviewing
27 that, will make at a later time. That would just be my
28 suggestion, just so that we -- I'm afraid if we raise a question
29 here that -- First of all, knowing how these things work, we
30 won't get an answer, and I believe also that we just kind of
31 open ourselves up to them then requiring the states to do some
32 things that we otherwise might not choose to do as states, and
33 we may still not choose to do, even though they say you guys do
34 it. We may say, no, you all figure out a way to do that.

35
36 **CHAIRMAN ANSON:** Dr. Crabtree.

37
38 **DR. CRABTREE:** I mean I think the answer is that this rule can't
39 require the states to do anything, as far as I know. This is a
40 Magnuson rule. You can require the councils to do some things,
41 but not the states.

42
43 **CHAIRMAN ANSON:** Any other comments? You noted that, Dr.
44 Simmons?

45
46 **DR. SIMMONS:** Yes, we've got it. Thank you. Under the
47 adoptable implementation of the SBRMs, the council supports the
48 items outlined in the adaptable implementation plan, such as

1 changes in frequency of data collection and reporting through
2 the FMPs. We note that we're working on the electronic logbook
3 reporting amendment for the for-hire vessels in the Gulf, and
4 this could greatly improve the quality of bycatch estimates,
5 even if self-reported. I will stop there and see if there's any
6 suggestions on that section.

7

8 **CHAIRMAN ANSON:** Any questions? Go ahead and proceed

9

10 **DR. SIMMONS:** Then the final section, it sounds like -- I guess,
11 as council staff, we weren't sure that we had a discreet
12 standardized bycatch reporting methodology document, but it
13 sounds like in the various FMPs that those suffice.

14

15 We will wordsmith what we have there in the middle of that
16 paragraph at the bottom of the page, based on the presentation
17 we received, when I said the proposed rule allows the
18 flexibility of incorporating by reference, but, in some cases,
19 the FMPs may require the development of a generic amendment to
20 explain why the methodology is appropriate for the fishery, thus
21 requiring additional staff time and resources. Recognizing this
22 additional workload this exercise may entail, the council feels
23 this is a reasonable approach and timeline to fill these
24 requirements.

25

26 **CHAIRMAN ANSON:** Any comments on the letter? I had asked Doug
27 and Doug requested that a motion be made by the council members
28 to accept the letter with the changes, as noted earlier by Mr.
29 Riechers' comment, and give the Chair editorial license to make
30 minor changes and such, our standard motion for these type of
31 actions. Is there anyone willing to do that? Mr. Riechers.

32

33 **MR. RIECHERS:** I will move that we accept the letter as written
34 with the changes discussed in full council, and obviously
35 provide the staff and the Chair that discretion as far as
36 editing as you move on here. The motion just says we accept the
37 letter as written, based on changes suggested at full council.

38

39 **CHAIRMAN ANSON:** There is a motion to accept the letter, the
40 bycatch letter, as written, based on changes suggested at full
41 council. Is there a second to the motion? Martha seconds. Any
42 discussion on the motion? **Is there any opposition to the
43 motion? Seeing none, the motion carries.**

44

45 That will take us to our second presentation, Science Update:
46 How the Oil Spill Impacted the Fish Species We Care About, Tab
47 A, Number 8. This will be presented by I believe Ms. Chris Hale
48 with Sea Grant. Welcome.

1
2 **SCIENCE UPDATE: HOW THE OIL SPILL IMPACTED THE FISH SPECIES WE**
3 **CARE ABOUT**
4

5 **MS. CHRISTINE HALE:** I am Chris Hale. I'm with Texas Sea Grant.
6 I am the Oil Spill Science Outreach Specialist, and I am joined
7 as well by Larissa Graham. She's with the Mississippi/Alabama
8 Sea Grant College Program.
9

10 We're here today to share with you some information about
11 emerging science on the impacts of Deepwater Horizon on
12 fisheries, but, first, a little context about our program. We
13 started in 2014, but, of course, the oil spill happened in 2010.
14 At that time, the responsible party, as we know is BP, they
15 parted with \$500 million in the interest of research, and they
16 invested that for a ten-year program.
17

18 That program began with the goal to investigate the impacts in
19 general, to improve the livelihoods of those who depends on a
20 healthy Gulf of Mexico in general. Thus far, they've invested a
21 lot of that. There's thousands of scientists that have been
22 funded. There's somewhere around six-hundred-plus peer-reviewed
23 journal articles resulting from this investment. GOMRI stands
24 for the Gulf of Mexico Research Initiative, and those are the
25 folks that administer those funds for research.
26

27 Where does Sea Grant come into the picture? Some of you are
28 very familiar with the Sea Grant, but for those of you who might
29 be a little unfamiliar, Sea Grant is a federal program that
30 works usually in cooperation with universities. For example, I
31 am housed at Texas A&M University, Corpus Christi, and Sea Grant
32 has a reputation for basically being the middle man, connecting
33 people to the science and the issues.
34

35 We deal, of course, with coastal, marine, and freshwater issues
36 and we're housed within universities so that we have access to
37 emerging science, and then we can take that science and deliver
38 it to our communities. In fact, Sea Grant is celebrating its
39 fiftieth-year anniversary this year, and so we're really excited
40 about that.
41

42 Sea Grant partnered up with GOMRI and began this new Oil Spill
43 Science Outreach Program in 2014, and so there's our smiling
44 faces. Of course, I represent Texas. My colleague, Emily
45 Maung-Douglass, she's based in Baton Rouge, Louisiana. Of
46 course, Larissa is with Mississippi/Alabama, and Dr. Monica
47 Wilson is over in Florida, who some of you might recognize, and
48 she's based in St. Pete.

1
2 Together, we have a variety of backgrounds and education, and
3 that's because, that way, one of us is an oceanographer and one
4 of us is a chemist and one of us has more of a biology
5 background, human dimensions. That way, we can tackle the
6 questions that are coming from our target audiences, and so the
7 key thing that we do -- We don't just do public general
8 outreach. We are targeting our science for decision-making
9 people.

10
11 What exactly are we doing? We've been spending the past year-
12 and-a-half, almost two years now, meeting with members of our
13 target audiences. You guys are actually one of our target
14 audiences. We have natural resource managers, emergency
15 responders, the fishing community, public health officials, and
16 the list goes on.

17
18 What we're doing is we're reading those peer-reviewed journal
19 articles and we're distilling that science and repackaging it
20 for the person who might not necessarily have the time or the
21 ability to read through all those articles in order to make the
22 decisions, and so we're distilling that information and we're
23 publishing that information in our oil spill publications, and
24 we have a lot of those hard copies available today if you're
25 interested, but the topics we write on are in response to the
26 topics that our target audiences have expressed an interest in,
27 for example dispersants, bait and transport of oil, and the big
28 question here, of course, is fisheries impacts.

29
30 In addition to those publications, we're also hosting a variety
31 of science seminars and workshops. Tonight, actually, if you
32 have time, and I hope you do, we're hosting one of those
33 seminars. It's going to be a more informal social setting, but
34 these seminars are a way for us to bring our experts, our
35 scientists, in the room to answer your questions directly, and
36 it also gives us a chance to get your input and your feedback
37 and ask more questions, and we can identify some of those
38 information needs and knowledge gaps.

39
40 Now I'm going to introduce a little bit of the science that
41 we're going to be sharing tonight. Again, it's just going to be
42 an overview of some of what we're studying or the scientists are
43 looking at as it pertains to fisheries, but I encourage you to
44 join us later tonight. I will give you more details about
45 tonight's session in a minute.

46
47 A lot of the questions we are getting from our target audience
48 is ecosystem impacts. It's kind a broad, general question. The

1 Gulf of Mexico is one huge ecosystem made up of multiple
2 interacting habitats and species, and the problem is where do we
3 start?

4
5 The fisheries scientists specifically, where do they start to
6 understand this broader question? Some of those scientists are
7 taking this sort of three-tiered approach, and you will see this
8 again tonight by Dr. Joel Fodrie. This is his work.

9
10 There is a group that are focusing more on that individual
11 level. They're looking at how does the oil and the oil spill
12 impact fish on that basis organism level? If there's an impact,
13 they're asking then, does that impact transfer up to the
14 population level, and, of course, onward to the community and
15 whole ecosystem level? That's how scientists are beginning to
16 divide up the work thus far.

17
18 We do know that there's been a negative impact at the individual
19 level. Dr. Ben Dubansky will cover some of this this evening,
20 and I'm not a geneticist, but I will do my best. Some of the
21 work they're looking at is gene expression, and they're looking
22 at killifish.

23
24 Killifish, of course, we're all pretty familiar with. It's a
25 bait fish here in the Gulf, and they tend to be homebodies, and
26 so they stick to their home base, their home estuaries. They
27 become like a biomarker for understanding oil spill exposure and
28 oil spill impact.

29
30 One thing that our scientists look at are this gene known as
31 CYP1A, and I had never heard of CYP1A before I took this
32 position, and so this was new info for me, but this gene is
33 something that all vertebrates possess, even us, and fish are
34 really good, relatively, at breaking down the toxins found in
35 oil because of this gene. This is a stress response gene.

36
37 The scientists are looking for expression here, and they're
38 also, despite this gene, they've also been able to establish
39 that oil exposure still causes an impact such as decreased
40 swimming speed, decreased size, deformities and other
41 abnormalities are fish are developing, and, of course, it varies
42 by life stage. Other organisms that don't have this gene, such
43 as jellyfish, they tend to accumulate the oil toxins.

44
45 Specifically, some scientists are looking at mahi, and so it's
46 important for mahi to maintain a swimming speed, and so a group
47 of scientists were looking at mahi to determine the impacts to
48 their ability to swim, and they found that what's crucial for

1 mahi is that at the juvenile stage -- They're okay and they can
2 handle oil exposure at the adult level, but when it comes to
3 juvenile mahi, when they're exposed to different concentrations,
4 they have or express decreased swimming speed. This is
5 important for mahi, and other fish, because that ability to
6 swim, it predicts their ability to survive.

7
8 If they can't swim fast, they can't get away from predators and
9 they can't necessarily catch their prey. Scientists, now that
10 they know there is this individual level negative impact,
11 they're looking forward to think, well, if we know that their
12 swimming speed is decreased, perhaps we will see changes in
13 population numbers as time goes on.

14
15 Some of this data might be familiar to some of you. I figured
16 it might resonate a little bit. This is landings data of three
17 shrimp species. You've got brown, white, and pink, of course,
18 and this is retrieved from the NMFS database from I think it's
19 1991 all the way to 2013, and it shows the rise and fall of
20 landings of shrimp, but it also shows the occurrence of some
21 manmade and natural disasters throughout that time period.

22
23 At first glance, it appears that perhaps whenever these
24 disasters or disturbances occur that there's a drop in landings.
25 This is important, because a lot of our communities, especially
26 our fishing communities, were coming to Sea Grant and asking us,
27 did the Deepwater Horizon oil spill impact the amount of fish
28 I'm bringing to shore?

29
30 That's not such an easy question to answer, and so I partnered
31 up with my buddy and colleague, Gary Graham, to help explain
32 this, and this is in one of our publications. There's a lot of
33 things going on here when it comes to shrimp. Some of the
34 things that have to be considered, of course, are the
35 environmental factors at play here.

36
37 Shrimp, of course, are, for the most part, you can catch them
38 year-round, and so that means that shrimp are exposed to
39 different environmental and climatic factors year-round and that
40 will be reflected in your landings data. What you can't see
41 here is, for example, the spring rains or the northers.

42
43 Those are the kinds of environmental or climatic changes that
44 shrimp are exposed to which might be impacting what we're seeing
45 here and not necessarily attributable to the Deepwater Horizon
46 oil spill.

47
48 Another factor to consider is fishery closures. As we know,

1 during and after the oil spill, there were large areas of the
2 Gulf closed to fishing, and this might have actually impacted
3 fish catch, and so there's another group of scientists that were
4 looking at abundance levels of shrimp in coastal Louisiana.

5
6 What you're looking at there is a map of the sample sites for
7 this group of scientists, and you're also looking at cumulative
8 days of oiling. The darker area is where the Deepwater Horizon
9 wellhead was and so, of course, it's a lot darker there, because
10 there's more cumulative days of oiling happening there. Of
11 course, the lighter you get, the less number of days.

12
13 They wanted to see what was going on with the shrimp in the
14 estuaries, and they actually found, through their catch studies,
15 and they had been catching shrimp for quite some time in the
16 estuaries, they found that the abundance actually increased
17 after the spill, which was interesting, because you would think,
18 knowing that oil spills impact organisms very negatively on a
19 very physical level, why are they doing well? Why are they
20 proliferating?

21
22 These scientists have two theories. One is that the toxins, the
23 polycyclic aromatic hydrocarbons, those are the PAHs, found in
24 oil potentially cause a delay in growth of some of these shrimp.
25 Shrimp, at the beginning of their life cycle, they hang out in
26 the estuaries. When they get to a certain size, they move
27 offshore.

28
29 Along come these scientists to take their sampling, as normal,
30 and they find a lot of shrimp here after the spill. They think
31 that perhaps the PAHs actually delay growth of these shrimp, and
32 so they weren't able to move offshore just yet. That's one
33 theory.

34
35 The other theory is that perhaps the fishery closures themselves
36 enhanced reproduction, and so, because we closed fisheries, many
37 species have a chance to reproduce. If you go back to your
38 catch data or the landings data in the past and, of course,
39 compare it to now, where we're not fishing, you're going to see
40 higher levels.

41
42 One other interesting population study to point out is the blue
43 crab. There is a group of scientists that were interested in
44 blue crab larval dispersal and settlement, because they had some
45 population connectivity questions.

46
47 It's really hard to go out and catch large volumes of really
48 tiny organisms, and so, of course, they went to their computer

1 models and they used all sorts of datasets, oceanographic and
2 temperature and whatnot, to come up with some predictions. They
3 had this question about the Deepwater Horizon oil spill and its
4 impact on their settlement.

5
6 They found, interestingly enough, that blue crab were in fact
7 exposed to oil, and so they were able to confirm that virtually.
8 There were a lot of species that were spawning at that time,
9 when the spill occurred, and, of the portion of blue crab larvae
10 that were exposed, 30 percent survived and settled in a very
11 specific location. That's important, because managers can use
12 that species-specific and location-specific information in
13 planning and in protection going forward, should another spill
14 occur.

15
16 We know at this point that yes, negative impact at the
17 individual level and not so clear yet at the population level,
18 and so what's going on at the broader community level? Well, I
19 chose this one, because, of course, red snapper is all the rage
20 these days.

21
22 This group, actually I should say partners, Tarnecki and
23 Patterson, have been looking at red snapper diets for some time
24 now. Their original study was meant to compare how adult red
25 snapper eat around artificial reefs versus natural reefs. Then
26 the spill occurred, and so they jumped on the opportunity to see
27 how that impacted their stuff, and they found that red snapper,
28 of course, are very opportunistic feeders. They will eat
29 anything that they come across.

30
31 They did a bunch of gut studies and found, of course, shrimp,
32 crab, squid, and other fish in their guts, but they also found
33 that, on average, the adult red snapper will consume about 15 to
34 20 percent zooplankton, which is interesting in itself, because
35 red snapper don't necessarily have the filter feeding mechanisms
36 for filtering zooplankton out of the water column. They don't
37 have those mouth parts. They think that the red snapper just
38 come across large swarms of plankton and open their mouths and
39 just gulp the plankton.

40
41 Anyway, after the spill, they continued their gut analysis, and
42 they found that the zooplankton wasn't showing up in their guts.
43 They were replaced instead with more shrimp, more crab, more
44 other fish, and so they're posing that the Deepwater Horizon oil
45 spill caused a shift in the red snapper diets, which is
46 interesting in itself, but also it's important to keep an eye on
47 the prey species of the red snapper, because, over time, if the
48 red snapper had to replace their menu items with these other

1 prey items, those population numbers might change, and verify
2 this later, because there is other scientists that have
3 confirmed that there was a large die-off of plankton at that
4 time.

5
6 Another interesting study looking at community questions, this
7 is Dr. Susan Snyder. She just completed this research as part
8 of her dissertation work. She was looking at the behavior of
9 some deep-sea fish, specifically red snapper, golden tilefish,
10 and the king snake eel. You can see her there stretched out on
11 her research cruise vessel next to her eel.

12
13 She was interested in how the oil that settled on the bottom
14 impacted these deep-sea fish, and she chose these three because
15 red snapper occupies areas more up in the water column. They
16 like to associate with reef structures, whereas the king snake
17 eel, they tend to hang out on top of the sediment, on the deep
18 benthos, and they pluck their meals from the sand and mucky
19 bottom. The golden tilefish, however, tends to burrow and live
20 out its life within that sediment. They use their mouth to dig
21 and bioturbate.

22
23 They're exposed to the sediment in different ways. We know,
24 from other studies, there is still a lot of oil on the bottom,
25 and so she sampled these fish for about three years and she
26 found that there was a significant increase in the exposure
27 levels of golden tilefish. There was an increase as well in red
28 snapper and the eel, but there was a relatively episodic
29 exposure.

30
31 After about a year, they got back to their regular levels,
32 whereas the golden tilefishes exposure levels persisted over
33 time, which is interesting, and probably attributable to the
34 fact that the tilefish spends a lot of time in the sediment and
35 re-exposes itself over and over again to the oil that exists
36 down there in the deep sea.

37
38 Pulling it all together, again, this is adapted from Fodrie's
39 paper on the subject, but we know, of course, there is an
40 impact. There's a negative impact at the individual level, but
41 it's still unclear what we're facing over time at the population
42 and community level, and there's a lot of other factors to
43 consider.

44
45 I mentioned them earlier, like fishery closures as a management
46 action, habitat degradation and other things. It's going to
47 take time. It's going to take long-term studies to really
48 figure out what some of these impacts are to our fisheries

1 specifically.

2
3 We look to other oil spills as examples. In 1989, we had the
4 Alaskan Exxon Valdez spill. You know, many decades later, we're
5 just now realizing that there was in fact some population and
6 community-level impacts, and so, given some time and some more
7 work and some more research, we'll be able to answer these
8 questions a little bit more specifically.

9
10 I want to point out that all of our publications and all of our
11 seminars and all of our information is available here online.
12 You can access all that there and you can sign up for our email
13 updates. You can even leave your thoughts anonymously if you
14 want to share them. We're always looking for more input and
15 more feedback and more questions from our communities.

16
17 Lastly, Larissa, do you want to pass out the flyer? I really
18 hope that you guys come tonight. A lot of you have already
19 registered, and so thank you. You will get your free drink
20 ticket tonight. I think we have six tickets left, and so if
21 you're not signed up, come see Larissa or I.

22
23 We're doing a Chilling with Your Chums, how did the oil spill
24 impact Gulf fisheries? Things get started probably around 5:30.
25 Come grab a drink and get some food and sit down. Our speakers,
26 Dr. Dubansky and Dr. Fodrie, will be there to share, very
27 briefly, their science, because we know you guys are working
28 hard and are a little overloaded with a lot of facts, and so we
29 really just want to get more input from you guys.

30
31 We want you to listen and have fun and interact and we want to
32 hear back from you, and so please swing by the Dewitt Room.
33 It's right across the hall from this one. We will have a table
34 set outside the door, where we'll have some of our publications
35 as well, if you want to take some, and we'll have them available
36 tonight as well. With that, I want to thank the council, all of
37 you, all of the friends, for giving us the opportunity to speak,
38 and we hope we can share more science going forward. If there
39 is time, I will take some questions, but the real scientists
40 will be in the room tonight.

41
42 **CHAIRMAN ANSON:** Thank you, Ms. Hale. Yes, Mr. Williams.

43
44 **MR. WILLIAMS:** Thank you for your presentation. Did you say
45 where your funding came from? I mean is this just Sea Grant
46 funding in general, or did you get some special money?

47
48 **MS. HALE:** The Gulf of Mexico Research Initiative. That is

1 called GOMRI, and so the Gulf of Mexico Research Initiative
2 received money in 2010. Our program, just the Oil Spill Science
3 Outreach Program, received funding from them through a grant
4 process, and we are going to be continued funding through 2019
5 and 2020.

6
7 We do have a little bit of Sea Grant funds, just to house us
8 within our Sea Grant programs, our larger programs, but we're
9 100 percent funded by GOMRI.

10
11 **MR. WILLIAMS:** Okay, and thank you.

12
13 **CHAIRMAN ANSON:** Dr. Lucas.

14
15 **DR. LUCAS:** Thank you for your presentation. One of the things
16 I liked about the GOMRI research thing was the requirement that
17 they publish their data and that they put their data on the
18 database. What is the turnaround time on the people who are
19 doing that research to get that put into the database?

20
21 **MS. HALE:** They are required, I think within a year of
22 collecting -- After a year of collecting data, to get it in.
23 Now, I should say that -- There is a data cooperative housed
24 within GOMRI. They are called the GRIIDC. They work so hard to
25 get all of that data, and, of course, that means that they need
26 to chase down all the researchers, which there is thousands of
27 them who have the data, and so it takes a little bit longer
28 sometimes to actually get it on that website, but yes, I'm glad
29 you pointed that out.

30
31 All the data is publicly available, and they're actually working
32 really hard to make that website more user friendly and attach
33 sort of these summaries, sort of like this one, to that data, so
34 we can understand and quickly search for what you're looking
35 for.

36
37 **CHAIRMAN ANSON:** Any other questions? All right. Thank you,
38 Ms. Hale. We look forward to your presentation tonight, or the
39 scientists' presentation. Mr. Williams.

40
41 **MR. WILLIAMS:** I wondered if we might play off this and pivot
42 just a little bit. It's my understanding that BP has written
43 the first of several \$1-billion checks to fund some of this
44 restoration, and you know the council has struggled with a lot
45 of issues here, especially data collection, and I'm wondering if
46 we might be able to apply -- I don't know exactly what NMFS
47 plans to do with this money that they have received, and I'm
48 wondering if we might be able to somehow influence some of that

1 money that's coming in and that's coming to the NOAA Restoration
2 Center.

3
4 Towards that end, I have sent a draft motion to the
5 meetings@gulfofmexico.com, and I would like to offer a motion in
6 that regard. **I would like to offer a motion that the council**
7 **invite Chris Doley from the NOAA Restoration Center to the June**
8 **council meeting to present highlights from the final BP**
9 **Deepwater Horizon Programmatic Damage Assessment Plan, focusing**
10 **on relevant open ocean and fishery resources and the process and**
11 **timeframe for identifying projects.**

12
13 I'm hoping that we can tie in to some of this what they're doing
14 and maybe have an influence on how they're going to spend that
15 money, especially in terms of fishery-independent reporting and
16 reporting by fishing boats.

17
18 **CHAIRMAN ANSON:** We have a motion on the board. Is there a
19 second to the motion?

20
21 **MR. GREENE:** Second.

22
23 **CHAIRMAN ANSON:** It's been seconded by Mr. Greene. Any
24 discussion on the motion? Doug, do we have room, I guess -- I
25 don't know if you've really sat down to look at June's items and
26 the action schedule, but do you think we have room to fit this
27 in?

28
29 **EXECUTIVE DIRECTOR GREGORY:** We've already gotten a request from
30 the Florida Center of Excellence Restoration Program to give a
31 presentation to us, since we're in the St. Pete area, and staff
32 was talking about maybe having some presentations of the
33 contracts that we let last year with the end of the grant year,
34 but that's just internal discussion, and so if the council wants
35 to do this, we'll make it a priority.

36
37 We try to limit presentations to three or four, because it can
38 get time-consuming, and a lot of people want to come to us. The
39 advice I give them is if the council is your target audience,
40 then fine. We will try to make do with you. Like the Sea Grant
41 people, it's been a couple of meetings since they asked to come,
42 and we found room for them here, but if people want to come here
43 and use our venue to talk to the public, I discourage that.
44 That's what we're trying to do, but we do get a lot of requests,
45 but we can make this a priority.

46
47 **CHAIRMAN ANSON:** Thank you.

48

1 **MR. WILLIAMS:** If I may, my interest in this is simply trying to
2 have some influence. They apparently have some money now, and
3 have some influence on what they are doing and see if we can't
4 tie them into what we need, in terms of data collection. That
5 would be my ultimate plan here.

6
7 **EXECUTIVE DIRECTOR GREGORY:** Okay. Carrie serves on one --
8 There is a number of -- There's like a dozen or eight different
9 RESTORE science programs going on. Carrie is on an advisory
10 board for one of those groups, and we've attended meetings of
11 other groups, and we'll be participating in a workshop this
12 summer, in August, in Tampa, on this, and so we're doing that,
13 and, frankly, I couldn't tell you how many different groups or
14 who they are that's doing this, but maybe, at a future meeting,
15 Carrie could also talk about our involvement with the group
16 she's with.

17
18 **MR. WILLIAMS:** If this passes, I would leave it to you, at the
19 discretion of you and Kevin and Carrie, as to whether you can
20 work it in.

21
22 **CHAIRMAN ANSON:** Any other discussion on the motion? **Is there**
23 **any opposition to the motion? Seeing none, the motion carries.**

24
25 That will take us to our next presentation, Overview of the Mid-
26 Atlantic Fishery Management Council's Ecosystem Approach to
27 Fisheries Management, Tab A, Number 9. It will be presented by
28 Mr. Rich Seagraves from the Mid-Atlantic Council. Rich,
29 welcome. Thank you for coming and taking some time out of your
30 schedule to provide some information to us on this topic that
31 people have interest in. Thank you.

32
33 **OVERVIEW OF THE MID-ATLANTIC FISHERY MANAGEMENT COUNCIL'S**
34 **ECOSYSTEM APPROACH TO FISHERIES MANAGEMENT**

35
36 **MR. RICH SEAGRAVES:** Thank you for inviting me. It's a pleasure
37 to be here in the great city of Austin, Texas. I am here today
38 and I've been asked to talk about our ecosystem approach to
39 fisheries management.

40
41 We hosted National SSC IV, which was about three or four years
42 ago, in 2010 or 2011, I guess, and that was first opportunity
43 for the nation's eight SSCs to get together and discuss
44 ecosystem approaches to management, and so, based on output and
45 discussions at that meeting, the Mid-Atlantic Council basically
46 honed in on using the Pacific Council's approach, which is a
47 transitional approach, recognizing that the biological,
48 economic, social, and physical interactions among the components

1 of the ecosystems and the attempt to achieve optimum yield,
2 taking those interactions into effect.

3
4 I am not big on acronyms and small details, but the difference
5 between ecosystem-based management and an approach is we're
6 starting from a single species standpoint, which is where you
7 folks are, where everybody basically is, and trying to build in
8 ecosystem considerations into the current process, eventually
9 building out to more of an ecosystem-based approach. It works
10 within the existing management paradigm to address these
11 considerations.

12
13 Our goal was to manage for ecologically-sustainable utilization
14 of our living marine resources while maintain ecosystem
15 productivity, structure, and functions. That's our overall
16 goal.

17
18 In this case, we defined the term "sustainable utilization" as
19 that which meets the needs of the present without compromising
20 the ability of future generations to meet their own needs. This
21 particular definition does need some more council discussion.
22 There was some criticism that we hadn't really decided what does
23 sustainable mean.

24
25 The idea here is that the guidance document will provide an
26 umbrella for the coordination and integration of these ecosystem
27 considerations into our existing FMPs. It is, therefore, a non-
28 regulatory document designed to provide policy guidance within
29 the existing FMP structure. This is significant because we
30 don't have a lot of NEPA analysis. We can explore policy
31 options and really get into the nitty-gritty of this and not be
32 chained down by NEPA in the early discussions. It's a
33 significant point.

34
35 Another significant point is that we held a visioning project
36 about three years ago, through the leadership of our Chairman,
37 Rick Robbins. We held a catch shares workshop, and we got a lot
38 of negative pushback, and so we have rebuilt all of our stocks.
39 The Mid-Atlantic Council is pretty innovative and has been
40 successful. When we were required to rebuild, we did. We only
41 have a couple of species -- It's not all a rosy picture, but
42 most of our stocks are in good shape.

43
44 When we went out to the constituents, nobody was happy. We
45 said, well, why is this? We went through this visioning
46 procedure, where we, really for about a year, through just about
47 every possible means, tried to extract from stakeholders what
48 they wanted and what were their biggest concerns with the

1 management of marine fisheries.

2
3 Ecosystem-related issues ranked very high amongst those listed
4 by our stakeholders, and these include forage/low trophic level;
5 species considerations, which is a national issue as well; the
6 effects of climate change and variability on the abundance and
7 distribution of our fish stocks; and looking at the
8 ramifications of existing management approaches to deal with
9 climate change.

10
11 Now, given our geography, the Mid-Atlantic sits between the
12 South Atlantic Council and the New England Council, but, more
13 importantly, from a zoogeographic standpoint, we are the most
14 highly interannual variability ocean basin on the planet, and so
15 our temperature rises and falls in a year more than anywhere
16 else. Subsequently, we have invasion of species from the north
17 in the winter and then, in spring, summer, and fall, we get
18 migratory species coming from the south, and so we've got this
19 flux of mix of species.

20
21 We've got climate variability going on without climate change
22 and two or three processes that sort of drive the climate over
23 decadal time scales. It impacts fish populations quite
24 dramatically.

25
26 Once we average that out of the data, we're seeing significant
27 climate change in the Mid-Atlantic and the Northeast, some of
28 the fastest increases in temperature anywhere globally, and it's
29 definitely impacting the abundance and distribution of our fish
30 stocks.

31
32 We've had several papers where we could demonstrate that the
33 geographic center of our most important stocks are shifting
34 northward, and so this obviously creates a lot of problems. We
35 have state-by-state quotas for some species that were based on
36 an allocation of catch in the late 1980s and early 1990s. With
37 this shift, due to climate, things aren't working out so good,
38 and so we've got to really deal with this. We have to have a
39 more flexible system.

40
41 Interactions, the document basically focuses on forage species,
42 climate change, and then interactions. This is one of the first
43 things -- People say, well, we're doing good single-species
44 management and why do we need to do this ecosystem stuff? The
45 answer, basically, is you're not taking into account
46 interactions.

47
48 Now, it's interesting that most of the problems that were

1 identified during our visioning were related to these issues.
2 In other words, one of the reasons that our assessments don't
3 particularly perform sometimes is they're not taking into
4 account climate factors, physical interactions with the stocks,
5 interspecies interactions, et cetera, the effects of predation,
6 competition, et cetera, within the assessment models themselves.

7
8 Natural mortality is usually modeled as a constant, and we know
9 that that changes through time. Fishermen really want us to
10 look more specifically at models that incorporate these
11 interactions.

12
13 Of course, the other big-ticket item is habitat conservation and
14 management. We are looking at ways to take a more ecosystem-
15 level look at habitat, rather than the current situation, where
16 basically EFH for all our species -- The entire Atlantic Ocean
17 within our jurisdiction is pretty much identified as EFH, and so
18 it doesn't really do us a lot of good, and so we want to look at
19 ways to take an ecosystem approach at identifying habitat.

20
21 Of course, socioeconomic considerations were integrated
22 throughout this process, and so what we did is we held four
23 workshops, and these workshops were designed to bring in the
24 scientists and managers and stakeholders all together and
25 identify the key issues and what the current state of science is
26 relative to each one of these issues. We developed white papers
27 that followed each workshop, and the workshops were focused on
28 the areas that I just talked about.

29
30 As a result of the workshops, we then produced white papers, and
31 these white papers are all available on our website at
32 www.mafmc.org. The first three dealt with forage, climate, and
33 then habitat. The final white paper deals with the synthesis of
34 all these things, because we sort of broke things down into
35 subject areas to make it a little easier to deal with, because
36 the ecosystem stuff is so overwhelming.

37
38 If you look at Jason Link's book and you start paging through
39 there, it sort of overwhelms you pretty quickly, and so what we
40 wanted to do was to break it down into the major areas and see
41 what the major issues were and what's the quality of the science
42 and where can we make things better, but, ultimately, of course,
43 you need to bring those things back together in a synthesis
44 format, which was our last white paper that we just presented
45 last month.

46
47 What are sort of the take-home messages? Well, one is that
48 ecosystem approaches deal with trade-offs, and so you're

1 generally trying to recognize the fact that you're trying to
2 achieve multiple objectives, and they are often competing.

3
4 One good example is the management of exploited forage species
5 relative to these trade-offs. The question is, in the
6 literature, the general feeling, our conclusion, is that one of
7 the big questions nationally is should forage stocks be treated
8 differently than our sort of run-of-the mill Magnuson and FMSY-
9 based reference points?

10
11 The conclusion is yes, and, because of their position within the
12 food chain and their susceptibility to overfishing and various
13 other reasons, we should take probably a more conservative
14 approach to managing them. The question is how more
15 conservative should we be?

16
17 You really have to look at really two things. One is an
18 exploited stock has its direct harvest economic value from the
19 actual harvest of it, and then, if you say, well, we're going to
20 be more conservative, are there ecological benefits to that?
21 The question is, what is that value added by not harvesting
22 those fish?

23
24 What we discovered in our process is that some ecosystem
25 considerations can be addressed in the existing framework of
26 FMPs, and these are largely we are putting terms of reference in
27 our stock assessments and we're trying to revamp the way we do
28 our stock assessments. We've got physical oceanographers now on
29 the assessment teams, which is really exciting for me, because
30 I'm a fish guy, a biologist, and we always did assessments
31 knowing that physical factors were affecting stocks, but there
32 was really no way to incorporate those things into assessments.

33
34 It was always sort of discussed as a sideline, but now we're
35 actually doing assessments, the most recent one with butterfish,
36 where we were able to change our understanding of the
37 catchability of the stock based on its thermal habitat
38 preferences and the proportion of stocks that are sampled each
39 year that are actually available.

40
41 The end result was it profoundly changed our perception of
42 abundance of butterfish in the ocean. We had one finding about
43 seven or eight years ago that butterfish are overfished and
44 fishing mortality rates were like 0.7 or 0.8 and you've got
45 rebuild the stock. Butterfish live about four years, and so we
46 sat down and we went through it.

47
48 When we redid the assessment, we brought in the physical

1 oceanographers and, suddenly, our perception was we're
2 harvesting less than one-tenth of 1 percent of the stock, an
3 order of magnitude change in our understanding of the abundance
4 of butterflyfish in the ocean.

5
6 Clearly -- We haven't had any medal ceremonies yet for our
7 ecosystems work, but it's sort of -- We've been implementing
8 this stuff as we go along, and that was the purpose of the white
9 papers, but now we've got our ecosystem guidance document
10 completed, at least a first draft that I'm presenting to our
11 council next week, and the other take-home is there's a lot of
12 things you can be doing right now. You don't have to wait
13 around.

14
15 Sarah Gaichas, who is a very talented ecosystem modeler, says we
16 don't need time machines and super computers to do this stuff.
17 The problem is generally there is no place to plug it into the
18 assessment. The assessments are sort of iron-clad in the way
19 they're done. They have always been -- You've got catch at age
20 data and you've got the fishery-independent stuff. You put it
21 in there and shake it up and you get what's the fishing
22 mortality rate and you've got a model that tells you how many
23 you think you can catch. You compare what you're catching, or
24 your rate, to the reference point.

25
26 There is not a lot of entry points for like physical
27 oceanographic data and the impact of climate and so forth, and
28 so it takes a fundamental change at the assessment level as well
29 as at the policy level, and so some of that stuff we can do now.

30
31 However, there are other critical components of it that there is
32 no place, really, to plug in. There is a new way of thinking
33 that is going to have to happen. The take-home is there's just
34 no knob to turn within the existing system, and so how are we to
35 proceed?

36
37 Well, first of all, there are no simple answers. I wish I had
38 the magic bullet, but we don't have it. What we recommended was
39 that we provide the council with a framework to follow to answer
40 these questions, and so to set up a process, rather than hear
41 all the answers, because those answers don't exist.

42
43 What is currently feasible is, where possible, we provide this
44 framework. It's in the guidance document, and hopefully you
45 will look at it, and it's a way to evaluate these trade-offs.
46 Integral to that is management strategy evaluation. In the
47 document, we give a description of the basic elements of MSE to
48 provide this framework for analysis to guide future management

1 policy.

2
3 Also, our Science Center in the Northeast has committed to
4 increasing our capacity relative to MSE ability and expertise
5 within the Center, and so we see it as a really good opportunity
6 to take advantage of that, as well as to incorporate our SSC
7 into the process.

8
9 In terms of an MSE, we're now at the stage, where if folks have
10 had any introduction to MSE or anybody coming to talk about it,
11 one of the fundamental parts of it is you need to get your
12 stakeholders involved and you need a broader range of
13 stakeholders than typically. Of course, the fishermen,
14 recreational and commercial fishermen, et cetera, but the NGOs
15 and everybody needs to be involved, the state-level fishery
16 managers.

17
18 We need to engage, at this point, everybody again to then go
19 through and to prioritize what are our greatest risks? For us,
20 it's basically climate change. I know in the Gulf of Mexico
21 that climate isn't having the same kind of effects, because
22 you're close to the Equator and you're not seeing -- Just
23 because of physics and the law of thermodynamics, the water can
24 only heat up so much.

25
26 Most of the heat is transferred to the poles, and so, where we
27 are, we see major effects, but you're seeing your own other
28 effects, but, for us, it's climate change, and so this will be a
29 high priority.

30
31 Also, the idea that we need the council to accept the idea that
32 this is a living document. You're not going to get to some
33 point where you go, oh, okay, now we've got it. It's an
34 evolutionary process.

35
36 You have to change the current system, the current thinking, but
37 you've got to start from where you are, and so the most
38 important take-home message that I would like to give you is you
39 need a transition strategy, and this was discussed at the
40 National SSC Workshop and folks at the North Pacific who have
41 been very innovative in this regard, the Pacific Council as
42 well. They all agree that really it's the transition that's the
43 trick. That's what we need to figure out.

44
45 Our next steps are we're presenting our draft document next
46 week. The second draft I have on the thing here in June, but I
47 think we're going to wait until August, because we really need
48 to engage our Ecosystem and Ocean Planning Committee at this

1 point to really move forward. Now I will take any questions.

2
3 **CHAIRMAN ANSON:** Thank you, Mr. Seagraves. We might need to
4 have your physical oceanographer who found all those butterflyfish
5 come down and work on the red snapper assessment next time. Any
6 questions? Mr. Williams.

7
8 **MR. WILLIAMS:** Rich, it's good to see you again. I have a --
9 Are you familiar at all with the Ecosim model that's being
10 developed?

11
12 **MR. SEAGRAVES:** Yes.

13
14 **MR. WILLIAMS:** Do you guys do any of that? Most of your
15 ecosystem stuff seems to relate to oceanographic and
16 climatological changes. Are you doing any of the choices
17 between accumulation of butterflyfish biomass versus bluefish or
18 menhaden versus bluefish or anything like that?

19
20 **MR. SEAGRAVES:** Our region is in the early stages of developing
21 that sort of analysis. It's through Atlantis and several other
22 -- I think Ecosim is actually being applied. Sarah Gaichas
23 would be the one to come present on that. She has presented to
24 our council, but I would say we're very much at the strategic
25 stage there. The models are being built and being tested, but
26 they're not ready for prime time. That's one of the reasons we
27 stick by we need to do an approach rather than a revolutionary --
28 - We don't think the science is there to -- These are such
29 complex questions that the science isn't there.

30
31 Now, maybe -- There have been tremendous improvements within the
32 last five to ten years, particularly in climate modeling as well
33 as the biological modeling, multispecies and all the way up to
34 these integrated ecosystem assessments, but one telling thing
35 was when we held National SSC IV.

36
37 I had a committee of all the Chairs of the SSCs developing the
38 program, and the guy from the Pacific Council, Martin Dorn, was
39 their Chair. He said they're bringing these IEA models to us
40 and we don't have anybody qualified to do peer review, because
41 we don't have anybody on our committee. That's sort of the
42 level that I think IEAs are. They haven't gotten to the point
43 where they've filtered down through everybody that has knowledge
44 in various components of what go into an IEA. We're in the
45 early stages. It's under development, but it's not going to be
46 tactical.

47
48 **MR. WILLIAMS:** Was my characterization correct then that most of

1 your ecosystem -- Looking at how it affects fisheries has to do
2 with oceanography and climate?

3
4 **MR. SEAGRAVES:** So far, yes, but we are working on looking at
5 multispecies models where we can try to evaluate what some of
6 these tradeoffs are.

7
8 **MR. WILLIAMS:** The big benefactor, I guess, so far would be
9 butterflyfish, because the stocks were, it turns out, an order of
10 magnitude greater than you believed.

11
12 **MR. SEAGRAVES:** Right.

13
14 **MR. WILLIAMS:** Anything else? Are there any other big wins in
15 that regard, in looking at it?

16
17 **MR. SEAGRAVES:** That one is the most significant one. I think
18 another area that we're moving forward on are data-limited
19 methods. There's a DLM toolkit that was published within the
20 past year that was funded after Managing our Nation's Fisheries
21 III, where we were looking at -- A big problem around the U.S.,
22 here and everywhere else, are data-poor stocks. In fact, more
23 than half of our stocks in the United States we don't know what
24 the status of them are, because of no information.

25
26 As part of our ecosystem approach, we've been looking at what
27 are other methods and ways that we can assess stocks? The
28 Environmental Defense Fund, they, after Managing our Nation's
29 Fisheries III, put together this panel of people that created
30 this data-limited method toolkit, which anybody can get. It's
31 an open source. We've actually used it now for three different
32 species within the last six months.

33
34 That was sort of part of our EFM approach to if you can't use a
35 quantitative stock assessment, what other methods can you use?
36 I think we've seen real advances within the last six months
37 there. We actually set ABCs for Atlantic mackerel and black sea
38 bass, and, just recently, blue tilefish, using these data-
39 limited methods. We are making a little bit of progress.

40
41 **CHAIRMAN ANSON:** I have a couple more questions for you, Rich.
42 Dr. Stunz.

43
44 **DR. STUNZ:** Thank you, Mr. Chairman, and nice presentation. I
45 am personally very interested in these ecosystem-based designs,
46 as they relate to incorporating them into our management plans.
47 This sounds like you guys are having success, but I was sort of
48 wondering what your recommendation might be for -- You guys are

1 ahead of us in what we're doing, but I think our director has
2 done a good job of staffing our SSCs and things now with people
3 with this expertise level, but what would be your suggestion to
4 us in the Gulf? I don't know if that's maybe like our staffs
5 talk and review this guidance document that you're providing or
6 what else would you recommend to move forward in our region?

7
8 **MR. SEAGRAVES:** You know I talked a little bit about what are
9 the things that you can do right now, and we have -- I don't
10 know how you guys develop your terms of reference for stock
11 assessments, but we have a process in the Northeast where we
12 send them through the SSC for review. Everybody gets to
13 comment, and this is the place where you can immediately begin
14 to infuse some of this stuff.

15
16 We have an ecosystem term of reference now that is standard for
17 all of our stock assessments, and also in the development of the
18 working groups. Generally, they have been biologists. We've
19 sort of made it mandatory that we want some ecosystem people on
20 there. They don't have to be ecosystem modelers, but they could
21 be physical oceanographers or habitat specialists, et cetera,
22 and so you can sort of load the deck on who is actually at the
23 table and also making sure that the data gets into the process.

24
25 I think the biggest challenge with all this stuff is somebody
26 goes out and does some work and they think it's going to improve
27 the stock assessment and there is no way to plug it in. You
28 need preplanning. That would be my other major advice. You've
29 got have some strategy about don't just spend money and go out
30 and get all this data. Everybody gets really disappointed when
31 they come to the assessment and their data doesn't get used, and
32 that's largely just lack of foresight and planning. It's got to
33 be able to plug in.

34
35 The terms of reference and the composition of the people doing
36 the assessments are really two things that you could be doing
37 right now and I think have helped us move along.

38
39 **CHAIRMAN ANSON:** Any other questions? All right, Mr. Seagraves,
40 thank you very much.

41
42 **MR. SEAGRAVES:** Thanks for having me.

43
44 **EXECUTIVE DIRECTOR GREGORY:** We really appreciate you taking the
45 time to come down and give us this presentation.

46
47 **CHAIRMAN ANSON:** Since we're in the presentation state, I
48 mentioned the Texas JEA and putting it at the end, but Brandi,

1 if you're ready to give your presentation now, we'll go ahead
2 and do that. Thank you.

3

4

TEXAS JEA PRESENTATION

5

6 **COMMANDER BRANDI REEDER:** Thank you very much for giving me this
7 opportunity to present this morning a little bit about our
8 department and about our operation within the JEA.

9

10 This is a visual you would have had if you had been here about
11 two weeks ago. Obviously, with us, rain seems to be either
12 feast or famine, and so this was I-10 two weeks ago, and it was
13 closed for a number of days, which most of our wardens spent a
14 good bit of time doing rescue operations during that.

15

16 We seem to be a little heavy on reality shows here in Texas, and
17 so I was going to share one more. What we're doing is actually
18 we're going to have Lone Star Law, our own Parks and Wildlife
19 Law Enforcement Division show, and that will start in June, and
20 so we had a little sneak preview.

21

22 I think it showed, better than just about anything else, kind of
23 the diversity of the landscape that we deal with in Texas, as
24 well as the personality that comes in with our wardens. Let me
25 see if I can advance this and get the sound.

26

27 It's not going to work, but, like I said, it's really just a
28 good viewpoint of how much diversity our state has and the
29 different efforts that our wardens put into things. They are so
30 diverse, but they really devote their time to the projects that
31 they're tasked with.

32

33 Overall, let me just kind of give you a viewpoint of our
34 department. We're made up of, obviously, a bunch of different
35 divisions. We have Law Enforcement, State Parks, Coastal
36 Fisheries, Inland Fisheries, Wildlife, Human Resources,
37 Infrastructure, Information Technology, Communications, Revenue,
38 and Legal.

39

40 I would say that our department, and maybe I'm biased just a
41 little bit, but I would say that it's a very functional model,
42 because we're able to work with our resource divisions, and
43 they're great about bringing ideas to us to try and help -- To
44 give our enforcement folks an opportunity to provide input on
45 those things might be more enforceable, very similar to what you
46 all do for us, providing all of our Gulf states the opportunity,
47 all your law enforcement folks, an opportunity to kind of give
48 little tweaks and suggestions on the rules you all are proposing

1 to push forward as to how we could enforce them better.

2
3 Like that, our division mission statement is that -- We've been
4 in effect since 1895. We started as the Fish and Oyster
5 Commission, but we're here to serve the citizens of the state by
6 providing professional law enforcement, water safety, search and
7 rescue, while operating to conserve and protect the natural
8 resources of the state.

9
10 Like that, we have approximately 551 game wardens. We were just
11 upgraded, I guess the last legislative session, if I can use
12 that term, but we were provided with nineteen additional FTEs.
13 You all may be aware -- Obviously the border has been a large
14 issue with the state, if not the nation, and so, with that, we
15 received nineteen additional full-time employees to address that
16 issue specifically.

17
18 We have approximately 500 patrol, tactical, and rescue vessels
19 within our fleet, and so this just kind of gives you a broad
20 overview of what our role is as state peace officers. We
21 enforce fishing, hunting, and water safety laws. We are not
22 specifically resource driven. We also enforce penal code
23 violations, code of criminal procedures, and so we're very
24 broad-range officers.

25
26 With our game wardens, they are educators. They are officers
27 and they are investigators. They really do it all, all wrapped
28 up in one package, and they are rescue. That's one thing that I
29 think gets overlooked. Katrina really kind of highlighted some
30 of what we do, which is also a large portion of rescue.

31
32 I would say that our main focus with law enforcement is outreach
33 and education and then our partnerships. In this picture, you
34 can see one of our game wardens helping a little girl to bait
35 her hook. We do a lot of fishing operations in which to get the
36 children involved and try to get them recruited into a long-term
37 adventure with us as far as fishing and hunting goes.

38
39 Then the other picture is of our SAFE boats. We have a thirty-
40 eight-foot SAFE boat on the left, and then the twenty-nine-foot
41 on the right, but CBP is sitting on that boat, and so we have a
42 wide-range of partners, and CBP also calls us as far as
43 fisheries violations that they encounter. They will sometimes
44 call us in to refer.

45
46 This is a picture of one of our game wardens being picked up by
47 our sixty-five-foot Breaux craft. We have two large, long-range
48 platforms in our fleet. They are aging, and so at some point we

1 need to replace them, but this gives us our long-range
2 capabilities.

3
4 Again, I can't stress enough how valuable we find our
5 partnerships. This was at one of our joint trainings with the
6 Coast Guard. This is kind of a mild version of our fleet. We
7 couldn't stick all 500 of our fleet within this, but we picked
8 kind of our pretty boats and stuck them out front, but we really
9 do work very well cooperatively with the Coast Guard as well.

10
11 This goes back to, again, what I said is the diversity that our
12 game wardens encounter. This was during a recent flood.
13 Obviously, since last year, we have been just inundated with
14 water, and so this shows one of our game wardens carrying a
15 little girl from her house across to safety.

16
17 Then, on the right-hand side, that is one of our game wardens
18 who is saying a little prayer over an individual. He was a
19 welder and he lost everything. He was a great guy, because he
20 wasn't looking for a handout. He was just looking for work. He
21 said a little prayer over him, to try and help him out, and he
22 posted that on Facebook, in order to try and get people in the
23 community to help pick him up and help him drive on.

24
25 Again, there is some more of the destruction, and these are some
26 of our search and rescue teammates. Every one of us around the
27 state try to respond to these disasters and try and assist.

28
29 This is over on the border. This gives you a little bit of an
30 idea. This is not playing around. On the left is one of our
31 DPS compadres, and then on the right is one of our boats, with a
32 240 Bravo loaded on. Then, down below, is one of the drug
33 interdictions that we made, in assistance with CPB.

34
35 In order to serve our community and serve our state and
36 constituents, we have come up with specialized teams to try and
37 focus that mission and provide specialized services, and so we
38 have not only a specialized search and rescue team, but we have
39 an underwater dive team. Our scout team is -- Nobody is here
40 and so I can say it, but they're our low-speed-high-drag swat.
41 I say that with humor.

42
43 They get a lot of training. They're great guys, but obviously
44 we're limited in numbers and they're spread out across the
45 state, and so it's not a rapid-response team, which I what I
46 mean by low speed and high drag, but they are very focused and
47 very sought after, because they are highly trained.

48

1 We are in the process of developing our tactical flight officers
2 for our aircraft. We have one on Bell helicopter in our fleet
3 that we just received, I guess it was last year, and that is gem
4 of our fleet. We only have one helicopter and one fixed-wing at
5 this time, which is a single engine, and we're not able to take
6 it over the water at this time.

7
8 We also have a forensic reconstruction mapping team. That's
9 been great with boat accidents and with hunting accidents, on
10 reconstructing those scenes. We've also been recruited by local
11 county agencies in which to assist them with their accident
12 reconstruction as well.

13
14 We have branched out to canine. We have two resource officers
15 and those dogs are -- All the dogs are trained in search and
16 rescue, but two of the dogs are specifically trained in resource
17 detection, while the rest of them are narcotics.

18
19 We have a marine tactical operations group, which is pitching
20 off into port security, because we're on the water the majority
21 of the time and you never know what we're going to encounter,
22 and we encounter a lot of stuff. We also have our marine theft,
23 and then I'm pretty proud of our peer support.

24
25 Our guys end up in a lot of critical incidents, and our peer
26 support is vital to their health and wellbeing, and then also to
27 the families that are impacted by any of these large-scale
28 disasters and/or incidents. Then we also have an honor guard.
29 There is our honor guard and part of our reconstruction team.
30 There is some of our search and rescue and dive team members.
31 There is our brand-new helicopter. You can tell we're a little
32 proud of it. We had to get a nice, big old picture of it.

33
34 Then those are our canine officers. They're all labs. We don't
35 have any bite dogs. We're all about PR, very similar to
36 Alabama. We have realized that the friendlier we are and the
37 more approachable we are, the better off we are.

38
39 This is, again, to show you the diversity of our officers. They
40 encountered two different marijuana fields, and, again, it was
41 by partnerships. A landowner cued us in on one of them and then
42 another one was by another agency.

43
44 Again, something that you wouldn't expect us to dive off in is
45 our West Texas Region was having a regional meeting, and they
46 came up upon El Dorado. I don't know if you all recall the
47 compound in which -- This was just an interesting deal. Anyway,
48 we were called to assist whenever they went into that compound

1 and dispersed this abusive situation.

2
3 One thing that I do have to say, and that's one thing that Emily
4 and I have talked about previously, is the impact of social
5 media. We are not only using social media for investigative
6 purposes, which have been huge, but it's -- People can't just
7 keep quiet, which is great for us, great for business.

8
9 With that, we get on there and we'll peruse and try to see what
10 we can do to try and aid in our investigations and detection of
11 any violators. On the left is two men were cited after they
12 harvested ten fish over their bag limit. We were able to track
13 them down and obviously educate them and maybe write them a nice
14 little ticket or two. With that, on the right-hand side, it
15 shows that we're also trying to get our message out there to try
16 to make sure that everybody understands what our officers do.
17 This is up in the north Texas area.

18
19 Just to bring you into JEA. So now you've got the overview of
20 our department, and now I will get to the meat and potatoes of
21 what you're really concerned about. This is the most recent
22 high-media case, and this is really just a poster child for
23 cooperation between agencies.

24
25 The U.S. Coast Guard, and Jason can give you more detail if you
26 all are interested in this case, but the U.S. Coast Guard
27 contacted this vessel in state waters and began an inspection.
28 Then they decided that they wanted to get a little bit more, and
29 so they started heading them to dock.

30
31 During that period of time, they called one of our Parks and
32 Wildlife officers, and that officer met them at the dock as
33 well. As they started going through, they detected
34 approximately 488 illegally-harvested red snapper.

35
36 The vessel itself was a recreational-style boat, but there is
37 nothing recreational about this case. This was obviously for
38 the purpose of commercial purposes. They were going to sell
39 these fish, but, like that, once we detected the amount of fish
40 onboard and the severity of the case, we immediately contacted
41 OLE. They came out and now they are pursuing this case through
42 the federal courts, which I think is obviously a great avenue
43 for it. We will see how this pans out over time. Maybe I can
44 present something to you all later about the status, about how
45 that goes.

46
47 Another case, just in February, was some individuals, two
48 individuals, in the Galveston County area, and so the northern

1 coast, that harvested eighty-one fish. Again, I would say that
2 this is for commercial purposes. This is not your normal
3 recreational angler going out there for a few extra fish for the
4 dinner table. This is definitely a severe violation. They
5 found that in a hidden compartment.

6
7 This occurred back in 2015. I haven't spoke to you before, and
8 so I'm just kind of giving you some of our recent cases. This
9 was another, and I promise this was not the same set that we
10 just kind of threw in down the road. This was a different case.
11 This was another eighty-one red snapper over the bag limit off
12 of a recreational-style vessel. Again, this would have been
13 entering commerce. Then we got a commercial shrimp boat. He
14 had thirty-three undersized snapper and fifteen flounder and
15 several bags of snapper fillets.

16
17 With that, what I haven't put in the slides, but what we did
18 have too in the intermediate is we just recently had a Marine
19 Mammal case that came up. In 2014, there were two brothers over
20 in Beaumont that for, their own entertainment, were out there
21 bow fishing and one of them shot one of the dolphins. Two of
22 them were kind of stranded in a little area and they shot one of
23 them, killing them.

24
25 Our officers, in cooperation, again, with OLE, investigated this
26 case and were able to determine that it was two brothers in that
27 area, and so that case just came up to court and they pled
28 guilty for federal violations. I guess it was somewhere in --
29 It was in 2015, but I can't remember exactly when it was, but
30 they were found and convicted, and that's part of the
31 partnerships and that's also the investigative techniques and
32 those working relationships that we have in our community that
33 allowed us to detect those.

34
35 Another case that recently came up, on the 27th of August of
36 2015, a case came before the federal court and an individual was
37 found guilty for the illegal sale of red snapper. There was
38 about a thousand pounds of red snapper that this individual had
39 sold to undercover agents, and this was a cooperative
40 enforcement effort between U.S. Fish and Wildlife, NOAA OLE,
41 Texas Parks and Wildlife, and the U.S. Coast Guard.

42
43 Everybody had kind of a critical component in which to detect
44 this violator, but he was selling these snappers illegally. He
45 made two different sales to undercover agents over a period of a
46 couple of months, and so that was also found guilty this year,
47 and so if you all have any questions for me.

1 **CHAIRMAN ANSON:** Yes, we have a question from Mr. Diaz.
2
3 **MR. DIAZ:** Commander Reeder, I am just wondering -- You said
4 earlier you had 519 agents. Is that state-wide?
5
6 **COMMANDER REEDER:** It is state-wide, and, as far as JEA
7 enforcement, we have approximately 130 officers on the coast
8 that are committed to saltwater enforcement.
9
10 **MR. DIAZ:** Very good presentation. You all obviously have a
11 very professional unit, and so thank you.
12
13 **COMMANDER REEDER:** I appreciate it.
14
15 **CHAIRMAN ANSON:** Mr. Boyd.
16
17 **MR. BOYD:** Thank you. A question. In the presentation, you
18 listed some of those violations as recreational, but then you
19 commented that they, to you, or to the officers, they were
20 obviously not recreational and that they were going into
21 commerce. Why do you list them as recreational if you know
22 that?
23
24 **COMMANDER REEDER:** That's a good point, and the thing is that my
25 operation line hasn't quite gotten the understanding of the
26 minutia. The reason why I said recreational vessel is that's
27 the type of vessel. It's not a large typical commercial
28 platform, I guess is the thing. Whenever you start talking
29 about a commercial vessel as opposed to a recreational vessel,
30 we categorize the vessel itself as a recreational vessel because
31 that's what its intended purpose is. That's how it was designed
32
33 When you talk about like a Yellowfin or whenever you talk about
34 a Contender, those boats are typically designed for a
35 recreational pursuit, and so that's how they're termed in the
36 beginning, or that's how they're often reported in the media,
37 but the intention of the trip was obviously for a commercial
38 purpose, because, with those quantities, they intended to sell,
39 and so I would say that it's for a commercial purpose, but it's
40 on a recreational-style vessel and not the intent of the trip.
41
42 **MR. BOYD:** Thank you.
43
44 **CHAIRMAN ANSON:** Mr. Swindell.
45
46 **MR. SWINDELL:** On that same vessel, did they have any license
47 for fishing at all? Did they have a commercial license or a
48 recreational license?

1
2 **COMMANDER REEDER:** They did not have any commercial licensing.

3
4 **MR. SWINDELL:** That's what I thought, there was none, from what
5 I remember reading in the article. There was no license at all,
6 and so they were just totally outlawing, whatever they were
7 doing. Thank you.

8
9 **CHAIRMAN ANSON:** Ms. Bosarge.

10
11 **MS. BOSARGE:** I just wanted to say thank you for the
12 presentation, because I've asked in the past a lot about some of
13 the activities that are going on, and most of my questions did
14 revolve around red snapper, but I love the general overview. I
15 thought it was a great -- It helps us get a real feel for what's
16 going on, and so I really appreciate it. Thank you.

17
18 **COMMANDER REEDER:** Thank you, and I do have to say that we've
19 been blessed. Our shrimp fleet and a lot of our other
20 commercial entities have really been good. I can't bring you
21 any licensed commercial, other than that one shrimp boat case,
22 but it's kind of outside the norm. We've really got a great
23 fleet of commercial fishermen that do their jobs well, and so we
24 appreciate that.

25
26 **CHAIRMAN ANSON:** Last question from Mr. Williams.

27
28 **MR. WILLIAMS:** That was an interesting presentation and very
29 good. Thank you. I'm curious. What was the -- Do you recall
30 what the penalty was for shooting that bottlenose dolphin? Was
31 there time associated with that?

32
33 **COMMANDER REEDER:** They were eighteen and twenty-three years
34 old, and so I believe that they put them on probation, due to
35 the -- They're trying not to completely ruin their livelihood
36 and their potential, and it was really just a youthful act of
37 stupidity. We all go through those phases, maybe not to that
38 level, but I think that the judge kind of took that into
39 consideration. He went with a high fine and then they did put
40 that as a probationary term.

41
42 **CHAIRMAN ANSON:** Thank you, Commander Reeder. I appreciate the
43 presentation. Thank you.

44
45 **COMMANDER REEDER:** Thank you very much.

46
47 **CHAIRMAN ANSON:** We have one more item that I would like to get
48 through before we break for lunch, and that's the NMFS-SERO

1 Landings Summaries, Tab A, Number 10, and Dr. Branstetter.

2
3 **NMFS-SERO LANDINGS SUMMARIES**
4

5 **DR. BRANSTETTER:** Thank you, Mr. Chairman. This is just kind of
6 an update from what I presented to you back in January. We now
7 have Wave 6 data to put in here. I didn't realize what Adobe
8 had done to me. There's a couple of columns on page 2 on this
9 that compares it to the ACL, the percentages, but the bottom
10 line is that greater amberjack and red grouper recreational
11 catches did not go over the ACL.

12
13 Amberjack, obviously, is managed to the ACT. We did exceed the
14 ACT, but not the ACL. I don't have the by-wave for red snapper,
15 because these numbers were just updated and I didn't get a
16 chance to get the wave information, but these numbers are the
17 same as what Dr. Farmer presented to you on Monday.

18
19 The only other thing that I would like to point out here is
20 under commercial greater amberjack. Again, we exceeded the ACT,
21 but we did not exceed the ACL, and so there will be no paybacks
22 for either component, or either sector, this year.

23
24 The gray triggerfish, obviously we had no federal season last
25 year. We closed it in February. I think you can see the
26 definite blip from where Alabama was open in July for
27 triggerfish.

28
29 We manage that to the ACT, which was 30,000 pounds last year,
30 due to large overages in 2014, and we also obviously exceeded
31 the 50,000-pound ACL. We will be taking about 60,000 pounds off
32 of the allowable catch this year, leaving a quota of somewhere
33 around 157,000 pounds for the recreational sector. I am
34 suspecting that we'll probably be closing recreational within
35 the next month.

36
37 Mr. Diaz had specifically requested to have an update with the
38 king mackerel and compare it to last year. Last year, there was
39 a substantial spike in recreational landings. They caught 62
40 percent of their ACL, but if you compare that to preliminary
41 landings for this year, you can see that the landings are back
42 down. This is more of a normal catch per wave for the
43 recreational sector. Landings were just very high last year.
44 They usually wind up catching about 50 percent of their
45 allocation. With that, that's really all I wanted to update you
46 with. We don't have Wave 1 landings yet for this year.

47
48 **CHAIRMAN ANSON:** Any questions for Dr. Branstetter? All right.

1 Thank you. That will take us to our break, and we will
2 reconvene at 1:45.

3
4 (Whereupon, the meeting recessed at 12:15 p.m., April 6, 2016.)
5

6 - - -

7
8 April 6, 2016
9

10 WEDNESDAY AFTERNOON SESSION
11

12 - - -
13

14 The Full Council of the Gulf of Mexico Fishery Management
15 Council reconvened at the Doubletree by Hilton Austin, Austin,
16 Texas, Wednesday afternoon, April 6, 2016, and was called to
17 order at 1:45 p.m. by Chairman Kevin Anson.
18

19 **CHAIRMAN ANSON:** Good afternoon, everyone. Public input is a
20 vital part of the council's deliberative process, and comments,
21 both oral and written, are accepted and considered by the
22 council throughout the process. The Sustainable Fisheries Act
23 requires that all statements include a brief description of the
24 background and interests of the persons in the subject of the
25 statement. All written information shall include a statement of
26 the source and date of such information.
27

28 Oral or written communications provided to the council, its
29 members, or its staff that relate to matters within the
30 council's purview are public in nature. Please give any written
31 comments to the staff, as all written comments will be posted on
32 the council's website for viewing by council members and the
33 public and will be maintained by the council as part of the
34 permanent record.
35

36 Knowingly and willfully submitting false information to the
37 council is a violation of federal law. If you plan to speak and
38 haven't already done so, please sign in at the iPad registration
39 station located at the entrance to the meeting room. We accept
40 only one registration per person.
41

42 Each speaker is allowed three minutes for their testimony.
43 Please note the timer lights on the podium, as they will be
44 green for the first two minutes and yellow for the final minute
45 of testimony. At three minutes, the light will blink and the
46 buzzer may be enacted. Time allowed to dignitaries providing
47 testimony is extended at the discretion of the Chair.
48

1 Before I call the first name, however, since I have everyone's
2 attention, I would like to go ahead and provide some recognition
3 to Lieutenant Commander Jason Brand. This will be his last
4 meeting here on the council in the capacity as a representative
5 for the U.S. Coast Guard.

6
7 Lieutenant Commander Brand, if you wouldn't mind stepping over
8 here, please. We have a token of our appreciation here. It
9 says "Lieutenant Commander Jason Brand" on the top. Inside, it
10 has the Gulf of Mexico Fishery Management logo, in honor of your
11 dedicated service to the Gulf of Mexico Fishery Management
12 Council, 2012 through 2016.

13
14 **LCDR BRAND:** Thank you so much.

15
16 **CHAIRMAN ANSON:** You have that for your home or your office
17 desk, and you can keep this in your car. You will be able to
18 always think of the Gulf of Mexico Fishery Management Council.

19
20 **LCDR BRAND:** I will carry this at the Pacific Council. Thank
21 you.

22
23 **CHAIRMAN ANSON:** Our first person to provide testimony is Tim
24 Frank.

25
26 **PUBLIC COMMENT**

27
28 **MR. TIM FRANKE:** Mr. Chairman and council, thank you very much
29 for allowing me to present my opinions here today. My name is
30 Tim Franke. I'm a resident of Austin, Texas. I'm a frequent
31 recreational angler, both inshore and offshore, on the Texas
32 coast, and have been for over forty years, in addition to being
33 an offshore scuba diver for that period of time.

34
35 I'm a native Texan who can vividly remember the terrible
36 decimation of our redfish and speckled trout fisheries in the
37 1970s, brought on by greed and the then so-called commercial
38 fishermen who simply illegally staked out their claim on a
39 resource that belonged to every citizen in the state.

40
41 Here we are again. In my opinion, commercial fishing operations
42 maintain a stranglehold on this council, somehow convincing it
43 to ignore all rational thought and making it impossible for this
44 body to provide basic fair access to our offshore fisheries for
45 everyone, not just a select few.

46
47 It's easy to see that the council is failing the citizens of
48 Texas when it consistently supports a cartel of relatively few

1 commercial operations over vast numbers of private individual
2 sport anglers who want nothing more than to protect and have a
3 reasonable chance to be part of the sport fisheries like the
4 federal water red snapper or king mackerel fisheries.

5
6 The next proposed eight-day season by this body for recreational
7 anglers to pursue red snapper in Gulf federal waters is a
8 travesty. You may as well give the entire resource to the
9 moneyed commercial interests instead of presenting to fairly
10 represent those of the hundreds of thousands of individuals like
11 myself who would love to participate in the federal water
12 snapper program on the basis of a reasonable season timeframe.

13
14 To further the injustice of this body acting against the
15 interests of fisheries that it purports to preserve, I would
16 like to note that you literally are giving away this precious
17 resource to a politically powerful commercial fleet while asking
18 very little in return.

19
20 There is no other resource, that I'm aware of, in the United
21 States, or certainly in the State of Texas, that is simply
22 gifted to a powerful commercial industry so that it uses it and
23 the sets it up to have the veracity to charge every state
24 taxpayer for the right to buy our resources back at the grocery
25 store.

26
27 Let me end by saying that I see no evidence that the council is
28 fairly protecting my individual rights as a recreational angler
29 to participate in the reds snapper fishery, and I expect that
30 your mission to do the same with other Gulf fisheries is in the
31 future. With the complete failure of the council to even appear
32 to be objective or fair, I urge you to let a qualified fisheries
33 management agency, such as the Texas Parks and Wildlife
34 Department, manage both state and federal waters.

35
36 Based on the state's clear track record of being an exemplary
37 steward, I hope that you will reconsider allowing Texas the
38 opportunity and the responsibility to manage federal water
39 resources fairly and effectively in the future. Thank you very
40 much for your time and consideration.

41
42 **CHAIRMAN ANSON:** Thank you, Mr. Franke. Next, we have Roger
43 Anderson. Is Roger in the audience? Next, we have Bart Niquet,
44 and Kevin McConnell will be next.

45
46 **MR. BART NIQUET:** Good afternoon. Bart Niquet from Panama City,
47 Florida. I've been fishing for over sixty-five years. I've
48 seen quite a few changes. Roy, your presentation on the

1 comments and so forth about the yellowtail snapper fishing were
2 interesting and true, but, unfortunately, they come under the
3 heading of anecdotal information and we can't use it. We can't
4 use it at all, according to your rules.

5
6 Several years ago, the council enacted a so-called constant
7 catch program. It was a good idea, but you didn't let it last a
8 whole year. This was supposed to stabilize the ups and downs of
9 stocks and availability of fish.

10
11 I think fish tags for the recreational fishermen are the way to
12 go. The days of open seasons and unlimited catches are gone.
13 There are too doggone many recreational fishermen to allow
14 unlimited access, and even the big national parks, like
15 Yellowstone and the Grand Canyon, charge access. We should do
16 the same.

17
18 I am against holding back any amount of stock from a sector that
19 is compliant with the rules. There is no justification to hold
20 back fish. I am for the tag system. I believe there should be
21 no buffer. Give us our fish in a timely manner and let us catch
22 them. That's all I've got.

23
24 **CHAIRMAN ANSON:** Thank you, Mr. Niquet. Next, we have Kevin
25 McConnell. He'll be followed by Gary Jarvis.

26
27 **MR. KEVIN MCCONNELL:** My name is Kevin McConnell. I live here
28 in Austin, Texas, and I have a twenty-two-foot boat, and I try
29 to make it to the coast about once a month for a trip. I have
30 been hunting and fishing the past forty years of my life in
31 Texas, Colorado, and Alaska. 90 percent of the meat and fish
32 that I have put on my family's table I harvest myself. This
33 eight-day snapper season is a discrimination against those of us
34 Americans that choose to harvest the majority of our own food.

35
36 My next door neighbor can walk to HEB and buy two snapper 365
37 days a year, while I am allowed to go out for eight days and
38 catch two fish max. That's sixteen fish a year. Why isn't my
39 neighbor limited to buying only sixteen fish a year?

40
41 My last year, my son graduated from high school the opening
42 weekend of snapper. I couldn't go. The year before that, the
43 wind was blowing dogs off chains and I couldn't take my twenty-
44 two-foot boat offshore in more than four-foot seas. In all my
45 years of hunting and fishing, there has never been a law or a
46 rule that has upset me more than this one. Something has to
47 change.

48

1 I just returned Sunday from the coast, where we caught a limit
2 of redfish and trout. The fishing is absolutely fantastic.
3 That is the result of our Texas Parks and Wildlife managing the
4 resource. I have access to that resource 365 days a year. This
5 management system works.

6
7 If you're going to limit myself and my fishing buddies to eight
8 days and two fish, or sixteen fish a year, why don't you give us
9 sixteen fish tags that I can then go choose the days that I use
10 those sixteen fish tags to catch my fish, so that I can go any
11 day of the year when it is safe for me to launch my twenty-two-
12 foot boat and go offshore. Thank you for your time, and please
13 fix this.

14
15 **CHAIRMAN ANSON:** Thank you, Mr. McConnell. Gary Jarvis,
16 followed by Ken Haddad.

17
18 **MR. GARY JARVIS:** Captain Gary Jarvis, Destin, Florida. The
19 first charter for-hire season under Amendment 40 was a success
20 for public recreational anglers. It allowed a 22 percent
21 increase in public access to the red snapper fishery in the EEZ
22 in 2015, and yet we still remained 37 percent under the charter
23 for-hire ACL.

24
25 I humbly request that you approve no less than fifty days of
26 access for the 2016 season. We are excited to have a historical
27 level of access again, not nearly as good as the 365 days of
28 snapper fishing that private anglers enjoy here in Texas, but
29 we're happy with fifty days.

30
31 As a member of the CMP AP, I encourage you to vote for all of
32 our AP recommendations and preferred alternatives on Amendment
33 26, with no changes or alterations of the preferred
34 alternatives, especially Action 2.2, Alternative 4, addressing
35 the new allocation distribution.

36
37 Please take final action on Amendment 26 at this meeting, so the
38 industry can utilize the new overall allocation increase in
39 2016, and any changes to this document that's done tomorrow
40 would prevent that from happening.

41
42 We ask for support for Action 7, Alternative 4 as the preferred
43 alternative in the red grouper framework action. It's the most
44 conservative alternative by the SSC, yet a large enough increase
45 to access the recreational sector to prevent a closure, or any
46 approach of a closure.

47
48 The AP new Alternative 5 I don't think is needed or justified,

1 according to the SSC recommendations. The Alternative 5 kind of
2 restricts the Alternative 4 that we recommended and puts it
3 close to a potential closure in the west coast of Florida
4 recreational anglers and the charter for-hire sector. We were
5 hurt severely last year when they had all the major reef fish
6 closed by December 5.

7
8 Folks, let's pass Amendment 35 that addresses Amendment 40 and
9 the sunset provision. Amendment 40 was established to allow the
10 establishment of a charter for-hire sector and a private boat
11 sector and to approve difficult management and access issues
12 facing each one. The compromise of a sunset in Amendment 40 was
13 to allow the council and private boat lobby here and their
14 representatives to try a state-by-state management program.

15
16 Amendment 39 failed, and has obviously goals that probably
17 insurmountable, and so the need for the sunset provision has
18 passed. It's no longer warranted, and I respectfully ask for
19 this council to allow us the freedom to press on with developing
20 an FMP for the charter for-hire sector and maybe encourage the
21 private boat lobby supporters on this group to move finally
22 forward with an FMP for the private boat anglers. Thank you.

23
24 **CHAIRMAN ANSON:** Thank you, Mr. Jarvis. Next, we have Ken
25 Haddad, followed by Dan Appling.

26
27 **MR. KEN HADDAD:** Thank you, Mr. Chairman. My name is Ken Haddad
28 from Lloyd, Florida, with the American Sportfishing Association,
29 the trade organization for the sportfishing industry. I am
30 going to speak a little bit on Amendment 26, 41, 45, and, if I
31 have time, I will update you on the initiative we have going.
32 If not, you're going to have to ask me.

33
34 Amendment 26, Action 8, specifically, we support the AP's
35 recommendation of no action within this for an allocation
36 change. With a 50 percent increase last year, it's quite
37 possible the fishing is in transition, due to a whole number of
38 factors.

39
40 If this continues, we could quickly reach the recreational ACL,
41 and I say this because we have a situation in the Atlantic where
42 no one dreamed the ACL was going to be reached under some
43 changes, and that was for cobia, and the recreational landings
44 have increased 172 percent in -- I don't even think it was
45 within a whole season, and it's going to be shut down. There's
46 a lot going on in the recreational fishing part of the world
47 that we don't understand, and so we have to be very careful.

48

1 Related to this is the fact that there are no AMs to account for
2 any ACL overages, given the alternatives proposed in that
3 action, that I am aware of, and that needs to be thought about.
4

5 Also, this particular action kind of can highlight the
6 frustration we on the recreational side have with the council,
7 to a large degree. With many years of process and volumes of
8 data and information tied to the allocation of red snapper, it
9 was fought tooth and nail even for the most minor amount of
10 change, and so that kind of thing does not, even when it's
11 justified -- It doesn't create very magnanimous environment on
12 our part, really.
13

14 However, I have a thought. We would entertain a pound-for-a-
15 pound trade of mackerel for red snapper. I haven't heard that
16 proposed, but I think the council should take that up.
17

18 For Amendment 41, we support the motion for the AP to look at a
19 tag alternative. It may be a viable alternative in the for-hire
20 fleet, just as it may be in the private rec arena, and so it
21 should be evaluated, and it may help all of us to better
22 understand tags. I think the more we -- We're hearing tags
23 mentioned more and more, and I think there has to be a lot of
24 discussion and everybody should be in on it.
25

26 For Amendment 45, thank you for taking it to public meetings.
27 We believe that's important for all of us. Mr. Chairman, thank
28 you.
29

30 **CHAIRMAN ANSON:** Thank you, Mr. Haddad. We have a question for
31 you, Ken, from Ms. Bosarge.
32

33 **MS. BOSARGE:** Can we get an update on that initiative, please,
34 sir?
35

36 **MR. HADDAD:** Yes, Madam Council Member, and thank you. We have
37 formed, as you know, what's called the Angler Focus Group
38 Initiative, and we've added the word "initiative" so everybody
39 doesn't get the perception that there is an organization being
40 developed of a group of individuals. It's not.
41

42 We have our first what I'm going to call real meeting on April
43 18 and 19. We have invited Dr. Crabtree to be our featured
44 analyst for NOAA for a half-a-day of that day-and-a-half of
45 meetings. This is facilitated by a private consensus-building
46 group out of Florida State University
47

48 Our plan is to have -- Right now, we've got three meetings after

1 this on the books. We haven't ironed out the details yet. Our
2 last meeting is scheduled in October, but it could be pushed a
3 little bit later. As we go, if you just kind of look at
4 concentric circles, the middle of the circle is a planning
5 committee, which is the core group of us that have put this
6 together and are funding this gathering, set of gatherings.

7
8 The next circle, which is the meeting on the 18th, is going to
9 be, for lack of a better word, like-minded private recreational
10 thinkers to start hashing out some ideas. The meeting after
11 that will -- We're going to add commercial, environmental, and
12 for-hire, the breadth of the for-hire fleet, in those next three
13 meetings after that, and so our intent is to get everybody's
14 input.

15
16 It's an evolving process, but we do have schedules, to a large
17 degree now, and we're hoping we can conclude this somewhere
18 around the new year or early into the new year.

19
20 **CHAIRMAN ANSON:** Mr. Williams.

21
22 **MR. WILLIAMS:** Hi, Ken. You said that your second meeting was
23 of like-minded recreational thinkers. Is that the same group
24 that you had last time that was on that memorandum? I
25 criticized it, because they really were birds of a feather. I
26 didn't really think you even needed a consensus builder for
27 them. They all believe the same thing. They're against
28 reallocation, and they're against sector separation. You don't
29 need a consensus builder to find out what they think.

30
31 **MR. HADDAD:** Well, we're not -- Those aren't the areas we're
32 necessarily going to focus on either. I mean those will all be
33 topics, but we don't know what all the topics -- You know how
34 they're going to play out.

35
36 Yes, this first meeting is designed to be those of us that have
37 been involved plus anglers. It's hard to round up, quote,
38 anglers like some of the folks that are speaking here today that
39 you've already heard, but we're doing our best, Roy, and we
40 believe we at least have to have some like-minded thinking to
41 start this out.

42
43 If there is so much controversy and conflict that even our
44 consultants are agreeing, and we're kind of going with how they
45 designed this, but you don't start out in the middle of
46 conflict. You have to get some thinking going first, and you're
47 just going to have to trust us a little bit to see if this
48 process can play out properly. It's not an AP. An AP is

1 reflective of the council, highly divisive, and so we're going
2 to try to do this through consensus.

3
4 **MR. WILLIAMS:** Just to follow up, my worry is that you're going
5 to emerge from this in three months or six months or a year,
6 whenever, with an answer that you already know, that the group
7 was designed -- They were simply put together as a façade to --
8 I guess it sounds a little accusatory, but I just look at that
9 membership, that initial membership, and it really -- Ken, I
10 know what all those people think. I already know it.

11
12 **MR. HADDAD:** Well, you think you do, and that's fine. You're
13 going to have to trust a process actually brings out the best in
14 folks to try to sort out solutions. That's why we have a
15 professional set of facilitators to do this. They will call our
16 bluff if there is a predisposed response to everything.

17
18 **MR. WILLIAMS:** Why do you need a facilitator, to use your words,
19 for like-minded recreational thinkers?

20
21 **MR. HADDAD:** You need a professional process to come out -- We
22 aren't -- When I say like-minded, we all have been involved in
23 the private recreational communication process. Believe me,
24 we're not all thinking on the same page. I mean, truly, we've
25 never sat down to even talk about thinking on the same page, and
26 so we don't know, within our own small, tight-knit group, what
27 people are thinking and how far we can stretch our thinking.

28
29 **CHAIRMAN ANSON:** I will allow one more question from Mr.
30 Sanchez.

31
32 **MR. SANCHEZ:** Thank you. Ken, when do you think you would reach
33 the point where this group or some other group would engage in
34 our offering to let's form an AP, and, again, not to be part of
35 this process, which I think, for some reason, you're alluding to
36 viewing it negatively. I will make a pledge right now,
37 publicly, that pick your people that you want on the AP and I
38 will support putting them on there. I just want to see
39 something meaningful come out of the recreational sector to
40 address the overruns. Time goes by and by and by and we're
41 getting to another year, and we're no closer to doing anything
42 really substantive.

43
44 **MR. HADDAD:** That's fine. We don't have any overruns now, by
45 the way. I think our last meeting is scheduled for October. If
46 we can adhere to that, to compile everything and have a final
47 piece that we put together, which we haven't described it to
48 ourselves yet, but I'm thinking the beginning of the new year.

1
2 I would say at the first meeting of the council in the new year
3 that we would hope to be able to come and say here is where
4 we're at, and, if you want to form an AP, now is the time to do
5 it.

6
7 **CHAIRMAN ANSON:** Thank you for the information, Ken. Next is
8 Dan Appling, followed by Chris Niquet.

9
10 **MR. DAN APPLING:** Hello. I'm Dan Appling. I'm a recreational
11 fisherman in Texas. I've lived here fifty years and fished my
12 whole life with my dad and now my sons. I'm here because I do
13 not think the red snapper resource, and maybe other king
14 mackerel coming that way, is being allocated fairly.

15
16 It does not make sense to me that commercial fishermen and
17 charter for-hire get most of the red snapper off the Texas
18 coast. Why do they get the resources for free? The oil
19 companies and the timber companies all pay for federal
20 resources, and I don't understand why they can get this resource
21 and the bulk of it for free. It doesn't make any sense to me.

22
23 It seems like a farce to me that these commercial fishing
24 outfits think that they're serving American and providing
25 redfish at grocery stores. They're serving themselves to make a
26 living, and I'm not against making a living, but let's not try
27 to fool ourselves that they're doing this for America. They're
28 doing it for themselves.

29
30 Why don't you allow the State of Texas to control the resource?
31 They've done a great job with redfish and speckled trout and
32 deer and dove and everything in the State of Texas. They've
33 done a great job, and they have served both the charter, the
34 commercial, and the recreational fishermen alike, with great
35 success. I urge you to let them manage this resource for
36 everybody's benefit. Thank you.

37
38 **CHAIRMAN ANSON:** Thank you. We have a couple of questions for
39 you, Mr. Appling. Mr. Riechers.

40
41 **MR. RIECHERS:** More of a comment than a question, Mr. Appling.
42 You and I have visited about this issue on the phone, several
43 times in fact, and I want to just thank you and Mr. Franke and
44 Mr. McConnell, and I recognize some of the other names that I
45 have visited with on the phone in the past.

46
47 I appreciate you all coming out and taking time out of your
48 schedule to come to this. I realize that you don't make all the

1 meetings across the Gulf. It would be pretty difficult for you
2 to do that, as you're here as an Austin resident, but thank you
3 and thank the others for taking that time.

4
5 I am not going to stop everyone along the way and give that
6 personal thanks, but thank you all for taking the time to be
7 here, as well as the ones we see at every meeting, but it's
8 really important. We've had discussions around this table that
9 we need to hear from more recreational anglers, and so thank you
10 for taking that time to all of you.

11
12 **CHAIRMAN ANSON:** One more from Mr. Williams.

13
14 **MR. WILLIAMS:** I'm just going to make a quick point, I guess,
15 and that is you talk about Texas -- You would like Texas to
16 manage the resource, because they manage redfish and sea trout.
17 Those are fish that occur in Texas state waters, and I agree
18 that they do a good job of it. I don't have any conflict with
19 that.

20
21 The red snapper are a product of the federal zone, and they're
22 owned by the people of the United States, from Alaska to Maine
23 to Florida to Texas. They are owned by the people of the United
24 States, and their access to those fish is not going to be a
25 twenty-one or twenty-two-foot boat here in Texas.

26
27 It's through commercial fishermen. It's when they come down and
28 they might get on a headboat or they might get on a charter
29 boat, but they hold title to those fish just the way that you
30 hold title to the redfish and sea trout that occur in state
31 waters. They're your fish, but the red snapper and the other
32 fish in the federal zone are owned by the people of the United
33 States, and some of them want access to them.

34
35 **MR. APPLING:** Are they speaking here today to say, where can I
36 buy them in the grocery store?

37
38 **MR. WILLIAMS:** I'm sorry?

39
40 **MR. APPLING:** Are they speaking here today, saying where can I
41 buy them in the grocery store?

42
43 **MR. WILLIAMS:** They certainly do. They're not here today, but
44 they certainly are -- They buy them in the grocery store.

45
46 **MR. APPLING:** No, but have they come to the meeting and spoke,
47 any of these meetings and spoke, and said, gosh, I want you all
48 to make sure I can buy them at the grocery store? I'm just

1 asking the question. You all have been to the meetings and I
2 haven't. Have they come? Do lots of people say I want to buy
3 them at the grocery store?
4

5 **MR. WILLIAMS:** We don't get a lot of them, but we have had some.
6

7 **MR. APPLING:** I bet.
8

9 **CHAIRMAN ANSON:** Thank you, sir. Chris Niquet, followed by
10 Roger Anderson, who I called earlier.
11

12 **MR. CHRIS NIQUET:** Chris Niquet from Panama City, Florida,
13 commercial fisherman. I've heard some comments today from some
14 people that spoke earlier about access to red snapper here in
15 the State of Texas. Correct me if I'm wrong, but I think the
16 State of Texas has a 365-day year-round access to red snapper in
17 state waters.
18

19 You can wait until it is slick calm to go catch your fish. It's
20 four fish per day, I believe, and not two, and I think that
21 solves the problem of access to the red snapper in Texas for the
22 local people, and I don't know about the offshore. I think it's
23 two fish per day there, and I understand they have a very short
24 season all over the Gulf of Mexico. This year, I don't know if
25 it's been decided. I've heard anywhere from six to twelve days.
26 I'm not sure what it's going to be. I don't know if anybody is
27 sure.
28

29 I don't know if the people, the fishing public, the recreational
30 fishing public, realizes how many fishermen are trying to access
31 this biomass of fish. I understand there is three-million
32 licensed recreational saltwater anglers. I am not saying three-
33 million of them fish for red snapper, no, sir.
34

35 I am not saying two-million, but I'm saying if it's half-a-
36 million, 20 percent, and they catch one fish per year and it
37 averages seven-and-a-half pounds, which is what they say they
38 average, that's three-and-a-half million pounds a year. You're
39 getting close to your limit, fellas, at one fish per year. Not
40 thirteen or fourteen fish in a season, but one per year.
41

42 Now, I don't know if that's any way to solve the problem, but
43 somebody on this council that's making the rules needs to do the
44 math instead of the emotion. Thank you very much for your time.
45

46 **CHAIRMAN ANSON:** Thank you, Mr. Niquet. Roger Anderson, to be
47 followed by Gary Bryant.
48

1 **MR. ROGER ANDERSON:** Thank you. Sorry I was late. I have a
2 full-time job that ran over and prohibited me from being here on
3 time. I appreciate the council being here today. I think this
4 may be your first time in Austin. The second? Okay. I know
5 there have been other meetings around the State of Texas, and I
6 have personally tried to attend them, but I couldn't work it
7 into my professional schedule, and so I appreciate you guys
8 coming here, because I think you would be surprised to realize
9 how many people there are throughout the whole State of Texas
10 that enjoy the public resources and access to the coastal waters
11 of the State of Texas and not just the people who live in
12 Houston or along the coast, but throughout the whole State of
13 Texas.

14
15 I am probably going to bounce around here a little bit, because
16 I have a whole lot that's on my mind. I was born and raised in
17 Texas, and I've been fishing inshore and near shore for the
18 majority of my life, and I'm going to jump back to the 1980s. I
19 saw the depleted red snapper population. I saw people bring in
20 fifteen-inch fish, and there were four times the reef count and
21 structure that's out there today.

22
23 I personally fished through the restrictions and the
24 conservation efforts that probably started in the mid-1990s,
25 when the recreational limit went from ten fish to seven to four
26 to ultimately two, with a temporary season closure throughout
27 the year.

28
29 I guess why I'm here today is I'm troubled by two things. One,
30 I will speak from personal experience, and I would challenge all
31 the science that's in this room, and I know it's powerful, but I
32 would argue that the red snapper population in the Gulf of
33 Mexico -- Let me retry. In the Texas/Louisiana area of the Gulf
34 of Mexico -- I fish from Venice to Port Isabelle and just about
35 every coastal spot along the way, but I would argue that biomass
36 is stronger today than I have personally seen it in the last
37 thirty years.

38
39 As a private recreational angler, I just struggle with the
40 limitations that are continually imposed on my group of
41 fishermen to access this public resource. I can take anybody in
42 this room out there, and I'm going to say that I'm an average to
43 poor fisherman, and we can go catch red snapper until our arms
44 fall off. You can't do that with any other species in the Gulf
45 of Mexico on a consistent basis, that I'm aware of.

46
47 To me, it says that either the science is off, and there are
48 actually a lot more fish out there, or the allocation method is

1 somehow changed. I just struggle with trying to come to grips
2 with the sacrifices I've made over the last thirty years to see
3 the majority of this public resource now allocated to the people
4 that are accessing it for profit.

5
6 I would ask you, if the real intent is to eliminate the private
7 recreational fishermen from the red snapper population, then
8 stand up and tell everybody. You know, hey, that's life. We
9 all have to make decisions that people don't like, but let's
10 stand up and tell the public, tell the recreational fishing guys
11 that here's what is going on and why.

12
13 **CHAIRMAN ANSON:** Mr. Anderson, if you could wrap up your
14 comments, please. Your time is up.

15
16 **MR. ANDERSON:** Because it's very difficult for a private
17 recreational guy who has made sacrifices and spends a lot of
18 money and time, personally and financially, to enjoy this public
19 resource to really understand why we've gone from where we were
20 thirty years ago to where we are today with the red snapper
21 fishery. Thank you.

22
23 **CHAIRMAN ANSON:** Thank you, sir. Next, we have Gary Bryant,
24 followed by Scott Sanderson.

25
26 **MR. GARY BRYANT:** I'm Gary Bryant, from Gulf Shores, Alabama,
27 owner and operator of Red Eye Charters, Vice President of the
28 Alabama Charter Fishing Association. I'm here today to speak on
29 my personal comments.

30
31 To start off with, some of the things you all covered in the
32 committee, triggerfish, I would like to explore maybe a March
33 opening. I would be okay with one.

34
35 The main reason I'm here to comment today is on 41, which it was
36 my understanding basically that we had the sunset because we
37 were going to look at regional management. Now the regional
38 management is off the table, and I would like to see you all
39 take the sunset away, since we're not moving in that direction.

40
41 In the committee meeting yesterday, you all were bringing up --
42 I was on the AP, the ad hoc committee, and some of the things
43 I'm really encouraged about the process we're making -- I think
44 some of the things we did are pretty significant, like we are
45 recommending no ownership and no transferability and allocation
46 only.

47
48 That is purely out of a sense of fairness. I think it's

1 important -- The allocation part is important and the opt-in
2 yearly. What I wanted to point out is if you're in an area that
3 maybe has a high historical catch and you're in an area with a
4 low historical catch -- Under this system, your permit is the
5 same, the same value. If you assigned a share system, that
6 would have a one-time value, and it may be more for one area
7 than another, and that's going to make one permit worth more
8 than another.

9
10 Under the allocation system, opting in every year, those permits
11 have the same value, because if you move that permit to a
12 different area, you're going to opt in and you're going to have
13 the same amount of fish as the people you're docking with.
14 You're not going to bring a permit that has a higher share value
15 into an area and have an advantage over your fellow fishermen.
16 I think that's important.

17
18 I would also like to -- There's going to be winners and losers
19 in this, to some degree. I am willing to be one of the losers.
20 Being from Alabama, our business model is two fishing trips a
21 day, and so I'm bringing more red snapper to the dock than
22 people in other areas, but I am willing to take less to make
23 this work, and I think one of the good compromise things that I
24 would like for you all to look at -- You all were talking about
25 at the end of yesterday where we've got a certain percentage
26 historic, a certain percentage divided evenly, and a certain
27 percentage looking at COI capacity.

28
29 Personally, I think I would like to see the numbers. I think
30 that's a good compromise. As we started talking about dividing
31 evenly, we're going to give the same fish to somebody that's
32 running two trips a day as somebody that never catches them.
33 This is a good compromise. It lets the people that say, well,
34 my boat is bigger and I need more. Okay, then we'll address
35 that. It let's people say, well, I catch more fish
36 historically. Okay, that addresses that.

37
38 It's got the people that says that I don't catch any, but I
39 don't want to be left out. This helps to address that, and so I
40 appreciate you all looking at that and giving us that
41 information. Thank you.

42
43 **CHAIRMAN ANSON:** Thank you, Gary. Scott Sanderson, followed by
44 John Wilkerson.

45
46 **MR. SCOTT SANDERSON:** Thank you, Mr. Chairman. I'm Scott
47 Sanderson. I live here in Austin, and I'm a recreational
48 fisherman, and I too enjoy about ten trips to the coast a year,

1 mixed between offshore and inshore.
2
3 As Mr. Williams said, and I'm commenting here largely on the
4 snapper management, but all the reef fishes, you know these are
5 the fish of the people, and I think it's this council's charge
6 to manage those for the people, and it just seems that most of
7 the rulings from this council and regulations from this council
8 seem to be inherently unfair to me and the thousands of like-
9 minded recreational fishermen out there and more so biased
10 towards the commercial guys.
11
12 You know, if I were going to recite examples, really at the tip
13 of the iceberg, to me, is the whole concept of the IFQs and the
14 granting of rights and ownership of the federal resource to a
15 select few. That being done, I believe that was expanded again
16 in 2010 to include fish in addition to the snapper, the tilefish
17 and the grouper.
18
19 Furthermore, that ownership has opened up, and I think it was an
20 unintended consequence, but the market for these IFQs. Some of
21 these guys don't even have to go fishing anymore. They sell
22 them to fishermen that maybe had such a small percentage that
23 they can't even go fishing unless they buy them from them. I
24 understand there's a secondary market and brokers that maybe
25 have never held a fishing rod that are making money off of that.
26 That system, to me, it just leaves me incredulous how that came
27 to pass.
28
29 Moreover, the 365-day season versus ten recently, and I hear it
30 proposed from five to nine, maybe eight for 2016 -- I understand
31 the reasons for that as well. It's safety. There's a rodeo
32 with everyone going out. We've all seen Deadliest Catch. You
33 know I get that thing. Guys shouldn't be forced to go fishing
34 in bad weather conditions, but that, as Mr. McConnell said, is
35 exactly what you've created with this eight or ten-day snapper
36 season for the recreational guys.
37
38 Maybe our schedules don't allow it. We work for a living. If
39 you propose eight days, beginning June 1, that will be one
40 weekend, and you know hopefully the weather will be safe for
41 everyone to go out and pursue their two snapper in those waters
42 during that time.
43
44 Yesterday, the 10 percent allocation shift to the commercial
45 sector of the mackerel, to me, again, it's just another example
46 of this being biased towards commercial interests.
47
48 With that said, I could go on, but I would like to point out one

1 thing, because I was trying to do some research and be prepared
2 here. The oath of office that everyone on this Gulf Council
3 took had, amongst other things, that you would carry out the
4 business of the council for the greatest overall benefit of the
5 nation, and I am paraphrasing here or leaving out or redacting
6 certain parts, while being careful to balance competing private
7 or regional interests, always aware and protective of the public
8 interest in those resources. It seems like, somewhere along the
9 line, the recreational guy has been left behind in applying that
10 oath, in my opinion, and I thank you for your time.

11
12 **CHAIRMAN ANSON:** Thank you, sir. We have a question from Mr.
13 Williams.

14
15 **MR. WILLIAMS:** Mr. Sanderson, thank you for coming. You're a
16 private boat angler, I guess? You have a private boat?

17
18 **MR. SANDERSON:** Yes.

19
20 **MR. WILLIAMS:** You're a citizen of the United States?

21
22 **MR. SANDERSON:** Yes.

23
24 **MR. WILLIAMS:** I'm a citizen of the United States. I don't own
25 a private boat, and I don't want to own one. I have maintained
26 boats before, and I hate it. Do you consider yourself to have a
27 superior demand for red snapper because you're going out on a
28 private boat and I might choose to go out on a headboat or I
29 might choose to go to a fish market to get my red snapper?

30
31 I mean we both own that red snapper. I don't own any more than
32 you, nor you anymore than me, and so why can't I choose --
33 What's wrong with me choosing a headboat or a charter boat or a
34 fish market? Why do I have to get a private --

35
36 **MR. SANDERSON:** Let me address that by saying that I don't think
37 anywhere in my comments did I suggest that I am more entitled to
38 any fish in the ocean than anyone else, but rather that this
39 Gulf Council seems to set policies and regulations that favor
40 interests other than recreational fishermen.

41
42 **MR. WILLIAMS:** We've given you more than half of the red
43 snapper.

44
45 **MR. SANDERSON:** I'm sorry?

46
47 **MR. WILLIAMS:** You've got half of the red snapper.

48

1 **MR. SANDERSON:** As I understand it, 50 percent of the red
2 snapper is owned by a much smaller group, maybe a hundred or so
3 commercial fishermen, than there are recreational fishermen.
4 That seems like a fairly imbalanced allocation, in my opinion,
5 Mr. Williams.

6
7 **MR. WILLIAMS:** But they're not the end user, of course. All
8 they do is provide those fish to a fish market.

9
10 **MR. SANDERSON:** You know, I will say this. You, and some other
11 very intelligent people, are the experts on this council, and I
12 would go back to saying that it seems to me that consistently
13 policy and regulation from this council seems biased in favor of
14 commercial fishermen and against the recreational angler. May I
15 make another comment, Mr. Chairman?

16
17 **CHAIRMAN ANSON:** No, your time is up, sir. I'm sorry. Thank
18 you for coming. Mr. Wilkerson, followed by Bill Kelly.

19
20 **MR. JOHN WILKERSON:** I am John Wilkerson. I'm a private
21 recreational angler. I am conservation minded. I completely
22 care about the sustainability of our fisheries. I also care
23 about the commercial fisherman that needs to make a fair wage
24 and a fair profit.

25
26 However, I am not pleased with how the fishery is being managed
27 these days. I perceive that the stock assessment data is
28 flawed. When I am out catching grouper, I've got to wade
29 through bazillions of red snapper to get to the grouper. I
30 perceive that the landings data that you all are using is
31 flawed. I know you've got your MRIP and creel surveys and
32 whatnot, but, in the last two years, nobody has surveyed me. I
33 have caught zero and landed zero red snapper out of federal
34 waters.

35
36 I am not sure who you all -- I'm a private businessman, and I'm
37 very customer-oriented. I'm not sure who your customer is. If
38 your customer happens to be the private recreational fisherman,
39 then I think you've got 51 percent of the -- Maybe it's 49 now.
40 I don't know, but 49 percent of your customer base is saying, I
41 don't like what you're doing. At some point, they're going to
42 say enough is enough, and they're going to choose something else
43 to do. Right now, you've got a captive audience. Eventually,
44 the economy will take care of itself. That's all I've got.

45
46 **CHAIRMAN ANSON:** Thank you, sir. Bill Kelly, followed by Gary
47 Glick.

48

1 **MR. BILL KELLY:** Mr. Chairman and council members, Bill Kelly,
2 representing the Florida Keys Commercial Fishermen's
3 Association. The first thing I would like to do is thank you
4 for approving the increase in the trip limits in the gillnet
5 fishery from 25,000 to 45,000 pounds.

6
7 We prosecuted this fishery in short order again this year. Six
8 boats struck over 25,000 pounds, but under 45,000. They were
9 able to keep their catch. There were no safety at sea issues,
10 because they did not have to pass portions of their net over to
11 other secondary parties. There were no fines, and, most
12 importantly, we improved our lines of communication, through the
13 work that we did with Dr. Steve Branstetter and Ms. Sue Gerhart,
14 with real-time data collection and reporting.

15
16 At 19,000 pounds, the industry moved to close the fishery,
17 rather than risk an overrun, and so thank you again, very much.
18 We have proven that fisheries managers and industry can work
19 together.

20
21 Secondly, I would like to talk to you about a reallocation of
22 kingfish in the Gulf of Mexico. I would like to see the council
23 embrace the Bosarge Plan, 5, 10, 15, or 20 percent allocations
24 over to whatever side needs it, recreational or commercial. On
25 the back-end of it, rather than have some shocking return back
26 to ground zero, do exactly the same thing. When you hit that
27 trigger, say 75 percent, reallocate back in 5, 10, 15, or 20
28 percent increments.

29
30 You can give the recreational sector a three or four fish
31 increase in their trip limits per day. Please do that. With
32 three-million pounds on the table, you're not going to exceed
33 that if you do both, reallocate to the commercial side and
34 increase those recreational trip limits.

35
36 Here is the history of it. Thirty years ago, we fished too many
37 fish. Thirty years later, after a successful rebuilding
38 program, we're catching too few, and so there's ramifications
39 for not catching that quota, because the SSC readjusts things
40 and says, well, now there is too many old fish out there and we
41 don't have enough new recruitment. The worst thing we can do is
42 leave fish on the table.

43
44 We also would encourage that you do not disproportionately
45 increase the northern boundaries. Please follow through with
46 your approval of the yellowtail snapper measures to change the
47 fishing year to August 1, ending July 31, and approve the use of
48 j-hooks in the fishery.

1
2 Finally, two items. Thank you, Lieutenant Commander Jason
3 Brand, for your service, and thank you, council, for supporting
4 a fully accountable commercial fishing industry that represents
5 hundreds of millions of consumers in this country that don't
6 have a boat and may not have ocean access and don't know how to
7 fish and don't care to fish, but they're still entitled to a
8 fish sandwich. Thank you.

9
10 **CHAIRMAN ANSON:** Thank you, Mr. Kelly. We have Gary Glick,
11 followed by Bill Staff.

12
13 **MR. GARY GLICK:** Can you guys understand me? I was having a
14 really hard time understanding everybody earlier. I'm going to
15 try to speak slowly and distinctly.

16
17 I'm a recreational angler, and I'm here because I understand the
18 comment is frequently made that recreational anglers are happy
19 with the Gulf management program for recreational anglers, and
20 if they were unhappy, why don't they show up? So I showed up
21 today.

22
23 I am here to talk about my two fish. June 1, we'll get either a
24 six or a nine-day season. That will be one weekend. If the
25 weather is good, I will get to go, and I will get to catch two
26 fish. I'm not really here to talk about my two fish. My two
27 fish don't mean much, and recreational anglers don't show up
28 here, because it's not worth coming to talk about two fish.

29
30 Besides which, they feel like the Gulf management -- The
31 perception is widespread that the Gulf management is very much
32 slanted against the recreational angler and, through their
33 science, is obdurate -- Webster says "obdurate" means wicked and
34 hardened in wrongdoing. That's the way you're perceived. You
35 are perceived as being wildly unfair.

36
37 If you want to know what's going on with the fish stock, talk to
38 an old fisherman. I'm an old fisherman, a thousand hours
39 underwater and ex-shrimper and an ex-charter boat captain. I've
40 been on the water a lot, and I've watched the stock go from, in
41 the 1960s, being plenty to, in the 1970s, where it was notable
42 if we even saw a small school of red snapper around an oil rig,
43 and we were around those oil rigs a lot.

44
45 To the great job you guys did bringing back the red snapper
46 stock from the brink of extirpation, but you guys extirpated the
47 recreational fishermen to do so. I wouldn't be so bent out of
48 shape, except you're stealing my son's fish.

1
2 The season starts June 1. School is not out by then. The
3 kiddos can't get down there by then. South Padre Island is a
4 ghost town until about the 10th of June, and you kill the
5 amberjack season the 29th of May and don't open it until August
6 1. It's like you're trying to take the fish from my son. Let's
7 make it hard. Let's make sure he never likes to fish, so he
8 won't come pester us for fish.

9
10 June 1 -- Now you guys' science, of course, it's exceptionally
11 difficult to argue the science -- Shoot, we're done. Real
12 quick. You start the season on June 1. This is good science.
13 2,038 baby snappers went back to the day they were hatched and
14 the biggest hatch date was June 1.

15
16 You could move the season back ten days and half of the
17 recreational catch would have not been getting ready to spawn.
18 When you guys beat on your science, but you do stuff like this,
19 nobody believes your science. Thank you, gentlemen.

20
21 **CHAIRMAN ANSON:** Thank you, Mr. Glick. We have a question for
22 you, sir, from Mr. Walker.

23
24 **MR. WALKER:** In Texas, don't you have a 365-day season and a
25 four-fish bag limit?

26
27 **MR. GLICK:** Yes, within the first nine miles of the State of
28 Texas. The State of Texas, under the Gulf management
29 regionalization plan, the State of Texas has an appropriate
30 amount of fish and fishermen for 110 days, but you guys are
31 going to give us nine, because you are moving those fish over to
32 Alabama, because the Alabama senator killed the equivalent of
33 House Bill 3094 the last time it came up, to strip you guys of
34 the power to continue to monetize and privatize a public
35 wildlife resource, and it gets channeled to the lowest economic
36 and social benefit. Yes, for 10 to 20 percent of our coastline,
37 we get to manage our own fish. The remainder, you guys manage,
38 and I don't think you do it well.

39
40 **MR. WALKER:** Would you be in support of all states were
41 compliant with the federal regulations and give you more
42 opportunities in the federal season?

43
44 **MR. GLICK:** I'm sorry, but I don't understand the question. I
45 couldn't hear you.

46
47 **MR. WALKER:** If all the states were consistent with the federal
48 regulations and gave you more days, more fishing opportunities,

1 in the federal waters, would you support that, all states being
2 compliant?

3
4 **MR. GLICK:** You know, that sounds, to me, like a ferociously
5 trick question. Here is the commonsense answer. When my son
6 will have a chance to go two or three times a year to catch red
7 snapper, I will be happy. Until then, I will be pissed.

8
9 **CHAIRMAN ANSON:** One more question from Mr. Williams.

10
11 **MR. WILLIAMS:** Mr. Glick, thank you for coming. You and quite a
12 few others are unhappy with the season length.

13
14 **MR. GLICK:** Yes, sir.

15
16 **MR. WILLIAMS:** What if we gave you a couple of tags or whatever
17 tags you were entitled to and then you would have a 365-day
18 season and you could figure out when you wanted to go?

19
20 **MR. GLICK:** Well, that would be better than jamming it into a
21 limited season, for all of the reasons that a limited season is
22 not good for the commercial anglers. It makes it hard for
23 people to go. It makes whether or not you get to fish that year
24 dependent on whether the wind blows the one day that you get to
25 go.

26
27 I really think that the resource is being allocated -- There is
28 no wildlife resource that has ever been well managed when there
29 is a commercial component to it. I'm sorry, commercial guys,
30 but it's the truth. Ducks, geese, doves, elephants, passenger
31 pigeons, as long as there is a commercial component, the power,
32 the money power of that commercial component, is going to
33 overwhelm any kind of regulation. It always has and it always
34 will.

35
36 Now, in this case, it's really unusual, because, instead of the
37 commercial component extirpating the species, it extirpated its
38 competition, the recreational angler, through the Gulf
39 Management Council. That's what recreational anglers think of
40 the Gulf Management Council.

41
42 My brother put up a Facebook, and I'm not much of a Facebook
43 guy, yesterday that said we're going to get a six to nine-day
44 season and tell your elected representatives how unfair you
45 think this is. In nine hours, it had 5,096 shares. The people
46 are pissed.

47
48 **MR. WILLIAMS:** If we gave you all of the commercial allocation,

1 the season would only be twice as long as it is now. You would
2 get eighteen days. How about that tag? What would you think of
3 the tag? We give you the tags and you figure it out. You can
4 have a 365-day season.

5
6 **MR. GLICK:** That would be an improvement, but I also think that
7 you don't really know what the stock is, too. I know that --
8 Maybe elsewhere, maybe in Alabama and in Florida, they don't
9 have much stock, but the south Texas Gulf of Mexico is teeming
10 with red snapper. You can't get a bait down to anything else on
11 any rock, rig, or bump anywhere down there.

12
13 **MR. WILLIAMS:** These fish live for fifty years. There can be a
14 lot of accumulation of stock.

15
16 **MR. GLICK:** I understand that they're supposed to live for fifty
17 years, but you guys started -- Good job on reducing the take,
18 but you started reducing the take in about the middle 1990s, and
19 in five years, we were catching twelve and thirteen-pound
20 snapper.

21
22 Now, there were none. There were no snapper that size, and in
23 five years, there are snapper that size, and so I think that
24 maybe your assumed rate of growth of these fish may be off.
25 Either that or we had a huge bunch of recruitment out of Mexican
26 waters.

27
28 **CHAIRMAN ANSON:** Thank you, sir. We have one more question from
29 Mr. Riechers.

30
31 **MR. RIECHERS:** Mr. Glick, it's good to meet you. We know each
32 other through colleagues, and I know you did a lot of work on or
33 are doing a lot of work on artificial reef programs down in the
34 valley, and so I appreciate the effort you've made there.

35
36 The other thing that Mr. Williams just spoke to was the fact
37 that he's thinking there is accumulating a lot more biomass,
38 and, of course, the model suggests that it wouldn't be
39 accumulating a lot more biomass, and, of course, the other part
40 that you already mentioned was there does seem to be an eastern
41 and western stock, and the differential between those is quite
42 large right now.

43
44 Would you be supportive of an east/west split in the stock, so
45 that the western Gulf manages their stock alone and differently
46 than the eastern Gulf?

47
48 **MR. GLICK:** Yes, because it's fairly obvious that most fish do

1 not pass the mouth of the Mississippi River. By the numbers,
2 they just don't cross it.

3

4 **MR. RIECHERS:** Thank you for being here as well.

5

6 **CHAIRMAN ANSON:** Next, we have Bill Staff, followed by Neal
7 Meinzer.

8

9 **MR. BILL STAFF:** Bill Staff, Charter Boat Sea Spray, owner and
10 operator. I've been charter fishing for thirty-five years. I
11 am glad to see so many purely recs here. This is abnormal. I
12 would just invite them to do what we've done for the last ten,
13 twelve, fifteen years. Hit your head against the wall and talk
14 with these people and get you a solution. Don't sit here and be
15 mad. I've been right where you all are. Work with these folks.
16 That's what we've done and that's where we are.

17

18 **EXECUTIVE DIRECTOR GREGORY:** Sir, you need to address the
19 council and not the audience.

20

21 **MR. STAFF:** I'm sorry, but I just want them to know that there
22 are answers and there are solutions. Yesterday, I had a Tyvek
23 suit on and I was grinding fiberglass at two-o'clock. The last
24 place I needed to be was here at this meeting, but I know how
25 important it is to talk to you all and address this, because
26 being here has gotten things done.

27

28 The Amendment 40 brought a lot of life to the charter industry,
29 and it's very much appreciated. In fact, I would go as far as
30 saying it has saved businesses. This was done with the charter
31 for-hire being well under the accountable catch target. Please
32 abolish the sunset clause. Nobody at this table that is
33 involved in any kind of industry wants their industry darkened
34 with a sunset clause.

35

36 Even better, let's pass 41 with credible qualifiers. I support
37 any sensible program to get away from a derby. Triggerfish,
38 it's definitely working. If we've got to go up on the size
39 limit or go down on the number limit or both to make a longer
40 season, then I'm for it. I appreciate you all's time and I look
41 forward to the next one.

42

43 **CHAIRMAN ANSON:** Thank you, Bill. Neil Meinzer, followed by Ed
44 Fleming.

45

46 **MR. NEIL MEINZER:** I am Neil Meinzer, and I'm here from Austin.
47 Mr. Chairman and council, thank you for having me. I'm a
48 recreational angler, and I had a few things to say, but I want

1 to answer a couple of questions that I heard posed to some other
2 folks. I can't read your name tags from here, but the gentleman
3 here in the back, the idea of bartering Texans with Texas
4 redfish in exchange for allotments in federal waters, the way
5 you posed that question, is a red herring.

6
7 If I've got 365 days of access to a state park and bass drop or
8 out in Somerville or wherever, that doesn't mean I should be
9 limited to only going to Yellowstone or Golden Gate or some
10 other national park over spring break. I think that's a red
11 herring and not really pertinent to what we're talking about.

12
13 On the issue of these fish belong to the Americans, I agree with
14 you that they do, and that kind of brings me to my main
15 complaint, is not over the details of the allotment, but more
16 about the process, in that it seems like you guys are charged
17 with the task of managing the fishery, but by going after the
18 recreational fishermen, it seems like you're managing the
19 fishermen rather than the fishery.

20
21 I recognize the expedience of it. I recognize that it's a more
22 difficult challenge to manage what the recreational guys are
23 bringing to the dock, but that's your job. When you took this
24 job, that's what you signed on to do, and to just attack --
25 "Attack" is a strong word, but just to focus on the easy answer
26 I think is missing the boat on what you're tasked to do as a
27 member of this council.

28
29 I ask you to not to do that and to get with the guys who have
30 the data and the ability and deal with the logistical issues of
31 managing the fishery and not at the expense of recreational
32 fishermen. Thank you.

33
34 **CHAIRMAN ANSON:** Thank you. Ed Fleming, followed by Jake
35 Neubauer.

36
37 **MR. ED FLEMING:** Ladies and gentlemen, thank you for letting me
38 speak today. I'm probably one of the oldest guys in the room.
39 I'm Ed Fleming. I was born and raised in Texas, and, according
40 to my family, I've spent an inordinate amount of time on the
41 Texas Gulf.

42
43 It's one of my favorite places. We owned a commercial charter
44 business out of Port Aransas, Dolphin Docks, and so I know a
45 little bit about that. Why I came here, why I was excited, is
46 to see a nine-day season with one snapper and a set time.
47 Somebody hasn't been around the Gulf of Mexico very long.

48

1 I mean if low pressure moves in, you just can't get out. A man
2 mentioned a twenty-two-foot boat. You can't get out for several
3 days during the summer in a row when we have weather days, and
4 so I thought that was very inflexible, and I really thought this
5 is kind of an assault on the men and women of the state who own
6 small boats, fishing boats.

7
8 I know you can go on headboats and you can go to the grocery
9 store and get all the snapper you want. I think headboats are
10 great, and that's where a lot us learned what we do and how
11 exciting it was out there, and so I'm with those guys in that
12 regard, but I think that our limits need to be increased, based
13 on what I understand, as a layman, about our west Gulf stocks,
14 and I think we need more flexibility on the days that we can
15 fish.

16
17 I just know, from prior experience, that our private boat owners
18 are a big part of the conservation effort on the Gulf coast
19 since the 1970s. They were our watchdogs. They were the people
20 that got us excited and led us to a great recasting of the
21 stocks in our bays. When you have people like Connie Arnold and
22 Joan Holt of UT to help restock our bays, it was a great success
23 story with the Parks and Wildlife people. I thank you for the
24 time, and I hope you can reconsider that. Thank you.

25
26 **CHAIRMAN ANSON:** Thank you, Mr. Fleming. Jake Neubauer,
27 followed by Eli Sierra.

28
29 **MR. JAKE NEUBAUER:** Thank you, Mr. Chairman. My name is Jake
30 Neubauer, and I'm a recreational fisherman. I live here in
31 Austin, Texas. I fish the Gulf coast of Texas and Louisiana, as
32 well as Florida waters from time to time. I appreciate your
33 efforts in managing these resources, but I would like to see a
34 better solution for the red snapper resource.

35
36 An eight-day season, a two-fish limit is a limit that I think is
37 out of balance with what the commercial resources have in this
38 fishery.

39
40 Also, we would like to see state management of this fishery. I
41 think the State of Texas does a good job, specifically in the
42 State of Texas. I'm not familiar with Louisiana and Florida,
43 but I do think that our state, Texas, does a very good job at
44 fish resources. Again, I appreciate your efforts. If you have
45 any questions for me, I would be happy to answer them. Thank
46 you very much.

47
48 **CHAIRMAN ANSON:** Thank you, sir. Eli Sierra, followed by Rob

1 Schneider.

2
3 **MR. ELI SIERRA:** Mr. Chairman and council, my name is Eli
4 Sierra. I've been fishing the Gulf coast ever since I was eight
5 years old. I'm thirty-six now, but I've lived in Naples,
6 Florida, and fished out of Texas, where I currently live, for
7 about fifteen years, and I try to make it down to the coast as
8 much as I can, usually once a month or twice a month, if things
9 are good.

10
11 I just had a son. He's about to turn one next week, and that's
12 my main concern, is for the future of fishing, not just
13 currently for me as a recreational angler, but for my kids,
14 their kids, grandkids, your kids, having the chance to go out
15 and fish. Are things going to progressively get worse or are
16 things going to change and get better? I mean it's definitely
17 up to you.

18
19 I see no evidence that the council is protecting my right to
20 fish recreationally in federal waters, currently. Just a quick
21 story. I took my grandfather fishing about six years ago, and
22 we went deep-sea fishing. We caught red snapper. It was within
23 the season.

24
25 The following year, I took my grandmother fishing, and we
26 weren't able to get red snapper, because they were out of
27 season, and she just kind of wondered why that was. Granted,
28 they're in the seventies and eighties, but she wasn't able to
29 get her seven-and-a-half-pound snapper that year, just due to
30 the season not being at that time.

31
32 I think the eight-day season currently is unjust. I would like
33 for you guys to extend that. Something definitely needs to
34 change for the future of fishing and for the people of the
35 United States, which, you know, Texas is within the United
36 States, for the people fishing, the recreational anglers. We
37 are all one. I just ask that things improve.

38
39 **CHAIRMAN ANSON:** Thank you, sir. Rob Schneider, followed by
40 Darren Ross. Rob. Darren Ross. Mike Garcia.

41
42 **MR. MIKE GARCIA:** Thank you, Mr. Chairman and council. I do
43 appreciate the opportunity to come speak before you all today.
44 I'm a freelance journalist. I do mainly outdoor work, and I've
45 been fishing in the Gulf for the last twenty-two years. What I
46 speak to is similar to what Eli is speaking of.

47
48 I would like to say what we as the recreational fishermen here

1 are representing is the future, the future of our children,
2 their opportunity to be able to get out and fish in these
3 waters. When I see these opportunities being grasped at and
4 taken away and divvied up and moved into fish quotas, which is
5 shocking to a guy like me, just a redneck, average, everyday guy
6 who wants to go out and have fun.

7
8 That's what we do, and I think that it's important to speak to
9 this entity that represents a lot of money and a lot of the
10 other endeavors and the politics that comes with it. We don't
11 represent any of that. In fact, I don't really care too much
12 for it, and I don't care from that perspective, and I understand
13 the task that you all are set to come here and regulate is
14 important, but what's important to me is my opportunity to get
15 into these waters and fish fairly, what I think is a fair
16 season.

17
18 A lot of what we do is kayak fishing and getting out and filming
19 people in these kayaks, and this has changed that a lot. We
20 don't have the opportunity to get out and spend the time to do
21 that in an efficient manner. It's hard to plan, and it also
22 changes, for me, what that looks like. I'm out here trying to
23 do imagery for film and make this look like it's fun and make
24 people want to get out and do it, but, recently, it's been too
25 hard to get out and set the logistics for what we do.

26
27 I would like to think that all of that fun and all of that
28 building of memories for potentially our children and
29 grandchildren of the future is ultimately more important than
30 all the money that's represented in this room today. That's
31 really all I have to say. Please reserve and preserve the
32 opportunity for the recreational fishermen to have more access.

33
34 **CHAIRMAN ANSON:** We have a question from Mr. Sanchez.

35
36 **MR. SANCHEZ:** Thank you for coming. It's good to hear from more
37 private anglers. Again, I've been encouraging an AP, and I'm
38 hoping at some point, regardless of what some other groups want
39 to do, that maybe there would be some interest and focus in the
40 public to help to start to form that, but I do have a question
41 for you. If the majority of your fishing is in the kayak, I'm
42 going to assume you're kayaking ten miles out.

43
44 **MR. GARCIA:** That's correct. That doesn't mean that's all we
45 do, but that's correct.

46
47 **MR. SANCHEZ:** Don't you have access 365 days now?
48

1 **MR. GARCIA:** I do, but I would like to have the opportunity to
2 have access into those federal waters to go on those family
3 trips. Again, that's a great memory for me, and it was
4 something that I was able to pass to my children. Now, I don't
5 find the logistics to move into that family activity any more
6 and to be able to bring my family together. Right now, for my
7 granddaughter, I do see that it's a hindrance.

8
9 Again, if you want to spread it out, that's fine with me, but
10 what I'm seeing is -- What spurred me on to this was watching
11 *Big Fish Texas* on TV and watching these longlines come up and
12 thinking what I would give to be able to take my family out to
13 get ten feet of what they get on that line and be able to plan
14 it out without working around all of these days, and, to me, the
15 silliness of the politics of it.

16
17 **CHAIRMAN ANSON:** Mr. Williams.

18
19 **MR. WILLIAMS:** Thank you, Mr. Garcia. If you're kayaking in
20 state waters and you're fishing, do you catch many red snapper
21 in state waters?

22
23 **MR. GARCIA:** Yes, we do run into snapper in state waters, and
24 I'm able to do that.

25
26 **MR. WILLIAMS:** How many do you think you catch, and I'm just
27 curious, in a year?

28
29 **MR. GARCIA:** Two.

30
31 **MR. WILLIAMS:** Cumulatively, over a year?

32
33 **MR. GARCIA:** Actually, I haven't done it in a year, but I will
34 tell you that we will keep our two fairly often. It's four, but
35 yes. I'm speaking of getting out to the federal waters and out
36 farther out, into the rigs, for that type of fishing. I mean
37 obviously -- We can still do that in a kayak, by the way. We
38 still mother-ship those out there and have a lot of fun. You've
39 taken some of that fun away.

40
41 **CHAIRMAN ANSON:** Thank you, Mr. Garcia.

42
43 **MR. GARCIA:** Thank you.

44
45 **CHAIRMAN ANSON:** Wayne Werner, followed by Ken Milam.

46
47 **MR. WAYNE WERNER:** Good afternoon. Wayne Werner, owner and
48 operator of the Fishing Vessel Sea Quest. I've been fishing in

1 Leesville, Louisiana, for thirty years now. I would like to
2 address the king mackerel issue, if I can.

3
4 I would like to see us go to three zones in the Gulf, a north, a
5 south, and a west. I would like to see the opening backed up to
6 June 1. By doing this, and you make the vessels declare a zone,
7 so that these boats that you all discussed the other day coming
8 from the east coast -- It's not always the same boats every
9 year, but there's thirty or forty of them coming every year.

10
11 They change. Some of them will come for half the year and
12 leave. Then some of them will come for the other half of the
13 year. It's just crazy, and it's just having bad effects on the
14 market. It's not good for the fishery.

15
16 As you do this, I realize there's going to be other zones
17 involved, like the Keys and the east coast, and I'm sure the
18 Keys would like their own zone and the east coast will have
19 their zones, but these traveling fishermen have created a
20 problem. We brought it up five or six or seven years ago, and I
21 hope that you will address this problem.

22
23 I would like to touch on the red grouper issue. The red
24 groupers, all I hear from a lot of fishermen is there's as many
25 groupers there, from the commercial aspect, to support raising
26 this bag limit to four like this and raising the quota like
27 this.

28
29 I believe we should err on the side of conservation a little bit
30 and take it a little bit easy, and I just want to make a comment
31 about how heavy my thumb is, because I'm one of the commercial
32 fishermen. Every time I have to press that phone to call out to
33 leave on a trip, every time I have to look at my ankle bracelet
34 up there showing where I'm at so enforcement can find me, 365
35 days year, every time I have to call in to let them know I'm
36 going to be at the dock so enforcement can meet me there, I
37 really feel powerful over you guys.

38
39 I want everybody out here to realize that we have so much
40 restriction on the commercial side, along with the logbook
41 requirements, right down to income requirements, that it's
42 crazy. That's all I really have to say. Thank you.

43
44 **CHAIRMAN ANSON:** Thank you, Wayne. Wayne, we have a question
45 from Mr. Matens.

46
47 **MR. MATENS:** Wayne, I've been thinking about this for a long
48 time. As you know, I live in that part of the world. You're on

1 the water all the time, and you're there all the time. Do you
2 know of any, and, if so, how many, of your fishermen are going
3 to the east coast?

4

5 **MR. WERNER:** One. Thank you.

6

7 **CHAIRMAN ANSON:** Thank you. We have Ken Milam. Did Rob
8 Schneider come back in? Did Darren Ross come back in? Then
9 next up, we'll have Robert Jenkins after Mr. Milam. Mr. Milam.

10

11 **MR. KEN MILAM:** My name is Ken Milam. Thank you all for letting
12 me come in here, and thank you all for coming to Austin, Mr.
13 Chairman and Board. I am a recreational fisherman. I have
14 lived in central Texas my whole life. In fact, I'm a sixth-
15 generation central Texan. I dearly love the Gulf of Mexico. I
16 dearly hate seeing what is happening to it right now.

17

18 Something -- You know there's been lots more people in front of
19 me that's made their speeches, but what I would like to say is
20 you all have made it where our mothers, our wives, our
21 grandmothers have said it's cheaper to go get the damned fish at
22 the store. Yes, it is now, for damned sure. I can go catch two
23 snapper offshore.

24

25 I can stay in Texas waters -- Mr. Riechers, thank you so damned
26 much for taking care of our Texas waters. I can catch fish. I
27 have fun. I love being outdoors. In fact, I have two radio
28 shows on iHeartMedia talking about hunting and fishing in this
29 great State of Texas.

30

31 There is nothing that I will not do to help our kids enjoy our
32 outdoors. Why are we taking it away from them? Why are we
33 giving our resources to the commercial people, to the commercial
34 guy going out there and catching them? I'm going to put them in
35 the store. I am not making money off of that, but I'm going to
36 sell the damned thing, and, oh, by the way, we give it away at
37 HEB or Safeway or any of these places. We give it away. You're
38 not selling it? Oh no, we don't make money doing this.

39

40 Well, before I get on my soapbox too damned high, I had better
41 get out of here. Thank you all very much for what you all do.
42 Just know there is so many people out here that love this great
43 state and love our great outdoors, and I hope damned well that
44 you all are some of them. Thank you all so very much, and I'm
45 sorry I got excited about this.

46

47 **CHAIRMAN ANSON:** Thank you, Mr. Milam. Robert Jenkins, followed
48 by Bill Stringer.

1
2 **MR. BILL STRINGER:** Mr. Jenkins is a friend of mine, and I don't
3 see him here. I'm Bill Stringer. I'm a resident of Austin. I
4 am a recreational fisherman. I have been for more than sixty
5 years. That tells you a little bit about my age, but, anyway, I
6 started out in Orange, Texas, and I now have lived here for over
7 forty years.

8
9 I want to express my appreciation to the Chairman and council
10 members for your participation. I know those kinds of jobs that
11 you're taking on are not easy. Some of you are here for the
12 public, the average citizen of the United States, and some of
13 you are here for your own monetary reasons, and I understand
14 that. That's part of the system.

15
16 My encouragement to you is to seek professional, definitive data
17 to make your decisions and to discontinue the IFQ system,
18 especially where individuals are allowed to sell their IFQ
19 allocation and profit off of that and sit back and do very
20 little. That's about all. If any of you have any questions, I
21 will be glad to try and answer them. Thank you very much.

22
23 **CHAIRMAN ANSON:** Thank you. Mike Colby, followed by Greg Ball.

24
25 **MR. MIKE COLBY:** Good afternoon. Mike Colby from Clearwater,
26 Florida, with the Clearwater Marine Association. Thank you, Mr.
27 Chair and council members. Let's talk about red grouper. The
28 discussions on it were interesting the last couple of days, and
29 I'm going to agree wholeheartedly with Martha that I think
30 Alternative 4 is probably the soft place to land on that
31 particular framework action.

32
33 I think, while the AP came up with some interesting suggestions
34 on something slightly more conservative, I think our fishermen
35 can live under that. The ABC looks just fine, and I think,
36 rather than turning it into a big fistfight, I think Alternative
37 4 is probably going to suit us just fine, because we still have
38 a trigger and we can still monitor here and there. I will
39 support that, and I've discussed it with some of the Association
40 members.

41
42 On Monday's presentation on the flow chart for the framework
43 action on reporting requirement changes, that was really
44 interesting, and I followed the flow chart carefully. While it
45 led us into place where we might go or should go or shouldn't
46 go, it came out with some really interesting numbers.

47
48 If this council wants to proceed with a VMS platform, if, and

1 there's others. We can use a GPS archived or real-time GPS, but
2 you're going to have a lot of discussion on that. The platform
3 of VMS, the cost to industry, was interesting.

4
5 Our project that you're aware of, the ELB project with NFWF
6 funding and CLS America, Mike Kelley, the President of CLS,
7 called me and gave me the okay to produce some numbers as one
8 vendor would charge, from his end. Right now, with 22 or maybe
9 25 percent of the fleet already outfitted with this, he says,
10 with 875 participants, if this was a fleet-wide directive, that
11 his company can provide the VMS antenna, junction box, tablet,
12 downloaded software with the MRIP-mirrored forms, and one year
13 of satellite service. That's right at \$3-million.

14
15 With a funding pathway to this, whatever it may be, RESTORE or a
16 foundation or some other way to receive monies for just the
17 industry in that purple box, then \$3-million would be what his
18 company could outfit the rest of this, or very close to the rest
19 of this, fleet for. Thank you very much.

20
21 **CHAIRMAN ANSON:** Thank you, Mike. Greg Ball, followed by Alex
22 Pittman.

23
24 **MR. GREG BALL:** Good evening. I am Greg Ball, from Galveston,
25 Texas. I own and operate a charter fishing business there. I
26 run three boats. Two of them are federally-permitted boats. I
27 want to thank you all for Amendment 40 and sector separation,
28 just because it's really helped to increase my business. I've
29 been able to take out all these kids that wouldn't normally get
30 to go and their parents and the non-boat-owning public. It's
31 really helped us a lot.

32
33 I would like to see us move along with Amendment 41 and get rid
34 of the sunset clause on Amendment 40. That's really about all I
35 have, but I just want to thank you all for what you've done so
36 far, and I also would like to see Amendment 41 -- That we could
37 kind of get to pick our days instead of the days that we have.
38 Anyway, whatever we can get, we appreciate what you all have
39 done for us. Thank you, all.

40
41 **CHAIRMAN ANSON:** Thank you, Mr. Ball. Alex Pittman, followed by
42 Clarence Seymour. Clarence Seymour.

43
44 **CLARENCE SEYMOUR:** Hello, everybody. I'm Clarence Seymour, from
45 Biloxi, Mississippi, an eighteen-year, federally-permitted
46 vessel out of Biloxi, Mississippi. I've got a few things that I
47 want to hit on real quick.

48

1 Removal of the sunset is highly recommended by the charter fleet
2 out of Mississippi. We're going to be in favor of removing it,
3 because Amendment 39 was -- It was mainly put in there for that
4 issue, and so let's go ahead and remove that.

5
6 We definitely recommend the public hearing for the folks on
7 removing the sunset, and I would like to hit a few things on
8 Amendment 40. As of now, my books reflect the June 1 to June 6
9 booked for red snapper fishing. That's six days in a row that
10 will be accessed by the American public.

11
12 Two of the days from the first days is a local plumbing
13 contractor from Biloxi, Mississippi. Another one is a local
14 cabinet company from Ocean Springs, Mississippi, and so the
15 access is coming from private anglers, and both of those guys
16 are friends of mine, which they have twenty-two-foot bay boats,
17 like a lot of guys do.

18
19 The state season will be closed, and so their access is through
20 charter boat SYL. I highly would like to challenge the council
21 to challenge the recreational private angling sector for an AP.
22 These guys showed up, and I think they really might want to tell
23 something about how they want to access the fishery.

24
25 As Mr. Williams commented on, I believe they could live with
26 some tags, because it sounds like their fish management plan is
27 probably something they could use really well, because they were
28 -- I talked to some firemen in D'Iberville, and they said -- I
29 wasn't going to talk about this, because I was going to stick on
30 our for-hire issues.

31
32 They said, what do you think? We've got a fishing show that
33 Buddy has, which it's a really good fishing show, but they said,
34 what do you think about that? I said, guys, they're actually
35 working on a recreational AP. They said, man, I fight fires and
36 you catch fish. You all do it for a living. I said, so, you
37 don't think you could probably make time for an AP? No. I
38 said, there's got to be somebody in Mississippi that would
39 probably -- At least a couple of people that could probably make
40 it, but that was one of the questions that was asked.

41
42 I said, well, I wasn't going to bring it up in this council, but
43 I thought it probably needs to be known. Triggerfish, before my
44 time runs out, let's go ahead with a March 1 opening. It's fine
45 with the fleet for that. Thank you.

46
47 **CHAIRMAN ANSON:** Thank you, Clarence. We have a question from
48 Mr. Sanchez.

1
2 **MR. SANCHEZ:** I just wanted to get some clarification. Your
3 views, are they representative of shall we say the whole fleet,
4 pretty much, in Mississippi, specifically getting rid of the
5 sunset?
6

7 **MR. SEYMOUR:** Yes. I sent out a text. I have a group text of I
8 think it's thirty-some-odd guys on there. I noticed that we had
9 some permit shifts in Mississippi, and so it looks like, if
10 NMFS's numbers are correct, we're down to like thirty-two
11 permits in the State of Mississippi, with two historical
12 captains. That gives us thirty, which I can almost put most of
13 them in a circle in town anyway, and so that's going to put our
14 fleet in the right direction. The ones that replied back, John,
15 was definitely removal of the sunset, for sure. Thank you.
16

17 **CHAIRMAN ANSON:** Thank you. Ed Walker, followed by Mike Nugent.
18

19 **MR. ED WALKER:** Thank you, Mr. Chairman. My name is Ed Walker.
20 I am a charter fisherman and a day boat commercial fisherman,
21 sometimes. I also consider myself a recreational fisherman, and
22 I do a lot of research trips with FWRI and some others.
23

24 I'm on the Mackerel Advisory Panel as well, and I've come here
25 today to discuss Action 7 in the king mackerel Amendment 26,
26 which involves reallocation of the zone quotas. For a lot of
27 years now, I've had a kingfish permit in the Tampa Bay area,
28 where I live, and have not been able to use it, virtually at
29 all. We've just about been completely shut out of the fishery,
30 based on the really small allocation we were given in 2000,
31 which was 5.17 percent.
32

33 Each year, when the fish migrate into our area, our quota has
34 already been caught by the guys in northern Gulf. Now, we got
35 some relief when they changed the opening date of that season,
36 where the Panhandle guys weren't catching all those fish in the
37 summertime up there, but the problem of an unreasonably small
38 allocation for what is now one of three zones in the Gulf still
39 exists, and I believe that Alternative 4 will help us with our
40 situation, the guys in our area, and have a minimal impact on
41 the other zones.
42

43 We discussed this at length in the advisory panel with guys from
44 across the Gulf. With the new three-zone setup, and understand
45 there's two different ways of fishing done in the Southern Zone,
46 but it's listed in the document on page 1 as three zones, I
47 think we can give back to the zone that's getting the least
48 right now, and it's not going to be an equal share, but it's

1 better than what we have.

2
3 We can live with it without taking too much away. With the
4 increase that we're all getting this year, either way, everyone
5 is going to have more fish next year, and so it's a rare
6 opportunity for us to address our problem where we are and all
7 zones still have more fish to catch next year.

8
9 I would strongly encourage you to support your preferred and all
10 the advisory panels, South Atlantic and Gulf, preferred and go
11 with Alternative 4 on that option.

12
13 If I have a moment, I'm also on the Reef Fish Advisory Panel,
14 and I would like to thank you all for putting me on these
15 panels, because I really enjoy participating. The people in my
16 region depend on red grouper, the charter boat fishermen in
17 particular, and they were devastated last year when red grouper
18 closed and everything else was after December 2, I believe it
19 was.

20
21 I would encourage you to take Alternative 4 in the red grouper
22 framework amendment, and I would also ask, and I don't know if
23 this can be done, but if there's any way that we could avert
24 that closure at the end of the year this year, strictly on a
25 technicality, I think it would help, because I think it looks
26 really bad if the stock assessment says everything is really
27 good and there's an excess of fish, but you guys are closed
28 because we couldn't get the paperwork done in time. I think
29 it's going to look bad across the board. Thank you.

30
31 **CHAIRMAN ANSON:** Thank you. Next, we have Mike Nugent, followed
32 by Dexter Anderson.

33
34 **MR. MIKE NUGENT:** Thank you, Mr. Chairman. My name is Mike
35 Nugent. I'm a charter boat owner and operator from Aransas
36 Pass, Texas. I represent the Port Aransas Boatmen's Association
37 on fisheries issues.

38
39 The first thing I want to address is the Amendment 41, the
40 Action 3, the items that we're using for criteria for coming up
41 with the allocation to the charter boats. The one we have a
42 problem with is the regional history, or the regional historical
43 catches, or however it's going to be worded.

44
45 I think, in actuality, we could subtitle that "we're upset with
46 Texas and the way they collected data and we think it was
47 underreported and so we're going to punish the charter boats for
48 it". I may be a little biased on that statement, but that's

1 what I think I'm reading into it.

2
3 The ironic thing is that all of us have stood before you for
4 years and years and telling you how unreliable and how flawed
5 and yada-yada-yada the data is, and, yet, when it comes time to
6 go into this and pick fish and distribute fish for the charter
7 boats, all of a sudden, that's good enough and we're going to
8 use that.

9
10 The sad thing is, for the last ten years or however long we've
11 been asking for a charter boat data collection program, if that
12 would have ever been put into effect, like it should have been,
13 we wouldn't have to be guessing. You wouldn't have to be
14 discriminating from region to region. You would have catch
15 records and you could tell how the fish should be allocated.

16
17 The other thing I would ask about this criteria for allocation
18 that we're talking about is I think the one thing that hasn't
19 been brought up, and needs to be, is if the western Gulf biomass
20 is carrying the Gulf of Mexico, or, in this case, carrying the
21 eastern Gulf biomass, and if you can weight and put percentages
22 on the historical regional catches, I think it's definitely in
23 order that -- If the western biomass is carrying the eastern
24 biomass, then you're going to have to find a way to weight that
25 and take that into effect as well.

26
27 We've got less effort as opposed to more effort. We've got more
28 biomass compared to less biomass, and so, if we're going to do
29 all of this stuff to pick this stuff out, let's use everything
30 and let's include that.

31
32 The other thing I wanted to ask is that when you do go to the
33 public hearings on the sunset, you're talking about the money
34 and you're talking about the manpower, and I understand that,
35 but I think it would be in everybody's best interest if you at
36 least, when you had that hearing, make mention of the fact that
37 the seasons we've had last year and this year are not what
38 they're going to be looking at X number of years down the road,
39 whether it's good, bad, or indifferent.

40
41 There is a whole other thing coming up. A lot of the people
42 that might be in favor of it might not be aware that this fifty-
43 day season is fixing to be something different. Thank you very
44 much.

45
46 **CHAIRMAN ANSON:** Thank you, Mr. Nugent. We have a question for
47 you, Mr. Nugent, from Dr. Stunz.

48

1 **DR. STUNZ:** Captain Nugent, I've got a couple of questions for
2 you. You are the Port Aransas representative on that advisory
3 panel, and you bring up two good points about the allocation
4 based on data that we may not have much confidence in as we
5 would like, and, also, this issue of the western region
6 supporting the eastern. Did you guys address that in your
7 advisory panel or would you care to comment on that?
8

9 **MR. NUGENT:** We addressed the regional history or however we're
10 wording that. We did not discuss -- I don't recall any
11 discussion on the biomass. I don't think there was any. Pam
12 was there, and she could probably tell you, but I don't think
13 there was yet.
14

15 **CHAIRMAN ANSON:** Mr. Riechers.
16

17 **MR. RIECHERS:** Mike, you definitely spoke to the issues of
18 western and eastern and some of those challenges regarding those
19 data series. As you know, our data series suggest that we used
20 to make up somewhere in the neighborhood of 25 or 30 percent of
21 the catch, percentage-wise, of the Gulf recreational landings.
22 We're now below 10, as these seasons have gotten shorter and
23 we've set that season surrounding June 1.
24

25 As you all were discussing those histories, was there any way to
26 try to work that in? Obviously, even as we've -- As people like
27 point out, we've kept out state waters open. Even as we've kept
28 out state waters open, we've lost catch share along the way,
29 here in the western Gulf. Did you all think about a way to
30 maybe mitigate that by going back to further in that time
31 series, or was that even discussed in your panel?
32

33 **MR. NUGENT:** I don't recall it being. There was discussion
34 about the time span, but I don't recall the other part of it. I
35 might be wrong, but I don't recall us doing it. Thank you.
36

37 **CHAIRMAN ANSON:** Thank you. Dexter Anderson.
38

39 **MR. DEXTER ANDERSON:** My name is Dexter Anderson. I'm a
40 recreational fisherman out of Port Mansfield. I have a small
41 boat, a twenty-one-foot Grady-White. I enjoy going offshore,
42 and I used to go out to a rig in federal waters and fish, but I
43 have not been fishing in federal waters for red snapper since
44 2012, because of the destruction of the rig and the very short
45 red snapper season.
46

47 Since I have a small boat, I only go out when the weather is
48 good. The short red snapper season really limits my

1 opportunities. Because the weather and my schedule does not
2 match the short seasons, I'm unable to go, and so I have not
3 caught any red snapper in federal waters since 2012. I would
4 like you to do something to increase my opportunities to go red
5 snapper fishing in the Gulf, if you could. Thank you.

6
7 **CHAIRMAN ANSON:** Thank you. We have a question for you from Mr.
8 Williams.

9
10 **MR. WILLIAMS:** Thank you for coming, Mr. Anderson. What would
11 you think of a tagging system, since we do have a relatively
12 short season? Say we gave you your tags and you could choose
13 whenever you wanted to go.

14
15 **MR. ANDERSON:** I hadn't heard that until you spoke of it a while
16 ago, but that sounds like it would be way better than the way it
17 is now, because I just haven't had the opportunity to go during
18 that short season, and tags would be great. It would be
19 certainly better than what we have now. Thank you.

20
21 **CHAIRMAN ANSON:** Thank you. Next, I had Ken Milam and Mike
22 Garcia. They have already spoken. We're only going to accept
23 one card for speaking. I want to go back and try and see if
24 some other folks that I called earlier who were not here are
25 here now. That would be Rob Schneider, Darren Ross, Robert
26 Jenkins, Alex Pittman. Next will be Ron Moser, followed by
27 Virginia Moser.

28
29 **MR. RON MOSER:** Thank you for this opportunity to speak to you
30 today. I'm Ron Moser. I'm a recreational angler from Port
31 Aransas, Texas. I've been fishing for fifty years in the
32 Atlantic and also in the Gulf of Mexico. I have never seen a
33 fishery be so adversely affected to the recreational angler in
34 my history. It is just a travesty of what's going on in this
35 fishery.

36
37 I am extremely upset that the council did not pay attention to
38 the 90 percent of the people who were against sector separation.
39 I think that they certainly were correct, because what has
40 happened is a very inequitable resource allocation to the
41 recreational angler. It has affected all of us.

42
43 Right now, the first six to ten days of June, as you're heard
44 multiple times, on the south Texas coast is usually not fishable
45 by private boats. At best, anglers may get one day. If they're
46 lucky, they will get two days.

47
48 As you know, if my wife and I go fishing, we'll catch eight

1 fish. How is this fair and equitable, when a charter guy gets
2 to go forty to forty-five days? I've got the same thirty-five-
3 foot boat that most of the charter guys go, but why does he get
4 to go when I don't? Why do I, as a recreational angler, in
5 order to take advantage of the resource, have to pay somebody
6 else to go access this resource? That's insane. It is just
7 insane. It's very unequitable.

8
9 You know, you have stopped a number of friends from all over the
10 country of enjoying this resource, people from Virginia,
11 Pennsylvania, North Carolina, Georgia. They all used to come
12 visit me and we would go snapper fishing as a group. You have
13 robbed me of that comradery, and those people of the ability to
14 go access red snapper in the Gulf of Mexico.

15
16 I would encourage all of you to relook at this situation. To
17 me, it's become a battle between the states and the council.
18 The recreational angler is caught in the middle, and it's
19 extremely unfair and unproductive.

20
21 One thing I would like to see you do is in all of these hearings
22 -- I've only been to a couple, but I would sure like to see you
23 add a question to the people who speak. That question would be,
24 have you received any help or funding to come and present your
25 views to this committee? Thank you very much.

26
27 **CHAIRMAN ANSON:** Thank you, sir.

28
29 **MR. WILLIAMS:** How would you feel about a tag, so that you could
30 fish whenever you wanted to fish?

31
32 **MR. MOSER:** If you would give me the number of tags that I have
33 historically caught fish in the Gulf of Mexico, that would be
34 fine, but you're not. You're going to give me a piddly few, ten
35 tags maybe, and that is still a travesty compared to -- What are
36 you going to do?

37
38 As long as -- If you're going to give me tags, then you give
39 every recreational guy tags and you let him choose where he
40 wants to use those tags. Let it be a headboat or let it be a
41 charter boat or let it be a recreational boat. If you're going
42 to do a tag system, don't just section me out and do a tag
43 system. Do it for everybody in the recreational sector. Any
44 other questions?

45
46 **CHAIRMAN ANSON:** No, and thank you, sir.

47
48 **MR. MOSER:** Thank you.

1
2 **CHAIRMAN ANSON:** Virginia Moser.

3
4 **MS. VIRGINIA MOSER:** Hi. I'm Virginia Moser. I own a boat, and
5 I'm a recreational angler from Port Aransas, Texas. I enjoy
6 fishing for red snapper and other fish, and I want a substantial
7 fishery system for red snapper for all.

8
9 I do feel that the recreational angler has been left out of the
10 process. The resource, red snapper, I feel can be sustained in
11 a fair and equitable way across all sectors or all people who
12 are concerned about red snapper or who fish for red snapper.

13
14 I feel that there has been a failure in the private angler
15 system for the private angler, and, with an extremely short
16 season, I see that as no benefit to the red snapper resource
17 itself. I am challenging you as a council to come up with a
18 fair allocation for the recreational angler who owns a boat and
19 a data collection system that can be used to manage the species.
20 I do fish in state waters as well as I fish in federal waters
21 when the season is open. Thank you.

22
23 **CHAIRMAN ANSON:** Thank you, ma'am. Cliff Strain, followed by
24 Eric Brazier.

25
26 **MR. CLIFF STRAIN:** I am Cliff Strain. I've been a charter boat
27 captain for over thirty-five years. I'm currently running a
28 small private boat. Also, I'm a member of the Port Aransas
29 Boatmen, whose position has historically been against sector
30 separation and catch shares.

31
32 I see several problems with the National Marine Fisheries red
33 snapper management right now. First, I think that the science
34 of National Marine Fisheries has been historically flawed,
35 relying heavily on catch data and considering every red snapper
36 in the Gulf, reef fish, as a single stock.

37
38 It doesn't seem to make sense that a recreational fisherman in
39 Texas, who sees some of the best stocks in decades, but isn't
40 allowed to fish more than eight days in a year. I know
41 opponents say we have a year-round fishing season, but anybody
42 that has fished in Texas waters for a long time knows that most
43 of our nine miles -- The first nine miles is mostly mud and
44 sand, and I don't think many of those guys go out fishing in
45 those open areas, and we've lost a lot of habitat due to reef
46 removal, like the rigs.

47
48 I think that -- I noticed in some of your last minutes that the

1 words "fair and equitable" came up several times. I don't think
2 those principles are being applied to the recreational
3 fishermen. I don't think the recreational fishermen want to
4 take fish away from the other sectors. I think that we just
5 think that the stocks are healthy enough where we should be
6 allotted more.

7
8 I, myself, depend on fish caught on our trips to help feed my
9 family also. I think, today, the management benefits poachers
10 first, by encouraging them with robust stocks and no
11 enforcement. Then the headboats and charter boats, and I think
12 the honest fishermen that are recreationally fishing are at the
13 bottom of the barrel.

14
15 I don't think that's fair and equitable. It seems like a
16 businessman can go out, or a factory worker can go out, and
17 catch snapper on a charter boat forty days a year, but somebody
18 that owns a business and has their own boat still only gets
19 eight, and may be working equally as hard.

20
21 I do support regional management of the red snapper offshore in
22 Texas waters, and I think Texas Parks and Wildlife does an
23 excellent job.

24
25 Lastly, I am grateful for the opportunity to talk, but I would
26 like to ask the council -- When the same person goes to six
27 meetings and says the same thing six times, does that count as
28 six opinions? I went to the Corpus Christi meeting and I didn't
29 speak, because I thought we were well represented, but it turned
30 out that the out-of-town people that spoke overwhelmed the local
31 guys and had a totally different opinion than what we had.
32 Thank you.

33
34 **CHAIRMAN ANSON:** Thank you. Eric Brazer. Again, Scott
35 Sanderson, I have you down as already speaking. We will move on
36 to Dave Sullivan after Eric.

37
38 **MR. ERIC BRAZER:** Thank you very much, Mr. Chairman and council
39 member. My name is Eric Brazer. I'm the Deputy Director of the
40 Gulf of Mexico Reef Fish Shareholder's Alliance. I think I'm
41 going to give my first testimony without mentioning the phrase
42 "red snapper", except for that mention right there.

43
44 Number one, red grouper. We are concerned that what's coming
45 out of the assessment doesn't necessarily match what a lot of
46 the guys are seeing on the water. We get a little nervous when
47 we see projections that go up and then go down. We like to
48 avoid those, when possible.

1
2 The best way to mitigate that would be to go with the status
3 quo. However, we believe Alternative 4 is a win/win. It
4 provides a conservative increase and makes us feel a little bit
5 better, and it also should get the recreational fishermen to a
6 twelve-month season, and it sounds like that's very important to
7 them, and so we want to help make sure that happens.

8
9 For sector separation, just eliminate the sunset. It's done
10 what it's supposed to do. It gave you time to deal with
11 Amendment 39. You have dealt with Amendment 39, and so it no
12 longer has a purpose. It seems like there's a lot of support
13 for sector separation to keep going, and artificially ending
14 that program early seems like a pretty bad idea, to me.

15
16 Finally, I'm going to make a quick comment on the IFQ loan
17 program. I know this is not a council action, but it's
18 something that has come up a few times. You've heard us talk at
19 the council about it and talk to the agency about it. It's a
20 non-management solution. Hopefully it's a non-controversial
21 solution that doesn't hurt one group in order to help another
22 group.

23
24 It's something that is going to help the next generation of
25 commercial fishermen establish their businesses. It's going to
26 help existing commercial fishermen establish their businesses.

27
28 You've heard this before. The more you come in and try and
29 undermine this IFQ program and introduce risk into this program,
30 the less likely banks are to make loans against these programs,
31 and it's put these fishermen, the next generation of fishermen
32 and the existing fishermen, in a bind, and so we would really
33 like to get an update from the agency on this, and we would
34 really like to find a way to help move this forward. Thank you
35 for your time.

36
37 **CHAIRMAN ANSON:** Thank you. Dave Sullivan, followed by Michael
38 Miglini.

39
40 **MR. DAVE SULLIVAN:** Thank you, Chairman. My name is Dave
41 Sullivan. Today, my comments represent the Port Aransas
42 Boatmen's Association. You all have heard from us. We provided
43 comments during your process.

44
45 We're a fairly small group, 200 or 300 members, primarily
46 charter and for-hire members, as well as recreational anglers.
47 We've been around since 1932. We were first organized by a
48 group of for-hire charter anglers. One of the reasons we were

1 organized was to keep the unions out, and the Boatmen have
2 evolved a lot since that time.

3
4 We have primarily moved away and involve a lot more recreational
5 anglers and also people, individuals, concerned for the charter
6 for-hire industry. That's a very key part of our charter. We
7 have been around for a long time, trying to protect this
8 industry, and our comments are trying to protect this industry.

9
10 As you all know, we have opposed the sector separation since its
11 onset. One of the reasons is knowing it was going to lead to
12 the regulations that you're now having in the catch shares, the
13 world we're now having to deal with, the 500-pound gorilla that
14 we're having to deal with here.

15
16 We've also opposed the process and approach for the regional
17 catch history. You've already heard a lot of our comments from
18 Mike Nugent. He represents the Boatmen on the advisory, and so
19 a lot of the more detailed, technical comments you have already
20 heard from him and I won't take up your time with that.

21
22 One thing that we do support is that you all come down and go
23 fishing. Despite some of the issues that we're dealing with
24 here, the fishing is very good down south, and so come on down.
25 We want to end this on a positive note.

26
27 Some of the comments -- I didn't think there would be any
28 questions from this group, but I'm here to also learn. I'm a
29 new president to the group. I have been fishing the Port
30 Aransas and mid-coast area for fifty years. I have a sport
31 fishing vessel.

32
33 The one thing to remind everybody that's aligning with some of
34 what's being agreed upon by this group is that -- Keep with your
35 local state parks and wildlife and not the feds. I'm sorry for
36 some of you wonderful feds that want to come down fishing, but
37 I've been in the regulatory consulting business for forty-four
38 years. That was my business, dealing with every state and
39 federal agency known to man.

40
41 Even though the federal laws are kind of the onset of the state,
42 ultimately, the state is going to be the far better place to
43 rely on the authority and the responsibility, and so we would
44 also like to support keeping the Texas Parks and Wildlife, as
45 much as you can, in that role as the authority and
46 responsibility. Thank you for your time.

47
48 **CHAIRMAN ANSON:** Thank you, sir. We have a question for you

1 from Dr. Stunz.

2
3 **DR. STUNZ:** Mr. Sullivan, thank you for coming up and
4 representing the port of Port Aransas. I don't think we hear
5 enough from anglers and your group and representing the Port
6 Aransas Boatmen, and so I thank you for letting us hear that,
7 because I think some of your viewpoint is different than what we
8 normally hear around this table in other areas, and so thank you
9 for taking the time to come up here and express those
10 viewpoints.

11
12 **MR. SULLIVAN:** I appreciate your comments and also I appreciate
13 the comments earlier thanking the people from the public to come
14 here and take their time and not be subjected to the kind of
15 recalcitrant comments that I've heard from a couple of questions
16 from this group over here to the right, and so I will end it
17 with that. Thank you.

18
19 **CHAIRMAN ANSON:** Sir, we have one more question from a council
20 member. Dr. Dana.

21
22 **MR. SULLIVAN:** It's not going to be an obnoxious, rhetorical,
23 self-promoting question?

24
25 **DR. DANA:** No, it's not obnoxious. Thank you, by the way. Are
26 you a federally-permitted charter?

27
28 **MR. SULLIVAN:** No, not presently. I am here to provide comments
29 from an organization that meets on every little thing, and so I
30 would have to abstract and respond just personally. Personally,
31 no, I am not.

32
33 **DR. DANA:** Maybe you don't know the answer to this, but I'm
34 going to ask it anyway. Of those members in your association
35 that are federally-permitted charter for-hire captains, how did
36 that -- Knowing that they cannot fish in state waters for the
37 365, and knowing that they can only fish in the federal waters,
38 how did this past year's season work for them under the pilot?

39
40 **MR. SULLIVAN:** Any questions that you have like that, I would be
41 happy to bring back to our group, so that response can represent
42 the group of the membership, because we've got some folks with a
43 lot of history and a lot of different ways to answer that.
44 Personally, as far as I know, everybody is ticked off with the
45 way that regulation has gone with all of this.

46
47 **CHAIRMAN ANSON:** Mr. Williams.

48

1 **MR. WILLIAMS:** You said you fish only in state waters, right,
2 and you're not federally-permitted?
3

4 **MR. SULLIVAN:** Sir, again, I am here to provide comments from
5 the Boatmen. Now, taking my Boatmen hat off and personally
6 addressing your comment and question, you specifically are one
7 of the people that I think that ask rhetorical questions that
8 are doing nothing other than seeding your own desire and where
9 you're headed with stuff. You know the answer. I have heard
10 you ask several questions of people that are up here on their
11 own time --
12

13 **MR. WILLIAMS:** I am not going to ask you now.
14

15 **MR. SULLIVAN:** I don't like your attitude. I don't like your
16 attitude and the whole way you ask questions, and I'm going that
17 personally talking to you and not as the member president of the
18 Boatmen.
19

20 **MR. WILLIAMS:** Do you fish for red snapper in Texas state
21 waters?
22

23 **MR. SULLIVAN:** I do not do a lot of fishing for red snapper. I
24 would rather chase marlin and all the bycatch that comes with
25 it, but I do catch and go pursue red snapper from time to time
26 personally. Yes, sometimes I do.
27

28 **MR. WILLIAMS:** In Texas state waters?
29

30 **MR. SULLIVAN:** In Texas state waters, and, if I didn't spend so
31 damned much money on my boat, I might go to other waters, if I
32 could.
33

34 **MR. WILLIAMS:** What do you catch in the course of year, in terms
35 of red snapper in Texas state waters?
36

37 **MR. SULLIVAN:** I don't know. If you want, I could go back and
38 get some numbers and generate some dates and times and quotas
39 and all that kind of stuff. Thank you.
40

41 **CHAIRMAN ANSON:** Thank you, sir. Michael Miglini, followed by
42 Pam Anderson.
43

44 **MR. MICHAEL MIGLINI:** Hi. I'm Michael Miglini from Corpus
45 Christi. I have a boat in Port Aransas. Although I'm also a
46 member of the Port Aransas Boatmen, I'm kind of that guy that is
47 probably the statistical outlier.
48

1 I would like to see the council remove the sunset on Amendment
2 40 and allow the charter for-hire to develop alternative
3 management in Amendments 41 and 42. I would like to see the
4 council resume work on Amendment 39 and allow private boat
5 anglers a 365-day access to red snapper in federal waters also,
6 via a private angler tag program.

7
8 In Amendment 41, please use the AP recommendations for an
9 allocation-based management system. If Amendment 41 is not what
10 the charter for-hire industry wants, then you will hear from the
11 charter for-hire, the federally-permitted charter for-hire
12 boats, and they will tell you that they don't want it.

13
14 To that point, the ideas for 41 should go through the charter
15 for-hire advisory panel process, where they can be discussed by
16 the industry. Traditional seasons, size limits, and bag limits
17 don't work, aren't working, and the AP has given guidance to the
18 council to move forward on some alternative management styles.

19
20 You know, I want to be sure that America can buy fish in the
21 grocery store and go catch fish on a charter boat or a headboat
22 or use a tag or another alternative management system and catch
23 fish on a boat of their own, a private boat, all year, 365 days
24 a year, which means 365 days a year for all user groups and not
25 just those who own their own boats and fish in state waters of
26 Texas or buy their fish in a store.

27
28 I think it's something that is a reasonable goal for federal
29 waters for private boats and for charter boat customers and
30 everybody. For that to happen, the states need to move forward
31 on Amendment 39, or the state representatives here need to allow
32 the council and the anglers to move forward on Amendment 39 and
33 let charter for-hire move forward with 41, 42, and 43.

34
35 Today, you have heard a lot from a lot of private anglers who
36 come to you to get involved in this regulatory process. Now is
37 the time for you to seize the day. You have their names.
38 They're here. They want solutions. They're obviously willing
39 to get involved, because they showed up, and I would like to see
40 the seventeen voting members have a roll call vote on how many
41 of you are going to let these private anglers that came here
42 today have their advisory panel and move forward with their
43 amendment and be involved in this process and come up with some
44 solutions.

45
46 I've got three seconds, and so I will stop, but I just hope that
47 you all listen to the private anglers that are here and let
48 these people have their advisory panel and come together to get

1 some solutions and not just wait on other people, a small group
2 of people in a private meeting outside of this process, to try
3 to do a forum. Thank you.

4
5 **CHAIRMAN ANSON:** Thank you. Pam Anderson, followed by Steve
6 Tomeny.

7
8 **MS. PAM ANDERSON:** Good afternoon, Mr. Chairman and council
9 members. I am Pam Anderson of Captain Anderson's Marina, Bay
10 County Chamber of Commerce Government Affairs fishery rep, and
11 First Vice President of the Panama City Boatmen's Association in
12 Florida.

13
14 At the Reef Fish AP meeting last week, we were given the
15 objective of reviewing the final framework for the red grouper.
16 Those in the commercial sector, who were not reaching their
17 quotas, were content with what they have. This ACL needs to be
18 increased for recreational anglers. Commercial versus
19 recreational is a 76 to 24 percent split, and this needs to be
20 reviewed.

21
22 With the recreational sector growing, there are more anglers
23 accessing the reef fish fishery. This is an economic issue.
24 It's a good thing. As tourism increases, the availability and
25 access to popular fisheries need to grow. The scientists have
26 recommended significant increases. Setting the ACL too low
27 could certainly come closer to the possibility of closures. Why
28 set the recreational sector up for a possible failure when the
29 scientists are comfortable in giving them a higher ACL, and so
30 we choose Alternative 4.

31
32 There are serious conflict of interest issues in having
33 recreational reps and commercial reps deciding what is best for
34 the others in the APs. These sectors are very different in how
35 they fish and when they fish, and what works for them in
36 contributing data to regulators. They should be respected for
37 such and not have the other sector determining their business.

38
39 In other issues, red snapper season. To me, there is no
40 credible excuse for this council to delay announcing the 2016
41 season. Our customers need to know now. We have so many who
42 are waiting for a call after tomorrow's decision. It is
43 disgraceful that you can hold them hostage in a fishery that has
44 grown from a biomass of thirty-million pounds to over 180-
45 million pounds, according to NOAA data. We need to know the
46 season dates.

47
48 For the Charter AP, it has been proven in the Headboat Survey

1 Program that adequate data can be collected to reduce
2 uncertainty. I would suggest that we follow that path for the
3 charter boats until the Charter AP has decided what they want to
4 do in the future. This has been requested for over twenty years
5 by Bob Zales and eight years for myself.

6
7 This council has allowed the recreational sector to be bullied
8 into programs, such as sector separation and potential catch
9 shares, knowing that once we got to this point and the decisions
10 for data collection by logbooks was something this council or
11 SERO has not been willing to do, whether due to proper funding
12 or other reasons.

13
14 If the Science Center needs more or different information to
15 reduce the uncertainty and the buffers, the council needs to
16 request it and act on it. The recreational fishery needs its
17 own management techniques. In discussions of "substantially
18 fished", we need to include all permit holders who are operating
19 a charter or headboat business. They are all important to their
20 communities.

21
22 In Draft Amendment 45, I'm disappointed that you are considering
23 extending the sunset provision, but I am thankful to see you
24 will be putting it out for public comment. Thank you.

25
26 **CHAIRMAN ANSON:** Thank you, Ms. Anderson. Next, we have Steve
27 Tomeny, followed by Mike Jennings. We have about six or seven
28 more folks left to go through.

29
30 **MR. STEVE TOMENY:** Good afternoon. I'm Steve Tomeny. I operate
31 a charter/headboat fishing business in Port Fourchon, Louisiana.
32 I'm also a dual-permitted commercial red snapper fisherman. I
33 wanted to speak today on just a couple of things.

34
35 With the mackerel amendment, I would like to see final action on
36 it at this meeting, using the preferred alternatives that have
37 been chosen. With regards to the red grouper, I'm not a red
38 grouper fisherman. I think we caught one once in the last
39 thirty years or so, but I would like to at least advise you to
40 use the most conservative actions you can on that.

41
42 What you're hearing from the fishermen is they may not be seeing
43 the increase in the stock that the assessment is showing, and so
44 just be conservative.

45
46 I would like to see the sunset on Amendment 40 removed, and I
47 want to see advancements and progress with Amendment 41 and 42.
48 Let's keep it moving. It's the direction that most of the

1 charter fleets want to go, and I think that's the main things I
2 had to say. We're glad to see another charter season coming up
3 this year with the results of sector separation. We stayed
4 under our target last year, and we want to see that continue.
5 We're thankful that we got this part of it done, and so thank
6 you a lot.

7
8 **CHAIRMAN ANSON:** Thank you, Mr. Tomeny. Mike Jennings, followed
9 by Jim Green.

10
11 **MR. MIKE JENNINGS:** Hello. I'm Captain Mike Jennings. I own
12 and operate two federally-permitted charter boats in Freeport,
13 Texas. I'm also the President of the Charter Fishermen's
14 Association.

15
16 I have several just quick topics here. I would like to see the
17 council take final action on Amendment 26 at this meeting and
18 move forward with the AP recommendations so that hopefully that
19 allocation can be utilized in 2016.

20
21 On the red snapper season that's been spoke of so many times for
22 this year, considering that we missed the ACT by almost a
23 million pounds last year, there's been several comments up here
24 of guys saying they expect and would like to see about a fifty-
25 day season, and I don't think that's unreasonable for them to
26 ask. I hope you all take that into consideration and the worst
27 thing we could do is overfish that fishery, but we would like to
28 come a whole lot closer to that ACT this year than we did last
29 year.

30
31 The triggerfish issue, on the triggerfish, what we would like to
32 see is add an alternative that would open that season up maybe
33 in March. I've been hearing a lot of that from our membership,
34 and then keep the June/July closure with the status quo bag
35 limit and size limits.

36
37 I guess one of the big issues at this meeting too has been the
38 removal of the sunset on Amendment 40. I heard it come from the
39 great State of Louisiana yesterday that a deal is a deal. I
40 agree that a deal is a deal. I think the deal was confusing or
41 misunderstood on what it was. That deal was put in place, and
42 we were all in the room when we listened to the discussion about
43 it, but it was put in place while the council decided on
44 Amendment 39 in the interim.

45
46 This council killed 39. They basically walked away from it, and
47 so I would like to see that sunset removed, and let's move
48 forward with 41 and 42. As far as moving forward with 41, take

1 those AP recommendations and move forward with them and let the
2 industry design that program. They can design it. It's been
3 talked about and looked at since day one, and one of the things
4 we've seen on that yesterday was that confusion on the opt-
5 in/opt-out.

6
7 Maybe it should have been looked more at as an opt-in. By
8 default, you would opt-out, and there's no fish left over to
9 worry about what that group is going to fish. It's going to be
10 something that places the allocation in the hands of the active
11 users and doesn't punish the permits that don't opt-in for
12 future use. It doesn't make them any less valuable, because
13 they can still can opt-in on the next season.

14
15 It allows guys to move permits and to move out of the fishery if
16 they want to or pull them off of a small boat that's being just
17 used to keep the permit active. While they're putting together
18 another boat for next year, they can opt right in and move right
19 on ahead, but it gives us the ability to identify the user group
20 and then make sure that that allocation goes to that user group
21 and we reach our ACT, and we're not looking at we didn't reach
22 it and so we need to reallocate it to this fishery nonsense on
23 down the road. On that issue of -- My red light is on and I
24 will stop right there. Thank you.

25
26 **CHAIRMAN ANSON:** Thank you. We have a couple of questions for
27 you, Mike. Doug Boyd.

28
29 **MR. BOYD:** Mike, thank you. I can't quote you, but I think you
30 just said that Amendment 39 -- That we killed it. Is that what
31 you said?

32
33 **MR. JENNINGS:** That's probably the term that I used.

34
35 **MR. BOYD:** Okay. I take opposition to that. I don't think it's
36 even comatose. I think it's been postponed and it's still
37 alive. I've heard several people say that it's dead and it's
38 over, but I think that is incorrect and a misrepresentation of
39 where the amendment is.

40
41 **MR. JENNINGS:** I will go with that, Doug. I guess that's the
42 difference in my opinion, from what I've seen, and your opinion
43 from that table. We're both entitled to them, and so your
44 comments are fair enough.

45
46 **MR. BOYD:** All I'm saying is, procedurally, that amendment was
47 postponed. It was not killed and it was not voted out.

48

1 **MR. JENNINGS:** Yes, sir.
2
3 **CHAIRMAN ANSON:** Dr. Stunz.
4
5 **DR. STUNZ:** Thanks, Captain Jennings. I have a question for
6 you. Several others before you had mentioned about the reason
7 that the sunset should go away was because of this 39 issue and
8 now that 39 is gone. That certainly, and for at least the
9 record in me, in my opinion, that wasn't the reason for the
10 sunset and why I still support the sunset.
11
12 It had very little to do at all with 39, and, just so we're
13 clear from at least my perspective, and I'm sure I'm on the
14 record saying this, is the reason I supported the sunset was to
15 ensure that this program was a success and we still had an out,
16 should even you guys may not have liked it. Who knows, and so
17 that's definitely not the reason that it was in there, from my
18 understanding.
19
20 **MR. JENNINGS:** Thank you.
21
22 **CHAIRMAN ANSON:** Thank you. Jim Green, followed by Scott
23 Hickman.
24
25 **MR. JIM GREEN:** Hello. My name is Jim Green. I'm a charter
26 boat and headboat operator out of Destin, Florida, and I
27 represent the Destin Charter Boat Association. Concerning
28 triggerfish, the DCBA supports a March 1 opening. We also
29 support a nine or ten-year rebuilding timeline.
30
31 We would like to keep a two-fish bag limit with a fourteen-inch
32 size limit. Off of Destin, we've seen an explosion in
33 triggerfish recruitment, and I know that's not reflected in the
34 data that's been analyzed, but it is a true fact, and by
35 extending the timeline and giving us a higher ACT, it will allow
36 us to harvest these fish and reduce the discards and allow for
37 more data to reflect the accurate picture of the stock.
38
39 Concerning red grouper, the DCBA supports a two-fish bag limit,
40 the twenty-inch size limit, and the twenty-fathom curve closure.
41 Concerning the recent SEDAR 42 and the review conducted by the
42 SSC, the DCBA supports Alternative 4. We do this in hope that
43 it keeps them open year-round besides the closure to protect the
44 spawn.
45
46 On Amendment 26, the DCBA supports all the recommendations and
47 preferreds set forth by the AP, and we would like to see final
48 action taken at this meeting, so that allocation can be utilized

1 for this year's season, or the 2016 season.

2
3 On Amendment 41, I want to thank you for motioning and passing
4 some of our key recommendations from our AP. Thank you for
5 pushing it forward and moving us to reconvene this AP. This
6 group of fishermen has made some excellent progress, and has
7 shown that they are willing to work together and hard for the
8 betterment of the entire fleet in the Gulf.

9
10 Dr. Stunz and Mr. Diaz, we will definitely look at your ideas
11 and report back with our recommendations, after we have a fair
12 amount of time to evaluate them, but, also, please know that the
13 recommendations set forth by this AP have been done so with
14 nearly a super majority vote, and we evaluated a suite of what
15 we believe would be acceptable ideas, and have arrived where we
16 are by hashing those out. Please support and continue the
17 progress of 41 and 42.

18
19 Now, on Amendment 45, we would like to see the sunset be tabled,
20 just like 39 is at this time. After hearing the back and forth,
21 I'm not going to go into it. I did write "tabled" and not
22 "killed", but we would like to have this burden lifted off of
23 us, so we have the correct amount of time, without the burden
24 over our shoulder, and it would allow us to develop an FMP for
25 our anglers that represent through our sector.

26
27 When it comes to the 2016 red snapper season, we respectfully
28 ask for a fifty-plus-day season. With our sector coming in
29 significantly below our ACT, we ask the council to increase the
30 days for the anglers to harvest their resource, all the while
31 keeping us accountable.

32
33 As far as a split season, I would, at this time, urge you to
34 stay away from that for the for-hire fleet. I would prefer you
35 to set up a mechanism to pay them forward for next year, so that
36 our anglers have enough time to plan their trips down to the
37 coast to utilize that allocation. Thank you for your time.

38
39 **CHAIRMAN ANSON:** Thank you, Mr. Green. We have a question from
40 Dr. Dana.

41
42 **DR. DANA:** It wasn't a question, but it was just a comment. I
43 was the council staffed to that recent AP for the charter for-
44 hire in Tampa. Jim is the Chair of that AP, and Captain Green
45 did an outstanding job in leading that group. That group is
46 very thoughtful. People from throughout the Gulf that are
47 stakeholders, but you really did a fine job in bringing out the
48 dialogue and getting consensus, and I just wanted this council

1 to know that it was serious business.

2
3 **MR. GREEN:** Thank you, Dr. Dana, and I appreciate that, and I
4 don't take compliments real well, but it takes a village. Every
5 one of those guys that showed up to that AP had their sleeves
6 rolled up and was willing to work. It wasn't just my guidance.
7 It was their willingness to do it, too. Thank you all very
8 much.

9
10 **CHAIRMAN ANSON:** We have one more question from Dr. Lucas.

11
12 **DR. LUCAS:** Captain Green, you mentioned a ten-year rebuilding
13 plan for the triggerfish. What was your reasoning behind the
14 ten years?

15
16 **MR. GREEN:** It was mainly in the triggerfish we've seen some
17 overages, not necessarily controlled by the for-hire fleet or by
18 this council, and individual states controlling their season. I
19 know that's kind of gone down, but the fluctuation in season
20 openings and non-closures and closures.

21
22 By raising that ACT, I believe that it would allow for people
23 not to be so penalized, and by stretching it out. If you
24 shortened the rebuilding timeline, we would still be overfished.
25 If you extend it, we're still going to be overfished, and what
26 really makes me want it to be extended is having that allocation
27 to harvest.

28
29 I know I've heard Dr. Crabtree speak about it, that that doesn't
30 make sense, but what we're actually seeing on the water right
31 now is a huge explosion of recruitment, and I don't expect him
32 to be able to see that with two-year-old data, but that's from
33 my personal and my fleet's perspective of what we're seeing.
34 That's kind of where the rationale is drawn from. It's not
35 completely scientific, but it is observed. Thank you all very
36 much.

37
38 **CHAIRMAN ANSON:** Thank you. Scott Hickman, followed by Jason
39 Delacruz.

40
41 **MR. SCOTT HICKMAN:** Good afternoon, ladies and gentlemen of the
42 Gulf Council and Mr. Chairman. First off, I'm Captain Scott
43 Hickman from Galveston, Texas. I would like to say thank you to
44 Lieutenant Commander Brand for his service to the Gulf Council
45 and also your service to our nation, sir. Thank you very much.
46 I would also like to congratulate Patrick Banks on his new
47 appointment, and we look forward to working with our new state
48 director from Louisiana. Good job, sir.

1
2 First off, I would like to say Amendment 26, my guys back home,
3 especially the guys that are commercial king mackerel fishermen,
4 would like to see final action at this meeting and no changes to
5 the preferred alternative.

6
7 Please do away with the sunset provision. We don't feel there's
8 any need for it. We're moving forward with a good charter boat
9 plan, and the fleet can come together and come up with something
10 good, with you all's help, and so continue to keep working on
11 Amendment 41 and 42. We really appreciate that.

12
13 The first Gulf Council meeting I ever came to, we were dealing
14 with a moratorium on charter for-hire permits way back when. I
15 think Robin was one of the few people in the room that I
16 remember being on the council back then, and I was one of the
17 guys that came to the podium screaming, beating my fists, and it
18 didn't work.

19
20 It just goes a whole lot easier when we all work together and
21 try to come up with workable solutions. That being said, listen
22 to a lot of the recreational people here today. They deserve
23 something a whole lot better, and I think that's you all's job
24 to help facilitate that.

25
26 A lot of our guys, they're talking about south Texas. The one
27 thing I did notice is I think Dale Shively -- If he was
28 listening to this today, he's our Program Director for the Rigs
29 to Reef Program here in Texas. Texas Parks and Wildlife has
30 done a wonderful job building artificial reefs, especially in
31 south Texas.

32
33 The majority of the new ones that they're putting in are in
34 state waters. I have a lot of friends with small boats that
35 fish in the Texas state water season year-round, four fish per
36 person, per angler per day. In south Texas, they're catching a
37 lot of fish in state waters. Parks and Wildlife has done a good
38 job with it.

39
40 I think it was a little disingenuous of people saying that they
41 couldn't catch these fish in south Texas, because it's not true.
42 The upper Texas coast, because we've got a bigger shelf on the
43 upper coast, the water is much shallower. We don't have a very
44 viable state water season like they do in south Texas, and Robin
45 could probably say that as well. Anyway, that's it. Thank you
46 very much for your time and you all enjoy Texas and welcome.

47
48 **CHAIRMAN ANSON:** Scott, we have a comment.

1
2 **LCDR BRAND:** I just wanted to make a comment. Thank you,
3 Captain Hickman, for all the friendship and all the other
4 friendships in the room that I'm made throughout the four years.
5 I wanted to do that before we all leave here. I will never
6 forget all the stories I've heard from you and Shane and Wayne
7 and Steve back there and all the other captains that I've had
8 lunch with. I really had a great time with meeting all you
9 guys, and I think that you're all very dedicated to our living
10 marine resources, and so I really appreciate that.

11
12 **MR. HICKMAN:** You're a great American, and we appreciate your
13 service.

14
15 **LCDR BRAND:** Thank you.

16
17 **CHAIRMAN ANSON:** We have Jason Delacruz, followed by Shane
18 Cantrell.

19
20 **MR. JASON DELACRUZ:** Good afternoon. This is going to be short,
21 because I drank too much last night. It's not even a little
22 joke. First, I'm glad to hear you guys are moving forward with
23 26 and you're going to get that wrapped up, and I do like
24 maintaining the preferreds. I wasn't aware, and I'm glad it's
25 going to work out for Ed and the guys in my neck of the woods
26 that can actually access that fishery a little bit more, and so
27 let's get that going. Anytime we can get something accomplished
28 here, I think that's a great thing.

29
30 Second, hogfish is one that is always my favorite. I love
31 talking about it. I can't help it. It's my thing. I was
32 surprised by the sixteen-inch comment in committee. I didn't
33 expect that, and so I've kind of really been advocating for
34 fifteen-inches, but whatever it takes to make the regulation
35 make sense is okay with me. If you guys fall on sixteen, I
36 understand. I will get blamed for it, but that's okay.

37
38 Really, my most important focus in red grouper, because that's
39 my fish. That's what I do every day, the nuts and bolts, and
40 there is no way that the stock assessment is right. That's just
41 a monster number, and I've got some of the best fishermen in the
42 Gulf of Mexico that fish for me.

43
44 Let's be conservative. I think four I can live with. I brought
45 up the preferred alternative -- Not the preferred. We have a
46 preferred that came out of the AP for a more conservative size,
47 but if we can keep the recreational anglers open, that will be
48 really good for the charter guys at my dock. That's our meat-

1 and-potatoes fish. It really is, and so that's the gist of it.
2 Thank you very much.

3
4 **CHAIRMAN ANSON:** Thank you, Jason. Shane Cantrell, followed by
5 Buddy Guindon.

6
7 **MR. SHANE CANTRELL:** Good afternoon. I'm Shane Cantrell, the
8 Executive Director of the Charter Fishermen's Association. The
9 first two things, I want to thank Jason Brand for his service on
10 this council. He's been a great asset to the entire council.
11 To also welcome Patrick Banks to the council as well. We're
12 looking forward to building a relationship with you and working
13 through a lot of these issues as they come up, commercial,
14 charter, and private recreational angler. If I am able to help
15 you, I would be happy to do so.

16
17 The next two things are things I would like to see immediate
18 action taken on. Amendment 26, let's get it done. We're also
19 working on Amendment 45, and so we're a long way away from 26
20 there, if we're trying to move these around in some efficient
21 process. We can take action tomorrow, at that meeting, with the
22 AP's preferreds and get it done. Then we won't have to go back
23 and forth with the South Atlantic anymore. That would be a huge
24 thing to get accomplished.

25
26 The next thing would be to remove the sunset on sector
27 separation. It was put in place to give time to work on 39.
28 The same people that wanted to work on 39 worked to -- I believe
29 the language used was "postpone indefinitely". We could have
30 tabled it and we could have done a lot of things, but nothing
31 ever dies at the council, and so it could come back up, but I
32 would like to see that sunset go away and not three years and
33 not five years and not ten years, but let's get rid of it.
34 Let's continue on down that road and develop some real
35 management plans for the charter boat fishery, the anglers that
36 we represent.

37
38 The next thing on the list would be some of the comments made in
39 committee on this was season, size limit, bag limit. The first
40 time we met as an AP, we discussed season, size limit, bag
41 limit. The second time, we discussed season, size limit, bag
42 limit.

43
44 A lot of the members of the AP came up here. The AP decided and
45 wants to pursue an allocation-based management system. The
46 fail-safe on that is referendum. You go to an allocation-based
47 system, it's going to go to a referendum. If the industry can't
48 live with it, they're not going to vote for it. It's not going

1 to pass.

2

3 We already have this same situation of season, size limit, bag
4 limit. We're already there. We've got traditional management
5 in place. It's time to pursue something else. Give us an
6 opportunity to do that. Continue on working down that road.

7

8 The next thing I've got up here is support the AP
9 recommendations on that. A lot of time and effort from guys
10 around the Gulf given. You heard Gary Bryant come up here
11 earlier today and say I'm willing to give a little bit to get a
12 fair and equitable management system for the Gulf. It's very
13 important to us.

14

15 It's been clouding the progress of this charter boat management
16 development. We need to go ahead and devote that effort to
17 fixing the problems in the recreational fishery across the
18 board. We need to do something for these private anglers.

19

20 They showed up and they took the time out of their busy
21 schedules to come up here, and the message I heard was they were
22 very frustrated and they want something to be moving forward.
23 They're very frustrated in trying to deliver a message, and I
24 can reason with that. The charter boat guys were there not that
25 long ago, and I just want to get something going for them as
26 well.

27

28 **CHAIRMAN ANSON:** Thank you, Shane. Shane, we have a question.

29

30 **MR. WALKER:** Shane, I've gotten a lot of communication from
31 people through the years asking about -- They were mentioning
32 about people catching snapper inside of state waters and then
33 fishermen, recreational fishermen, catching outside of -- What
34 are you witnessing when you say inside and outside, as far as
35 off of Galveston here?

36

37 **MR. CANTRELL:** I see a lot of fish come to the dock in coolers.
38 They don't necessarily make it to the fillet table. They
39 usually show up in coolers and go from the cooler to the truck
40 and to someone's house. They're not necessarily cleaned -- It's
41 not a visible thing, but I know it goes on. I can see it, and I
42 know some of the people that do it.

43

44 It's being dealt with slowly. We saw this off of Freeport.
45 It's my understanding there is no intent in game laws. Somebody
46 that doesn't have commercial permits and doesn't have charter
47 permits, it's a recreational incident, whether the intention is
48 there or not. It's recreational. A poacher is a poacher.

1
2 Once you get down towards south Texas, where a lot of the Parks
3 and Wildlife reefing effort is being done in state waters,
4 you're doing a really good job. Robin's team has done good work
5 with that. There are state-water fish available. Just like
6 Scott said, it's very disingenuous to say that four fish a day,
7 365 days a year in the southern part of the state -- There's a
8 lot of those fish there. That's where they live. They don't
9 live up where I'm at, but four fish a day coming in all over the
10 state, I've got a hard time buying it.

11
12 **CHAIRMAN ANSON:** Mr. Riechers.

13
14 **MR. RIECHERS:** Shane, since we've got Brandi here, just to
15 double check. When you see or witness something that you think
16 is not appropriate, are you calling Operation Game Thief?

17
18 **MR. CANTRELL:** I have several times. Yes, sir. I have also
19 made comments -- Last week, we had a really good incident. I
20 got back from a commercial fishing trip and saw several
21 recreational boats out there. They would catch one or two, and
22 then, when the boat pulled up next to them, they just kind of
23 floated away. Nobody touched a fishing rod. One of them was up
24 to a rig and they said the fish aren't biting all of a sudden,
25 but that was -- One of your wardens there in Galveston asked for
26 information and I gave them everything I had. I don't know
27 where that boat was going or where it was coming from, but it
28 was definitely in federal waters keeping red snappers.

29
30 **MR. RIECHERS:** The reason for my question, and Brandi can
31 confirm this if she would like, but if you call Operation Game
32 Thief, they have to respond. There is a response then, as
33 opposed to you calling and a week going by or two weeks go by.
34 I mean there will be an action.

35
36 Now, obviously they're not going to catch every person who
37 chooses to break the law, just like I suspect on 35 out here
38 this afternoon that not everyone who goes past the speed limit
39 is going to get pulled over.

40
41 **MR. CANTRELL:** I agree. There's not a lot of people getting to
42 the speed limit on 35 in the afternoon, I would imagine, but, to
43 your point about Operation Game Thief, they're an excellent
44 resource. I've had success with that in the past on different
45 things.

46
47 The issue with that a lot of times if you call and a boat is
48 going to be making that and they're going somewhere and I don't

1 know where that is and they don't know where it is. We had
2 discussion with Brandi earlier. The resources it takes to
3 pinpoint even things that I have a really good idea of what's
4 going on without having real-time access on exactly what it is,
5 it's very difficult, but we have a good relationship with that,
6 and we are slowly making those cases, and the Coast Guard has
7 been very instrumental in that as well as our federal game
8 wardens.

9
10 **CHAIRMAN ANSON:** Thank you, Shane. Buddy Guindon.

11
12 **MR. BUDDY GUINDON:** Hi. I'm Buddy Guindon from *Big Fish Texas*.
13 I've been waiting to say that. I have a little issue with the
14 commercial landing notification. I think that it would help law
15 enforcement if we put a time stamp on it of when you unload your
16 fish.

17
18 Coming to the dock is one thing. You get the three-hour
19 notification and then you've got like seventy-two hours to
20 unload your fish. I think we should have to give a three-hour
21 notification as to what time you're going to unload those fish.
22 That will give law enforcement another tool to make sure things
23 are being done properly. I know we all want that to happen.

24
25 We have some issues with the red grouper. You know you're
26 hearing the commercial industry say be cautious in your
27 approach. We would love to see the recreational fishery stay
28 open year-round, but be cautious in your approach. Don't do
29 more than you have to.

30
31 We have our amendments in the commercial fishery that need to
32 move forward, Amendment 36 that we split up into two amendments.
33 I hope we move forward with that. You heard all the
34 recreational people come in here today telling you that tags
35 would be all right. One guy sat up here and said anything would
36 be better than what it is, and so give them something. It's
37 time to work on that. It's not time to wait another year, or
38 another three-quarters of a year, to figure out how we're going
39 to start working on it. It's time to start working on it now.

40
41 There's enough people in this room that have the knowledge. I
42 mean we've got state directors and we have commercial fishermen,
43 recreational fishermen, all the people right here in the room.
44 Let's get after it. It's time to do that job and get it done.

45
46 We have a need in the commercial fishery for our new entrants to
47 be able to finance -- We need to look at that finance program
48 and get it up and running. We've asked you several times. You

1 just have to send a request from the council to National Marine
2 Fisheries to get the process started. I don't know if there's
3 any money available, but we can ask anyway.

4
5 I really would like to see our new members of the council be
6 encouraged by the process, instead of like my friend, Roy
7 Williams, today that got really wound up and got after it today,
8 being disgusted with the process and just wanting to get out of
9 here. Make me proud and make our new representative from
10 Louisiana happy to be here and move some things forward.

11
12 I know you can do it. You've done it before. The council
13 process has worked many times, and so I thank you for your time
14 and your hard work, and, Jason, we'll see you later. Guard our
15 country from those drug dealers and stuff.

16
17 **CHAIRMAN ANSON:** Buddy, we have a question from Mr. Walker.

18
19 **MR. GUINDON:** I was with Jason last night.

20
21 **MR. WALKER:** Thank you, Buddy. I heard someone mention earlier
22 -- He was mentioning how important the fish was to his family.
23 He mentioned something about *Big Fish Texas*, about you catching
24 the big fish. Do you not think those fish are important to
25 other families that you're providing that access to?

26
27 **MR. GUINDON:** I think it's a big asset to the State of Texas.
28 If you watch the show, you will see I unload 25 percent of the
29 red snapper in the State of Texas. They came from Louisiana and
30 they came from Texas. They came from all over the place, but
31 they're sold here, 90 percent of them, right in the State of
32 Texas. That's the majority of the people.

33
34 I did some research. About 20 percent of the people in the
35 State of Texas have a fishing license. I don't know how many of
36 them are saltwater anglers, but 20 percent have a license. I
37 think the other 80 percent of the people have a right to munch
38 on a fish too, a fresh-caught, sustainable fish from the Gulf of
39 Mexico, something they can identify where it comes from, and I
40 provide that access. I don't want to make people mad by doing
41 it, but I run a very efficient business. We do catch a lot of
42 fish. I don't want to make people mad over that, but the thing
43 they need to understand is everybody has a right to these fish,
44 just like Roy said.

45
46 **MR. WALKER:** There is a lot of fish that you have zero percent
47 access, too. Is that correct?

48

1 **MR. GUINDON:** Yes, the fishery I started out in, the net fishery
2 for redfish and trout, I don't have access to that anymore. I
3 was presented with a program where we would give up our
4 commercial fishery for a while and it would be reinstated when
5 the stock rebuilt. We're still waiting on that. It got changed
6 into a game fish.

7
8 I'm not asking for redfish. I think that would be a hard hill
9 to climb. We have enough problems right now with the things we
10 face in the commercial fishery, like our new reallocation and
11 the things that scare us as an industry. These are businesses
12 our families are in. That's how we make our living and that's
13 how we feed our children. That's how we send them to school.
14 To be mad about that is not fair, and I do think that guy that
15 stood up here and said the season opens June 1 and my kid is not
16 out of school until June 5 or 6 or whatever, you should take
17 that into consideration. That kid deserves the right to go
18 fishing. If just that small change can be made, that would be
19 great. Thank you.

20
21 **MR. WALKER:** Thank you, Buddy.

22
23 **CHAIRMAN ANSON:** That finishes the folks that have been called
24 the first time. I will go back through the list of names that
25 were called a couple of times previously. Darren Ross, are you
26 in the audience? Rob Schneider, Alex Pittman, Robert Jenkins.
27 That concludes our public testimony for today. We will start
28 again at 8:30 in the morning.

29
30 One other announcement. We had a presentation earlier from Sea
31 Grant. They are across the hall, in one of the rooms, and
32 they've got a reception. That will be starting at 5:30. They
33 will have some research results on some of the oil spill
34 research that they've been involved with. Thank you.

35
36 (Whereupon, the meeting recessed at 4:40 p.m., April 6, 2016.)

37
38 - - -

39
40 April 7, 2016

41
42 THURSDAY MORNING SESSION

43
44 - - -

45
46 The Full Council of the Gulf of Mexico Fishery Management
47 Council reconvened at the Doubletree by Hilton Austin, Austin,
48 Texas, Thursday morning, April 7, 2016, and was called to order

1 at 8:30 a.m. by Chairman Kevin Anson.
2

3 **CHAIRMAN ANSON:** Good morning again, everyone. I would like to
4 make an announcement. The Sea Grant folks have let us know that
5 a few of their clickers that were distributed for the meeting
6 did not make their way back home, and so if you happened to slip
7 it into your pocket as a little memento of the event, if you
8 could return that, please. Emily will be more than happy to
9 take that from you and not look at you funny too long.

10
11 Dr. Crabtree has to leave a little early today, and so, since he
12 is an integral part of all of our discussions, but particularly
13 for a few of our committee reports, I am going to move some of
14 the items around for today's agenda, and so we're going to start
15 with the Shrimp Committee Report. Then there will be Mackerel,
16 followed by Reef Fish. After that, we'll start with Admin
17 Policy, Law Enforcement, Data Collection, and Gulf SEDAR to
18 finish out the remaining reports that we need to go over today.
19 With that, we're going to go ahead and start with Ms. Bosarge
20 with the Shrimp Committee.

21
22 **COMMITTEE REPORTS**
23 **SHRIMP COMMITTEE REPORT**
24

25 **MS. BOSARGE:** Thank you, sir. Good morning. The Shrimp
26 Committee Report, Biological Review of the Texas Closure, Dr.
27 Hart reviewed the results from the Texas closure. Environmental
28 factors were below average this year, and both brown and white
29 shrimp catch were below the long term average. The increase in
30 pounds yielded were between 0 and 7 percent with the 2015
31 closure for brown and white shrimp.

32
33 **The committee recommends, and I so move, to recommend the Texas**
34 **closure run concurrent with the date that the state of Texas**
35 **recommends, out to 200 miles, for the 2016 season.**
36

37 **CHAIRMAN ANSON:** We have a committee motion. Is there any
38 discussion on the motion? **Is there any opposition to the**
39 **motion? Seeing none, the motion carries.**
40

41 **MS. BOSARGE:** Review of the Updated Stock Assessments for Brown,
42 White and Pink Shrimp, Dr. Hart also reviewed the stock
43 assessments for brown, white, and pink shrimp. None of the
44 stocks are overfished, nor are they undergoing overfishing. Dr.
45 Hart is currently working on incorporating environmental
46 conditions for all shrimp stocks into the assessments.

47
48 Summary of the Shrimp Advisory Panel Meeting, the Shrimp AP

1 summary was reviewed. Many of the Shrimp AP motions were
2 regarding the options paper for Shrimp Amendment 17B. Staff
3 also informed the committee about the Shrimp AP's motion
4 regarding reviewing the coral HAPCs proposed by the Coral SSC/AP
5 and the Shrimp AP's interest in the Florida Keys National Marine
6 Sanctuary expansion. I would like to pause here for just a
7 moment, if that's okay.

8
9 We didn't get all the way through our agenda, and so there are a
10 few things we're going to cover, but I think in committee, Doug,
11 we did discuss the Shrimp AP meeting with the Coral AP and
12 appropriate coral scientists and other shrimpers at some point
13 in the future, because they didn't get to thoroughly address
14 that, which was on their agenda for that meeting, and it is a
15 pretty important thing.

16
17 We discussed it, and I know you all are working on it, but I
18 just wanted to make note of it, that that will come at some
19 point, hopefully in the near future, but when you can
20 accommodate it.

21
22 **EXECUTIVE DIRECTOR GREGORY:** Right, and we understand that our
23 attempts, to date, to do this with other items in the Shrimp and
24 the Reef Fish AP have not provided the detailed discussion that
25 we were hoping for, and we understand.

26
27 **MS. BOSARGE:** All right. Moving on, Options Paper for Shrimp
28 Amendment 17B --

29
30 **CHAIRMAN ANSON:** Hold on just a second. Martha.

31
32 **MS. BADEMAN:** I just wanted to note that I've talked to the
33 Superintendent of the Sanctuary, and either he or one of his
34 staff would certainly be willing to talk with this AP or the
35 council about what's going on. They haven't put any proposed
36 areas out there yet, but they're in the process

37
38 **MS. BOSARGE:** That's wonderful, because we did actually
39 discuss, at the AP, about possibly having someone from that
40 Sanctuary Council attend the AP meetings, so that when we had
41 these questions that they could answer those questions for us,
42 and so that's great. Go ahead, Doug.

43
44 **EXECUTIVE DIRECTOR GREGORY:** We won't get any answers from them
45 until they finish their Draft Environmental Impact Statement. I
46 mean that's very obvious. I was just reading the minutes of
47 their meeting last month in the Keys, the Sanctuary Advisory
48 Council meeting, and everything is on hold as far as conveying

1 information to the public until they finish their Draft
2 Environmental Impact Analysis.

3
4 They said it will be done sometime this summer, and so if it's
5 done before our council meeting or before we can have an AP -- I
6 will talk to you later about do we want to wait until that comes
7 out to have this coral meeting or not. I think it could be just
8 two separate meetings or two separate topics.

9
10 **MS. BOSARGE:** Sounds good, and either way is fine with me, as
11 long as we get some involvement and get some updates on that.
12 That would be wonderful. Any other feedback? Okay.

13
14 Options Paper for Shrimp Amendment 17B, staff presented the
15 committee with the updated purpose and need in Amendment 17B.
16 The Chair requested staff clarify the second paragraph in the
17 introduction.

18
19 Staff also presented the outcomes from the Shrimp MSY and OY
20 Working Group. The committee reviewed the aggregate MSY and
21 aggregate OY presented in Actions 1 and 2. The Shrimp AP
22 recommended that the preferred alternative for Actions 1 and 2
23 be to establish an aggregate MSY and an aggregate OY.

24
25 The committee reviewed Action 3. The Shrimp AP recommended
26 Alternative 2 be the preferred alternative, and Mr. Perret,
27 Shrimp AP Chair, provided input on the Shrimp AP's rationale.
28 The committee reviewed Alternative 3, which results in the same
29 number of permits as Alternative 2, but is based solely on the
30 effort threshold for sea turtle bycatch.

31
32 The committee would like staff to retain the discussion for
33 Alternative 3, but remove the alternative. The committee also
34 would like specific reference in Alternative 2 to the factors
35 utilized to establish OY, one of which is effort below the sea
36 turtle bycatch threshold.

37
38 **The committee recommends, and I so move, to follow the IPT's**
39 **suggestion and remove Alternative 3 in Action 3. Alternative 3**
40 **is set a threshold number of valid or renewable Gulf shrimp**
41 **vessel permits based on the predicted number of active permitted**
42 **vessels (those with landings from offshore waters) during 2009,**
43 **which is the threshold level of effort for the incidental take**
44 **statement for sea turtles in the 2014 biological opinion (1,074**
45 **permits).**

46
47 **CHAIRMAN ANSON:** We have a committee motion. Is there any
48 discussion on the motion? Ms. Bosarge.

1
2 **MS. BOSARGE:** My discussion is not going to be in opposition to
3 the motion, but rather to just emphasize the importance of
4 Alternative 2 and Alternative 3 relative to turtles. I'm going
5 to put my teacher hat on for a minute, and I'm hoping everybody
6 will pay attention, because Alternative 2 talks about OY. It is
7 an alternative that says we're going to manage the threshold
8 number of permits based on our goal to achieve OY in the shrimp
9 fishery.

10
11 OY, in most of the fisheries that we deal with around this
12 table, which are finfish fisheries, it's a set number of pounds
13 and you're trying to land that number of pounds. OY in the
14 shrimp fishery there is a big factor that's a little different
15 than maybe in some of our finfish fisheries.

16
17 When you see OY, I want one of the first things that pops into
18 your head to be turtles. I want that front and center. That's
19 not the only thing that went into that OY calculation, but it is
20 a very significant factor. When that working group came
21 together, they said here is MSY and how do we get to OY?

22
23 The shrimp fishery has a threshold, a number of days, an effort
24 threshold, which is measured in a number of days, that they can
25 fish every year. If they exceed that threshold, then they have
26 a problem with the Endangered Species Act. It triggers a
27 biological review, because we're no longer working within the
28 parameters that are our parameters as a fishery for the
29 Endangered Species Act, and that's important.

30
31 We don't control that around this table. There is a lot of
32 teeth in the Endangered Species Act. Red snapper thresholds are
33 part of the OY determination for the shrimp fishery, too. The
34 difference between a red snapper threshold and a possible
35 exceeding of that threshold, which is also an effort threshold,
36 and a turtle threshold and exceeding that, is that if we exceed
37 a red snapper threshold in the shrimp fishery, because we shrimp
38 too much in a certain area, that can be discussed around this
39 table. It was a regulation that was put in place by the people
40 around this table at this council.

41
42 If we exceed a turtle threshold, that's different. We don't
43 directly control that. That's the Endangered Species Act, and
44 it has real implications, not to mention that you don't want to
45 have an effect on turtles, but I just want you to know that for
46 the shrimp fishery that's a real thing, and it's a scary thing,
47 and it's a risk that we don't want to take.

1 When you see OY, we're going to take the -- My whole point is
2 we're taking out the alternative that deals with turtles, and
3 I'm okay with that, because it is included in the OY
4 alternative, but, around the table, I just want people to know
5 that when we look at this document later down the line again and
6 you see OY, turtle needs to go off in your mind, and, okay,
7 there's real implications, from a turtle standpoint, of
8 exceeding certain effort restrictions in there. Yes, sir, Mr.
9 Fischer.

10
11 **MR. FISCHER:** Madam Chair, I thought we were deleting the
12 alternative, but we were reserving the verbiage and combining it
13 when we combined the two, because the numbers were the same, and
14 so there was no use in having two options with similar numbers,
15 but the rationale of the two would be joined together.

16
17 **MS. BOSARGE:** We are, and that is going to be in the discussion,
18 and that's what we just went over in the committee report, but
19 it's not going to be front and center anymore, and this is a
20 different fishery than most of the ones that we manage. This
21 isn't a finfish fishery, and it has different implications. I
22 just want to make sure that that's front and center when we see
23 OY. Yes, sir, Dr. Crabtree.

24
25 **DR. CRABTREE:** That's a good discussion, and I think you make a
26 good point. I would point out that all of this is essentially
27 about modifying a limited entry program that we have. When you
28 look at the statute, it says you establish a limited access
29 system for the fishery in order to achieve optimum yield.

30
31 The issue I see is not with Alternative 2, because it does tie
32 it into optimum yield. The issue I see is with the other
33 alternatives in here, because I don't think they really explain
34 how they're tied into achieving optimum yield, but I think for
35 us to choose an alternative in here that it will have to have a
36 discussion of how that alternative and the number of permits it
37 contemplates is needed and is optimal to achieve optimum yield,
38 and I don't know that that's in here at this point.

39
40 It's not sufficient to just say because this is the number of
41 permits we had in some year. It needs to be tied into this is
42 the number of permits we need to achieve optimum yield. Right
43 now, Alternative 2 has that, but I don't see it so inherently in
44 these other ones.

45
46 **CHAIRMAN ANSON:** Any other discussion relative to the motion?
47 Seeing none, we will go ahead. **All those in favor of the**
48 **motion, please signify by raising your hand; all those opposed.**

1 **No opposition, and the motion carries.** Ms. Bosarge.
2

3 **MS. BOSARGE:** The committee discussed removing two options from
4 Alternative 6 to better address OY through CPUE and landings
5 information only. There was concern about removing the options,
6 because the fishery was not profitable in 2007, the one option
7 year which would remain.
8

9 **The committee recommends, and I so move, to remove Option 6b and**
10 **Option 6c from Alternative 6 in Action 3. Alternative 6 is set**
11 **a threshold number of valid or renewable Gulf shrimp vessel**
12 **permits based on the predicted number of active permitted**
13 **vessels (those with landings from offshore waters) in a year**
14 **with relatively high CPUE in the offshore fishery during the**
15 **moratorium without substantially reduced landings. Option 6a is**
16 **2007 (1,133 permits). Option 6b is 2012 (990 permits). Option**
17 **6c is 2013 (909 permits).**
18

19 **CHAIRMAN ANSON:** We have a committee motion. Is there any
20 discussion on the motion? Ms. Bosarge.
21

22 **MS. BOSARGE:** I did do my best to not speak during committee. I
23 didn't have any idea that it was going to be proposed to remove
24 this from the document, and so I didn't have any research really
25 done on it. I flipped straight to the numbers for our net
26 revenues, and so I went back and I said, well, the alternative
27 doesn't speak to net revenues. I need to look at CPUE and
28 landings, because we're trying to strike a balance in this
29 alternative.
30

31 That balance is really because there is two segments to the
32 shrimp fishery. There is the harvesters, the boat guys, and
33 then there is the processors, and we work on CPUE, and that's
34 what makes us profitable, but the processors work on landings,
35 on volume, essentially, and that makes them profitable.
36

37 This is looking to strike that balance between the two, so that
38 you don't have necessarily a winner and a loser, and I guess my
39 issue is with the only option that's going to be left, is 2007.
40 I hate that it lists the number of permits as opposed to the
41 landings and the CPUE for that year out next to it, because if
42 you turn to the table on page 14, and we've been instructed to
43 look at the predicted landings and predicted CPUEs, because they
44 average everything out for an average season, as opposed to a
45 bad season or a great season.
46

47 In 2007, we did have landings that were above what we've decided
48 OY is, which is about eighty-five-million pounds, and landings

1 were eighty-eight-million, but the CPUE is 1,094, and that's the
2 next-to-the-lowest CPUE during the entire moratorium. CPUE
3 ranges from 1,034 all the way up to that 1,199, and so you might
4 as well say 1,200.

5
6 We're picking the next-to-the-lowest CPUE, and I'm not sure that
7 really strikes the balance that we're looking for. I did go
8 through it, and I put a lot of time into it. The balance,
9 honestly, is you could say the next best alternative would be
10 2009, but we just threw out the sea turtle threshold alternative
11 because 2009 has the same number of permits as the first OY
12 alternative, and so I found a year, Myron.

13
14 2011 has got 77.8 million, and so about seventy-eight million in
15 landings, and it has a decent CPUE. It's not the highest, but
16 it's not the lowest. It's 1,167. I think that probably strikes
17 a decent balance. If you can't live with that, I would go with
18 2012. It has higher landings. It's got eighty million in
19 landings. It's got a slightly lower CPUE, but it's still a good
20 bit higher than that 2007 CPUE, and so I would like to have a
21 discussion about having a substitute alternative that picks
22 either 2011 or 2012 as striking that balance. Dr. Crabtree.

23
24 **DR. CRABTREE:** If I'm reading it right, what you're suggesting
25 is that we retain 6b in the document?

26
27 **MS. BOSARGE:** Yes, and my discussion was -- 6b is in the
28 document now, yes. You can either retain that one or 2011 I
29 thought struck a good balance between CPUE and landings as well.
30 I'm fine either way.

31
32 **DR. CRABTREE:** I mean I think you could couch an argument for
33 6b, or even 6a. I mean you've got an Alternative 3 that does
34 tie it into optimum yield, and that gets you to 1,074 permits,
35 but I think you could argue that you want to be somewhat more
36 conservative of that and you want to put more emphasis on CPUE,
37 and so you could go with a smaller number of permits by shifting
38 your emphasis on optimum yield and argue that that's still a
39 sufficient number of permits to approximate optimum yield over
40 the long term.

41
42 I think you could probably also argue a little less emphasis on
43 CPUE and maybe you could go a little higher than that. I think
44 you have some flexibility on that, as long as at the end of the
45 day that you tie it back into this is what we need to achieve
46 optimum yield, but it's not an exact number of permits. There's
47 a lot of variance in all of these things. I think if you want
48 to keep what you're suggesting in there, that's fine.

1
2 Some of this is just the amount of work for staff, but I would
3 encourage you to put the emphasis on getting it right and
4 getting a good range of alternatives in, more than just worrying
5 about effort. We're not under a mad rush to get this down, and
6 so I would rather see us make sure we're comfortable with having
7 the alternatives in here at this point.

8
9 **CHAIRMAN ANSON:** I have a few people. I have Myron, Dr. Lucas,
10 and Robin. Myron.

11
12 **MR. FISCHER:** Thank you. 2008 also had a high CPUE, very close
13 to that amount, but I will still contend that CPUE is based on
14 that year's -- It's an annual crop. It's based on that year's
15 abundance, and that year's abundance is very environmentally
16 driven, based on salinities and temperatures in the estuarine
17 areas that feed these offshore areas.

18
19 Trying to work it totally around CPUE and choose a year based on
20 CPUE, then you also have to look at what was coming out of the
21 estuarine areas. I think it's something to consider, but I
22 don't think it should be your main criteria, because, like I
23 said, if you do this, then 2008 is also suitable.

24
25 **CHAIRMAN ANSON:** Dr. Lucas.

26
27 **DR. LUCAS:** I think that's what I was going to point out. I
28 think some of the rationale for removing some of the
29 alternatives in 6, or the options in 6, were that Alternative 4
30 and Alternative 5 also have years that you've already discussed.
31 Like 2011, that you must mentioned, is discussed in Alternative
32 4. It's probably for a different reason, but we could apply
33 some of the same logic there. Then Alternative 5 does have 2008
34 as the year. I thought that some of the rationale in
35 Alternative 6 was just because there was already two other
36 alternatives that included similar numbers.

37
38 **CHAIRMAN ANSON:** Robin.

39
40 **MR. RIECHERS:** My comments are similar to Kelly's. While we're
41 setting up the alternatives with some different rationale, at
42 the end of the day, you're picking a threshold number. Even
43 Alternative 7 has that 2011 that you're talking about there.

44
45 I think the range of alternatives that we now have ranges from
46 882 to 1,933 vessels, if you look real closely at all the
47 different ranges, with different justifications or different
48 discussions, but it's still an active -- You're still picking a

1 threshold level of vessel.

2
3 What I would say, Leann, is I think your alternative is in here,
4 but if you wanted to keep 2012, then I would say we just -- At
5 this point, we've got a broad range of alternatives. Maybe we
6 should substitute a motion that would allow 2012 to remain only
7 in the -- Only delete 6c is what I think you're suggesting,
8 since your 2011 is on the Option 7.

9
10 **MS. BOSARGE:** I would be comfortable with that, and you're
11 right. If you look at all the different alternatives, you have
12 these years in each one, and I guess I'm just anal-retentive, in
13 that I look at each alternative as it stands alone and make sure
14 that we strike -- **I will make a substitute motion, and you can**
15 **pretty much copy and paste the motion that's on the board,**
16 **pretty much, except that first sentence is going to say "To**
17 **remove Option 6c". That's my motion.**

18
19 **CHAIRMAN ANSON:** Do we have a second to the motion?

20
21 **MR. DIAZ:** Second.

22
23 **CHAIRMAN ANSON:** It's seconded by Mr. Diaz. Any further
24 discussion on the motion? Myron.

25
26 **MR. FISCHER:** I am trying to recall where the motion came from,
27 but wasn't it possibly Steve Branstetter that stated that at
28 those numbers we couldn't reach OY? Maybe it was somewhere else
29 he had the discussion. I'm just trying to recall why we thought
30 in committee that we should be eliminating these.

31
32 **CHAIRMAN ANSON:** Dr. Branstetter.

33
34 **DR. BRANSTETTER:** If we're setting the number of vessels as our
35 ability to reach OY, and we've made that determination is 1,064
36 or 1,067, I mean that's where I started out with the other
37 alternatives that are 800 vessels. They're going to have to
38 catch a lot of shrimp, I mean the other alternatives that we've
39 left in there already, but I think this is a reasonable range.
40 I mean we're a couple hundred, plus or minus, where we want to
41 be, and I think that's a reasonable range.

42
43 **CHAIRMAN ANSON:** Any further discussion on the substitute
44 motion? The substitute motion is to remove Option c from
45 Alternative 6 in Action 3. Alternative 6 is set a threshold
46 number of valid or renewable Gulf shrimp vessel permits based on
47 the predicted number of active permitted vessels (those with
48 landings from offshore waters) in a year with relatively high

1 CPUE in the offshore fishery during the moratorium without
2 substantially reduced landings. Option 6a is 2007 (1,133
3 permits). Option 6b is 2012 (990 permits). Option 6c, of
4 course, is being removed. **All those in favor of the motion,**
5 **please raise your hand.**

6
7 **EXECUTIVE DIRECTOR GREGORY:** Fourteen.

8
9 **CHAIRMAN ANSON:** All those opposed, two. Thank you.

10
11 **EXECUTIVE DIRECTOR GREGORY:** It's fourteen to two.

12
13 **CHAIRMAN ANSON:** The motion carries.

14
15 **MS. BOSARGE:** The committee reviewed Alternative 7, and felt
16 that some of the options listed would potentially create
17 overcapitalization in the fishery and that some options were not
18 feasible. The AP had recommended a trigger of 1,300 permits to
19 convene a review panel, and there was some discussion about
20 adding this as an option under Alternative 7.

21
22 **The committee decided to streamline Alternative 7. The**
23 **committee recommends, and I so move, to remove Options 7a, 7b,**
24 **and 7c in Alternative 7 in Action 3. Alternative 7 is set a**
25 **threshold number of valid or renewable Gulf shrimp vessel**
26 **permits based on the number of valid permits at: Option 7a, the**
27 **beginning of the moratorium (1,933 permits); Option 7b, the end**
28 **of 2009 (1,722 permits); Option 7c, the end of 2011 (1,582**
29 **permits); Option 7d, the end of 2013 (1,501 permits); Option 7e,**
30 **the end of 2014 (1,470 permits); Option f, the end of the**
31 **initial moratorium, October 26, 2016 (number of permits**
32 **unknown).**

33
34 **CHAIRMAN ANSON:** We have a committee motion. Is there any
35 discussion on the motion? **Is there any opposition to the**
36 **motion?** Mr. Fischer.

37
38 **MR. FISCHER:** It's just to point out the difference. This is
39 total permits and not active permits, and we've historically
40 been sitting on about 35 percent inactive permits. That's why
41 these numbers are so much higher than the other numbers in the
42 other options.

43
44 **CHAIRMAN ANSON:** Thank you. Dr. Lucas.

45
46 **DR. LUCAS:** Leann, you had mentioned 2011, and if you wanted to
47 include 2011, I think we would have to amend the motion, because
48 it strikes the 2011 year in this one.

1
2 **MS. BOSARGE:** Back to my original discussion. The reason I was
3 so anal is because I was trying to take the CPUE in landings
4 alternative for what it was and make sure that the alternatives
5 that we have listed as striking a balance between CPUE and
6 landings really did strike a balance between CPUE and landings,
7 and the difference between that management goal and this
8 management goal is that management goal is basing your threshold
9 on active permits and this is basing it on the valid permits.

10
11 **CHAIRMAN ANSON:** Mr. Swindell.

12
13 **MR. SWINDELL:** I'm a little concerned about the word
14 "overcapitalization". Why are we so worried about the
15 overcapitalization in the shrimp fishery? To me, we ought to be
16 more or less concerned about the ability of the industry to
17 capture more than the amount of shrimp that we believe is the OY
18 or MSY value. Is that the only reason for the introduction of
19 the overcapitalization term in this whole thing?

20
21 **CHAIRMAN ANSON:** To that point, Dr. Crabtree?

22
23 **DR. CRABTREE:** Well, if the fishery is overcapitalized, then it
24 means you have more effort than is needed to catch the shrimp,
25 and if you have more effort, that means you're going to have
26 more bycatch of fish and turtles and everything. National
27 Standard 1, in the statute, requires that we reduce bycatch, to
28 the extent practicable, and, of course, we have all these other
29 turtle concerns.

30
31 We don't want to have any more effort than we have to have to
32 catch what's out there to keep the bycatch issues under control.
33 Then the other thing is I think we want to have profitable
34 businesses that are out there harvesting these shrimp, and, to
35 the extent that we're overcapitalized, as Leann has talked
36 about, the CPUEs are going to be driven down.

37
38 If CPUEs go down, then the profit margins on these vessels are
39 going to go down, and so I think it's those two things. We want
40 to reduce bycatch, because that's a requirement of the statute,
41 and we want these vessels to be able to make a living, because
42 that's in the nation's best interests economically, and so I
43 think it's a balance of those things.

44
45 **CHAIRMAN ANSON:** Robin.

46
47 **MR. RIECHERS:** I just want clarification. Myron, you said this
48 was -- I'm trying to understand your point about this was active

1 as opposed to --

2
3 **MR. FISCHER:** These were permits by number, as opposed to
4 active, because we're averaging about 35 percent of the boats
5 seem to be tied to the dock.

6
7 **MR. RIECHERS:** But the threshold level was those that were
8 valid, if you will, active or inactive.

9
10 **MR. FISCHER:** In Option 7, these would be the total permits. In
11 all of the other alternatives, they're just active permits. I
12 just wanted to point out that -- Like the 1,407 relates very
13 closely to 990, if you take 35 percent of the fleet out.

14
15 **CHAIRMAN ANSON:** Any further discussion on the motion? **Is there**
16 **any opposition to the motion? Seeing none, the motion carries.**
17 Ms. Bosarge.

18
19 **MS. BOSARGE:** The committee discussed Action 4 and the new
20 alternative recommended by the Shrimp AP. Staff will add the
21 AP's suggested alternative to the document. The committee
22 discussed Action 5 in the document. After discussion, the
23 committee felt that it may be more appropriate for the review
24 panel outlined in Action 4 to determine eligibility criteria, as
25 the fishery may change in the future, and felt that Action 5
26 should be moved to an appendix, so the alternatives, discussion,
27 mechanisms, and options are not lost and can be used in the
28 future.

29
30 **The committee recommends, and I so move, to move Action 5 to an**
31 **Appendix in the document for possible future consideration.**
32 **Action 5 is Issuance of Reserved Gulf Shrimp Vessel Permits.**

33
34 **CHAIRMAN ANSON:** We have a committee motion. Is there any
35 discussion on the motion? Ms. Bosarge.

36
37 **MS. BOSARGE:** I have a little reservation about this at this
38 point in time. I don't necessarily think it's a bad thing
39 overall, but I don't think we're to this point yet where we
40 remove this from the document as an action item and put it into
41 an appendix.

42
43 If we get to point in the future where we choose a preferred
44 alternative in Action 3 that sets our threshold at some level of
45 permits lower than where we are right now, what's on the books
46 right now, then at that point it may be a time to take Action 5,
47 which says, okay, if we establish this permit pool, how are we
48 going to issue these permits and who is going to be able to get

1 them? What are the requirements to apply?

2
3 Right now, in Action 3, we have alternatives out there, in what
4 I like to call Myron's alternative. we have some alternatives
5 still in that action that would establish a permit pool now when
6 we finalize this document.

7
8 If we still have those in Action 3, then I don't think it's
9 appropriate to remove from discussion as an action item how were
10 going to issue those permits and what the requirements would be.
11 If you want to take the rest of those alternatives out, Myron,
12 that's fine with me, but I don't think you want to do that. In
13 that case, I think Action 5 needs to stay in the document at
14 this time.

15
16 **CHAIRMAN ANSON:** Mr. Fischer.

17
18 **MR. FISCHER:** It appears, and I didn't ask Doug Gregory, but it
19 seems like the soonest we're taking final action is October, and
20 if we don't do it in October, it wouldn't be until January or
21 February, if that timeline seems right.

22
23 I think, for discussion purposes, we probably could keep it
24 here. If it looks like it's something that's just going to grow
25 into a big animal, we can then look into possibly even another
26 amendment that would cover just the pool, but, for now, I agree
27 with Leann that I think it's -- It's what our state wants to do,
28 and we'll defend it.

29
30 We think we should come up with a hard cap and then every time
31 someone gets out of the fishery, those permits become available
32 to sustain the fishery. It's not only to sustain the fishery,
33 but it's to sustain the entire infrastructure involved, from the
34 fish houses to the fuel docks and ice houses and everyone else
35 involved, because, as we're losing these boats, we're losing
36 this infrastructure.

37
38 **CHAIRMAN ANSON:** Mr. Swindell.

39
40 **MR. SWINDELL:** Are permits solely based on a vessel, regardless
41 of the size of the vessel?

42
43 **CHAIRMAN ANSON:** I believe that's correct. It's just a permit
44 to a vessel.

45
46 **MR. SWINDELL:** It seems to me like that could -- You are causing
47 an effect to the catch per unit of effort, to the
48 overcapitalization, depending on the size of the vessel, I would

1 think, the competitiveness of that vessel on the water and the
2 competitiveness of that vessel to make money. It depends on the
3 size of the vessel and the efficiency of the vessel and the type
4 of equipment it's using.

5
6 If you have a lot of small vessels out there, do you have enough
7 permits for us to catch enough shrimp to meet OY of this
8 resource or are we only going until -- I'm having a little
9 trouble grasping the size of the shrimp industry as it relates
10 to an overcapitalization kind of thing. If you only have
11 permits based on a small vessel or a big vessel and it doesn't
12 mean anything to you, then I think we're missing the boat a
13 little bit. Thank you.

14
15 **CHAIRMAN ANSON:** Dr. Crabtree.

16
17 **DR. CRABTREE:** Well, I mean I think you make some good points,
18 but you could have a fixed number of permits in this fishery
19 that you thought was what was appropriate, but, in theory, the
20 fleet could increase its fishing power by moving to larger
21 vessels and putting those permits on larger vessels.

22
23 Now, given the cost of a shrimp boat and the economics of
24 things, what most of the fleet I've talked to tell me is that
25 it's prohibitively expensive to invest in a vessel anymore, but
26 in some of the limited entry programs we have, like the charter
27 boat limited entry moratorium, they're linked to passenger
28 capacity, and so the number of permits also limits how many
29 people they can take out, but in this case, where the vessel
30 size may be directly linked to the fishing power of the boat, we
31 don't have any controls over that, and that, I guess, is an
32 inherent problem in dealing with overcapitalization and CPUEs
33 and all these things, and so I think you're right about that.

34
35 **CHAIRMAN ANSON:** Yes, sir.

36
37 **MR. SWINDELL:** I guess I get a little concerned. If you
38 suddenly are able to stop some of the shrimp imports, then you
39 could afford to have larger vessels or more vessels or whatever
40 that's going to enter our shrimp fishery, and you've just got to
41 be careful and make darned certain that you're not going to
42 exceed the OY of the fishery, and I just get a little concerned
43 when we're just limiting by number of permits without regard to
44 the size of the vessel and its equipment. Thank you, but I
45 don't see that we can do anything about it today.

46
47 **CHAIRMAN ANSON:** Ms. Bosarge.

48

1 **MS. BOSARGE:** My intention is to keep Action 5 in the document
2 at this point. I don't think it's a perfect time to remove it.
3 I'm not sure if I need to make a substitute motion here or if I
4 simply -- If I vote against this motion, which moves Action 5 to
5 the appendix, then it would remain in the document, right, and
6 so I can --

7
8 **DR. CRABTREE:** If I could, the cleanest way is -- If the council
9 wants to keep this in, we should vote this motion down. Then it
10 remains in.

11
12 **CHAIRMAN ANSON:** Any further discussion on the motion, the
13 motion to move Action 5 to an appendix in the document for
14 possible future consideration. Action 5 is Issuance of Reserved
15 Gulf Shrimp Vessel Permits. **All those in favor of the motion,**
16 **please signify by raising your hand; all those opposed, please**
17 **raise your hand.**

18
19 **EXECUTIVE DIRECTOR GREGORY:** Fifteen, at least.

20
21 **CHAIRMAN ANSON:** **The motion fails.** Mr. Riechers.

22
23 **MR. RIECHERS:** It went by very, very quickly in the report, but
24 I don't think that we can just say that the committee or the AP
25 recommended something and we add an alternative. We typically
26 add those alternatives here at the council level, and we seem to
27 have some creep of that going on.

28
29 I think we need to go back to Alternative 4 and choose whether
30 or not we want to add that alternative. It was a Shrimp AP
31 recommendation and the committee reviewed it. They didn't make
32 a motion to add it, but you just said it was going to be added,
33 and I think we just need to be careful of that in all of our
34 reports as we move forward and in all of our committees as we
35 move forward.

36
37 **With that, I would recommend or I would move that we add an**
38 **Alternative 4, and the language reads as it does in the**
39 **document.** I don't think the language was in the committee
40 report, but it's in the B-7, Shrimp 17B, and so if you can get
41 it out of there. If you will add that language as a motion.
42 Thank you.

43
44 **EXECUTIVE DIRECTOR GREGORY:** If I may, whenever that happens, we
45 should be explicit in the document that this is a recommendation
46 of an AP or the SSC for the council consideration. If that was
47 not the case here, then I apologize.

48

1 **MR. RIECHERS:** I think it was referenced correctly in the
2 document, but I think just from a committee level -- For
3 whatever reason, the committee didn't take action on it, and we
4 just want to make sure that we actually do that here, as opposed
5 to allowing it to come in from other APs, et cetera.

6
7 **CHAIRMAN ANSON:** Robin, just to be sure we've got the right
8 Alternative 4, your Alternative 4 in Action 6 is the one you're
9 referring to?

10
11 **MR. RIECHERS:** No, it's Alternative 4, Action 4. Then there are
12 some other alternatives in 5 that also people wanted to add that
13 we either need to go back and address, when we get back there,
14 or not.

15
16 **EXECUTIVE DIRECTOR GREGORY:** We will be sure that committees
17 address this in committee in the future and it doesn't slip
18 through.

19
20 **CHAIRMAN ANSON:** I think we have the correct alternative in the
21 motion. It's in Action 4 to add a new Alternative 4. When the
22 number of valid or renewable permits reaches 1,300, the council
23 will form a review panel to review the details of a permit pool
24 and other options. If the number of permits reaches the
25 threshold set in Action 3, any permits that are not renewed
26 within one year of the expiration date on the permit will go
27 into a Gulf Shrimp Vessel Permit Reserve Pool. The panel would
28 consist of Shrimp AP members, SSC member, and NMFS and council
29 staff. Is there any discussion on the motion? Is there any
30 opposition to the -- Mr. Fischer.

31
32 **MR. FISCHER:** I am just digging to clarify. When we get to the
33 sentence that if it reaches the threshold in Action 3, but we're
34 stating 1,300 in the motion. Could this contradict?

35
36 **CHAIRMAN ANSON:** Mr. Gregory.

37
38 **EXECUTIVE DIRECTOR GREGORY:** They're two different things. One
39 is 1,300 relates to creating a review panel. The threshold in
40 Action 3 is anything above that goes into the reserve pool.

41
42 **MR. FISCHER:** Thank you, Executive Director.

43
44 **CHAIRMAN ANSON:** Ms. Levy.

45
46 **MS. LEVY:** Just to point out something. This AP recommended
47 Alternative 4 says, in the first sentence, that when the number
48 of valid or renewable permits reaches 1,300 that the council

1 will form a review panel to review the details of a permit pool
2 and other options.

3
4 You just decided to keep Action 5 in, which is looking at the
5 permit pool and the options for how it's going to be
6 implemented, and so it sort of seems a little bit inconsistent
7 to say when you reach 1,300 permits that you're going to form
8 this panel to look at the permit pool when you have an action
9 that you're supposed to be deciding how the permit pool is
10 supposed to operate. At some point in time, if this Alternative
11 4 gets selected, then it seems like Action 5 would be kind of
12 irrelevant or it would be duplicative or something.

13
14 **CHAIRMAN ANSON:** Ms. Bosarge.

15
16 **MS. BOSARGE:** I think when the AP discussed this that their
17 rationale was, look, we want the permit pool to be formed,
18 because there are some alternatives in this action item that
19 says we don't actually form the pool at all when we hit the
20 threshold number and that we just go back then and start a
21 document to look at what we need to do going forward.

22
23 What they were trying to do was make sure that the pool is
24 actually formed, but then we proactive and give the actual
25 requirements on how those permits would be handled and what the
26 requirements would be to get one and such and have that detailed
27 out. They said, but, look, we want to proactive about this.

28
29 At 1,300, if we get down to that point as a fishery, which could
30 be five years from now, let's go back and look at it and see if
31 we need to tweak anything on the requirements. That was their
32 rationale, and so that's why it reads -- I guess there's a
33 couple of different ways the IPT could line this up. We could
34 actually choose two preferred alternatives to accomplish it, but
35 this is their recommended alternative.

36
37 **CHAIRMAN ANSON:** To that point, Ms. Levy.

38
39 **MS. LEVY:** So what you're saying is potentially this document,
40 Action 5, would decide how the permit pool is going to operate,
41 but if this Preferred Alternative 4 in Action 4 was selected,
42 this review panel would then form to see whether they still like
43 what the council decided with respect to the permit pool and
44 whether any of that should be changed? I just want to make I
45 understand what you're saying.

46
47 **CHAIRMAN ANSON:** Mr. Fischer.

48

1 **MR. FISCHER:** Often, we have options with contrary results, and
2 that's what we narrow down as we move forward. I accept the
3 fact that they may be different today, and in another meeting or
4 so, we will start going through them and clarify this, but I see
5 your point.

6
7 There's a lot of options that could take place, where some of
8 the guidelines might be set up now, and we don't know this time
9 in the future, but, at some point when we reach 1,300, we
10 activate this panel, or maybe vote it out. I mean a lot of our
11 options get voted out before we get to the end.

12
13 **CHAIRMAN ANSON:** Dr. Crabtree.

14
15 **DR. CRABTREE:** Myron is right that we often have conflicting
16 things and we sort it out as the document progresses, and so I
17 don't know that we have to resolve all of this today. My
18 concern with it is I think we have 1,450 permits today, and I
19 suspect the amount of attrition per year is going down slowly.

20
21 We're five or maybe ten years out before we hit this. I would
22 be very surprised if the turtle threshold five or ten years from
23 now is the same as it is now. We're going to end up doing new
24 biological opinions. It's almost certainly going to change.

25
26 The balance between numbers of vessels and CPUE and effort
27 things and all that has to do with fuel prices and shrimp prices
28 and all kinds of things, and they're almost certainly going to
29 be very different down the road, and so we just need to build in
30 -- We don't want to lock ourselves into something, which is why
31 I support the notion of a review panel in figuring it out,
32 because we may well get to that threshold a decade from now and
33 it's not the right threshold at all.

34
35 We could decide that we in fact need more vessels than that,
36 because the whole price structure has changed and turtles have
37 been delisted, for all I know, but we also could get there and
38 find out that fuel prices have gone way up and shrimp prices
39 have come down even more and CPUE is way more important now and
40 we need fewer vessels, and there is just no way of knowing, but
41 to think that ten years from now is likely going to be the same
42 as now, that's highly unlikely. It's more likely that it's
43 going to change considerably.

44
45 **CHAIRMAN ANSON:** I will let more person, and then we need to
46 take a vote on this and move on. Mr. Riechers.

47
48 **MR. RIECHERS:** In following up with this discussion, it seems to

1 me this action probably is really an Action 5 action, because
2 you would -- I just raise the point because that's where it was
3 at in the previous report and document.

4
5 It's probably an Action 5 item, because what it basically is
6 saying is you get to that point and you form a panel and then
7 they make recommendations and then the council would have to
8 take the actions to enact those recommendations, where
9 Alternatives 2 and the options under Alternative 2 in Action 5
10 basically go ahead and start deciding how you would deal with
11 those permits.

12
13 It seems to me that it's alternative action to that, but what I
14 would suggest is we vote for it, if you want it, and include it
15 in the document. Then the IPT team can figure out the best way
16 to include it, but part of it is I wanted to make sure we voted
17 for it, as opposed to it just getting in the document.

18
19 **CHAIRMAN ANSON:** All right, and so we have the motion. I've
20 already read it. **Is there any opposition to the motion? Seeing**
21 **none, the motion carries.**

22
23 Going back to Robin's point with the other alternatives that the
24 AP preferred and seem to have migrated into the document as
25 alternatives, do we want to address those? Do we want to just
26 make a blanket motion to accept all of those that have been
27 incorporated in the document as it stands right now or how do we
28 want to do that?

29
30 **MS. BOSARGE:** I think that's the only one.

31
32 **CHAIRMAN ANSON:** Was that the only -- I thought there was one
33 other one in Action 6, too.

34
35 **MS. BOSARGE:** No, the IPT added that one to Action 6.

36
37 **CHAIRMAN ANSON:** Robin.

38
39 **MR. RIECHERS:** I am going to recommend that we accept the
40 wordings for Option d and Option e. I am going to let the
41 removal issue -- I agree with the IPT team, but I'm going to let
42 someone else make that motion, but I'm going to suggest we add
43 the wording as suggested by the IPT for Option d and Option e.

44
45 **CHAIRMAN ANSON:** That was in Action 5, Robin?

46
47 **MR. RIECHERS:** Yes. Alternative 2, to be exact.

48

1 **CHAIRMAN ANSON:** Doug.
2
3 **EXECUTIVE DIRECTOR GREGORY:** Mr. Riechers, would you also be
4 willing to consider the IPT recommendation to remove Option b,
5 due to legal issues?
6
7 **MR. RIECHERS:** I just felt like it was a different motion, as
8 opposed to wording on other sub-options.
9
10 **CHAIRMAN ANSON:** Robin, does that -- Ms. Levy.
11
12 **MS. LEVY:** It looks like what you want to do is modify the
13 language of Option d and add an Option e, and I'm just
14 clarifying. Did you want to use the IPT's recommended language
15 for those two options, because the AP had their language and
16 then the IPT kind of tweaked it, with respect to Option d and
17 then adding a new Option e.
18
19 **MR. RIECHERS:** Yes, and I apologize. Mara is correct that it's
20 an addition of an Option e and not just a change in wording. As
21 is normally the case, the IPT would change the language even if
22 we didn't ask them to, and so I would rather just go with theirs
23 now, as opposed to -- They probably will change it again, but as
24 opposed to accepting the AP's and then having them change it
25 when we don't see it happen.
26
27 **CHAIRMAN ANSON:** Ms. Bosarge.
28
29 **MS. BOSARGE:** I think the Option d that's listed up there now is
30 the original Option d, and the Shrimp AP recommended change was
31 that assign the permit to a vessel with a United States Coast
32 Guard safety inspection for fishing activity beyond three miles,
33 and the IPT recommended wording is to assign the permit to a
34 vessel with a United States Coast Guard dockside safety exam for
35 fishing activity beyond three miles. So "dockside safety exam"
36 I guess is the official term, Jason, for what we get. Okay.
37
38 So it's not a certificate of documentation? Okay. That's our
39 motion. Sorry. She had the document on the board and not the
40 motion. That's where my confusion lies.
41
42 **CHAIRMAN ANSON:** Ms. Levy.
43
44 **MS. LEVY:** Can we just change the very beginning of the motion
45 to say "accept the IPT recommendations to modify the language in
46 Option d and add Option e"? Actually, they were AP
47 recommendations with IPT recommendations on top of them, but
48 that's fine.

1
2 **CHAIRMAN ANSON:** Do you concur, Robin?

3
4 **MR. RIECHERS:** Yes.

5
6 **CHAIRMAN ANSON:** All right. In Action 5, to accept the AP and
7 IPT recommendations to modify the language in Option d and add
8 Option e. Mr. Fischer.

9
10 **MR. FISCHER:** I am trying to see where this is on the board, but
11 we have a -- I will support the motion, but I just wanted to
12 make certain, should we be in the business of requiring Coast
13 Guard exams, safety exams on vessels, and I know one of our
14 standards is safety at sea. Therefore, we have a way to do
15 this, and I just wonder if we have a track record where we
16 require this in other industries, require boats to have dockside
17 exams. We're going to support it, because it's what the
18 industry wants, but I just want to make sure we're not setting a
19 precedent and going down a path that we may not like the end in
20 a few years of other things we get into.

21
22 **CHAIRMAN ANSON:** Ms. Levy.

23
24 **MS. LEVY:** I view it as a potential eligibility requirement for
25 the permit and not that if you have a vessel you have to have a
26 -- It's somehow, and I can't remember what the reason is,
27 telling us which vessels we think should be eligible for the
28 permit, the basis for that being that they're a certain size or
29 they operate a certain way or something like that.

30
31 **CHAIRMAN ANSON:** Mr. Riechers.

32
33 **MR. RIECHERS:** I would ask Jason. How often are those
34 inspections required now, because I see it like Myron. All
35 we're doing is asking before you would now receive this permit,
36 we're asking you to make sure you are appropriately -- You have
37 had appropriate safety inspections, et cetera, which I assume
38 you get along with your Coast Guard documentation at some
39 frequency.

40
41 **CHAIRMAN ANSON:** Lieutenant Commander Brand.

42
43 **LCDR BRAND:** Thank you, Robin. There is some exceptions, but
44 these vessels will need to complete dockside safety examinations
45 at least once every five years. However, some vessels,
46 depending on their operation or areas of service, may be subject
47 to a more frequent examination schedule, and so it's not a
48 blanket for everybody.

1
2 **CHAIRMAN ANSON:** Mr. Fischer.

3
4 **MR. FISCHER:** Also, it's the proof of landings through trip
5 tickets. If you wanted to have a threshold of any amount -- If
6 you're giving this to an offshore vessel, hopefully it's
7 somebody who is actually harvesting, and you might want to have
8 even a minimal threshold of so many thousand pounds.

9
10 **CHAIRMAN ANSON:** Mr. Swindell.

11
12 **MR. SWINDELL:** The twelve months, is this for new applicants,
13 new people, wanting to get into the shrimp industry? Can they
14 get this permit?

15
16 **CHAIRMAN ANSON:** Ms. Bosarge.

17
18 **MS. BOSARGE:** If you're speaking to the proof of landings,
19 essentially my impression of what the AP was trying to do is
20 make sure that these permits don't end up getting held for
21 speculative purposes, thinking they're going to be worth
22 something in the future.

23
24 The purpose of the pool is so that hopefully we can have new
25 entrants that come into the fishery and fish the permit and
26 increase our overall landings. Right, Myron? That's why that
27 landings requirement within twelve months, and so essentially at
28 renewal, you've got to show us that you fished that permit, that
29 you're an active participant in the fishery.

30
31 **MR. SWINDELL:** Then what you're saying here is that if I want to
32 get into the shrimp business that I have to have designed,
33 built, and approved by the Coast Guard and everything within --
34 And have gone fishing within twelve months? That's not going to
35 happen, people. There is no way for that to get done in today's
36 shipbuilding.

37
38 **CHAIRMAN ANSON:** To that point, Ms. Bosarge.

39
40 **MS. BOSARGE:** I will just wrap it up, quickly. Essentially,
41 where we're at in the shrimp fleet right now, we're not building
42 new boats, and I don't know that anybody ever will build a new
43 boat, because that's where the Coast Guard regulations are for
44 us right now.

45
46 When you combine that with the profitability of the fishery, you
47 can't afford to build a million-dollar boat and go shrimping and
48 think you will make a profit. What you see, Ed, is that any

1 boats that are going to be utilized in the shrimp fishery are
2 out there already now. More than likely, they're probably
3 fishing in state waters right now, and so these permits will
4 probably be purchased by somebody that's actively shrimping
5 right now that wants to start actively fishing in federal waters
6 to supplement their state-water fishing, and so that's the road
7 that a lot of this was headed down, just because that's where
8 our industry is right now.

9
10 **CHAIRMAN ANSON:** Ms. Levy.

11
12 **MS. LEVY:** Real quickly, just to clarify that the intent is to
13 have this new language for Option d and the new Option e apply
14 to all the alternatives, just because Alternative 2 is listed up
15 there, but I'm assuming, unless I hear differently, that you
16 want the same options in all of the alternatives under this
17 action.

18
19 **CHAIRMAN ANSON:** Lieutenant Commander Brand.

20
21 **LCDR BRAND:** I just wanted to note two things about the safety
22 examination. As most of you know, prior to October of 2015,
23 these were voluntary dockside examinations. These are just
24 something that you could call your local commercial fishing
25 vessel safety examiner and he will come and do basically a
26 courtesy examination of your safety equipment, to make sure you
27 are in compliance and safe when you're out at sea.

28
29 After October of 2015, it's now a mandatory examination, and so,
30 in the ideal world, everybody is going to receive one and it's
31 mandatory. Just something for consideration is that we're still
32 manned at the voluntary level, and so now that we're required to
33 do every boat in the Gulf of Mexico, it's -- I'm not sure how
34 it's all going to play out, if there's going to be problems with
35 queuing or waiting for your examination, because if all of a
36 sudden twenty-five boats want an examination to go out fishing
37 because the season is about to start, I don't want that to
38 affect someone's permit.

39
40 It's also a good idea to have something to encourage them to do
41 this, because, as Dr. Crabtree said, when you have low gas
42 prices and high shrimp prices, you have people that haven't
43 taken their boat out to go catch shrimp in maybe ten years, and
44 they have a lot of safety problems. We've had a lot of
45 fatalities in the last five years, and so it's a been a big
46 problem that we've seen in the Gulf.

47
48 They made a lot of data, stats, that say that people with a

1 safety examination have about an 80 percent better chance if
2 something happens, because they have ensured that all their
3 safety equipment is in good shape. I just wanted to put that
4 out there for consideration.

5

6 **CHAIRMAN ANSON:** Thank you. Mr. Swindell.

7

8 **MR. SWINDELL:** I guess my point is that you could take -- You
9 can't even design -- It's hard to even get a vessel designed,
10 and if you're going to spend money to go out and get a vessel
11 designed and then apply for the permit, you've invested a lot of
12 money just in trying to get a design done. Twelve months is not
13 near enough time to have a vessel designed and getting the loan,
14 if you need to get a loan to help you with the expense of
15 getting this vessel done.

16

17 If you want to do something different than the standard way of
18 shrimping, you've got -- Twelve months is not near enough time
19 for you to -- You can't do any of this without first saying I
20 know I can get a permit, and you can't get a permit until you're
21 ready to go shrimping. Thank you.

22

23 **CHAIRMAN ANSON:** Mr. Riechers.

24

25 **MR. RIECHERS:** Ed is making a good point, because I think what
26 you're envisioning, Ed, is someone would get the permit and then
27 go about getting the vessel. I think the thought has been there
28 may be other vessels out there that they could put the permit on
29 or that are not permitted now.

30

31 What we may want to do is let them add this, Ed, and then look
32 at a sub-alternative, up underneath that, that would deal with
33 that length of time, and I think what you're suggesting is
34 something like eighteen or twenty-four months, something like
35 that, where those months could be a longer period of time there,
36 assuming, as you're suggesting, that someone is actually going
37 to go build a vessel to do this.

38

39 **CHAIRMAN ANSON:** I would like to wrap this up. We're a half-
40 hour, nearly, over the time that we had dedicated to this
41 report. Ms. Bosarge.

42

43 **MS. BOSARGE:** I'm going to speak in favor of the motion that's
44 on the board, and if we want to add sub-alternatives at a later
45 date, we can. I am not sure that it's necessary, Ed, simply
46 because if you're in that particular situation and you're
47 designing and building a boat and you need it now, you would
48 just go buy a permit that's in the fishery now. This is not the

1 only avenue to get a permit.

2
3 This is the twenty-five-dollar permit that's going to be
4 essentially open access, but if you need a permit now, there's
5 plenty of inactive permits in the fishery currently, and you
6 just go buy one of those. They cost a little bit more, but if
7 you're building a million-dollar boat, I don't think a couple
8 thousand dollars is going to bother you at that point. I will
9 speak in favor of this motion, and we can possibly tweak it in
10 the document later.

11
12 **CHAIRMAN ANSON:** All right, and so we have the motion on the
13 board. We're going to go ahead and take a vote right now. In
14 Action 5, under the alternatives to accept the AP and IPT
15 recommendations, to modify the language in Option d and add
16 Option e. The whole alternative has been up on the board for a
17 while with the options, including the new Option e. I am not
18 going to read that. **Is there anyone opposed to the motion? We**
19 **have one opposed and the motion carries.** Mr. Riechers.

20
21 **MR. RIECHERS:** I would move now that we remove Option b from
22 **Alternative 2.**

23
24 **CHAIRMAN ANSON:** Remove Option b in Action 5, Alternative 2?

25
26 **MR. RIECHERS:** Yes.

27
28 **CHAIRMAN ANSON:** We're going to have a revision to the motion.

29
30 **MR. RIECHERS:** Yes, and it seems like that's carried out through
31 **all of the alternatives, and so it would be Option b in all the**
32 **alternatives under Action 5.**

33
34 **CHAIRMAN ANSON:** Alternatives 2 through what, Robin? How many
35 alternatives?

36
37 **MR. RIECHERS:** 4.

38
39 **CHAIRMAN ANSON:** All right. It's in Alternatives 2 through 4 in
40 Action 5 to remove Option b. We've got a motion. I would like
41 to get it on the board and seconded before we have much more
42 discussion. The motion is in Action 5, Alternative 2 through 4.
43 Do we have a second to the motion?

44
45 **MR. SWINDELL:** I will second it.

46
47 **CHAIRMAN ANSON:** It's seconded by Mr. Swindell. Mr. Fischer.

48

1 **MR. FISCHER:** Is it a legal issue? I mean if it is a legal
2 issue, then we have a problem, but I was asking Mara, is it a
3 legal issue? I remember we struggled through this in many years
4 past, even when we talked about corporations, and naturalized
5 citizens was one of the terms we brought up, but is this a legal
6 issue that we -- Like we cannot exclude certain groups?

7
8 **MS. LEVY:** So when we talked about this at the last meeting, I
9 didn't say you could never exclude non-U.S. citizens. What I
10 said was that if, by this non-U.S. citizen or -- What does it
11 say? Be a U.S. citizen or business. If it didn't include
12 permanent resident aliens, that would probably be a problem,
13 because I couldn't think of any reasonable basis, rationale, for
14 saying it wouldn't be permanent resident aliens as well as U.S.
15 citizens.

16
17 Then I also said that even if you included U.S. citizens and
18 permanent resident aliens that you would have to have a very
19 good rationale for why these permits would only go to those
20 people when none of our other permits, other than our limited
21 access privilege IFQ-type permits, do not have this requirement.
22 I didn't say you had to take it out, but that there had to be a
23 really good reason for why shrimp permits could only be issued
24 to U.S. citizens and permanent resident aliens when our other
25 permits don't have that same requirement.

26
27 **CHAIRMAN ANSON:** Mr. Swindell.

28
29 **MR. SWINDELL:** My understanding is that you can't be -- That a
30 U.S. fishing vessel has to have at least 75 percent ownership of
31 U.S. citizens. Am I correct? I mean I know of a fishing
32 company that has just been sold, and the foreign people that
33 bought the company cannot own the fishing vessels for at least
34 three years. They have to become U.S. citizens before they can
35 hold total ownership of the fishing vessel. They can own 25
36 percent, but not more than that. To me, the Option b is kind of
37 not needed.

38
39 **CHAIRMAN ANSON:** Robin.

40
41 **MR. RIECHERS:** I think, Mara, what you're suggesting is either
42 we need to reword it, if we want to keep it in here, and/or,
43 more importantly, we better find a rationale, if you want to
44 keep it in here. If you want to keep it in here, vote no to the
45 motion, and then we had better find some rationale. Otherwise,
46 we're going to have to remove it or, at some point, you are
47 going to suggest we remove it again.

48

1 **MS. LEVY:** I mean it doesn't have to be removed, although I
2 would strongly suggest that it says "U.S. citizen or permanent
3 resident alien", but, if you selected it as a preferred, there
4 is going to have to be, in my opinion, again, a very good reason
5 for why this would be required for a shrimp permit when it's not
6 required for our other permits, like reef fish and CMP. As far
7 as I can tell so far, there hasn't been a good reason, but maybe
8 that's because there hasn't been a discussion about it, but it's
9 going to be a very high burden to meet.

10
11 **CHAIRMAN ANSON:** Mr. Fischer, did you have your hand raised?
12

13 **MR. FISCHER:** Have we discussed the phrase, and does it solve
14 any problems, if it has to be a U.S.-flagged vessel, because the
15 permit is on the vessel.
16

17 **CHAIRMAN ANSON:** Ms. Bosarge.
18

19 **MS. BOSARGE:** I think there's a lot of different ways we could
20 modify the wording. I think, if we feel strongly that that's
21 what we want to do, maybe we should simply vote this motion
22 down, and we're out of time, I guess, today, but at our next
23 meeting, come up with some verbiage that will tweak it so that
24 we meet our goal, but we don't have a legal issue. Staff can
25 probably help us with that.
26

27 **CHAIRMAN ANSON:** All right, and so the motion is in Action 5, in
28 Alternatives 2 through 4, remove Option b. Option b is be a
29 U.S. citizen or business. **Anyone in favor of this motion,**
30 **please raise your hand.**
31

32 **EXECUTIVE DIRECTOR GREGORY:** Two.
33

34 **CHAIRMAN ANSON:** All those opposed.
35

36 **EXECUTIVE DIRECTOR GREGORY:** Fourteen.
37

38 **CHAIRMAN ANSON:** **The motion failed two to fourteen.** Ms.
39 Bosarge, can you continue with the report, please?
40

41 **MS. BOSARGE:** Yes, I will try and finish this up. The committee
42 reviewed Action 6 and the comments that were submitted by the
43 LETC. Staff will add the IPT-proposed Alternative 4, which the
44 LETC did not review.
45

46 Brandi Reeder informed the committee of the LETC's concerns
47 regarding the TED compliance boarding form. The committee did
48 not review the SSC summary or conduct other business, because we

1 ran out of time. Mr. Chairman, this concludes my report.

2
3 **CHAIRMAN ANSON:** Thank you, Ms. Bosarge. That will take us to
4 our next agenda item, the Mackerel Committee. Dr. Dana, are you
5 ready with that? We had scheduled a break at 10:30. We can go
6 through your report and kind of see where we end up, but go
7 ahead and start it, please.

8
9 **MACKEREL COMMITTEE REPORT**

10
11 **DR. DANA:** I was going to have Myron Fischer overview this,
12 because he led the committee. However, he has asked for a
13 break, respectfully.

14
15 **CHAIRMAN ANSON:** Does that mean that he still will be doing the
16 report and we have to take a break now? You were not here, and
17 you're correct, and so we will take our break that was scheduled
18 at 10:30. We will take it now. Anyone who needs to check out,
19 please do so now. We will take it for the full fifteen minutes.

20
21 (Whereupon, a brief recess was taken.)

22
23 **CHAIRMAN ANSON:** Mr. Fischer, I think you will be handling the
24 report?

25
26 **MR. FISCHER:** Yes, Mr. Chairman. The Mackerel Chairperson
27 persuaded me that I was the appropriate party, even though some
28 council members have a hard time understanding my accent. I
29 will try to talk in this mid-American clear type of accent
30 through this document.

31
32 **CHAIRMAN ANSON:** Myron, that's their fault and not yours if they
33 can't understand you.

34
35 **MR. FISCHER:** We feel the same way. Okay. Down to business.
36 Tab C, the Mackerel Committee Report, and this was from April 4.
37 I was the Vice Chair, and I was sitting in on it.

38
39 This is on the Coastal Migratory Pelagics Amendment 26. We have
40 about half-a-dozen or less, about four to six, actions we will
41 be voting on in here, with a lot of language in between.

42
43 Staff took Coastal Migratory Pelagic Amendment 26 out for public
44 hearings in late February and March of this year. The amendment
45 addresses king mackerel annual catch limits, commercial zone
46 management, allocations, sale provisions, and recreational bag
47 limits.

1 Action 1, Adjust the Management Boundary for Gulf of Mexico and
2 Atlantic Migratory Groups of King Mackerel, the committee
3 continued to support the councils' already previously preferred
4 alternative, which is Alternative 3, which is also recommended
5 by the Gulf and South Atlantic Coastal Migratory Pelagic
6 Advisory Panels. Oral and written public comments received
7 support the councils' preferred alternative.

8
9 Action 2-1 is to Revise the Acceptable Biological Catch for
10 Atlantic Migratory Group King Mackerel. The committee made no
11 changes, and so if someone wants to make a change, notify the
12 Chairman and he will jump in and stop me.

13
14 The SEDAR 38 stock assessment showed that the Atlantic migratory
15 group is healthy. The South Atlantic CMP AP suggested that a
16 large recruit class of small fish is coming into the Atlantic.
17 The committee continued to support the councils' preferred
18 alternative, which is Alternative 2.

19
20 Action 2-2 is Revise ACLs, Commercial Quotas, and Recreational
21 ACT for Atlantic Migratory Group King Mackerel. Based on public
22 comments and testimony received, the South Atlantic Council
23 changed their preferred alternative in Action 2-2 from
24 Alternative 3, ACL equals OY equals deterministic equilibrium
25 yield at F 30 percent SPR equals 12.7 million pounds, to
26 Alternative 2, ACL equals ABC.

27
28 South Atlantic fishermen stated that there is an abundance of
29 young fish on the Atlantic coast, which they think is indicative
30 of strong recruitment from a healthy stock. **The committee**
31 **recommends, and I so move, in Action 2-2, to make Alternative 2**
32 **the Preferred Alternative.**

33
34 **CHAIRMAN ANSON:** We have a committee motion on the board. Is
35 there any discussion on the motion? **Is there any opposition to**
36 **the motion? Seeing none, the motion carries.**

37
38 **MR. FISCHER:** Staff were asked if the commercial sector of the
39 Gulf king mackerel fishery could reopen in the spring if the
40 proposed ACL increases in the document were approved. Staff
41 replied yes, so long as there was adequate time remaining in the
42 current fishing season and that the sector's revised ACL had not
43 yet been landed.

44
45 Action 3, Incidental Catch of Atlantic Migratory Group King
46 Mackerel Caught in the Shark Gillnet Fishery, the committee
47 continued to support the councils' preferred alternative,
48 Alternative 3, which is also recommended by the Gulf and South

1 Atlantic Coastal Migratory Pelagic Advisory Panels.

2
3 Action 4, Establish Commercial Split Seasons for Atlantic
4 Migratory Group King Mackerel in the Southern Zone, the main
5 concern for the South Atlantic Council with respect to Action 4
6 is managing changes in catch-per-unit-effort over time to keep
7 the commercial king mackerel fishery in the Atlantic Southern
8 Zone open.

9
10 The movement of fishermen from that zone to the Atlantic
11 Northern Zone and into the Gulf is largely driven by declines in
12 the CPUE, which result in fishermen traveling to areas where
13 fishing is better.

14
15 Of the 531 vessels registered with commercial king mackerel
16 fishing permits on the east coast of Florida, only 106 had
17 landings in any of the Gulf commercial zones between 2004 and
18 2015. Of those 106, only thirty-five had landings in at least
19 ten months within that timeframe, 138 months total.

20
21 High-participation traveling fishermen, about ten vessels, are
22 thought to be likely to travel, regardless of season
23 delineations, usually from July to November. The number of
24 traveling fishermen have increased since 2010, coinciding with a
25 decrease in commercial king mackerel landings in the Atlantic.
26 In recent years, 2010 to present, those fishermen have landed
27 approximately 50 percent of the commercial ACL in the Gulf
28 Western Zone.

29
30 The South Atlantic's current preferred alternative is
31 Alternative 2, which would allocate the Atlantic Southern Zone
32 quota for Atlantic king mackerel into two split season quotas,
33 60 percent to the period March 1 to September 30, Season 1, and
34 40 percent to the period October 1 to the end of February,
35 Season 2.

36
37 Any remaining quota from Season 1 would transfer to Season 2,
38 with any remaining quota from Season 2 not carrying forward.
39 When the quota for a season is met or expected to be met, that
40 season would close. The ratios for splitting the season
41 coincide with the landings trend for the months specified for
42 that season.

43
44 Committee members thought that the high-participation traveling
45 fishermen were likely to travel regardless of any split season
46 structure. An increase in the Atlantic ACL, which is in Action
47 2- 1 and 2-2, may help keep some traveling fishermen in the
48 Atlantic. The high-participation travelers are all well-known,

1 operate larger boats than some of the newer entrants, and often
2 sleep on their boats. Some committee members thought that
3 Action 4 was not likely to impact Gulf fishermen either way.
4

5 **The committee recommends, and I so move, in Action 4, to make**
6 **Alternative 2 the preferred alternative, and it's on the board,**
7 **Mr. Chairman.**
8

9 **CHAIRMAN ANSON:** Thank you. There is a committee motion. Is
10 there any discussion on the motion? Mr. Swindell.
11

12 **MR. SWINDELL:** I will second it.
13

14 **CHAIRMAN ANSON:** It's a committee motion, and so it doesn't need
15 a second, but thank you. Any discussion on the motion? **Any**
16 **opposition to the motion? Seeing none, the motion carries.**
17

18 **MR. FISCHER:** The South Atlantic Council selected Alternative 3,
19 Option 3b, and Alternative 4, Option 4a, as preferred, citing a
20 desire to keep moderate controls on fishing effort in order to
21 ensure that the Atlantic commercial king mackerel fishing season
22 stayed open as long as possible.
23

24 **The committee recommends, and I so move, in Action 5, to concur**
25 **with the South Atlantic Council and to make Alternative 3,**
26 **Option 3b, and Alternative 4, Option 4a, the preferred**
27 **alternatives. It's on the board, Mr. Chairman.**
28

29 **CHAIRMAN ANSON:** We have a committee motion. Is there any
30 discussion on the motion? **Is there any opposition to the**
31 **motion? Seeing none, the motion carries.**
32

33 **MR. FISCHER:** Action 6, Modify the ACL for Gulf Migratory Group
34 King Mackerel, the committee continued to support the councils'
35 preferred alternative, Alternative 2, which is also recommended
36 by the Gulf and South Atlantic Coastal Migratory Pelagic
37 Advisory Panels. Oral and written public comments received
38 support the councils' preferred alternative.
39

40 Action 7, Revise the Commercial Zone Quotas for Gulf Migratory
41 Group King Mackerel, Gulf Coastal Migratory Pelagic Advisory
42 Panel members developed and recommended Alternative 4, which is
43 currently preferred by both councils, and which the AP thought
44 best represented a fair and equitable compromise for the
45 distribution of the commercial allocation among the zones. Oral
46 and written public comments received by the Gulf Council support
47 both Alternatives 3 and 4.
48

1 The original Gulf commercial zone allocations were established
2 in 1998, and were designed to protect the commercial king
3 mackerel fishery in the Gulf Southern Zone, while essentially
4 capping the growth of the same in the Gulf Northern Zone.

5
6 Committee members acknowledged that any of the alternatives in
7 Action 7 were likely to disappoint some. One committee member
8 remarked that an IFQ problem could solve a majority of the
9 issues and complexities of the commercial king mackerel fishery.

10
11 The committee Chair asked a Gulf CMP AP member present in the
12 audience to clarify the AP's position. The AP member stated
13 that effort in the Gulf Northern Zone has increased over the
14 years, both from Gulf and traveling Atlantic fishermen, and that
15 the effort from the traveling fishermen usually resulted in the
16 Gulf Northern Zone's quota being met prior to the conclusion of
17 the charter fishing season and prior to the arrival of king
18 mackerel off the coast of Tampa Bay. This may be an issue that
19 council members want to weigh in on, or seeing none, we can move
20 forward.

21
22 **CHAIRMAN ANSON:** I don't see any and so continue on, please.

23
24 **MR. FISCHER:** Action 8, Revise the Recreational and Commercial
25 Allocations for the Gulf Migratory Group King Mackerel, both
26 councils currently prefer Alternative 1, no action. Oral and
27 written public comments received by the Gulf Council largely
28 support the councils' preferred alternative. However, some
29 support has been voiced for some variation of reallocation from
30 the recreational sector to the commercial sector.

31
32 A committee member added that several of the issues within the
33 Gulf commercial king mackerel fishery could be resolved by
34 reallocation, including managing the stock at optimum yield.

35
36 **The committee recommends, and I so move, in Action 8, to make
37 Alternative 4, Options b and f, the preferred alternative.**
38 Those are on the board, Mr. Chair.

39
40 **CHAIRMAN ANSON:** We have a committee motion. Do we have any
41 discussion? Dr. Dana.

42
43 **DR. DANA:** Thank you, Chairman Anson. I would like to make a
44 motion that in Action 8 to make Alternative 1 the preferred
45 alternative, a substitute motion.

46
47 **DR. CRABTREE:** A point of order. I mean that already is the
48 preferred, and so if you want to retain it as the preferred, you

1 would vote down the committee motion.
2
3 **DR. DANA:** So what do I do here?
4
5 **DR. CRABTREE:** Vote against the committee motion.
6
7 **DR. DANA:** All right. Is there going to be an opportunity for
8 discussion on the pros and cons of this?
9
10 **DR. CRABTREE:** Right now, I believe.
11
12 **DR. DANA:** Right now? Do I have the floor, Chairman Anson?
13
14 **CHAIRMAN ANSON:** Yes. What are you going to do with the
15 substitute motion? Do you want to withdraw it then?
16
17 **DR. DANA:** For the point of order, I'm going to withdraw the
18 substitute motion.
19
20 **CHAIRMAN ANSON:** Okay. You still have the floor for discussion
21 relative to the motion that's on the board.
22
23 **DR. DANA:** Thank you, Chairman Anson. In Amendment 26, and this
24 has been going around for several years, back and forth between
25 the Gulf and the South Atlantic Council. At times, it's been
26 painful, as we've all known.
27
28 We finally have gotten to a point where the South Atlantic, in a
29 somewhat gracious way, has agreed to all of our preferred
30 alternatives, except for one, which was the split seasons, and
31 we've agreed to go with them on that, and so we're ready to go
32 final today and send this amendment to the Secretary. In doing
33 so, we're enabling an increase in the allocation for all the
34 Gulf zones in 2016.
35
36 If we make changes to this amendment today, we must send it back
37 to the South Atlantic for their review and concurrence and
38 critique and/or change. Sending this back to the South Atlantic
39 will push the realization of an increased allocation for the
40 Gulf into 2017, impacting our 2016 mackerel season, and this is
41 totally unnecessary. I don't want to delay this allocation
42 increase, nor I would hope any of you would want to.
43
44 The AP met on this item and discussed it thoroughly and
45 thoughtfully. I was there, and their unanimous recommendation
46 was that our preferred alternative be kept -- That the
47 allocation split be kept the same between the recreational and
48 the commercial, as status quo. That was a 68 recreational and

1 32 commercial.

2
3 Among other things, the AP wanted the recreational sector to
4 have the opportunity to fish their newly increased bag limit and
5 see how that impacted the overall mackerel effort and the
6 meeting of the sector allocations, and they also voted not to
7 support a reallocation at this time.

8
9 Further, in the mackerel public hearings, held Gulf-wide, the
10 commercial and charter industry reps reiterated the sentiment to
11 stick with the status quo split between commercial and
12 recreational. Finally, yesterday, with one exception, in our
13 public testimony, all inputs on Amendment 26 were for the
14 council to support the AP recommendations and the council's
15 original preferred and to take this amendment to final action
16 today.

17
18 We need to support the Mackerel AP and the mackerel user groups
19 and take Amendment 26 to final, so that we can realize our Gulf
20 allocation increase in 2016. Frankly, we need to stop kicking
21 this can down the road. We've been working on it for years, and
22 we need to just move this forward.

23
24 Now, I can say that reallocation does merit consideration, and
25 if it's the right thing to do, we can easily readdress this in
26 the future, under a separate action. However, I feel strongly
27 that we cannot, in good conscience, put this season's mackerel
28 season in jeopardy by sending this amendment back to the South
29 Atlantic. Thank you.

30
31 **CHAIRMAN ANSON:** All right. I have Mr. Fischer, followed by Mr.
32 Diaz.

33
34 **MR. FISCHER:** Mr. Chairman, considering this document has other
35 action items that gives every section of the Gulf an increase in
36 quota, we don't want to slow it down for the mackerel fishermen.
37 Would you think it's prudent at this time if someone were to
38 make a motion to take Action 8 and put it in a stand-alone
39 document that could track -- Give it another meeting and this
40 document could go final while we work on the changes in Action 8
41 and what would be necessary, whether it's vote it up or down,
42 rather than send it back to the South Atlantic now, and it might
43 slow down this increase that the Gulf fishermen are going to see
44 throughout the entire Gulf?

45
46 **CHAIRMAN ANSON:** To that point, Dr. Crabtree.

47
48 **DR. CRABTREE:** I think what you're proposing is good. It's only

1 about technically how to do it. I think, technically, if we
2 took this action out of the amendment, then it would have to go
3 back to the South Atlantic and they would have to concur.

4
5 I think, if you want to do that, what you should do here is vote
6 down this motion and stay with no action as your preferred.
7 Then pass a motion to take this action and put it in a separate
8 amendment and continue working on it.

9
10 **CHAIRMAN ANSON:** Mr. Diaz.

11
12 **MR. DIAZ:** I had emailed a chart to the staff, and they're going
13 to put it up on the board here in just a second, but I do want
14 to make a couple of points. I do think that Dr. Dana has a lot
15 of good points, and I understand a lot of your concerns, and I
16 think most of what you said I agree with, but I've got some
17 issues.

18
19 First off, early in this report, Myron just read that SEDAR 38
20 said the stock is healthy. It's not overfished and it's not
21 undergoing overfishing, and so we've got a very healthy stock.

22
23 I asked Ryan a couple of weeks ago to just break out the
24 recreational sector and their landings over the last fifteen
25 years, to where we could just look at it. On the board right
26 now, you have a chart which shows from 2001 through 2015, and
27 it's got the recreational ACL, the recreational landings, and
28 then the remainder from each year that is associated with those
29 years.

30
31 One of the reasons that I keep coming back to this that I think
32 it's important that we deal with it and we figure out the
33 appropriate way to deal with it is National Standard 1 says that
34 conservation and management measures shall prevent overfishing,
35 while achieving, on a continual basis, optimum yield from each
36 fishery for the United States' industry.

37
38 If you can look at the columns there, for each year in the
39 remainder, it shows how many fish, from just the recreational
40 sector alone, were not used. I did an average on it, just so I
41 could tell you all, but if my numbers are correct, it's a little
42 over 4.1 million pounds, 4.1 million pounds that we're averaging
43 over fifteen years that are going unused.

44
45 At this time, the commercial sector mostly uses their quota, and
46 so if there was a way to get them some more fish, I think it
47 would be beneficial to the nation.

1 What Ms. Bosarge has proposed here is a loan program, and so
2 this program, it only loans the fishermen, the commercial
3 fishermen, part of the recreational ACL, and it's got a
4 condition in it, which is in here, which I think is very
5 conservative.

6
7 The condition is that if the recreational sector gets within 10
8 percent of their ACL that all the fish revert back, and so I
9 don't see that there's any way that the recreational sector can
10 lose in this. I think it's a very good way to go forward.

11
12 I feel strongly about it, because I think National Standard 1
13 tells us to try to manage this fishery better. Now, even if we
14 do this, what we're proposing is 10 percent, and then use the 90
15 percent threshold. There is still going to be a remainder of
16 fish.

17
18 If history shows us anything, there is a good likelihood that
19 there will be a remainder of fish that will still be left out
20 there for maybe some other people's comfort to add something,
21 but it doesn't add. The stock assessment, we've had this
22 remainder and the stock assessment has left us basically flat,
23 and so it's not like we're getting more fish for leaving more
24 fish.

25
26 Before I leave this, I want to do one more thing. Can you all
27 put up that second chart that we had talked about? Then I will
28 be quiet for a little while. I'm sure there's some other people
29 that want to talk, but I feel strongly about us doing something
30 on this.

31
32 I do want to address the timing issue though, Dr. Dana, before I
33 leave this. I asked them to show the other chart, and this is
34 what Dr. Branstetter showed earlier in the week. I asked him to
35 put this in his presentation so we would have some idea.

36
37 In previous meetings, we've had some members say that last year
38 the recreational sector caught a little more than they normally
39 have, and they did. They caught a little more, and so I was
40 interested to see, with the waves that we have so far, where are
41 we at this year?

42
43 We've had three waves that have went. I'm having a hard time
44 seeing that, but, basically, the three waves that we've had so
45 far this year, we're fishing way below what we fished at last
46 year on the recreational side, and I did the calculations. If
47 my numbers are correct, from this year from last year, for the
48 first three waves, we're over 1.1 million pounds behind this

1 year where we were last year on the recreational sector fishing.
2
3 Dr. Branstetter made the comment when he read the report that
4 we're on pace for a normal year, the way it was before last
5 year, and so I just wanted to point that out. I know I've had
6 the floor a long time and probably talked way too much. I might
7 have talked some people out of supporting me at this point, but
8 I do think your timing issue is a very valid issue, Dr. Dana,
9 and there might be a way where we could halfway accommodate your
10 concern.

11
12 If we move forward today, we can't completely accommodate your
13 timing concern, but I asked Executive Director Gregory if there
14 was a way, if we passed this today, if we could handle going
15 through these documents through a webinar.

16
17 What would have to happen is the South Atlantic would have to
18 agree to do a webinar and we would have to do agree to a webinar
19 to approve this action. If were to do that, we could do it a
20 little bit quicker. It's my understanding that if we do a
21 webinar that we have to give the public three weeks of notice.
22 Instead of a two-month delay, we probably could get away, if we
23 agreed to do a webinar, and if nobody else throws a monkey
24 wrench into the webinar idea -- If we agreed to do a webinar,
25 instead of a two-month delay, we could get away with about a
26 one-month delay, if nothing else slows this document down.
27 Thank you, Mr. Chairman.

28
29 **CHAIRMAN ANSON:** I have a few folks that want to talk. It would
30 be Ms. Bademan, Mr. Sanchez, Dr. Crabtree, and Mr. Fischer. Ms.
31 Bademan.

32
33 **MS. BADEMAN:** I actually didn't have my hand raised, but I will
34 talk if you want to put me in the queue. I am not going to
35 support the motion that's on the board. I know nobody can see
36 it right now, but that's the one to change, that we would do
37 some reallocating here.

38
39 I attended the second AP meeting of the CMP AP. I went into
40 that meeting kind of with an open mind on this action. I kind
41 of figured there would be recreational folks in one camp that
42 wanted to go where they wanted to go and commercial in the
43 other.

44
45 That AP meeting really convinced me. With the exception of
46 maybe one or maybe two people, everybody around the table,
47 charter, commercial, private rec, western Gulf and eastern Gulf,
48 everybody kind of felt like what we needed to do right now was

1 stay the course with allocation.

2
3 That certainly convinced me. I am also concerned about the
4 timing of this. I don't want to delay it. I know that the
5 industry, particularly the commercial industry, has been waiting
6 for this quota for quite a long time, and I don't want to hold
7 that up for them.

8
9 I also kind of feel like if the council wants to reallocate in
10 this fishery, that's fine, but, to me, I think just reallocate
11 it. I'm a little bit concerned about the we're going to
12 transfer 10 percent or whatever percent to commercial and then
13 the potential for that to go away.

14
15 I would hate for the industry to invest, assuming that they're
16 going to have the extra quota to work on and so buying new gear
17 and upgrading their boats and so on and so forth and then for
18 that quota to just disappear, because the recreational hit that
19 threshold. That's one concern I have with this alternative in
20 particular. Thanks.

21
22 **CHAIRMAN ANSON:** Mr. Sanchez.

23
24 **MR. SANCHEZ:** Early in the week, during the committee, I was
25 kind of alluding to being torn between doing what I thought
26 would be the correct thing, according I guess to me, in this and
27 weighing out not wanting to hold up potential increases for the
28 industry as a whole.

29
30 After thinking this through, while I am a strong advocate of
31 this conditional transfer method and I fully want to explore it
32 at some other point down the road and we can get to that
33 technically, where it doesn't affect this, I think, in the
34 interest of benefitting everyone who's been waiting for an
35 increase, I would just as soon stick with Preferred Alternative
36 1, so that we can go forward with an increase and have everybody
37 receive those benefits and then take up these issues that I will
38 strongly support then, divorcing from the South Atlantic, et
39 cetera, et cetera, that you heard me speak about before. We
40 could take those up at some other time.

41
42 **CHAIRMAN ANSON:** Dr. Crabtree.

43
44 **DR. CRABTREE:** I have some of the same timing concerns that Pam
45 raised, but I think the issue here of not achieving optimum
46 yield is legitimate, but I think my preference would be to move
47 the amendment forward now with status quo on this one, but then
48 take this action out and bring it back to the council as an

1 amendment to deal with this.

2
3 I think that -- I'm not convinced we have fully thought through
4 exactly how this ought to work. It seems, to me, we ought to
5 revisit the accountability mechanisms on this, because we want
6 to make sure that the recreational fishery doesn't get shut down
7 because they hit their ACL in a year and we're not able to give
8 back the borrowed quota for that year, and it seems to me that
9 can be addressed through some modifications to the
10 accountability measure.

11
12 I also think the idea of carryover might be a way to address
13 this. If we have millions of pounds of uncaught quota, it might
14 be possible to carry that over to the next year, but then
15 allocate it to the sector that did catch their quota the
16 previous year, rather than to the sector that did.

17
18 I don't know exactly how much spread we have between the
19 overfishing level and the ABC, but there might be a way to
20 address that by carrying quota over, and that might be more
21 acceptable to people, because you're not really taking anything
22 away in a given year. You're taking fish that normally would
23 have just been left in the water and changing how they're
24 allocated in some fashion.

25
26 I think there are ways we could probably do this, and I come
27 back to looking at red grouper the other day. We seem to be in
28 a situation where we had a need for fish on the recreational
29 side, but not on the commercial side, and I wonder if there's
30 not something like this that we could do there, going the other
31 way, and I think that's worth considering.

32
33 Those are my thoughts on it, but I think right now that my
34 preference would be to move this amendment through and then take
35 a little more time to think this fully through on all the ways
36 we might could do it. It seems to me we could bring this back
37 and probably vote it up in the fall sometime.

38
39 **CHAIRMAN ANSON:** Mr. Fischer.

40
41 **MR. FISCHER:** Roy echoed most of what I had to say. I just
42 would not like to slow this down, because everyone everywhere in
43 the Gulf wins with this document, but I would like to take this
44 up in another document. I am not certain about the webinar. It
45 may be a valid method, but if the South Atlantic votes it down,
46 then it just reverts back to us at our next meeting. Then we're
47 just delaying it again. I will vote in a method that would
48 expedite the document through.

1
2 **CHAIRMAN ANSON:** I have Camp, followed by Chris Conklin and then
3 John Sanchez.

4
5 **MR. MATENS:** Thank you, sir. This is a tough one for me. I'm
6 in favor of the idea of moving some of this allocation to a
7 sector that needs it from a sector that's not utilizing it. I
8 have two concerns. One was that temporary would stop becoming
9 temporary in a couple of years, and, secondly, the second chart
10 that Dale called for, and I'm speaking -- If you don't mind
11 putting it up, but I'm speaking from memory.

12
13 In the July/August wave, in the year prior to the last year in
14 which we have data, there was four-hundred-thousand-some-odd
15 pounds of these things caught. In that same wave, in the last
16 year in which we have data, it's 1.4 million.

17
18 I don't want to question that the data cannot be correct, but
19 that seems like an anomaly. It's really hard for me to believe
20 that another million pounds got caught in this wave, and,
21 earlier, I was thinking that when the number was floating around
22 that last year the recreational guys got 62 percent, I was a
23 little concerned.

24
25 The fact that those numbers there may not be as accurate as they
26 could be gives me some hope. Whether there should be a 10
27 percent shift or a 5 percent shift -- Quite frankly, I would
28 probably support a 5 percent shift.

29
30 I understand everything you guys are saying about not moving
31 this document forward, and I'm all for moving this document
32 forward. In saying that, Roy has an interesting tactic about
33 moving the unused portion forward. I don't know whether that's
34 possible or not, but that's intriguing, and that's really what I
35 have to say about this. Thank you very much.

36
37 **CHAIRMAN ANSON:** Thank you. Chris Conklin.

38
39 **MR. CONKLIN:** Thanks. SEDAR 38, all of this started in December
40 of 2013. It's been a long time coming. There's been a lot of
41 back-and-forth and a lot of hard work on this. The South
42 Atlantic Council is ready to get this moved on with.

43
44 We've been talking for a couple of years about something similar
45 to the Bosarge Plan. It's certainly something to look at, and
46 we're thinking about maybe trying something in a separate plan
47 amendment for sort of a generic type of tool that you could use
48 for any species that you might need, or not use it. That is

1 something that we're looking at on down the road, and so I just
2 wanted to let you know that if you wanted to do a plan amendment
3 and do that that you could.

4
5 **CHAIRMAN ANSON:** Mr. Sanchez, you're going to be the last
6 person.

7
8 **MR. SANCHEZ:** Thank you. I say let's move forward, again, in
9 the interest of optimizing some increased fish for the benefit
10 of the fishermen, the nation, et cetera, and I'm not overly
11 optimistic that if we don't move forward today that we won't
12 find a way to slow this up and throw monkey wrenches at it and
13 do everything else that we tend to do, and so let's go ahead and
14 give these guys that increase.

15
16 **CHAIRMAN ANSON:** There are two folks that wanted to speak on
17 this issue that have not, and so I will indulge Ms. Bosarge.

18
19 **MS. BOSARGE:** Thanks. Timing is important, and I think we've
20 had a good conversation around this table that we will support -
21 - Today, if we choose no action as a preferred, our main goal is
22 the timing, that we need to get -- It doesn't necessarily speak
23 to our true decision on where this allocation should be and how
24 we should handle it. It speaks more to the timing of the
25 overall document, and that that kind of trumps making some
26 changes right now.

27
28 I think that's a good conversation, and I hope everybody will
29 stay true to that in the future and really take a look at this.
30 I think that the public testimony, both commercial and
31 recreational last night, it tells me that we have to do
32 something around this table to show these two groups that they
33 can work together, that they don't have to hate each other, and
34 that it doesn't have to be my way or the highway, all in one
35 direction or all in the other.

36
37 For that reason, I prefer the loan program route over possibly
38 what Dr. Crabtree even said, because I really don't want it to
39 happen behind the scenes. I want it to be front and center. I
40 want those two groups to see that they're sharing -- We can't
41 share in everything. There are some things we fully utilize,
42 but there are some places we can share, and I think that needs
43 to be front and center if we ever want to manage our fisheries
44 in a way that's truly sustainable where our job is a lot easier
45 around this table, because they talk to each other and they can
46 see it from the other one's perspective, and we move forward as
47 a group, rather than two polarized industries.

1 One question. Mara, can I make a substitute motion? My
2 question is, is this close enough to the motion that's on the
3 board to be a substitute? The substitute would be that Action
4 8, that a new document is formed -- Action 8 will stay in the
5 document it's in, but, right now, we have a motion on the board
6 that would begin work on a separate amendment which includes
7 Action 8 from the current amendment that we're looking at, along
8 with any associated accountability measures that need to be
9 addresses in the king mackerel fishery. Is that -- Because I
10 can't say I want to pull Action 8 out of the document, that my
11 substitute is to pull Action 8 out of the document and look at
12 it in a separate amendment.

13
14 I can't do that, because that will hold up this amendment. Is
15 that close enough to be a substitute, so that we make sure this
16 goes forward? If we vote that up, then we don't change our
17 preferred, right? The other motion is -- Is it not close
18 enough?

19
20 **MS. LEVY:** I think you need to deal with the preferred
21 alternatives in the amendment first. This is all going to what
22 the appropriate preferred is. Then, once you deal with that,
23 make a motion to start a new document that looks at the options
24 that are in Action 8 or something like that.

25
26 **CHAIRMAN ANSON:** I agree with that, with Ms. Levy's assessment.
27 Do you withdraw your motion, substitute motion?

28
29 **MS. BOSARGE:** If it's not appropriate, then yes, we need to
30 withdraw it, and I hope though we'll still have a show of hands
31 around the table from a few people that show that we see that we
32 do have some support for continuing on with the allocation
33 discussion.

34
35 **CHAIRMAN ANSON:** To that point, Mr. Diaz?

36
37 **MR. DIAZ:** Leann said this a couple of meetings ago, and I think
38 she's right. Right now, the motion that's on the board is a
39 loan program. It's a soft shift that's been called the Bosarge
40 Plan and a whole lot of other things, but when we start a new
41 document, no matter how we -- Some of the options is going to be
42 to fully reallocate this.

43
44 This is going to be a reallocation document. What little
45 experience I have with reallocations, they're extremely
46 difficult. I don't know where we're going to get with that, but
47 at least some of the public is going to perceive this as being a
48 hard reallocation, and I think it's a lot harder road to go down

1 than dealing with it right here right now. Thank you.
2
3 **CHAIRMAN ANSON:** Dr. Lucas, you had your hand raised?
4
5 **DR. LUCAS:** I was going to agree with some of what Dale said and
6 what other people had said. I do agree with some shift, even if
7 it is a soft shift, in the allocation, but I understand
8 everybody's concern about timing of this document and timing of
9 the South Atlantic and the issues with the webinar, and so it is
10 a tough one, and I feel like it will -- Once we remove this, it
11 will take a long while to get to an answer. I wish we could get
12 there sooner, but, for the sake of moving the document, I will
13 vote against the motion.
14
15 **CHAIRMAN ANSON:** All right, and we're going to go ahead and vote
16 on the motion. Again, if you're in favor of this motion, it
17 will cause delay. It will have to go back to the South Atlantic
18 Council and they will deliberate. I just wanted to remind
19 everyone about that. **Anyone in favor of the motion.**
20
21 **EXECUTIVE DIRECTOR GREGORY:** Three.
22
23 **CHAIRMAN ANSON:** All those opposed.
24
25 **EXECUTIVE DIRECTOR GREGORY:** Three to thirteen.
26
27 **CHAIRMAN ANSON:** **The motion fails three to thirteen.** Thank you.
28 That will make the preferred alternative is Preferred
29 Alternative 1 in Action 8. Mr. Fischer, can you continue with
30 your report, please?
31
32 **MR. FISCHER:** Yes, Mr. Chairman. We're on Action 9, to Modify
33 the Recreational Bag Limit for Gulf Migratory --
34
35 **CHAIRMAN ANSON:** Mr. Fischer, hold on. Dr. Crabtree, you want
36 to --
37
38 **DR. CRABTREE:** I thought there was a desire to make a motion to
39 put this in another amendment.
40
41 **MR. FISCHER:** Procedurally, I think we should do that after the
42 committee report, or else we don't want to add it to this
43 document and then the South Atlantic has to -- We altered the
44 document.
45
46 **CHAIRMAN ANSON:** Okay, and so we will go ahead, Myron.
47
48 **MR. FISCHER:** So we're on Action 9, to Modify the Recreational

1 Bag Limit for Gulf Migratory Group King Mackerel. The committee
2 continued to support the councils' preferred alternative,
3 Alternative 2, which is also recommended by the Gulf and South
4 Atlantic CMP Advisory Panels. Oral and written public comments
5 received support both the councils' preferred alternative and
6 the no action alternative.

7

8 **CHAIRMAN ANSON:** Dr. Dana.

9

10 **DR. DANA:** Procedurally then, given that we've moved all the way
11 through Amendment 26, am I correct, Myron -- Since we've moved
12 through 26, do we need to make this final and have a roll call
13 to send it to the Secretary? Ryan, do you want to -- When do we
14 do that?

15

16 **MR. FISCHER:** When we turn the gavel over to you.

17

18 **DR. DANA:** I did raise my hand and was recognized. Can I ask
19 Ryan how we would proceed?

20

21 **CHAIRMAN ANSON:** I believe you're correct. We need a roll call
22 vote to send it to the Secretary.

23

24 **MR. FISCHER:** We would need the motion and the verbiage, and we
25 need Mara to comment.

26

27 **CHAIRMAN ANSON:** Yes, Ms. Levy.

28

29 **MS. LEVY:** Just while you're getting the language, just to let
30 you know that the codified text for this amendment is in the
31 briefing book. Since we didn't make any changes with Action 8,
32 then what's in there should be good. I just wanted to point out
33 a couple of things, sort of administrative changes in a couple
34 of places, changing the term "South Atlantic" to "Atlantic",
35 where applicable, because the plan goes all the way up the
36 Atlantic. In some places, it said "South Atlantic", which
37 wasn't really the correct term. In those places, we changed
38 that to "Atlantic".

39

40 We made a correction to the recreational accountability measures
41 for South Atlantic king mackerel, Spanish mackerel, and cobia,
42 to reflect that the recreational ACL, as well as the whole stock
43 ACL, needs to be exceeded before that AM is triggered. It was
44 missing the piece that said the actual recreational ACL needed
45 to be exceeded. That's a correction that's in there, too.
46 That's not really related to this amendment, but because it's
47 CMP, we thought we should make that correction to the
48 regulations. Thanks.

1
2 **CHAIRMAN ANSON:** Thank you. We have the motion on the board.
3 The motion is to approve CMP Amendment 26 and that it be
4 forwarded to the Secretary of Commerce for review and
5 implementation and deem the codified text as necessary and
6 appropriate, giving staff editorial license to make the
7 necessary changes in the document. The Council Chair is given
8 the authority to deem any changes to the codified text as
9 necessary and appropriate. Mr. Gregory.
10
11 **MS. BADEMAN:** Second.
12
13 **CHAIRMAN ANSON:** It was seconded by Martha. Thank you.
14
15 **EXECUTIVE DIRECTOR GREGORY:** Dr. Lucas.
16
17 **DR. LUCAS:** Yes.
18
19 **EXECUTIVE DIRECTOR GREGORY:** Captain Greene.
20
21 **MR. GREENE:** Yes.
22
23 **EXECUTIVE DIRECTOR GREGORY:** Mr. Riechers.
24
25 **MR. RIECHERS:** Yes.
26
27 **EXECUTIVE DIRECTOR GREGORY:** Dr. Dana.
28
29 **DR. DANA:** Yes.
30
31 **EXECUTIVE DIRECTOR GREGORY:** Mr. Swindell.
32
33 **MR. SWINDELL:** Yes.
34
35 **EXECUTIVE DIRECTOR GREGORY:** Dr. Crabtree.
36
37 **DR. CRABTREE:** Yes.
38
39 **EXECUTIVE DIRECTOR GREGORY:** Mr. Walker.
40
41 **MR. WALKER:** Yes.
42
43 **EXECUTIVE DIRECTOR GREGORY:** Mr. Sanchez.
44
45 **MR. SANCHEZ:** Yes.
46
47 **EXECUTIVE DIRECTOR GREGORY:** Mr. Matens.
48

1 **MR. MATENS:** Yes.
2
3 **EXECUTIVE DIRECTOR GREGORY:** Ms. Bosarge.
4
5 **MS. BOSARGE:** Yes.
6
7 **EXECUTIVE DIRECTOR GREGORY:** Mr. Diaz.
8
9 **MR. DIAZ:** Yes.
10
11 **EXECUTIVE DIRECTOR GREGORY:** Mr. Fischer.
12
13 **MR. FISCHER:** Yes.
14
15 **EXECUTIVE DIRECTOR GREGORY:** Mr. Boyd.
16
17 **MR. BOYD:** Yes.
18
19 **EXECUTIVE DIRECTOR GREGORY:** Mr. Williams.
20
21 **MR. WILLIAMS:** Yes.
22
23 **EXECUTIVE DIRECTOR GREGORY:** Ms. Bademan.
24
25 **MS. BADEMAN:** Yes.
26
27 **EXECUTIVE DIRECTOR GREGORY:** Dr. Stunz.
28
29 **DR. STUNZ:** Yes.
30
31 **EXECUTIVE DIRECTOR GREGORY:** Mr. Anson.
32
33 **CHAIRMAN ANSON:** Yes.
34
35 **EXECUTIVE DIRECTOR GREGORY:** **It's unanimous, yes.**
36
37 **CHAIRMAN ANSON:** Mr. Fischer.
38
39 **MR. FISCHER:** Thank you, Mr. Chairman. The committee went into
40 Other Business. The Assessment of Mexican King Mackerel
41 Landings, the Gulf of Mexico Large Marine Ecosystem project will
42 co-fund a joint assessment of king mackerel between the United
43 States and Mexico in either 2017 or 2018. Mexican Gulf of
44 Mexico landings of king mackerel are thought to be comparable to
45 U.S. landings. Mr. Chairman, this concludes by report, and Ms.
46 Bosarge has a motion.
47
48 **CHAIRMAN ANSON:** Yes, Ms. Bosarge.

1
2 **MS. BOSARGE:** I would like to make a motion that staff begin
3 development of a document -- You've got something up there.

4
5 **EXECUTIVE DIRECTOR GREGORY:** We just took the substitute and put
6 it back, and so modify it as needed.

7
8 **MS. BOSARGE:** This is going to be a little different, because we
9 weren't looking at hard allocation shifts. Our discussion has
10 been about the loan program, and it's my intent that that is
11 what the document would look at. I mean that is my overarching
12 goal, not to take allocation away from one sector permanently.
13 **Staff begin development of a document which will address the**
14 **loan program and any associated accountability measures for king**
15 **mackerel.** If I can get a second, I will explain.

16
17 **CHAIRMAN ANSON:** We have a second. Dr. Lucas seconds.

18
19 **MS. BOSARGE:** Now, my hope is that this a fishery where we've
20 had fifteen years of underfishing, and we have a pretty big area
21 of wiggle room. I hope to keep this a streamlined document and
22 not get a million things added to it, because timing, for me, is
23 important, too.

24
25 We've been down this road for fifteen years, and I think it's
26 time to fix it. That's my hope. If we can get this document
27 started, then, if we want to look at red grouper, I agree we
28 should, but I do think it should be in a separate document,
29 simply because this is going to be a fairly streamlined process,
30 and I think we are going to have to get more detailed in red
31 grouper, as far as the logistics of it, simply because it's an
32 IFQ right now, and this, to me, is the most pressing thing that
33 could be addressed more quickly. If we want to do a motion
34 after this to start a document for red grouper, I am more than
35 happy to do that.

36
37 **CHAIRMAN ANSON:** I have several people. I have Mr. Fischer, Ms.
38 Bademan, and Dr. Crabtree.

39
40 **MR. FISCHER:** Can we bypass traditional scoping, as this was
41 already just in a document and it's been scoped and the public
42 has already seen it? Can we abbreviate issues we may have on
43 the normal time table and accelerate this?

44
45 **EXECUTIVE DIRECTOR GREGORY:** Yes, that's no problem. Scoping is
46 a NEPA thing, and sure. We've done that.

47
48 **MS. BADEMAN:** I have a clarification. I get that your intention

1 here is just to deal with king mackerel here, and I agree. I
2 think grouper should be separate, and, in fact, we have a
3 grouper allocation amendment that's on our little table of
4 actions. It's just been on the back burner.

5
6 I think what happened with it was it used to be lumped with red
7 snapper and we split it, and I think we wanted to deal with red
8 snapper first and then come back to allocation with grouper, I
9 think. I would have to go back and look at the minutes from
10 when we did that, but I think that's how that went down.

11
12 I have a question, though. The loan program, is your intent
13 here only to deal with that and not look at other allocation
14 options, like a hard thing, or Dr. Crabtree's suggestion here?
15 I mean, I think -- I know that you want this to go quickly, but
16 I think we would have to look at multiple avenues. That is just
17 me personally here, and I would support looking at multiple
18 avenues. I wouldn't want to limit ourselves to simply the loan
19 program, so to speak.

20
21 **CHAIRMAN ANSON:** To that point, Ms. Bosarge.

22
23 **MS. BOSARGE:** I want to hear some more about what Dr. Crabtree
24 said. Essentially, his program, I guess if you want to look at
25 it in a holistic fashion, it's still a loan program. It's just
26 a different type of loan program.

27
28 I don't want to add it into the document necessarily right this
29 second, but I do want to have more discussions about it, in case
30 it's the better route to go, and I don't think this would
31 preclude it from being in the document.

32
33 **CHAIRMAN ANSON:** Dr. Crabtree.

34
35 **DR. CRABTREE:** I would support the motion, Leann, if you add it
36 -- Make it a little broader to include looking at the carryover,
37 because I'm afraid if it's not in there that we're not going to
38 look at it, and if you're not willing to modify your motion,
39 then I'm going to make a substitute motion. Are you willing to
40 broaden that to include looking at carryover of unused quota?

41
42 **MS. BOSARGE:** If I modify it and say "a loan program", and yours
43 is another type of loan program, are you good with that?

44
45 **DR. CRABTREE:** No, because I don't think the carryover is a loan
46 program. I think you need to -- I think it needs to be put in
47 there.

48

1 **CHAIRMAN ANSON:** Doug has a question for Roy, specific to his
2 point.
3
4 **EXECUTIVE DIRECTOR GREGORY:** Roy, isn't the carryover an
5 accountability measure? I thought we would be looking at that
6 automatically.
7
8 **DR. CRABTREE:** Mara is telling me no, and so I don't know. I
9 don't really understand what the reluctance is to say in there
10 that we're going to do it, and so I'm going to offer a
11 substitute motion.
12
13 **EXECUTIVE DIRECTOR GREGORY:** One more question, if I may. But
14 you're not suggesting a carryover as an alternative to the loan,
15 but in addition?
16
17 **DR. CRABTREE:** Yes, and you may be able to address the problem
18 more effectively by just taking the carryover and changing how
19 you allocate the carryover for that year. That way, you're not
20 taking anything away from anybody in a given year, but I think
21 it's a reasonable idea. I don't know if it will work or not,
22 but I think it may be a reasonable way to address this and that
23 we ought to look at it. Are you willing to change?
24
25 **MS. BOSARGE:** I will put it in there, but you are un-
26 streamlining my streamlined document, Roy. Let's add Dr.
27 Crabtree's addition. We'll address the loan program and what do
28 you want it called, the carryover?
29
30 **DR. CRABTREE:** Yes, just the carryover of uncaught quota and any
31 associated accountability measures. That's, I think, okay.
32
33 **CHAIRMAN ANSON:** Ms. Bosarge and Dr. Lucas, do you agree?
34
35 **DR. LUCAS:** Reluctantly, yes.
36
37 **CHAIRMAN ANSON:** Reluctantly, okay. So we have the motion as
38 is. Ryan, did you have a comment specific to a comment that was
39 made by either Martha or Dr. Crabtree?
40
41 **MR. RYAN RINDONE:** Yes, sir. It's actually about the motion.
42 You guys had made a motion at the previous meeting to begin a
43 document to examine the restriction on the commercial mackerel
44 permits which prevents them from recreationally fishing on a
45 commercial vessel which has a commercial mackerel permit for
46 king mackerel. I wondered if you guys might consider rolling
47 that effort in with this, instead of it being its own stand-
48 alone document. It would just help streamline things from a

1 staff perspective.

2

3 **CHAIRMAN ANSON:** Ms. Bosarge.

4

5 **MS. BOSARGE:** I appreciate that, Ryan, but the whole point is to
6 streamline this document, so that we address one thing in
7 particular and we don't keep adding more and more things to it.
8 It may streamline things for staff, but it goes against my whole
9 concept of this document and addressing one issue and focusing
10 in on that and finding a way to accomplish something in this
11 fishery, relative to that issue.

12

13 **CHAIRMAN ANSON:** I have several people that want to speak. I
14 have Dr. Stunz, Mr. Riechers, Dr. Dana, Chris Conklin, and Ms.
15 Bademan. Dr. Stunz.

16

17 **DR. STUNZ:** Leann, I know this slowed it down, and I don't
18 necessarily think that that's a bad thing. In fact, I support
19 your motion, at least unless there is some more discussion,
20 because I am particularly interested in what Roy had mentioned
21 about this carryover and some other things, and so I'm glad to
22 see it in there.

23

24 Also, just the reason the slowdown isn't such a bad thing, and
25 Dale kind of alluded to this in the tables he brought up, but
26 there is this uptick in the recreational catches, you know about
27 double. Whether that's real or not or we'll see that again, who
28 knows, but one thing we haven't put out is we did increase the
29 bag limit of these fish as well, and so there's a lot of things
30 in play here which may influence where we end up with those
31 allocations, and I know this wouldn't be a whole lot of fish,
32 and so it may or may not make a difference.

33

34 That's just the point I wanted to make, but I also wanted to say
35 something about the optimum yield discussion that's going on
36 around the table. While I fully realize maximum and optimum
37 yield theory and that kind of thing, from a recreational
38 perspective, and this is an issue when you have these mixed
39 commercial and recreational fisheries, optimum yield may not be
40 the same for each group that's using this.

41

42 For the recreational sector, having fish in the population,
43 whether they're caught or not, is important, because it
44 increases your catch per unit effort and the fish are easier to
45 catch and that kind of thing. I think some of those discussions
46 are important to have and it will allow us to do it under this
47 motion.

48

1 **CHAIRMAN ANSON:** Mr. Riechers.

2
3 **MR. RIECHERS:** A couple of comments, kind of a little bit along
4 that same line. I understand, Leann, your desire to move
5 forward and Dale's and others around the table, though I will
6 remind people, much like Martha did, that we have had this
7 desire on other allocation issues as well.

8
9 Just because we have a new one coming along, I don't think it
10 necessarily jumps in front of the other ones that we've dealt
11 with in the past, and I would remind people that when we think
12 about OY, and what we're thinking about here is unutilized
13 resources, and you're using the justification of OY or net
14 benefits to the nation and so forth, there is a bigger
15 allocation question that we seem to not be able to wrestle with
16 very well around this table that we in fact didn't wrestle with
17 very well around this table not too long ago.

18
19 I think we need to -- We need to tackle these issues, and we
20 need to quit skirting them, and we need to quit saying we're
21 going to rush one through because it's the easy one. We need to
22 deal with it at a higher level. I'm going to vote for this, but
23 with the caveat that as I try to look at it moving forward, I am
24 going to be looking at those other issues as well.

25
26 **CHAIRMAN ANSON:** Dr. Dana.

27
28 **DR. DANA:** Thank you. Two things. When I read the words "loan
29 program", that implies, in my mind, that you're paying back. If
30 you loan -- Let's say it's 10 percent of a fish from the
31 recreational to the commercial, then that assumes that the
32 commercial is going to give that 10 percent back. I don't know
33 if that's a complication or not, but that's something staff can
34 work out in their deliberations.

35
36 Secondly, you know we've -- In the past couple of days, I've had
37 the opportunity to talk with Ryan and the team and I think that
38 the existing document that we've got sitting there waiting is an
39 absolutely appropriate place for this motion to be placed into,
40 and it could -- If you were willing, the motion could easily
41 change to "staff develop a document which addresses the loan
42 program and carryover of uncaught quota", and so it's not begin
43 it, because they have already began it, and it's already germane
44 to the topic. That's the preference I would -- That's what I
45 would prefer in dealing with this, but I'm for us moving forward
46 to look at this.

47
48 **CHAIRMAN ANSON:** Mr. Conklin.

1
2 **MR. CONKLIN:** I would share Pam's concerns over the loan
3 program, because I don't think that anyone would intend on
4 repaying those fish back.

5
6 **CHAIRMAN ANSON:** Martha.

7
8 **MS. BADEMAN:** I was going to support adding the item that Ryan
9 had mentioned about commercial harvesting recreational fish on a
10 commercial trip. I forget exactly what it is or the right way
11 to explain it, but I think that would be much, much simpler to
12 include and pretty straightforward. I don't think it would slow
13 this down. It is something that the AP requested that we
14 address, and I don't think it's any more -- I think it's less
15 complicated than talking about carryover, and so I don't think
16 it would slow this down.

17
18 **CHAIRMAN ANSON:** Myron.

19
20 **MR. FISCHER:** Thank you, Mr. Chair. When the recreational --,
21 which was brought up on the other side of the room, the
22 recreational fishermen enjoy fishing a bigger fish, and that's
23 what we're seeing now. With these uncaught fish, they have the
24 ability to grow.

25
26 If we harvest -- I have a few issues with harvesting, when Dale
27 put the list up of the millions of pounds unharvested. One is
28 we'll end up with a smaller fish, which is not what the
29 recreational fishermen would call optimal, at least for their
30 fishing trip. They like to -- Most people go offshore and want
31 to catch a big fish. I have seen some who will say, my God, I
32 don't want to catch any more big fish, but they were amberjack
33 fishing, and they just got tired of the seventy--pound ones.

34
35 I think, recreationally, they would like to see it status quo,
36 because that gives the opportunity for these bigger fish. One
37 of the other issues is -- I think it's just scientifically, and
38 Clay would have to be the person to answer this one day, but I
39 think this couple-million-pound quota not caught is a de facto
40 buffer that we're not harvesting it and that's why we have this
41 long, stable fishery.

42
43 If we wouldn't have harvested it in other fisheries, we would
44 see them escalating. We don't see the mackerel fishery
45 escalating. It's been flat-lined, stable, for years, even
46 though recreational is not harvesting that fish.

47
48 We will support a small loan, because it could always revert

1 back if the conditions change, but not a carryover of the
2 uncaught fishery from one sector to another. That's almost
3 basically a de facto reallocation.

4
5 Somewhere, when we do all of this, I want us -- We have to keep
6 in mind and I just want to see where it plays out, but the
7 present 68/32 is based on a 2 percent exchange to accommodate
8 for the recreational fish sold in the Keys, and so if we're
9 going to now push fish into the commercial side, does the
10 recreational get that 2 percent back? I'm just curious of how
11 that will fall in and how that will work out. We have to
12 remember that we already shifted a few percent to make up for
13 these sales.

14
15 The conclusion is I supported the original concept Leann had
16 about looking into loaning a small percent that had a trigger
17 that would revert back, and now we -- I am just not certain
18 where we're going. We need accountability measures in there.
19 I'm just not sure about the program with the carryover. As a
20 result, we couldn't support this motion as it reads.

21
22 **CHAIRMAN ANSON:** To that point, Dr. Crabtree.

23
24 **DR. CRABTREE:** We're just talking about looking at this and not
25 making the decision now. I may decide that you're right and
26 carryover is a terrible idea, but it's a reasonable alternative,
27 and so we ought to take a look at it. We're arguing the merits
28 of doing this, and we should just be focused on do we want to
29 look at this.

30
31 **CHAIRMAN ANSON:** I concur with Dr. Crabtree's statement. Is
32 there anyone else that would like to speak on this issue? Mr.
33 Swindell.

34
35 **MR. SWINDELL:** With Myron's comment and follow-through, I think
36 the -- I have to go back to what Dale was saying before, and
37 that's about reaching OY, which I think we're kind of mandated
38 in by the fishery management plan, is to do the best we can, to
39 harvest the most fish we can reasonably. I would have the
40 tendency to at least let -- Let's look at it later. Thank you.

41
42 **CHAIRMAN ANSON:** Ms. Levy.

43
44 **MS. LEVY:** Just one comment. There are times when we run into a
45 problem in terms of developing documents that the council has a
46 very specific idea about what you want to do, but we have to go
47 back and develop sort of the NEPA reasonable range of
48 alternatives and all that and a purpose and need, and I think

1 broadening this, in the way that it is now, helps that, because
2 when you have a very narrow thing, you're only looking at one
3 thing, then if the purpose is really to achieve OY and allow for
4 the harvest in one sector that's not being harvested in the
5 other sector, then there is more than one reasonable
6 alternative.

7
8 Keeping it broader in the beginning allows for a real discussion
9 of the reasonable alternatives that meet the purpose and need,
10 rather than focusing on one thing and then struggling with what
11 our real purpose is and what our real need is and how we're
12 going to have a reasonable range of alternatives.

13
14 **CHAIRMAN ANSON:** To that point, Mr. Fischer.

15
16 **MR. FISCHER:** My point was to the motion.

17
18 **CHAIRMAN ANSON:** I will let you speak one more time.

19
20 **MR. FISCHER:** Thank you. Actually, I will support some of what
21 Roy said, and I think the solution would be let's not tie our
22 hands. I would love to either amend or substitute the motion to
23 remove the words "loan program and carryover", where what we're
24 doing is just addressing the uncaught quota.

25
26 Maybe the maker and the seconder can get together and we don't
27 need a substitute motion, because what we're really doing is we
28 might be working on this and we come up with a third alternative
29 that works even better, but it wasn't what we -- It's not what
30 our mission is.

31
32 **CHAIRMAN ANSON:** Do you have a question, Dr. Lucas?

33
34 **DR. LUCAS:** A question before we consider. You had originally,
35 Myron, asked Doug Gregory if we wouldn't have to go out to
36 scoping if we stuck to this narrow thing, and we wouldn't. If
37 we change this, then we will start the process over.

38
39 **MR. FISCHER:** We have to go out to scoping the way it reads
40 right here.

41
42 **CHAIRMAN ANSON:** Ms. Bosarge, do you have any comments?

43
44 **MS. BOSARGE:** Hence the reason I just wanted to vote it up or
45 down in that last amendment, but we're past that. My intention
46 is to have that sharing of allocation option in there. If we
47 want to change this and -- **I will change it to address the**
48 **utilization of uncaught quota.** Just work with me in the future

1 and let's not let this thing blow up, okay?

2

3 **DR. CRABTREE:** Call the question.

4

5 **CHAIRMAN ANSON:** Do you agree with the change?

6

7 **DR. LUCAS:** I agree.

8

9 **CHAIRMAN ANSON:** All right, and so call the question. The
10 motion is staff begin development of a document which will
11 address the utilization of uncaught quota and any of the
12 associated accountability measures for king mackerel. We will
13 vote on the question. **All those in favor of the motion, signify
14 by raising your hand.**

15

16 **EXECUTIVE DIRECTOR GREGORY:** Sixteen.

17

18 **CHAIRMAN ANSON:** **The motion carries.** That moves us to -- Any
19 other business in Mackerel? I'm afraid to ask. That will take
20 us to our next agenda item, which will be the Reef Fish
21 Committee, as we changed it earlier today, and Mr. Greene.

22

23

REEF FISH COMMITTEE REPORT

24

25 **MR. GREENE:** Thank you, Chairman Anson. Update on 2015
26 Recreational Red Snapper Landings and Recreational Season
27 Projections for 2016, Nick Farmer gave a presentation
28 summarizing several model runs for projecting the 2016 private
29 recreational and for-hire seasons.

30

31 Projections for the private recreational season ranged from six
32 to nine days, with a median of eight days. Projections for the
33 federal for-hire season ranged from thirty-eight to fifty-six
34 days, with a median of forty-eight days. Specific season dates
35 will be announced at a later time.

36

37 Final Action, Framework Action to Modify Red Grouper ACL, Tab B,
38 Number 4(a), (b), (c), staff provided a presentation on the
39 framework action, public comments, and Reef Fish AP Report. The
40 committee discussed the differences between the alternatives in
41 the framework document compared to the new Alternative 5 that
42 the Reef Fish AP recommended.

43

44 After discussion, the committee passed the following motion.
45 **Without opposition, the committee recommends, and I so move,
46 that the council select Alternative 4 as a preferred
47 alternative.**

48

1 **CHAIRMAN ANSON:** We have a committee motion. Is there any
2 discussion on the motion? **Is there any opposition to the**
3 **motion? Seeing none, the motion carries.**
4
5 **MR. GREENE:** The committee then moved to recommend approval of
6 the framework action and associated codified regulations.
7 **Without opposition, the committee recommends, and I so move,**
8 **that the council approve the Framework Action to Modify Red**
9 **Grouper ACL and that it be forwarded to the Secretary of**
10 **Commerce for review and implementation, and deem the codified**
11 **text as necessary and appropriate, giving staff editorial**
12 **license to make the necessary changes in the document. The**
13 **Council Chair is given the authority to deem any changes to the**
14 **codified text as necessary and appropriate.**
15
16 **CHAIRMAN ANSON:** We have a committee motion. Any discussion on
17 the motion? It is a roll call.
18
19 **EXECUTIVE DIRECTOR GREGORY:** Ms. Bademan.
20
21 **MS. BADEMAN:** Yes.
22
23 **EXECUTIVE DIRECTOR GREGORY:** Dr. Crabtree.
24
25 **DR. CRABTREE:** Yes.
26
27 **EXECUTIVE DIRECTOR GREGORY:** Mr. Matens.
28
29 **MR. MATENS:** Yes.
30
31 **EXECUTIVE DIRECTOR GREGORY:** Mr. Boyd.
32
33 **MR. BOYD:** Yes.
34
35 **EXECUTIVE DIRECTOR GREGORY:** Mr. Riechers.
36
37 **MR. RIECHERS:** Yes.
38
39 **EXECUTIVE DIRECTOR GREGORY:** Captain Greene.
40
41 **MR. GREENE:** Yes.
42
43 **EXECUTIVE DIRECTOR GREGORY:** Mr. Diaz.
44
45 **MR. DIAZ:** Yes.
46
47 **EXECUTIVE DIRECTOR GREGORY:** Mr. Williams.
48

1 **MR. WILLIAMS:** Yes.
2
3 **EXECUTIVE DIRECTOR GREGORY:** Mr. Sanchez.
4
5 **MR. SANCHEZ:** Yes.
6
7 **EXECUTIVE DIRECTOR GREGORY:** Mr. Walker.
8
9 **MR. WALKER:** Yes.
10
11 **EXECUTIVE DIRECTOR GREGORY:** Dr. Stunz.
12
13 **DR. STUNZ:** Yes.
14
15 **EXECUTIVE DIRECTOR GREGORY:** Mr. Fischer.
16
17 **MR. FISCHER:** Yes.
18
19 **EXECUTIVE DIRECTOR GREGORY:** Dr. Lucas.
20
21 **DR. LUCAS:** Yes.
22
23 **EXECUTIVE DIRECTOR GREGORY:** Dr. Dana.
24
25 **DR. DANA:** Yes.
26
27 **EXECUTIVE DIRECTOR GREGORY:** Mr. Swindell.
28
29 **MR. SWINDELL:** Yes.
30
31 **EXECUTIVE DIRECTOR GREGORY:** Ms. Bosarge.
32
33 **MS. BOSARGE:** Yes.
34
35 **EXECUTIVE DIRECTOR GREGORY:** Mr. Anson.
36
37 **CHAIRMAN ANSON:** Yes.
38
39 **EXECUTIVE DIRECTOR GREGORY:** **It's unanimous, seventeen to zero.**
40 **It passes.**
41
42 **CHAIRMAN ANSON:** Thank you. Mr. Greene.
43
44 **MR. GREENE:** Options Paper for Amendment 46, Modify Gray
45 Triggerfish Rebuilding Plan, staff reviewed the background
46 information and draft options paper. The document is in the
47 initial stages of development, and staff is looking for feedback
48 on the range of options currently in the document. This range

1 of options will be used for the analyses request and review at
2 the June SSC meeting.

3
4 After discussion, the committee passed the following motion.
5 **Without opposition, the committee recommends, and I so move,**
6 **that the council add an Alternative 4 to Action 3 to add a**
7 **recreational closed season starting January 1 through February**
8 **28, open March 1st, and keep June 1 through July 31 as a closed**
9 **season.**

10
11 **CHAIRMAN ANSON:** We have a committee motion. Is there any
12 discussion on the motion? Mr. Greene.

13
14 **MR. GREENE:** Yes, sir. I would also like to see what it would
15 look like if we opened February 1. In the context of the
16 motion, I guess I will just offer a substitute motion that would
17 just look at a February 1 and a March 1, but keeping the same
18 closures in June and July and obviously the closure of January 1
19 through January 31.

20
21 **CHAIRMAN ANSON:** We have a substitute motion to add February 1
22 and March 1 as the openings. Is there a second to the motion?

23
24 **MR. RIECHERS:** Maybe -- Because I think you're just adding
25 another opening date or a closing date. Would it be easier to
26 pass this and then just add that one extra option?

27
28 **CHAIRMAN ANSON:** I think it would be.

29
30 **MR. GREENE:** I will withdraw my substitute motion.

31
32 **CHAIRMAN ANSON:** Okay, and so the substitute motion is
33 withdrawn. Any other discussion on the motion, the committee
34 motion? **Is there any opposition to the committee motion?**
35 **Seeing none, the motion carries.** Mr. Greene.

36
37 **MR. GREENE:** Now I would like to add a motion to explore opening
38 **February 1.** You would basically just take the above motion and
39 copy and paste it. On the second line, where it says "to add a
40 recreational closed season starting January 1 through January 31
41 and open February 1". Mr. Chairman, that is my motion.

42
43 **CHAIRMAN ANSON:** Is there a second to the motion?

44
45 **MR. RIECHERS:** I will second, and the other thing is it's
46 Alternative 5 now.

47
48 **CHAIRMAN ANSON:** To add an Alternative 5 to Action 3 which would

1 be to include an opening on February 1, as opposed to January 1.
2 Robin seconded the motion. Is there any discussion on this
3 motion? **Is there any opposition to this motion? Seeing none,**
4 **the motion carries.** Mr. Greene.

5
6 **MR. GREENE:** Draft Amendment 41, Red Snapper Management for
7 Federally-Permitted Charter Vessels, staff reviewed the
8 amendment, noting the updated information and the new
9 alternatives requested by the council. The recommendations of
10 the Ad Hoc Red Snapper Charter For-hire AP were presented
11 alongside Actions 1 through 3.

12
13 The committee discussed the new Action 2 and whether or not non-
14 participating vessels would have access to red snapper under an
15 allocation-based management system. The committee then passed
16 the following two motions. Staff may update the wording of the
17 alternatives to further clarify the intent from the committee's
18 decision. **With one in opposition, the committee recommends, and**
19 **I so move, that in Action 2, add a new Alternative 5.**

20
21 **CHAIRMAN ANSON:** We have a committee motion, and the motion is
22 on the board. Is there any discussion on the motion? **Is there**
23 **any opposition to the motion? Seeing none, the motion carries.**

24
25 **MR. GREENE:** Without opposition, the committee recommends, and I
26 so move, that in Alternatives 2 through 4 in Action 2, to add a
27 sentence in each one that any vessel opting out from the
28 federally-permitted red snapper charter for-hire program will
29 not be able to harvest red snapper.

30
31 **CHAIRMAN ANSON:** It's a committee motion. It's on the board.
32 Is there any discussion on the motion? **Is there any opposition**
33 **to the motion? Seeing none, the motion carries.**

34
35 **MR. GREENE:** Staff reviewed the alternatives in Action 3 and the
36 AP's recommendations. A committee member expressed concern with
37 using regional landings to distribute quota, noting that
38 Mississippi has no charter landings for some years, due to low
39 sampling.

40
41 **CHAIRMAN ANSON:** Hold on one second, Johnny. Dr. Lasseter.

42
43 **DR. AVA LASSETER:** Thank you for acknowledging me. There was
44 some discussion on this during committee. Dale had pointed out
45 the landings in Mississippi, and Dr. Crabtree also commented
46 that perhaps it would be possible to expand some of these
47 regional boundaries.

1 When the IPT put this together, the regions were defined based
2 on an analysis that Andy Strelcheck had previously done for
3 sector separation, and we had requested feedback from the
4 council in terms of modifying any of these. Would the council
5 be interested in perhaps modifying these? If we could go to the
6 document and you could see the current regions on page 7, if we
7 could go there.

8
9 The way the document is currently set up, you have Florida
10 divided into three regions: the Florida Keys, representing
11 Monroe County only; the Florida Panhandle, which goes from
12 Escambia to Dixie County; and then the Florida West Coast
13 Peninsula, going from Levy through Collier County.

14
15 Florida is divided up into three regions, and then each of the
16 remaining states is currently its own region. The IPT is
17 wondering if perhaps you would want to combine Mississippi with
18 one of its neighboring states.

19
20 **CHAIRMAN ANSON:** Ms. Bademan.

21
22 **MS. BADEMAN:** Just a question. Those regions are based on the
23 MRIP regions now, isn't that right, Ava, the ones that are in
24 the document?

25
26 **DR. LASSETER:** I don't think they were the MRIP regions, but we
27 were able to get landings at the county level. The version of
28 this that you saw at the last meeting, we actually had the
29 counties -- It was closer to the Panhandle. It was not actually
30 at the Dixie/Levy line. We have since updated that to reflect
31 what I do believe are these regions for MRIP, but we can do --
32 We can obtain landings at the county level. I hope that answers
33 your question.

34
35 **CHAIRMAN ANSON:** Dave, did you have any other comments on that?
36 No? Okay. Johnny.

37
38 **MR. GREENE:** Well, I mean I think it's an interesting approach.
39 We had an Alabama charter guy yesterday who gave public
40 testimony, and he understood that sometimes you've got to give
41 up to get a little bit, and so, if you wanted to explore an
42 option that would include the handful of charter boats in
43 Mississippi into the Alabama thing, I really don't think it
44 would be a big deal.

45
46 I mean it would probably help those guys and potentially smooth
47 out some of the years that they didn't have any landings. It's
48 just in the effort of trying to explore a reasonable option

1 here. I mean there's only five or six boats or something. It
2 really wouldn't matter, in the whole scheme of things, and so if
3 staff wanted to look at something like that and generate it, I
4 certainly don't have a problem with it.

5
6 **CHAIRMAN ANSON:** Dr. Lucas.

7
8 **DR. LUCAS:** In general, and I think as Dale expressed also, that
9 regional thing is impacting Mississippi, but, also, using these
10 regional timeframes or these states or however Florida is split
11 up, you also, over time, in whatever timeframe you're looking
12 at, have hindered other people as well.

13
14 I mean we've heard Texas mentioned time and time again, that
15 opening June 1 has hindered them, and so on. I think a lot of
16 them feel like over time the landings have changed, based on a
17 lot of different things, whether it's seasons or whether it's
18 being in an area where we can't make two trips a day, like in
19 Mississippi.

20
21 I would caution against just including Alabama, because we now -
22 - The border on the Louisiana line, we have a lot of fishermen
23 who are -- We have fishermen going out to Alabama and we have
24 fishermen going to Louisiana. Our border with Louisiana is also
25 really complicated, and it's a little cleaner on the Alabama
26 side.

27
28 I am certainly not opposed to looking at different ways of doing
29 these regions, but I would keep those boundaries in mind as we
30 move forward in looking at those regions and the complexity just
31 of our geography that we're dealing with in Mississippi.

32
33 **CHAIRMAN ANSON:** Any other discussion? Do we need a motion?
34 Ava.

35
36 **DR. LASSETER:** I will just add one more comment, that the reason
37 I'm asking about this is in some of the alternatives that have
38 been added, further committee motions incorporate that regional
39 component, and already there is an alternative in there that
40 addresses this regional component, and so I just wanted to
41 ensure that what we have in the document does reflect what you
42 want us to look at.

43
44 **CHAIRMAN ANSON:** Dr. Crabtree.

45
46 **DR. CRABTREE:** I am hearing generally -- While there are some
47 reservations, generally, we think we ought to look at different
48 ways to combine Mississippi with one or the other areas. If you

1 need a motion, I will make a motion, but I think that's the
2 consensus here, is that we want to look at some options on that.

3
4 **CHAIRMAN ANSON:** Doug is telling me that they don't necessarily
5 need a motion. As long as there is general consensus, and it
6 will be reflected in the record, obviously, if anyone has any
7 questions from this point forward. I think it would be best
8 just to go ahead without a motion then, if everyone is okay, and
9 it looks like most people are okay with it. Mr. Diaz.

10
11 **MR. DIAZ:** We're not voting on the motion right there and --

12
13 **CHAIRMAN ANSON:** He was just about ready to read the next
14 motion. Mr. Greene.

15
16 **MR. GREENE:** The committee passed the following motion. **With**
17 **one in opposition, the committee recommends, and I so move, that**
18 **in Action 3, to adopt the advisory panel's recommendation to add**
19 **a new alternative to distribute quota using the parameters in**
20 **Alternatives 2, 3 and 5. Distribute quota equally among charter**
21 **permit holders, Alternative 2. Based on the lesser of the COI of**
22 **the vessel or permit capacity, Alternative 3. Distribute quota**
23 **based on historical/regional landings, Alternative 5. The chart**
24 **is up there for your review.**

25
26 **CHAIRMAN ANSON:** We have a committee motion on the board. Is
27 there any discussion on the motion? Is there any opposition to
28 the motion? Johnny, you have discussion? I'm sorry that I
29 didn't catch you.

30
31 **MR. GREENE:** I'm sorry. I was chasing notes around the table
32 here. I understand what the intent is here, but this is one of
33 those things that is just -- I have, for two days, tried to get
34 my head around what it is we're doing here, and looking at the
35 percentages, 20, 25, 30, 40, 75, it's just almost too much.

36
37 My concern is that when staff brings this back that it's going
38 to go from a fairly simple document to a fairly complex
39 document. I am almost inclined to take some of these out, but I
40 kind of wanted to share my intent before I went and threw a
41 motion in or anything, or perhaps ask staff -- Is this something
42 that you can do? Is it going to make it extremely complicated?
43 Does staff want to weigh in at this point? I would really like
44 to hear it.

45
46 **DR. LASSETER:** The IPT has not met since the AP has provided
47 these recommendations, but I did count. If you were to accept
48 and approve both of the committee motions, excluding Alternative

1 1 in this action, we would have eighteen options for how to
2 allocate, and that is a lot.

3
4 When we bring this back to you, that could be a little intense,
5 looking at a spreadsheet like that. I will also point out that
6 in these options, Option a and c, particularly, you have the
7 most weight on the regional history and then just 5 percent
8 different for the equal and the passenger capacity, and so I'm
9 not sure that we need the extent of these.

10
11 We do need a reasonable range of alternatives, and I think
12 that's why've addressed the equally among permit holders,
13 passenger capacity, geographic region, and I think the AP is
14 interested in combining these three factors as an expression of
15 identifying fairness, combining these, but I'm not sure if these
16 five options are -- It is quite cumbersome.

17
18 **CHAIRMAN ANSON:** Yes, Mr. Greene.

19
20 **MR. GREENE:** So if I was to put a motion up to ask you to
21 simplify this and come back with some percentages that you feel
22 encompasses a wide range, you would be fine with that?

23
24 **DR. LASSETER:** Yes, Mr. Chairman.

25
26 **MR. GREENE:** With that, I would like to offer a motion, a
27 substitute motion, to ask staff to add or modify the existing
28 alternative with a reasonable range of options. Would that
29 simply cover it, to where you could do what you need? I mean is
30 the intent clear?

31
32 **DR. LASSETER:** I understand your intent, and I can share that
33 with the IPT.

34
35 **MR. GREENE:** Mr. Chairman, I think that is my motion on the
36 board, as long as everyone understands what I'm trying to do.

37
38 **CHAIRMAN ANSON:** We have a substitute motion to ask staff to add
39 or modify the existing alternative with a reasonable range of
40 options. Is there a second to the substitute motion? It's
41 seconded by Ms. Bademan. Any discussion on the substitute
42 motion? Dr. Lucas.

43
44 **DR. LUCAS:** I am wondering if we should also -- I noticed in 5d
45 and 5e of the same motion -- Wait a second. No, that's
46 separate. Okay.

47
48 **CHAIRMAN ANSON:** Mr. Riechers.

1
2 **MR. RIECHERS:** I think I know what you're trying to do here,
3 Johnny, and Ava spoke to it. I mean, in reality, creating a
4 table with the current options as they are would represent an
5 equal -- For the equal Alternative 2 notion, a weighting from 25
6 percent to 75. From the regional history, it would be from 12.5
7 to 50. From passenger capacity, it would be from 12.5 to 30
8 percent weighting.

9
10 I would agree with you that I think there's a lot of numbers
11 that are fairly similar here, and so I will support your
12 substitute, but I think what they were trying to do, and what I
13 don't know, is how they came up with any of these different
14 weighting notions, and so I'm not certain that we wouldn't want
15 to just have a weighting from the bottom line of Option e, 12.5,
16 to 75 percent weighting, because you're just looking at
17 different weightings, unless there is some real rationale built
18 around those weighting parameters.

19
20 **CHAIRMAN ANSON:** I think, going back to the comment about the
21 complexity and if you have a wide range, one would anticipate
22 more options, individual options. Right now, with the current,
23 or at least the previous motion, there was eighteen different
24 combinations. If you identify a large range and then reasonably
25 say you've got to have some options within that and the larger
26 the range, the more options I see.

27
28 I just would see it as being more complicated than not. I mean
29 I kind of get to your notion about maybe identifying a range for
30 each of those alternatives and saying we would like for you to
31 look at this range, but if you say you have a large range, then
32 I would expect that you would get a large number of individual
33 percentages, but that's my opinion. To that point?

34
35 **MR. RIECHERS:** To that point, I mean yes, you're right.
36 Obviously each one of these eighteen options would have a
37 number. The numbers are easy, because that's just the math to
38 get there. It's what rationale you're going to build around any
39 one of those numbers as you move forward.

40
41 **CHAIRMAN ANSON:** Mr. Diaz.

42
43 **MR. DIAZ:** Thank you, Mr. Chairman. I just want to -- I am
44 going to support the motion that Mr. Greene has got up here at
45 this point. I'm not going to go into a long talk about regional
46 history again, but my concerns that I brought up during the
47 committee are still real concerns, in addition to the concerns
48 that Dr. Lucas brought up just a few minutes ago.

1
2 I would just urge the staff to -- I would like to let the staff
3 know that I am definitely more interested in options that put a
4 lesser emphasis on regional history than a greater emphasis on
5 regional history, because of the concerns I've raised already.
6 Thank you.

7
8 **CHAIRMAN ANSON:** To follow up then, so I'm clear -- Ava, did you
9 want to --

10
11 **DR. LASSETER:** I just wanted to also clarify with the substitute
12 motion -- I think this is referring to -- It's not actually an
13 existing alternative. You're referring to the alternative that
14 is proposed in the main motion, and so I just wanted to put that
15 on the record and let staff wordsmith this for just a moment.

16
17 **CHAIRMAN ANSON:** Using that as a basis, I guess, for your
18 conversations, but, I guess to follow up with my point to Robin
19 and then to Dale's comment, I guess do we need to add or
20 identify, within each of the three alternatives there, the range
21 of numbers, because right now, as Robin says, for regional
22 management, we've got twelve-and-a-half to 50 percent. Is that
23 not a reasonable range at this point? Do we want it larger?

24
25 If we just kind of give them a license to go ahead and make the
26 assumption as to what's a reasonable range with the
27 alternatives, they might not come up with the number we think,
28 and so that's all I want to do. I am just very nervous when I
29 go through the process of these types of motions that are just
30 kind of open-ended and we come back the next time we review this
31 and there's some dissatisfied folks in the audience, at the
32 table. Robin, do you want to --

33
34 **MR. RIECHERS:** In answer to your question, I understand that.
35 Now, whether it's going to satisfy people in the audience who
36 came up with these or not, I am not certain, because I'm not
37 certainly completely the rationale that created these, but, to
38 simplify things, you could do a weighting from 25, 50, and 75 on
39 each of the parameters here, and that would give us some notion
40 then of how it moves those different things around as we look at
41 that.

42
43 **CHAIRMAN ANSON:** Mr. Gregory.

44
45 **EXECUTIVE DIRECTOR GREGORY:** What Mr. Diaz said is helpful. If
46 the council thinks regional history is a primary allocation
47 thing, rather than equal or permit capacity, then that
48 eliminates two of these options, the ones where regional history

1 is not the maximum.

2
3 Ideally, if the council said, well, our priority order of what
4 we think is important in this would be regional history, equal,
5 and capacity, in that order, then that narrows the range of
6 things we can look at pretty well, and I think it could be that
7 simple, rather than getting bogged down with a whole bunch of
8 numbers.

9
10 **CHAIRMAN ANSON:** To that point, Mr. Riechers?

11
12 **MR. RIECHERS:** While I agree with my colleague, Dale, about
13 trying to simplify, certainly regional history has been
14 something we've talked about at this table in reference to Texas
15 and Louisiana as well, where we may be more inclined to want a
16 longer time series and have more emphasis on regional history.

17
18 I think, by just weighting them from 25 to 75, you would get to
19 see those options, Doug, and then we would save that debate for
20 a later time, as opposed to trying to debate which is the
21 highest priority or criteria at this time.

22
23 I would offer, to the Chairman, how would you like to proceed?
24 Do you want us to try to adjust this table now, in this motion,
25 or do you want us to vote the motion up and then offer a second
26 set of -- Vote the substitute up, because the table is not
27 necessarily associated with the substitute, and then offer a
28 second set of ranges?

29
30 **CHAIRMAN ANSON:** I think I would like to handle it with this
31 motion and identify it at that time, but I would have to talk to
32 Mr. Greene to see if that's what he was thinking of too, and so
33 if he believes, which it looks like he does, that we should
34 address that now.

35
36 You might want to put in or we could put some language in
37 relative to that three options within the 25 to 75 percent range
38 then. I guess I will do it on the fly then, if you're willing
39 to do it at this time, Johnny. I know you're waving your hand,
40 Dr. Dana, but let me try to get this done.

41
42 **To ask staff to add or modify the proposed actions within a**
43 **range of options of 25 to 75 percent for each alternative, with**
44 **25 percent increments.** Then that table kind of goes away, I
45 think. It's not pertinent anymore.

46
47 **MS. BOSARGE:** So you only come up with three or two --

48

1 **CHAIRMAN ANSON:** What I envision is that for Alternative 2 that
2 you would have Option a of 25, Option b of 50, and Option c of
3 75. For Alternative 3 -- I see what you're saying. Yes, Doug.

4
5 **EXECUTIVE DIRECTOR GREGORY:** What if we started out with the
6 three options like you were thinking of, Mr. Chairman, and say
7 Alternative 2 gets 50 and the other two get 25. Then the next
8 option is Alternative 5 gets 50 and the other two get 25. Then
9 the third option is Alternative 3 gets 50 and the other two get
10 25. Then you can tweak it from there.

11
12 **CHAIRMAN ANSON:** I think what he just summarized is the way I
13 was thinking, but I couldn't speak it. Dr. Dana.

14
15 **DR. DANA:** Thank you, Chairman Anson. I was at the -- I was the
16 council rep at that particular charter for-hire AP meeting, and
17 the reason that there's such a disparity and difference in
18 numbers there was they were trying to come to consensus on how
19 to weight who got what percentage of snapper, and it was a very
20 thoughtful discussion. They were trying to be as fair as
21 possible.

22
23 There was a member of that AP from an area in south Florida that
24 does not -- They don't necessarily have a history of the red
25 snapper, and so, on behalf of his colleagues in south Florida,
26 he really wanted them to be represented, much more than they
27 would under a scenario which would be beneficial to probably the
28 rest of the Gulf. That's how they came up with some pretty big
29 numbers that you wouldn't normally see, let's say the Option e,
30 for example.

31
32 I think that having the staff help make this more reasonable
33 options is a very good thing for the charter for-hire AP, when
34 they go back to have more thoughtful -- Well, just the options
35 and the range of options more clarified for them when they next
36 meet. Anyway, that was just a little background.

37
38 **CHAIRMAN ANSON:** Mr. Williams.

39
40 **MR. WILLIAMS:** I am wondering if you would mind also looking at
41 equal weighting, just as sort of a starting point, if we
42 weighted each of these three alternatives equally. Then see how
43 it moves from that. Could we do that too? **Maybe a proposed
44 alternative with equal weighting and a range of options.**

45
46 **CHAIRMAN ANSON:** Johnny, this is your substitute motion. I
47 apologize that it's gotten away from you. We're almost there.
48 Johnny, do you agree with that change?

1
2 **MR. GREENE:** Yes, and I mean I think it's great input. I'm glad
3 to hear Dr. Dana weigh in and say what she did, and I agree with
4 them. I mean the intent was just to try to keep the document as
5 simple and not get overly complex with it.
6

7 I think we're doing that, because I think what we're doing with
8 this motion, although it seems kind of big and everything, but I
9 think we're giving staff a lot more direction on what to do, and
10 hopefully there won't be anywhere near eighteen options that
11 come out of this.
12

13 **CHAIRMAN ANSON:** Did you second the substitute or -- Robin
14 seconded it. Okay. Any other discussion on the substitute
15 motion? **Is there anyone in opposition to the substitute motion?**
16 **Seeing none, the substitute motion carries.** Mr. Greene.
17

18 **MR. GREENE:** Without opposition, the committee recommends, and I
19 so move, that in Action 3, to add two new options to Alternative
20 5. Option 5d is use average landings for years 2003 to 2012,
21 excluding landings in 2010. Option 5e is establish a timeline
22 as found in Amendment 40, which is 50 percent 1983 to 2013, plus
23 50 percent 2006 to 2013, excluding landings from 2010.
24

25 **CHAIRMAN ANSON:** We have a committee motion. Is there any
26 discussion on the motion? **Is there any opposition to the**
27 **motion? Seeing none, the motion carries.** Mr. Greene.
28

29 **MR. GREENE:** I want to offer a substitute motion in Action 3,
30 Alternative 5, to remove 5a, 5b, and 5c.
31

32 **CHAIRMAN ANSON:** This would be a motion and not a substitute
33 motion, since we voted on or essentially dispensed of the
34 previous motion. This is a motion.
35

36 **MR. GREENE:** Yes, sir, that's correct. Thank you.
37

38 **CHAIRMAN ANSON:** In Action 3, Alternative 5, to remove 5a, 5b,
39 and 5c. Is there a second to this motion? It's seconded by Dr.
40 Lucas. Any discussion on the motion? Mr. Greene.
41

42 **MR. GREENE:** Just briefly. 5a has average landings from 2004 to
43 2012. 5b has 2004 to 2012, excluding 2010. 5c is average
44 landings of 2011 and 2012. I just don't see where any of those
45 three would ever really go anywhere.
46

47 I think that everything that we've done, pretty much, recently
48 is captured within those two options that we just added, which

1 would be 2003 to 2012, excluding 2010, and then the one that we
2 had done in Amendment 40.
3
4 **CHAIRMAN ANSON:** Mr. Boyd.
5
6 **MR. BOYD:** Just a question here. Are we talking about using the
7 recalibrated numbers for landings, or are we talking about using
8 the historical numbers that we know were incorrect?
9
10 **CHAIRMAN ANSON:** Dr. Crabtree.
11
12 **DR. CRABTREE:** I think we'll have to use the best available
13 numbers that we have, which right now would be the recalibrated
14 numbers, as used in the assessment.
15
16 **CHAIRMAN ANSON:** Any other discussion? **All those in favor of**
17 **the motion, please raise your hand.**
18
19 **EXECUTIVE DIRECTOR GREGORY:** Fifteen.
20
21 **CHAIRMAN ANSON:** Any opposed. None.
22
23 **EXECUTIVE DIRECTOR GREGORY:** It's fifteen to zero. It passes.
24
25 **CHAIRMAN ANSON:** **The motion carries.** Mr. Greene.
26
27 **MR. GREENE:** Following discussion of Action 3, the following
28 motions were provided. **Without opposition, the committee**
29 **recommends, and I so move, that in Action 1, add an alternative**
30 **to establish a PFQ program that uses annual allocation but not**
31 **shares.**
32
33 **CHAIRMAN ANSON:** We have a committee motion. It is on the
34 board. Is there any discussion on the motion? **Any opposition**
35 **to the motion? Seeing none, the motion carries.**
36
37 **MR. GREENE:** **Without opposition, the committee recommends, and I**
38 **so move, that staff, time permitting, reconvene the Charter For-**
39 **hire Advisory Panel, prior to the June Council meeting, in order**
40 **to continue their work on recommendations for Amendment 41.**
41
42 **CHAIRMAN ANSON:** We have a committee motion. Any discussion on
43 the motion? **Any opposition to the motion? Seeing none, the**
44 **motion carries.**
45
46 **MR. GREENE:** A motion for a new alternative in Action 1 to
47 establish a harvest tag program that provides recreational
48 anglers with annual allocation distributed in the form of

1 harvest tags to be used specifically on charter vessels had
2 previously failed by a vote of seven to seven.

3
4 A committee member suggested that it could be useful for the
5 advisory panel to discuss the proposed alternative. The
6 committee passed the following motion.

7
8 **Without opposition, the committee recommends, and I so move,**
9 **that the AP take up the harvest tag program that provides**
10 **recreational participants with annual allocation distributed in**
11 **the form of harvest tags, and specifically evaluate this**
12 **Alternative 5.**

13
14 **CHAIRMAN ANSON:** We have a committee motion. Is there any
15 discussion on the motion? **Any opposition to the motion? Seeing**
16 **none, the motion carries.**

17
18 **MR. GREENE:** Staff noted that, at its January 2016 meeting, the
19 council removed the alternative to form fishing cooperatives
20 from Amendment 42. The advisory panel also recommended to the
21 council that the establishment of fishing cooperatives be
22 removed from the document. The committee then passed the
23 following motion.

24
25 **Without opposition, the committee recommends, and I so move, to**
26 **move Alternative 3 in Action 1 and Section C, fishing**
27 **cooperatives, to the considered but rejected section.**

28
29 **CHAIRMAN ANSON:** We have a committee motion. Any discussion on
30 the motion? **Any opposition to the motion? Seeing none, the**
31 **motion carries.**

32
33 **MR. GREENE:** With the exception of fishing cooperatives, it is
34 likely that any of the allocation-based management alternatives
35 would trigger the mandate for a referendum. A committee member
36 noted it would be useful for charter operators to be able to
37 compare management under an allocation-based management program
38 or under traditional management tools, such as seasons and bag
39 limits. The committee then passed the following motion.

40
41 **With a vote of nine to four, the committee recommends, and I so**
42 **move, to have staff examine the following traditional measures**
43 **and report back to the council how these measures impact season**
44 **length for the charter for hire sector: 1)one-fish bag limit;**
45 **2)split seasons; 3)a range of size limits.**

46
47 **CHAIRMAN ANSON:** We have a committee motion. It's on the board.
48 Is there any discussion on the motion? **All those in favor of**

1 the motion, please signify by raising your hand.

2
3 **EXECUTIVE DIRECTOR GREGORY:** Sixteen.

4
5 **CHAIRMAN ANSON:** People thought about it a little more. Okay,
6 Mr. Greene.

7
8 **MR. GREENE:** Draft Amendment 42, Federal Reef Fish Headboat
9 Management, Tab B, Number 8, staff reviewed the purpose and need
10 and the management alternatives. Staff also discussed the need
11 for a control date to define the universe of vessels that would
12 participate in the headboat management plan. Following a
13 discussion on distinctions between headboat survey vessels and
14 charter for-hire vessels, the committee approved the following
15 motion.

16
17 **Without opposition, the committee recommends, and I so move, to**
18 **ask National Marine Fisheries Service to publish a control date**
19 **of December 31, 2015 for participation in the reef fish headboat**
20 **program.**

21
22 **CHAIRMAN ANSON:** We have a committee motion. It's on the board.
23 Any discussion on the motion? **Is there any opposition to the**
24 **motion? Seeing none, the motion carries.**

25
26 **MR. GREENE:** Staff noted that the Reef Fish Headboat AP will
27 meet in early May, and that their recommendations will be
28 presented during the June council meeting.

29
30 Public Hearing Draft Amendment 43, Hogfish Stock Definition,
31 SDC, ACL, and Size Limit, the committee selected preferred
32 alternatives for actions as follows. Action 1, Definition of
33 the Management Unit, no change from the previously selected
34 Preferred Alternative 2, the stock boundary line is south of
35 Cape Sable at 25 degrees, 9 minutes North latitude.

36
37 Action 2, Status Determination Criteria for Hogfish in the Gulf
38 of Mexico Fishery Management Unit, Alternative 3 had previously
39 been selected as the preferred alternative, but no preferred
40 option for MSST had been selected. An initial motion was made
41 to make Option 3a the preferred option, MSST equals one minus M
42 times SSB 30 percent SPR, but was replaced with a substitute
43 motion to make Option 3b the preferred option.

44
45 **Without opposition, the committee recommends, and I so move,**
46 **that in Action 2, under Preferred Alternative 3, that Option 3b**
47 **be the Preferred Option for MSST.**

1 **CHAIRMAN ANSON:** We have a committee motion. It's on the board.
2 Is there any discussion on the motion? **Is there any opposition**
3 **to the motion? Seeing none, the motion carries.**
4

5 **MR. GREENE:** Action 3, Annual Catch Limit and Annual Catch
6 Target for Hogfish, an initial motion was made to make
7 Alternative 3 with Option 3a the preferred alternative and
8 option, but some committee members were concerned about the
9 provision that would reduce the ACL to 159,300 pounds after 2018
10 if there were no new ABC projections. The motion was withdrawn
11 after staff noted that the current ACL has been exceeded just
12 twice, in 2012 and 2013. **Without opposition, the committee**
13 **recommends, and I so move, that in Action 3, the Preferred**
14 **Alternative be Alternative 1.**
15

16 **CHAIRMAN ANSON:** We have a committee motion on the board. Any
17 discussion on the motion? Ms. Bademan.
18

19 **MS. BADEMAN:** Just an update from this one. I promised to get
20 an update on when we were planning our next hogfish assessment,
21 and it looks like it's on our books. It hasn't been discussed
22 at the SEDAR Committee yet, but we were thinking about 2018. If
23 we did it then, I think we would have this bind where we would
24 drop to 159,000 pounds if we went with something other than
25 Alternative 1, unfortunately, and so I guess, to me, that leads
26 to a question.
27

28 Could we ask the SSC to go back and reconsider shifting to that
29 equilibrium level after 2018? I don't know if that's
30 appropriate or not, but between Action 1 and Action 4 it's not a
31 huge difference, but I'm just curious.
32

33 **CHAIRMAN ANSON:** Mr. Atran, to that point.
34

35 **MR. STEVEN ATRAN:** You don't really need to go back to the SSC.
36 The ABC is not going to change. This is just a recommendation
37 for where to go on your ACL. The ABC will stay at the 2018 ABC,
38 and so you could take this alternative and simply drop off that
39 last item that says that you will drop down to the 159,000
40 pounds.
41

42 What would happen is you would stay at the 2018 levels until you
43 modify it. If you're going to get a new stock assessment within
44 a year or two, I don't think you're going to do much harm to the
45 hogfish.
46

47 **CHAIRMAN ANSON:** Dr. Crabtree.
48

1 **DR. CRABTREE:** So you're saying that we have no ABC beyond 2018?
2

3 **MR. ATRAN:** We have no ABC defined. I am presuming that the
4 2018 will carry forward until it's changed.
5

6 **CHAIRMAN ANSON:** All right, and so we have the motion on the
7 board from the committee. Ms. Levy.
8

9 **MS. LEVY:** The issue with staying with the no action -- By
10 staying with the no action, are we choosing to use the constant
11 catch ABC, the 219,000 pounds, but we're keeping the ACL at
12 208,000? I am just trying to make sure that we're not at any
13 point going to be above the ABC recommendation, but I guess, if
14 we use the constant catch ABC, then we would be fine. That's my
15 assumption, is that that's what we would be using?
16

17 **CHAIRMAN ANSON:** Steven, can you answer that?
18

19 **MR. ATRAN:** We didn't consider that. Honestly, we didn't think
20 you were going to go with Alternative 1, but you could state
21 explicitly that you will use the constant catch ABC. I think
22 that would be fine, and we could just add that in -- Can we do
23 that in Alternative 1, even though it's a no action alternative,
24 state that we're going to explicitly use the constant catch ABC?
25

26 **DR. CRABTREE:** Probably the better thing would be to just add a
27 new alternative that's the same as Alternative 1 that then adds
28 that, what happens after 2018.
29

30 **CHAIRMAN ANSON:** Ms. Levy.
31

32 **MS. LEVY:** If, as I understand it, we don't have an ABC
33 recommendation for after 2018, I guess one option would be to
34 change the alternatives to get rid of that. It will go down to
35 the equilibrium yield, and so you could potentially, I guess,
36 select Alternative 3 that would keep it constant at 219,000
37 pounds. We could rid of the sentence that says the years
38 following 2018 will revert to some equilibrium thing at 159,000
39 pounds.
40

41 **CHAIRMAN ANSON:** Ms. Bademan.
42

43 **MS. BADEMAN:** I think that would be my preference. The reason
44 why I think we ended up was Alternative 1 was we were trying to
45 just avoid that drop. **I guess I will make a substitute motion**
46 **here to modify Alternative 3 and make it the preferred. It**
47 **would be basically Alternative 3 as written now, but just**
48 **deleting that sentence that says "The ACL for the years**

1 following 2018 will then revert to the ABC yield of 159,300
2 pounds until modified by rulemaking". Then, as part of that, I
3 would also make Option 3a the preferred there. I think we had
4 talked about, in committee, not defining an ACT. If that motion
5 was confusing enough for everyone.

6
7 **CHAIRMAN ANSON:** Let's make sure we get it on the board.
8 Martha, can you help out?

9
10 **MS. BADEMAN:** Yes. I guess you could say modify Alternative 3
11 to read as follows and make it the preferred. Maybe I can deal
12 with the option separately. Then you would just delete that
13 sentence, that ACL following the years 2018, blah, blah, blah.

14
15 **CHAIRMAN ANSON:** Is that your motion?

16
17 **MS. BADEMAN:** That's where I'm trying to go, yes, if that makes
18 sense to everybody. If it's easier to deal with the options in
19 a separate motion, that's fine.

20
21 **CHAIRMAN ANSON:** I would just keep it. I would suggest keeping
22 it in here. We have a substitute motion in Action 3 to modify
23 Alternative 3 to read as follows and make it the preferred
24 alternative. Alternative 3 is the constant catch ACL is set at
25 219,000 pounds wet weight, based on the constant catch ABC
26 recommendation for the years 2016 through 2018 of the SSC.
27 Option 3a is ACT will not be defined. Is there a second to the
28 substitute motion? Are you seconding?

29
30 **MR. FISCHER:** As a patron of the Hogfish Grill, I second it.

31
32 **CHAIRMAN ANSON:** Very good. We have a patron to the hogfish in
33 Mr. Fischer. Any discussion on the motion? **Is there any**
34 **opposition to the motion? Seeing none, the motion carries.** Mr.
35 Greene.

36
37 **MR. GREENE:** Action 4, Hogfish Minimum Size Limit for Commercial
38 and Recreational Sectors, staff noted that the current SAFMC
39 preferred alternative is sixteen inches fork length and the size
40 of 50 percent transition from female to male hogfish occurs at
41 about 16.8 inches fork length. **Without opposition, the**
42 **committee recommends, and I so move, that in Action 4 the**
43 **Preferred Alternative be Alternative 4.**

44
45 **CHAIRMAN ANSON:** We have a committee motion. It's on the board.
46 Is there any discussion on the motion? **Is there any opposition**
47 **to the motion? Seeing none, the motion carries.**

1 If I can add at this time, we are at the point in the previous
2 agenda where we would be having lunch. Dr. Crabtree needs to
3 leave the hotel around one o'clock, and so I'm trying to
4 accommodate his request and so we will continue on.

5
6 **MR. GREENE:** Action 5, Use of Powerheads to Harvest Hogfish in
7 the Stressed Area. **Without opposition, the committee**
8 **recommends, and I so move, that in Action 5, Alternative 2 be**
9 **the preferred alternative.**

10
11 **CHAIRMAN ANSON:** We have a committee motion. It's on the board.
12 Any discussion on the motion? **Is there any opposition to the**
13 **motion? Seeing none, the motion carries.**

14
15 **MR. GREENE:** Public hearings have been scheduled in May. The
16 amendment will be brought back to the council for final action
17 in June.

18
19 Draft Amendment 45, Extend or Eliminate the Red Snapper Sector
20 Separation Sunset Provision, staff reviewed the amendment. A
21 motion to remove the sunset provision for sector separation
22 failed. A motion to extend sector separation for ten years was
23 proposed.

24
25 **However, following discussions, the committee approved the**
26 **following substitute motion. By a voice vote of nine to six,**
27 **the committee recommends, and I so move, to select Alternative 2**
28 **with Option 2a as the preferred alternative and preferred**
29 **option.**

30
31 **CHAIRMAN ANSON:** We have a committee motion. Is there any
32 discussion on the motion? Mr. Riechers.

33
34 **MR. RIECHERS:** I would like to offer a substitute motion. The
35 **substitute motion would be for Alternative 1 to be the preferred**
36 **alternative.**

37
38 **CHAIRMAN ANSON:** We have a substitute motion that Alternative 1
39 be the preferred alternative. Is there a second? It's seconded
40 by Dr. Stunz. Any discussion on the motion? Mr. Sanchez.

41
42 **MR. SANCHEZ:** I will be voting against that. I mean, again, you
43 have heard me ad nauseum, too. We have an industry that has
44 come for years before this council to plead their case. They're
45 in the process of developing their plan, and then basically
46 Texas, at every chance, throws a monkey wrench into the works
47 and tries to stall this, delay it, and do whatever they can to
48 have this tap out and sunset.

1
2 Here we are, trying to extend the sunset, which I was against
3 when it had its genesis, and now we're going back through this
4 circular exercise and not allowing an industry to do what they
5 want to do, and it's just very transparent and very frustrating.

6
7 **CHAIRMAN ANSON:** Dr. Dana.

8
9 **DR. DANA:** Thank you, Chairman Anson. I will not be voting for
10 this substitute motion as well. The charter industry is working
11 on, insofar a successful program, and I would like to see the
12 opportunity for the charter for-hire, federally-permitted
13 charter for-hire, industry to continue to work out this program.

14
15 We saw from the report yesterday that they're under the
16 allocation by thirty-something percent, and, as Dr. Stunz said
17 yesterday, the reason that we originally had the sunset was
18 partially to see if it worked. If it didn't work, then let's do
19 away with it. We have seen that it works, and so let's offer up
20 the opportunity to have accountable management in a sector by,
21 at the minimum, extending the sunset.

22
23 **CHAIRMAN ANSON:** Mr. Riechers.

24
25 **MR. RIECHERS:** It is interesting, John. We did agree we both
26 didn't want the sunset provision as it was laid out, and when
27 this was adopted, we were on the same side of that vote.
28 Whether you believe we have tried to stop or however you want to
29 put it, this is the process that we go through, and sector
30 separation was a long time developing.

31
32 If you wanted to put it in the same category as you could place
33 it, it would be in the same category or it was in the same
34 category as Amendment 39 for a long time. Now, there is good
35 work going on. Obviously that workgroup has put stuff forward.

36
37 We have plenty of time to deal with this amendment, and so one
38 of the notions was this amendment and the removal of this
39 started at the last meeting.

40
41 Here we are trying to approve a copy to go to public hearing for
42 a possible final vote in a three-meeting span, which is, I will
43 say, almost absolutely unheard of in our business, and so kudos
44 to staff and others who obviously worked so fast to get this
45 amendment pulled together.

46
47 What I would suggest is that, while you heard others talk about
48 the rationale for why the sunset was in here and that now that

1 Amendment 39 is gone and that we should remove the sunset, I
2 would say that people are believing that was the rationale, but
3 there was other rationale as well.

4
5 Part of it was to see how far we got in the development of this
6 program. Pam, you're correct that the allocation stayed
7 underneath without any of this other stuff going on. The reason
8 the allocation stayed underneath the quota was the 20 percent
9 buffer that was put in place, and that was one of the arguments
10 we made when the sector separation document went through, is
11 that we have a 20 percent buffer and let's see what that does
12 and let's see if we can find ways to improve and not have a 20
13 percent buffer, but let's do that across the entire recreational
14 sector as well.

15
16 While we don't agree on how to move forward here, we each get to
17 vote the way we see fit and then we work towards other solutions
18 on all amendments. John, I appreciate that we're in
19 disagreement here, but we're just going to stay in disagreement
20 here.

21
22 **CHAIRMAN ANSON:** Dr. Stunz.

23
24 **DR. STUNZ:** Robin made my point.

25
26 **CHAIRMAN ANSON:** Any other discussion on the substitute motion?
27 **All those in favor of the substitute motion, please signify by**
28 **raising your hand.**

29
30 **EXECUTIVE DIRECTOR GREGORY:** Five.

31
32 **CHAIRMAN ANSON:** All those opposed, like sign.

33
34 **EXECUTIVE DIRECTOR GREGORY:** Eleven. It's five to eleven.

35
36 **CHAIRMAN ANSON:** **The substitute motion fails.** We go back to the
37 original committee motion. That is on the board. It's to
38 select Alternative 2 with Option 2a as the preferred alternative
39 and preferred option. Alternative 2 is to extend the separate
40 management of the federal for-hire and private angling
41 components, sector separation, for an additional -- That's under
42 Option 2a and it's three calendar years, to be effective through
43 the end of the 2020 fishing year. **All those in favor of this**
44 **motion, please indicate by raising your hand.**

45
46 **EXECUTIVE DIRECTOR GREGORY:** Twelve.

47
48 **CHAIRMAN ANSON:** All those opposed, like sign.

1
2 **EXECUTIVE DIRECTOR GREGORY:** Three.

3
4 **CHAIRMAN ANSON:** The motion carries. Mr. Greene.

5
6 **MR. GREENE:** The committee discussed alternative public hearing
7 methods and approved the following motion. **Without opposition,**
8 **the committee recommends, and I so move, to take Amendment 45 to**
9 **in-person public hearings to the following locations posted on**
10 **the board.**

11
12 **CHAIRMAN ANSON:** We have a committee motion on the board. Do we
13 have any discussion? Mr. Fischer.

14
15 **MR. FISCHER:** Yes, Mr. Chairman. I would like to amend the
16 motion for the Louisiana hearing to be closer to the New Orleans
17 region, possibly the West Bank, Gretna. That way, you could get
18 all of the charter -- It would be much easier access for our
19 fishermen, recreational and charter. I am not specifying a
20 town, but we do -- Staff knows we do hearings at a Holiday Inn
21 right on Highway 90 in the Gretna area.

22
23 **CHAIRMAN ANSON:** Robin.

24
25 **MR. RIECHERS:** Staff had also approached me after the committee
26 meeting and wanted clarification, and we would want the Port
27 Aransas one more in the Corpus Christi or Aransas Pass area,
28 just so people don't have to navigate the ferry.

29
30 **CHAIRMAN ANSON:** Dr. Lucas.

31
32 **DR. LUCAS:** I was just going to suggest Biloxi or Gulfport,
33 whichever is easier to get a location at for staff.

34
35 **CHAIRMAN ANSON:** Robin, there is some discussion going on of the
36 Texas location.

37
38 **MR. RIECHERS:** Take out the "Port" there and you will have it.

39
40 **CHAIRMAN ANSON:** Very good. We have the motion up on the board.
41 **Is there any opposition to the motion? Seeing none, the motion**
42 **carries.**

43
44 **MR. GREENE:** Preliminary Options and Discussion, Mechanism to
45 Allow Recreational Red Snapper Season to Reopen if ACL is Not
46 Exceeded, staff reviewed the preliminary actions and
47 alternatives for addressing under harvest of recreational red
48 snapper ACL, which consisted of a number of steps to move toward

1 a fall supplemental season.

2
3 Dr. Crabtree noted that the proposed revisions to the National
4 Standard 1 Guidelines will allow carryover of unused ACL to the
5 next fishing year, which may be a better alternative than
6 reopening the current season. An IPT will be formed to review
7 and further develop the alternatives for this options paper.

8
9 Final Action, Framework Action to Modify Commercial Gear
10 Requirements and Recreational/Commercial Fishing Year for
11 Yellowtail Snapper, staff reviewed the alternatives in Action 1,
12 noting the area for which the circle hook exemption would apply
13 for each respective alternative.

14
15 The Gulf Reef Fish AP had previously commented that they
16 preferred that the area for which the gear exemption would apply
17 be as small as possible, a sentiment which was shared by
18 received oral and written public comments.

19
20 An analysis of the potential for bycatch of other species was
21 reviewed with respect to Action 1, which demonstrated a low
22 probability of biologically significant bycatch if the gear
23 exemption were implemented.

24
25 A committee member asked why the recreational sector was not
26 being considered as part of the gear exemption. Staff replied
27 that the manner in which the commercial fishery is prosecuted is
28 very specific to targeting yellowtail snapper, and recreational
29 reef fish fishing generally employs bottom fishing techniques,
30 which are less discriminate to specific species of fish.
31 **Without opposition, the committee recommends, and I so move, in**
32 **Action 1, to make Alternative 5 the preferred alternative.**

33
34 **CHAIRMAN ANSON:** All right. We have a committee motion. It's
35 on the board. Is there any discussion on the motion?
36 Lieutenant Commander Brand.

37
38 **LCDR BRAND:** I just wanted to kind of get a feeling of how we
39 would -- How enforcement would enforce this waiver, if there's
40 some kind of written documentation that they're going to carry
41 or it's just a geographic area that we enforce, based on
42 lat/long?

43
44 **CHAIRMAN ANSON:** Martha.

45
46 **MS. BADEMAN:** So you're getting to the area is what you're
47 concerned with?

48

1 **LCDR BRAND:** Yes, just how we would enforce it. Is it something
2 that they're going to carry some kind of waiver or is it just a
3 geographic area?
4

5 **MS. BADEMAN:** I think it's just a geographic area. Most of the
6 guys that are doing this are running out of Key West, and so
7 they wouldn't be going north of that to land.
8

9 **CHAIRMAN ANSON:** Dr. Crabtree, did you have a comment?
10

11 **DR. CRABTREE:** There won't be any kind of paper waiver that
12 they're going to have on it. The entire circle hook requirement
13 has always posed an enforcement challenge, and this will
14 continue to be an enforcement challenge, just like the whole
15 requirement has.
16

17 We've had a lot of discussions with it, and I don't think there
18 is a way to make a requirement for using a particular hook all
19 that enforceable. With the current requirement, it's just been
20 more that you have to have them onboard the vessel. I recognize
21 that there are some issues with enforcement here, but I think,
22 overall, this still is an appropriate way to go.
23

24 **CHAIRMAN ANSON:** Any other discussion on the committee motion?
25 **Is there any opposition to the motion? Seeing none, the motion**
26 **carries.**
27

28 **MR. GREENE:** The council's preferred alternatives in Action 2,
29 changes to the fishing year, were reviewed, and no changes were
30 recommended by the committee. Staff noted that the codified
31 text would be updated prior to the full council session on
32 Thursday.
33

34 **Without opposition, the committee recommends, and I so move,**
35 **that the council approve the Framework Action to Modify**
36 **Commercial Gear Requirements and Recreational/Commercial Fishing**
37 **Year for Yellowtail Snapper and that it be forwarded to the**
38 **Secretary of Commerce for review and implementation, giving**
39 **staff editorial license to make the necessary changes in the**
40 **document.**
41

42 **CHAIRMAN ANSON:** We have a committee motion. Is there any
43 discussion on the motion? Dr. Crabtree.
44

45 **DR. CRABTREE:** I have a substitute motion that would be the
46 current motion that you have, but also put in the language that
47 we've deemed the codified text as necessary and appropriate,
48 because we have that now. I'm assuming you all can put that

1 together for me. I believe the codified text was sent out via
2 email, and I'm sure all of us have looked at and would raise any
3 issues that you've seen.

4
5 **CHAIRMAN ANSON:** We have a substitute motion to approve the
6 Framework Action to Modify Commercial Gear Requirements and
7 Recreational/Commercial Fishing Year for Yellowtail Snapper and
8 that it be forwarded to the Secretary of Commerce for review and
9 implementation and deem the codified text as necessary and
10 appropriate, giving staff editorial license to make the
11 necessary changes in the document. This will require a roll
12 call vote. Mr. Gregory.

13
14 **EXECUTIVE DIRECTOR GREGORY:** Dr. Dana.

15
16 **DR. DANA:** Yes.

17
18 **EXECUTIVE DIRECTOR GREGORY:** Mr. Williams.

19
20 **MR. WILLIAMS:** Yes.

21
22 **EXECUTIVE DIRECTOR GREGORY:** Ms. Bademan.

23
24 **MS. BADEMAN:** Yes.

25
26 **EXECUTIVE DIRECTOR GREGORY:** Dr. Crabtree.

27
28 **DR. CRABTREE:** Yes.

29
30 **EXECUTIVE DIRECTOR GREGORY:** Dr. Lucas.

31
32 **DR. LUCAS:** Yes.

33
34 **EXECUTIVE DIRECTOR GREGORY:** Mr. Swindell.

35
36 **MR. SWINDELL:** Yes.

37
38 **EXECUTIVE DIRECTOR GREGORY:** Mr. Walker.

39
40 **MR. WALKER:** Yes.

41
42 **EXECUTIVE DIRECTOR GREGORY:** Dr. Stunz.

43
44 **DR. STUNZ:** Yes.

45
46 **EXECUTIVE DIRECTOR GREGORY:** Mr. Riechers.

47
48 **MR. RIECHERS:** Yes.

1
2 **EXECUTIVE DIRECTOR GREGORY:** Captain Greene.
3
4 **MR. GREENE:** Yes.
5
6 **EXECUTIVE DIRECTOR GREGORY:** Mr. Boyd.
7
8 **MR. BOYD:** Yes.
9
10 **EXECUTIVE DIRECTOR GREGORY:** Mr. Sanchez.
11
12 **MR. SANCHEZ:** Yes.
13
14 **EXECUTIVE DIRECTOR GREGORY:** Mr. Diaz.
15
16 **MR. DIAZ:** Yes.
17
18 **EXECUTIVE DIRECTOR GREGORY:** Mr. Fischer.
19
20 **MR. FISCHER:** Yes.
21
22 **EXECUTIVE DIRECTOR GREGORY:** Ms. Bosarge.
23
24 **MS. BOSARGE:** Yes.
25
26 **EXECUTIVE DIRECTOR GREGORY:** Mr. Matens.
27
28 **MR. MATENS:** Yes.
29
30 **EXECUTIVE DIRECTOR GREGORY:** Mr. Anson.
31
32 **CHAIRMAN ANSON:** Yes.
33
34 **EXECUTIVE DIRECTOR GREGORY:** **It's unanimous, seventeen to zero.**
35
36 **CHAIRMAN ANSON:** Thank you. Mr. Greene.
37
38 **MR. GREENE:** Mr. Chairman, I would like to thank all the council
39 members for getting the bulk of the work done on Tuesday in
40 committee and making this process a lot easier today. With
41 that, that concludes my report.
42
43 **CHAIRMAN ANSON:** Thank you, sir. I had a request from Mr.
44 Matens to discuss an issue, since it was appropriate to -- You
45 don't need to discuss it now? Okay. Mr. Fischer.
46
47 **MR. FISCHER:** Can you tell us where we are on the agenda and
48 expected completion time and lunchtime?

1
2 **CHAIRMAN ANSON:** While I do that, there was a couple of items
3 that Dr. Crabtree wanted to discuss in Other Business, and so I
4 would like to have him go ahead and do that now, in light of his
5 one o'clock departure time. Dr. Crabtree, if you can discuss
6 those two items. They were Update on the Red Snapper Workshop
7 and then the Status Review of the Bryde's Whale in the Gulf of
8 Mexico.

9
10 **OTHER BUSINESS**

11 **UPDATE ON THE STATUS REVIEW FOR BRYDE'S WHALES**

12
13 **DR. CRABTREE:** Yes, and I will be very brief. I wanted you to
14 know that Bryde's whale -- If you would look at the spelling,
15 you would say it's Bryde's whale, but I'm told that it's
16 pronounced like "Brutus whale".

17
18 It's a toothed whale in the Gulf of Mexico. My understanding is
19 the population estimate is about thirty animals. We had a
20 petition to list it under the Endangered Species Act. We were
21 late on it. There has been a settlement on a time agreement.
22 We have established a status review panel and are going through
23 that process. It does occur, I think, predominantly in the
24 northern Gulf of Mexico, all the way over towards Florida. I
25 wanted you to be aware of that.

26
27 **UPDATE ON RED SNAPPER WORKSHOP**

28
29 The other issue was you're probably aware that in the
30 appropriations for this year that there was \$10 million
31 appropriated for red snapper research. \$5 million of it was
32 identified as going to Sea Grant and \$5 million to the Fisheries
33 Service.

34
35 We have worked with Sea Grant, and we held a workshop in New
36 Orleans that some of you were in attendance at. There was a
37 consensus at the workshop that what we really needed to do with
38 this money was to take a coordinated approach in the Gulf of
39 Mexico and try to generate an estimate of the absolute size of
40 the red snapper population.

41
42 The money was kind of geared towards an independent assessment,
43 and so the idea here was to use a completely independent
44 methodology to come up with an assessment of the size of the red
45 snapper population in the Gulf of Mexico.

46
47 The most likely way to get at that that was identified was some
48 combination of a mark/recapture program and then potentially

1 some more use of high-technology and those kinds of things, in
2 conjunction with that.

3
4 The approach that's being followed is a two-phase approach. The
5 Phase 1 will be to put out a request for proposals to design the
6 study, how many fish would have to be tagged and what high-tech
7 things could we use and where would it all have to be? How many
8 fish would be killed in the process of doing it?

9
10 I think that an RFP is likely to come out on that sometime in
11 the next month or so. After proposals to design the study have
12 been submitted, there will be another workshop to evaluate the
13 proposals and select the best study design.

14
15 Then Phase 2 would be to put out a request for proposals to
16 actually execute the program on a Gulf-wide basis. I think
17 we're on a timeframe of two to three years to try and actually
18 have some results of it, and I'm going to ask Clay if he wants
19 to add anything more to that.

20
21 **DR. PORCH:** No, I think you did an excellent job summarizing it.
22 The only thing that might happen, in addition, is a smaller RFP
23 go out targeted more towards alternative technologies.
24 Hopefully that would supplement the tagging effort.

25
26 **DR. CRABTREE:** So I wanted all of you to be aware that this is
27 going on. If we had an independent estimate of the population
28 size, then you could compare that to what the stock assessment
29 would produce. Then Clay, I think, could tune the stock
30 assessment to bring it in line with that, if there were
31 differences. I wanted just to keep you updated as to what's
32 going on with that, and that's really all, Kevin.

33
34 **CHAIRMAN ANSON:** Thank you.

35
36 **DR. CRABTREE:** I want to thank you all for accommodating my
37 schedule. I know it delayed your lunch, and I apologize for
38 that.

39
40 **CHAIRMAN ANSON:** David.

41
42 **MR. WALKER:** Just some other business. I continue to get emails
43 and texts and we heard testimony that they recommend forming
44 this AP. Maybe just have a little short discussion here, if
45 anybody would like to add to the discussion of that. We've been
46 hearing a lot of testimony. A lot of anglers are upset about
47 eight or nine days and is change -- We keep waiting on other
48 people and another time, but we've got to do something, and I

1 would just like to see a little discussion.

2
3 **CHAIRMAN ANSON:** We are behind schedule, to some degree, at this
4 point, David, and I think, in order for us to stay on task with
5 our other items, I would just as soon defer that conversation to
6 the next chance, and that would be during Reef Fish at the next
7 meeting, and that we go ahead and take our lunch break. it will
8 be an hour and fifteen minutes. We will be back here at 1:45.

9
10 We do have the remaining committee reports. That will be Admin
11 Policy, Law Enforcement, Data Collection, and Gulf SEDAR, and
12 then the remaining Other Business that's in the agenda. Let's
13 do that. We will come back and be in here by 1:45 and we will
14 reconvene. Thank you.

15
16 (Whereupon, the meeting recessed for lunch on April 7, 2016.)

17
18 - - -

19
20 April 7, 2016

21
22 THURSDAY AFTERNOON SESSION

23
24 - - -

25
26 The Full Council of the Gulf of Mexico Fishery Management
27 Council reconvened at the Doubletree by Hilton Austin, Austin,
28 Texas, Thursday afternoon, April 7, 2016, and was called to
29 order at 1:45 p.m. by Chairman Kevin Anson.

30
31 **CHAIRMAN ANSON:** Administrative Policy/Budget, Tab G, Ms.
32 Bosarge.

33
34 **COMMITTEE REPORTS (CONTINUED)**

35 **ADMINISTRATIVE POLICY & BUDGET PERSONNEL COMMITTEE REPORT**

36
37 **MS. BOSARGE:** Thank you, Mr. Chairman. The Administrative
38 Policy & Budget/Personnel Committee Report. The agenda and
39 meeting minutes were approved as written.

40
41 Staff reviewed the funded budgets for the 2014 no-cost
42 extension, the 2015 administrative award, and the anticipated
43 budget for 2016, funds expended during the 2015 fiscal year from
44 both the 2014 no-cost, and first year of the current five-year
45 administrative.

46
47 Total funding in 2016 is anticipated to be approximately \$3.6
48 million, which is 3.4 percent lower than the original 2016

1 estimated budget, and level funding with our 2015 budget. The
2 first no-cost extension of the 2014 award had a budget of \$1.141
3 million. This encompassed meeting activities, staff time, an
4 office build-out, and contracted analytical work. Not all of
5 the activities were completed during the 2015 calendar year, and
6 so a second extension was requested and granted to carry
7 \$273,000 through June 2016. Of the 2015 budget, \$3.012 million
8 was expended, and \$607,000 was carried into 2016.

9
10 Under Tab G-4(a), staff also presented the proposed 2016
11 activities and indicated which may be charged to the 2014 no-
12 cost extension, if completed by June 2016. **By a unanimous vote,**
13 **the committee recommends, and I so move, to recommend accepting**
14 **the 2016 budget and activities as written.**

15
16 **CHAIRMAN ANSON:** We have a committee motion. It's on the board.
17 Is there any discussion on the motion? **Is there any opposition**
18 **to the motion? Seeing none, the motion carries.**

19
20 **MS. BOSARGE:** Other Business, Mr. Gregory received an inquiry
21 about whether or not an SSC member could also serve as an
22 alternate designee for a state director serving on the council.
23 NOAA General Counsel indicated that there was nothing
24 specifically prohibiting it, and so it is best for the council
25 to decide the issue as a council policy.

26
27 The discussion included questions about the opinion of the SSC,
28 if there was any reference in the SOPPs to the practice, and if
29 we have had this occur in the past. Mr. Perret mentioned that
30 he had served as a council designee and on the SSC many years
31 ago. Staff was instructed to bring the issue to the SSC in May
32 for discussion, research pertinent data, and return the results
33 to the council in June. Mr. Chairman, this concludes my report.

34
35 **CHAIRMAN ANSON:** Thank you, Ms. Bosarge. Next, that will take
36 us to the Law Enforcement Committee Report, Tab L, and Mr. Boyd.

37
38 **LAW ENFORCEMENT COMMITTEE REPORT**

39
40 **MR. BOYD:** Thank you, Mr. Chairman. The Law Enforcement
41 Committee met on April 4. Law Enforcement Technical Committee,
42 the LETC commented on enforcement implications of the nine-mile
43 Alabama, Mississippi, and Louisiana reef fish boundary and on
44 the newly-implemented Aquaculture FMP plan.

45
46 In response to LETC concerns regarding the Aquaculture FMP, NOAA
47 General Counsel noted that the new regulations require that
48 restricted access zone buoys be marked with the aquaculture

1 permit number, and National Marine Fisheries Service has the
2 authority to order the removal of facilities where the permit
3 has been suspended or revoked.

4
5 I'm not going to read the title of each one of these. I will
6 just continue with the report. The LETC recommended the
7 applicant's driver's license, for AP candidates, driver's
8 license number or state-issued ID number be added to the AP
9 online application form.

10
11 The LETC also recommended that, in the signature and date
12 section, the checkbox to authorize background checks be revised
13 to read: "By checking this box, I consent to allow NOAA/state
14 law enforcement to provide a marine fishery background check to
15 be provided to the Gulf of Mexico Fishery Management Council."

16
17 The LETC noted that some state agencies were unable to separate
18 violations involving federally-managed species from other marine
19 fishery violations, and so the background checks would be for
20 all marine fishery violations, regardless of species. The
21 following motion passed without opposition.

22
23 **Without opposition, the committee recommends, and I so move,**
24 **that the council approve the Proposed Protocol Form for**
25 **Background Checks on Gulf Council Advisory Panel Applicants as**
26 **revised.** Mr. Chairman.

27
28 **CHAIRMAN ANSON:** Thank you, Mr. Boyd. We have a committee
29 motion. The motion is on the board. Is there any discussion on
30 the motion? **Is there any opposition to the motion? Seeing**
31 **none, the motion carries.**

32
33 **MR. BOYD:** Thank you. Other Business, TED Compliance, on the
34 issue of courtesy inspections being counted toward the
35 percentage of noncompliance by the Office of Protected
36 Resources, Dr. Roy Crabtree felt that violations found by
37 courtesy inspections are mostly minor and would not count
38 heavily against TED compliance. One committee member suggested
39 that there may be a need for a certification program for net
40 makers. I will pause there for a minute to see if there's
41 anything from the committee.

42
43 **CHAIRMAN ANSON:** Mr. Riechers. We do have a question.

44
45 **MR. RIECHERS:** Yes, and I just want to follow up on this, based
46 on some conversation you all had in committee, but, for those
47 who may not have been here in committee, this is associated with
48 a discussion regarding some reporting that law enforcement is

1 going to be asked to do regarding TED compliance.

2
3 This whole notion of courtesy boarding is a notion where someone
4 might call before they go out on a trip to have their TEDs
5 checked, to make sure they are in compliance, and all that the
6 states, or at least a couple of the states, have asked for is
7 that there be a way to identify that on that current form, so
8 that as you try to come up with a compliance estimate, of which
9 you may do closures in the Gulf if you don't meet compliance, we
10 would not basically penalize someone for coming forward and
11 asking that -- You know, come check my boat and check my net
12 before I go out.

13
14 I would urge National Marine Fisheries Service -- The notion
15 about they won't be counted as greatly worries me a little bit.
16 I don't know, and I think it might be appropriate that we send a
17 letter, and if I get any indication that the council would want
18 to do that, I would put that in the form of a motion.

19
20 **CHAIRMAN ANSON:** I will speak for myself. I would tend to agree
21 that would probably be an appropriate means forward, but, Ms.
22 Bosarge.

23
24 **MS. BOSARGE:** Robin, I think we sent a letter to NMFS, not at
25 the last meeting, but the meeting before, to ask them for one of
26 these very things, where we said, you know, I think it's really
27 important that, as we move forward, we have some delineation on
28 that TED boarding form, which is the same one used for the
29 courtesy inspections, that will actually say whether this was a
30 boarding, per se, or a courtesy inspection.

31
32 I think that letter did go out a month ago or a couple of weeks.
33 Anyway, it went out at some point, and, from what I understand,
34 they are taking that very seriously, and they are, in fact,
35 implementing that -- Going to implement that change on the form.

36
37 **CHAIRMAN ANSON:** Ms. Bademan.

38
39 **MS. BADEMAN:** I support what you're doing here, Robin, with this
40 motion, and so what we asked from that letter was for them to
41 make the box so they could check to say that it's a compliance
42 check, and I've seen the form, and they have that box. The
43 issue is that that's not being separated out from these
44 boardings, in terms of when they are calculating the statistics
45 that they're using to inform whether they're going to close an
46 area of the Gulf of Mexico. That's really the crux of the
47 issue.

48

1 **MR. RIECHERS:** I would move that we send a second letter and
2 that we emphasize the fact that those complementary boardings,
3 boardings prior to trips, as they're termed, or the appropriate
4 terminology that we used before, but that they not be included
5 in the overall compliance rate.
6

7 We understand that once it's boarded -- If you're out fishing,
8 we get that, but if you're at the dock and you've called someone
9 down, we think you're just trying to get your business right,
10 and we think that should be -- The calculations should be
11 adjusted for that.
12

13 I would say just a second letter emphasizing the issue regarding
14 complementary boardings and TED boardings or something like that.
15 I think staff will know enough of what we're referring to here.
16 Jason, you look like you may want to speak.
17

18 I will tell Leann this. Texas Parks and Wildlife and Florida
19 Fish and Wildlife Commission had a recent call, and I didn't get
20 the impression that they were taking that -- I shouldn't say
21 they weren't taking it seriously, but I didn't get the
22 impression they were willing to change their calculation, which
23 it seems like you thought they were, and so we may have gotten
24 two different impressions there.
25

26 **CHAIRMAN ANSON:** Ms. Bosarge.
27

28 **MS. BOSARGE:** I've tried to think about this. I've heard a
29 couple of different things about how these are being used and
30 yes, you're right that they are being used. They are being
31 counted in the calculations.
32

33 I listened to a law enforcement meeting last month, and
34 essentially they said that part of the problem that they're
35 having are getting enough boardings, essentially, to do their
36 extrapolations to the whole fleet to come up with a compliance
37 level. Therefore, these courtesy boardings, if they can
38 actually use those, that that assists in that.
39

40 You can imagine the ramifications. If you only have say four
41 boardings in a window, whatever that window is, a month or
42 whatever the case may be, if you get one really bad inspection
43 and then you extrapolate that to the entire fleet, then it looks
44 really bad, when in fact that is more than likely an outlier,
45 but, because your sample size is so small, it's having a huge
46 influence on what the compliance level looks like.
47

48 By still, for the time being, utilizing some of the courtesy

1 boardings in order to increase the sample size, until something
2 else is in place, such as what I understand -- I think they've
3 got a new draft out on their policy, but, anyway, and I haven't
4 read through the whole thing, but I know something that's being
5 considered is using observers to do the inspections.

6
7 That comes with a whole other host of possible scary things, but
8 it would increase the sample size, to the point that if you get
9 one outlier in the sample that it doesn't throw everything out
10 of whack and force a closure, essentially.

11
12 I almost feel like it's a double-edged sword, and I'm not -- I
13 think I would be more comfortable if we sent a second letter to
14 the Office of Law Enforcement or NOAA emphasizing that the
15 complementary boardings are to be given the lowest rating
16 possible. In other words, when you have a compliance problem on
17 your boarding form, not all compliance problems are given an
18 equal rating.

19
20 If there's a TED that's sewn shut or no TED at all in the net,
21 that's the worst-case scenario. You're definitely going to have
22 an impact on a turtle, as opposed to you inspect a boat and
23 there's just a minor problem with the angle of the TED, where,
24 more than likely, it's probably not having an influence on a
25 turtle, but it could. That gets like a Level 1 rating.

26
27 Until I have more information about how many samples we're
28 getting, I don't want to do something that may hurt the
29 industry, if we really have a sample size problem, before we can
30 implement something to handle the sample size problem.

31
32 **CHAIRMAN ANSON:** I have a few people. I have Dave Donaldson,
33 Commander Reeder, and Lieutenant Commander Brand.

34
35 **MR. DONALDSON:** Thank you, Mr. Chairman. I just want to point
36 out that at our recent commission meeting, our Law Enforcement
37 Committee decided to write a similar letter to this, and I think
38 that having a letter from this body, as well as from the
39 commission, would just emphasize the importance of this and
40 hopefully make them aware that it's an issue and something that
41 they need to address.

42
43 **CHAIRMAN ANSON:** Commander Reeder.

44
45 **COMMANDER REEDER:** Thank you very much. I just want to make
46 sure that you all are informed. At one time, I think it was
47 right about the 2012 biological opinion, NOAA Protected
48 Resources was actually receiving data from the states and from

1 the Coast Guard, but because they observed compliance levels
2 other than what the states and Coast Guard were reporting, they
3 chose to dismiss our data.

4
5 It's not that we were not supplying them with information, but
6 it was a matter of they no longer used our data. Since then,
7 the TED Compliance Policy Document has been drafted, and is
8 close to formalized, with concerns the state addressed, to a
9 degree.

10
11 Once we have a few more concerns addressed, that will make us
12 much more comfortable in how this is going to impact the
13 industry, and so then we will supply them with those forms, and
14 I can promise you there will be a good deal more forms than what
15 is even going to be captured in a courtesy inspection.

16
17 However, until we have a level of comfort as to how these things
18 are going to be addressed, and one of those is mainly with those
19 courtesy inspections, we want to know how that's going to -- We,
20 as a law enforcement body, are not comfortable with them being
21 treated as the same level violation as if that gear is fishing,
22 because it's not having the same impact.

23
24 That is where the commission has been great in supporting the
25 law enforcement concerns and drafting a letter to request that
26 NOAA reassess how they're going to use those courtesy
27 inspections within the compliance rating of the Gulf. That is
28 what we're requesting.

29
30 **CHAIRMAN ANSON:** Thank you. Lieutenant Commander Brand.

31
32 **LCDR BRAND:** Just to kind of add to what Brandi is saying, the
33 data, from what we understand, is not being counted for the
34 Coast Guard boardings that we do. We do a lot of boardings and
35 submit our forms, but I understand some of the background behind
36 that was there's been some lawsuits against Dr. Crabtree for
37 potentially -- What is being said is inconsistency between
38 boardings.

39
40 When you have JEA and you have NOAA GMT and you have Coast
41 Guard, different folks being trained by different people, the
42 complexity of a TED boarding is very -- It's a lot of different
43 types of training that is involved in stretching the nets and
44 how you measure it, certain ways two people can do the same
45 measurement and get different numbers. That's kind of the
46 background of the problems behind the data, and so what they've
47 determined was the only people they're going to take is the GMT.

48

1 The problem with the GMT is -- I need to double check, but I
2 think all GMT boardings are complementary boardings, and so that
3 would mean that all the boardings that are being counted now
4 would -- You could have zero data, because the GMT can't just do
5 a non-compliant boarding.

6
7 They could go across the dock and see a vessel with no TED
8 hanging in the net and they couldn't go on there unless they
9 have consent, maybe. Those are just some factors to consider.
10 You would basically maybe have zero data if you took that away
11 from them, and so I don't know.

12

13 **CHAIRMAN ANSON:** I have Robin, followed by Ms. Levy.

14

15 **MR. RIECHERS:** I mean I don't want to belabor this, but it looks
16 as if we've changed the motion from maybe what was originally
17 there. Maybe a way out of this is for us to say be given the
18 lowest rating possible or not be considered -- Given the issues
19 surrounding number of boardings and something like that,
20 because, again, the last thing I want to have come out at some
21 point is we end up with a closure and it was based on somebody
22 calling and asking that a complementary boarding be done,
23 because the moment we do that, we will not have any
24 complementary boardings anymore.

25

26 That's what I'm trying to guard against here, and just making
27 sure that -- First of all, we all know what rules we're playing
28 by, number one, and then number two is that we don't have a
29 situation where someone is trying to do the right thing and all
30 of a sudden they get penalized and the industry gets penalized.
31 Now, we're all out for the same thing, which is good TED
32 compliance, and so I want us all to realize that as well.

33

34 **CHAIRMAN ANSON:** Mara.

35

36 **MS. LEVY:** Thank you. I just wanted to say that I hear a lot of
37 sort I guess what sounds to me like speculation about what's
38 happening with all of this. I get the concern, and I'm not
39 telling you not to write the letter, but, also, when you're
40 looking at TED compliance, then Protected Resources and the
41 agency is also looking to have good TED compliance.

42

43 I think that part of the issue here is getting as much
44 information as you can, and presumably the agency is going to
45 use it in the manner that is most applicable, meaning I think
46 there's an understanding, like Roy was speaking to before, that
47 most of these complementary boardings are not going to pick up
48 people that don't have TEDs in their nets or TEDs that are sewn

1 shut or things like that.

2
3 They're not going to pick up these big violations that are going
4 to show some really out-of-whack compliance. I just think that
5 really the goal should be getting the information to the agency,
6 and then the agency should be, as they're required to do, using
7 the information in the most appropriate way to meet the
8 requirements of the law. Thanks.

9
10 **CHAIRMAN ANSON:** Mara, just to follow up on that, I'm not
11 familiar with this issue, but you said it seems like there's
12 some level of scrutiny that goes on as they review courtesy
13 reports, and so are you saying that there is already a mechanism
14 in place whereby they score a compliance report, and those that
15 are most egregious, they're tied shut or what have you, gets a
16 very high score or a bad score and ones that just might be off
17 by a little bit, a fraction of an inch, as far as the openings
18 and such, that gets a lower score? It's put in the bad bin, but
19 yet there is some level of scoring going on? Am I interpreting
20 that right or no?

21
22 **MS. LEVY:** Well, I sort of was going off of what Roy was talking
23 about, and he seemed to be categorizing them. I guess what I'm
24 hearing, and including myself, is that nobody really seems to
25 know what the process is.

26
27 I don't know to the extent that the agency shares exactly how
28 they evaluate the forms or anything like that. All I'm
29 suggesting is that there's a lot of emphasis going on about how
30 there's concerns from law enforcement about how the forms will
31 be used, but really, the concern should be getting the
32 information.

33
34 I get that you don't want to disincentivize people to actually
35 call and have their TEDs checked, but there should be, I think,
36 in some respects, some confidence that the agency also wants to
37 make sure that people call and get their TEDs checked. There is
38 no incentive also for Protected Resources and the agency to be
39 doing things that are going to result in people not wanting to
40 get these courtesy checks.

41
42 Like I said, I'm not telling you not to write the letter. I'm
43 just saying that, and I don't know if it's available, if someone
44 is available that could give more information about the process,
45 because it feels like we're talking about it, but nobody really
46 knows. Again, I don't know how much the agency shares about
47 what the process is, but there is the possibility that someone
48 with more knowledge than me about TED compliance could come talk

1 about it.

2

3 **CHAIRMAN ANSON:** Commander Reeder.

4

5 **COMMANDER REEDER:** I've been in this process for two years. I
6 am very comfortable and very fluent in how this process has
7 worked and how the Protected Resources intends to use the data,
8 and so does Martha. She's also been in these conversations as
9 well. If you have any questions directly, you're more than
10 welcome to ask me, but law enforcement has been working on it,
11 because this is what Protected Resources has set about for law
12 enforcement to deploy.

13

14 With that, we hold hands with industry and are trying to bring
15 them along into voluntary compliance, and there is going to be a
16 small hindrance in this movement if courtesy inspections are
17 counted the same level of violation as if -- Mr. Chairman, you
18 hit it on the head.

19

20 We had it in a verbal conversation over a teleconference call
21 with Robin and Martha. In it, they did say that they were going
22 to rate courtesy inspections at the same level of violation as
23 if that gear was being fished, which at that time it does not
24 have the opportunity to interact or affect any populations of
25 turtles at that time.

26

27 I understand that they need data points, and that is fine, and
28 that goes back to what was previously suggested, which I think
29 is very relevant, is that if a courtesy inspection is going to
30 be counted, so that they can keep their dataset points, count it
31 at the lowest level of violation, which would be a Level 1,
32 regardless of what is encountered, because we have seen net
33 makers have ended up with a high rate of noncompliance in a
34 number of vessels, but that's usually captured in courtesy
35 inspections and then the problem is alleviated before they have
36 a chance to impact. With that, I am here as a resource for you.

37

38 **CHAIRMAN ANSON:** Any other discussion on the motion? Robin, you
39 made a comment that it's kind of drifted from your original.
40 Are you okay with the way it is now?

41

42 **MR. RIECHERS:** Yes, and I can't remember who seconded the
43 motion. Was it you, Leann? If you're okay with this, I'm okay
44 with this, and I would certainly give staff and you some
45 license, Kevin, in regards to maybe looking at the Gulf States
46 letter as well and making sure -- Again, Mara, we're not trying
47 to suggest that we have all the information about how it's going
48 to be used yet. We know we don't.

1
2 We know that you all are going to have some level of review
3 after you get it in, but we're also wanting just to put this
4 concern out there now, before you start getting those pieces of
5 information in.

6
7 **CHAIRMAN ANSON:** Steven.

8
9 **MR. ATRAN:** I realize that first letter you sent went to the
10 Office of Law Enforcement, but the agency that we're really
11 dealing with here is the Office of Protected Resources, and so I
12 don't know if you want to modify your motion or not to reflect
13 that.

14
15 **CHAIRMAN ANSON:** I think the intent is to get it to the right
16 people. I don't think it needs to be in the motion. Any other
17 discussion on the motion? **Is there any opposition to the**
18 **motion? Seeing none, the motion carries.**

19
20 **EXECUTIVE DIRECTOR GREGORY:** It's our understanding that
21 complementary boardings is the same thing as courtesy
22 inspection.

23
24 **LCDR BRAND:** Can I just make one point?

25
26 **CHAIRMAN ANSON:** Yes, Jason.

27
28 **LCDR BRAND:** I think it would be good to define "complementary
29 boardings" at some point, because I think everyone here knows
30 Dale Stephens. He does the majority of the boardings that are
31 counted in our data, because he's the expert. He basically
32 invented the TEDs, and he knows -- He can tell a good TED from a
33 bad TED just from looking at it, but, from what I understand,
34 even if he's doing a non-complementary boarding, when somebody
35 calls him to the dock, it's still a complementary boarding.
36 Even if he goes there and the person doesn't call him to the
37 dock, because he needs to go out and check TEDs -- If he checks
38 a TED though, it's still going to be called -- He's still going
39 to check the "complementary" box, and so there needs to be a way
40 to differentiate that.

41
42 **CHAIRMAN ANSON:** Relative to what we're trying to accomplish
43 here, you think that needs to be done, addressed, in the same
44 letter or can we tackle it elsewhere, on a different timeline?
45 I can see it both ways, I guess.

46
47 **LCDR BRAND:** He could come up to a vessel and ask to check their
48 TEDs and he wasn't called to do that, and so how do you deal

1 with those situations?

2
3 **CHAIRMAN ANSON:** That would not be a complementary boarding, I
4 guess, at that time. Again, I'm not familiar as to what --

5
6 **LCDR BRAND:** But I think he still needs to get consent, even if
7 it's -- It's kind of all of his boardings are complementary
8 boardings, unless we change that.

9
10 **EXECUTIVE DIRECTOR GREGORY:** Are they all dockside, and is that
11 the distinction?

12
13 **CHAIRMAN ANSON:** Robin, do you have any --

14
15 **MR. RIECHERS:** I would just suggest -- I mean let's take the
16 previous letter that Gulf States has done. I think they know
17 this concern, and so it won't be new to them, but I think we are
18 just emphasizing that concern. Then, as you suggest, if they
19 need to help try to determine we're going to include these this
20 way and we're going to include these this way, that's fine, but
21 we're just trying to express our concerns that as we move
22 forward that we don't penalize people for trying to do the right
23 thing.

24
25 **CHAIRMAN ANSON:** Dale, did you have a comment? No? Okay. No
26 other discussion? Mr. Boyd, do you want to continue? Thank
27 you.

28
29 **MR. BOYD:** Thank you, Mr. Chairman. The last thing on the
30 agenda for the Law Enforcement Committee was the Officer of the
31 Year. With council members meeting in closed session as a
32 committee of the whole, the committee voted by secret ballot for
33 their top two of the five candidates, and staff tabulated the
34 results. The winner of the inaugural 2016 Officer of the Year
35 Award will be announced by the Chairman of the Law Enforcement
36 Committee at full council, which is now.

37
38 I would like to announce that the Officer of the Year from
39 Louisiana is Sargent Nicholas Guillory. I want to read you to
40 just a very brief executive summary out of their application.

41
42 Sargent Nicholas Guillory, Louisiana Department of Wildlife and
43 Fisheries, Enforcement Division, he's been there since 2008.
44 This is going to be a little choppy, because I'm just pulling
45 stuff out.

46
47 In 2015, Sargent Guillory recorded 444 hours of patrol enforcing
48 federal fisheries regulations in the Gulf of Mexico, resulting

1 in twenty-nine citations. Sargent Guillory excels in outreach,
2 by communicating and educating the public. Sargent Guillory was
3 given the honor of being chosen as the Statewide Strike Force
4 Agent of the Year, where he was recognized at the Annual
5 Louisiana Wildlife Agents Association Convention.
6

7 On one occasion, Sargent Guillory was called out in inclement
8 weather to search for a vessel that overturned. He spotted
9 several people in the water, one in waist-deep water waving
10 their hands. He pulled the individual into his vessel and then
11 noticed two other individuals in a vessel that was taking on
12 water.
13

14 He was able to get those two individuals into his vessel also.
15 Knowing these individuals were not the original ones calling for
16 help, he went back out into the Gulf of Mexico in search. He
17 discovered two more vessels in need of help. One of the vessels
18 was completely underwater and the other was beached.
19

20 Sargent Guillory was able to get two individuals from the sunken
21 boat into his vessel and then get the sunken vessel up enough to
22 bail the water out and get it floating again. Three people were
23 on the beach and were able to get into Sargent Guillory's
24 vessel. Guillory was able to pull the beached vessel off and
25 get it back underway. In total, Sargent Guillory was able to
26 rescue eight people and recover three vessels safely. Myron,
27 would you like to speak to that any, as the state official?
28

29 **MR. FISCHER:** Thank you, Doug. As I said, maybe during closed
30 session, but I have known Nick for quite a while. When the lab
31 opened, he has been down there -- He is on the Strike Force
32 Team, and so Strike Force runs the entire state, but he comes to
33 Grand Isle quite a bit.
34

35 That April, when the oil spill happened, he was at the lab quite
36 a bit and went out of his way, as an enforcement agent. He got
37 us through the dark, because we have a small department, and the
38 oil spill was very labor intensive.
39

40 He just never said no. On his time off from enforcement, he
41 would help our biologists and help do everything. I don't know
42 him from his enforcement side, but I can tell the way he goes
43 out of his way to help us, whether it's changing a flat tire to
44 running forty or fifty miles out on a choppy day to get samples.
45 Nick never says no.
46

47 **MR. BOYD:** Thank you. That is the report from the committee of
48 the whole, and so that has already been voted on, Mr. Chairman.

1 The only question that we have is would we like to ask Officer
2 Guillory to attend the meeting in Clearwater, Florida for his
3 award or do we want him to come in August to New Orleans? That
4 concludes our report.

5
6 **CHAIRMAN ANSON:** Doug and I had spoken with Myron, and we
7 thought it might be best just to wait until the August meeting.
8 In the meantime, Sargent Guillory will receive a letter from the
9 council, indicating that he was selected for the Inaugural
10 Office of the Year Award. At that time, he will be given
11 information about the meeting in Louisiana and asked to attend
12 that meeting. That's what our plan is.

13
14 I would just like to add that it's good for us to see. You know
15 we talk a lot about the biology and the science side of the
16 business, so to speak, and Commander Reeder brought in a summary
17 of the Texas JEA program and what they do and their job, and
18 that brings a different perspective.

19
20 It was good to see all of the applicants. These were ones that
21 were nominated from each of the respective enforcement agencies,
22 and all of them seem like they go above and beyond, not only in
23 protecting the nation's fisheries resources, which ties into our
24 job, but also being very helpful individuals to their respective
25 citizens and stakeholders, and so it was just good to see that
26 and I look forward to future Officer of the Year Awards that
27 this body will select. Thank you, Mr. Boyd, for the report.
28 That will take us to the Data Collection Committee Report, Tab
29 F, and Dr. Stunz.

30 31 **DATA COLLECTION COMMITTEE REPORT**

32
33 **DR. STUNZ:** Thank you, Chairman Anson. The Data Collection
34 Committee met on April 4. The first item of business was Final
35 Action on the South Atlantic Amendment for Modifications to
36 Charter Vessel and Headboat Reporting Requirements.

37
38 Dr. MacLauchlin updated the council on the status of the South
39 Atlantic Fishery Management Council's amendment. This amendment
40 applies to vessels fishing under South Atlantic charter and
41 headboat permits for snapper/grouper, dolphin/wahoo, and coastal
42 migratory pelagics to improve for-hire data management.

43
44 There are three actions that discuss timelines and data required
45 from charter vessels and updates headboat timelines for
46 reporting. Eventually, the Gulf Council will need to approve
47 the final amendment, as it applies to the joint Mackerel Fishery
48 Management Plan, even though it will only apply to vessels and

1 permits in the South Atlantic.

2
3 Next was and Update on the Commercial Electronic Reporting Pilot
4 Program. Dr. Porch gave a presentation on the current status of
5 the electronic reporting program, updates to the data that will
6 be collected in the program (location, gear type, hook type,
7 bait, et cetera), vendors, and participants.

8
9 Twelve vessels participated, but only nine submitted data. The
10 program is refining the data collection, such as eliminating
11 duplicative data, and improving hardware. There is not a final
12 timetable for an amendment in the Gulf, but the Southeast
13 Fisheries Science Center would like to begin a voluntary program
14 by 2017. There will be an update and timeline provided for the
15 June council meeting.

16
17 Next was Review Electronic Reporting Program Flowchart. Dr.
18 Farmer went through a flow chart for electronic monitoring that
19 was requested by the Data Collection Committee. The flow chart
20 was very informative and included both tradeoffs for each
21 decision point and the approximate cost for each of the main
22 questions.

23
24 The council will need to make decisions on key points, such as
25 self-reported or automated data, how spatial data is gathered,
26 how the data is validated, and if the data is in real time.
27 Some of the costs presented will be the responsibility of
28 industry, others will be the responsibility of the National
29 Marine Fisheries Service.

30
31 It was clarified that though the council could submit a plan
32 amendment, these programs would require funding that the
33 National Marine Fisheries Service currently does not have. The
34 agency will need to procure funds to be able to implement the
35 plan, and these new data will need to run concurrently with the
36 MRIP program for calibration between the two programs. The
37 committee requested that the technical committee in the roster
38 below be convened to review the flowchart and provide the
39 council with feedback and needs.

40
41 **The committee recommends, and I so move, to convene the**
42 **Technical Data Committee to review the minimum data elements**
43 **that the Southeast Fisheries Science Center deems necessary and**
44 **look at different hardware/software options and advise the**
45 **council on findings.** This motion carried with no opposition.

46
47 **CHAIRMAN ANSON:** We have a committee motion. Is there any
48 discussion on the motion? Mr. Greene.

1
2 **MR. GREENE:** Was there an associated timeframe with this?

3
4 **DR. STUNZ:** No. I think it was implied that we would be updated
5 at the next meeting, but I guess I will turn that back to you if
6 we want to get a timeline put in this motion.

7
8 **CHAIRMAN ANSON:** Dr. Simmons.

9
10 **DR. CARRIE SIMMONS:** Thank you, Mr. Chairman. We're planning to
11 try to convene them between now and the June council meeting.
12 It will just be if everyone's schedule -- If we're able to do
13 that or not, but John will be back, and that's our plan.

14
15 **DR. STUNZ:** We could go ahead and take care of --

16
17 **CHAIRMAN ANSON:** Yes, and is there any other discussion on the
18 motion? **Is there any opposition to the motion? Seeing none,**
19 **the motion carries.** Dr. Stunz.

20
21 **DR. STUNZ:** Mr. Chairman, do I need to read, for the record, the
22 Data Collection Technical Committee? There was a group that
23 asked who that committee was, which we didn't quite know at the
24 time, but now that's provided in the report, but I don't know if
25 that's necessary.

26
27 **CHAIRMAN ANSON:** I don't think it's necessary. We've got it on
28 the board and folks who are listening in are probably looking at
29 it on the webinar and it's included in the record.

30
31 **DR. STUNZ:** Okay. Mr. Chairman, this concludes this my report.

32
33 **GULF SEDAR COMMITTEE REPORT**

34
35 **CHAIRMAN ANSON:** Thank you, sir. That will take us to the next
36 committee item, and that would be Gulf SEDAR, Tab I. I will
37 provide the report.

38
39 The agenda was modified and approved to include a discussion of
40 the 2016 National Marine Fisheries Service report on regional
41 stock assessments. Staff reviewed the proceedings from recent
42 SEDAR Steering Committee meetings. The Data Best Practices
43 Workshop was summarized and is expected to improve the
44 timeliness of data coming into the Data Workshops, as well as
45 efforts to standardize data synthesis practices. An Assessment
46 Best Practices Workshop will be scheduled for a future date.

47
48 The stock assessment prioritization process provided by Dr. Rick

1 Methot during the fall 2015 Steering Committee was summarized by
2 staff. The process would serve as one of many tools available
3 to the councils to use to determine which species to assess and
4 at what frequency. The process would require input from the
5 cooperators and SSCs. However, SEDAR cooperators would not be
6 required to use the process. The Southeast Fisheries Science
7 Center plans to assist the council with the metrics used to
8 determine stock assessment priorities.

9
10 The Southeast Fisheries Science Center is considering a new
11 approach for conducting stock assessments in the Southeast among
12 the respective cooperators, which would include councils,
13 commissions, National Marine Fisheries Service, and the Highly
14 Migratory Species.

15
16 The Southeast Fisheries Science Center has proposed a two-part
17 process, including a research cycle and an operational
18 assessment. The research cycle would be similar to a benchmark
19 assessment, in that it would lay the groundwork for future
20 assessments of the same species.

21
22 Data compilation and synthesis methods, modeling practices, and
23 other facets of assessing the subject species would be developed
24 during the research cycle. However, management advice would not
25 be generated.

26
27 The operational assessment process would function similar to the
28 current standard and update methods of assessing species and the
29 output would result management advice. Southeast Fisheries
30 Science Center staff think that operational assessments would be
31 conducted with increased frequency compared to the current
32 assessment tracks employed by SEDAR.

33
34 Committee members asked about estimates for the number of
35 assessments to expect from the new process. Southeast Fisheries
36 Science Center staff acknowledged that it was not possible to
37 accurately anticipate the number of possible assessments which
38 could be completed in a given year, but added that the process
39 is expected to constitute an improvement on throughput compared
40 to the current benchmark/standard/update system used by SEDAR.

41
42 The Southeast Fisheries Science Center will return with more
43 information for the cooperators and the SSCs to consider and
44 will provide a summary at the June council meeting. Information
45 provided to the council will include possible timelines using
46 the research cycle and operational assessment and comparisons of
47 assessment output for species managed by the Gulf Council
48 between the new proposed method and the current SEDAR process.

1
2 A portion of the 2016 National Marine Fisheries Service Report
3 on Regional Stock Assessments was reviewed by the committee. The
4 selected portion of the report highlights the number of
5 assessments conducted in each of the regions served by the
6 different National Marine Fisheries Service Fishery Science
7 Centers.

8
9 Committee members commented on the differences in the number of
10 assessments being conducted in the Southeast compared to other
11 regions in the U.S., pointing out the low number of assessments
12 being conducted in the Southeast.

13
14 Southeast Fisheries Science Center staff noted that the Center
15 serves seven cooperators, the council, the South Atlantic
16 Fishery Management Council, the Caribbean Fishery Management
17 Council, Gulf States Marine Fisheries Commission, Atlantic
18 States Marine Fisheries Commission, National Marine Fisheries
19 Service HMS, and ICCAT, and conducts many data-intensive
20 assessments.

21
22 Additional assessments may be able to be conducted. However, to
23 do so would require sacrifices in transparency with the public.
24 Committee members noted that the Florida FWC conducts some
25 assessments for the council and queried the possibility of other
26 such efforts in the Gulf.

27
28 Southeast Fisheries Science Center staff replied that the chief
29 bottleneck in the current stock assessment process is data
30 compilation and synthesis, due to a combination of staffing and
31 the number of datasets for each species.

32
33 Further, since the Science Center is the curator of a great deal
34 of the data used in Gulf stock assessments, some manner of
35 cooperation with the Science Center by other lead analytical
36 bodies would likely be necessary.

37
38 Ultimately, so long as the SEDAR review process, or a similar
39 process, were employed to peer review the stock assessment, such
40 efforts conducted by lead agencies or cooperatives other than
41 the Science Center could still be considered in compliance with
42 National Standard 2, which references the best scientific
43 information available.

44
45 The committee discussed the SEDAR schedule, with staff reviewing
46 the current assessment schedule. Committee members were
47 encouraged to consider any changes to the proposed assessments
48 for 2018 and which assessments they wanted to see initiated in

1 2019.

2
3 Committee members made the following motions. **The committee**
4 **recommends, and I so move, to recommend to the Council Chair and**
5 **Executive Director that an assessment of king mackerel be**
6 **conducted in 2018 in conjunction with the Gulf of Mexico Large**
7 **Marine Ecosystem joint project with Mexico of the same species.**
8 It is a committee motion on the board. Is there any discussion
9 on the motion? **Is there any opposition to the motion? Seeing**
10 **none, the motion carries.**

11
12 **The committee recommends, and I so move, to add gray triggerfish**
13 **to the SEDAR schedule for 2019 at the appropriate assessment**
14 **level.** Is there any discussion on the motion? **Is there any**
15 **opposition to the motion?** We have one opposed or do you want
16 discussion?

17
18 **MR. WALKER:** Just a little discussion. I mean, Clay, I heard
19 you mention or someone mention that the Science Center would
20 like updates more often. Could you move triggerfish to an
21 update and get some more information that might be beneficial?

22
23 **DR. PORCH:** You certainly could move it to an update. The thing
24 is that it has to be seen in the context of everything else that
25 gets moved, and so that would go to the SEDAR Steering Committee
26 and then you can negotiate it from there, but it certainly is
27 easier to do as an update and, if there are minor changes that
28 need to be made, they can really be accommodated within the
29 context of an update, as long as the SSC is comfortable
30 reviewing them.

31
32 **CHAIRMAN ANSON:** Mr. Gregory.

33
34 **EXECUTIVE DIRECTOR GREGORY:** The last assessment for triggerfish
35 was a standard, and that caused heartburn for the SSC. In one
36 of their meetings in reviewing this, they did ask for a
37 benchmark, and so it will be up in the air right now.

38
39 **CHAIRMAN ANSON:** Any other discussion? There is a motion to add
40 for the 2019 schedule the gray triggerfish, to be assessed at
41 the appropriate level. **Anyone opposed to the motion? The**
42 **motion carries.**

43
44 **The committee recommends, and I so move, to add cobia to the**
45 **SEDAR schedule for 2019.** Is there any discussion? **Is there any**
46 **opposition? Seeing none, the motion carries.**

47
48 **The committee recommends, and I so move, to add Spanish mackerel**

1 to the SEDAR schedule for 2019. The motion is on the board. Is
2 there any discussion? Is there any opposition to the motion to
3 add Spanish mackerel to the 2019 schedule? Seeing none, the
4 motion carries.

5
6 The committee recommends, and I so move, to add yellowedge
7 grouper and tilefish to the SEDAR schedule for 2019. Is there
8 any discussion on the motion? Is there any opposition to the
9 motion? Seeing none, the motion carries.

10
11 Staff clarified that the terminal year noted for each species on
12 the assessment schedule referred to the last year of data used
13 in the assessment and that the "start/end dates" referred to
14 when the assessment process is anticipated to begin and end for
15 a particular species.

16
17 The committee asked about progress with red drum management in
18 recent history. Staff replied that the council had postponed
19 further action concerning red drum until the assessment
20 currently underway on the species is completed.

21
22 Science Center staff were asked whether gray snapper, currently
23 scheduled as a benchmark assessment for 2017, could be assessed
24 using some less time-intensive track. Science Center staff
25 replied that a benchmark assessment was most appropriate,
26 because gray snapper has not yet been assessed in the Gulf.

27
28 Lastly, committee members expressed a desire for the Steering
29 Committee to consider an emergency assessment method for species
30 which are overfished, and that gray triggerfish be given
31 priority over other species to be assessed in 2019. This
32 concludes my report. Anyone else have anything? Mr. Greene.

33
34 **MR. GREENE:** Sorry, but I was just trying to think about the
35 triggerfish thing. Can I go back to triggerfish for a moment,
36 before we leave?

37
38 **CHAIRMAN ANSON:** Sure.

39
40 **MR. GREENE:** I'm sorry, but I just can't let it go. I just
41 can't. In light of the new research cycle and operational
42 assessment that was described to us, Mr. Chairman, or any other
43 council member, would you feel that it would be appropriate to
44 send it back to the SSC with just a question of if it was ran as
45 a research cycle or operational-type assessment, if that would
46 benefit that species and would it possibly speed the assessment
47 up?

1
2 **CHAIRMAN ANSON:** I don't know. Dr. Porch, do you have any
3 comment on that?
4

5 **DR. PORCH:** If the suggestion was to run it as a research track
6 assessment in 2019 and then subsequently schedule an operational
7 assessment that would actually give management advice, then
8 obviously that wouldn't be faster than having an operational
9 assessment in 2019. A lot of this would depend on whether the
10 research track and operational track is accepted and implemented
11 by this timeframe.
12

13 **CHAIRMAN ANSON:** Mr. Gregory.
14

15 **EXECUTIVE DIRECTOR GREGORY:** We will take this to the SSC at
16 their June meeting, to get the feedback, and clarify how
17 strongly they feel about doing a benchmark or another standard
18 or an update. We will take the whole revised schedule to them.
19 As far as the research cycle goes, my understanding is there's
20 going to be a more in-depth discussion at the SSC coming up, and
21 it's going to come back to this council in June, and so I don't
22 need to take any message to the Steering Committee at this
23 point, other than we expect to hear more information by June.
24

25 **MR. GREENE:** Thank you.
26

27 **CHAIRMAN ANSON:** That concludes the committee reports. The next
28 item on the agenda is Vote on Exempted Fishing Permit
29 Applications, and Dr. Crabtree noted that there were none that
30 the agency was considering. That takes us to Other Business.
31 We had the two items that Dr. Crabtree has already covered. Are
32 there any other items that anyone would like to bring up at this
33 time? Seeing none, we are adjourned.
34

35 (Whereupon, the meeting adjourned on April 7, 2016.)
36
37

- - -