

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

260<sup>TH</sup> MEETING

FULL COUNCIL SESSION

Astor Crowne Plaza

New Orleans, Louisiana

AUGUST 17-18, 2016

**VOTING MEMBERS**

- Kevin Anson (designee for Chris Blankenship).....Alabama
- 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
- Tom Frazer.....Florida
- Johnny Greene.....Alabama
- Martha Guyas (designee for Nick Wiley).....Florida
- 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

**NON-VOTING MEMBERS**

- Dave Donaldson.....GSMFC
- Leo Danaher.....USCG

**STAFF**

- Steven Atran.....Senior Fishery Biologist
- Assane Diagne.....Economist
- Matt Freeman.....Economist
- John Froeschke.....Fishery Biologist - Statistician
- Douglas Gregory.....Executive Director
- Beth Hager.....Administrative Officer
- Karen Hoak.....Administrative & Financial Assistant
- Morgan Kilgour.....Fishery Biologist
- Ava Lasseter.....Anthropologist
- Mara Levy.....NOAA General Counsel
- Emily Muehlstein.....Fisheries Outreach Specialist
- Ryan Rindone.....Fishery Biologist/SEDAR Liaison
- Claire Roberts.....EFH Specialist
- Bernadine Roy.....Office Manager

1 Camilla Shireman.....Administrative Assistant  
2 Carrie Simmons.....Deputy Director  
3  
4 **OTHER PARTICIPANTS**  
5 Pam Anderson.....Panama City Beach, FL  
6 Billy Archer.....Panama City, FL  
7 Sam Ard.....Orange Beach, AL  
8 Tom Ard.....Orange Beach, AL  
9 Patrick Banks.....LA  
10 Greg Ball.....Galveston, TX  
11 Randy Boggs.....Orange Beach, AL  
12 Eric Brazer.....Reef Fish Shareholders Alliance  
13 Chester Brewer.....SAFMC  
14 Gary Bryant.....Fort Morgan, AL  
15 B.J. Burkett.....Panama City Beach, FL  
16 Shane Cantrell.....  
17 Mike Colby.....Clearwater, FL  
18 David Cresson.....New Orleans, LA  
19 Jason Delacruz.....FL  
20 Michael Drexler.....Ocean Conservancy  
21 Josh Ellender.....LA  
22 Julie Falgout.....LA  
23 Richard Fischer.....LA  
24 Traci Floyd.....MDMR, Biloxi, MS  
25 Sue Gerhart.....NMFS  
26 Brad Gorst.....Clearwater, FL  
27 Dan Green.....Galveston, TX  
28 Jim Green.....Destin, FL  
29 Sergeant Nick Guillory.....LA  
30 Buddy Guindon.....Galveston, TX  
31 Dillion Guss.....Orange Beach, AL  
32 Chad Hanson.....Pew Charitable Trusts  
33 Scott Hickman.....Galveston, TX  
34 Gary Jarvis.....Destin, FL  
35 Mike Jennings.....Freeport, TX  
36 Alison Johnson.....Oceana  
37 Bill Kelly.....FKCFA  
38 Bobby Kelly.....Orange Beach, AL  
39 Jesse Leslie.....NOAA  
40 Rich Malinowski.....NMFS  
41 Walter McNeil.....Gulf Shores, AL  
42 Bart Niquet.....Lynn Haven, FL  
43 Chris Niquet.....Lynn Haven, FL  
44 Bonnie Ponwith.....SEFSC  
45 Kellie Ralston.....American Sportfishing Association  
46 Bryan Reeves.....Orange Beach, AL  
47 Rene Rice.....Grand Isle, LA  
48 Lance Robinson.....TX

1 Mike Rowell.....  
2 Clarence Seymour.....Biloxi, MS  
3 Michael Short.....Galveston, TX  
4 Tom Steber.....Orange Beach, AL  
5 Jessica Stephen.....NMFS  
6 Andy Strelcheck.....NMFS  
7 Skipper Thierry.....Dauphin Island, AL  
8 Steve Tomeny.....Port Fourchon, LA  
9 Mark Tryon.....Gulf Breeze, FL  
10 Russell Underwood.....Panama City, FL  
11 Ben Weber.....LA  
12 Wayne Werner.....Alachua, FL  
13 Jillian Williams.....Galveston, TX  
14 Dale Woodruff.....Orange Beach, AL  
15 Jim Zurbrick.....Steinhatchee, FL

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TABLE OF CONTENTS

1  
2  
3 Table of Contents.....4  
4  
5 Table of Motions.....5  
6  
7 Call to Order, Announcements, and Introductions.....9  
8  
9 Law Enforcement Officer of the Year Announcement.....10  
10  
11 Induction of Council Members.....12  
12  
13 Adoption of Agenda and Approval of Minutes.....12  
14  
15 Review of Exempted Fishing Permits.....12  
16  
17 Presentations.....22  
18     Summary of Artificial Reef Summit.....22  
19     Aquaculture Update.....24  
20  
21 Data Collection Committee Report.....26  
22  
23 Public Comment.....46  
24  
25 Committee Reports.....107  
26     Administrative/Budget Committee Report.....107  
27     Joint Coral/Habitat Protection Committee Report.....120  
28     Mackerel Committee Report.....125  
29     Reef Fish Committee Report.....131  
30  
31 Supporting Agencies Update.....209  
32     South Atlantic Council Liaison.....209  
33     Gulf States Marine Fisheries Commission.....211  
34     U.S. Coast Guard.....211  
35  
36 Other Business.....212  
37  
38 Election of Chair and Vice Chair.....213  
39  
40 Adjournment.....215

41  
42                   - - -  
43

TABLE OF MOTIONS

1  
2  
3  
4 PAGE 29: Motion in Action 3 to select Alternative 2, Options a  
5 and b, as the preferred. [The motion carried on page 33.](#)  
6

7 PAGE 33: Motion in Action 3 to select Alternative 3, Options a  
8 and b, as a preferred. [The motion carried on page 37.](#)  
9

10 PAGE 40: Motion in Action 4 to select Alternative 4, Options a  
11 and b, as the preferred. [The motion carried on page 40.](#)  
12

13 PAGE 112: Motion to adopt the regional operating agreement with  
14 the changes discussed in full council. [The motion carried on](#)  
15 [page 112.](#)  
16

17 PAGE 112: Motion to change the SOPPs to indicate that members  
18 or designees of the Gulf Council cannot simultaneously serve on  
19 the SSC. [The motion carried on page 113.](#)  
20

21 PAGE 113: Motion to recommend that the council merge the  
22 Habitat and Artificial Reef Committees into a single Habitat  
23 Protection and Restoration Committee. [The motion carried on](#)  
24 [page 113.](#)  
25

26 PAGE 113: Motion to recommend that the council divide the  
27 current Sustainable Fisheries and Ecosystem Committee, and form  
28 a Sustainable Fisheries Committee and an Ecosystem Committee  
29 that contains the subject areas of Marine Reserves, Ad Hoc  
30 Restoration, and the current Ecosystem Committee. [The motion](#)  
31 [carried on page 114.](#)  
32

33 PAGE 115: Motion to add the revised paragraph in Section 2,  
34 Page 3 of the Administrative Handbook. Section 2, Page 3 is  
35 "The Council seeks to resolve workplace conflicts in a prompt,  
36 impartial, confidential, nondiscriminatory, and constructive  
37 manner, and without fear of reprisal. Any issues that arise  
38 should be brought to the attention of one's supervisor. If the  
39 supervisor is unable to resolve the situation then the  
40 supervisor should consult with the Council's officers (Executive  
41 Director, Deputy Executive Director, and Administrative  
42 Officer). The final decision regarding personnel issues rests  
43 with the Executive Director, after consulting with the Council  
44 Chair, Council Vice-Chair, Personnel Committee Chair, and  
45 Personnel Committee Vice-Chair to determine a course of action.  
46 If deemed necessary, the Council Chair may convene the Personnel  
47 Committee to review the issue." [The motion carried on page 115.](#)  
48

1 [PAGE 115](#): Motion to accept the language as proposed in the  
2 Administrative Handbook, 3.0 Compensation Policies, Section 3.4,  
3 Merit Awards. [The motion carried on page 116](#).  
4  
5 [PAGE 117](#): Motion to change the word "should" to "shall" or  
6 "must" in Section 2, page 3. [The motion carried on page 118](#).  
7  
8 [PAGE 121](#): Motion to set up scoping meetings after the October  
9 2016 council meeting for the recommended coral HAPCs in the  
10 following locations: Brownsville, Texas; Galveston, Texas;  
11 Palacios, Texas; Houma, Louisiana; the D'Iberville/Biloxi area,  
12 Mississippi; Mobile, Alabama; Madeira Beach, Florida; Panama  
13 City, Florida; and Key West, Florida. [The motion carried on](#)  
14 [page 121](#).  
15  
16 [PAGE 121](#): Motion to redraw the boundaries of Viosca Knoll  
17 862/906 with input from Steve Ross, Erik Cordes, and Johnny  
18 Nelson. [The motion carried on page 123](#).  
19  
20 [PAGE 123](#): Motion to convene a working group to discuss the  
21 Pulley Ridge site made of the following people: Walter Jaap,  
22 Sandra Brooke, Rob Ruzicka, Robert Spaeth, Jay Lucas, Scott  
23 Daggett, and J.P. Brooker or Joseph Weatherby. [The motion](#)  
24 [carried on page 123](#).  
25  
26 [PAGE 124](#): Motion to approve and send the letter on the Flower  
27 Garden Banks National Marine Sanctuary Expansion Draft  
28 Environmental Impact Statement. [The motion carried on page 124](#).  
29  
30 [PAGE 126](#): Motion in Action 1 to accept the IPT-proposed changes  
31 to remove Alternatives 2, 3, and 5 and add Alternative X. [The](#)  
32 [motion carried on page 126](#).  
33  
34 [PAGE 127](#): Motion in Action 2 to accept the IPT-Proposed changes  
35 to add Alternative 4 and remove Alternative 2. [The motion](#)  
36 [carried on page 127](#).  
37  
38 [PAGE 127](#): Motion to take CMP Amendment 29 out to public  
39 hearings after the October 2016 council meeting to the following  
40 locations: Brownsville, Texas; Galveston, Texas; Port Aransas or  
41 Corpus Christi, Texas; Houma, Louisiana; Pascagoula,  
42 Mississippi; Mobile, Alabama; Tampa area, Florida; Panama City,  
43 Florida; and Key West, Florida. [The motion carried on page 131](#).  
44  
45 [PAGE 131](#): Motion in Action 2.1 to move Alternative 4 to  
46 considered but rejected. [The motion carried on page 132](#).  
47  
48 [PAGE 132](#): Motion in Action 2.2 to amend Alternative to 5 to

1 read: redistribute the shares from each share category to the  
2 allocation only account holders with a commercial reef fish  
3 permit and landings, but not related to other accounts with  
4 shares in that category. [The motion carried on page 132.](#)  
5  
6 [PAGE 132](#): Motion in Action 2.2 to move Alternative 6 to  
7 considered but rejected. [The motion carried on page 132.](#)  
8  
9 [PAGE 135](#): Motion to add another Action to Amendment 36A for a  
10 dealer notification of intent to off load requirement. [The](#)  
11 [motion carried on page 141.](#)  
12  
13 [PAGE 146](#): Motion in Action 2 to move Alternative 3 to  
14 Considered but Rejected. [The motion carried on page 146.](#)  
15  
16 [PAGE 147](#): Motion to move Action 6, Modify the Commercial Fixed  
17 Closed Season for Gray Triggerfish, to considered but rejected.  
18 [The motion carried on page 147.](#)  
19  
20 [PAGE 151](#): Motion in Action 7 to add an alternative to establish  
21 a seventy-five-pound whole weight commercial trip limit per  
22 vessel for gray triggerfish. [The motion carried on page 155.](#)  
23  
24 [PAGE 156](#): Motion to move Action 13.1, Distribution of Quota  
25 Increases, to the considered but rejected section. [The motion](#)  
26 [carried on page 156.](#)  
27  
28 [PAGE 168](#): Motion in Action 1 to move Alternative 3 to  
29 Considered but Rejected. [The motion carried on page 170.](#)  
30  
31 [PAGE 170](#): Motion in Action 1 to move Alternative 4 to  
32 considered but rejected. [The motion failed on page 173.](#)  
33  
34 [PAGE 173](#): Motion in Action 1, Alternative 4, to add options to  
35 calculate annual allocation every three years and every five  
36 years. Option 4a is every three years and Option 4b is every  
37 five years. [The motion carried on page 174.](#)  
38  
39 [PAGE 175](#): Motion in Action 2 to move Alternative 2, Option 2b,  
40 to considered but rejected. [The motion carried on page 175.](#)  
41  
42 [PAGE 175](#): Motion in Action 3 to move Alternative 2, which is to  
43 distribute quota equally among charter permit holders, to  
44 considered but rejected. [The motion carried on page 175.](#)  
45  
46 [PAGE 176](#): Motion in Action 3 to move Alternative 3, which is to  
47 distribute quota based on passenger capacity of charter vessels,  
48 to considered but rejected. [The motion carried on page 176.](#)

1  
2 [PAGE 176](#): Motion to instruct staff to add an action in  
3 Amendment 41, similar to Amendment 42, that includes the  
4 addition of the following species: gray triggerfish, greater  
5 amberjack, red grouper, and gag grouper. [The motion failed on](#)  
6 [page 185](#).

7  
8 [PAGE 185](#): Motion to combine the regions of Alabama and  
9 Mississippi in Table 1.1.1. for the purpose of quota  
10 distribution based on geographic regions. [The motion carried on](#)  
11 [page 188](#).

12  
13 [PAGE 207](#): Motion to recommend that NMFS approve the exempted  
14 fishing permit request submitted by the Florida Keys Commercial  
15 Fisherman's Association titled "Cooperative Lionfish Containment  
16 Device Testing Program in the Southeastern United States". [The](#)  
17 [motion carried on page 208](#).

18 - - -  
19  
20



1 The Full Council of the Gulf of Mexico Fishery Management  
2 Council convened at the Astor Crowne Plaza, New Orleans,  
3 Louisiana, Wednesday morning, August 17, 2016, and was called by  
4 Chairman Kevin Anson.

5  
6 **CALL TO ORDER, ANNOUNCEMENTS, AND INTRODUCTIONS**

7  
8 **CHAIRMAN KEVIN ANSON:** I will call to order the full council  
9 session. Welcome to the 260<sup>th</sup> meeting of the Gulf Council. My  
10 name is Kevin Anson, Chairman of the Council. If you have a  
11 cell phone, pager, or similar device, we ask that you keep them  
12 on silent or vibrating mode during the meeting.

13  
14 The Gulf Council is one of eight regional councils established  
15 in 1976 by the Fishery Conservation and Management Act, known  
16 today as the Magnuson-Stevens Act. The council's purpose is to  
17 serve as a deliberative body to advise the Secretary of Commerce  
18 on fishery management measures in the federal waters of the Gulf  
19 of Mexico. These measures help ensure that fishery resources in  
20 the Gulf are sustained, while providing the best overall benefit  
21 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 near the back of the room. We  
38 accept only one registration per person. A digital recording is  
39 used for the public record. Therefore, for the purpose of voice  
40 identification, each member is requested to identify him or  
41 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. ED SWINDELL:** Ed Swindell, Louisiana.  
5  
6 **MR. PATRICK BANKS:** Patrick Banks, Louisiana.  
7  
8 **MR. MYRON FISCHER:** Myron Fischer, Louisiana.  
9  
10 **MR. CAMPO MATENS:** Camp Matens, Louisiana.  
11  
12 **DR. TOM FRAZER:** Tom Frazer, Florida.  
13  
14 **MR. JOHN SANCHEZ:** John Sanchez, Florida.  
15  
16 **DR. PAMELA DANA:** Pam Dana, Florida.  
17  
18 **MS. MARTHA GUYAS:** Martha Guyas, Florida.  
19  
20 **MR. CHESTER BREWER:** Chester Brewer, South Atlantic Fishery  
21 Management Council liaison.  
22  
23 **MS. MARA LEVY:** Mara Levy, NOAA Office of General Counsel.  
24  
25 **DR. ROY CRABTREE:** Roy Crabtree, NOAA Fisheries.  
26  
27 **MS. SUSAN GERHART:** Susan Gerhart, NOAA Fisheries.  
28  
29 **DR. BONNIE PONWITH:** Bonnie Ponwith, NOAA Fisheries.  
30  
31 **MR. LANCE ROBINSON:** Lance Robinson, Texas.  
32  
33 **MR. DOUG BOYD:** Doug Boyd, Texas.  
34  
35 **DR. GREG STUNZ:** Greg Stunz, Texas.  
36  
37 **DR. KELLY LUCAS:** Kelly Lucas, Mississippi.  
38  
39 **MR. DALE DIAZ:** Dale Diaz, Mississippi.  
40  
41 **LCDR LEO DANAHER:** Lieutenant Commander Leo Danaher, United  
42 States Coast Guard.  
43  
44 **EXECUTIVE DIRECTOR DOUG GREGORY:** Doug Gregory, council staff.  
45  
46 **LAW ENFORCEMENT OFFICER OF THE YEAR AWARD**  
47  
48 **CHAIRMAN ANSON:** Thank you. The first item of our agenda is we

1 have the Law Enforcement Officer of the Year Award. I just want  
2 to make a couple of comments to that first. This is our  
3 inaugural, our first, Officer of the Year Award. It is similar  
4 to other councils, in regards to recognizing law enforcement  
5 officials, officers, within our region that go above and beyond.

6  
7 They are there to protect the natural resources that we talk  
8 about here every time we meet, but they are also there to  
9 provide a service, a public safety service, to their respective  
10 communities, and today we have a very large event going on in  
11 our host state, here in Louisiana, with the floods.

12  
13 The floods are impacting many people, and those people are going  
14 to go through life-changing events, and our Officer of the Year  
15 has been able to break away from his assistance with those  
16 people and those communities to accept this award. With that  
17 said, I would like to recognize Sergeant Nick Guillory. Nick,  
18 if you can come up here to the front of the table.

19  
20 Again, our criteria is based on recognizing those officers that  
21 go above and beyond, and Nick, last year, assisted people within  
22 Louisiana with the headboat troubles and were in jeopardy, their  
23 lives were in jeopardy and property was in jeopardy, and Nick,  
24 again, exemplifies everything we expect, I guess. It can be  
25 difficult to do, but Nick went above and beyond, and he is the  
26 recipient of the Gulf Council's first Officer of the Year Award.  
27 Sergeant Nick Guillory, thank you for your service, and thank  
28 you for being here today.

29  
30 I forgot to mention that with the award comes a memento there, a  
31 box, that has his name on it and everything and a short little  
32 statement in there regarding the Officer of the Year Award.  
33 Again, Sergeant Guillory, thank you for coming and thank you for  
34 your service. Go ahead, Myron.

35  
36 **MR. FISCHER:** Thank you, Mr. Chairman. While Nick is still  
37 here, because I know he has to run, he would have loved to have  
38 the Colonel here to witness this. He would have loved to have  
39 his fellow officers and staff with him.

40  
41 It's a struggle that's taking place right now, and this is the  
42 kind of thing that Nick solves. He gets involved. He doesn't  
43 only enforce the regulations we create, but he truly works for  
44 the people. Thank you.

45  
46 **CHAIRMAN ANSON:** Thank you, Myron. That will take us to our  
47 next item, which is Induction Council Members and Dr. Crabtree.

48



1 Register, and that comment period is open until September 15.  
2 If you have any other questions, Bill Kelly is in the audience,  
3 and he could answer those questions.

4

5 **CHAIRMAN ANSON:** Dr. Crabtree.

6

7 **DR. CRABTREE:** This would be your opportunity if you want to  
8 take a position either supporting approval of the exempted  
9 fishing permit or opposing it. This would be the time to do  
10 that, through a motion and then a letter from the Executive  
11 Director.

12

13 **CHAIRMAN ANSON:** Chester.

14

15 **MR. BREWER:** I do have a question for Bill about this, if he  
16 could maybe come up to the podium. Bill, you and I have some  
17 time to discuss this EFP, and I've got to say that I am 100  
18 percent in favor of it, but I've heard some concerns out in the  
19 community about this potentially be a way to back-door fish  
20 traps coming back in, which a lot of people are concerned about.  
21 Could you maybe tell us what steps have been taken or how the  
22 plan is structured in such a way that maybe that shouldn't be a  
23 concern?

24

25 **MR. BILL KELLY:** Yes, sir, and I would be glad to do that. In  
26 2013, the Florida Fish and Wildlife Conservation Commission held  
27 a lionfish summit over in Cocoa Beach, Florida. The consensus  
28 of the nearly 100 people that were there was the most viable  
29 opportunity to contain lionfish, with eradication no longer in  
30 the foreseeable future, would be a viable commercial fishing  
31 program.

32

33 We already knew that trapping lionfish was viable, because one  
34 of our fishermen, Gary Nichols, was harvesting in excess of  
35 10,000 pounds strictly as bycatch in the spiny lobster traps.  
36 Based on that information, the anecdotal evidence, and just the  
37 information that we had regarding geographical distributions and  
38 population densities, we felt that we could put together a  
39 viable package to prove the concept of trap testing or lionfish  
40 containment devices, as we call it, for lionfish.

41

42 We put together the proposal here, testing in four different  
43 areas, because the population has grown exponentially here, and  
44 it is not a precursor to a blanket trap deployment program in  
45 the Gulf of Mexico or the South Atlantic. What we want to do  
46 is, through the use of observers and this program, is prove the  
47 concept that you can viably catch lionfish by trap with minimal  
48 bycatch.

1  
2 The four types of traps that we're utilizing are all currently  
3 approved by NOAA and state jurisdictions for harvest of other  
4 species, for example a standard wood lobster trap with a  
5 modified funnel to minimize bycatch. There's also the wire/wood  
6 combination that's approved in federal waters, because it's less  
7 resistant to current movement and so forth, things of that  
8 nature.

9  
10 The end result would be accumulation of data and information, a  
11 distribution of that through Johnson Communications, who would  
12 partner with us in this program, and then, at the end of it, if  
13 we have proven the concept, we would approach the various states  
14 through their mitigation funds. For example, South Carolina's  
15 Department of Natural Resources is very interested in it.  
16 That's Mel Bell, and you know him, who also sits on the South  
17 Atlantic Council.

18  
19 We would then work with state mitigation funds, which are  
20 substantial, for controlling invasive species. Maybe each state  
21 might develop a team of two or three boats that are adept at  
22 handling perhaps 100 traps per vessel. They would target known  
23 areas where we have extensive population densities and  
24 geographical distribution. Then that could be done seasonally  
25 or on whatever basis was appropriate, to address infestations in  
26 these particular areas.

27  
28 **MR. BREWER:** I think the question really is what has been done  
29 to minimize bycatch and is there going to be any sale of product  
30 connected with this EFP?

31  
32 **MR. KELLY:** I'm sorry, but I am having problems hearing you,  
33 Chester.

34  
35 **MR. BREWER:** Yes, and there's something going on over here. I  
36 can't hear half the time either. Really, the question is,  
37 number one, is will there be sale of the product that's caught,  
38 the lionfish, under this EFP? What steps have been taken to  
39 minimize bycatch and would there be sale of bycatch allowed?

40  
41 **MR. KELLY:** Under our program, the sale of any harvested  
42 lionfish would be very carefully controlled and harvested to  
43 HACCP standards, and the monies would be reinvested in the  
44 lionfish containment device testing program. The second part of  
45 your question was what are we doing to minimize the bycatch.  
46 Minimizing bycatch, that's fairly easy to do.

47  
48 One, we modify the size of the funnels, which would restrict the

1 size of the fish that can go in there. Lionfish are very social  
2 animals. They have high site fidelity. We already know, from  
3 other evidence and interns that have ridden along with Gary  
4 Nichols, you can bait in various methods. For example, if  
5 there's a lionfish in there, other animals are reluctant to go  
6 in, and so that's cool.

7  
8 If you bait with a live lionfish, you're probably going to get  
9 more lionfish. They have site fidelity, and so they hang around  
10 there and they attract the males and ultimately develop a harem,  
11 and it doesn't take long, with the population densities that are  
12 out there.

13  
14 You can bait your traps with female gonads and so forth, which  
15 is a very aspiring attractant, and so there's a number of  
16 different methods that we can utilize to minimize that bycatch  
17 potential, and that would be documented through observers, which  
18 is part of this program.

19  
20 **CHAIRMAN ANSON:** Ms. Guyas.

21  
22 **MS. GUYAS:** Thanks, Bill. Just to follow up on Chester's  
23 question, do you have a soak time in mind? My other question  
24 was with funding. I think, at the time this was written, you  
25 didn't have a funding source yet. Are you still working towards  
26 that end?

27  
28 **MR. KELLY:** I am sorry. Whatever it is -- One, I'm old and I  
29 don't hear so well, but I need it louder.

30  
31 **MS. GUYAS:** The first question is what your soak time for the  
32 traps?

33  
34 **MR. KELLY:** Soak time varies by region, of course. We have the  
35 right whale issues that we need to deal with up in north Florida  
36 and the Carolinas and so forth, and so traps cannot be left  
37 overnight. Soak time would probably be -- There is a hundred  
38 traps tested in each area, and so there would probably be 100  
39 traps deployed twice each day, a total of two deployments per  
40 month. That would generally be the characteristic.

41  
42 In the Florida Keys, soak time could go up to two weeks, based  
43 on the knowledge and experience that Gary Nichols has. With his  
44 experience, he feels that he can target lionfish and lionfish  
45 only. Bob Spaeth, over off the Tampa area, he's got to travel  
46 probably greater distances, sixty or seventy miles, and he would  
47 deploy the gear and recover it that evening and maybe make a  
48 second deployment the second day and then return to port, but

1 we're expecting that we would have two samplings per month, for  
2 a total of twelve months.

3  
4 **MS. GUYAS:** My other question was have you secured funding for  
5 this yet? I think, at the time this was written, you did not  
6 have the funding to do it.

7  
8 **MR. KELLY:** We have a number of interested partners in this. We  
9 have a national chain of food stores and so forth that's very  
10 interested. We have some internationally known nonprofit  
11 organizations that are supporting this concept. We've been at  
12 it for three years here, working to secure the exempted fishing  
13 permit.

14  
15 While we have verbal commitments from them, we have been  
16 reluctant to request any money until we've actually had the EFP,  
17 because you don't want to get into their funding cycle and they  
18 commit funds and you can't use them that year, when they could  
19 have used it through their foundations and so forth for other  
20 purposes. The answer is yes, they're standing by. Hopefully,  
21 if we have the council's approval, we can move forward rapidly  
22 here and begin testing in January.

23  
24 **CHAIRMAN ANSON:** Mr. Swindell.

25  
26 **MR. SWINDELL:** Are these wire traps?

27  
28 **MR. KELLY:** There is four different traps. There is a standard  
29 spiny lobster wood trap, there is the combination wire/wood,  
30 which is also approved, there is a black sea bass trap with  
31 modified funnels on it, and there is a wire pinfish trap that is  
32 dual-ported. All of these traps are approved by state and  
33 federal agencies for uses in other fisheries.

34  
35 **MR. SWINDELL:** Are they on the bottom? Are you suspending them  
36 or are they on the bottom?

37  
38 **MR. KELLY:** No, they would all be placed on the bottom and  
39 fished on trawls.

40  
41 **MR. SWINDELL:** How far are you having to fish from shore or  
42 depth of water?

43  
44 **MR. KELLY:** That will vary by region, but this is a deepwater  
45 testing program. The evidence that we have accumulated  
46 indicates clearly that the lionfish populations are far greater  
47 in deeper water. When I say deep, we are talking water in  
48 excess of 100 feet.



1  
2 **CHAIRMAN ANSON:** Mr. Diaz.  
3  
4 **MR. DIAZ:** Thank you, Mr. Chairman. I certainly don't want to  
5 stop discussion, but I am prepared to make a motion.  
6  
7 **DR. CRABTREE:** Carrie pointed out to me that this is actually on  
8 our agenda tomorrow, after public comment, and so I don't know  
9 if you want to withhold your motions until after we hear public  
10 comment. That's up to you.  
11  
12 **MR. DIAZ:** It's up to you, Mr. Chair.  
13  
14 **CHAIRMAN ANSON:** I think that would be best, if we wait.  
15  
16 **MR. DIAZ:** Thank you, sir.  
17  
18 **CHAIRMAN ANSON:** Thank you. Dr. Frazer.  
19  
20 **DR. FRAZER:** I have a couple of questions. If you only set the  
21 traps out during the day, lionfish are mainly nocturnal in their  
22 movements, and so I was wondering if you had any preliminary  
23 data on the effectiveness of those traps if they only have a  
24 daily kind of soak period.  
25  
26 **MR. KELLY:** We have not done any data accumulation with regard  
27 to daytime or nocturnal activities. There are some studies that  
28 have been done by more than thirty interns that have ridden  
29 along with Gary Nichols, where we are starting to document  
30 trends and so forth in bycatch, as to whether or not, if there's  
31 lionfish in there, what other animals might go into the trap and  
32 so forth, but we've been accumulating science on a regular  
33 basis.  
34  
35 **DR. FRAZER:** A quick follow-up. Because the lionfish are also  
36 primarily associated with structural habitat and that kind of  
37 affects where you're going to deploy your traps, and so is there  
38 a plan to deploy them, for example, in hard-bottom areas or are  
39 you planning to put them in soft-bottom areas?  
40  
41 **MR. KELLY:** Our experience, to date, has shown that the lionfish  
42 are very structurally-oriented, and we have, of course,  
43 deepwater reef projects and so forth that extend throughout the  
44 Keys. We have already detailed that information for the  
45 Protected Resources Division, and we would clearly not deploy in  
46 hard-bottom reef areas, but the sheer number of lionfish that  
47 have accumulated out there and their propensity to accumulate  
48 around any type of relief or structure is uncanny.

1  
2 We have had, through reef.org and some other organizations, they  
3 have said that just the relief from a wooden lobster trap, even  
4 though it's only a couple of feet, lionfish quickly aggregate to  
5 them. As I mentioned, you will get a dominant male, and he will  
6 develop a harem very rapidly, and then they are attracted to  
7 baits that are in those traps. They information is ongoing, and  
8 we hope that we can develop some more specific patterns in a  
9 much broader area, to prove the concept of the trap program.

10  
11 **CHAIRMAN ANSON:** I had Mr. Matens, followed by Dr. Dana and  
12 Johnny Greene.

13  
14 **MR. MATENS:** Bill, as usual, it's always a pleasure. I am  
15 curious as to much deeper than a hundred feet. Is part of your  
16 program -- Does it have the capability to test in say 300 or 400  
17 or 500 feet and deeper? I don't know how you would retrieve the  
18 traps either, but, nonetheless, I am really curious about that.  
19 Can you talk about that a little bit?

20  
21 **MR. KELLY:** Yes, sir, and a very good question. 450,000 lobster  
22 traps are deployed in the Florida Keys. Better than 90 percent  
23 of them are in less than a hundred feet of water, yet they catch  
24 only about 1 percent of the lionfish we encounter. That 10  
25 percent that's out deep gets the 99 percent. The spiny lobster  
26 fishery moves throughout the course of the season, and the  
27 fishermen move with it.

28  
29 It starts up close to the mainland and works its way south and  
30 west out beyond the reef, and we see fluctuations in the  
31 deepwater bycatch of lionfish, because what happens is these  
32 guys are targeting lobster. The lionfish are strictly as  
33 bycatch.

34  
35 The deeper we go, the more lionfish we encounter, but the  
36 maximum depth range on those lobsters is about 300 feet,  
37 because, when you're putting your traps on a trawl and so forth,  
38 you have issues with the hydraulic haulers having a number of  
39 traps in suspension and so forth.

40  
41 Again, most of our deepwater experience, deepwater meaning more  
42 than 100 feet, and that's beyond the coral reef tract up and  
43 down the Keys, out to 300 feet, that's where, the deeper we go,  
44 the greater the population densities, and we have seen that very  
45 clearly with Gary Nichols. While he hit a peak of more than  
46 10,000 pounds in 2013, in 2014 and 2015, where he did not have  
47 to fish as deep, because lobsters didn't go deep, the volume of  
48 lionfish dropped to 7,000 one year and about 8,000 the other.

1  
2 There are some interesting things that Gary has developed and  
3 found out. For example, lionfish are cannibalistic, and the big  
4 concern there is are they cannibalistic or have they become that  
5 way because they have exhausted forage fish and other products  
6 that they would prey on and then, out of necessity, have they  
7 turned to cannibalism? These are a number of different things  
8 that need to be explored.

9  
10 **CHAIRMAN ANSON:** Mr. Greene.

11  
12 **MR. GREENE:** Are these traps hooked together in succession or  
13 are they put out independently?

14  
15 **MR. KELLY:** They would be fished on trawls exclusively, and that  
16 would reduce up and down buoys and so forth and any concerns  
17 about entanglement issues, and that would be especially true up  
18 in the Murrells Inlet, South Carolina and off of New Smyrna and  
19 so forth, where we would willingly comply with all trip  
20 requirements.

21  
22 **MR. GREENE:** Explain to me what you mean by fished on trawls.  
23 What do you mean by fished on trawls? I am not understanding  
24 what you mean.

25  
26 **MR. KELLY:** You have two types of fisheries with traps,  
27 primarily. You have a trawl fishery and then you have a  
28 vertical, or up and down, fishery. On a vertical up and down,  
29 each trap is marked independently with a vertical line to the  
30 surface and a buoy. When you fish a trawl, these traps are  
31 connected one to the other.

32  
33 Based on depth of water, the distance, you set one that's  
34 appropriate for the weight of the trap and the number of traps  
35 that are in the trawl. It's probably no more than twenty to  
36 twenty-five per trawl, and the reason for adjusting the rope  
37 length between the traps is because, when the hydraulic hauler  
38 brings these up, say you're in 300 feet of water, and you don't  
39 want a half-dozen traps in suspension, because it could have  
40 negative safety impacts on the hauler, the mechanical equipment,  
41 and the vessel itself with that amount of weight in suspension.

42  
43 **MR. GREENE:** Thank you. I appreciate you taking the time to  
44 clarify that. Do you have a plan in place, should you lose a  
45 trap, to recover it?

46  
47 **MR. KELLY:** Yes, sir. In this day and age, with the accuracy of  
48 GPS and so forth, the fishermen that are involved in this

1 program are rather adept at trawl fishing, and a grapple hook is  
2 -- You can easily recover these traps. They would have  
3 biodegradable panels on them as well, and very typical, for  
4 example in the golden crab fishery, in 1,800 to 2,000 feet of  
5 water, the eleven fishermen that engage in that fishery in the  
6 South Atlantic were able to grapple those trawls up on their  
7 first drop routinely. That's a credit to their skills and  
8 abilities, but also to the accuracy of the GPS these days.

9  
10 **MR. GREENE:** How big are these traps? Are they the size of a  
11 lobster trap that I see on *Deadliest Catch* or are they smaller  
12 or bigger? I have no idea.

13  
14 **MR. KELLY:** I would be happy to show them to you on a break,  
15 unless you would like to see them right now. I have pictures,  
16 printed pictures, of them. We are taking standard wooden  
17 lobster traps, two-and-a-half-feet wide by a foot-and-a-half  
18 high or so forth, and all of these are preapproved by both the  
19 federal and state agencies. All we're doing to them is  
20 basically altering the funnel size so that we can restrict  
21 bycatch there.

22  
23 **MR. GREENE:** Thank you.

24  
25 **CHAIRMAN ANSON:** Anyone else? Bill, I just have one question.  
26 You answered, I think, all of it, or most of it at least,  
27 describing the gear and the trawl fishery or trawl traps, but  
28 those buoys, particularly up in the Tampa area, from my little  
29 knowledge, but my knowledge, there isn't much of any fisheries  
30 out there, except maybe some longline maybe, but are those buoys  
31 going to be easily recognizable?

32  
33 I suspect up there off of Tampa that there aren't many fisheries  
34 that employ buoys just for navigational purposes, for the day  
35 boater that's out there, and are these going to be relatively  
36 large buoys?

37  
38 **MR. KELLY:** Yes, sir. We would have distinctive markings on  
39 there with the identification information and the exempted  
40 fishing permit number, et cetera. Those buoys in that area, as  
41 I mentioned earlier, with regard to soak time and so forth,  
42 because of the distances traveled, they would probably be --  
43 They would be deployed two successive days in a row. They would  
44 most likely be recovered each afternoon and kept onboard through  
45 the nighttime hours and then redeployed the following day,  
46 unless there is any preliminary evidence to suggest that  
47 nighttime harvest was more productive.

48

1 **CHAIRMAN ANSON:** Thank you. Mr. Gregory.  
2  
3 **EXECUTIVE DIRECTOR GREGORY:** Just as a note, on the last two  
4 pages of the EFP, page 22 to 24, there are descriptions of the  
5 different gear and dimensions. The only comment I would have to  
6 Bill is, since you're fishing traps maybe in areas that aren't  
7 normally fished with traps, to try to get in touch with the  
8 local shrimp industry to make sure you're not putting your gear  
9 during the daytime and then a shrimper comes by at night and  
10 pulls them up. That's the only gear conflict I could imagine.  
11  
12 **MR. KELLY:** Right, and, if it would be beneficial to the  
13 council, we could, of course, contact the Coast Guard with a  
14 local notice to mariners and so forth, but, in certain areas --  
15 For example, the Florida Keys, there are areas to be avoided by  
16 ship traffic and so forth. We've got a half-a-million or more  
17 lobster and stone crab traps deployed at any given time as well.  
18  
19 There would be no overnight soak time off the Carolinas or  
20 northeast Florida, because it's restricted under right whale  
21 issues. Then, in the Gulf of Mexico, I would think that the  
22 frequency of deployment would be two days in a row, because of  
23 distances traveled, and the vessel that's deploying them would  
24 be in that area, if they were kept overnight, and appropriately  
25 anchored and lighted.  
26  
27 **CHAIRMAN ANSON:** Mr. Boyd.  
28  
29 **MR. BOYD:** Thank you, Mr. Chairman. Bill, I just wanted to  
30 compliment you and your organization on the detail and  
31 professional approach to presentations and to requests that you  
32 bring to this council. You are always someone that I feel I can  
33 trust totally to give us full disclosure and to present the  
34 facts. Thank you.  
35  
36 **MR. KELLY:** Thank you, sir. I appreciate the compliment.  
37  
38 **CHAIRMAN ANSON:** I don't see any other questions from council  
39 members. Mr. Kelly, thank you very much. I am sure you will be  
40 available sidebar if someone else has another question for you.  
41 Thank you.  
42  
43 **MR. KELLY:** Mr. Chairman, thank you. Council members, thank you  
44 as well. I would be remiss if I didn't take one second to just  
45 thank Steve Branstetter, and, unfortunately, he's not here, for  
46 the work and the effort that he has put in to help guide us  
47 through this process here. As you know, it's a lengthy one, and  
48 it's very technical. If Steve is listening in, thank you very

1 much. It's much appreciated.

2  
3 **CHAIRMAN ANSON:** No other exempted fishing permits? Okay. That  
4 concludes that item on the agenda, and we have scheduled in our  
5 lunch recess, but let's go until twelve. Let's do some  
6 presentations. Greg is ready. Dr. Stunz.

7  
8 **DR. STUNZ:** Mine will just take a minute or two, unless there is  
9 some discussion.

10  
11 **CHAIRMAN ANSON:** You're up next then, Dr. Crabtree.

12  
13 **PRESENTATIONS**  
14 **SUMMARY OF ARTIFICIAL REEF SUMMIT**

15  
16 **DR. STUNZ:** On behalf of the council, I attended the National  
17 Artificial Reef Workshop, as well as professionally too, from my  
18 research side, and that was in early June in Alexandria. There  
19 was a lot of our representatives there. All of the leadership  
20 from our respective region's artificial reef programs were  
21 there.

22  
23 It was a very productive and a very good meeting. There were a  
24 lot of folks there. Russ Dunn, who is in the audience here,  
25 largely put this on. It was hosted by the Atlantic States  
26 Commission, and it was professionally facilitated, and so it was  
27 really well done.

28  
29 The main goals of the meeting were to really update on where we  
30 are with the current science on a regional basis. By the way,  
31 this was national, and so there were people from all over the  
32 place. We identified what are key knowledge gaps in terms of  
33 artificial reefs and then developed state and federal  
34 partnerships to facilitate reefing objectives.

35  
36 One of the interesting things that came out of this, which may  
37 be a discussion point for us here at some point, and maybe Russ  
38 could comment if needed, was that there was a little bit of  
39 question of all of the participants of what group within NOAA,  
40 who was running the meeting, is really in charge of artificial  
41 reefs or really running with it and taking the leadership role,  
42 and it seems like that wasn't real clear, and maybe Bonnie or  
43 Roy might want to comment to that, and I don't know, but that  
44 was sort of a question some of the participants had.

45  
46 What was very interesting that I gleaned from this is that  
47 artificial reefs are perceived very, very differently by  
48 different councils. To give you an example, in California,

1 where there is a lot of natural structure and boulders, they are  
2 putting out those types of reefs, and that's very different than  
3 what we have in the Gulf, particularly west of the river.  
4 That's characterized by sandy mud bottom, where a little bit of  
5 structure goes a long way, versus let's say someone in Hawaii,  
6 and they were less engaged in the process.

7  
8 It was largely driven, in a very positive way, by our Gulf  
9 groups. There was clear consensus building around this whole  
10 issue of attractant production. Largely, I think that's going  
11 away, but a consensus forming among the scientific community  
12 that there is definite production coming from these structures,  
13 in many instances. That's showing a lot of promise as a  
14 management tool, particularly that we would have in the Gulf.

15  
16 I guess my recommendation from this would be, if we choose this  
17 as a management tool and want to go down this route, that we  
18 really would be the lead group and council and region doing  
19 that, because we're a long way ahead of these other groups that  
20 are really just in the infancy and formative stages.

21  
22 Collectively, our artificial reef leads did a great job of  
23 representing what we do in the Gulf and how we have used that in  
24 a variety of aspects, and so you may want to give some kudos to  
25 your guys back home. They did a real good job, and so the  
26 outcome of this is a report that Russ tells me could literally  
27 be out today or tomorrow, at any time, and I will forward that  
28 to you, Doug, to post up for the council, if they want to read  
29 that. They are waiting for final leadership at NOAA approval on  
30 that, but I think it's almost there.

31  
32 Then, also, because of the elevated nature of artificial reefs,  
33 the American Fisheries Society is going to be having -- It's  
34 largely the fisheries meeting for all the fisheries  
35 professionals, and it's going to have a special large symposium  
36 at their meeting coming up here in about a year. That will be  
37 specifically addressing artificial reefs, and a lot of folks  
38 around the table here and other of your colleagues will be  
39 involved in that, and so that will be a positive benefit as  
40 well, in terms of the state of the science. It's been several  
41 decades since that information was updated, and so that should  
42 be fairly enlightening. With that, Mr. Chairman, that's the  
43 brief report of what went on at that meeting.

44  
45 **CHAIRMAN ANSON:** Thank you for that report. Any questions for  
46 Dr. Stunz? All right. Thank you. Dr. Crabtree, do you want to  
47 talk about the aquaculture update?

48

1 **AQUACULTURE UPDATE**

2  
3 **DR. CRABTREE:** Yes, and it will be very quick. As you know, the  
4 new offshore aquaculture permitting program took effect earlier  
5 this year, and this was an outcome of the Gulf aquaculture plan  
6 that this council put together. Since then, we have worked with  
7 other federal agencies that have various authorities and roles  
8 in the permitting process to help streamline the review and  
9 approval of applications, to the extent possible.

10  
11 We recently signed a federal interagency memorandum of  
12 understanding, which commits all of the agencies to work  
13 cooperatively with each other and with applicants toward that  
14 goal, and the signatories of that cooperative agreement include  
15 BOEM, BSEE, the National Marine Fisheries Service, U.S. Army  
16 Corps of Engineers, the Coast Guard, the EPA, and the Fish and  
17 Wildlife Service.

18  
19 We are encouraging potential permit applicants to schedule a  
20 pre-application meeting with us and other federal agency  
21 representatives before they begin the application process, so  
22 that we can help identify and troubleshoot any major issues  
23 early on and, to help ensure these pre-application meetings are  
24 productive, we have developed a checklist of key information  
25 needs along with example responses.

26  
27 We have also developed an interagency guide to assist applicants  
28 in navigating the various federal permitting and authorization  
29 processes and several guidance documents addressing baseline  
30 environmental survey and assurance bond requirements, as well as  
31 brood stock sourcing and genetic improvement techniques for  
32 cultured juveniles, and all of these documents are now available  
33 on the Southeast Regional Office website.

34  
35 We continue to field inquiries about the program, but, to date,  
36 we have not received any permit applications, and I expect this  
37 reflects the fact that there is ongoing litigation working its  
38 way through the courts on this, and we suspect that some of the  
39 potential applicants are waiting to see the outcome of the  
40 litigation before they proceed. That's my report, Mr. Chairman.

41  
42 **CHAIRMAN ANSON:** Any questions for Dr. Crabtree? Dr. Crabtree,  
43 you may have mentioned it at the beginning of your discussion on  
44 this topic, but have you had many individuals or companies come  
45 to the agency and express interest or say that they're  
46 interested?

47  
48 **DR. CRABTREE:** We have had a few parties inquire and show some



1 interest in it, but none of applied yet.

2

3 **CHAIRMAN ANSON:** All right. Mr. Donaldson.

4

5 **MR. DONALDSON:** Thank you, Mr. Chairman. Along those lines,  
6 NOAA Fisheries has provided the commission some funding, and  
7 we're working with GSI to do an aquaculture roundtable later  
8 this year, in New Orleans, to help kind of address and move  
9 forward ocean aquaculture. It's focused on oysters all the way  
10 up to finfish, and so that's something that I've been working  
11 with the states and GSI with, and we will keep the council  
12 informed about how that's proceeding.

13

14 **CHAIRMAN ANSON:** Thank you. Dr. Lucas.

15

16 **DR. LUCAS:** Dr. Crabtree, were the inquiries prior to you all  
17 developing all these documents and the MOAs and all of that or  
18 when -- I mean, how recent were they?

19

20 **DR. CRABTREE:** That I would have to check on and see. I don't  
21 know.

22

23 **CHAIRMAN ANSON:** Okay. We are about twenty minutes ahead of  
24 schedule, if you will. Actually, we're well above that, but we  
25 are scheduled to take a break at 12:00. It was brought to my  
26 attention from staff that there were a few items that were  
27 remaining in Data Collection that probably we should go back and  
28 address relative to a document that's within Data Collection,  
29 and, unless I hear a lot of dissention among members, if you  
30 will allow me that pleasure, we will divert from the agenda and  
31 do that, at least for the next twenty minutes, and possibly into  
32 after recess.

33

34 I want to still keep public comment at its time schedule of  
35 2:15, and so we might have some time after lunch as well to  
36 carry on, if need be, for Data Collection. Seeing that there  
37 isn't any major disagreement with that decision, Dr. Stunz, are  
38 you able to carry through with that?

39

40 **DR. STUNZ:** Yes, Mr. Chairman, we can do that. Just to be  
41 clear, do you want me to start with the report then at this  
42 point? There was no action or anything that might be clarified  
43 in public testimony, but it's up to you.

44

45 **CHAIRMAN ANSON:** Potentially, if there is no -- I would leave  
46 that up to you. If you want to just instruct staff to amend the  
47 report that you currently have to incorporate this discussion as  
48 well as any comments that --

1  
2 **DR. STUNZ:** So we had better wait on that then? Is that what  
3 you're saying?  
4

5 **CHAIRMAN ANSON:** That's what I think I'm saying, but, Dr.  
6 Simmons.  
7

8 **DR. CARRIE SIMMONS:** Thank you, Mr. Chairman. We weren't trying  
9 to complicate things, but we were thinking the report doesn't  
10 have any motions in it, but it might help us get back on track  
11 to what the committee discussed, and we do typically like to  
12 wait for committee reports until after we've heard public  
13 comment, but, unfortunately, we ran out of time during the Data  
14 Collection Committee, and so I think the discussion at full  
15 council, by going through the report and talking about those  
16 alternatives and maybe giving the public an idea of where the  
17 council might be going could better inform public comment, and  
18 so that was kind of our thinking there with going ahead and  
19 starting on the report, but, if the committee doesn't think  
20 that's appropriate, we can wait.  
21

22 **CHAIRMAN ANSON:** I will go ahead and answer to go ahead with the  
23 report then. It's full council and not a committee, and so  
24 everyone has an opportunity to chime in if they so desire, and  
25 so go ahead with the report, please, sir.  
26

#### 27 **DATA COLLECTION COMMITTEE REPORT**

28

29 **DR. STUNZ:** I can do that. That should hopefully spur our  
30 memory of what happened a few days ago and then also maybe pull  
31 up those documents in the meantime. For the Data Collection  
32 Report, which met on August 15 of 2016, the agenda was modified  
33 to remove Tab F, Number 4 from the agenda, as the presenter  
34 could not attend the meeting. Staff will attempt to reschedule  
35 this presentation for the October 2016 council meeting.  
36

37 Next was the Generic Amendment to Modify For-Hire Reporting  
38 Requirements. Dr. Froeschke provided an overview of the changes  
39 made to the Generic For-Hire Reporting Amendment, Tab F, Number  
40 5(a) since the August 2016 meeting.  
41

42 The revised document includes alternatives to consider hail-out  
43 and hail-in requirements. The committee discussed these  
44 alternatives, but did not make a recommendation and requested  
45 additional time at a subsequent meeting to deliberate these  
46 alternatives.  
47

48 The committee also reviewed Action 4, including alternatives for

1 hardware and software requirements, that would be used to report  
2 fisheries data from for-hire fishing trips. The committee also  
3 discussed these alternatives, but ran out of time.

4  
5 Dr. Froeschke reviewed a summary of data elements collected in a  
6 review of twenty-three for-hire reporting programs in the Gulf  
7 and U.S. Atlantic. Dr. Stephen from the Southeast Regional  
8 Office gave a presentation that summarized the reporting  
9 protocol of a potential for-hire trip in the proposed program,  
10 and she summarized the recommended data elements as part of the  
11 program in summary document.

12  
13 Cost Analysis of Commercial Fishery Electronic Reporting  
14 Program, Dr. Ponwith provided an update about the cost analysis  
15 of the commercial electronic reporting program. She stated that  
16 she has just received preliminary information and has not had an  
17 opportunity to review the results in detail. She offered to  
18 review these results prior to the October 2016 council meeting  
19 and provide additional information to the committee at that  
20 time. It would be helpful to staff if the council discussed the  
21 timing of the regulatory process to implement the electronic  
22 reporting for commercial logbooks.

23  
24  
25 Atlantic States Coastal Cooperative Statistics Program Meeting  
26 Summary, Dr. Stunz attended an ACCSP meeting that discussed for-  
27 hire reporting protocols and programs. He stated a  
28 recommendation to remove duplicate reporting from the system to  
29 minimize time and effort required for reporting. He also stated  
30 the Gulf States Marine Fisheries Commission serves a similar  
31 role in the Gulf and works closely with the ACCSP. Mr.  
32 Chairman, this concludes my report.

33  
34 **CHAIRMAN ANSON:** Thank you for that report. Dr. Simmons.

35  
36 **DR. SIMMONS:** Thank you, Mr. Chair. Could we go back to one of  
37 the items that may take a little less time than going through  
38 the document, the cost analysis and discussion on the regulatory  
39 side of things for the commercial electronic reporting, and try  
40 to get a better understanding of when the council staff needs to  
41 get involved in that and start working on some document or white  
42 paper that the council would look at and the timing of that?

43  
44 We did have something from 2013 on our action schedule regarding  
45 this, and I am kind of wondering if this is the same action that  
46 we would be moving forward with or something different, and so  
47 if we could just discuss timing of that and when the Science  
48 Center and NMFS staff sees us starting to get working on this.

1  
2 **CHAIRMAN ANSON:** Certainly. Dr. Ponwith.

3  
4 **DR. PONWITH:** In October, I will have prepared for the briefing  
5 book two presentations. One is a cost analysis of things that  
6 we learned about the costs to the industry in electronic  
7 reporting, based on the type of hardware and the connection and  
8 transmittal options that are available.

9  
10 The second presentation will be a look at what it would take for  
11 the industry and for the agency to be prepared to accept  
12 electronic reports on a voluntary basis. We have had, in the  
13 South Atlantic, some members of industry who either participated  
14 in the pilot or watched the pilot underway who said we would  
15 prefer to report electronically as soon as possible and before  
16 it's required by an amendment. We have got materials pulled  
17 together that I can present in October to discuss what that  
18 timing is.

19  
20 In the meantime, it's a good opportunity to plant the seed with  
21 the council to look at steps that it would take to contemplate  
22 moving to a requirement for electronic reporting, and, again,  
23 this is the council's prerogative. We just want to be ready to  
24 address, from a science perspective, what it would take to move  
25 from a paper logbook format and transition to an electronic  
26 reporting format, if the council wanted to make that mandatory.

27  
28 The punchline of the October presentation is that we would be  
29 ready to accept electronic reports on a voluntary basis as early  
30 as probably the spring of 2017, spring or summer of 2017, and  
31 that paves the way for us to be geared up to go operational, and  
32 I just bring that to your attention, because one of the  
33 trickiest steps in this is making sure that the technical  
34 aspects of a change and the regulatory aspects of a change are  
35 mapped up together to one another.

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

38  
39 **DR. CRABTREE:** In the interest of trying to move this forward,  
40 and since we didn't make any motions in the committee, I am  
41 prepared to make some motions for preferred alternatives, if  
42 that would be --

43  
44 **CHAIRMAN ANSON:** I think that would be okay.

45  
46 **DR. CRABTREE:** We had a lot of discussion about the hail-in and  
47 hail-out, and I think, at the minimum, we ought to have the  
48 hail-out provision, and we probably ought to have the hail-in.

1 I would make a motion that in Action 3 that we select  
2 Alternative 2, a and b, as a preferred. That's Action 3,  
3 Alternative 2a and b as preferred. If I get a second, I can  
4 give some rationale.  
5

6 **CHAIRMAN ANSON:** Do we have a second for the motion?  
7

8 **DR. STUNZ:** I will go ahead and second. Just to brief the  
9 committee, this is Tab F-5(a), on page 12, that Roy is referring  
10 to.  
11

12 **CHAIRMAN ANSON:** Yes, and thank you, Dr. Stunz. Go ahead, Roy.  
13

14 **DR. CRABTREE:** I think we need, for validation purposes, we need  
15 to know when trips are occurring and when vessels are going out.  
16 My sense was there wasn't a lot of opposite to the hail-out  
17 provision. They do that at the dock before they leave. I heard  
18 more concerns about the hail-in on it, and I am going to come  
19 back to the hail-in and see where we go on that, but I think,  
20 with the hail-out -- That way, the folks involved in validation  
21 and all would at least be able to document that a trip has taken  
22 place.  
23

24 **CHAIRMAN ANSON:** Anyone else want to discuss the motion on the  
25 board? Ms. Guyas.  
26

27 **MS. GUYAS:** Just a question about the hail-in. If we end up  
28 with the option of having to report all their data before they  
29 hit the dock, are we envisioning that that would get rolled  
30 together with the hail-in and the data submitted at the same  
31 time or would this be two different things that the boats would  
32 need to do before they need to come in?  
33

34 **DR. CRABTREE:** I think, at that point, it would be the same  
35 thing, and I was going to come back to the hail-in when we  
36 dispense with this motion.  
37

38 **CHAIRMAN ANSON:** Dr. Stunz.  
39

40 **DR. STUNZ:** To Martha's point, there is two things. This hail-  
41 in and hail-out was sort of a bottleneck of a decision that we  
42 needed to make, because it directed where we went with this,  
43 but, also, I think a hail-in is very important, as well as a  
44 hail-out, but, also, that we don't necessarily have to call it  
45 that. When you start your trip, essentially that's effectively  
46 a hail-out, depending on how it is, but, if we're requiring  
47 entering your information before you hit the port, that's  
48 effectively a hail-in.

1  
2 Just from experience, there's been some, I guess, more practical  
3 things, with captains physically hailing-in and hailing-out,  
4 versus starting a trip and submitting your data, which is  
5 effectively the same thing. I don't know that we necessarily  
6 have to call it that, but the point is that you know when the  
7 trip is out and you know when they're there before they can hit  
8 the dock, for validation purposes.

9  
10 **CHAIRMAN ANSON:** I recall some public testimony from smaller  
11 vessels that these captains might not have a deckhand, and so  
12 they're driving the boat and paying attention to safety for  
13 their customers and keeping an eye on navigation, and I am just  
14 wondering -- Steven, was there any discussion at the Law  
15 Enforcement Committee regarding reporting before the fish are  
16 landed, rather than the vessel is attached to the dock?

17  
18 **MR. STEVEN ATRAN:** I think, according to Ava, we had a little  
19 bit of confusion as to what was being expected on the hail-in  
20 and hail-out requirements, and so we are bringing this amendment  
21 back to them at their October meeting to review again, and Ava  
22 will be at that Law Enforcement Technical Committee meeting to  
23 explain the issues.

24  
25 **CHAIRMAN ANSON:** Dr. Crabtree might change my mind here, but I'm  
26 just wondering if that subtlety can be brought up as part of  
27 that discussion. I know it's compatible with the commercial  
28 side of how the trips are reported, but I am just wondering, and  
29 we're in a little bit different situation here, potentially, for  
30 these captains. I am just wondering if that could be brought up  
31 for discussion purposes at that next meeting. Dr. Crabtree.

32  
33 **DR. CRABTREE:** I was just going to suggest that my motion is  
34 focused on the hail-out, which would be done at the dock before  
35 they leave, and I would suggest that we dispense with this  
36 motion. Then I'm going to make a motion with respect to hail-  
37 in, and we can have that discussion then.

38  
39 **CHAIRMAN ANSON:** I apologize. I didn't read it, but you  
40 mentioned it before they made the motion, and so I thought they  
41 were combined on this, and so I apologize. I am out of order,  
42 of sorts, and so does anyone have anything else to say? Mr.  
43 Diaz.

44  
45 **MR. DIAZ:** Thank you. I am trying to figure out where I want to  
46 go with this. I mean there is some unknowns that we don't know  
47 as of today, in trying to pick this preferred. Expenses is one,  
48 and you just mentioned some boats have been against it, Kevin,

1 too, the center-console boats and things, but we don't know what  
2 the expenses are going to be.

3  
4 I am somewhat sensitive about going down the road where we're  
5 adding some expenses to charter boats, potentially to charter  
6 boats, that we don't know what they are yet. I think, for some  
7 boats that run a lot of trips and their business is very much  
8 thriving and healthy, it probably won't be a big deal, but I do  
9 think there's a fair amount of charter boats that are operating  
10 and their business is in tough shape, and I am concerned about  
11 expenses that we might add to those.

12  
13 However, I do recognize the need that we need better data. I  
14 mean, continually at this table, I am frustrated by the speed at  
15 which we get data, the fact that we don't have it when we need  
16 it, it's too slow, we're constantly waiting on it, and it holds  
17 up our whole process.

18  
19 In my mind, when we started this whole data collection  
20 improvement program here, originally I was thinking what I want  
21 to do is I want to build a system that ultimately can replace  
22 MRIP one day, and that was the standard that I had in my mind at  
23 that time, and this would certainly do that, but there's other  
24 ways to do it also, and so I'm just trying to lay out what  
25 things I'm thinking about as we vote on these things. Thank  
26 you, sir.

27  
28 **CHAIRMAN ANSON:** Mr. Swindell.

29  
30 **MR. SWINDELL:** In Alternative 2, it says prior to departing  
31 before each trip, and how long before? What does "prior" mean?  
32 Does any time before the trip -- Suppose the vessel operator  
33 wants to send in the night before that he plans to leave the  
34 dock at six o'clock in the morning the next day. Is that good  
35 enough for the hail-out?

36  
37 **DR. CRABTREE:** I would ask staff if there's anything in the  
38 document that's specific about that.

39  
40 **CHAIRMAN ANSON:** Dr. Froeschke.

41  
42 **DR. JOHN FROESCHKE:** There is not, but these are the kinds of  
43 things that we're hoping will come up in the discussion, and  
44 we're happy to incorporate any guidance you can provide.

45  
46 **DR. CRABTREE:** I would say that my intent with this would be  
47 when they're at the dock getting ready to go and they tell us  
48 that we're leaving and not that the night before they say we're

1 planning to go and then they get to the dock the next day and  
2 the weather is bad or the customer doesn't show up and then they  
3 don't go. I think it should be we're leaving.

4  
5 **MR. SWINDELL:** That was part of my reason for asking the  
6 question, just what are we really trying to obtain here? You  
7 want vessels that are actually going to go out, and so they do  
8 need to be able to, some way or another, submit a hail-out  
9 fairly close to the time they're leaving the dock. Thank you.

10  
11 **CHAIRMAN ANSON:** I have a few people. Myron.

12  
13 **MR. FISCHER:** Thank you, Mr. Chairman. We spoke with a lot of  
14 the vessels, and we have the outboard fleet, and those are the  
15 ones that are impacted the hardest by some of these regulations.  
16 They don't oppose a hail-out. Of course, some of them thought a  
17 hail-out could be the afternoon before. It's a unique area.  
18 You don't know, especially on a thirty-foot outboard, you don't  
19 know what the seas are going to be, and you don't even know what  
20 you're fishing for until your customers show up and they say,  
21 no, we want tuna. The only place tuna are is eighty miles out.

22  
23 Now, we might not be regulating tuna, but, on that trip, they  
24 may have to see if amberjack is open or snapper is open. It  
25 changes the whole complexion of the trip or whether they go at  
26 all, and so, even hailing-out when you're pulling out of the  
27 slip doesn't guarantee a trip when you're in the small-boat  
28 fleet.

29  
30 The other side of it is we discussed it in our office, and we  
31 felt all you need is hail-out. Once we know the universe of  
32 vessels fishing that day, we can randomize and sample -- We can  
33 get a valid, random sample of the boats that are actually  
34 fishing that day and not be chasing around boats that stayed at  
35 the dock. Now, of course, I think if someone hails out the  
36 night before, or any time, and they have to terminate the trip,  
37 because of engine issues or weather issues, they can amend their  
38 hail-in report.

39  
40 **CHAIRMAN ANSON:** Dr. Lucas, followed by Dr. Stunz.

41  
42 **DR. LUCAS:** In Mississippi, via the Tails and Scales App, which  
43 is an electronic, mandatory reporting system, we allow them to  
44 get their -- They essentially get a code to go fishing, and so  
45 they tell us they are going to hail-out. They get a code, and  
46 they can do that up to five days in advance. Some of them have  
47 these trips on the books, but they can only have one open at  
48 each time. They have to close that code out, essentially,



1 before they can go fishing again.

2  
3 We don't make it mandatory that they do it before they hit the  
4 dock, but they have to close that out before they can go fishing  
5 again, and they have enjoyed getting things set up the night  
6 before or a couple of days before, when they know they're going  
7 to have a trip, and then go ahead and get all of that  
8 information loaded.

9  
10 There is a way to say that the trip didn't occur, because of bad  
11 weather, but it gives us -- We know who is out there. Our law  
12 enforcement knows who is out there, because it's in the system,  
13 and so the law enforcement can pull it up. They know who was  
14 supposed to be out there. Our fisheries crew knows who was  
15 supposed to be out there, when they're out there making their  
16 rounds, and so it's a good way to get a handle on it and work on  
17 the validation, to which Myron was speaking to.

18  
19 **CHAIRMAN ANSON:** Dr. Stunz.

20  
21 **DR. STUNZ:** I will make this quick, Mr. Chairman, because Dr.  
22 Lucas mainly made my point, but, for some of Dale's concerns and  
23 yours, at least the pilots that I'm aware of, it's just  
24 literally the click of a button, and so it's very quick, even  
25 coming in, on the hail-in side of this. This isn't  
26 overburdening. We certainly don't want to overburden them with  
27 things, Dale, but it's a pretty painless process.

28  
29 **CHAIRMAN ANSON:** Any other discussion before we vote on the  
30 motion? **All those in favor of the motion on the board, in**  
31 **Action 3, to make Alternative 2, Options a and b, the preferred**  
32 **alternative, and it's in regard to the hail-out alternative,**  
33 **please signify by raising your hand.**

34  
35 **EXECUTIVE DIRECTOR GREGORY:** Sixteen.

36  
37 **CHAIRMAN ANSON:** I won't ask about the opposed. **It's sixteen to**  
38 **nothing.** Dr. Crabtree.

39  
40 **DR. CRABTREE:** I would like to make another motion to select  
41 **Action 3, Alternative 3a and b as a preferred, and this would be**  
42 **the hail-in.**

43  
44 **CHAIRMAN ANSON:** Staff is trying to get that on the board. It's  
45 seconded by Dr. Stunz. Dr. Crabtree.

46  
47 **DR. CRABTREE:** I know there has been some opposition with this.  
48 I can tell you, from having had experience with the VMS programs

1 and implementing them, there were all kinds of concerns about  
2 small boats, all of the things we've heard about, and the  
3 industry quickly adapted to it, and I don't hear much about any  
4 of these things anymore. I think there is a period of adapting  
5 to it, but I think we can get through that.

6  
7 I think there clearly is value in having dockside validation.  
8 There is clearly value in having the folks who are going to do  
9 the validation know when the vessel is coming in and in having  
10 the reports submitted before it hits the dock, so that they've  
11 submitted the report before they know if they are going to be  
12 expected on this.

13  
14 The technical subcommittee discussed this at length, and I think  
15 this was their preferred, and so I want to see if there's enough  
16 support on the council to do this. If not, then my suggestion  
17 would be that we add this into Amendment 41 and 42, because I  
18 think, if we're going to go down the path of some type of catch  
19 share programs, it's going to be key that we have this as part  
20 of it.

21  
22 **CHAIRMAN ANSON:** To your point about having the dockside  
23 samplers know when the trip is coming in or a vessel is coming  
24 in and such, on the commercial side, our law enforcement  
25 officers are able to receive email notifications on their state-  
26 funded phone when vessels are coming in, but I see a slight  
27 disconnect from using that process and going down into our  
28 current sampling regimen or protocols, where we have,  
29 particularly in Alabama and Florida and Mississippi, through  
30 MRIP, if that is the vehicle that is actually used to do the  
31 validations, but trying to get that information out to field  
32 samplers I think is a little bit -- It's not as straightforward,  
33 I guess. That's just my comment, is that that's not going to  
34 work as smoothly, potentially, as it does with enforcement with  
35 the commercial reporting. Bonnie.

36  
37 **DR. PONWITH:** I can see that that would be the case, that we  
38 would have to build some sort of a system or a mechanism to be  
39 able to make that process flow. The catch is, without the hail-  
40 in and hail-out, then any kind of notification is completely off  
41 the table, and it certainly makes it easier to set up that  
42 process, even though it may be harder than on the commercial  
43 side, when we've got this.

44  
45 **CHAIRMAN ANSON:** Mr. Fischer.

46  
47 **MR. FISCHER:** Thank you, Mr. Chairman. I have a few questions,  
48 but, first, I think I need an answer to develop the second

1 question. What's the timeframe for the hail-in on the present  
2 headboat logbook program?

3  
4 **DR. PONWITH:** Right now, to my knowledge, there is not a hail-in  
5 requirement for the headboat program. The headboat program has  
6 just gone through a pilot program to look at validation  
7 methodologies, and the results from that pilot program are in  
8 evaluation right now. I, at this point, don't know if that's  
9 going to be included in their report or not, but that is  
10 something that was looked at.

11  
12 **MR. FISCHER:** If this program is successful, it doesn't have a  
13 hail-in, and we're going to use their catch histories, possibly,  
14 in Amendment 42. There are safeguards in place. We will have a  
15 random -- A random inspection or a random sampling should be  
16 keeping the boats in line, as far as their harvest, and we just  
17 think it burdens our fleet, and our fleet is opposed to it, and  
18 we're going to follow the wishes of the fleet, until something  
19 changes.

20  
21 **CHAIRMAN ANSON:** To that point, Dr. Ponwith?

22  
23 **DR. PONWITH:** To that very point, you're right. The catch is,  
24 when we look at charter and headboats, we're looking at an order  
25 of magnitude more vessels than currently is in the headboat, and  
26 so, to go operational at that scale, I think it really does  
27 require us to look for ways that we can be as efficient as  
28 possible.

29  
30 **CHAIRMAN ANSON:** To that point, Dr. Crabtree?

31  
32 **DR. CRABTREE:** Just to remind everyone that, in Action 1, we  
33 already have a preferred alternative that requires that the  
34 vessels submit fishing records for each trip via electronic  
35 reporting prior to arriving at the dock, and that's a preferred  
36 we already have chosen, and so having the hail-in seems  
37 completely consistent with that.

38  
39 **CHAIRMAN ANSON:** Mr. Atran.

40  
41 **MR. ATRAN:** This was a concern of the Law Enforcement Technical  
42 Committee, although they were looking at a different amendment,  
43 Amendment 36A, on expanding hail-in requirements. One problem  
44 is that, with IFQ vessels, there is a limited number of places  
45 where the vessels can land, whereas, if you expand this to any  
46 charter or for-hire vessels, there is an infinitely larger  
47 number of potential landing spots, and they felt that was going  
48 to make it very difficult to use this for any enforcement

1 situation. They thought it would just overwhelm them.

2  
3 **CHAIRMAN ANSON:** Mr. Greene.

4  
5 **MR. GREENE:** Dr. Crabtree made one of my points there, but I  
6 just wanted to note that it is the technical committee  
7 recommendation. In the beginning, it may be something that  
8 people have to get used to, but I do think it's the right thing  
9 to do at this point. If we're going to move forward with it, we  
10 need to do this as well.

11  
12 **CHAIRMAN ANSON:** Dr. Lucas, followed by Dr. Stunz.

13  
14 **DR. LUCAS:** Had we talked about this in Clearwater and gotten  
15 this far, I probably would have had a different opinion, but,  
16 after sitting through our MRIP technical review for the Tails  
17 and Scales Program and understanding, I just felt for sure they  
18 were going to talk about it being necessary to have the  
19 electronic report before you hit the dock and have a hail-in  
20 system.

21  
22 After sitting in there with their consultants and their experts  
23 that do these statistics and them saying that they didn't need  
24 that, that that report could come later and that they didn't  
25 need the hail-in, I just feel like our system is working. It  
26 looks like we're going to be able to proceed with the  
27 validation, and so I don't see the hail-in as a hindrance to  
28 getting the validation that we need, especially after having  
29 those experts lay it out on the table, and so I just can't  
30 support the hail-in at this time.

31  
32 **DR. STUNZ:** I have a little bit of a different viewpoint there.  
33 I think we're splitting hairs just a little bit. The hail-in  
34 simply just allows us to refine validation, in my opinion, which  
35 is going to be really key in any of these programs. By  
36 effectively submitting your report, which is in the other  
37 action, that is the hail-in anyway, and so you're getting it  
38 right there. We have it, whether we want it or not, and I think  
39 having it here just explicitly says what we mean.

40  
41 **CHAIRMAN ANSON:** Dr. Froeschke.

42  
43 **DR. FROESCHKE:** Just so we're clear in the understanding, I  
44 think the fundamental difference between having a hail-in and  
45 reporting before you hit the dock and just having an intercept  
46 is, when you hail-in and report at sea, the estimation of the  
47 catch will be from that report. If you don't do that, then the  
48 estimation would be from the intercepts, which is totally

1 different.

2  
3 The technical committee has continued to recommend the at-sea  
4 reporting, because they wanted the census-based approach. I  
5 guess, from the IPT level and things and writing the document,  
6 if we could get some clarity on what your intent with that  
7 respect is, it would be great.

8  
9 **CHAIRMAN ANSON:** That's a good point, Dr. Froeschke, and that  
10 certainly plays heavily into this particular motion and  
11 direction of the document. I don't know if some of those who  
12 have expressed some dissention regarding this motion and their  
13 opposition heard that, but certainly they should be taking that  
14 into consideration, I guess. Does anyone else want to talk  
15 about the motion? Seeing none, we are going to go ahead and  
16 vote on the motion.

17  
18 The motion is, in Action 3, to make Alternative 3, Options a and  
19 b the preferred alternative, and this is in regards to the hail-  
20 in. Prior to arriving at the dock or port at the end of each  
21 for-hire trip, require the vessel operator to hail-in and submit  
22 fishing records via electronic reporting. That was a technical  
23 committee recommendation. Option a is for charter vessels and  
24 Option b is for headboats. That mechanism for hailing-in has  
25 yet to be determined, as it ties in with this motion. **All those**  
26 **in favor of the motion, please signify by raising your hand.**

27  
28 **EXECUTIVE DIRECTOR GREGORY:** Eleven yes.

29  
30 **CHAIRMAN ANSON:** **All those opposed, same sign.**

31  
32 **EXECUTIVE DIRECTOR GREGORY:** Five opposed.

33  
34 **CHAIRMAN ANSON:** **The motion carries.** Dr. Crabtree. I would  
35 like to try to break for lunch at some point.

36  
37 **DR. CRABTREE:** We can do this after lunch, if you would rather.

38  
39 **CHAIRMAN ANSON:** We do have time scheduled. Based on the agenda  
40 items, either some that have been dropped or have been done, we  
41 do have some time after lunch. We're eating into that time now,  
42 and so I figure if we can go ahead and just break for lunch and  
43 get that over with, maybe you will have more attention from  
44 folks for subsequent motions. Let's do that. Let's recess for  
45 that lunch. Council members, we've got to get a picture with  
46 everybody, and so, please, don't go very far. We will be back  
47 at 1:45. We will reconvene at 1:45.

48

1 **DR. STUNZ:** Thanks for the additional time, Mr. Chairman. We  
2 needed that.

3  
4 (Whereupon, the meeting recessed for lunch on August 17, 2016.)  
5

6 - - -

7  
8 August 17, 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 Astor Crowne Plaza, New Orleans,  
16 Louisiana, Wednesday afternoon, August 17, 2016, and was called  
17 by Chairman Kevin Anson.  
18

19 **CHAIRMAN ANSON:** We are going to pick up at 2:15 with the  
20 scheduled agenda item, and that would be public testimony, at  
21 2:15, and so we have twenty-five minutes. I am going to use  
22 that time to finish up our discussions in Data Collection. Dr.  
23 Crabtree, I think you were next. You wanted to make a motion.  
24

25 **DR. CRABTREE:** I think that the final place that we don't have a  
26 preferred alternative is in Action 4, and I do think, given  
27 where we're going with Amendments 41 and 42, that some kind of  
28 positioning system is desirable, so we know where the boat is  
29 and when it leaves the dock and those kinds of things.  
30

31 I do think that Action 4 ought to be clarified and the  
32 alternatives that include GPS devices, that those need to be  
33 affixed to the vessel somehow, so we know that where the GPS  
34 device is is where the vessel is. **At any rate, to get the  
35 discussion started, I will go ahead and make a motion that,  
36 under Action 4, that our preferred alternative be Alternative 4,  
37 a and b.**  
38

39 **CHAIRMAN ANSON:** We have a motion that in Action 4 that the  
40 preferred alternative be Alternative 4, Option a and b. We will  
41 wait while staff puts it on the board. Is there a second to the  
42 motion? Dr. Stunz seconds the motion. Any discussion on the  
43 motion? Myron.  
44

45 **MR. FISCHER:** It's not to discuss the motion, but I want to ask  
46 Roy -- When he was talking about affixed to the vessel or fixed  
47 to the vessel, but if he would -- That was for devices under  
48 this motion?

1  
2 **DR. CRABTREE:** In this motion, it would be a NMFS-approved VMS  
3 system, which does have to be affixed to the vessel, but we have  
4 other alternatives in there -- I believe Alternatives 2 and 3  
5 both specify GPS positioning, but not an approved vessel  
6 monitoring system, and I think, in those two, whatever the GPS  
7 is, it needs to be affixed to the boat somehow. If you can take  
8 your GPS and put it in your car, then you could go out on a trip  
9 and the GPS would be reading that you're still at the dock, if  
10 it's in your dock box, for example, and so that would apply to  
11 Alternatives 2 and 3.

12  
13 **MR. FISCHER:** Whichever way it goes is fine. Of course, you  
14 know our view on it, but I think we have to establish what is  
15 our preferred, so it can get out to industry, because CLS  
16 America just developed a portable reporting device that is  
17 satellite reporting all in one device, and it's not affixed to  
18 the vessel. It's not Bluetooth. It's an antenna, to the best I  
19 know. It's a totally portable device, but I do see your point.

20  
21 **CHAIRMAN ANSON:** Dr. Stunz.

22  
23 **DR. STUNZ:** Roy, I support your motion. I think it's in our  
24 best interest to select some of these preferreds, but we're kind  
25 of getting into the territory where, if you remember the last  
26 meeting or so, we've been discussing about how this is kind of  
27 going hand-in-hand with 41 and 42, and we don't know where we're  
28 at there, whether it's an IFQ type or tags or whatever, and that  
29 might influence what we do here. I mean we certainly can always  
30 go back and change that preferred, and so I think this is the  
31 reasonable choice at this point.

32  
33 We're getting to a point here, broadly, with this amendment of  
34 how far are we going to take it in getting specific and how much  
35 room are we going to leave the National Marine Fisheries Service  
36 to design things, and so I am kind of just opening that up a  
37 little bit. At some point, maybe at the next meeting, we should  
38 have some discussion. We don't want to be so prescriptive that  
39 we have to come back and modify this document every time we want  
40 to make a little change, but, at the same time, we want to  
41 maintain some control, but give flexibility, as needed, and I'm  
42 not sure how we really deal with that.

43  
44 **CHAIRMAN ANSON:** Is there any other discussion on the motion?  
45 **All those in favor of, in Action 4, to make Alternative 4,**  
46 **Options a and b, the preferred alternative, please signify by**  
47 **raising your hand.**

48

1 **EXECUTIVE DIRECTOR GREGORY:** Eleven.  
2  
3 **CHAIRMAN ANSON:** All those opposed, same sign.  
4  
5 **EXECUTIVE DIRECTOR GREGORY:** Five.  
6  
7 **CHAIRMAN ANSON:** The motion carries eleven to five. Does anyone  
8 else have any discussion?  
9  
10 **MR. BOYD:** I don't know if this is the right thing to ask at  
11 this point in time, because this is more of a technical  
12 question, but, Roy, if you had the scenario where an outboard  
13 center console is under this program and they get to a certain  
14 point and decide that the weather is too bad, it's too rough,  
15 their clients are too sick, whatever it is, and an hour into the  
16 trip they turn around, when they hail back in, are they going to  
17 have to wait out there then? Is that what you see happening?  
18 Are they going to wait for another hour or two hours or three  
19 hours to get back in, or is there going to be some provision to  
20 take care of that particular case?  
21  
22 **DR. CRABTREE:** I think there will have to be, because I don't  
23 think it's reasonable to expect a vessel with paying customers  
24 on it to wait for an extended period of time, and so my thought  
25 is they would punch whatever button on whatever device it is  
26 that hails in and then they would come in. Now, if they have  
27 some catch onboard, they would have to report their catch, but I  
28 don't think that would take but a few minutes.  
29  
30 I think we have preferreds on everything now, and so my question  
31 to staff would be what kind of timeline are we on for final  
32 action, do you think?  
33  
34 **CHAIRMAN ANSON:** Dr. Froeschke.  
35  
36 **DR. FROESCHKE:** It seems to me that the document is essentially  
37 complete, minus the updating of the things here and some perhaps  
38 polish, and so we could have the document ready for final action  
39 in October, unless there is something unforeseen.  
40  
41 **CHAIRMAN ANSON:** Dr. Stunz.  
42  
43 **DR. STUNZ:** I mean I would like to move on this as fast as  
44 anyone, having been trying to push this at every meeting, but I  
45 think there is still a lot of things in play, and I am not at  
46 all saying we don't move this forward, but there is still some  
47 other things. For example, I would like to hear from Bob Gill  
48 on how that pilot went and what were the pitfalls and what is



1 happening. We didn't get to do that at this meeting.

2  
3 Hopefully, we will get to hear from him and do that at the next  
4 meeting, but I think I would feel as though we need to have one  
5 more meeting of discussion before we really take final action  
6 with all the -- There is still some more matters that I think we  
7 need to discuss.

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

10  
11 **MS. BOSARGE:** Pardon me if my memory is lacking here, but did we  
12 already take this out for public hearings across the coast? I  
13 don't remember. I know we've been working on it for a while.

14  
15 **DR. FROESCHKE:** We did. We did a public hearing via webinar in  
16 December, and we got a lot of participation that way, and then  
17 at all of these council meetings which we've discussed it, but  
18 we didn't go out for city-by-city public hearings. We also did  
19 the direct mailing, because it was a known universe, and so  
20 every single permit holder got a direct mailing about it and  
21 then, like I said, the webinar.

22  
23 **CHAIRMAN ANSON:** I guess my question to the group is that prior  
24 webinar back in December, when the document was fairly new, has  
25 it changed enough where it requires an additional maybe webinar,  
26 possibly, or not? Dr. Stunz.

27  
28 **DR. STUNZ:** The short answer to that I think is yes. We didn't  
29 have preferreds, and we've had a lot of different discussion  
30 around the room, and I think it deserves another chance to get  
31 some feedback. I know Myron's group and things has probably --  
32 His crew out there has a lot to say on this, and so I think we  
33 need at least one more opportunity, and so maybe if we looked at  
34 October to have some of those discussions, maybe a public  
35 hearing before or after then, and then final action in January.  
36 That, at least to me, would be a little more realistic, and at  
37 least I would feel better about acting on it at that time.

38  
39 **CHAIRMAN ANSON:** Anyone else want to comment on that schedule  
40 that Dr. Stunz has proposed? This would be a webinar, similar  
41 to what was done in December. I don't see any dissention from  
42 that, and so I guess, based on that schedule though, Dr. Stunz,  
43 maybe not put it on October's meeting as a final action item, to  
44 notice everyone, and plan on January. Then hopefully we can  
45 sort out and have Mr. Gill or someone else come at the October  
46 meeting to provide that additional information. Dr. Crabtree.

47  
48 **DR. CRABTREE:** You know you could notice it for final action,

1 but that doesn't mean we have to do it. That way, if we got  
2 here and everybody is comfortable, we could go ahead.

3  
4 **DR. STUNZ:** I don't really know that I'm still going to be  
5 comfortable in October, because one of the things that I was  
6 going to bring up is I don't know -- Maybe the committee -- I  
7 see Myron walking out real quick, but we had the minimum data  
8 requirements discussion.

9  
10 We didn't have a whole lot of -- I am not saying we prolong this  
11 committee any more at this meeting, but I don't know -- I am not  
12 sure where we left that and if you guys were comfortable, or did  
13 we decide these were the minimum data elements? We sort of  
14 briefly got a report on that, and so I think there's just a  
15 little bit more of these detail-type discussions we need to have  
16 before finalizing it, and so I'm still for January.

17  
18 **CHAIRMAN ANSON:** Myron.

19  
20 **MR. FISCHER:** That give us time in the future to talk about it,  
21 because, as you said, in the data requirements, we want boats to  
22 report before they get to the dock, but we want them to record  
23 how many gallons of fuel they're going to use, and we have --  
24 Some selections could be hook size and hook manufacturer. In  
25 the end, it may be very important to have all of these things in  
26 a logbook, but, after we go through the October meeting and the  
27 January meeting and have the committee meet, we may flesh out  
28 some of this, that we don't want some of these items.

29  
30 **CHAIRMAN ANSON:** Dr. Lucas.

31  
32 **DR. LUCAS:** If I'm not mistaken, I thought in committee we  
33 requested them to do a webinar of the technical committee to add  
34 the states' programs and their minimum in there, so that that  
35 would be part of the record, and then possibly move that whole  
36 entire minimum thing to like an appendix or something, so that  
37 it would be in the document for people to review.

38  
39 **CHAIRMAN ANSON:** I will ask staff if that's their recollection  
40 or what they intended to do relative to any further information  
41 relative to the minimum data elements. Dr. Froeschke, were you  
42 planning on doing anything with that or having any other  
43 additional information to be added to that?

44  
45 **DR. FROESCHKE:** Not unless you wanted me to, no.

46  
47 **CHAIRMAN ANSON:** Dr. Stunz.

48

1 **DR. STUNZ:** Sort of three items. The presentation on that NFWF  
2 pilot would be very useful for next time, and we just talked  
3 about these minimum data elements to add as a discussion, but a  
4 third thing would be Bonnie is going to have some discussion on  
5 the costs, but I don't feel like we have vetted the costs of  
6 this well enough yet to do something in October. I want to move  
7 this along, but I think it deserves just a little bit more time.  
8

9 **CHAIRMAN ANSON:** Dr. Ponwith.

10  
11 **DR. PONWITH:** Just for clarification, when I was speaking about  
12 cost, it is the cost for the commercial reporting pilot study  
13 that we had done.  
14

15 **CHAIRMAN ANSON:** I guess the decision will be made by staff and  
16 the next chair relative to the final action, unless someone  
17 wants to make a motion that we vote for not doing that, but I  
18 guess my deference would be at this point to not put it on final  
19 action, even though we can, and not select final action at the  
20 October meeting, but that's where I would sit at this point.  
21

22 Dr. Froeschke, going back to Dr. Lucas's comment regarding the  
23 summary of the discussion that was held the other day in Data  
24 Collection, were you going to -- Was there going to be a webinar  
25 with the state folks or some reach out to the state folks to  
26 talk about these other elements that they may have in their  
27 programs or are you basically going with what has been provided  
28 and discussed here at this meeting?  
29

30 **DR. FROESCHKE:** I wasn't planning to do more, unless you direct  
31 me to. We really, prior to this, hadn't really had a full  
32 discussion about how deep into the data elements we were going  
33 to go and the specifics of the document, and so I hadn't gone  
34 deeper.  
35

36 **CHAIRMAN ANSON:** Dr. Stunz or Myron, you have been most vocal on  
37 this issue. Is there any direction that you want to give to  
38 staff relative to that?  
39

40 **DR. STUNZ:** Maybe some other committee members want to chime in.  
41 This is sort of what I was talking about earlier, is how  
42 specific do we want to get in this document, with the sense that  
43 -- At least this is my understanding, and please correct me if  
44 I'm wrong, but, if we get too specific, if we want to change any  
45 little thing, we've got to come back and go through a relatively  
46 drawn-out process.  
47

48 At the same time, if we don't specify certain things, the

1 fishing community might not get what they want and be very  
2 disenfranchised with a burdensome system, and so that is one of  
3 the reasons that I think we need to have a little more  
4 discussion, but I don't have the solution for you right here,  
5 Mr. Chairman, of where we go. Maybe we can think about that  
6 between now and the next meeting, but I don't know, unless maybe  
7 Myron has some input.

8  
9 **MR. FISCHER:** Exactly. We don't know where we're going with it,  
10 and so let's just not rush. The soonest we should post final  
11 action would be the first of 2017. If we don't take final  
12 action and it goes into the spring meeting, that's fine, but  
13 let's not rush it.

14  
15 **CHAIRMAN ANSON:** Thank you. Dr. Simmons.

16  
17 **DR. SIMMONS:** Thank you, Mr. Chairman. I was just thinking that  
18 we were going to go ahead and convene that technical  
19 subcommittee and just specifically have them look at the IPT's  
20 recommended -- That sheet you looked at and commented on of the  
21 minimum data elements.

22  
23 Then, also, they could look at the larger list, and there are  
24 various state representatives on there, I believe from all the  
25 states, that could be involved in that. Then they could comment  
26 on it and make recommendations. Then we could give that to the  
27 council, hopefully in October. If we can convene them before  
28 October, we could do it before January, but my understanding is  
29 that the South Atlantic Council did this and they put it in an  
30 appendix of what they would like to see the program be developed  
31 and the data they would like to be collected. It's my  
32 understanding that that's the way we would handle this as well.  
33 It would go in an appendix or in some part of the document,  
34 saying this is what the council would really like to collect.  
35 Thank you.

36  
37 **CHAIRMAN ANSON:** Thank you for that summary. Dr. Ponwith.

38  
39 **DR. PONWITH:** Just following on that, we had long discussions  
40 about that at the South Atlantic Council, and the rationale for  
41 this is that you don't want to regulate the science. You want  
42 what the minimum requirements are noted in an appendix.

43  
44 One recommendation that was entertained was referring to a  
45 document that's maintained by ACCSP so that that document could  
46 be updated as technology advanced and as new methodologies came  
47 available, but that it didn't pin you, so, if something  
48 happened, you didn't end up in a situation where you were in

1 essentially golden handcuffs and had a choice of either sticking  
2 with a technology that has become obsolete or having to do an  
3 amendment to a plan.

4  
5 **CHAIRMAN ANSON:** Ms. Bosarge.

6  
7 **MS. BOSARGE:** Thanks for your comments, Dr. Simmons. That was  
8 my biggest concern, was to make sure that there was going to be  
9 some sort of meeting where a state representative from every  
10 state, from all five states, will be there with the  
11 subcommittee, to make sure that, as we go -- For our October  
12 meeting, when we review these data elements that will go into  
13 the appendix, we have gotten the good, detailed input from all  
14 the states and what they need for their data collection, plus  
15 what we had to begin with, and maybe we can actually start to  
16 flesh something out in October on that. As long as we make sure  
17 that all five states will be there at the table, that sounds  
18 great.

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

21  
22 **MR. ANDY STRELCHECK:** I serve on the technical subcommittee, or  
23 at least I think I do still, but I guess, just in thinking  
24 through this, what are we trying to accomplish here? If we were  
25 trying to just develop a list of variables that would be  
26 included from each of the states, it seems like that could be  
27 done outside of even a committee meeting. That's just a request  
28 that goes to the states for their data programs.

29  
30 As Bonnie indicated, we are not trying to be prescriptive in  
31 terms of the specific data elements that are going to be  
32 codified in regulations, but we obviously want to set some  
33 guideposts in terms of what we expect would be data elements  
34 collected, and so I guess I'm just unclear as to what the  
35 technical subcommittee would ultimately be accomplishing by this  
36 effort that couldn't be done through maybe a request via email.

37  
38 **CHAIRMAN ANSON:** Dr. Froeschke.

39  
40 **DR. FROESCHKE:** I could ask Dave, but maybe this is something we  
41 could also address at the Gulf States meeting in the FIN or the  
42 data collection there. All the representatives happen to be  
43 there.

44  
45 **MR. DONALDSON:** Yes, absolutely. I can talk with Greg to see  
46 what kind of time we've got on the agenda, but we could  
47 certainly add it, potentially.

1 **CHAIRMAN ANSON:** All right. I think that concludes it, unless  
2 someone else has something else they want to bring up for Data  
3 Collection. I think that concludes everything for Data  
4 Collection. We are going to move right into Public Testimony.  
5 We're just a few minutes ahead of schedule.  
6

7 Good afternoon, everyone. Public input is a vital part of the  
8 council's deliberative process and comments, both oral and  
9 written, are accepted and considered by the council throughout  
10 the process. The Sustainable Fisheries Act requires that all  
11 statements include a brief description of the background and  
12 interest of the persons in the subject of the statement. All  
13 written information shall include a statement of the source and  
14 date of such information.  
15

16 Oral or written communications provided to the council, its  
17 members, or its staff that relate to matters within the  
18 council's purview are public in nature. Please give any written  
19 comments to the staff, as all written comments will be posted on  
20 the council's website for viewing by council members and the  
21 public and will be maintained by the council as part of the  
22 permanent record.  
23

24 Knowingly and willfully submitting false information to the  
25 council is a violation of federal law. If you plan to speak and  
26 haven't already done so, please sign in at the iPad registration  
27 station located at the back of the meeting room. We accept only  
28 one registration per person.  
29

30 Each speaker is allowed three minutes for their testimony.  
31 Please note the timer lights on the podium, as they will be  
32 green for the first two minutes and yellow for the final minute  
33 of testimony. At three minutes, the red light will blink, and a  
34 buzzer may be enacted. Time allowed to dignitaries providing  
35 testimony is extended at the discretion of the Chair. First up,  
36 we have Jason Delacruz. He will be our first speaker, followed  
37 by Kellie Ralston.  
38

#### 39 **PUBLIC COMMENT**

40  
41 **MR. JASON DELACRUZ:** Thank you for the opportunity to speak. I  
42 will be real brief today. First, I would focus on Amendment 36A  
43 and some of the conversations that we're having in that. A  
44 couple of the dealers have talked about it, and it may not be  
45 popular, but we like the idea of a three-hour unloading notice.  
46

47 One of the holes in our system right now is that a boat can go  
48 out and do a trip and make a three-hour notice, and he comes to

1 the dock and he's got seventy-two hours to unload. The problem  
2 is, if the law enforcement shows up, he can just not unload if  
3 they choose not to, and so we think that there needs to be  
4 another layer added in for the dealers, where the dealer makes a  
5 three-hour unloading notice. There are some caveats that have  
6 to be understood, but we think that will actually help tighten  
7 up the system better as well.

8  
9 We also feel that, on 36A, one of the things that we see is a  
10 hail-in requirement, no matter whether you have IFQ species or  
11 not, because that's the other big hole in the system. You guys  
12 really didn't give me time to think about this much. I usually  
13 wrap this up better.

14  
15 One of the other issues is let's keep moving forward with 41 and  
16 42 and really give them a chance to build their system. These  
17 guys have been here for as long as I have and with really no  
18 success. You've got to give them credit for that, and so let's  
19 keep moving forward with that.

20  
21 The other thing I want to commend this entire council on is you  
22 guys put this recreational AP together, or are beginning to, and  
23 I think you need to be congratulated on the fact that you did  
24 that, and now we have 180 people that applied for that AP. If  
25 that doesn't tell you how ripe the private recreational angler  
26 is for a new management plan, I don't know what possibly could.

27  
28 I have started talking to the different people on my dock on a  
29 daily basis, just saying, hey, what do you think of it and what  
30 kind of ideas, and they're all excited about something happening  
31 and seeing it move forward, because they're all tired of the  
32 same status quo and, ironically, we have snapper now in my  
33 region, and so that's real exciting.

34  
35 The only thing, real quick, and this is kind of a sidebar note,  
36 is amberjack. We need to figure out something with amberjack.  
37 I would love to see it move in 33, which would be like a  
38 remaining reef fish IFQ, but, realistically, in the short term,  
39 how about a 500-pound trip limit? This 1,500-pound trip limit  
40 didn't change anything from the 2,000-pound trip limit. We  
41 actually closed faster this year. We had a three-month season.

42  
43 Now, the problem is that we're discarding those fish, even the  
44 incidentally-caught fish now, for the rest of the year, and so  
45 it's not really adding any value to the fishery. It's just  
46 hurting the fishery, and so, at the very least, let's look at a  
47 500-pound trip limit, to try to keep this fishery open longer  
48 and so the guys that actually are just incidentally running into

1 this fish aren't just discarding them. I think that's it.  
2 Thank you.

3  
4 **CHAIRMAN ANSON:** Thank you, Jason. Kellie Ralston, followed by  
5 Bill Kelly.

6  
7 **MS. KELLIE RALSTON:** Thank you, Mr. Chairman and council  
8 members. I'm Kellie Ralston, Florida Fisheries Policy Director  
9 for the American Sportfishing Association. I appreciate the  
10 opportunity to provide comments on the Gulf King Mackerel  
11 Amendment 29 on behalf of ASA.

12  
13 We have actually provided detailed written comments to you prior  
14 to this meeting, and we hope that you will consider the full  
15 range of those thoughts and comments, as they weren't considered  
16 during your Mackerel Committee discussions today.

17  
18 We do not oppose the concept of conditional transfers of  
19 allocations between sectors, but they need to be fair and  
20 equitable over time between sectors. This amendment needs to be  
21 very carefully vetted and thought out and not put on the fast  
22 track, as appears to be happening.

23  
24 Because the goal of commercial fishers is to fish their  
25 allocation and the goal of recreational fishing is largely based  
26 on encounters, it seems likely that the concept of shared  
27 allocations will be a one-way street of sharing. Amendment 26  
28 increases the recreational bag limit to three fish, and the  
29 effects have not yet been fully seen. Because it will take  
30 several seasons to understand the impacts of a three-fish bag  
31 limit, only the most conservative of conditional transfers  
32 should be considered at this time.

33  
34 Action 1, Alternative 2, both the original and the IPT version,  
35 they currently seem arbitrary. We would like to see the  
36 rationale developed for the percent transfers that explains how  
37 the percent is proposed and how it is justified within the  
38 context of exceeding the total ACL and the recreational ACL as  
39 well as the potential of impacting recreational encounters with  
40 king mackerel.

41  
42 We agree with the IPT and the committee that Action 1,  
43 Alternative 3 should be eliminated. We think Action 1,  
44 Alternative 4 should be presented in much more detail. While it  
45 may put some burden on the SSC, this alternative provides an  
46 important check on the transfer amounts, and the SSC could  
47 consider our concerns about the arbitrary percentages raised for  
48 Action 1, Alternatives 2 and X.



1  
2 We cannot support any of the proposed accountability measures  
3 for Action 2, including the IPT recommendations. We have  
4 provided you with possible language of an alternative that we  
5 could support, and we cannot understand why the Mackerel  
6 Committee did not include an alternative that would explicitly  
7 hold the recreational community harmless for exceeding its  
8 shared allocation and accountable only if it exceeds its pre-  
9 shared allocation of 68 percent.

10  
11 As currently proposed, we cannot support this amendment, either  
12 in the currently published form or in the IPT revised format.  
13 Any conditional transfer of recreational allocation that has  
14 even the slightest potential to penalize the recreational  
15 fishing sector for exceeding its remaining allocation is not a  
16 fair way to approach accountability measures under this shared  
17 allocation concept. Thank you for your consideration.

18  
19 **CHAIRMAN ANSON:** Thank you. Bill Kelly, followed by Alison  
20 Johnson.

21  
22 **MR. KELLY:** Mr. Chairman and members of the council, I am Bill  
23 Kelly, representing the Florida Keys Commercial Fishermen's  
24 Association. I want to apologize for my hearing issues earlier  
25 today. I have a condition called tinnitus, which is a constant  
26 ringing in the ears, and it blocks out certain sound  
27 frequencies. It's an ailment that's common to married males.

28  
29 I have a couple of things that I want to talk to you about in  
30 reallocation. One, I want to thank the Vice Chair, Leann  
31 Bosarge, who has certainly spirited an effort to address  
32 allocation issues and so forth in what we felt was a very  
33 workable plan, followed up by council staffer, Mr. Ryan Rindone,  
34 who took that and then turned it into science-speak.

35  
36 I think it's a very important issue here, as I've said in the  
37 past. Underfishing now is as detrimental to achieving OY as  
38 overfishing. It used to be an additional buffer, and that isn't  
39 the case anymore. Now we're factoring in so many old fish.  
40 It's the responsibility of the councils, we believe, to address  
41 allocation to achieve OY. We see very similar dissimilarities,  
42 and I know that's a Catch-22 or a cliché there, but when we look  
43 at dolphinfish and we look at yellowtail snapper allocations in  
44 the South Atlantic. They are very detrimental to our nation and  
45 to America's consumers.

46  
47 Finally, with regard to lionfish, I just checked my airline  
48 schedule. I have got to be out of here at 9:30 tomorrow

1 morning, and I apologize. If it can answer any questions on  
2 lionfish, I would be happy to do so, and I want to thank you for  
3 the considerations and questions that you asked me earlier  
4 today. Thank you.

5  
6 **CHAIRMAN ANSON:** Thank you, Mr. Kelly. We have a question for  
7 you, Mr. Kelly, from Mr. Matens.

8  
9 **MR. MATENS:** Mr. Kelly, you knew this was coming. First of all,  
10 I always love your comments, but, more importantly, you have  
11 brought your demonstrated sartorial excellence to new heights in  
12 this meeting. Thank you, sir.

13  
14 **MR. KELLY:** Thank you for spiriting this effort in the Camp  
15 challenge. That motion is seconded by Dr. Crabtree. Thank you.

16  
17 **CHAIRMAN ANSON:** We have Alison Johnson, followed by Mark Tryon.

18  
19 **MS. ALISON JOHNSON:** Good afternoon, Chairman Anson and council  
20 members. Thank you for the opportunity to provide public  
21 comment today. My name is Alison Johnson. I am from Oceana. I  
22 am the Responsible Fisheries Campaign Manager for the Gulf of  
23 Mexico and the South Atlantic Region, and I am based in Key  
24 West, Florida.

25  
26 First, I would like to call attention to the action plan  
27 published by the Presidential Task Force on combatting illegal,  
28 unregulated, and unreported fishing and seafood fraud in  
29 February of 2016.

30  
31 This action plan calls for the tracking of thirteen species  
32 groups and traceability for seafood up to the U.S. border.  
33 While Oceana supports this and views this as a positive step in  
34 the right direction, we would like to see this action plan be  
35 extended to include all fish species and add traceability from  
36 boat to plate for domestic fish as well.

37  
38 We are asking the council to work with the administration to  
39 strengthen this action plan, and we would also like to work with  
40 industry to ensure that there is minimal cost to domestic  
41 fishermen and to impose a stronger regulation.

42  
43 Second, Oceana supports the exempted fishing permit application  
44 for lionfish containment device testing, as submitted by Bill  
45 Kelly and the Florida Keys Commercial Fishermen's Association.  
46 This research has the potential to reduce lionfish populations  
47 in deep water, which is typically out of reach of divers, and  
48 also in a more effective way than typical angling.

1  
2 As you know, the lionfish are threatening the same fish and  
3 invertebrate populations that the council is mandated to  
4 protect. We therefore urge the council to approve the LCD  
5 exempted fishing permit application at tomorrow's meeting.  
6 Again, I would like to thank you for the opportunity to provide  
7 public comment today. Thank you.

8  
9 **CHAIRMAN ANSON:** Thank you. Next, we have Mark Tryon, followed  
10 by Dan Green.

11  
12 **MR. MARK TRYON:** Good afternoon. I'm Mark Tryon, a commercial  
13 fisherman from Gulf Breeze, Florida. First, I would like to  
14 discuss the triggerfish situation and my personal experience.  
15 I've been fishing the Pensacola area for twenty-three years now.  
16 This is the most fish, the biggest fish, as far as triggerfish  
17 is concerned, that I have seen in twenty-three years of fishing,  
18 and so I think that, going forward, I think we can ease up a  
19 little bit on our quota and give us some modest increases there.

20  
21 I noticed that there was like an eight-year plan and a nine-year  
22 plan that would allow for that, and so I would urge you to  
23 consider that. In addition, going back to the observations, the  
24 last trip that I made, and I am primarily a red snapper  
25 fisherman, there were actually more triggerfish than red snapper  
26 on all the spots that I fished, ranging in depth from ninety  
27 feet to 170 feet, and it actually impaired my red snapper  
28 fishing, because anybody who has been fishing when there is a  
29 bunch of triggerfish around know that they are notorious bait  
30 stealers and very aggressive.

31  
32 I think it would be nice if we could go to maybe the fourteen  
33 fish or even the twenty fish. Right now, I have no trouble at  
34 all catching the twelve fish, and, also, I think it's a good  
35 idea to maintain the June/July closure, in the interest of  
36 preserving the spawning stocks.

37  
38 I would make a comment on red grouper. I have only caught one  
39 myself this year, in quite a few fishing trips. That is one  
40 fish. I don't really understand why the quota was increased to  
41 the extent that it was, and I guess it was to provide more  
42 recreational opportunity or something, but, for instance, over  
43 in our area, it's not really going to benefit the recreational  
44 fishermen, because if I'm only catching one fish out of well  
45 over 10,000 pounds of fish caught this year, I don't see what  
46 it's going to do for them.

47  
48 I just think that we should always err on the side of

1 conservation when establishing quotas. Right now, it seems to  
2 me that it's a de facto wide-open fishery, where the quota  
3 doesn't really mean that much, because it's set unattainably  
4 high.

5  
6 Anyway, finally, on snapper, as far as these inactive accounts,  
7 I guess the easiest thing to do would be to prorate them back to  
8 the active shareholders. Finally, with king mackerel, I am in  
9 favor of the allocation sharing from the recreational to the  
10 commercial sector to maximize the accountable utilization of the  
11 resource. Thank you.

12  
13 **CHAIRMAN ANSON:** Thank you. We have Dan Green, followed by Tom  
14 Ard.

15  
16 **MR. DAN GREEN:** Hello. My name is Dan Green from Galveston,  
17 Texas. I'm a charter boat operator. I have owned a federal  
18 permit for about ten years now. I just wanted to say that we  
19 appreciate sector separation, and our customers have enjoyed  
20 longer seasons than what we would have had if we were still  
21 fishing under the traditional segment, but that's not the end-  
22 game.

23  
24 After two seasons, I think now we need to move forward with  
25 forming a sustainable management plan for the charter for-hire  
26 sector. We don't want to get stuck in a situation where we  
27 don't get to explore the options that we have come so far to  
28 accomplish.

29  
30 With Amendment 41, I support a multispecies PFQ or IFQ  
31 management plan. I would also like to intersector  
32 transferability within this plan. If one charter boat doesn't  
33 need to access all their fish, then I think we should be able to  
34 trade and help each other out, and that's all. Thanks.

35  
36 **CHAIRMAN ANSON:** Thank you, Dan. We have Tom Ard, followed by  
37 Skipper Thierry.

38  
39 **MR. TOM ARD:** Hello, everybody. I'm Tom Ard. I'm a board  
40 member of the OBFA, Alabama Charter Fishing Association, and I'm  
41 Secretary of the CFA. I'm a charter boat owner and operator. I  
42 have three charter boats out of Orange Beach now. Man,  
43 amberjack and triggerfish. It crushed us, didn't it? It  
44 absolutely crushed us. From a thirty to a thirty-four-inch size  
45 limit, and I might have been the only one standing up here  
46 going, man, I wish I went from thirty to thirty-one to thirty-  
47 two, but you went to thirty-four.

48

1 You told the professional fishermen to go catch bigger fish, and  
2 guess what? They did it. They went and caught bigger fish.  
3 They went out of their way to go do it, and then we lost our  
4 fall season.

5  
6 Triggerfish, I went three times. I told you all there was a ton  
7 of triggerfish off of Orange Beach and we've got to do something  
8 to this regulation to try to keep a season open. Last year, we  
9 went from January to the end of May, and we crushed them. We  
10 probably caught the TAC right there off of Orange Beach. We  
11 might have doubled it. That's how many triggerfish is out  
12 there. The proof is in the pudding.

13  
14 We're probably not going to have a triggerfish season next year.  
15 Then the next year, what are we going to do? The same thing?  
16 It's very upsetting, very upsetting. That's proof of we need a  
17 multispecies type of fish management plan, 41. Those two things  
18 right there just prove it, and so that's what I'm for. It's  
19 going to have to have tradability in it, for fishermen to have  
20 enough fish to have a business.

21  
22 Anyway, that's all I've got say, I guess, but 41, multispecies,  
23 tradability, keep it going. I support VMS on the logbooks.  
24 That works fine. Let's just not beat a dead horse. Let's do  
25 something that works. It's proven to work. The little tablet  
26 works. It all works, and let's just roll with that, in my  
27 opinion. Like I said, I'm just really upset about the amberjack  
28 and the triggerfish.

29  
30 If anyone is going to ask and say, what would you do with  
31 amberjack if it was up to you, I would have kept it thirty  
32 inches. I would have put a three or a four-fish limit, like  
33 boat limit. I might have kept it at twenty-eight inches. You  
34 know what happens when you catch a thirty-inch amberjack with a  
35 tourist fighting it all the way to the boat? He's dead. I  
36 don't care how deep water you're in. They float off or they  
37 swim off like that, because they fought to the death. It's a  
38 fish that needs to actually have a lower size limit. If you  
39 don't want to catch that many of them, put a boat limit on it.  
40 That's what I would do. When we went from thirty to thirty-  
41 four, that was a disaster. Anyway, thank you.

42  
43 **CHAIRMAN ANSON:** Tom, we have a question for you from Dr.  
44 Crabtree.

45  
46 **DR. CRABTREE:** Tom, in Amendment 41, you want to include other  
47 species.

48

1 **MR. ARD:** Yes, sir.

2

3 **DR. CRABTREE:** I get amberjack and trigger, but you're talking  
4 about the same species that are in Amendment 42?

5

6 **MR. ARD:** Yes, sir. Red snapper and triggerfish and amberjack,  
7 we see that there is a need for some sort of fish management  
8 plan for them off of Alabama, but the Florida issue, we probably  
9 need to put gag grouper and red grouper in there, too. I am  
10 hearing that the red grouper fishery is in pretty bad shape,  
11 even though your science really hasn't showed it yet, and so  
12 it's just the next fish in the deal. Let's go ahead and put  
13 five, and then maybe we could trade my red grouper for their red  
14 snapper or something, just trade within the charter boats or  
15 something like that.

16

17 The trading part, we don't need to be -- Tom needs to trade with  
18 Joe. It needs to go from Tom to some sort of co-op or I turn in  
19 a thousand pounds of red grouper and then a guy down there turns  
20 in red snapper, and then I can pull red snapper. If you go  
21 person to person, it's going to be some sort of monetary  
22 cheating. You know it's going to happen. If you just could put  
23 it to a thirty-party system somehow, then that trade would  
24 probably work and be fair. Thank you.

25

26 **CHAIRMAN ANSON:** Tom, I have a couple more folks, council  
27 members, that have some questions for you. Mr. Boyd.

28

29 **MR. BOYD:** Tom, thank you. Tradability, exactly what are you  
30 talking about? Are you talking about trading within the charter  
31 fleet, between the charter fleet and the headboat fleet, between  
32 both or with commercial and recreational?

33

34 **MR. ARD:** I think all we're talking about is trading from  
35 charter boat to charter boat. In 42, that's headboat to  
36 headboat. They've got their own deal, they've got their own  
37 fish, and so let them trade. I don't think anybody supports  
38 going from charter boat to commercial, and so I'm just thinking  
39 we're talking charter boat to charter boat. If you split all  
40 these fish up and put them on a permit, through regional or  
41 however you decide to do it, all the permits get them.

42

43 I mean there is so much to this thing that we have to work out,  
44 but there's latent permits, permits that aren't really fishing  
45 much, and they get the same as me, and we've been fishing for  
46 thirty years, since permits were made. Do they get just as much  
47 or whatever? I know that's a lot of stuff that's got to be  
48 hashed out, but if there was a way that -- If my permit got all

1 these red grouper or something and I didn't need them, it would  
2 be nice to be able to trade them to somebody that doesn't need  
3 red snapper, or vice versa. That's kind of what we're saying.

4  
5 We've kind of already crunched the numbers, and it's going to be  
6 hard to, if you split all the fish up equally, to have enough  
7 fish to go fishing, and so there's going to have to be different  
8 ways of weighing these permits to figure out which ones maybe  
9 have been fishing longer or more passenger capacity or something  
10 like that, where they get more fish. I mean there's a lot to be  
11 worked out, and I have seen that. I thought about it long and  
12 hard, but, yes, there has to be some tradability in 41, or I  
13 don't think it will work.

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

16  
17 **MR. SANCHEZ:** Tom, good afternoon. Thanks for coming. I wanted  
18 to ask you -- There was some talk earlier, during committee,  
19 about trying to simplify some of the items in the document, and  
20 some of the things were, as these things evolve and discussions  
21 evolve at different levels, amongst yourselves and amongst your  
22 organizations, and perhaps amongst some AP members -- We're  
23 trying to have an AP meeting, hopefully before the next meeting,  
24 to address some of this stuff, but there was discussion of  
25 getting rid of some of the options, like the PFA, and sticking  
26 with perhaps the IFQ and the PFQ. I want to hear a little bit  
27 of your thoughts on that.

28  
29 **MR. ARD:** I forgot. That's something I did forget about. The  
30 PFQ is my number one alternative. I don't think an IFQ works in  
31 the charter industry. I think an IFQ will kind of cause fleet  
32 reduction and a lot of the bad stuff that's going on in the  
33 commercial side with people that's hoarding up quota and all  
34 that. We don't want that. Whatever allocations we get, we want  
35 them on the permits. We've got to put the customer first.  
36 That's what business we're in.

37  
38 We're actually in an interesting situation, where business  
39 breeds business. Commercial fishing is totally the opposite.  
40 If there ain't nobody else out there fishing, I can catch more  
41 fish. Well, it's not like that in the charter industry. If  
42 there was only one charter boat in Orange Beach, he would get  
43 filled up and people would find other stuff to do.

44  
45 If there is thirty or forty or fifty charter boats at one  
46 marina, then everybody comes to that marina and it's an  
47 activity. It's like a giant golf course or whatever. It breeds  
48 business, and so, whatever we do, we want to make sure, not only

1 for the people that's in it right now, but for the future  
2 generations, that we don't hurt them, these guys coming up.  
3 They've got to have a way to come up with it. A PFQ is my  
4 number one. Thanks.

5  
6 **CHAIRMAN ANSON:** I think those are all the questions, Tom.  
7 Thank you.

8  
9 **MR. ARD:** Awesome. Thanks a lot.

10  
11 **CHAIRMAN ANSON:** We have Skipper Thierry, followed by Billy  
12 Archer.

13  
14 **MR. SKIPPER THIERRY:** Good afternoon. I am Skipper Thierry from  
15 Dauphin Island. I have a headboat over there. I want to thank  
16 you guys for the extension of the sunset and the progress made  
17 so far on 41 and 42. It's just a little bit, but it's a step in  
18 the right direction. Just please continue to move forward with  
19 these amendments quickly and as carefully as possible.

20  
21 It's really exciting to me to think about the possibility of  
22 year-round fisheries instead of closed seasons and missed  
23 opportunities for customers and for us. Year-round fisheries,  
24 that's where it's at, fisheries that stay under the quota and  
25 fisheries that reduce discards. Fisheries that increase the  
26 number of customers who can keep snapper, triggerfish,  
27 amberjack, and grouper.

28  
29 If it's possible that we're going to have a triggerfish season  
30 next year, a one-fish bag limit would certainly be fine with me,  
31 if that allows us to have a little bit longer season. I would  
32 love to see it start in February and again the first of June, if  
33 that happens to work, and if we could have amberjack starting in  
34 the fall. If we're only able to have it for a few months,  
35 starting the first of August. That way, we'll have something  
36 for us to catch most of the year, because closures are really  
37 hard to sell. Right now, it's really difficult to go catch a  
38 mess of fish and have a good day, where I'm fishing, in my part  
39 of the Gulf.

40  
41 A couple of bullet-points. I definitely prefer a multispecies  
42 approach. An opt-in or opt-out doesn't seem necessary to me on  
43 Amendment 41 or 42. It just seems like it complicates and slows  
44 down things. I am against any type of auctions in any of these  
45 fishery plans.

46  
47 Just something for thought. In the 2016 season, on my boat, we  
48 caught 2,450 red snapper. In 2015, in the collaborative, we



1 were allocated around 1,700 fish. I ended up leasing about  
2 another 250 fish from another boat to get where I could fish all  
3 year, but, in the collaborative, I never had a closed season.  
4 For some guys, a forty-six-day snapper season may work and sound  
5 great, but a lot of boats need to fish around 150 days to have  
6 decent year, and slowing down and spreading out our fishing has  
7 made more customers happier, and it made my blood pressure go  
8 down about ten points. I appreciate that, and more of the year-  
9 round fisheries, multispecies approach, I think would be great  
10 for everybody. Thank you, all.

11  
12 **CHAIRMAN ANSON:** Thank you, Skipper. Next, we have Billy  
13 Archer, followed by Chris Niquet.

14  
15 **MR. BILLY ARCHER:** Mr. Chairman, thank you, and council members.  
16 My name is Billy Archer, and I'm from Panama City, Florida. I'm  
17 a third-generation fisherman, and I also sit on the board of the  
18 charter-for hire association. I would like to speak to  
19 Amendment 41.

20  
21 I thought Tom Ard's testimony was spot-on. I agree with just  
22 about everything he said. I support also a multispecies  
23 approach in Amendment 41. My number one preferred option is a  
24 PFQ. The second one would be an IFQ. We need to finish this  
25 charter boat electronic logbook program that you all have going,  
26 and we participated in the CLS program. We thought it went  
27 very, very well. It was very easy to do, and please convene the  
28 charter for-hire AP before the October meeting, so we can get  
29 some information there, please, and thank you for your time.

30  
31 **CHAIRMAN ANSON:** Thank you, Billy. Chris Niquet, followed by  
32 Bart Niquet.

33  
34 **MR. CHRIS NIQUET:** Chris Niquet from Panama City, Florida. I  
35 will give you some facts and figures that maybe the council is  
36 not aware of. The great State of Texas, according to the  
37 "Outdoor Report" in the *Panama City News Herald*, they have the  
38 most resident anglers of any state. They have a little over  
39 three-million.

40  
41 Did you know that the State of Michigan has the most boats  
42 registered? It's not California and it's not Texas and it's not  
43 Florida. Do you know that the recreational angling created the  
44 most jobs in Florida, 65,000? That's followed by California at  
45 34,000. I don't know what the big drop-off was all about.  
46 After that, it was Michigan at 32,000. I don't know why they  
47 didn't create jobs in Texas. Maybe they didn't spend no money.  
48 I don't know.

1  
2 The next thing I want to talk about is the artificial reef  
3 building effort. A little town to the east of Panama City, and  
4 it's called Mexico Beach, and it butts up against Port St. Joe.  
5 The population of Mexico Beach is approximately 1,200 people.  
6 Gulf County, which is Port St. Joe, has approximately 16,000  
7 people. Bay County has 175,000. Port St. Joe and Gulf County  
8 have put out over 1,500 legal artificial reefs off their  
9 coastline, most of them within nine miles of the beach for their  
10 residential anglers. Why the same hasn't happened in Bay County  
11 -- Maybe somebody on the chamber of commerce knows. The  
12 business world, maybe they don't support it, but I don't know.

13  
14 There needs to be something done, on another note, with the  
15 triggerfish in the eastern Gulf. They're eating everything up.  
16 They're thick. I agree with the council to raise the limit to  
17 at least twenty fish per trip. It probably should be twenty  
18 fish per day.

19  
20 Amberjack in the western Gulf are also a problem. They're  
21 getting big. People in the fish houses are having trouble  
22 selling them, because they're so big. I would like to thank the  
23 council for the time. Thank you very much.

24  
25 **CHAIRMAN ANSON:** Thank you. Bart Niquet, followed by Jim  
26 Zurbrick.

27  
28 **MR. BART NIQUET:** Good afternoon. I'm Bart Niquet from Panama  
29 City. I'm a commercial fisherman and a charter fisherman and a  
30 headboat fisherman. Once in a while, a recreational fisherman.  
31 I've been doing it since 1951 commercially, to make money at it.

32  
33 I think we're going backwards here, in some ways. You have been  
34 trying for years to give more red snapper to the charter and  
35 headboat fishery in response to their claims that their fishery  
36 demanded it. According to the report given to us yesterday  
37 afternoon, the passengers on your selected vessels really didn't  
38 care. Many of the anglers caught one or none and still  
39 considered that they had a good trip. Maybe the council has  
40 convinced by an illusion, the old smoke-and-mirrors game. They  
41 tell you what they want you to hear.

42  
43 That said, I feel there has been a consistent failure to  
44 consider new data on several different stocks. The shark and  
45 trigger fisheries are two prime examples. The SSC and the  
46 social media experts say both of these fisheries are in a state  
47 of decline. The people actually on the water say the opposite  
48 is true all over the coast, from New Jersey to Brownsville,

1 Texas. Sharks of every species dominate the water.

2  
3 The day-before-yesterday, a great white killed a seal within  
4 twenty-five yards of the beach off of one of the most popular  
5 beaches in Massachusetts, and they closed the beach. The shark  
6 also swam past three or four swimmers while he was getting to  
7 that seal, but he didn't bother them.

8  
9 The biggest impact of the sharks has been on the shrimp fishery.  
10 They can't hardly do anything, yet the biologists say sharks are  
11 scarce. Maybe they are at the office, but they're not in the  
12 water. They are thick.

13  
14 Triggerfish have also rebounded to levels not seen in years, yet  
15 we still leave on the closures. Something is wrong. The many  
16 hard-working, tax-paying, and remember that, tax-paying, people  
17 that are being deprived of a living by well-meaning, but  
18 misinformed, rule makers won't forget you. Thank you very much.

19  
20 **CHAIRMAN ANSON:** Thank you, Mr. Niquet. Jim Zurbrick, followed  
21 by Gary Bryant.

22  
23 **MR. JIM ZURBRICK:** I would like to thank the council for  
24 allowing me to speak here today. My name is Jim Zurbrick. I  
25 live in Steinhatchee, Florida. I have been a charter captain  
26 for twenty-five years, a commercial fisherman, a dealer, and a  
27 recreational fisherman for many, many years of my life, but,  
28 first, I would like to speak as one of the Directors of Fish for  
29 America USA on an issue that -- Because we are an organization  
30 that represents the American consumer, especially through  
31 education with sustainability and accountability measures, I  
32 would like to talk about the IFQ unclaimed red snapper and  
33 grouper quota that is sitting there.

34  
35 The American consumer is best served by getting this to them,  
36 whether or not it goes back to all the shareholders in a  
37 proportionate basis, the way that it's all been done in the  
38 past, but better served is probably to send it to an industry-  
39 regulated quota bank that will specifically try to target it and  
40 get it to those individuals who are our new and upcoming  
41 entrants, but also work on the bycatch, the dead discard, issue.

42  
43 Just giving it out to shareholders is well served. I'm not  
44 going to fault that, but it's better served by putting it in the  
45 hands of the industry that would be overseen by NMFS, without  
46 creating a new, big bureaucracy. I'm sure we can do this with a  
47 minimal amount of technical jargon that would make it all work.

48

1 Now, also, as a fisherman and a dealer, I would like to talk to  
2 you personally about the triggerfish and how I see a lot of  
3 triggerfish, the large triggerfish. I can always have three and  
4 four times more than I actually come home with, and so I think  
5 that we maybe have missed something here. There is something  
6 not right.

7  
8 Now, commercially, I have never been able to -- We haven't  
9 caught our quota in three years now, because we have an arm tied  
10 behind our back. We can only have twelve fish. Twelve fish was  
11 never adequate. I am not going to blame anybody for missing it.

12  
13 It's where the numbers led us to think where we needed to be,  
14 but the problem is now, if we lower this quota, by trying to  
15 work out a rebuilding plan that's shorter, we're going to go  
16 down in numbers. The longer we take to rebuild, the more we're  
17 going to get. I personally think that, right now, today, we  
18 could probably have fourteen or fifteen fish. I would like to  
19 see us definitely work on that.

20  
21 The last thing I would like to say is thank you for picking a  
22 recreational advisory panel. There was a lot of folks trying to  
23 derail that from happening, and I applaud the industry out there  
24 trying to work. The sportfishing people are trying to do  
25 theirs, but, when you get this thing worked out, you are going  
26 to see -- You are going to have applause from people thanking  
27 you for letting them have a say in their future. Thank you very  
28 much.

29  
30 **CHAIRMAN ANSON:** Thank you, Jim. We have Gary Bryant, followed  
31 by Tom Steber.

32  
33 **MR. GARY BRYANT:** Gary Bryant, owner and operator of Red Eye  
34 Charters in Fort Morgan, Alabama. I appreciate the opportunity  
35 to be here. To start with, I think there was some discussion on  
36 king mackerel. I would like to see, instead of raising it to  
37 three -- The biggest problem we're having is catching the short  
38 king mackerel, which is something that's new to me, but the  
39 twenty-four inches -- We're catching twenty-two or twenty-three-  
40 inch fish, and these aren't very good fish to release. It isn't  
41 safe, and I don't think the fish survive it, once we're dragging  
42 them in off of our trolling lures. I would suggest, if you want  
43 us to catch more of our quota, you might do away with the size  
44 limit. That would be my suggestion.

45  
46 Triggerfish, if we could go down to one, that would be great.  
47 My main reason in being here today is in support of Amendment  
48 41. This amendment needs to move forward, and I would like to

1 see sector separation be made permanent, and I do appreciate you  
2 all doing the five years, giving us five more years. The main  
3 thing in this, as we're moving forward, is to move forward. I  
4 realize none of us are going to get exactly what we want, and  
5 we've got a lot of things we're going to have to figure out  
6 along the way, but the main thing is for us to move forward on  
7 this.

8  
9 I can support the multispecies. I think that's a good idea. I  
10 would support trading inside the charter industry. I know,  
11 personally, I have two boats now. If something happened, I  
12 would like to be able to -- Like, this year, I had an engine go  
13 down in June on one of my boats. It would have been nice, in  
14 that situation, where I could just move those fish over and keep  
15 going, and so I would like to see at least people be able to  
16 move their allocation within their own business. I appreciate  
17 the opportunity to be here, and please help us to move forward  
18 on this amendment and get the ad hoc committee together as soon  
19 as possible. Thank you.

20  
21 **CHAIRMAN ANSON:** Thank you, Gary. Tom Steber, followed by Dale  
22 Woodruff.

23  
24 **MR. TOM STEBER:** Good afternoon, and thank you very much for  
25 allowing me to speak. I'm President of the Alabama Charter  
26 Fishing Association. I am also Vice President of the Alabama  
27 Gulf Coast Reef and Restoration Foundation that has a lot to do  
28 with building reefs off the State of Alabama.

29  
30 I would like to thank you so much for -- It seems like this is  
31 all moving forward. It's been a lot of years that it has been  
32 kicking the can down the road, and now it seems to be coming to  
33 fruition, and I want to thank you for that, from all of us.

34  
35 Being on the ad hoc committee for both headboat and charter-for-  
36 hire, on the charter for-hire, one of the things that has kind  
37 of got out of context is what we asked for was a PFQ, where the  
38 permit is tied to the vessel, and not an IFQ, where it's tied to  
39 an individual.

40  
41 We also are very, very pushing forward on electronic logbooks  
42 and want to approve electronic logbooks. I know the one we're  
43 involved in right now, we've had a few kinks in it, but they're  
44 working their way out, and so we're very happy with that.  
45 Hopefully, when the information comes back, you will be very  
46 happy for that, because it will make it a whole lot easier on  
47 the council and on National Marine Fisheries to be able to  
48 manage a fishery.

1  
2 Both headboat and charter for-hire, in my opinion, need to be  
3 mandatory to their industry, where you are either in it or  
4 you're out of it. I think that was one of the questions that  
5 came up. Thank you very much.

6  
7 **CHAIRMAN ANSON:** Thank you, Tom. Dale Woodruff, followed by  
8 Mike Rowell.

9  
10 **MR. DALE WOODRUFF:** Mike is not here. He left. My name is Dale  
11 Woodruff. I've got two boats, a dual-permit on one boat, the  
12 Class Act, and Baby Blue out of Orange Beach, Zeke's Marina. I  
13 would like to say welcome to all the new guys. You have now  
14 entered the twilight zone.

15  
16 A few things. I am all for Amendment 41. I am still listening  
17 about the PFQ. It sounds very interesting, like something I  
18 might possibly support. I would just like to see a little bit  
19 more. I am definitely not for an IFQ. I would rather see the  
20 fish go with the permit and not with the individual, if that's  
21 what it comes to.

22  
23 The trigger season, I am pretty sure you all have seen the  
24 numbers on the triggers. It was 345,000 pounds we caught. The  
25 ACT was 177,000 pounds, and the ACL was 201,000 pounds. We went  
26 way over. It seems like everybody in the Gulf of Mexico knew we  
27 was going to go over except for -- I don't know if it was the  
28 science staff or whoever, but that's a big dagger right in the  
29 side of the charter for-hire industry.

30  
31 When the people know that we're going to go over and National  
32 Marine Fisheries lets us go over -- Maybe they didn't know what  
33 they were doing, or maybe they didn't know, but the fish are out  
34 there. I would like to see the council maybe do a quicker stock  
35 assessment than I think the next one is in 2020. I think that  
36 would be awesome.

37  
38 The amberjack, it went from thirty to thirty-four inches  
39 overnight. We thought it was a good move, and we was told that  
40 it would probably give us a longer season. Well, it didn't.  
41 Somebody caught them. I heard that Florida caught all the fish.  
42 Alabama didn't catch them. They said Florida had the fish.  
43 Well, great. What I do hear though is a lot of thirty, thirty-  
44 one, thirty-two, and thirty-three-inch fish at the dock. Where  
45 is the enforcement?

46  
47 I think the biologists that are doing these dockside samples,  
48 there ought to be some kind of reporting to enforcement. Maybe

1 not write them a ticket, but maybe there should be a phone call.  
2 Without enforcement, it's going to keep happening.

3  
4 Then, of course, we went over on amberjack, because of the  
5 thirty-four-inch, and you all know that. Electronic logbooks,  
6 yes, we need electronic logbooks. Those numbers I just read out  
7 to you all, we probably could have stopped that. We've been  
8 asking for it for years.

9  
10 The Alabama charter for-hire fleet, we've got them. I love  
11 them. I can put the fish in before I get to the dock and walk  
12 off my boat feeling that I have done something important for my  
13 industry. Whether it gets used, that's up to you all, but I  
14 feel like I have done something. I love the little tablet.  
15 That's the way we need to go, so these numbers right here don't  
16 happen again, because I like to fish for my people and not take  
17 fish away from my people. I guess that's about it. Thank you  
18 and have a good day.

19  
20 **CHAIRMAN ANSON:** Dale, we have a question for you from Mr. Boyd.

21  
22 **MR. BOYD:** Dale, thank you. What is your view on hail-in and  
23 hail-out for the charter fleet?

24  
25 **MR. WOODRUFF:** You know, if you all want us to hail-in and hail-  
26 out, that's fine, but there's really no reason for us to have a  
27 three-hour notice. If you want us to maybe thirty minutes  
28 beforehand -- We have people at the docks, most of the time,  
29 every day during the peak of the season, but the numbers are  
30 there. We have a lot of dockside samplers. Are you talking  
31 about for an enforcement issue side of it or just letting us  
32 know, because that's a question that I guess I need to be asked  
33 too, is do you want us to hail-out or declare before we leave,  
34 and do you want us to submit our fish before we hit the dock?

35  
36 **MR. BOYD:** Well, those are different issues. I was just  
37 questioning whether you liked or didn't like hailing-out when  
38 you go out for a trip and then having to hail-in.

39  
40 **MR. WOODRUFF:** That don't bother me. I mean I'm being recorded.  
41 My boat is being pinged sitting at the dock right now. If you  
42 want to see my boat, CLS will show you where it's at.

43  
44 **MR. BOYD:** Okay. Thank you.

45  
46 **CHAIRMAN ANSON:** Thank you. We have Scott Hickman, followed by  
47 Walter McNeil.

48

1 **MR. SCOTT HICKMAN:** Good afternoon, ladies and gentlemen of the  
2 Gulf Council and Mr. Chairman and Ms. Vice Chairman. I am  
3 Captain Scott Hickman from Galveston, Texas. I'm an IFQ  
4 shareholder and a charter for-hire permit holder. First off,  
5 today, in Amendment 41, I definitely support a multispecies  
6 approach to it. You're going to hear from some of our captains  
7 in Galveston that are pretty darned unhappy about the amberjack  
8 closure.

9  
10 Some of these management styles are not working for the fleet,  
11 and they're not working for the fish, the resource. We have got  
12 a great opportunity here to develop a great program for multiple  
13 species. Under Amendment 41, definitely I want to do away with  
14 the permit fishing allocation. Our guys don't support that.  
15 They don't like the idea of a harvest tag. They do support the  
16 IFQ concept and the permit fishing quota concept. They support  
17 tradability within the multispecies, and we definitely want to  
18 convene the charter for-hire management AP before the October  
19 council meeting to clear some of those things up.

20  
21 Let's get this electronic logbook program up and running. We  
22 have been begging for it for almost a decade now. We need good,  
23 reliable landings information. The quicker we get that going,  
24 the quicker that that's going to be able to merge with Amendment  
25 41.

26  
27 I also was honored this year to be awarded the National Marine  
28 Fisheries Service National Marine Sanctuary Volunteer of the  
29 Year Award for the work that I get to do with the Sanctuary  
30 Service, and we have developed a working group within the Flower  
31 Garden Banks Sanctuary that we're working with commercial  
32 fishermen to come up with some solutions on being able to still  
33 access some of these historical areas, and so please put some  
34 clear language on your letter that's dealing with the expansion.

35  
36 We have discussed it a little bit with Leann, and so let's try  
37 to get that done for these fishermen, and we would love to work  
38 with you all on coming up with a solution for those folks.  
39 That's all I've got today, and thank you very much.

40  
41 **CHAIRMAN ANSON:** Thank you, Scott. Walter McNeil, followed by  
42 Mike Colby.

43  
44 **MR. WALTER MCNEIL:** I am Walter McNeil, and I've a got a couple  
45 of charter boats out of Gulf Shores. I am also in the IFQ on  
46 the commercial side, and I here to just say that I support the  
47 sector separation. We need to go forward with 41, with the PFQ,  
48 and we need to have some tradability in there.



1  
2 Also, with the kingfish, I am with Gary Bryant. Those small  
3 kings, we've been throwing small kings back. Some days, you may  
4 not even catch a keeper king, and you're throwing back dead  
5 small ones, and the quota is not being met. If we could drop  
6 the size limit on the king, that would be good. Thank you.

7  
8 **CHAIRMAN ANSON:** Thank you, Walter. Walter, we have a question  
9 for you from Mr. Boyd.

10  
11 **MR. BOYD:** Just a quick question for you. You said you have  
12 commercial IFQ shares?

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

15  
16 **MR. BOYD:** In the charter industry, would you support the PFQ or  
17 the IFQ or neither or what would you support?

18  
19 **MR. MCNEIL:** I would support either one, whichever one could get  
20 passed the quickest. To me, it's kind of the same thing, as  
21 long as we've got fish that we can use different days or  
22 whatever, to make it flexible to us, and so either way would be  
23 fine with me.

24  
25 **CHAIRMAN ANSON:** Thank you. Mike Colby, followed by Michael  
26 Short.

27  
28 **MR. MIKE COLBY:** Thank you, sir. Mike Colby, charter headboat  
29 operator from Clearwater, Florida, and President of the  
30 Clearwater Marine Association. The multispecies concept, to me,  
31 it's a really good discussion for the council to have, I think,  
32 particularly relating to Amendment 41.

33  
34 After going to EBFM workshops and other things, I probably ought  
35 to have the word "multi" probably tattooed on my head somewhere,  
36 because it keeps coming back around. I remember some public  
37 comment, three of four years ago, here in New Orleans, when we  
38 were discussing Amendment 40, and I just remembered -- I think I  
39 even might have made the comment that if we have to go through  
40 this kind of misery for every single fish, I think we're going  
41 to be saddling future councils and future council make-ups with  
42 a lot of hard work.

43  
44 I think just having the good discussion of multispecies for the  
45 charter industry is one that's worth having, and tying quota to  
46 the permits is probably also a discussion worth having. I think  
47 that probably could be your buy-in for industry for that one.

48

1 On our data collection front, you all know that I'm part of the  
2 ELB project, the coordinator here in the eastern Gulf for it,  
3 and I think probably what I would like to see the council do is  
4 go ahead and make your decisions on reporting frequency, on  
5 hail-ins and hail-outs. We could get there, and let's get this  
6 project moving forward.

7  
8 I am kind of interested in some of the comments here before,  
9 before public comment, made by some council members on a  
10 discussion of some of the data elements, minimum data elements,  
11 that might go into a mandate to report, and I may be a little  
12 naïve on this, but, frankly, when we had our science and  
13 technical meetings on this ELB project, the minimum data  
14 elements were MRIP elements. They were mirroring on that  
15 reporting platform of what the charter guy hears on the phone  
16 when he has a mandate to report.

17  
18 We made that template to mirror what you were getting on the  
19 telephone plus the catch report, and I think maybe if science or  
20 others want to have further discussion about any other elements  
21 that we might find helpful to add to that report, then great.  
22 That's a discussion we can have, but I kind of think we're there  
23 with the templates that we have now, and that's just a comment  
24 from me. Like I say, I may be a little naïve about that, but I  
25 think we're doing quite well using that MRIP platform on our  
26 templates. It's very easy to report. I do it in five minutes.  
27 It's pretty simple stuff. Thank you.

28  
29 **CHAIRMAN ANSON:** Thank you, Mike. Michael Short, followed by  
30 Randy Boggs.

31  
32 **MR. MICHAEL SHORT:** Good afternoon. My name is Michael Short.  
33 I own and operate Good Hook Charters out of Galveston, Texas. I  
34 have two federally-permitted vessels. We support the  
35 multispecies and with the Amendment 41. The PFQ or the IFQ type  
36 of program would be nice, and you all really got us on amberjack  
37 this year. You gave us two weeks notice, and I had to cancel  
38 like forty trips. We're pretty upset about that out of  
39 Galveston, and finish the charter boat electronic logbook  
40 amendment. I guess that's it.

41  
42 **CHAIRMAN ANSON:** Thank you. Randy Boggs, followed by Wayne  
43 Werner.

44  
45 **MR. RANDY BOGGS:** Randy Boggs, Reel Surprise Charters, Orange  
46 Beach, Alabama. I encourage you guys to move forward with 41 or  
47 42 or both. The opt-in and opt-out on 42, I don't see any need  
48 for that. Most of the boats around seem to well informed. If

1 it goes to a referendum, the boats will leave it to where it  
2 should be.

3  
4 I heard some talk about on the collaborative about the amberjack  
5 being closed and the triggerfish being closed and some other  
6 things. The hail-in and hail-out, that's one of the most  
7 necessary tools involved in this whole program.

8  
9 The hail-in and hail-out, the law enforcement gets notified via  
10 email of where you're at and where you're going and what time  
11 you're going to return home. When we first started the Headboat  
12 Collaborative, I was met by six law enforcement agencies on  
13 about the third day of January, the first day I had actually  
14 fished, and I walked into a fisheries meeting in Orange Beach, a  
15 scoping hearing, and I walked in and Chris Blankenship looked at  
16 me and said, I see the snapper didn't bite today. I said, well,  
17 how do you know that? He said, well, I could tell on the VMS  
18 where you hailed-in, and you didn't have a limit of fish for the  
19 people on your boat.

20  
21 It makes law enforcement really, really, really easy, because  
22 you know how many fish I'm supposed to have and where I'm  
23 supposed to be and when I'm going to be there. That is an  
24 important component, and it's very, very simple. It puts the  
25 burden on the fishermen, because we pay for the pings and the  
26 hail-ins and hail-outs, and I am sure that the email is done  
27 electronically.

28  
29 I heard some talk about why, in the headboat program, that we  
30 had some days that we didn't harvest all the fish. Fishing  
31 catches are a perception. We sell fishing trips. Not on every  
32 trip do we have to harvest a limit. We get so hung up on  
33 limits.

34  
35 There was days on the headboats when I was one of the ones that  
36 went to a three-quarter-day and an eight-hour-day of fishing.  
37 There was days on the boat that people had one red snapper  
38 instead of two. They had a lot of triggerfish to go with them,  
39 a lot of vermilion snapper, a lot of other fish to go with them,  
40 and I didn't need to harvest the full limit of fish, but it gave  
41 me the option to do it if I did, if I needed to. The discards  
42 went way, way down.

43  
44 I am running out of time, and so I'm going to finish on the  
45 triggerfish. Guys, we're going the wrong way with the  
46 triggerfish. The seasons keep getting shorter and the bag  
47 limits get less and the fish get bigger, and we keep catching  
48 those fish. It's painfully obvious that there is more fish out

1 there than we thought there were. I know we're saddled with the  
2 stock assessment, but you know I told you guys that triggerfish  
3 run in seven-year waves.  
4

5 When we did the stock assessment, it was on a low year. I keep  
6 a record every day of what I catch. For seven years, you will  
7 see the triggerfish fall off. We did the stock assessment on a  
8 low year. There is years, at that seven-year trough, that you  
9 won't hardly find a triggerfish off the Panhandle of Florida. I  
10 don't know where they go or what they do. Then, every year, you  
11 will see it step back up.  
12

13 This is my twenty-first or twenty-second year of fishing out  
14 there, and we're starting to see that peak again, and we're  
15 going to see it fall back off, when triggerfish run in peaks and  
16 troughs, and obviously, if we're catching them that quick,  
17 they're there. Thank you, guys, very much.  
18

19 **CHAIRMAN ANSON:** Thank you, Randy. We have a question, Randy,  
20 from Mr. Walker.  
21

22 **MR. WALKER:** Thank you, Randy. I bet you have a GPS and radar  
23 and plotters and satellite phones and autopilot and a lot of  
24 electronics on there. Did you find it difficult to hail-in or  
25 hail-out or do you think anyone would have much difficulty?  
26

27 **MR. BOGGS:** That's about as simple a process as I have ever  
28 seen, and the benefits that I saw is you have heard people up  
29 here asking for more enforcement already today. When the  
30 Alabama marine police and the Coast Guard and everybody is  
31 notified where I am at and what time I am going to come to the  
32 dock, it doesn't take a lot of enforcement to be able to catch  
33 me, plus it pings everywhere you go in the Gulf, and if law  
34 enforcement feels like -- If somebody calls and they feel like  
35 you've got a violation on your boat, it's a whole lot easier to  
36 find you with that VMS pinging. They know where you're going  
37 and where you're coming from.  
38

39 Also, it leaves a trail, so there's no lying about where you  
40 were fishing. If you were in a closed zone or one of the marine  
41 sanctuaries, there is no hiding from it, and so I mean it's a  
42 great enforcement tool.  
43

44 **CHAIRMAN ANSON:** We have another question from Dr. Lucas.  
45

46 **DR. LUCAS:** What were the frequency of the pings you all were  
47 doing when you all did the Headboat Collaborative for the VMS?  
48

1 **MR. BOGGS:** I think it pings once every three to five minutes.  
2 The CLS person is here. How often do they ping? They ping once  
3 an hour, unless you get close to a closed zone or somewhere that  
4 you're not supposed to be fishing. Then the ping rate increases,  
5 from what I understand, and so it's not that much more.

6  
7 **CHAIRMAN ANSON:** Mr. Greene.

8  
9 **MR. GREENE:** Randy, thanks for coming. You and I had a  
10 conversation earlier about triggerfish, and you were telling me  
11 that I had missed a point or didn't understand a point about the  
12 water temperature related with the stock assessment. Would you  
13 please enlighten me on what you were talking about?

14  
15 **MR. BOGGS:** I was picked to sit on an advisory panel that dealt  
16 with the triggerfish, and, again, we're saddled with using the  
17 best available science. One of the points that I was trying to  
18 get across is they were using the growth rates of the  
19 triggerfish in the Atlantic, and the Atlantic waters are  
20 typically ten to sometimes as much as twenty degrees colder in  
21 the Atlantic.

22  
23 My family was into fish farming years ago, and my dad fooled  
24 with catfish, and some of my friends do. Any fish, whether it's  
25 an ocean fish or a freshwater fish, the metabolism -- The colder  
26 the water is, the slower the fish grow, and so, using the growth  
27 rates on the Atlantic fish and using those to compare how the  
28 fish are growing in the Gulf of Mexico and in a stock recovery  
29 is in no way fair.

30  
31 If you change the water temperature, if it's two to three  
32 degrees colder in the Atlantic, it's going to affect -- In a  
33 five-year life cycle, it's probably going to affect the growth  
34 rate of that fish by a huge amount, but I was told, again, that  
35 the growth rates that they had and the studies that were done in  
36 the Atlantic were the best available science that they had that  
37 got moved over to the Gulf, and fish in cold water don't grow at  
38 the same rate, and the recovery rate is not going to be the same  
39 as the triggerfish in the Gulf.

40  
41 **MR. GREENE:** Thank you.

42  
43 **CHAIRMAN ANSON:** Mr. Swindell.

44  
45 **MR. SWINDELL:** What size vessel do you use with your VMS system?

46  
47 **MR. BOGGS:** I have three boats with VMS. They are all sixty-  
48 five-foot boats with enclosed pilot houses, but the VMS now are

1 enclosed in a life case, and they are Bluetooth compatible. If  
2 you're in like a center console or something, you can actually  
3 take the unit off the dash and store it somewhere out of the  
4 weather, but the life case protects it. We're in our third  
5 season with ours, and we've had not any issues with them.

6  
7 I mean we've had some -- I was the one you heard about yesterday  
8 that got the -- I've got two boats sitting side-by-side and we  
9 did something, and I swapped VMS. I had the Reel Surprise VMS  
10 on the Gulf Wind and the Gulf Wind's on the Reel Surprise, and  
11 so it was really confusing for a few days at the National Marine  
12 Fisheries. I mean that was my screw-up. They look just alike,  
13 and there is no name on them, and so we didn't know the  
14 difference.

15  
16 The VMS systems that we had, we did have some problems with  
17 them, but I mean they were quick to get it fixed. The other  
18 thing is the redundancy in the program, because there's a 1-800  
19 number you can call at the National Marine Fisheries Service if  
20 your VMS is down or you've got a problem. You can call and  
21 report it, and then the same emails and everything go out.

22  
23 Even with the hail-in, we had a one-hour hail-in, and we didn't  
24 need a three-hour hail-in, one hour before you hit the dock.  
25 It's okay to come in a few minutes later, but you don't need to  
26 come in earlier. That's what law enforcement told me. I mean  
27 we -- After we came -- Remember, when we got the Headboat  
28 Collaborative Program, we only basically had ninety days to get  
29 this thing up and running, and so seventeen, eighteen, nineteen  
30 boats, we got VMS on them and we got the program up and running.

31  
32 NMFS received the data, and we turned all that on in ninety days  
33 and got it up and working, and so we had some real challenges in  
34 order to get the system up and working that quick, and you saw  
35 the -- The main problem that we had is that you couldn't go back  
36 once you entered something into the thing. You couldn't go back  
37 and take it out and change it.

38  
39 If you accidentally hit a three instead of a two, then that took  
40 a series of phone calls to get that fish taken back off, and so  
41 that was the biggest problem that I saw with the whole thing,  
42 and that's nothing more than correcting the software. Thank  
43 you, guys.

44  
45 **CHAIRMAN ANSON:** Thank you, Randy. Wayne Werner, followed by  
46 Russell Underwood.

47  
48 **MR. WAYNE WERNER:** My name is Wayne Werner, owner and operator

1 of the Fishing Vessel Sea Quest. The first thing I would like  
2 to say is the triggerfish deal, at least raise it to twenty and  
3 give us a shot to catch the quota. Twenty fish is fine. It's  
4 not going to make a difference one way or another. As long as  
5 the snappers are thick in the western zone, we're not going to  
6 catch them anyway.

7  
8 As far as the charter boat deal, I would like to see them get  
9 going with their program. Give them a real program, one that  
10 gives them their fish and allows them to work their fish. Then  
11 you will have two-thirds of the fishery fixed.

12  
13 What I came to talk about is the Flower Gardens Banks a little  
14 bit. You know, it's important to us, because we went through  
15 all this process for years and years, and now we would like to  
16 be able to catch the fish that we've helped to protect and that  
17 we've been willing to protect and come forward to protect, in  
18 some cases.

19  
20 Every time we think the fishery is hurting, we are the first  
21 ones to say we think it's hurting. When we have problems, we  
22 come forward and we say we have problems. We have never been  
23 shy about it, but, as far as the Flower Garden Banks goes, there  
24 is a lot of misunderstanding with the technology of today and  
25 the stuff that we're using out there to fish with.

26  
27 A guy buys a longline vessel, he buys the boat, he buys the  
28 plotter, he buys everything. It's got all the marks down, where  
29 the boats have longlined for twenty years now or thirty years  
30 now. I mean it's no longer a day in the age where we are in the  
31 ancient times, where we're just guessing where we're putting our  
32 gear. It's a lot like with the shrimp boat drags. He knows  
33 where he has been.

34  
35 Just realize that we've come a long way, and the reason why I  
36 brought this anchor is just to show you guys that this is the  
37 anchor like I have on the bow of my boat right now. A lot of us  
38 are using it in the western zone. If we happen to get hung up  
39 in the coral, by chance, if we happen to drag that far, this  
40 anchor is designed to sit its shell in mud pretty well, but, if  
41 we happen to get that far back and it hangs, just to show you  
42 what we do, if you pull forward on it, it snatches loose and  
43 then the anchor goes straight down to the bottom. This is the  
44 type of equipment we're using today, and you guys just don't  
45 realize that we've come a long way, but management is not there.  
46 You guys are just not really keeping up with where we're going  
47 ahead of you. That's really what I had to say. Thank you.

48

1 **CHAIRMAN ANSON:** Thank you, Wayne. Wayne, we have a question  
2 for you from Ms. Bosarge.

3  
4 **MS. BOSARGE:** I really appreciate you bringing the anchor,  
5 because I'm a very visual person. Will you show me again,  
6 please? I would like you to demonstrate it one more time.

7  
8 **EXECUTIVE DIRECTOR GREGORY:** Basically, when you run up on the  
9 anchor, it pulls the chain straight up and it breaks a twine or  
10 whatever. Then it pulls the anchor out from the head.

11  
12 **CHAIRMAN ANSON:** We have one more question for you, Wayne, from  
13 Mr. Diaz.

14  
15 **MR. DIAZ:** Thank you for coming, Wayne. How big of a boat do  
16 you use, does that anchor work with, just to give folks some --

17  
18 **MR. WERNER:** This is for up to about a forty-five-foot boat, and  
19 it's a forty-pound anchor. They make one just like it in sixty-  
20 six pounds. That's probably good for about a sixty-foot boat.

21  
22 **CHAIRMAN ANSON:** Thank you, Wayne. Russell Underwood, followed  
23 by Greg Ball.

24  
25 **MR. RUSSELL UNDERWOOD:** Thank you, Mr. Chairman. I am Russell  
26 Underwood from Panama City, Florida. I fish out of Leesville,  
27 Louisiana. I've been out of there for about thirty-five years,  
28 and I have about nine boats that I oversee. I haven't fished in  
29 a couple of years, but I take care of all those boats now.

30  
31 Anyway, today, I would like to tell the council and tell Mr.  
32 Crabtree that we appreciate where this council is headed and  
33 where it's going forward. We've got the snapper IFQ. I was a  
34 major part of that. I sat on the advisory panel for that, and  
35 we're proud of the way it's turning out. It's good for the  
36 fishermen and it's good for the resource.

37  
38 They've got the grouper IFQ, and they're thankful for that, too.  
39 We're part of that, too. I own grouper IFQ, too. Now we're  
40 headed towards Amendment 41 and 42. I came from the partyboat  
41 industry in Panama City. I worked for Captain Anderson's Marina  
42 for ten years, and so I've been on both sides of the fence.

43  
44 Thank the Lord that we're moving towards these charter boats and  
45 these headboats and even now the recreational to have their own  
46 plan, to work on their own plan. That's a big step forward for  
47 this council and for the fishermen.

48



1 We've had a lot of great fishermen, like Billy Archer and Gary  
2 Jarvis, and quite a few other fishermen that have paid their  
3 dues to work forward to have a better fishery for the industry  
4 and for the resource, and I have to commend these fishermen. I  
5 have been there and done that. We had a lot of rocks thrown at  
6 me and these other fishermen, and God knows Roy Crabtree has  
7 paid his dues here in the last couple of years about all of  
8 this, and so we appreciate you all for what you all have done.

9  
10 I sat back there a while ago and listened to a lot of thank-you,  
11 and imagine that. One fellow has got two charter boats, and the  
12 other fellow has got three charter boats, and what I've heard  
13 this morning is everybody is doing pretty danged good. If it  
14 was all complaints, it wouldn't be a very good place here, but I  
15 have noticed that, and I appreciate that, from my heart.

16  
17 I hope to continue working this IFQ and these charter boats and  
18 these people, and the charter boats have a future and the  
19 recreational can get their own plan together, and that's a step  
20 forward, when you get an AP. I think the other day that there  
21 was about 150 or 160 people that applied for that job sitting on  
22 the AP, and so there's a lot of interested parties on that deal.

23  
24 On the other hand, I would like to comment on the triggerfish.  
25 The council has given us a quota. I think it's not very big,  
26 but we have accepted that, and now we hear about maybe raising  
27 it to maybe twenty fish, and I think we should have a chance at  
28 a twenty-fish bag limit or a quota limit, and I think we should  
29 maybe move it up there, to where we can at least catch the fish  
30 that we've been allotted.

31  
32 **CHAIRMAN ANSON:** You have to wrap it up, Russell.

33  
34 **MR. UNDERWOOD:** Yes, sir. I would like to speak about the  
35 Flower Garden Banks Sanctuary. I've been attending two or three  
36 meetings about that, and I don't think -- I have talked to them.  
37 I made a forty-five-minute speech the other day when I was down  
38 there. They need more input from the fishing industry, both  
39 commercial and recreational. That meeting the other day in New  
40 Orleans that I went to, there was about fifty people there, and  
41 about ten of us spoke. It was a pretty good meeting. They had  
42 a lot of good ideas, but I think we need to set up some kind of  
43 committee from the fishing industry, both commercial and  
44 recreational. We need to have our input.

45  
46 I have been historically dependent on these fish in the western  
47 Gulf for thirty-five years. Phase 1 is from Galveston to  
48 Mobile. That's everything I fish right there. That affects me,

1 and so I think we need a lot more talking. This council needs  
2 to be a major part of this decision-making. Thank you.

3  
4 **CHAIRMAN ANSON:** Thank you. We do have a question for you,  
5 Russell, from Ms. Bosarge.

6  
7 **MS. BOSARGE:** Thank you, and I know that G.P. with the Flower  
8 Garden Banks is in the audience, and so I know he is listening  
9 to you. There is some discussion. We're going to try and come  
10 up with our wish list of regulations, if we were the ones to  
11 write the regulations for the Flower Gardens, and we don't have  
12 time to go into it all right here at the podium, but if you have  
13 some suggestions, Morgan on staff or myself, we would love to  
14 hear some sustainable thoughts for how to regulate and manage  
15 that.

16  
17 Hopefully, in your dealings with the Flower Gardens, if you're  
18 on some of their working groups now, have that discussion. If  
19 they agree to a permitting system of some sort and they want  
20 this body to actually do that, to codify it and say what it  
21 would be, if they will simply come to us and ask us for that,  
22 I'm sure we would be willing to have that discussion around this  
23 table. Right now, we'll come up with a wish list, but if they  
24 want us to put it in action somehow, we would be more than happy  
25 to take a look at that, and so just keep that in mind in your  
26 meetings with them.

27  
28 **MR. UNDERWOOD:** Thank you. Thank you, all.

29  
30 **CHAIRMAN ANSON:** Thank you. We have one more question for you,  
31 Mr. Underwood, from Mr. Walker.

32  
33 **MR. WALKER:** Thank you, Russell. I know, in the analysis of  
34 that, there was not very much, and some of the VMS data was  
35 pretty limited in the years there. You've been fishing in there  
36 a long time, in that area, haven't you, before VMS?

37  
38 **MR. UNDERWOOD:** Yes, I've been there for about thirty-five years  
39 in the western Gulf. Once they started that sanctuary, we tried  
40 to stay away from it, when we got that area. When we got VMS,  
41 they would track us and watch us and all of that, and we chose  
42 not to -- We don't want to harm any bottom and habitat. Like I  
43 said, we're willing, as fishermen, to work with this council and  
44 work with the Flower Garden Banks Sanctuary and try to conserve  
45 what we all own and have got in this world, and I want to be  
46 part of that. I just want to be part of this plan. Thank you.

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

1  
2 **CHAIRMAN ANSON:** Thank you, Russell. Greg Ball, followed by  
3 B.J. Burkett.

4  
5 **MR. GREG BALL:** Good evening. I am Greg Ball, from Galveston,  
6 Texas. We run two federally-permitted charter boats. My son  
7 runs one and I run one. I want to thank you all for everything  
8 that you've done to help us out in the charter boat industry so  
9 far. We've still got a lot to do though.

10  
11 We have built our business plan for the way the snapper has  
12 been. Then, late season, offshore, we target amberjack. This  
13 year, we have a lot of repeat business, and we get usually  
14 thirty or forty trips a year for amberjack, this time of the  
15 year, and then we found out, after they have already been  
16 booked, that we're not going to have any amberjack this year,  
17 and so we end up having to cancel those trips, and this is for  
18 the public, for our customers.

19  
20 I mean, it helps us to make a living as well, but our customers  
21 depend on this every year to go out and catch these fish, and so  
22 we would like to see a multispecies maybe put in Amendment 41.  
23 I've heard talk of that, and I think that would work for us. We  
24 might not get what we want, but at least we would get something  
25 we could take these people out and catch these fish.

26  
27 Also, on Amendment 41, I am for the PFQ or the IFQ. I would  
28 rather see the PFQ, but the other two, the PFA or the tags, I  
29 don't think either one of those would work. Then, as far as the  
30 electronic logbook, I have got one on each of my boats. We put  
31 them on this year, and it's real easy to operate. I would like  
32 to see that get approved for everybody at the October meeting,  
33 and that's really all I've got. I appreciate it.

34  
35 **CHAIRMAN ANSON:** All right. Thank you, Mr. Ball. B.J. Burkett,  
36 followed by Gary Jarvis.

37  
38 **MR. B.J. BURKETT:** My name is B.J. Burkett. I am from Panama  
39 City Beach, Florida. I own and operate Hook'em Up Charters. I  
40 have had it for thirteen years now. It's a COI boat. It's  
41 dual-permitted. I'm an IFQ holder, and I also have a commercial  
42 fishing boat.

43  
44 The main thing that has got me bothered right now is the  
45 triggerfish and amberjack for the recreational. You all told us  
46 that if we went to the fourteen-inch size limit, the June and  
47 July closure, we would have ten months. You all were wrong.  
48 That has affected my business and several guys' businesses.

1  
2 It really baffles me that NMFS can change regulation when the  
3 agency admits that they have huge gaps in the last assessment  
4 that they used to change these regulations. I have been fishing  
5 in the industry, and I've been active in it for going on twenty  
6 years now, and, from what I have seen, there has never been a  
7 shortage of triggerfish in our area. From what I am seeing now,  
8 they have become a nuisance. They are everywhere. You can't  
9 hardly get away from them.

10  
11 On amberjack, it's right along the same lines as triggerfish.  
12 You all told us if we upped the size to thirty-four and a two-  
13 month closure that we would have a ten-month season. Wrong  
14 times two.

15  
16 Due to the poor decisions made with the insufficient data on the  
17 triggerfish and the amberjack, I have lost upwards of twenty  
18 trips for this fall. Our fall business is mainly our return  
19 customers, like the gentleman said earlier, that book just to  
20 come down to go fishing. I wish somehow you all could be held  
21 liable for the loss of business due to the lack of credibility  
22 of the assessments, but we can't do that, I guess.

23  
24 In my opinion, on several issues, you all have done a great job  
25 at creating a backwards management system. I call in the BMP,  
26 because you all love the abbreviations. The species that always  
27 thrive are under the strictest regulation. The species that are  
28 in need of management are the least regulated. It's backwards.  
29 I would love to see you all change that.

30  
31 The red grouper IFQ, please do not put any more IFQ out there.  
32 They can't catch what's already there. The two-million-pound  
33 increase will be detrimental. I understand the council is  
34 trying to do the best they can with the unsound data they have,  
35 but the best data you all have is in this room right here. All  
36 these fishermen, they know what's going on out there. The best  
37 thing to do would be to find a way to get the unbiased data from  
38 the stakeholders and not use the inaccurate dockside sampling,  
39 and quit using the political shield as an excuse. Use the real  
40 science of the fishermen. Thank you.

41  
42 **CHAIRMAN ANSON:** Thank you, B.J. Yes, Dr. Ponwith.

43  
44 **DR. PONWITH:** Regarding your BMP, can you give an example of a  
45 stock that you think is in trouble right now?

46  
47 **MR. BURKETT:** The red grouper stock is not healthy. The red  
48 grouper stock is not healthy. The banded rudderfish are not

1 healthy. I see the b-liners on a downward spiral, because  
2 there's so much pressure put on them now, because you all make  
3 us fish for them, because we have to catch something to satisfy  
4 our customers.

5  
6 **CHAIRMAN ANSON:** Thank you, B.J. Gary Jarvis, followed by Steve  
7 Tomeny.

8  
9 **MR. GARY JARVIS:** Hello, gang. I'm Captain Gary Jarvis, owner  
10 and operator of the Back Down II, a dual-permitted commercial  
11 and charter fishing company. I'm the President of the Destin  
12 Charter Boat Association, the largest federally-permitted  
13 charter for-hire organization in Florida and on the Gulf Coast.  
14 I am also a board member of the Northwest Chapter of the Florida  
15 Restaurant and Lodging Association and partners with my family-  
16 owned seafood restaurants on Destin Harbor and Choctawhatchee  
17 Bay.

18  
19 The Destin Charter Boat Association is tired of status quo  
20 management and its mid-season closures of species critical to  
21 our fleet's viability. As I stand here, with two-and-a-half  
22 months left in our season, red snapper are closed, triggerfish  
23 are closed, and amberjack are closed. This is preventable, and  
24 I hope this council will help us change it.

25  
26 We want to continue to work on Amendment 41, to develop a  
27 multispecies reef fish rights-based management system instead of  
28 red snapper only. Our fleet wants to explore a level of  
29 intrasector trading of these reef fish with or without some form  
30 of cap on the level of that trade.

31  
32 We want it to be able to be fair and equitable and to address  
33 the amount of allocation each charter for-hire permit gets and  
34 base it on historical, regional, and traditional harvest rates  
35 in the past.

36  
37 We need this flexibility, especially the flexibility of  
38 multispecies and tradability, to address the needs of our  
39 seasonal business issues, to allow for longer seasons, as  
40 allocation is used by individual permit holders, and with some  
41 level of tradability for all the species, to address regional,  
42 historical, and industry operational changes, and, in several  
43 different fisheries, as the stocks rebound and the historical  
44 ranges of these fish change.

45  
46 I would like to see the PFA and the harvest tag system moved to  
47 considered but rejected in 41, and the council needs to call the  
48 charter for-hire AP back together, so we can give you some

1 preferred alternatives concerning allocation splits, data, and  
2 preferred quota system management. I strongly recommend this  
3 council to establish preferred alternatives and finish the  
4 electronic logbook reporting system and send it to National  
5 Marine Fisheries for approval and Dr. Ponwith for development.

6  
7 A broad-based industry has been asking for robust logbooks for  
8 over ten years, yet I heard a council member, during committee,  
9 say we should not rush into finishing this task, which makes me  
10 want to know, what is your definition of rush? In fact, I met  
11 with Andy Strelcheck, who gave us a presentation to start a  
12 dialogue on electronic logbooks in 2006. Folks, it's time to  
13 call this one to question. I will finish right there. I just  
14 thank you for putting up with our crap, and you ought to be  
15 thankful that we put up with yours. Thank you.

16  
17 **CHAIRMAN ANSON:** Thank you, Gary. Steve Tomeny, followed by  
18 Clarence Seymour.

19  
20 **MR. STEVE TOMENY:** Hi, council. I am Steve Tomeny, and I  
21 operate a charter/headboat business in Port Fourchon, Louisiana.  
22 I've been there a long time, pushing thirty years or so. I  
23 would like to welcome Dr. Tom Frazer as a new member and  
24 congratulate Leann and Doug Boyd for staying on. Good luck with  
25 that.

26  
27 I just want to go ahead and compliment you all on the five-year  
28 extension of Amendment 40. Carry on with moving 42 along and 41  
29 also. I am in the camp with the IFQ and the PFQ. One of those  
30 or both can be in the considered options. Tradability I think  
31 will be a key component, whether we trade fish or -- Money  
32 works. Money talks, as long as I can remember. You can get a  
33 lot done. If somebody needs something, there is always somebody  
34 willing to either sell it or it's too high, if you don't want to  
35 get it, and so I'm a tradability person.

36  
37 When it comes to ELBs, I'm like Gary. We've been asking for it  
38 for a long time. I have VMS units on my boats, and these are  
39 bigger boats with the air-conditioned wheelhouse, and we don't  
40 have much problem, but I do have the newer ones that are very  
41 portable and very user-friendly, and we hear a lot of talk about  
42 the center console guys aren't ready for that and stuff, but  
43 they've all got plotters and VHS and all kind of radios and  
44 stuff, and they seem to keep all that going. They've all got  
45 stereos, and another miniaturized electronic equipment is going  
46 to -- It will work for them, and it may not be that it has to be  
47 VMS.

48

1 We saw, at the last council meeting, CLS had a tablet that you  
2 can carry home. It doesn't even have to be installed on the  
3 boat. It has a satellite antenna, so if you don't have cell  
4 phone coverage. In south Louisiana, for example, I've heard  
5 that. We've got things that will cover the bases, but we need  
6 real-time reporting and we need hail-in.

7  
8 Most of these programs that we're going to move to, we're going  
9 to have to say what we have onboard, and enforcement needs to  
10 know. They don't have to come check you every day, but the fact  
11 that you're notifying enforcement that you have X amount of fish  
12 on the boat, that's what you better be unloading, and so I'm all  
13 for that. I think that covered most of my stuff. Thank you.

14  
15 **CHAIRMAN ANSON:** Thank you, Steve. Clarence Seymour, followed  
16 by Brad Gorst.

17  
18 **MR. CLARENCE SEYMOUR:** I'm Clarence Seymour from Biloxi,  
19 Mississippi. I'm a charter operator of a six-pack in Biloxi,  
20 Mississippi. I am here to talk about this. The first time I  
21 made it to the podium was at the Beau Rivage in 2014. We were  
22 talking about sector separation.

23  
24 I really didn't know a lot about it, but I learned it real  
25 quickly. If I recollect, I would have to go back to the minutes  
26 to see exactly what I said, but I probably don't remember. We  
27 were at the Beau Rivage for 5.5 hours.

28  
29 One of the comments was that the season was over. It was the  
30 nine-day season, and so I said, well, I did three reef fish  
31 charters and entertained fifteen non-boating Americans and  
32 caught a total of thirty fish. That was 2014.

33  
34 I am proud to say that last year we moved that up to ten  
35 charters and entertained fifty-four non-boating Americans, with  
36 a total of 347 red snapper in 2015. I would like to be proud to  
37 say that I've got me a little spreadsheet for Leann. She wants  
38 to see stuff.

39  
40 This year, 347 non-boating Americans made it to the Gulf of  
41 Mexico out of the great State of Mississippi. I am real proud  
42 of that, because that's thirty-three or thirty-one charters, and  
43 the people came and -- When July 16 was over, they were like,  
44 snap, I missed it, and I will see you next year. They are  
45 booking early. They are having the time of their life. We went  
46 viral on Facebook, but the American public was -- They just  
47 couldn't fathom that I could take a little old crab skiff,  
48 Bertram, and just get after it, and everybody had a good time.

1 They all wanted to go, but we've only got one boat.

2  
3 That's what it's all about, is the people that we let access the  
4 fishery. Some own bay boats, little small bay boats, but they  
5 will call you up and say, well, we sure would like to go get on  
6 some of those fish. Well, come on, let's go.

7  
8 The recreational sector had a great season. I was proud that  
9 each state opened for non-compliant. Everybody seemed to be  
10 real happy about that, and just continue to work hard and make  
11 sure that the American public can access the fisheries. It's a  
12 pretty sustainable thing for me and the future of any  
13 participants wanting to get into the fishery.

14  
15 I do support multispecies. After we think about it in 41, it's  
16 pretty important. PFQ and IFQ, either or. The tags was kind of  
17 a good system to start with, but it may not be what's going to  
18 be needed to make sure that everybody has access. Electronic  
19 logbooks, I will run them, whatever it takes to make this  
20 Amendment 41 happen, and the AP needs another meeting, I reckon,  
21 to kind of go ahead and hash everything, but thank you.

22  
23 **CHAIRMAN ANSON:** Thank you, Clarence. Clarence, we have a  
24 question for you from Dr. Lucas.

25  
26 **DR. LUCAS:** Clarence, thanks. I have a question for you. The  
27 State of Mississippi has mandatory reporting through Tails and  
28 Scales. How far in advance did you usually book your  
29 information about the trip you were about to take, essentially  
30 what would be equivalent kind of to a hail-out, and when did you  
31 usually -- When you came in from the trip, when did you usually  
32 close that information out?

33  
34 **MR. SEYMOUR:** In the morning, I pull out of the harbor and I  
35 pull my little phone out and put my autopilot on and idle down  
36 the channel. I think, one or two days, I had the text saying  
37 that it wouldn't work or whatever, but it wasn't very many.  
38 Sometimes I would wait an hour or thirty minutes at the dock  
39 taking pictures, and get all that over with.

40  
41 Now, if MRIP and the dockside sampling were there, I went ahead  
42 and logged out so they could put my Tails and Scales number on  
43 their logbook, but, most of the time, we were pretty well done  
44 fairly quick and easy, because I had to go back the next day,  
45 and sometimes I would forget, I did, and I would do it in the  
46 morning and then log back in, but, yes, it's pretty quick. It's  
47 easy. Thank you.

48



1 **CHAIRMAN ANSON:** Thank you. Brad Gorst, followed by Chad  
2 Hanson.

3  
4 **MR. BRAD GORST:** I am Brad Gorst from Clearwater. I've been in  
5 this fishery for about twenty-eight years. It's a family  
6 business, started in 1973. We have three federally-permitted  
7 inspected charter boats, two of them over six and one six-  
8 passenger. Two of them are dual-permitted. Back in the day,  
9 that's how you made your boat payments.

10  
11 Anyhow, I would like to thank everybody for being here, our new  
12 council member, Tom, and the council staff for the hard work  
13 they do, and I would like to thank Bonnie for the hard work  
14 she's fixing to do with the ELB program, once this council moves  
15 it forward.

16  
17 I would kind of challenge this council to get some preferred  
18 alternatives for the ELB management system before the next  
19 meeting. Let's quit kicking this can down the road. It's time  
20 for it to stop. Like Gary said, that's ten years. It's time to  
21 stop stalling.

22  
23 I would like to see the charter for-hire AP convened before the  
24 next council meeting so that it helps expedite this process.  
25 Being from where we are in the Clearwater area, the multispecies  
26 IFQ or PFQ is the way to go, because we are a year-round season.  
27 We will 365 or 364, and I don't fish on Christmas. You ain't  
28 got enough money to get me out on Christmas, but it works for  
29 me, because -- It works better for me than having a season,  
30 because my people like to run the long trips in the spring and  
31 the fall, when the gag grouper tend to bite a little bit better.

32  
33 With a multispecies approach, I can open my business plan to  
34 say, okay, we are not stuck going during this timeframe. We've  
35 got all year, and it helps my business. I could run longer  
36 trips, providing better access to the people that want what I  
37 can offer. I can't offer that during the spring or in the fall,  
38 because I am not going to run out there and kill red snapper and  
39 watch them float away just to say you could catch the gags and  
40 the red grouper in the deep water.

41  
42 Hence, my rationale for coming to this council last year about  
43 getting gag open in June, and so the fishery is the first and  
44 foremost. Without it, we have nothing. Once it achieves its  
45 maximum, everybody will get their maximum. Thank you. One last  
46 thing is the VMS is very easy. It takes about three minutes,  
47 about the same time as it takes to lose a life in Candy Crush,  
48 and so thanks.

1  
2 **CHAIRMAN ANSON:** Thank you, Brad. Chad Hanson, followed by Eric  
3 Brazer.

4  
5 **MR. CHAD HANSON:** Good afternoon, Chairman Anson and the rest of  
6 the council and staff. My name is Chad Hanson with the Pew  
7 Charitable Trust. I appreciate the opportunity to give comments  
8 today. First of all, welcome aboard, Dr. Frazer, and welcome  
9 back, Ms. Bosarge and Mr. Boyd. We're looking forward to  
10 another three years of working with you all, and the rest of you  
11 as well.

12  
13 I have three things to bring up today. The first thing is on  
14 the corals amendment. Just to reiterate what I said last time,  
15 but new research has been conducted in the Gulf of Mexico that  
16 has identified new coral areas in the deep-sea ocean. These  
17 corals provide shelter and habitat for a variety of species, and  
18 they are very vulnerable. They can be hundreds to thousands of  
19 years old, and, if they are damaged, they can take dozens of  
20 years to centuries to recover, if at all, and so it's important  
21 that they're -- They're fairly fragile.

22  
23 Your coral experts that you have assembled have identified  
24 approximately forty-seven sites that may warrant some protection  
25 through habitat areas of particular concern, or HAPCs, and so  
26 the scoping document that you all are initiating should include  
27 all of those sites as part of the discussion and identification  
28 of what sites may need protection and then discuss what types of  
29 regulations would be most appropriate for those, because the  
30 idea is to protect these corals and have that opportunity to  
31 protect these corals while allowing certain fishing activities  
32 to continue in those areas that are not going to damage the  
33 corals. I am looking forward to that in October with all those  
34 sites in it.

35  
36 For electronic logbooks, we would like for this council to come  
37 out of this meeting with preferred alternatives on those  
38 actions, those actions that were put in there for this meeting,  
39 and to move to final public hearing. We support the hail-in and  
40 hail-out alternatives, and we also support, at a minimum, the  
41 GPS-archived units for archiving location, as a minimum, and  
42 those are recommendations from the technical subcommittee as  
43 well. Those actions provide a good balance of transparency and  
44 in how to design the program moving forward, and so we support  
45 finalizing that.

46  
47 On MSSTs, I was hoping you already had discussed this, so I  
48 don't have to explain MSSTs, but I'm hoping you have some good

1 idea of that but it's important to set it at the right place and  
2 have an informed decision on that, where you're balancing the  
3 healthy population levels with allowing for ample fishing  
4 opportunities, and so we suggest that having a new alternative  
5 in the amendment, around the 0.85 BMSY level or 0.9, is  
6 appropriate.

7  
8 That's similar to what the SSC was discussing and circulating  
9 around, and it's important to set that right, because, if you go  
10 too low, your population, in theory, gets further reduced and  
11 you may have a hard time rebuilding, and so further restrictions  
12 may be necessary to actually get to a rebuilding level, and so  
13 setting it in the right spot is an important place.

14  
15 The analysis provided by the Science Center that was reviewed by  
16 the SSC last May, I believe, or about a year ago, it showed that  
17 the current system of status quo, using the natural mortality  
18 estimate in the calculation, is fairly reasonable, it seems  
19 appropriate, and it seems to be working.

20  
21 It is capturing the natural fluctuations in the population that  
22 are caused by things like the environmental changes and those  
23 sort of things, and so what we have seems to be appropriate, and  
24 that's why they were circling around the 0.85 or 0.9 level in  
25 their discussions, and so I think adding one of those  
26 alternatives in the document and asking for an additional  
27 analysis, to see what the tradeoffs are for all those various  
28 MSST levels, before you move to a final decision on that, would  
29 be appropriate. With that, I thank you for the time and your  
30 attention.

31  
32 **CHAIRMAN ANSON:** Thank you, Chad. Next, we have Eric Brazer,  
33 followed by Pam Anderson.

34  
35 **MR. ERIC BRAZER:** Thank you very much, Mr. Chairman and council.  
36 My name is Eric Brazer, Deputy Director of the Gulf of Mexico  
37 Reef Fish Shareholder's Alliance. Thanks for giving me another  
38 shot at talking to you this meeting, and thank you for the  
39 chance to talk to you about the Gulf of Mexico reef fish quota  
40 bank yesterday. Welcome aboard, Dr. Frazer, and welcome back,  
41 Doug and Leann.

42  
43 With that, I would like to jump right into the Flower Garden  
44 Banks. We appreciate the opportunity to provide you comments so  
45 that the council can provide the sanctuary comment on the  
46 proposed expansion, and please see the letter I submitted to you  
47 guys on Sunday night for more details about our specific  
48 position.

1  
2 We would like the council to consider some of the following  
3 alternatives, and we're going to work with you to flesh out some  
4 of the details. Number one, allowing commercial fishing, but no  
5 anchoring, within those no-activity zones. Number two, allowing  
6 anchoring outside of those no-activity zones, and, number three,  
7 no anchoring within any of the zones for any vessels greater  
8 than 100 feet in length.

9  
10 This is all in addition to the development of a comprehensive  
11 endorsement certification program that we keep talking about,  
12 that would allow continued, responsible commercial access to  
13 these areas. As I said in the letter, we believe that habitat  
14 protection and commercial fishing are not mutually exclusive.  
15 There is a way to do both.

16  
17 For Amendment 36A, Action 1, we support Alternative 3. That's a  
18 hail-in for all commercial vessels with a reef fish permit  
19 landing any commercial species. We would ask that you consider  
20 modifying or adding another alternative that would require any  
21 commercial vessel with a reef fish permit onboard to hail-out  
22 and hail-in. If you have a hail-out, please consider adding a  
23 hail-in requirement for any commercial vessel.

24  
25 Action 2.1, we support Alternatives 2 and 3, to return these  
26 shares for both IFQ systems to the agency, and we support Sub-  
27 Option a, which this would go into effect on the effective date  
28 of the regulation. We don't believe that an extra year is  
29 necessary to implement this.

30  
31 For Action 2.2, we still believe that an industry-based quota  
32 bank is the best way to use these allocations, to start to  
33 address some of the problems in the fishery. That being said,  
34 if you do redistribute it to the industry, either  
35 proportionately or some other way, we have already had fishermen  
36 come up to us and say they want to donate this allocation to the  
37 quota bank, to start to use it for some of the problems that we  
38 talked about yesterday.

39  
40 For Action 3, we support Alternative 1. We don't believe that  
41 allocation should be withheld prematurely. I want to reiterate  
42 something that Jason Delacruz said before. We would ask you to  
43 consider adding a fourth action, which would be to analyze a  
44 three-hour dealing offloading notice. If you really want to  
45 tighten up the program, this is a way to close a loophole that  
46 could presently allow landings to go unaccounted for. With  
47 that, thank you for moving forward with 41 and 42 and the  
48 private angler management strategy and advisory panel. Thank

1 you very much.

2  
3 **CHAIRMAN ANSON:** Thank you, Eric. I have one question for you,  
4 Eric, from Mr. Diaz.

5  
6 **MR. DIAZ:** Eric, I just didn't catch the -- You listed three  
7 things for the Flower Garden Banks. It was no anchoring boats  
8 over 100 feet, and number two, I think, was allowing anchoring  
9 outside the no-activity zone, and I did not catch the other one.  
10 If you wouldn't mind repeating that, I would appreciate it.

11  
12 **MR. BRAZER:** Sure thing. I would ask you to look at considering  
13 allowing commercial fishing, but no anchoring, within those no-  
14 activity zones. Allow the vessels to anchor outside, but to be  
15 able to still fish in those zones, as long as there is no  
16 contact there.

17  
18 **CHAIRMAN ANSON:** Thank you. Pam Anderson, followed by Mike  
19 Jennings.

20  
21 **MS. PAM ANDERSON:** Chairman Anson, Dr. Crabtree, and council  
22 members, I am Pam Anderson, operations manager of Captain  
23 Anderson's Marina in Panama City and with the Bay County Chamber  
24 of Commerce there.

25  
26 I would like to take this opportunity to comment on several  
27 topics. For data collection, many devices are capable of  
28 submitting information besides the VMS, and so that should not  
29 be a required tool, unless it is paid for by NOAA. There is a  
30 lot of talk of not wanting to release proprietary information  
31 for our businesses. One of the most important pieces of  
32 information that a fisherman has is his fishing spots, some that  
33 are artificial reefs that he paid to place himself.

34  
35 With the GPS and VMS systems, it becomes a serious issue for  
36 people in our industry for these spots to be revealed. Please  
37 consider this as you decide on the specific reporting devices  
38 and know that it has been proven in Panama City that people can  
39 hack into the VMS to obtain that information.

40  
41 On triggerfish, some may have jumped to conclusions when they  
42 saw a drop in the landings. It is not always lack of fish. It  
43 may be a change in effort or the newer size limit. As you  
44 increase the minimum size, it will lead to more discards, also.  
45 Triggerfish are plentiful in Panama City.

46  
47 On Amendment 42, please add to Action 2 an Alternative 4, which  
48 would read, and I quote, include red snapper only in this

1 management plan, end quote. This is very important to have that  
2 option.

3  
4 In Action 3, for participation, it was implied in the AP that  
5 the headboats choosing to opt out would have their quota left in  
6 the program and they would not have access to these species and  
7 other components, rendering their permits worthless. That is  
8 not fair and equitable. They do have a reef fish permit.

9  
10 The quota can be added to the component that the operator  
11 chooses to join, even the private angler component, like in  
12 Alternative 2. In Action 7, Alternative 2 is preferable. A  
13 forty-six-day red snapper season for our boats was good, because  
14 we ran a lot of trips during those forty-six days, and it  
15 allowed more people to fish, but you've got to remember that  
16 anglers want value, and many even ask if we're going to promise  
17 that they will catch and keep their two red snapper.

18  
19 If in the program we are attempting to stretch our quota to  
20 allow more days to fish, we will be forced to offer fewer long  
21 trips and more short trips, which will affect the fishing effort  
22 in the inshore reefs. This is not good for the fishery. It  
23 will also negatively impact tourism. People want what they  
24 want. If they cannot get that on the Gulf Coast, they will  
25 travel elsewhere. Thank you.

26  
27 **CHAIRMAN ANSON:** Thank you, Ms. Anderson. Just a reminder to  
28 folks that if you are carrying on a conversation with someone  
29 that your neighbor might not appreciate that, and so if you can  
30 carry your conversations outside, please, so that it's quiet for  
31 the rest of the members of the audience, we would appreciate it.  
32 Mike Jennings, followed by Bobby Kelly.

33  
34 **MR. MIKE JENNINGS:** Hello. I am Captain Mike Jennings from  
35 Freeport, Texas. I am President of the Charter Fishermen's  
36 Association, and I own and operate two federally-permitted  
37 vessels in the Gulf of Mexico. I would like to thank you all  
38 for allowing me to speak today.

39  
40 From an association standpoint, we would like to ask the council  
41 just to continue to move forward on 41 and 42. On 41, we would  
42 like to ask you to move forward by narrowing the scope a little  
43 bit and removing the harvest tags and the PFA alternatives and  
44 focusing more on the IFQ and PFQ approaches, so we can take what  
45 appeared, from our end, to be kind of a convoluted document and  
46 kind of narrow it down to something we can focus on and start  
47 looking at some management options on.

48

1 We support exploring an intrasector tradability or tradability  
2 within the industry, and we would also like for the council to  
3 look at and we support a multispecies approach and a five-fish  
4 approach, and I think Tom Ard gave you the five fish we were  
5 talking about earlier.

6  
7 We would like to ask you to convene the charter for-hire  
8 management AP before the October meeting, and we would ask the  
9 council to move forward with the charter for-hire ELB amendment,  
10 and we would like to see something on that in October, and I  
11 think the council can pull that off. I heard some discussion  
12 back and forth earlier amongst the council on that, but we would  
13 like to you ask you to focus on maybe making that thing happen  
14 in October.

15  
16 We're hearing lots of complaints about some of the equipment  
17 that's been tried so far on the ELB. What you're hearing though  
18 is you're not hearing any complaints from the people who are  
19 actually using it. The ones that are actually using it are  
20 sitting up here telling you how simple and easy it is, and I  
21 have it on one of my boats as well, and so pay attention to  
22 that. It's the ones that don't have it, who don't have a lot of  
23 experience with it, that are afraid of it.

24  
25 We would also like to ask you to continue to move forward with  
26 the recreational AP and work towards something that gives the  
27 fishermen access. We all deserve access, and we all have a  
28 right to access this fishery, and the private recreational  
29 angler doesn't seem to be talked about much here. They're a  
30 large portion of this fishery, and they deserve this council  
31 taking that into consideration and moving forward with  
32 something, rather than just -- I hate the words "kicking the can  
33 down the road", and we always hear that one, but it seems to  
34 just be dragged along and dragged along and discussed here and  
35 there, but it's never really focused on.

36  
37 Last, but not least, not from an association standpoint, but I'm  
38 putting my Texas hat on here for a minute, unintended, but the  
39 amberjack issue has been a complete debacle. From the Texas  
40 side of things, we didn't get a fishery this year. They were  
41 all caught before we target them.

42  
43 You hear these guys sit up here and talk about they had to  
44 cancel fifteen trips, twelve trips, twenty trips, twenty-five  
45 trips, but, when you all are working on this, I would like to  
46 ask you to focus on one issue when you do some of those things,  
47 when you make some of those decisions, and I know you made some  
48 decisions on that that you thought were best, but, when you're

1 talking about that with those guys, you're talking about  
2 somewhere, realistically, between about \$15,000 and \$25,000.  
3 That's huge to a business, to a family-owned business. I don't  
4 want to write that check, and I don't know anybody else up here  
5 at this table that wants to. That's a lot of money, and it's  
6 real serious to these guys. It's a big issue. Thank you for  
7 your time. I appreciate it.

8  
9 **CHAIRMAN ANSON:** Thank you, Mike. We have Bobby Kelly, followed  
10 by David Cresson.

11  
12 **MR. BOBBY KELLY:** Good afternoon, council. My name is Bobby  
13 Kelly. I own a dual-permitted boat in Orange Beach, Alabama,  
14 and I serve my fish community -- I serve on the board of  
15 directors for the Orange Beach Fishing Association and Charter  
16 Fishermen's Association.

17  
18 I just came here today to tell you guys that I fully support the  
19 further development of Amendment 41. We ask that you guys look  
20 at a five-species fish with that. This would kind of get us  
21 ahead of some of these issues, and that would be nice.  
22 Actually, Dr. Crabtree said it himself a long time ago. He  
23 said, let's just go ahead and do five species on this. I think  
24 the council can do it, and I think we would all benefit from it  
25 greatly.

26  
27 Even with the most recent extension of the sunset provision, and  
28 thank you, by the way, the sunset still looms on us. It still  
29 weighs on every small-business owner in this room, and so, in  
30 41, we ask you guys to develop a good tool and help us out, and  
31 hopefully you will develop something that won't harm these small  
32 businesses.

33  
34 As far as the ELB goes, I was not really a fan of it, with the  
35 VMS, the CLS VMS this year. Even the first couple of days I had  
36 it, I was like, golly, this is horrible and they want to know  
37 too much. Then, probably about mid-season, I would pick it up  
38 and enter the trip and bop, bop, bop, bop, and go through. It  
39 was nice. It was almost like a game to see how fast I could go  
40 through. These little things are small, they're compact. I  
41 loved mine. I had 100 percent reliability of it, and it really  
42 makes life easy. If the council is wanting to develop an ELB  
43 program, this is a great tool that we use.

44  
45 We ask you guys if you all would convene the AP for this and get  
46 it together before the October meeting. I know you guys depend  
47 heavily on what these APs do and the feedback that they give,  
48 and so we ask you all to get that together for it.



1  
2 Congratulations on -- I want to say thank you for developing a  
3 recreational fishing AP for that. The recreational angler, they  
4 have a voice and they deserve to be heard, and we like you guys,  
5 very much so, for getting that AP together.

6  
7 Triggerfish, great. I commercially fish them and recreational  
8 charter for-hire fish them. For the past two years, we have sat  
9 up here and many, many people in my fleet, we have banged on the  
10 podium and saying, hey, help us out with triggerfish, help us  
11 out with triggerfish, help us out with triggerfish. Man, we had  
12 five full months of it this year. It was great. The fish were  
13 there and we had them, but I mean you all -- It's not really our  
14 fault that we overfished them. You all let us overfish them.  
15 It's a payback fish. We know we're not going to get them in  
16 2017. The quota is not there. The fish are there, and so it's  
17 tough. We ask you guys to develop a plan furthering that.

18  
19 On the commercial side of it, we're under the ACT on that by 50  
20 percent, and it's August. We ask you increase the trip limit on  
21 the triggerfish in the commercial sector to allow us to catch  
22 these fish. The best available science says we're allowed to  
23 catch these fish, and we should have access to catch them. I'm  
24 about to run out of time, but I'm not happy about amberjack, and  
25 I feel that we are owed an explanation on why we only got five  
26 months out of amberjack this year. Thank you.

27  
28 **CHAIRMAN ANSON:** Thank you, Bobby. For council members, we have  
29 about twelve more names. David Cresson, followed by Rene Rice.

30  
31 **MR. DAVID CRESSON:** Good afternoon, council members, and welcome  
32 to New Orleans. It's good to have you here. You know, I am a  
33 dad, and I have three kids, a teenager daughter, a pre-teen son,  
34 who is about to be thirteen, and a nine-year-old son, who is a  
35 great kid. I try, in my limited abilities, to give them little  
36 tidbits of advice from time to time about how to go about their  
37 business every day.

38  
39 One of the things that I just happened to tell them this week,  
40 as everything that's unfolding in Baton Rouge continues to  
41 unfold, and I'm sure you have all heard about it, the best way  
42 to move forward is just to keep a positive attitude. Greet  
43 people with a smile and keep a positive attitude. Be positive,  
44 and you will receive positive back.

45  
46 With that in mind, I am going to start with something positive,  
47 and it may not stay that way very long, but I do want to thank  
48 you, first of all, for recognizing Agent Nick Guillory, and I

1 think it was earlier today, for his great work. He's a  
2 Louisiana Department of Wildlife and Fisheries agent who did  
3 some incredible work last year.

4  
5 I would also like to take this opportunity, and, Patrick, I hope  
6 you will bring this back to the agents, to publicly thank the  
7 Louisiana Department of Wildlife of Fisheries Enforcement  
8 Division. I think 3,000 people they have saved, over 600 pets.  
9 It's incredible work that they've done. I know that's not what  
10 we're here to talk about, but I just want to take this  
11 opportunity to thank our enforcement agents in Louisiana. I  
12 think they're the best.

13  
14 I have also heard, and somebody mentioned earlier, that it was  
15 nice to be here at a council meeting and have so many thank-  
16 you's sort of hitting the council, but I want to make note, and  
17 this is where I'm going to have to go against my own advice to  
18 stay positive here, that there's not a single recreational  
19 angler, pure recreational angler, or a single Louisiana charter  
20 boat fisherman, maybe save one or two, that are here saying  
21 thank you.

22  
23 One of your council members earlier, and I think it was over in  
24 this corner of the table, used the phrased "disenfranchised".  
25 They were concerned with fishermen being disenfranchised by  
26 whatever it was you all were talking about at the time.

27  
28 I can tell you that recreational anglers, especially here in  
29 Louisiana, are disenfranchised. That ship sailed long ago. We  
30 have been to countless public meetings and had hundreds of  
31 people show up at these meetings and sent in thousands of public  
32 comments via email and here at these meetings, and they just  
33 continue to go unheard, it seems.

34  
35 When it comes to disenfranchisement, just look at the  
36 recreational fishing community across the Gulf. Now, many of  
37 them would probably be here today expressing these same  
38 sentiments, but they are ripping out drywall and running duck  
39 boats around and trying to pick people up off of flooded  
40 streets, but I will tell you that they are disenfranchised with  
41 the process.

42  
43 We talked a little bit, or we talked years ago, when sector  
44 separation was starting to be pushed, that it was just a step  
45 towards further privatization of the fishery, towards catch  
46 shares, et cetera, and we find ourselves here today, with 41 and  
47 42 coming down the pipeline, as just ways to further privatize  
48 this public resource, and it's just not something that the

1 recreational angling community can stand behind.  
2  
3 I also heard someone talk earlier, and I realize I'm up against  
4 time, about being concerned about the consumers. It's just hard  
5 to imagine that we're concerned about the American consumer when  
6 we're allowing loopholes to allow charter fishing trips using  
7 commercial quota. It's just hard to imagine that we have that  
8 much concern about the American consumer when we're allowing  
9 loopholes that allow that. Anyway, I see that I'm up against my  
10 time. I have plenty more to say, but I thank you for allowing  
11 me to testify this afternoon.

12  
13 **CHAIRMAN ANSON:** Thank you, David. Next, we have Rene Rice,  
14 followed by Shane Cantrell.

15  
16 **MR. RENE RICE:** Good evening, all. I am Rene Rice from Grand  
17 Isle, Louisiana. I have been in the charter business for thirty  
18 years. That's longer than most of you have been alive, a lot of  
19 you anyway.

20  
21 All of these logbooks and stuff and buying all of this equipment  
22 and all that is a real waste of money. Look, I've got it right  
23 here in my pocket, and it works. All we need is some genius to  
24 come up with a good program for it. As far as operating all  
25 this stuff when you're out at sea in a four-foot chop in an  
26 open-bridge boat, that condition is not working. Sorry, but  
27 it's kind of difficult to do stuff with computers.

28  
29 All of the changes to the rules and everything, a friend of  
30 mine, a real good friend of mine, and she is very dear to me,  
31 asked me, why don't we ever have red snapper for supper? Well,  
32 I can't go out and catch a red snapper for me to eat. I have to  
33 go to the grocery store and buy one, and that's a sad situation.  
34 They see all those nice five, ten, fifteen, twenty-pound snapper  
35 come aboard, and I can't have one. We can't even take the boat  
36 out on a day off, because of all these rules and regulations.  
37 This is totally ridiculous.

38  
39 The amberjack closure, that threw a lot of our people off  
40 balance. They couldn't understand what happened. What do you  
41 mean? We haven't had a chance to fish them yet. How can they  
42 all be gone? That's very difficult to explain to people. These  
43 potential customers that has been with us for years, they can't  
44 understand it, and I'm supposed to explain it? I can't  
45 understand it either.

46  
47 Triggerfish, being an endangered species, I actually caught  
48 three of them the other day. It's amazing. I almost forgot

1 what they looked like, but, all of a sudden, they are back.  
2 That's great. Now, it would be nice if we could even catch some  
3 of those. I was fishing for mangos, and, low and behold, what  
4 is that weird-looking thing? That's a triggerfish. I said, he  
5 eats real good if he will make the cut, but the season is  
6 closed. Everything is the season is closed.

7  
8 They ask me, when can you get the dates of when the seasons are  
9 going to be open? Well, I've been fooling with this system  
10 since it began a long time ago, and I can't come up with a good  
11 answer for that. We don't know when they're going to be. The  
12 worst part is we don't know when they are going to close.

13  
14 We're out in the middle Gulf. We're not around any of the other  
15 areas where everybody is griping and hollering and screaming and  
16 cussing, but if there's anything you all can do to help this  
17 poor small business along, we would appreciate it. I appreciate  
18 all the help from you all. Sometimes we kind of doubt it, but,  
19 if you can give us a hand, we would appreciate it. Thank you.

20  
21 **CHAIRMAN ANSON:** Thank you, sir. Shane Cantrell, followed by  
22 Bryan Reeves.

23  
24 **MR. SHANE CANTRELL:** Hello. I am Shane Cantrell. I'm the  
25 Executive Director of the Charter Fishermen's Association, and  
26 I'm also a charter for-hire management AP member. I've been on  
27 that AP since its inception, I believe two years ago, and we  
28 repopulated that at one point in time, and I've still been on  
29 it. I've been to every meeting, and I look forward to having  
30 another one here before the October council meeting. I think  
31 the industry is going to be able to do that, now that we're out  
32 of peak season.

33  
34 On Amendment 41, I think it should proceed as a multispecies  
35 charter for-hire fishing quota program, being not a permanent  
36 fishing allocation and not a harvest tag allocation. We want to  
37 go through these two options of an individual fishing quota and  
38 a permit fishing quota. Bring it to the industry, bring it to  
39 the AP, and let us flesh those out. Let us get this document  
40 that we've been working on for almost two years now. It's  
41 almost two years now to get it to where we're at.

42  
43 We need to be able to start to define what this is, see some  
44 management options, and start to move towards something. We  
45 want to move towards a solution, something that's going to work  
46 for the industry. This will no doubt trigger a referendum at  
47 some point in time, and that's when the industry makes the final  
48 decision. We've got to get it through the council to be able to

1 get to that point, and I look forward to working with this  
2 council to be able to get there. It's time to finalize and  
3 implement an electronic logbook program and finish this  
4 amendment. The industry has been asking for it for a long time.  
5 This is going to be a huge opportunity to narrow down some of  
6 this uncertainty that we're getting.

7  
8 We can know what's been caught, and the industry will have some  
9 confidence in it. We have some ability to better forecast some  
10 of these seasons in the future, as these data-gaps begin to get  
11 filled in. You're getting directly from the industry what it  
12 is. It gives the Science Center what they need to be able to  
13 give us what we need. We've been asking for it for a long time,  
14 and it's time to finish that, to bring it back in October and  
15 finalize it with codified text and be done. Let Bonnie and her  
16 team go to work on that and get the industry what they've been  
17 asking for for a long time.

18  
19 On the Flower Garden Banks expansion, I also sit on that  
20 Sanctuary Advisory Council. I am the co-chair of the Boundary  
21 Expansion Working Group, and I look forward to working with the  
22 council and working with the Sanctuary Advisory Council on that  
23 one. I have worked directly with G.P. on some of this stuff.  
24 For the commercial industry, I sit on the commercial seat for  
25 that, as commercial is often any commercially-operating  
26 business, under the National Marine Sanctuary System, and not  
27 commercial fishing.

28  
29 I support fishing in the no-activity zones without being able to  
30 anchor in those no-activity zones. We don't want to anchor in  
31 there. That's what we want to protect. Allowing anchoring  
32 outside of those no-activity zones, but fishing. Then, on the  
33 anchoring of vessels over 100 feet, it should not be allowed at  
34 any point in time. If you all have any questions, I would be  
35 happy to answer them.

36  
37 **CHAIRMAN ANSON:** We have a question for you from Mr. Sanchez.

38  
39 **MR. SANCHEZ:** Shane, a couple of questions. The one is PFA or  
40 IFQ or PFQ? What are your thoughts?

41  
42 **MR. CANTRELL:** We want to go towards a PFQ, permit fishing  
43 quota, or an IFQ, individual fishing quota, being that the  
44 allocation would be going to the permit or the individual. We  
45 can explore that through shares, allocation, permits,  
46 transferability. We can explore those at the AP as the time  
47 comes, but it's time to start narrowing that down.

48

1 **MR. SANCHEZ:** The other question, and it's kind of like a dual  
2 question, is I know you recently bought a boat. First, what  
3 size it it? Two, do you have a VMS on it, and how hard is it  
4 for you to use that?

5  
6 **MR. CANTRELL:** In January, I bought my first boat. I've been  
7 running boats for other people for a few years. I bought a  
8 twenty-seven-foot Contender. It's an older model Contender with  
9 brand-new engines. It's twenty-seven foot, and it's got a full  
10 electronics package on that, including a VMS. I also have AIS,  
11 GPS, radar, two VHF radios, autopilot, and a very loud stereo,  
12 along with that vessel monitoring system. All of this equipment  
13 is on there. I've got one of the smaller boats in the overall  
14 fleet, and it works flawlessly every day.

15  
16 When I go commercial fishing, that piece of equipment is on my  
17 boat every day. If it's not working, I don't get to go fishing.  
18 It works. It's on a small boat, and it works in every condition  
19 that I go fishing in.

20  
21 **CHAIRMAN ANSON:** I have another question for you, Shane, from  
22 Patrick.

23  
24 **MR. BANKS:** Shane, you have obviously an outboard boat.

25  
26 **MR. CANTRELL:** Yes, sir.

27  
28 **MR. BANKS:** Being outside, with a center console and all, what  
29 is your take on the electronic logbook situation? Are you  
30 concerned whether it will be an aggravation or a hindrance to  
31 your business to fill out all of that stuff as you're trying to  
32 get back to the dock?

33  
34 **MR. CANTRELL:** Not at all. I don't see a problem with it. I  
35 typically know when I'm going to be back to the dock. On the  
36 charter boat side, I may not know exactly when I'm going to be  
37 back. On the commercial side, I can tell you within a one-hour  
38 time window, starting at X and ending at Y, when I will be back  
39 to the dock, because, if not, I'm in violation. That's the  
40 stringencies of that commercial fishing system. That's what you  
41 accept when you go into it, and it works flawlessly.

42  
43 It's working really well, but, on the charter boat side, hailing  
44 in before you get back to the dock -- We're going to work with  
45 the Science Center and see what they need. The industry is  
46 going to know when we're going to be back to the dock within  
47 some certainty, but, as far as the electronic logbook working on  
48 my boat, it's five minutes a day, maybe. It takes five minutes

1 of my time to be able to do that, and I'm providing a lot of  
2 information, including an estimate of catch on every species in  
3 an IFQ system. It's not a hindrance to my business and my small  
4 vessel.

5

6 **CHAIRMAN ANSON:** Bryan Reeves, followed by Sam Ard.

7

8 **MR. BRYAN REEVES:** Hello. My name is Bryan Reeves. I am the  
9 owner and operator of Wild Orange Charters out of Orange Beach,  
10 Alabama. I've been in the business for -- Actually, I was a  
11 deckhand for eighteen years. Four years ago, I was finally able  
12 to purchase my own vessel that I now own and operate.

13

14 I have a very good clientele. I have built my business fairly  
15 successfully in the last four years. I would like to be able to  
16 tell my customers, when they call me on the phone to book a trip  
17 in advance, when they're planning their vacation, because the  
18 first question they ask me is what can we catch?

19

20 I would like to be able to tell them that this what we can  
21 catch, this is what's in season, this is what -- As for now,  
22 when they call in advance, I have to tell them that, guys, I'm  
23 not sure if we're going to be able to catch amberjack, if  
24 they're going to be in season, or if triggers are going to be  
25 open. I won't know more about it until it gets closer to that  
26 time.

27

28 With that being said, I am in favor of Amendment 41, the PFQ,  
29 and also the multispecies, because I would like to see all five  
30 of those species, to be able to manage them like we manage the  
31 red snapper. I have an eight-year-old stepson that has his drug  
32 card, and he is so majorly proud of having a drug card to be  
33 able to come and deckhand for me in the summertime, and he  
34 wanted to come today. Something came up, and he wasn't able to  
35 make it, but he sat down last night and wrote a letter of what  
36 he was going to say, because he wanted to get up here and speak.

37

38 He wanted to tell you guys that he was eight years old and that  
39 he was a deckhand for his stepdad. When he got old enough, one  
40 of these days, he would like to own his own business, but he  
41 would also like to be able to catch the same fish that we catch  
42 now.

43

44 As far as the triggerfish and the amberjack go, I would love to  
45 see another assessment, a reassessment, done on the triggerfish,  
46 because I think they have grossly underestimated the amount of  
47 triggerfish that are out there. This spring was a phenomenal  
48 year. We caught lots and lots and lots and lots of triggers.

1  
2 Basically, the way I fished this spring, it was trying to thin  
3 some of the triggers off of the holes that I was planning to  
4 catch snapper on during snapper season. I thought I had  
5 successfully done that, but apparently I was wrong, because  
6 there was many, many, many holes that we snapper fished this  
7 year with big, live baits, and never caught a red snapper,  
8 because of the triggerfish eating those baits up. They are the  
9 most aggressive fish that swim out there in the Gulf of Mexico.

10  
11 On top of the federal government regulating what we can and  
12 can't catch, also, we have to deal with Mother Nature. What I  
13 mean by that is these fish, at certain times of the year, they  
14 spawn, and we are able to catch -- Like, for the springtime,  
15 we're able to catch grouper better than what we can catch them  
16 in the summertime. Right now, we're not allowed to catch a lot  
17 of fish. The vermilion snapper, one of the few species of fish  
18 that we are targeting, a major population of those vermilion  
19 snapper are spawning right now, and it makes it really hard --  
20 When those fish spawn, it makes it hard to catch them.

21  
22 With that, the PFQ would allow me to target the species that are  
23 biting during that time period, and we would be able to manage  
24 our fish a lot better. Also, I know I'm over but --

25  
26 **CHAIRMAN ANSON:** Bryan, you have to wrap it up.

27  
28 **MR. REEVES:** The electronic logbook, I think that that is going  
29 to have to be implemented. It must be required, because we have  
30 to have a catch history going forward with this Amendment 41, to  
31 be able to make it fair for the guys that are fishing and for  
32 the guys that aren't fishing. We've got to be able to prove who  
33 is fishing and who isn't. Thank you.

34  
35 **CHAIRMAN ANSON:** Thank you. Next, we have Sam Ard, followed by  
36 Richard Fischer.

37  
38 **MR. SAM ARD:** How are you all doing? My name is Sam Ard. I'm a  
39 third-generation charter fisherman out of Orange Beach, Alabama.  
40 I support a multispecies approach for the charter for-hire  
41 management in Amendment 41. As far as electronic logbooks, I  
42 use a VMS tablet on the boat. It's really easy to use. It  
43 feels good being able to give back, give some real-time data.

44  
45 Most of the time, I fill it out in front of my customers and  
46 explain what we're trying to do and do our part to protect and  
47 manage our fishery, and, actually, they really like that. They  
48 like seeing that we're a part of that. It takes five minutes,



1 like everybody said, and it's really easy.

2  
3 We've been catching a massive amount of triggerfish out of  
4 Orange Beach. About a week ago, I had to fight through seventy-  
5 two of them just to catch a few vermilion snapper. The quota  
6 might not be there, but the fish are. That's about all I've  
7 got, but thank you for your time and all the work that you do.

8  
9 **CHAIRMAN ANSON:** Thank you, Sam. Richard Fischer, followed by  
10 Dillion Guss.

11  
12 **MR. RICHARD FISCHER:** Mr. Chairman and council members, thanks  
13 to all of you for allowing me to speak today. I am Richard  
14 Fischer, and I'm the Communications Manager of the Louisiana  
15 Charter Boat Association. As you're well aware by now, many of  
16 our members have sustained serious flood damage in the previous  
17 few days, and it goes without saying that our hearts go out to  
18 these individuals, and we wish the best to them, their families,  
19 and everyone that has been affected in our great state.

20  
21 We also want to point out the fact that many of our members who  
22 didn't have damage themselves have donated their time and their  
23 boats to the rescue efforts, and so we definitely want to give  
24 them a shout-out for that and thank them very much for that.

25  
26 Because many of them couldn't be here today, we would like to  
27 respectfully request that the council give a watchful eye in the  
28 coming days and weeks to the emails which you're going to  
29 receive from our members, just being in lieu of the fact that  
30 they couldn't be here today.

31  
32 Like I said, I'm speaking on behalf of the members of the  
33 Louisiana Charter Boat Association. As you can imagine, every  
34 charter fisherman has a different situation in front of them,  
35 different needs, to run a successful business, but one thing the  
36 vast majority of our members can agree on is we just need a more  
37 flexible and reasonable method of allocating and assigning red  
38 snapper to the various sectors.

39  
40 Many of our members are unhappy with only having forty-five days  
41 to catch red snapper per year and being told when they can catch  
42 those red snapper. Most of those offshore charter fishermen  
43 have little trouble booking trips in June and July, and they  
44 suspect that they would have little trouble booking trips in  
45 those two months without the ability to catch red snapper.  
46 Therefore, we do support discussions about the potential split  
47 season that you all discussed earlier this week.

48

1 Of course, our members who hold federal offshore reef permits  
2 feel they have been penalized by not being able to fish in state  
3 waters, due to the language in 30B. Because of all the moving  
4 parts in Amendment 41, really the only thing I'm prepared to say  
5 at the moment is that we prefer PFQ over IFQ. As for what we're  
6 against in 41, we don't want geographic regions to be a part of  
7 it. We don't want auctions to be a part of it whatsoever.

8  
9 Here, I am going to kind of echo some of the comments that  
10 Captain Rice said earlier, but we are very much against VMS  
11 implementation. We feel there are other reasonable ways to  
12 track our catch, and we are especially against fast-tracking its  
13 implementation in October, like was discussed a little bit  
14 earlier today.

15  
16 As for a little bit more about the logbooks, we don't like the  
17 fact that the preferred alternative says that they have to do it  
18 while they're on the way in. It just doesn't seem like a very  
19 convenient means of tracking that stuff for our fishermen, and  
20 we also urge you to use a logbook scenario that requires the  
21 fewest number of data points, to reduce potential inconveniences  
22 for our fishermen. That's all I've got, and I really appreciate  
23 you guys listening to me, and we look forward to continuing  
24 working with you all in the future. Thank you.

25  
26 **CHAIRMAN ANSON:** Thank you, Richard. Dillion Guss, followed by  
27 Buddy Guindon.

28  
29 **MR. DILLION GUSS:** My name is Dillion Guss. I am first mate on  
30 Wild Orange Charters in Orange Beach, Alabama. I am just here  
31 to show my support on a multispecies, and, as far as the  
32 triggerfish go, after trigger season is over, on the red  
33 snapper, I mean we have to move six or seven times before we can  
34 get away from the triggerfish, and that's something that needs  
35 to be looked at. That's all I have. Thank you.

36  
37 **CHAIRMAN ANSON:** Thank you. Buddy Guindon, followed by Ben  
38 Weber.

39  
40 **MR. BUDDY GUINDON:** Hello. I'm Buddy Guindon. I'm a commercial  
41 fisherman from Texas and the Executive Director of the Gulf of  
42 Mexico Reef Fish Shareholder's Alliance and many other things to  
43 many other people.

44  
45 I'm a little bit upset with the committee on triggerfish. You  
46 have an advantage that hasn't been given to any other council in  
47 the past, and that is that you have a commercial reef fish  
48 fisherman sitting on your council who really represents the

1 industry. He has knowledge and understanding of what the  
2 industry needs and what will protect the fish.

3  
4 A lot of discussion was given to how many fish, twelve or  
5 twenty, and he asked for seventy-five pounds. There was a very  
6 good reason for him to ask for seventy-five pounds, because, as  
7 a person who catches fish by the pound and makes their living by  
8 selling that pound of fish, it behooves them, if they go to the  
9 first spot and catch their twenty triggerfish at two pounds  
10 apiece, and he goes to the second spot and catches twenty  
11 triggerfish that are three pounds apiece, he's going to take  
12 those twenty two-pounders and throw them in the water and keep  
13 the twenty three-pounders. The next spot, he catches four-  
14 pounders, and that will go on all day until he goes back to the  
15 dock. Now you've wasted how many fish dead? Is it triple or  
16 four times the amount that he catches?

17  
18 They make money by selling fish. If you set a seventy-five-  
19 pound limit, they're going to keep every fish, because there's  
20 no difference in value. If it's \$2.75 a pound and you've got  
21 seventy-five pounds, why change fish? It's work taking them out  
22 of the ice hold and putting them back. If he's not going to  
23 make any more money, he's not going to do it.

24  
25 Think about, when this gentleman gives you a suggestion from the  
26 commercial fishery, understand that's where it comes from. He  
27 has knowledge, and you should just say, okay, David, that's what  
28 we'll do.

29  
30 On the Flower Garden Banks Marine Sanctuary, I sit on that  
31 council. We have such a short time to develop such a huge  
32 impact to fisheries. I hope that you soak in what the industry  
33 brings to you and take it to heart that we're very much in favor  
34 of sanctuaries and protecting the corals, and we understand that  
35 our reefs here off the Gulf Coast are the best in the world.

36  
37 We had a terrible incident with the East Flower Gardens and  
38 getting the pollution that came from land out there and causing  
39 an effect, and we've got to make sure that doesn't happen  
40 anymore. Let's focus our attention on that a little more, the  
41 inland pollution, but we really need to allow the historical  
42 access of commercial fishermen to these areas.

43  
44 The traditional fishing methods in these areas, we want to  
45 protect that core area, but, if we can anchor in the zone that  
46 they cut us out of by the regulations that are currently in  
47 place, we can anchor in those areas where there isn't coral and  
48 fish back onto these coral reefs. It's much safer than motor

1 fishing. It does less damage.

2  
3 We really need to listen to industry on this and move quickly,  
4 so that we get the regulations in place that can continue the  
5 harvest of our natural resource and protect our natural  
6 resources. If you have any questions, I will answer them, and I  
7 thank you for your time.

8  
9 **CHAIRMAN ANSON:** We have a question for you, Buddy, from Mr.  
10 Diaz.

11  
12 **MR. DIAZ:** Mr. Guindon, thank you for coming. I don't know how  
13 this is going to shake out in the end with this Flower Garden  
14 Banks thing, but, I would imagine, if you all want to anchor and  
15 drift back onto the reef that the buffer between the reef has  
16 got to be very, very tight. I mean is there a number of a size  
17 buffer that you could live with, in order to have enough anchor  
18 line to drift back over the reef?

19  
20 **MR. GUINDON:** They have a no-impact zone, and we want to stay  
21 out of that no-impact zone. If that's what they need to protect  
22 that reef, that's what we want to do, but they also have another  
23 zone around that impact or no-touch zone or whatever it is.  
24 They have another zone around that you can't fish in either, and  
25 so that's the area that we want to be able to anchor in.

26  
27 We have developed, over the years, with the technology, a lot of  
28 really good data on the bottom. When we go into these areas, we  
29 know where we can put our anchor. If the wind is coming out of  
30 the wrong direction, we don't go fish in that area, because we  
31 can't throw an anchor, but, if the wind is in the right  
32 direction, we will go out there and set it where it will be in a  
33 zone that we won't be able to fish in right now, that we can't  
34 anchor in, but it won't be in that real tight zone where the  
35 corals are, where the corals you could damage are.

36  
37 What we're looking for is just a quick response to our needs.  
38 We can give you the information that we need, and G.P. has been  
39 very good at listening. Hopefully he is very good at  
40 implementing these requests that we have from industry, so that  
41 we can continue to harvest the natural resources that we've been  
42 harvesting for years in these pristine environments, and they  
43 are still pristine, and we've been doing this for almost a  
44 hundred years, fishing out there, and so we need to continue.  
45 Thank you for your question.

46  
47 **CHAIRMAN ANSON:** Thank you. Ben Weber, followed by Jim Green.

48

1 **MR. BEN WEBER:** Thank you for having me here today. I'm the  
2 Executive Director of the Louisiana Charter Boat Association.  
3 You have heard this a few times already, but I just want to make  
4 sure that it's said again. The Louisiana fleet has not been  
5 very invested in this process, historically. I think that's  
6 based on a lack of confidence in what they've seen over time,  
7 yet, in the last year-and-a-half, we have done a tremendous  
8 amount of work to try to get them educated and involved in this  
9 process.

10  
11 We were disappointed that most of our captains that had  
12 committed to participating today and offering their comments  
13 were unable to be here, due to the flooding and the fact that  
14 they're out there rescuing people and saving people's lives and  
15 trying to help people rebuild.

16  
17 Richard Fischer is our Communications Manager, and he touched on  
18 all of the policy points that are relevant, from our  
19 perspective, at this time. Really, I just want to touch on a  
20 very discouraging situation that I met this week, and I just  
21 want to make something very clear.

22  
23 In the absence of the Louisiana Charter Boat Association or our  
24 members or the Louisiana fleet's participation in this process,  
25 there has been no shortage of others who have come to claim to  
26 speak for the charter fleet in Louisiana or the charter fleet in  
27 the Gulf of Mexico. That is simply not the case.

28  
29 I am specifically referring to the Charter Fishermen's  
30 Association. If it is not a Louisiana captain or if it's not  
31 the Louisiana Charter Boat Association, you can safely assume  
32 that they are not accurately representing the wishes and the  
33 desires of our fleet.

34  
35 I would just like to take a moment to thank the Executive  
36 Director for approaching me on Monday to mock the Louisiana  
37 fleet for not participating and for being unable to be here and  
38 letting us know that, don't worry, the Texas fleet will be here  
39 to speak up. Just, again, I urge you to look forward to more  
40 participation and more robust activity from the Louisiana fleet,  
41 particularly in the January meeting that will be back here in  
42 New Orleans, and I thank you for your time.

43  
44 **CHAIRMAN ANSON:** Thank you, Ben. Jim Green, followed by Josh  
45 Ellender.

46  
47 **MR. JIM GREEN:** I'm Captain Jim Green, from Destin, Florida. I  
48 am Vice President of the Destin Charter Boat Association and

1 Vice President of CFA. I am also the Chairman of the Ad Hoc Red  
2 Snapper Charter For-Hire AP.

3  
4 First, our association is grateful to the entire council for  
5 extending the sunset, which is very important to our industry.  
6 It's good to know that we have adequate time to work out  
7 solutions for ourselves and what is best for our anglers, and so  
8 thank you and also congratulations to the new and the  
9 reappointed council members.

10  
11 Amberjack and triggers, in the last couple of years, we have had  
12 in-season closures and payback provisions executed. These  
13 fisheries have to be in a better place than your data is  
14 showing. When we consistently keep harvesting faster than the  
15 projections and exceeding quotas, there has to be a growth  
16 that's not accounted for, much like what we have experienced in  
17 the past with red snappers.

18  
19 With jacks, we upped the size limit with the projection of a  
20 ten-month season, but we caught them in five. In Destin, we're  
21 seeing amberjacks and triggers everywhere, and we need a new  
22 stock assessment update or a complete benchmark, because we are  
23 off the mark here.

24  
25 With that being said, the DCBA supports exploring a multispecies  
26 approach to 41, including not just red snapper, but gag and red  
27 grouper, amberjacks, and triggerfish. We would also like to  
28 explore intersector trading, meaning trading only within the  
29 for-hire sector, including charter boats and headboats.  
30 Transferability will be important if we move into an allocation-  
31 based fishery, to not just optimize the harvest, but also aid in  
32 stock variables that may be experienced.

33  
34 It is growingly apparent that our industry's access to these  
35 fisheries are meeting the same management challenges that we  
36 have faced in the past. The DCBA supports streamlining  
37 Amendment 41, and we would like to see a PFQ designed FMP come  
38 out of this amendment, and I urge you to reconvene the AP before  
39 the October council meeting, to aid in the streamlining of the  
40 document, address the recommendation council members have tasked  
41 us to consider, and to improve the forward movement of the  
42 amendment.

43  
44 We would also like to see Amendment 42 move forward in a similar  
45 fashion, to better the chance of a side-by-side implementation.  
46 The DCBA also urges the council to take final action in October  
47 on electronic logbooks and reporting. No matter the fate of 41  
48 and 42, data collection is essential in the management of our

1 fisheries. If, in the future, closures come down the line, it  
2 will be a lot easier to swallow if we have real numbers that  
3 support the closure instead of an extrapolation.

4  
5 We would also like to encourage the council to move forward with  
6 the management plans for the private recreational. They deserve  
7 a chance to design and tailor a management plan that suits their  
8 needs, just as we are. Thank you.

9  
10 **CHAIRMAN ANSON:** Thank you, Jim. Josh Ellender, followed by  
11 Jill Williams.

12  
13 **MR. JOSH ELLENDER:** Good afternoon. My name is Josh Ellender,  
14 and I've been in Baton Rouge for the last three days helping  
15 out, evacuating people. A lot of other charter boat captains  
16 and brothers, they've been in there doing the same thing, and  
17 it's a bad, bad sight up there. Unfortunately, I was not able  
18 to be here for the meeting and see what you all were talking  
19 about, and I'm just kind of getting pieces here and there and  
20 trying to put stuff together.

21  
22 As of right now though, what I do know is, for the whole VMS,  
23 vessel monitoring system, the only -- That system is designed to  
24 track your vessel. It's not designed to do anything else  
25 besides track your vessel, and so why are we treated when  
26 criminals when we have done nothing wrong? There are plenty of  
27 other ways out there to report your catch. I am all for  
28 electronic reporting, but a phone. Everybody has one. I  
29 guarantee you that everybody over here has one. Why can't we  
30 just use this, instead of having a fixed system on our boat?

31  
32 For instance, I know a lot of people say they're accurate and  
33 they don't fail, but what happens if the boat fails and you have  
34 to switch to another boat? If that VMS is attached to that  
35 boat, then you're out of a charter, and there goes money. I  
36 don't have a second job to supplement that income.

37  
38 The boat I run is a twenty-four-footer. It's not big. It's a  
39 single engine. I don't have to go far to catch snapper. For  
40 me, and I'm the captain and the crew and everything, I do a lot  
41 of entertaining on the boat. I don't have a deckhand there for  
42 me taking care of the customers, where I can enter the  
43 information and whatnot, and so I don't really fully understand  
44 the VMS system, but I know you've got to report some kind of  
45 way. You've got to keep a track some kind of way. Every minute  
46 I am doing that, I am taking away from my customers, which, in  
47 turn, could reduce my income, because people may not want to  
48 come back, because I'm not paying enough attention to them.

1  
2 As for that, I really think electronic reporting can be done  
3 from your cellphone. There is plenty of apps out there. I just  
4 found one. Another one, they have a walkie-talkie app that we  
5 use in the rescue efforts, when actually the service was down,  
6 and so that's a whole other situation.

7  
8 Going on the triggerfish, plenty of trips this year we were  
9 trying to target mangrove snapper and the triggerfish take over,  
10 and you can't keep them, and so you have to leave. You've got  
11 hundreds of them right below the boat, and you pick up and go to  
12 another spot. The same thing, just different areas. I think  
13 they have a lot. I think the stock assessments that you all use  
14 are not the most accurate ones and are very much behind.

15  
16 I know this is not a part of this meeting, but regional  
17 management would take away, and it would cover a lot of these  
18 issues that we're having, whether it be -- If amberjack is doing  
19 not so great in Florida waters, and they're going great in  
20 Louisiana waters, we can cover that, and we can make sure that  
21 it's being spread out or it's being utilized the best way.

22  
23 **CHAIRMAN ANSON:** Josh, you're going to have to wrap up your  
24 comments.

25  
26 **MR. ELLENDER:** Yes, sir. Triggerfish, I think they have plenty.  
27 Amberjack have a lot, and I don't really understand that whole  
28 cutting off the season. Just like they said before, who is  
29 going to make up for my lost business? Thank you.

30  
31 **CHAIRMAN ANSON:** Thank you. We have Jill Williams. Is there  
32 anyone out in the audience who has not already given public  
33 comment that would like to at this time? If you would, stand  
34 off over to the side of the staff table.

35  
36 **MS. JILLIAN WILLIAMS:** Hello, everyone. My name is Jillian  
37 Williams. I am a fourth-generation partyboat captain from  
38 Galveston, Texas. My family has two party boats down there in  
39 Galveston, one of which participated in the red snapper headboat  
40 pilot program.

41  
42 I would like to ask the council to please move forward with  
43 Amendment 42 and for it to also include amberjacks, gag grouper,  
44 red grouper, and triggerfish. The pilot program for red snapper  
45 was very successful for the boats that were in it, and we, like  
46 I said, had a boat in it, and we really liked the flexibility  
47 that it gave our business.

48



1 My dad has told me that the ad hoc panel has created a template  
2 that can be implemented without much controversy, and I believe  
3 that 42 will greatly help our industry and give us much more  
4 flexibility. I also support Amendment 41 for the charter boats,  
5 and I know you guys have been asking people a lot about  
6 electronic reporting.

7  
8 We did it with the pilot program, where we hailed-out in the  
9 morning and hailed back in and let them know what time we were  
10 going to be back in. It's not very difficult. It's extremely  
11 easy. It only takes a couple of minutes out of your day to do  
12 it, and, like I said, we didn't have any problems with it at  
13 all. Thank you.

14  
15 **CHAIRMAN ANSON:** Thank you. We have one more, and pardon my  
16 Louisiana pronunciation, but Julie Falgout.

17  
18 **MS. JULIE FALGOUT:** Hi. I am Julie Falgout, and I'm with  
19 Louisiana Sea Grant. I also sit on the Shrimp AP, and, also, my  
20 background is commercial shrimping. I was twenty-five years in  
21 the offshore shrimping industry, with five vessels in the EEZ.

22  
23 I just wanted to let you all know, and this hasn't been brought  
24 up, because it's not really a focus today, but Amendment 17B for  
25 shrimp, and we have fishermen that really wanted to be here  
26 today to speak, but, as you know, first off, our season opened  
27 Monday, and so a lot of them are out fishing. The ones that  
28 aren't fishing are in areas that are helping do clean-up and  
29 different things like that, and so I just wanted to make you all  
30 aware that there will be some emails or letters coming in from  
31 some of these guys.

32  
33 I have attended Louisiana Shrimp Association meetings recently,  
34 and most of them have brought up the fact that they would like  
35 to see the pool that we have talked about eventually creating  
36 happen sooner than later, because they are really concerned  
37 about losing -- If we wait too many years to develop this pool,  
38 we are going to lose too many of our young fishermen.

39  
40 We have young people that really would like to be able to get a  
41 permit, but, at this stage of the game, they're in their  
42 twenties. To pay \$10,000 for a permit is just out of their  
43 range right now, and they would like to be able to fish year-  
44 round. They don't want big boats, but they want to be able to  
45 take the vessels that they have right now, which are skimmers,  
46 most of them, and be able to go outside the three-mile line,  
47 where they are not limited to just the shrimp season if it's  
48 bad.

1  
2 Just keep that in mind, that we don't want to grow the industry  
3 past where it is right now, because we don't want to over-  
4 capacitate, and I'm saying we because this is my discussions  
5 with these guys. They don't want to over-capacitate the  
6 industry, like has happened in the past, but they do want to  
7 have the ability to be able to grow. As our older people die  
8 out -- I mean a lot of these fishermen, they are getting old.  
9 We have fishermen in their seventies and eighties.

10  
11 If they don't have a permit now, they're not going to get one  
12 later, and we're going to eventually be where we hardly have an  
13 industry left, and so these young guys, and there is not a lot  
14 of them, but there are some that they want to see how they can  
15 keep the industry viable and be able to shrimp in the EEZ, right  
16 over the three-mile border, and so that's just what I wanted to  
17 let you all know. You will be getting letters on that from  
18 people. Thank you.

19  
20 **CHAIRMAN ANSON:** Thank you, Ms. Falgout. Again, is there anyone  
21 in the audience who has not already given public comment that  
22 would like to give public comment? Please stand up at this  
23 time. Seeing no one, that concludes our public testimony. We  
24 will recess until tomorrow morning at 8:30. Thank you.

25  
26 (Whereupon, the meeting recessed on August 17, 2016.)

27  
28 - - -

29  
30 August 18, 2016

31  
32 THURSDAY MORNING SESSION

33  
34 - - -

35  
36 The Full Council of the Gulf of Mexico Fishery Management  
37 Council reconvened at the Astor Crowne Plaza, New Orleans,  
38 Louisiana, Thursday morning, August 18, 2016, and was called by  
39 Chairman Kevin Anson.

40  
41 **CHAIRMAN ANSON:** As you will recollect, we completed Data  
42 Collection yesterday, but we're going to start with  
43 Administrative/Budget. Then the next one will be the Joint  
44 Coral/Habitat Protection, and then I will continue on as the  
45 committees are listed here on the schedule. Perhaps we might be  
46 able to begin Reef Fish prior to lunch. When we do Reef Fish,  
47 again, it is my intention to try to go back and touch upon those  
48 two items that we didn't get to during the committee. With

1 that, Ms. Bosarge, are you ready?  
2

3 **COMMITTEE REPORTS**  
4 **ADMINISTRATIVE/BUDGET COMMITTEE REPORT**  
5

6 **MS. BOSARGE:** Yes, sir. The Administrative and Budget Committee  
7 Report, the committee adopted the agenda and minutes of the  
8 April 2016 Administrative/Budget Committee meeting in Austin,  
9 Texas as written.

10  
11 Final Review of the Final 2014 No-Cost Extension Expenditures,  
12 staff presented a summary of the 2014 no-cost extension budget  
13 and expenditures. The no-cost extension ended on June 30, 2016,  
14 and we will be releasing \$166,000 back to NOAA out of the  
15 previous five-year grant of 2010 to 2014. The ability to use  
16 these no-cost funds from the previous grant has allowed the  
17 council to save \$691,000 in our current five-year grant, which  
18 is 2015 through 2019.

19  
20 Review of 2016 Expenditures, the second quarter financial report  
21 of the 2016 administrative award was presented. The council's  
22 expenditures to date were very close to the expected balance, at  
23 48 percent. There was a significant deviance from the budget in  
24 contractual services. The activities did not change from  
25 budgeted activities, but the overall funding decrease, combined  
26 with the council-approved increase in the state liaison funding  
27 in 2015 has left a deficit in this budget category.

28  
29 Review of Revised Budgets for 2017 through 2019, at the CCC  
30 meeting in May, NMFS indicated that annual funding increases  
31 will be no greater than 3 percent over each prior year. The  
32 original budget was based on advice to budget 10 percent  
33 increases for 2016 through 2019 from the 2015 baseline.

34  
35 Due to these funding reductions, we revised our projected annual  
36 budgets. Following surpluses in 2015 and 2016, we are  
37 anticipating to have budget deficits from the end of 2017  
38 through 2019 and may end the five-year grant with a small  
39 cumulative \$108,000 surplus.

40  
41 This new funding information and budgeting projections leave  
42 little flexibility in our budget. These projections include the  
43 removal of one of our anticipated new positions and the  
44 inclusion of the increase in liaison funding approved by the  
45 council in 2015 that was not in the original budget.

46  
47 Review and Approval of the Updated Regional Operating Agreement  
48 with NMFS, the 2015 NMFS Operational Guidelines call for us to

1 update our Regional Operating Agreement with NMFS. The purpose  
2 of the agreement is to confirm mutual responsibilities of the  
3 Gulf Council, Southeast Regional Office, Southeast Fisheries  
4 Science Center, and NOAA General Counsel in the Southeast Region  
5 for the development and preparation of interagency fishery  
6 management actions.

7  
8 The revised agreement must be submitted to NMFS in September of  
9 this year. A recommendation on action by the committee was  
10 withheld until changes from the Southeast Fisheries Science  
11 Center could be reviewed in the full council session. Yes, sir,  
12 Mr. Gregory.

13  
14 **EXECUTIVE DIRECTOR GREGORY:** We are putting the track changes on  
15 the projector now, and this was emailed to the council yesterday  
16 from the Meetings, and they are a relatively minor change and  
17 one big table. If there are any questions, Dr. Simmons or Dr.  
18 Ponwith could answer them. Right here is the major change. We  
19 would like to get a motion approving this as edited, so we can  
20 submit it to National Marine Fisheries Service Headquarters.

21  
22 **MS. BOSARGE:** Robin.

23  
24 **MR. ROBIN RIECHERS:** I see the changes there, and this kind of  
25 goes to our discussion regarding SEDAR schedules. I am not  
26 certain that the current language, where we say if circumstances  
27 warrant it -- That's probably not as strong as the language we  
28 had in there that would encourage the Center and the group to  
29 work together to create some flexibility for those changes.

30  
31 I just, before we vote this up or down, I want to have a little  
32 discussion about SEDAR and that same discussion we had the other  
33 day about flexibility and being a little more nimble in our  
34 ability to move stock assessment priorities up or down. The  
35 words probably don't matter as much here, though it does seem to  
36 me that the Center changed those words because they wanted it  
37 with this new language, which I don't think suggests they're  
38 going to be as flexible as maybe the old language suggested.

39  
40 I think, just as we've had the recent discussions regarding  
41 movement of stock assessments, and I realize the constraints,  
42 but it becomes fairly inflexible, and we need to find a way to  
43 be able to move some things up, especially when we have real  
44 concerns about certain assessments. I don't know whether we say  
45 we don't approve this change and go back to the old language or  
46 how we want to try to work through that, but I am not real  
47 comfortable with the new language.

1 **EXECUTIVE DIRECTOR GREGORY:** Dr. Ponwith isn't here right now,  
2 but, Dr. Simmons, can you give us an overview of whether we have  
3 the authority to reject a change from one of the National Marine  
4 Fisheries Service offices, or Roy or Mara?

5  
6 We are trying to get everybody to sign on. In the original  
7 regional operating agreement, it was NOAA General Counsel that  
8 didn't want to sign, because they didn't want to be committed to  
9 a certain thing, but now, with some years of experience with  
10 this, they are willing to sign onto it, and so it's either -- We  
11 could go either way. I don't really understand the  
12 ramifications of it all.

13  
14 **MS. BOSARGE:** Mara.

15  
16 **MS. LEVY:** I mean it's an agreement between all the parties that  
17 are supposed to be signing it, and so we're updating it. The  
18 real question is who is going to be comfortable signing it based  
19 on the language that's suggested, and I mean it's not really  
20 about the authority to change it or not change it. We have to  
21 come to some agreement that everyone can live with, so that  
22 everyone can sign on to it. Otherwise, it's not going to  
23 achieve the purpose that it's supposed to have.

24  
25 **MS. BOSARGE:** Doug, do we have a deadline on this? Do we have  
26 some flexibility to continue these discussions?

27  
28 **EXECUTIVE DIRECTOR GREGORY:** The deadline is September, and so  
29 we really don't have time to bring it back to the next council  
30 meeting. Dr. Ponwith, we are discussing the track changes  
31 that's on the screen that you provided to us, and the meaning of  
32 -- What exactly was the intent of changing "having flexibility"  
33 to "providing a mechanism"?

34  
35 **DR. PONWITH:** I am glad to discuss this, and it is that -- I  
36 believe that the SEDAR process needs to have flexibility, so  
37 that if we see a stock that's in trouble, we can accommodate  
38 that in the planning for the schedule.

39  
40 Just as that is smart, there are times where making a change  
41 becomes logistically impossible. For example, we heard an awful  
42 lot about triggerfish. You were all eager to get triggerfish on  
43 the stock assessment agenda, but, to try and get triggerfish on  
44 the stock assessment agenda now is logistically impossible,  
45 because, to get the spines read and to do the calibrations on  
46 the spines and to stop where we are in the data production for  
47 one stock, drop it and start from scratch on a different stock,  
48 it becomes challenging.

1  
2 What I would like to see is that we have the flexibility to  
3 accommodate schedule changes as circumstances warrant it, but  
4 that it's done mindful of the fact that it creates a  
5 perturbation in the stock assessment process that sometimes  
6 simply can't be accommodated. If there is a better way to word  
7 that, I am comfortable, but what I don't want to do is say this  
8 is a flexible process that can turn on a dime, because it just  
9 simply can't do that.

10  
11 **CHAIRMAN ANSON:** Dr. Ponwith, I guess, based on your description  
12 there, that's kind of where I was going. The new change here  
13 reflects kind of the way it works now, quite frankly, in regards  
14 to the SEDAR Steering Committee and the decisions and that there  
15 is some interaction and interplay from the council and through  
16 the council process, through recommendations by the SSC and  
17 such, and that the previous verbiage just doesn't apply to the  
18 current situation, although it might be, from our perspective at  
19 least here as of late, for sure, that it probably would be more  
20 ideal, from the council's perspective, but, in practicality.

21  
22 Now, I guess the issue is if that process that we're dealing  
23 with now can be changed any, and I realize that there are some  
24 limitations within the science side of things and the data side  
25 of things, but is there anything that we can try to incorporate  
26 into new language or work going forward?

27  
28 **DR. PONWITH:** I will tell you that my major concern with the  
29 original language was "throughout the year", because what that  
30 infers is that -- What we can infer from that is that, if you  
31 set the FY2017 schedule and the calendar year for whatever year  
32 you pick and something changes, you can say that I've changed my  
33 mind and we're not doing that and we're going to do this  
34 instead.

35  
36 Again, I want to have the word "flexibility" in there, because I  
37 believe we need that too. I believe we need to be responsive to  
38 the management needs and to science concerns that we have for  
39 these stocks, but those needs are constrained by very real  
40 logistics issues, in terms of the data preparation and the  
41 biological sample preparation. If we can find a way to word  
42 this so that it just doesn't come off as willy-nilly, then I'm  
43 happy.

44  
45 **CHAIRMAN ANSON:** Any other comments? Ms. Bosarge.

46  
47 **MS. BOSARGE:** If the sentence that is currently scratched  
48 through, at the bottom, if it stopped at "arise", if we omitted

1 the "throughout the year", would that be sufficient, do you  
2 think, or would that -- Would that be more comfortable for the  
3 Science Center?  
4

5 **DR. PONWITH:** If you take "throughout the year" out of there, I  
6 am a lot more comfortable, and having this discussion helps me  
7 be more comfortable. It is just I want the council to know that  
8 the Science Center will be as flexible as it can be to  
9 accommodate unforeseen circumstances, but there are limits,  
10 logistical limits. If striking the "throughout the year" gets  
11 us to that point, then I am absolutely comfortable with that.  
12

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

15 **MR. RIECHERS:** I think that may be a reasonable accommodation.  
16 Bonnie, frankly, you were out when I said it, but, really, the  
17 words here don't matter. It's the actions that matter more and  
18 the partnership on trying to actually make changes when we need  
19 to make changes. Even though we're planning two and three years  
20 out, and we should be, there is going to be reasons why we get  
21 to certain points and we need to change those schedules, and  
22 just really, again, the partnership, or the attempt at having a  
23 partnership, where those discussions occur and a true attempt to  
24 be flexible, where needed, understanding your constraints,  
25 that's really what we need to be striving for.  
26

27 **CHAIRMAN ANSON:** Doug.  
28

29 **EXECUTIVE DIRECTOR GREGORY:** My understanding is we can keep the  
30 old wording, but eliminate the phrase "throughout the year" and  
31 everything is fine? Okay. Good. The next change is on page  
32 12, the PDF page 12. It's an insertion that's highlighted in  
33 blue. There is one editorial change. The first part says  
34 "relative to IAQ principles" and it should be "IQA". That's  
35 just a typo, but the main thing is the paragraph highlighted in  
36 blue.  
37

38 What this section is, it's the roles and responsibilities of  
39 each of the agencies, and so this is a role or responsibility of  
40 the Southeast Fisheries Science Center that the Science Center  
41 has inserted here.  
42

43 **CHAIRMAN ANSON:** Dr. Ponwith.  
44

45 **DR. PONWITH:** My typo in the first one was to take the "relative  
46 to the IQA" and put that in the front of this. What that means  
47 is that, for us to use information that comes from outside of  
48 the agency or within the agency, but outside of the Southeast

1 Fisheries Science Center, we need checks and balances, to make  
2 sure that those data comply with the Information Quality Act.

3  
4 By putting that upfront, it makes that paragraph stand out  
5 relative to the Information Quality Act, and so, yes, that is a  
6 typo. It should be "IQA". Then the second one is actually  
7 coordinating access to those data sources that are external to  
8 the Southeast Fisheries Science Center, which we view as an  
9 important role, because we do use a lot of data that are part of  
10 the partnership, but are collected outside of the Center proper.

11  
12 **CHAIRMAN ANSON:** Any other questions or comments about this  
13 section from council members? Doug, anything else?

14  
15 **EXECUTIVE DIRECTOR GREGORY:** Those are the only changes in the  
16 document that were made. Thank you, Dr. Ponwith.

17  
18 **CHAIRMAN ANSON:** We will go ahead and make the subsequent  
19 changes, as we discussed here, and dispense of the regional  
20 operating agreement then?

21  
22 **EXECUTIVE DIRECTOR GREGORY:** Correct.

23  
24 **CHAIRMAN ANSON:** Ms. Bosarge, anything else? Dr. Simmons.

25  
26 **DR. SIMMONS:** If the council is in agreement to those changes,  
27 would you please pass a motion approving the updated regional  
28 operating agreement?

29  
30 **CHAIRMAN ANSON:** Mr. Riechers.

31  
32 **MR. RIECHERS:** I will move that we adopt the regional operating  
33 agreement with the changes as discussed in full council.

34  
35 **CHAIRMAN ANSON:** It's seconded by Ms. Bosarge. Is there any  
36 further discussion on the motion? **Is there any opposition to**  
37 **the motion? Seeing none, the motion carries.**

38  
39 **MS. BOSARGE:** The next item in the committee report is the  
40 Discussion of SSC Members also being a State Designee. The  
41 committee discussed the implications of allowing an SSC or AP  
42 member to also serve as a council member or designee. Most of  
43 the discussion centered on SSC members, and the committee passed  
44 the following motion. **By a unanimous vote, the committee**  
45 **recommends, and I so move, to change the SOPPs to indicate that**  
46 **members or designees of the Gulf Council cannot simultaneously**  
47 **serve on the SSC.**

48



1 **CHAIRMAN ANSON:** We have a committee motion. Is there any  
2 discussion on the motion? Mr. Riechers.

3  
4 **MR. RIECHERS:** Just for my clarification, did we make a second  
5 motion on APs? I thought we had merged that, or did we just  
6 discuss it?

7  
8 **EXECUTIVE DIRECTOR GREGORY:** If I may, the rest of this section  
9 says: The committee requested staff to bring back draft changes  
10 to the SOPPs at an upcoming meeting, for final approval and  
11 include the same conditions for our advisory panel members. The  
12 actual approval of the SOPPs will done at a future meeting.

13  
14 **CHAIRMAN ANSON:** We have a committee motion. Is there any  
15 further discussion on the motion? **Is there any opposition to**  
16 **the motion? Seeing none, the motion carries.**

17  
18 **MS. BOSARGE:** The committee requested staff to bring back draft  
19 changes to the SOPPs at an upcoming meeting for final approval  
20 and include the same conditions for our advisory panel members.

21  
22 Consider Making Committee Appointments Effective at Beginning of  
23 October Council Meeting, the council makes committee assignments  
24 each October during full council. Since the full council  
25 portion of the meeting follows the committee meetings, new  
26 members do not have the opportunity to serve on committees until  
27 the January meeting.

28  
29 The utility of convening the council prior to committee meetings  
30 in October, in order to make committee assignments, was  
31 discussed. No motion was made, but the committee was in  
32 agreement that staff organize the October 2016 council meeting  
33 and committee Agenda as suggested.

34  
35 Consider Merging Some Committees, staff presented some options  
36 and analyses regarding specific administrative and management  
37 committees to improve efficiencies. Consequently, the following  
38 motions were made. **By a unanimous vote, the committee**  
39 **recommends, and I so move, to recommend that the council merge**  
40 **the Habitat and Artificial Reef Committees into a single Habitat**  
41 **Protection and Restoration Committee.**

42  
43 **CHAIRMAN ANSON:** We have a committee motion. Is there any  
44 discussion on the motion? **Is there any opposition to the**  
45 **motion? Seeing none, the motion carries.**

46  
47 **MS. BOSARGE:** Additionally, by a unanimous vote, the committee  
48 recommends, and I so move, to recommend that the council divide

1 the current Sustainable Fisheries and Ecosystem Committee and  
2 form a Sustainable Fisheries Committee and an Ecosystem  
3 Committee that contains the subject areas of Marine Reserves, Ad  
4 Hoc Restoration, and the current Ecosystem Committee.

5  
6 **CHAIRMAN ANSON:** We have a committee motion. Is there any  
7 discussion on the motion? **Any opposition to the motion? Seeing**  
8 **none, the motion carries.**

9  
10 **MS. BOSARGE:** Review of Administrative Handbook Revisions, staff  
11 has revised several sections of the Administrative Handbook for  
12 accuracy, compliance with labor laws, and clarification of  
13 existing practices. The following topics were highlighted for  
14 discussion and approval.

15  
16 Section 2, page 3, the committee requested staff to revise the  
17 verbiage in section 2, page 3 to clarify that the council should  
18 review staffing actions prior to action by the Executive  
19 Director. The requested edit was as follows.

20  
21 **EXECUTIVE DIRECTOR GREGORY:** We have the track changes version  
22 of that paragraph that we could put on the screen, because the  
23 version that's in the report is the cleaned-up version, and so  
24 this will show you the actual changes that were made in  
25 committee. If we can get rid of the balloons, it will be a  
26 little bit easier to read. Never mind. Apparently it's already  
27 a PDF.

28  
29 **CHAIRMAN ANSON:** Go ahead.

30  
31 **MS. BOSARGE:** The requested edit was as follows: "The Council  
32 seeks to resolve workplace conflicts in a prompt, impartial,  
33 confidential, nondiscriminatory, and constructive manner, and  
34 without fear of reprisal. Any issues that arise should be  
35 brought to the attention of one's supervisor. If the supervisor  
36 is unable to resolve the situation, then the supervisor should  
37 consult with the council's officers (Executive Director, Deputy  
38 Executive Director, and Administrative Officer). The final  
39 decision regarding personnel issues rests with the Executive  
40 Director, after consulting with the Council Chair, Council Vice-  
41 Chair, Personnel Committee Chair, and Personnel Committee Vice-  
42 Chair to determine a course of action. If deemed necessary, the  
43 Council Chair may convene the Personnel Committee to review the  
44 issue." The above revision is recommended for review and  
45 approval by the council.

46  
47 **CHAIRMAN ANSON:** We have the new section. Is there any  
48 discussion on this section?

1  
2 **EXECUTIVE DIRECTOR GREGORY:** This will be a new paragraph in the  
3 Administrative Handbook.  
4  
5 **CHAIRMAN ANSON:** Does anyone want to -- We probably need to make  
6 a motion on this, so that it goes into the Administrative  
7 Handbook.  
8  
9 **MR. MATENS:** So moved.  
10  
11 **CHAIRMAN ANSON:** We have a motion to accept the revised  
12 paragraph, as provided in the committee report. It's for  
13 Section 2, page 3 of the Administrative Handbook. Camp, is that  
14 your motion?  
15  
16 **MR. MATENS:** As it is.  
17  
18 **CHAIRMAN ANSON:** I guess my only -- Is there a second to the  
19 motion?  
20  
21 **MR. RIECHERS:** Second.  
22  
23 **CHAIRMAN ANSON:** It's seconded by Mr. Riechers. The way it  
24 reads, it kind of, to me, sounds like the paragraph is already  
25 revised in Section 2, but, anyway, is there any discussion on  
26 the motion?  
27  
28 **MR. RIECHERS:** What you're saying is it should have been "to add  
29 the paragraph", because it was a new paragraph. Camp will  
30 accept that as a friendly amendment.  
31  
32 **CHAIRMAN ANSON:** Yes, I think he will. That's the intent, but  
33 is there any other discussion on this motion? **Is there any**  
34 **opposition to the motion? Seeing none, the motion carries.**  
35  
36 **MS. BOSARGE:** Section 3, page 7, Removal of annual performance  
37 bonus and retaining merit bonus, staff presented an overview of  
38 the two types of bonuses currently allowed and suggested  
39 retaining the single merit bonus. Staff was requested to  
40 provide, at a future council meeting, a summary of performance  
41 and merit raise bonus history for the past five years, including  
42 the number of staff who received bonuses and the amounts.  
43  
44 **By a unanimous vote, the committee recommends, and I so move, to**  
45 **accept the language as proposed in the Administrative Handbook,**  
46 **3.0, Compensation Policies; Section 3.4, Merit Awards.**  
47  
48 **CHAIRMAN ANSON:** We have a committee motion. Is there any

1 discussion on the motion? **Is there any opposition to the**  
2 **motion? Seeing none, the motion carries.**

3  
4 **MS. BOSARGE:** Section 4, page 9, Leave Cap and Payout at  
5 Termination. The edited verbiage in this section would place a  
6 cap on annual leave and grandfather in the current maximum leave  
7 balances for staff. No final annual cap was agreed on, and the  
8 committee requested staff to investigate caps and leave payout  
9 policies in each of the states as well as NMFS and bring this  
10 issue back to the committee in October.

11  
12 NOAA General Counsel also recommended clarification of the  
13 verbiage used to define leave payout at termination. It was  
14 noted that Texas leaves the final decision for how to handle the  
15 separation to the state.

16  
17 A committee motion was not needed on the following highlighted  
18 actions: Section 4, page 12, FMLA accounting. The verbiage is  
19 included to define the accounting period for the FMLA  
20 timekeeping clock. Section 5, page 14, Insurance, this is to  
21 clarify the life insurance benefits provided to staff. Page 16,  
22 Compensation time, staff will not be allowed to claim  
23 compensation time for travel or attendance at professional  
24 development activities. There was no other business to come  
25 before the committee. Mr. Chairman, this concludes my report.

26  
27 **CHAIRMAN ANSON:** Thank you, Ms. Bosarge. Mr. Swindell.

28  
29 **MR. SWINDELL:** Thank you, Mr. Chairman. I hate to revisit  
30 something here, but the one that we passed that Camp made the  
31 motion for, I would like for us to take another look at that  
32 statement in that paragraph, if you don't mind, and let's see if  
33 any changes need to be made.

34  
35 One of the things it says, in the third sentence, is if the  
36 supervisor is unable to resolve the situation, then the  
37 supervisor should consult with the council's officers. That  
38 leaves it very open. You are telling the supervisor, if he is  
39 unable to resolve the situation, he should or is required to  
40 consult. It needs to be, I think, more directive than the word  
41 "should". Otherwise, it could go unresolved without any  
42 consequence.

43  
44 **CHAIRMAN ANSON:** Thank you for that observation. Is there any  
45 other discussion on that? Mr. Gregory.

46  
47 **EXECUTIVE DIRECTOR GREGORY:** I can add to that. I didn't put it  
48 in here, but, in talking with staff, the other thing is the

1 employee themselves has the authority to raise the issue to the  
2 supervisor's supervisor, and I would say with the condition that  
3 your supervisor knows you are doing that. I mean there is  
4 instances where things don't get resolved, and maybe the  
5 supervisor is not sensitive to it, but the employee is  
6 distressed about it.

7  
8 The employee, I have encouraged them to say that you can do  
9 this, but you don't go behind the supervisor's back. You tell  
10 the supervisor that, look, we haven't resolved this and I am  
11 still unhappy with it and I want to go talk to one of the  
12 officers, and so that's the way we're operating anyway.

13  
14 **MR. SWINDELL:** I understand that, but if you're going to put it  
15 in a directive here about how the procedure is to proceed, then  
16 I think it needs to be explicit, and I think the word "should"  
17 is not explicit enough as to direction.

18  
19 **EXECUTIVE DIRECTOR GREGORY:** I certainly have no problem using  
20 the word "must" or "will", something more definitive, if there  
21 is no objection.

22  
23 **MR. SWINDELL:** Or shall.

24  
25 **CHAIRMAN ANSON:** Mr. Riechers.

26  
27 **MR. RIECHERS:** Ed, just make it as a motion. It's an edit to  
28 something we have adopted, and so just do it that way.

29  
30 **MR. SWINDELL:** If the council agrees, I will make a motion to  
31 change the word "should" to "shall" or "must". I think the word  
32 "must" is more definitive.

33  
34 **CHAIRMAN ANSON:** Staff is working on putting the motion on the  
35 board. Mara.

36  
37 **MS. LEVY:** Since you're making a motion, there are two "should"  
38 in that paragraph, at least that I saw, and so I don't know if  
39 you want to address them both or whether there was a difference  
40 for you.

41  
42 **MR. SWINDELL:** I think, where it says "any issues that arise  
43 should be brought to the attention of one's supervisor", that,  
44 to me, if the person doesn't want -- You're having something  
45 here to where the employee decides not to, and "should" is an  
46 okay word, but to say that the employee has to -- No, the  
47 employee doesn't have to bring it up if they decide not to, but  
48 I think that the supervisor, once they get this, saying must

1 consult with the council's officers. If they cannot resolve it  
2 -- You are coming with a word in that other sentence that says,  
3 if you're unable to resolve the situation, then they've got to  
4 do something. They can't just let it sit on the table.

5  
6 **MS. LEVY:** That's fine. It just wasn't clear to me whether that  
7 sentence was getting at what Doug was talking about, that you  
8 have to talk to your supervisor. Like not to jump ahead of  
9 them.

10  
11 Not that you don't have a choice as to whether to raise the  
12 issue, but, if you're going to raise it, that you need to raise  
13 it with your supervisor first and not go over their head, and so  
14 I just wasn't sure, but whatever you want to do is fine with me.

15  
16 **CHAIRMAN ANSON:** We have a motion on the board. There is a  
17 strikeout in the paragraph that was just approved a little bit  
18 ago with the "should" and the "shall". I think, Mr. Swindell,  
19 this reflects your intention, right? We had a second by Robin.  
20 Is there any other discussion on this motion? **Is there any**  
21 **opposition to this motion? Seeing none, the motion carries.**  
22 Ms. Bosarge.

23  
24 **MS. BOSARGE:** Doug, I was looking at the Section 5, page 14,  
25 Insurance, and this is to clarify the life insurance benefits to  
26 staff. Maybe, being Chairman, I just don't remember that  
27 conversation, because there was a lot going on, but what was  
28 that conversation? Can you remind me?

29  
30 **EXECUTIVE DIRECTOR GREGORY:** The life insurance policy that we  
31 have was adopted four or five years ago, and the procedure for  
32 that was changed then, but that change never got into the  
33 handbook. It's not something we're changing as far as the  
34 process of what the life insurance benefit is. We're simply  
35 describing it accurately now.

36  
37 **MS. BOSARGE:** Okay, and so what was the change, the actual life  
38 insurance change? What was it? Do you remember?

39  
40 **EXECUTIVE DIRECTOR GREGORY:** Beth, do you recall what it was  
41 before the change? In the handbook, it talks about one-and-a-  
42 half times your salary, and now it's a base. Everybody gets a  
43 base of \$50,000, and then you're allowed to purchase insurance  
44 in \$20,000 increments, up to a maximum of I think \$100,000.  
45 Then, as you get older, that gets reduced.

46  
47 **MS. BETH HAGER:** I believe the original iteration was an amount  
48 equivalent to your salary. Then it went through a period of we

1 were going to revise it to one-and-a-half times the salary.  
2 That wasn't a doable option, with our carrier, and so now it's a  
3 \$50,000 policy for all staff and then an additional policy up  
4 to, as it's described in the language.  
5

6 **EXECUTIVE DIRECTOR GREGORY:** It was a change we missed in 2014  
7 when we revised the handbook.  
8

9 **MS. BOSARGE:** Okay, and so we revised the handbook or we had a  
10 policy in there. When we went to the insurance company to try  
11 and actually implement that, they didn't offer that type of --  
12 You had increments that you had to buy the insurance in and you  
13 couldn't just buy it at one-and-a-half times whatever that  
14 salary was.  
15

16 **MS. HAGER:** Yes.  
17

18 **MS. BOSARGE:** So you all had to go with something different, and  
19 this documents that change, so they have a \$50,000 policy and  
20 then a supplemental, in \$20,000 increments, over and above?  
21

22 **MS. HAGER:** Yes, up to \$100,000, and that's the maximum of the  
23 supplemental policy.  
24

25 **MS. BOSARGE:** Okay, and all of that has been communicated well  
26 to staff and everybody is aware of it?  
27

28 **MS. HAGAR:** We have been communicating it with staff, and we are  
29 having some additional staff training and communication with  
30 that, to make sure that it's absolutely clear with everybody.  
31 Every one has a statement that shows a very good description of  
32 their benefits at this point.  
33

34 **CHAIRMAN ANSON:** Any other questions related to Administrative  
35 Policy and Budget?  
36

37 **MS. HAGER:** The language is up on the screen there.  
38

39 **CHAIRMAN ANSON:** Okay, and that was in -- What was the document  
40 number? Was it Tab G-9? Okay. It's G-9, if folks want to take  
41 a look at it.  
42

43 **MS. HAGER:** That change was actually made back in 2011 to the  
44 policy, and so it's been needed to be corrected for a little  
45 while.  
46

47 **CHAIRMAN ANSON:** Okay. Great. Mr. Diaz.  
48

1                   **JOINT CORAL/HABITAT PROTECTION COMMITTEE REPORT**  
2

3 **MR. DIAZ:** Thank you, Mr. Chair. The Joint Coral/Habitat  
4 Protection Committee Report, staff presented a draft of the EFH  
5 five-year review document for the council's consideration. A  
6 brief synopsis was given regarding the legal requirements,  
7 objectives, and timeline for the document.  
8

9 Staff explained the layout of species profiles and habitat  
10 associated tables and solicited feedback on these sections. Mr.  
11 Diaz suggested standardizing length units and plot axes  
12 throughout the document and reorganization of species, first by  
13 FMP and then by families, within each FMP.  
14

15 A final draft of the EFH five-year review will be brought to the  
16 October 2016 council meeting, which will include mapped  
17 representations of benthic life stages by species and have web  
18 resources that will include corresponding species profiles,  
19 habitat association tables, and a bibliography.  
20

21 Next, staff presented the summary of the Joint Shrimp AP, Coral  
22 SSC and Coral AP meeting. The group had narrowed the list of  
23 priorities to fifteen areas, with the caveat that many areas  
24 included in the Flower Garden Banks Expansion Draft  
25 Environmental Impact Statement Preferred Alternative 3 were  
26 removed from consideration because they were contained in the  
27 expansion.  
28

29 If these areas are not made part of the Flower Garden Banks  
30 National Marine Sanctuary, the group would like to reconsider  
31 these areas. The committee requested that these priority sites  
32 be presented to the Reef Fish AP and was informed that it is on  
33 the agenda for the next Reef Fish AP meeting. The committee  
34 will be presented with the scoping document at the October 2016  
35 council meeting.  
36

37 Staff will begin working on setting up locations for scoping  
38 after the October 2016 council meeting for the recommended coral  
39 HAPCs in the following locations: Brownsville, Texas; Galveston,  
40 Texas; Palacios, Texas; Houma, Louisiana; the D'Iberville/Biloxi  
41 area, Mississippi; Mobile, Alabama; Madeira Beach, Florida;  
42 Panama City, Florida; and Key West, Florida. Mr. Chairman, I am  
43 going to pause here. I believe staff had asked for a motion to  
44 accept these locations for scoping.  
45

46 **CHAIRMAN ANSON:** Okay, and so staff would like a motion from the  
47 full council for these locations that have been presented in the  
48 committee report. Would anyone like to offer that motion?



1  
2 **MR. BOYD:** I so move.

3  
4 **CHAIRMAN ANSON:** Mr. Boyd makes the motion to utilize the list  
5 of cities that are provided in the coral report. While they're  
6 working on that, Ms. Bosarge seconds the motion. Any discussion  
7 on this motion? Yes, Dr. Frazer.

8  
9 **DR. FRAZER:** It's not clear to me if the Florida Gardens, the  
10 Banks, if they don't encompass the areas that weren't  
11 prioritized, will those other areas show up in the scoping  
12 document in October or at some other time?

13  
14 **CHAIRMAN ANSON:** Dr. Kilgour.

15  
16 **DR. MORGAN KILGOUR:** All of those areas will be in the scoping  
17 document, in the background, but the focus of the scoping will  
18 be the fifteen priority areas, but those areas don't just go  
19 away. They will be part of the background information, so that  
20 the public is aware that they were considered, but not made  
21 priority areas by the group, if that makes you feel better.

22  
23 **DR. FRAZER:** Thank you.

24  
25 **CHAIRMAN ANSON:** Any other discussion on the motion? The motion  
26 is to set up locations for scoping after the October 2016  
27 council meeting for the recommended coral HAPCs in the following  
28 locations: Brownsville, Texas; Galveston, Texas; Palacios,  
29 Texas; Houma, Louisiana; the D'Iberville/Biloxi area,  
30 Mississippi; Mobile, Alabama; Madeira Beach, Florida; Panama  
31 City, Florida; and Key West, Florida. **Is there any opposition**  
32 **to this motion? Seeing none, the motion carries.** Ms. Bosarge.

33  
34 **MS. BOSARGE:** Before we leave this section, this is the summary  
35 of the Joint Shrimp AP/Coral AP/Coral SSC meeting, and I know we  
36 spent the bulk of our time on the Flower Gardens discussion in  
37 the committee, but, in that meeting, there were two main sites  
38 that needed some further work on the boundaries, and, in that  
39 meeting, there were some motions passed that spoke to revising  
40 those with input from specific people, specific scientists, that  
41 actually researched those sites and know where the coral is and  
42 the densities and the diversities, and then specific fishermen  
43 that fish those sites.

44  
45 I think probably it would behoove us to have a motion to allow  
46 staff to speak to those specific people and work on that  
47 boundary revision, rather than just have that going in the  
48 background. **To give you specifics on what that is, the first**

1 motion, and I will give you some information, but the motion  
2 would be to redraw the boundaries of Viosca Knoll 867/906 with  
3 input from Steve Ross, Erik Cordes, and Johnny Nelson.

4  
5 This is a deepwater site that has the royal red shrimping  
6 activity, the real deep shrimpers. There are two things that  
7 can either happen with it. Either they can just grant a blanket  
8 exemption and let them trawl in that box or they can try and  
9 redraw the box into two separate boxes, where they can trawl  
10 through the middle of them, and then they wouldn't have to have  
11 an exemption.

12  
13 That is some coral scientists and one royal red shrimper that  
14 has been invited to come to these meetings, and staff would need  
15 to have specific permission from us, essentially, to go ahead  
16 and speak to those people and attempt to revise those boxes to  
17 give us an option to look at. That's my motion, sir.

18  
19 **CHAIRMAN ANSON:** We have a motion to redraw the boundaries of  
20 Viosca Knoll 862/906 with input from Steve Ross, Erik Cordes,  
21 and Johnny Nelson. Is there a second to the motion?

22  
23 **MR. GREENE:** Second.

24  
25 **CHAIRMAN ANSON:** It's seconded by Mr. Greene. Any discussion on  
26 the motion? Mr. Boyd.

27  
28 **MR. BOYD:** Just a question. Are we making a suggestion to the  
29 Flower Gardens management or are we saying this is what you have  
30 to do?

31  
32 **MS. BOSARGE:** This is actually for our document. This is for  
33 the coral HAPC amendment that's going to be coming up in I guess  
34 October that we'll start to really work on. These two sites  
35 right here, and you can correct me if I'm wrong, Morgan, but  
36 they are not in the preferred alternative for the Flower Gardens  
37 expansion right now.

38  
39 **CHAIRMAN ANSON:** Dr. Kilgour.

40  
41 **DR. KILGOUR:** That's correct. They are not in the preferred  
42 alternative. They do show up in Alternative 4 and Alternative  
43 5, but the boundaries that the sanctuary has drawn are  
44 completely different than the boundaries that we have currently  
45 drawn in our HAPC discussions.

46  
47 **MR. BOYD:** Okay. Thank you.

48

1 **CHAIRMAN ANSON:** Mr. Greene.  
2  
3 **MR. GREENE:** Some of what I was going to say was just pointed  
4 out, but I do know Captain Nelson, and I think that this would  
5 be a very smart move, and I would be in support of this.  
6  
7 **CHAIRMAN ANSON:** Any other questions or comments on the motion?  
8 **Is there any opposition to the motion? Seeing none, the motion**  
9 **carries.** Yes, Ms. Bosarge.  
10  
11 **MS. BOSARGE:** The other site that was discussed that needed some  
12 more work at that meeting was the Pulley Ridge area. In the  
13 meeting, there was a motion passed with some specific people  
14 that have the knowledge on that site that staff could interact  
15 with to try and work on that.  
16  
17 **My next motion would be to discuss the boundaries of the Pulley**  
18 **Ridge site with the following people: Walter Jaap, Sandra**  
19 **Brooke, Rob Ruzicka, Robert Spaeth, Jay Lucas, Scott Daggett,**  
20 **and J.P. Brooker or Scott Weatherby.**  
21  
22 Those are several coral scientists and then some fishermen, some  
23 commercial fishermen, from the Florida area that specifically  
24 fish in that particular area that have a lot of knowledge, and  
25 so, essentially, staff would be getting some input from them to  
26 discuss that Pulley Ridge site, to bring us back something that  
27 would have some amendments to the current boundaries, to see if  
28 we can make that work.  
29  
30 **CHAIRMAN ANSON:** We have a motion. Is there a second to the  
31 motion? It's seconded by Mr. Diaz. Mr. Gregory.  
32  
33 **EXECUTIVE DIRECTOR GREGORY:** I have a question for Ms. Levy.  
34 Given comments you made at the Clearwater meeting about APs and  
35 working groups, does this suffice, or do we need to name this an  
36 ad hoc Pulley Ridge advisory panel or what?  
37  
38 **MS. LEVY:** I consider every group that the council makes to be  
39 an advisory panel under the Act. If you want to call it a  
40 working group, that's fine, but, in terms of the requirements of  
41 the Act, it's an advisory panel, and it needs to follow those  
42 meeting procedures and such.  
43  
44 **CHAIRMAN ANSON:** Any other discussion on the motion? **Is there**  
45 **any opposition to the motion? Seeing none, the motion carries.**  
46 Mr. Diaz.  
47  
48 **MR. DIAZ:** Next, staff presented the draft letter for the

1 council to send regarding the Flower Garden Banks National  
2 Marine Sanctuary DEIS. The committee discussed historical  
3 fisheries in these expanded areas, boundary revisions, and  
4 safety-at-sea concerns. Staff added this language to the  
5 document in track changes. Staff requests that the council look  
6 at the revised letter and provide recommendation on how to  
7 proceed.

8  
9 I want to point out, Mr. Chairman, that the email that was sent  
10 out for this committee's report, on the bottom of that email,  
11 the current letter, with the changes, is available, if people  
12 want to go to it and review it. I would also like to point that  
13 I believe we need a motion at this point to approve this letter  
14 to go out.

15  
16 **CHAIRMAN ANSON:** Yes, sir. Ms. Bosarge.

17  
18 **MS. BOSARGE:** I will make that motion, and so I guess the motion  
19 would be to approve and send the letter on the Flower Garden  
20 Banks National Marine Sanctuary Expansion Draft Environmental  
21 Impact Statement.

22  
23 **CHAIRMAN ANSON:** We have a motion on the board. Is there a  
24 second to the motion? It's seconded by Mr. Diaz. Any  
25 discussion on the motion? **Is there any opposition to the**  
26 **motion? Seeing none, the motion carries.**

27  
28 **MR. DIAZ:** Next, the committee discussed several issues  
29 pertinent to the council's response to the proposed Flower  
30 Garden Banks National Marine Sanctuary expansion fishing  
31 regulations.

32  
33 There were several ideas presented to include in the white paper  
34 regarding the regulations. These include an endorsement program  
35 about fishing within the sanctuary, exemptions for certain  
36 historical fisheries, different regulation tiers for different  
37 areas, and specific accountability measures for potential  
38 exemptions.

39  
40 Staff will draft a white paper that addresses these comments for  
41 the October 2016 council meeting. Staff also plans to provide  
42 this white paper on the Reef Fish AP meeting agenda for their  
43 review and comment. This concludes my report.

44  
45 **CHAIRMAN ANSON:** Thank you, sir. Any other items under -- Yes,  
46 sir, Dr. Stunz.

47  
48 **DR. STUNZ:** I just had a quick comment, and it was related to

1 Leann's. What potentially could be useful for our committee, I  
2 think, is a presentation on sort of the state of the science on  
3 these deepwater corals. We had the anchor discussion going on  
4 and a lot of hallway discussions and things, plus we've got Tom  
5 now, a new expert on corals, on the committee, but I don't feel  
6 like I've got a good handle of what's the latest, and maybe  
7 even, in light of Deepwater Horizon and what we know about these  
8 deepwater corals, to give us a little more information and just  
9 make better informed decisions.

10  
11 I know there is some expertise on that coral committee, Doug,  
12 and I think it's Dr. Brooke, or maybe others around the table  
13 know someone better. Before I joined the council, I understood  
14 that there were some presentations that were good, but maybe  
15 update that, so we just have a better idea.

16  
17 Now, I don't know if that needs to occur after your workgroup,  
18 Leann, or before. I mean it doesn't really matter to me, but I  
19 feel like I could use a little refresher on the state of the  
20 science, if that's possible.

21  
22 **CHAIRMAN ANSON:** Mr. Gregory.

23  
24 **EXECUTIVE DIRECTOR GREGORY:** If we may, let us put together the  
25 scoping document first. A lot of that information will be in  
26 that. We've kind of gotten ahead of ourselves. We had lots of  
27 working group meetings and lots of joint AP meetings, but we  
28 have yet to have a document, and we're at the point where we  
29 need to put that document together and take it out for scoping,  
30 because we've been doing scoping for a couple of years now, kind  
31 of informally, but, yes, I think your idea is a good one. We  
32 just need to work out the appropriate timing, I guess, and let's  
33 see what we have already compiled for you.

34  
35 **DR. STUNZ:** That's fine. I am not concerned necessarily about  
36 the timing, but I think it would be a good idea to update us on  
37 that.

38  
39 **CHAIRMAN ANSON:** Any other comments for Joint Coral/Habitat?  
40 Dr. Dana, are you ready for Mackerel?

41  
42 **MACKEREL COMMITTEE REPORT**

43  
44 **DR. DANA:** I am, Chairman Anson. The Mackerel Committee  
45 convened on August 17. The staff reviewed the purpose and need  
46 for CMP 29, which addresses Gulf king mackerel allocation  
47 sharing and a recreational accountability measure. The  
48 committee chose to go through the IPT version of CMP 29, Tab C,

1 Number 4(b), as opposed to the council's previous version, Tab  
2 C, Number 4(a).

3  
4 In Action 1, staff reviewed Action 1, which examines options for  
5 allocation sharing strategies between the recreational and  
6 commercial sectors for Gulf king mackerel. The IPT recommended  
7 removing Alternatives 2 and 3 and replacing them with  
8 Alternative X.

9  
10 The proposed alternative achieves the same goals as Alternatives  
11 2 and 3. One difference is that the conditional transfer of  
12 allocation in Alternative X largely relies on the recreational  
13 sector's landings, rather than the commercial sector's, to  
14 determine whether a transfer will occur. Another difference is  
15 the use of two-year-old data to determine whether a transfer  
16 should occur.

17  
18 Under this circumstance, the landings data will be known and  
19 vetted prior to use in determining conditional transfers, as  
20 opposed to estimating MRIP waves. For example, 2016 data will  
21 determine whether a transfer occurs in 2018.

22  
23 The IPT also proposed eliminating Alternative 5, which would  
24 sunset any allocation-sharing action after a certain amount of  
25 time. Eliminating Alternative 5 was proposed because of the  
26 protections built into the remaining alternatives, which prevent  
27 an allocation transfer in the event that the recreational  
28 sector's landings reach a certain threshold.

29  
30 **The committee recommends, and I so move, in Action 1, to accept**  
31 **the IPT-proposed changes to remove Alternatives 2, 3, and 5 and**  
32 **add Alternative X.**

33  
34 **CHAIRMAN ANSON:** We have a committee motion. Alternative X is  
35 included on the board. Is there any discussion on the committee  
36 motion? **Is there any opposition to the motion? Seeing none,**  
37 **the motion carries.**

38  
39 **DR. DANA:** Staff then reviewed the proposed modifications to the  
40 recreational accountability measures, AMs, for king mackerel.  
41 Because of the council's desire to keep the recreational sector  
42 open year-round, the IPT recommended changing the current in-  
43 season AM to a post-season AM.

44  
45 The change to a post-season AM allows for the safeguards built  
46 into Action 1 to return any shared allocation to the  
47 recreational sector before the AM is applied, thereby  
48 safeguarding the current year-round recreational season from any

1 risks related to an allocation-sharing strategy.

2  
3 The IPT recommended eliminating Alternative 2, since the council  
4 just recommended increasing the bag limit in CMP 26. The IPT  
5 also recommended adding a new Alternative 4, which would  
6 institute a post-season AM, whereby the recreational fishing  
7 season for the following year would be reduced only if both the  
8 recreational ACL and the stock ACL had been met.

9  
10 NMFS staff noted that, although the recreational fishing season  
11 follows the calendar year, the ACL is monitored in tandem with  
12 the commercial fishing season for the Western and Southern  
13 zones, which is July 1 through June 30. A committee member  
14 added that the increase in the recreational bag limit preferred  
15 in CMP 26 may result in additional recreational landings in  
16 successive years.

17  
18 **The committee recommends, and I so move, in Action 2, to accept**  
19 **the IPT-proposed changes to add Alternative 4 and remove**  
20 **Alternative 2.**

21  
22 **CHAIRMAN ANSON:** We have a committee motion. Is there any  
23 discussion on the motion? **Is there any opposition to the**  
24 **motion? Seeing none, the motion carries.**

25  
26 **DR. DANA:** Staff informed the committee that a public hearing  
27 draft would be completed and brought before the committee at the  
28 next council meeting. **The council will need to determine**  
29 **appropriate locations for public hearings.** Mr. Chairman, this  
30 concludes by report.

31  
32 **CHAIRMAN ANSON:** Thank you. Based on that last sentence, we  
33 will need to go ahead and establish those locations at this  
34 meeting, correct?

35  
36 **DR. DANA:** That's correct.

37  
38 **CHAIRMAN ANSON:** Mr. Diaz.

39  
40 **MR. DIAZ:** I guess I am just thinking if there's a way to do the  
41 HAPC public hearings and these public hearings at least the same  
42 days. That might bring some efficiency into the system, if  
43 that's doable.

44  
45 **CHAIRMAN ANSON:** That would be helpful. There might be overlap  
46 in some areas, but maybe not in others, and so, speaking for  
47 Alabama, I think Mobile will be applicable for both meeting  
48 locations, but I don't know if other states want to comment on

1 maybe adding an additional site or two. Mr. Robinson.

2  
3 **MR. ROBINSON:** For Texas, you're going to need add Port Aransas  
4 or Corpus for the mackerel, and I think that would probably  
5 cover it.

6  
7 **CHAIRMAN ANSON:** Ms. Guyas.

8  
9 **MS. GUYAS:** I think our list is mostly okay. The only thing I  
10 would suggest, if we're going to roll these in with the coral  
11 ones, is maybe expanding the Madeira Beach one to maybe greater  
12 Tampa or St. Pete, just because it's going to involve not just  
13 commercial fishermen this go-around. I mean it could be that  
14 people are going to be coming from all over the place. That's  
15 just, logistically, to make it easier for people to get there,  
16 that's all. Let's consider those other locations.

17  
18 **CHAIRMAN ANSON:** Mr. Gregory.

19  
20 **EXECUTIVE DIRECTOR GREGORY:** I think I suggested Madeira Beach,  
21 and the reason is because that's where the red grouper longline  
22 fishery is housed, and we don't have any longliners on our AP.  
23 I wasn't anticipating that working group meeting, which will  
24 include three longliners in that discussion. In addition, we're  
25 also going to have our Reef Fish AP and invite those longliners  
26 to the meeting, if we're going to be discussing the coral HAPCs,  
27 because where the longliners fish is not where the bandit rig  
28 fishermen fish. One recommendation from one group might impact  
29 the other group, and I want them all communicating, but we will  
30 look at that and work with you as far as the locations for the  
31 Tampa Bay region.

32  
33 **CHAIRMAN ANSON:** Doug, I just want to make sure you were  
34 listening and didn't chime in, but having these two different  
35 topics at the same day for a lot of these locations is not going  
36 to create a problem for staff or anything? Is that correct?

37  
38 **EXECUTIVE DIRECTOR GREGORY:** Our experience is not to do them  
39 the same day, but subsequent days. It gets confusing for the  
40 public in doing that, and we haven't had good success with that.  
41 I think the South Atlantic Council used to set aside entire days  
42 to do multiple public hearings and scopings for multiple  
43 species, and I think they're moving away from that also, and so  
44 we don't want to do that. We would rather spend the extra day  
45 and just have two separate meetings.

46  
47 **CHAIRMAN ANSON:** I was going to have a follow-up question to  
48 make sure I understood that it was going to be the same trip, to



1 speak, but just a second day and not necessary -- That could be  
2 burdensome too, is having the additional day in a particular  
3 week, and so that's all that I was concerned about.

4

5 **EXECUTIVE DIRECTOR GREGORY:** Yes, we understand.

6

7 **CHAIRMAN ANSON:** All right. Ms. Guyas.

8

9 **MS. GUYAS:** If that's the case, and if it's going to be on a  
10 different night, then I would just say scratch Madeira Beach and  
11 add the Tampa Bay area for this one.

12

13 **CHAIRMAN ANSON:** Mr. Boyd.

14

15 **MR. BOYD:** I would just like some clarification. The next  
16 paragraph says that we're going to come to the next council  
17 meeting with a public hearing draft for this document, and is  
18 that correct? If that's the case, then how are we going to go  
19 out for public hearing before we have a public hearing draft at  
20 the next meeting?

21

22 **EXECUTIVE DIRECTOR GREGORY:** We're trying to get ahead of this.  
23 This will be for after the October meeting, but we also have to  
24 sit down, the staff, and look at how we're going to accomplish  
25 all of this after October. We got into a jam last year doing a  
26 bunch of different -- I am seeing nine and ten and twelve public  
27 hearings for each topic, and so we're just going to have to look  
28 at the workload and parse it out, but we're not going to have  
29 these before the October council meeting.

30

31 **MR. BOYD:** Okay. Thank you.

32

33 **CHAIRMAN ANSON:** Dr. Simmons.

34

35 **DR. SIMMONS:** Thank you, Mr. Chairman, and I echo what Mr.  
36 Gregory was saying. If you could just let us have some  
37 flexibility and maybe not have these even back-to-back, because  
38 sometimes the logistics don't all work out. Different people  
39 are fishing at different times, and these are quite different  
40 topics. If we could potentially maybe have some early November  
41 and some maybe that won't happen until early December, but we  
42 need to think about that and plan it out when we get back to the  
43 office, but, if we could have that flexibility, I would  
44 appreciate it.

45

46 **CHAIRMAN ANSON:** All right. Dr. Lucas.

47

48 **DR. LUCAS:** For Mississippi, just to add a little bit of

1 flexibility, because of where the concentration of some of the  
2 mackerel fishermen are located, we would like to add Pascagoula.  
3  
4 **CHAIRMAN ANSON:** Mr. Robinson.  
5  
6 **MR. ROBINSON:** A clarification. This list, is this for the  
7 mackerel?  
8  
9 **CHAIRMAN ANSON:** I guess my comment, relative to maybe  
10 piggybacking, probably doesn't apply now, in this case, and so  
11 they would be kind of a whole string of meeting, potentially,  
12 that would be different from the coral HAPC meetings that we  
13 already previously passed.  
14  
15 **MR. ROBINSON:** If this is for mackerel exclusively, then you can  
16 remove Palacios from the list.  
17  
18 **EXECUTIVE DIRECTOR GREGORY:** Thank you.  
19  
20 **CHAIRMAN ANSON:** Dr. Simmons.  
21  
22 **DR. SIMMONS:** Thank you, Mr. Chairman, and I'm sorry, but could  
23 I ask Dr. Lucas -- Do we need to go both to Pascagoula and to  
24 the Biloxi area just for mackerel?  
25  
26 **DR. LUCAS:** We just want to give you the flexibility to kind of  
27 choose. Pascagoula is kind of more heavily where the mackerel  
28 fishermen are. We were trying to pick the Biloxi region on the  
29 coral, just because it's kind of centrally located and we could  
30 pull from all regions, but, if it worked out where you could do  
31 both in one location, I think we would be fine with it.  
32  
33 **CHAIRMAN ANSON:** Martha, I didn't know if you overheard, but  
34 these kind of would be separate. The mackerel would be separate  
35 from the coral meetings, and so the list is still good and you  
36 don't care to refine it or anything? It's still what you want?  
37  
38 **MS. GUYAS:** Yes, and Tampa would be the only one that I would  
39 choose, or switching out Madeira Beach for Tampa I think is  
40 great for that.  
41  
42 **CHAIRMAN ANSON:** Okay. Dr. Simmons.  
43  
44 **DR. SIMMONS:** Thank you. So then could we modify the Biloxi to  
45 D'Iberville/Biloxi/Pascagoula, Mississippi for the CMP Amendment  
46 29? Am I understanding that correctly? Thank you.  
47  
48 **CHAIRMAN ANSON:** Yes, I think so.

1  
2 **DR. LUCAS:** I think what we're trying to say is, for the coral  
3 meeting, the Biloxi/D'Iberville area is good. For the CMP  
4 Amendment 29, Pascagoula would be the best location. Since it's  
5 for CMP Amendment 29, just substitute Pascagoula.  
6

7 **CHAIRMAN ANSON:** It took us a little bit to get here, but is  
8 there a second for this motion?  
9

10 **MS. BOSARGE:** I will second it.  
11

12 **CHAIRMAN ANSON:** It's seconded by Ms. Bosarge. Is there any  
13 further discussion on this motion? **Is there any opposition to**  
14 **the motion? Seeing none, the motion carries.** Anyone else have  
15 anything else to bring up under Mackerel? We don't have a break  
16 scheduled or programmed into the agenda. Our next item is going  
17 to be Reef Fish, and we are ahead of schedule by a good bit,  
18 but, since this is a pretty good break before we get into the  
19 next committee report, if we could take a fifteen-minute break  
20 now and then come back at ten o'clock, so that we can take up  
21 Reef Fish.  
22

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

#### 25 **REEF FISH COMMITTEE REPORT**

26

27 **MR. GREENE:** The Reef Fish Committee Report, the committee met  
28 on August 16 and 17, 2016. Draft Amendment 36A, Commercial IFQ  
29 Program Modifications, the committee heard presentations on the  
30 IFQ program process and quota banks.  
31

32 Staff then reviewed the document. For Action 1, staff will  
33 compile data on the additional number of trips made by reef fish  
34 permitted vessels landing any commercially-caught species before  
35 the next council meeting. Staff will request comments and  
36 recommendations on the Action 1 alternatives from NOAA OLE and  
37 the council's Law Enforcement Committee and provide these to the  
38 council in October.  
39

40 Action 2 addresses the redistribution of shares held in inactive  
41 accounts. In Action 2.1, the committee noted that Alternative 4  
42 could be accomplished by selecting both Alternatives 2 and 3,  
43 and thus recommended its removal. **With one opposed, the**  
44 **committee recommends, and I so move, in Action 2.1, to move**  
45 **Alternative 4 to considered but rejected.**  
46

47 **CHAIRMAN ANSON:** We have a committee motion, and it is on the  
48 board momentarily. There it is. Is there any discussion on the

1 motion? Mr. Sanchez.

2  
3 **MR. SANCHEZ:** I am not sure how to do this, but, after hearing  
4 the public testimony extensively yesterday, I would like to go  
5 back to what I originally said in committee, which would be to  
6 offer a motion that in Action 1 that we move Alternative 3,  
7 regarding the PFA, and Alternative 4, as such, to considered but  
8 rejected. Forget that.

9  
10 **CHAIRMAN ANSON:** So you withdraw your substitute motion? Okay.  
11 Is there any other discussion on the motion on the board? **Is**  
12 **there any opposition to this motion? Seeing none, the motion**  
13 **carries.**

14  
15 **MR. GREENE:** In Action 2.2, the committee discussed the proposed  
16 redistribution methods and passed the following motion. Without  
17 opposition, the committee recommends, and I so move, in Action  
18 2.2, to amend Alternative to 5 to read: redistribute the shares  
19 from each share category to the allocation only account holders  
20 with a commercial reef fish permit and landings, but not related  
21 to other accounts with shares in that category.

22  
23 **CHAIRMAN ANSON:** We have a committee motion. Is there any  
24 discussion on the motion? **Is there any opposition to the**  
25 **motion? Seeing none, the motion carries.**

26  
27 **MR. GREENE:** The committee indicated that staff should provide  
28 options to Alternative 5 for satisfying the landings  
29 requirement. Noting the small amount of quota remaining in the  
30 inactivated accounts and the work involved in setting up a quota  
31 bank, the committee passed the following motion. **Without**  
32 **opposition, the committee recommends, and I so move, in Action**  
33 **2.2, to move Alternative 6 to considered but rejected.**

34  
35 **CHAIRMAN ANSON:** It's a committee motion. Any discussion on the  
36 motion? **Is there any opposition to the motion? Seeing none,**  
37 **the motion carries.**

38  
39 **MR. GREENE:** The committee noted that consideration of quota  
40 banks should be retained in Amendment 36B.

41  
42 **CHAIRMAN ANSON:** We have a question from staff. Dr. Simmons.

43  
44 **DR. SIMMONS:** Thank you, Mr. Chairman. Just before we leave  
45 this subject, this amendment, could we talk a little bit about  
46 timing? I think, in committee, we discussed that we would not  
47 bring a public hearing draft of 36A until the January council  
48 meeting, because we have made quite a few changes, but we also

1 had on the action schedule that we would bring an options paper  
2 for 36B in October, and so I am requesting that we could also  
3 push that back another council meeting and try to get 36A  
4 further developed and more ready for final action, if that's  
5 possible.

6  
7 **CHAIRMAN ANSON:** I guess it's possible. I am just -- Have you  
8 just not been able to work at all on the options paper for 36B  
9 at this point?

10  
11 **DR. LASSETER:** I have compiled the items that are in there. I  
12 have not collected any data for it, and the IPT has not met  
13 about that. We did understand, when you divided the amendment -  
14 - It was the IPT's understanding that you were addressing the  
15 low-hanging fruit first and getting that out of the way and then  
16 done, which is why we had not been working towards the 36B  
17 items.

18  
19 **CHAIRMAN ANSON:** Dr. Crabtree.

20  
21 **DR. CRABTREE:** That's consistent with my memory, is we wanted to  
22 move 36A and be finished with it and then come back to 36B, and  
23 I think that's the path we ought to stay on, and so I would like  
24 to see us finish 36A and then tackle 36B.

25  
26 **CHAIRMAN ANSON:** I guess that may have been the case, but I  
27 thought, at least at some trajectory, that 36B could be worked  
28 on simultaneously with 36A, as it went up and down, if you will,  
29 with the various meetings that we had and discussions and  
30 additional workload and such. Is there anybody else that wants  
31 to comment on that? Mr. Walker.

32  
33 **MR. WALKER:** That's the way I understood it too, is we were  
34 going to finish 36A first, before we moved on to 36B.

35  
36 **CHAIRMAN ANSON:** Robin.

37  
38 **MR. RIECHERS:** I remember us splitting them and again suggesting  
39 that 36A would move faster, but it wasn't a suggestion that 36B  
40 wouldn't move at all, and I don't think that's really the  
41 suggestion as we look at any of the items that we have asked you  
42 to work on. It's not to suggest that they stop completely and  
43 let other things go forward. I realize we've got workload  
44 issues, and this is a prime example, the meeting and the Reef  
45 Fish Committee at this point in time, but I don't think we ever  
46 gave any directions to say don't work on it until you have  
47 finished 36A.

48

1 **CHAIRMAN ANSON:** Dr. Crabtree.  
2  
3 **DR. CRABTREE:** I also think if we would go ahead and move  
4 forward with some of these amendments, like electronic  
5 reporting, which my understanding is we could vote up and take  
6 final action in October, we could clear our plate of some of  
7 these things, and that would enable us to move forward on some  
8 of these other issues.  
9  
10 **CHAIRMAN ANSON:** Robin.  
11  
12 **MR. RIECHERS:** I would even say that I think in committee, which  
13 you weren't at when we talked about electronic reporting, I  
14 believe Mr. Strelcheck indicated that the electronic reporting  
15 decisions and the elements were really a purview of the National  
16 Marine Fisheries Service and not necessarily this body, and I  
17 think we had that discussion long before we ever started that  
18 amendment, that if you had wanted to do the electronic data  
19 reporting collection system, you all could have done that as  
20 National Marine Fisheries Service and we wouldn't have even  
21 necessarily had to go through this amendment.  
22  
23 **CHAIRMAN ANSON:** To that point, Dr. Crabtree?  
24  
25 **DR. CRABTREE:** That is not correct. We can't do it, and we have  
26 to have the amendment from the council. I don't think we'll be  
27 able to get through all the decisions of designing it until we  
28 have the amendment, but, if we had the authority to do all of  
29 these things without it, we wouldn't have done the amendment,  
30 but clearly we need this amendment, and that's why we have  
31 worked on it.  
32  
33 **CHAIRMAN ANSON:** Dr. Simmons.  
34  
35 **DR. SIMMONS:** Thank you, Mr. Chairman. I wasn't trying to  
36 suggest that we aren't working on the document. I was trying to  
37 anticipate what the council would like to see in October.  
38 Because we have added more things to 36A, it is not as far along  
39 as we originally anticipated it would be to get it ready for a  
40 public hearing draft, and so that is going to require more work,  
41 as we discussed workload issues, and so I was requesting if we  
42 could wait to bring something on 36B until January. Thank you.  
43  
44 **CHAIRMAN ANSON:** I guess, in light of your comment or Dr.  
45 Lassetter's summary as to how much is in the current options  
46 paper for 36B and the opportunity for time to add anything to  
47 make it worthwhile for discussion in October, it sounds like it  
48 will have to be postponed until January. Anything else on that?

1 Mr. Walker.  
2  
3 **MR. WALKER:** I have something on 36. I emailed a motion in  
4 earlier for 36A. **The motion is to add another action to**  
5 **Amendment 36A for a three-hour dealer notification requirement.**  
6 Some of the rationale is it would be set up similar to what the  
7 three-hour vessel landing notification, but it would be sent  
8 from the dealer to National Marine Fisheries Service. It would  
9 close some of the loopholes and make some of the dealers more  
10 accountable, and it would make all the landings -- It would help  
11 them be more accountable, I think. She can put the rationale up  
12 as well. I think I emailed that in as well.  
13  
14 **CHAIRMAN ANSON:** Let's get this motion on the board and seconded  
15 before we have any discussion. David, is that your motion?  
16  
17 **MR. WALKER:** Yes.  
18  
19 **CHAIRMAN ANSON:** Is there a second to the motion?  
20  
21 **MS. BOSARGE:** I will second it.  
22  
23 **CHAIRMAN ANSON:** It's seconded by Ms. Bosarge. Ms. Guyas.  
24  
25 **MS. GUYAS:** David, just a clarification. This is the  
26 notification that they're going to offload, and is that right?  
27  
28 **MR. WALKER:** That is correct.  
29  
30 **CHAIRMAN ANSON:** Mara.  
31  
32 **MS. LEVY:** I don't know the logistics of how this works, but  
33 does the dealer know in advance, that much in advance, or a  
34 window of when the vessel is going to decide to offload?  
35  
36 **MR. WALKER:** Yes, the dealer gets an email to know when we're  
37 coming in. We have communication, via the satellite phone or  
38 email.  
39  
40 **MS. LEVY:** When you're coming in, but you already have to do a  
41 landing notification. Then we're talking about the fact that  
42 you have a window in which to offload, right, like a large  
43 window, but you want to narrow it down, to give law enforcement  
44 some type of notification about when the vessel intends to  
45 offload within the larger window? Does the dealer know that you  
46 intend to wait twenty-four hours and then, within three hours  
47 after that, you intend to offload?  
48

1 **MR. WALKER:** Yes, and there just has to be some communication  
2 between the dealer and the fisherman, to just let him know. I  
3 mean you could get the email to them the night before, and they  
4 could go ahead and make their notification at the same time, the  
5 night before, I guess as long as it's not longer than twenty-  
6 four hours, but have the -- Just to give a three-hour  
7 notification. Like you give a three-hour notification the night  
8 before or early the next morning.

9  
10 **CHAIRMAN ANSON:** David, help me out here. I am not very  
11 familiar with dealers and their work schedule, their hours of  
12 operation, when they have somebody standing by the phone, so to  
13 speak, for that very communication you just described.

14  
15 I guess let's just take the easy one. Before you left, and  
16 you've got an arrangement with the dealer. You are on a  
17 multiday trip. You're going to leave on a Monday and you will  
18 be back on a Thursday, and you will expect to see them Thursday  
19 at 6:00 A.M., and that's kind of when you're going to be  
20 offloading the fish and such, but you get mechanical problems  
21 and you come in late Wednesday night and you're reporting a  
22 landing, as you're required, as a fisherman, but now the dealer  
23 is closed.

24  
25 I'm assuming he doesn't have access to email or doesn't want to  
26 answer the phone. It's after hours, and yet he's got -- You  
27 want to do it first thing the next morning, and is it just going  
28 to be he comes in the shop and you've got to -- I mean you're  
29 going to have to report you are landing and then I guess they  
30 will just come in the shop on Thursday morning at 6:00 A.M. and  
31 then see that you're parked up there and talk to you and realize  
32 they've got to offload, and so you give your three-hour  
33 notification and at 9:00 A.M. you offload? Is that how it's  
34 going to work?

35  
36 **MR. WALKER:** We have much better communication with my dealer,  
37 and I think most all other dealers. It's just, ideally, if you  
38 want to leave -- You would be back in on a Thursday, but  
39 sometimes it's not mechanical errors and it's successful  
40 fishing, and you may get in on Wednesday morning, and it's the  
41 same way. You would just call him on the phone or email him.  
42 Most all the dealers I know have smartphones and they receive  
43 emails. He has a notification. He knows when I'm coming in.  
44 The dealer knows. We have to declare it, and he sees it. They  
45 have the trucks ready, and so I think communication would be  
46 much better than what you're thinking. It's actually pretty  
47 good.



1 **CHAIRMAN ANSON:** Ms. Bosarge.  
2  
3 **MS. BOSARGE:** Help me to -- I know obviously you're trying to  
4 prevent something that may be happening, where everything is not  
5 accountable. What loophole are we closing? What are we trying  
6 to make sure is not happening, I guess?  
7  
8 **MR. WALKER:** Just to make sure that -- You have your three-hour  
9 notification, but you want to make sure that that dealer is  
10 coming and that enforcement knows which dealer it's coming to.  
11 That may come in handy with the enforcement, knowing who is the  
12 dealer and what's going on. It closes any loopholes of anything  
13 that could be going on wrong that enforcement might want to be  
14 aware of.  
15  
16 **CHAIRMAN ANSON:** Johnny.  
17  
18 **MR. GREENE:** David, the issue is it potentially could be  
19 multiple dealers coming? Is that part of what you're trying to  
20 get at? I think people are trying to help you here, but we're  
21 struggling a little bit in trying to understand. Is there  
22 multiple dealers that would have to be notified? I mean do you  
23 sell your fish exclusively to one dealer or to multiple dealers?  
24  
25 **MR. WALKER:** I sell mine to one dealer. I have, in times past,  
26 have sold to two dealers. I know a lot of the dealers, and I  
27 don't know if Buddy is here or not today, but he said it would  
28 be better for them, and we had Jason that had discussion with us  
29 about closing the loopholes and some of the concerns that they  
30 had, as far as which dealer was going to unload. I think it was  
31 just something to give them more information on which dealer it  
32 was going to and what time the dealer is going to be there. A  
33 lot of times, you're landing the fish and you don't always --  
34 You don't have to unload them right then. Just because you  
35 landed the fish -- I mean Jessica could probably help us out.  
36  
37 **DR. JESSICA STEPHEN:** I am trying to make sure that I understand  
38 your intent. Let me think about some of the things.  
39 Notification, if you're going to multiple dealers, you do a  
40 notification for every dealer you're going to, if you're  
41 splitting a trip, and so a dealer is on there, and we do have  
42 the regulation that the fish have to be in the system as a  
43 landing transaction ninety-six hours after that notification or  
44 on the day of the offload.  
45  
46 I think the loophole you're trying to think about is the one  
47 where law enforcement knows when you are coming to the dock, and  
48 they know that there is this window in which the fish are

1 probably going to be offloaded and processed but they don't know  
2 exactly when that is going to start. Is that your intent?  
3 Okay.

4  
5 **MR. WALKER:** That is exactly right. When you come in and you  
6 tie up to the dock, the fish are considered landed, but it  
7 doesn't mean that you are unloading the fish right then. You  
8 could unload the fish later, but, as far as landing when you get  
9 to the dock, whether enforcement can be there to check anything  
10 he wants to check, but it doesn't mean you have to unload then.  
11 You may unload that afternoon, and, if enforcement doesn't have  
12 a notification from the dealer, he would have no idea what time  
13 you're actually going to unload the fish.

14  
15 **CHAIRMAN ANSON:** One quick question. Dr. Stephen, you mentioned  
16 that the fisherman needs to file a notification with each of the  
17 dealers that they're going to be selling fish to with an  
18 approximate pounds that will be sold, I guess, of their total  
19 catch.

20  
21 That is tracked within -- I mean you do some QA/QC and kind of  
22 match back with the reporting dealer to how many pounds the  
23 fishermen said they would be offloading, and so there is some  
24 check-and-balance, at least at your level, correct?

25  
26 **DR. STEPHEN:** We do an auditing daily. We look at audits of  
27 what notifications came in. Then we match up to the dealer  
28 transactions that are recorded. If, within that ninety-six  
29 hours, or even approaching it, and there is a little leeway,  
30 because of weekends, we call them up and we start with the  
31 dealer. This notification was entered that the fisherman was  
32 coming to you, and we don't see the landing notification. Then  
33 they either tell us that, yes, they did come in and I'm sorry  
34 that we forgot to put them in, and we get them in, or we learn  
35 that maybe a wrong dealer was selected, due to kind of fat-  
36 fingering on the VMS or something else.

37  
38 We track that daily, but it is a little bit more difficult  
39 sometimes tracking multiple dealers. You have to make sure you  
40 understand the system to see where all the pounds go, but we do  
41 account for that.

42  
43 **CHAIRMAN ANSON:** Mr. Walker.

44  
45 **MR. WALKER:** I would just give you an example. If you give a  
46 three-hour notification that you're going to be in at 8:00 A.M.  
47 in the morning or 5:00 A.M. in the morning, but that doesn't  
48 necessarily mean you're going to unload your fish then. Of

1 course, you can't unload until six, but the dealer may be  
2 unloading other boats. Then he's not going to unload you until  
3 three in the afternoon, and so enforcement doesn't want to sit  
4 around from 6:00 A.M. to 3:00 P.M. waiting for you to unload  
5 your fish.

6

7 **CHAIRMAN ANSON:** Dr. Stephen.

8

9 **DR. STEPHEN:** This did come up, I think quite a few years ago,  
10 when we did the public meetings about administrative changes,  
11 and we did consider this. We had some mixed results, depending  
12 on different fishermen and dealers, but the point is too that  
13 the fisherman doesn't know when the dealer is going to offload.  
14 There is a missing gap there. How much that might be affecting  
15 things, I am not sure, but we could look into this if we want  
16 to.

17

18 **CHAIRMAN ANSON:** To your comment, David, about helping  
19 enforcement, I guess having all the fish in the hold, the ice  
20 room, if you will, of the dealer tied to a vessel would make it  
21 easier for enforcement to kind of match up the pounds, but I  
22 mean they're still able to access the fish and kind of do a  
23 quick check, at least. Granted, it wouldn't be as accurate as  
24 having all of that. I know where you're going with this, but it  
25 just seems -- I don't know. I am still trying to justify the  
26 extra burden on the seafood dealer, I guess, at this point.

27

28 **MR. WALKER:** This is looking at ways to improve the commercial  
29 IFQ, Amendment 36, and the fishermen are asking for this. I  
30 mean there's things they have asked for before that they didn't  
31 get, but this is something that industry has asked for, and so  
32 I'm just adding another action to the document.

33

34 **CHAIRMAN ANSON:** Leann.

35

36 **MS. BOSARGE:** Just a couple of questions. This would be -- The  
37 three-hour notice for landing, that would still be there, and  
38 that's when the fishermen can actually touch the dock and get  
39 off the boat, because I have some safety-at-sea concerns there.  
40 Now, this would be a different notification. That fisherman  
41 could land and hit the dock and everything, but this has to do  
42 with actually taking the fish off the boat, which is my true  
43 definition of landing, but, anyway, this is about offloading the  
44 fish.

45

46 In that sense, how often are we doing a validation where we're  
47 actually seeing the offloading, if sometimes the scheduling  
48 doesn't work and law enforcement doesn't want to stick around?

1 Are we doing QA/QC on the actual offloading, to see that dealer  
2 actually offload it, rather than just the report?

3  
4 **DR. STEPHEN:** I am going to refer probably to law enforcement  
5 later on, to look into actual stats on it. I know that the  
6 agents get the notifications, and so they can plan it. Some of  
7 the notifications say that I am arriving at 1:00 A.M., and  
8 that's fine. They can come in and tie up the boat. The  
9 fishermen can leave the boat, but the fish can't be moved, of  
10 course.

11  
12 Offload, of course, is only between 6:00 A.M. and 6:00 P.M., and  
13 the officers and agents do know that, and so they have the  
14 three-hour notification order to be there. Now, they don't know  
15 whether it's going to start at 6:00 A.M. or if it's going to be  
16 later, and I am not quite sure what relationship -- If they have  
17 talked with dealers about trying to be there when there is a  
18 scheduled offload.

19  
20 I do know there is sometimes a problem of the fishermen might  
21 not be present when the offload is occurring, because they have  
22 gone home, and so I could see an offload notification also  
23 helping making the fisherman make sure he is present. If he  
24 came in the middle of the night, what time they're going to be  
25 offloading his fish. If you go forward with this, I just  
26 suggest that we change the wording a little bit to a dealer  
27 notification of intent to offload, to clean up what you have in  
28 there, because I'm assuming that's -- Am I correct in that's  
29 what your intent is?

30  
31 **CHAIRMAN ANSON:** Relative to I guess the timeline, how is that  
32 going to work? Are you going to be able to get the various  
33 folks together to flesh this out, through the IPT or other, and  
34 have something back for October?

35  
36 **DR. LASSETER:** If I could speak to that. Given our conversation  
37 about timeline, adding a whole new action, I would expect it to  
38 slow down 36A, and so you may want to consider putting it in  
39 36B, if you would like to go ahead and finish up 36A. It does  
40 more closely relate to the Action 1, because we're talking about  
41 enforcement issues in 36A, but, again, with the discussion that  
42 I heard about your concern with the timeline, I would think 36A  
43 could move quicker if we didn't add another action, and so it's  
44 up to you.

45  
46 **CHAIRMAN ANSON:** Dr. Stephen.

47  
48 **DR. STEPHEN:** I just have one caution. 36B is solely red

1 snapper at this point in time, and 36A is red snapper and  
2 grouper-tilefish. No? Ava is telling me not. I know that we  
3 originally had that distinction, because we haven't done the  
4 grouper-tilefish review yet. That's in progress, but,  
5 regardless, this action should apply to both programs if we go  
6 forward with it and not just one, please.

7

8 **CHAIRMAN ANSON:** David.

9

10 **MR. WALKER:** Industry is asking for this to be added to 36A. I  
11 don't see the big deal. It's just like the seventy-five pounds.  
12 I got a hard time about that the other day, trying to get that  
13 in the document. I'm trying to do something good for the  
14 industry here. They're asking for this, and I think it needs to  
15 go in 36A. I don't see how it's going to slow it down. It's  
16 just not that hard. It's not going to be that difficult to add  
17 it to it and just move on.

18

19 **CHAIRMAN ANSON:** Dr. Crabtree.

20

21 **DR. CRABTREE:** David, can you modify the motion to indicate that  
22 it's dealer notification of intent to offload, just so it's  
23 clear?

24

25 **MR. WALKER:** Yes.

26

27 **CHAIRMAN ANSON:** Leann, I believe you seconded. Do you agree  
28 with that?

29

30 **MS. BOSARGE:** Yes.

31

32 **CHAIRMAN ANSON:** Okay. Any other discussion on the motion? Ms.  
33 Levy.

34

35 **MS. LEVY:** Can I just make another suggestion to get rid of the  
36 three-hour piece? We're going to look at a couple of different  
37 options as to timing. Then, of course, three hours will be in  
38 there, but then you can pick the one that you want.

39

40 **MR. WALKER:** Yes, and I have actually thought maybe even one-  
41 hour or two-hour of other options. Yes, we can take that three-  
42 hour out.

43

44 **CHAIRMAN ANSON:** Leann agrees. The seconder of the motion  
45 agrees to that, and so any further discussion? **Is there any**  
46 **opposition to the motion? Seeing none, the motion carries.** Mr.  
47 Greene.

48

1 **MR. GREENE:** We are through with 36?

2  
3 **CHAIRMAN ANSON:** I think so.

4  
5 **MR. GREENE:** Okay. Review of Headboat Collaborative Project,  
6 Jessica Stephen provided an overview of the Headboat  
7 Collaborative Pilot Project, Tab B, Number 8. Dr. Stephen's  
8 discussion included the monitoring of the program, effort and  
9 landings levels, allocation transfers, and reporting compliance.  
10 Dr. Stephen also provided lessons learned on several issues,  
11 including the validation methods used in the program.

12  
13 Josh Abbott provided a socioeconomic review of the Headboat  
14 Collaborative Project. Dr. Abbott indicated that angler access  
15 to trips landing gag or red snapper increased and that discards  
16 were reduced. Dr. Abbott also noted that, compared to 2013,  
17 economic returns increased, due to additional profits from  
18 greater consumer demand, small price premiums, and adjustments  
19 to the product mix.

20  
21 National Marine Fisheries Service SERO Landings Summaries,  
22 National Marine Fisheries Service SERO staff summarized updated  
23 reef fish landings. Commercial landings through August 5  
24 indicate that 55 percent of the commercial gray triggerfish ACT  
25 and 111 percent of the greater amberjack ACT have been caught,  
26 but both are still below their ACLs.

27  
28 Recreational MRIP landings are available through Wave 2, plus  
29 Wave 3 landings from the headboat survey and LA Creel. With the  
30 exception of gray triggerfish and greater amberjack,  
31 recreational reef fish landings are below their ACTs.  
32 Recreational gray triggerfish and greater amberjack are  
33 currently at 171 percent and 107 percent of their respective  
34 recreational ACLs. Landings for 2016 are not yet complete, so  
35 it is too soon to know whether there will be a gray triggerfish  
36 season for 2017.

37  
38 **CHAIRMAN ANSON:** Mr. Boyd.

39  
40 **MR. BOYD:** Thank you, Mr. Chairman. Roy, we heard a lot of  
41 comments yesterday from the charter for-hire fleet about having  
42 to cancel trips and the difficulty in managing their businesses,  
43 which I think is centered on reporting. Are we going to do  
44 anything or can you speak to how we could speed up the process  
45 of reporting so that we can let these guys do some planning in  
46 their businesses?

47  
48 **DR. CRABTREE:** Yes, I can. For the for-hire fleet, which is

1 most of what we heard from, we could move ahead with Amendment  
2 41 and get it done. Then we wouldn't have these problems, and  
3 that would be my suggestion to you, but there were some delays  
4 in MRIP this year, and that was associated with some changes  
5 they made to how they estimate catches for species that have  
6 relatively no numbers of intercepts, and it didn't really  
7 affect, as far as I know, much in the Gulf, but it had some big  
8 impacts in the Mid-Atlantic and New England.

9  
10 In the case of greater amberjack, we had really high catches in  
11 Wave 2. By the time we get those estimates, we were already  
12 into the June closure. We probably could have announced that it  
13 wasn't going to reopen with more upfront notice, but it would  
14 have been still the same outcome, but I do think we've got an  
15 electronic reporting amendment that's ready to go, ready for  
16 final action, and let's take final action on it and get it done  
17 and get that process going, and then let's move down the path of  
18 some of these other amendments, to give these guys more  
19 flexibility, and I think that's the best way to address this.

20  
21 **CHAIRMAN ANSON:** Dr. Lucas, followed by Dr. Dana.

22  
23 **DR. LUCAS:** Roy, I had a question, and I think you said, when  
24 you made the phone call to the states about amberjack not  
25 reopening, you had mentioned that you all were going to look  
26 into some of the reasons why the estimates were so far off.

27  
28 I mean, we received a report that said if we changed to thirty-  
29 four and all of this occurred that it would actually extend the  
30 fishing season, and so did you get a chance to look into why the  
31 estimates were so far off from what we expected?

32  
33 **DR. CRABTREE:** That was some of what Mike Larkin went through in  
34 his presentation, and what we saw was that -- Because my initial  
35 worry was that we had really bad compliance with the minimum  
36 size limit, and there was some lack of compliance, but,  
37 generally speaking, that wasn't really the issue. We just saw  
38 quite a few more fish over forty inches being landed, and I  
39 don't know that that was even related to the size limit.

40  
41 We heard a lot of testimony about the size limit, but it seemed  
42 like there were just a lot more amberjack caught and a lot more  
43 big amberjack caught, for whatever reason, this year. I mean,  
44 these catches are volatile. Recreational catches vary quite a  
45 bit from year to year, and that's probably a function of just  
46 where the fish happen to be and weather and all kinds of other  
47 things. Fuel prices are low, and so we may have more effort,  
48 but I didn't see anything to indicate that the people weren't

1 abiding by the size limit. They seemed to be, but it just  
2 didn't slow them down like we thought it might.

3

4 **CHAIRMAN ANSON:** Dr. Dana.

5

6 **DR. DANA:** Thank you, Chairman Anson. I am not convinced that  
7 that many larger amberjacks in fact were caught. I think that,  
8 when we were listening to the presentation the other day, and,  
9 by the way, Martha had asked for that updated grid of the three,  
10 the early part of the year, the March/April run, and then the  
11 final one.

12

13 In that presentation, the fellow noted that the March/April had  
14 this significant number of -- I think it was a million-something  
15 pounds, and I can't say it, because, again, we haven't gotten  
16 the graph yet. Then, the following run that they did, that  
17 number went down. He also said that the majority of all of his  
18 data came from Panama City and Destin.

19

20 Well, Destin, we don't have a strong spring and March/April  
21 business. Now, there are a few boats that have a tremendous  
22 business, and that's been cultivated over time. What we have  
23 known for years is that those who are doing the dock intercepts  
24 tend to go to the boats that are fishing to collect their data,  
25 and they don't go to the boats that aren't fishing, but they're  
26 taking those boats that are catching these big amberjacks, and  
27 there is only about six or seven of them in that timeframe, and  
28 then they are assuming that everyone is out there catching the  
29 same big amberjacks.

30

31 This has been something we have discussed with those folks doing  
32 the dock intercepts for a long time, and it's frustrating. They  
33 go to a place where it's easy to collect the data and then  
34 extrapolate it in ways that doesn't provide a true picture.

35

36 When I heard that presentation and seeing the March/April  
37 numbers that were really high, and knowing that the guys weren't  
38 out there catching -- They were catching the amberjack, but they  
39 weren't the thirty-four-inchers. The ones that were catching  
40 them were going way out a long time, and a few boats.

41

42 Then the next run had the number of amberjacks way low, or not  
43 way low, but significantly lower than the March/April, and that  
44 just didn't make sense, because May is a far greater -- Far more  
45 amberjack were caught in May than March and April. My point is  
46 not to -- It's just to say that I am not convinced that what you  
47 guys received, at least from our area, was the real picture.

48



1 **DR. CRABTREE:** I am not sure what you're talking about in the  
2 next run. You are talking about the May/June landings that you  
3 have?  
4

5 **DR. DANA:** Yes, and I couldn't think of the name.  
6

7 **DR. CRABTREE:** Those are only for LA Creel. We don't have the  
8 Wave 3 landings yet, and so you haven't seen those.  
9

10 **DR. DANA:** Whatever he provided the other day had three  
11 different pictures of amberjacks, and we haven't received that -  
12 - I haven't received that back, and that's what Martha had asked  
13 for, and I had hoped we would have it before.  
14

15 **DR. CRABTREE:** You're talking about Wave 3 numbers, and we don't  
16 have those yet, but I think he did have a figure that showed  
17 May/June landings, but it was only for Louisiana, and that's why  
18 it was so much lower.  
19

20 **DR. DANA:** My point still stands with the March/April numbers.  
21 The dock intercepts only happen at the charter fleet area. The  
22 recreational, I don't know how they get the private recreational  
23 numbers, because those folks are parking at their home docks and  
24 such.  
25

26 **DR. CRABTREE:** We do have private recreational estimates, and  
27 the private recreational catches were quite high in Bay County,  
28 but, in Okaloosa County, the charter catches were higher.  
29 That's what the survey shows.  
30

31 **DR. DANA:** You understand my point. It's that we see where the  
32 dock intercept is happening, and it seems that they are going to  
33 the same boats on the same docks and not going to the other  
34 places where the fish aren't being caught. Then, all of a  
35 sudden, there is this grand number and everyone is scratching  
36 their head.  
37

38 **DR. CRABTREE:** There are protocols for how they do all of that,  
39 and I think, in Destin, all those dockside intercepts are done  
40 by the Fish and Wildlife Commission, and so that would be  
41 something to check with them about.  
42

43 **DR. DANA:** We have had the discussion, but it is -- They work  
44 with NOAA in a contract, and then they work with another firm to  
45 do the intercepts, and so it's just -- I am just putting it on  
46 the record that there is room for improvement.  
47

48 **CHAIRMAN ANSON:** Just to kind of wrap this up, Dr. Crabtree, we

1 heard lots of testimony here yesterday of the outcome, I guess,  
2 or result, and you summarized that, with triggerfish, that it  
3 probably wouldn't have been an issue, because of the regular  
4 timing that we receive those landings, but, for amberjack and  
5 such, it might be a little bit better chance, since we were at  
6 least anticipating there will be a fall run, based on recent  
7 management changes, and so I guess, from my perspective here,  
8 and I don't know if it represents the council's desire, but at  
9 least, somehow or another, if you haven't already communicated  
10 with the MRIP staff the importance of getting the data to you so  
11 that we can monitor these species that are under ACLs for  
12 timelines that we can manage, or try to manage them with those  
13 ACLs.

14  
15 Particularly for this experience that we had with them and the  
16 delay, and seeing that the majority of the issue was up in  
17 another region, that they could have at least provided the  
18 information for the Gulf, so that, again, you could do your job  
19 and we can all not have to receive those comments, or at least  
20 have them much reduced, potentially, in the future. I just hope  
21 that maybe, if it's not already communicated, that that is  
22 passed up, to let them know.

23  
24 **DR. CRABTREE:** I will ensure that these concerns are passed on  
25 to the MRIP folks.

26  
27 **CHAIRMAN ANSON:** Thank you. Mr. Greene.

28  
29 **MR. GREENE:** Draft Amendment 46, Modify Gray Triggerfish  
30 Rebuilding Plan, Dr. Larkin reviewed the commercial and  
31 recreational decision tools for gray triggerfish. Staff  
32 reviewed the draft options paper and discussed the timeline for  
33 development and implementation by November 2017. Ms. Bosarge  
34 requested that more background information on historical  
35 landings and management be added to the introduction of the  
36 document.

37  
38 The committee discussed the Action 2 alternatives and determined  
39 that the increasing eight-year rebuilding yield stream for 2017  
40 through 2019 was duplicative of another alternative currently in  
41 the document that uses the mean ABC for the eight-year  
42 rebuilding period. **Without opposition, the committee**  
43 **recommends, and I so move, in Action 2, to move Alternative 3 to**  
44 **Considered but Rejected.**

45  
46 **CHAIRMAN ANSON:** We have a committee motion. Is there any  
47 discussion on the motion? **Is there any opposition to the**  
48 **motion? Seeing none, the motion carries.**

1  
2 **MR. GREENE:** Staff reviewed the three recreational management  
3 actions and alternatives in the document: fixed closed season,  
4 bag limits, and minimum size limits. The committee did not make  
5 any modifications to the current range of alternatives. Staff  
6 requested direction at full council on the effort shifting by  
7 mode available in the decisional tool and what scalar the  
8 council might consider using, if any.

9  
10 Next, staff reviewed the two commercial actions and  
11 alternatives. Staff stated that, since the implementation of  
12 the twelve-fish trip limit and fixed closed season of June 1  
13 through July 31 in 2013, commercial landings have been 22 to 31  
14 percent below the commercial ACT of 60,900 pounds whole weight.  
15 Therefore, modifying the commercial closed season may not be  
16 necessary at this time.

17  
18 After discussion, the committee passed the following motion.  
19 **Without opposition, the committee recommends, and I so move, to**  
20 **move Action 6, Modify the Commercial Fixed Closed Season for**  
21 **Gray Triggerfish, to considered but rejected.**

22  
23 **CHAIRMAN ANSON:** We have a committee motion. Is there any  
24 discussion on the motion? **Is there any opposition to the**  
25 **motion? Seeing none, the motion carries.** Hold on one second,  
26 Mr. Greene. Mr. Riechers.

27  
28 **MR. RIECHERS:** Going back into the text right before we got here  
29 and the question about the scalar and the decision tool that  
30 staff had asked for some direction on, I think we talked about  
31 was there a way to go back and look at previous seasonal  
32 closures that would give some notion of a percentage. Beyond  
33 that, I don't know what to give direction here, other than take  
34 10 percent increments or -- If anyone else has a better notion,  
35 but I can't figure out what kind of direction you guys are  
36 wanting more than that, Carrie. Can you help out here or  
37 whomever?

38  
39 **CHAIRMAN ANSON:** Mara.

40  
41 **MS. LEVY:** I think the issue is that, to do the analysis to look  
42 at how all the different management measures are going to play  
43 into actually meeting the catch levels, there has to be some  
44 assumption about effort shifting.

45  
46 You can either assume that no effort shifting will occur and  
47 acknowledge that in the analysis and acknowledge that that's  
48 probably not correct, so that the estimates are not going to be

1 exactly right and you may actually need -- It might actually  
2 close the season sooner or whatever, or you can assume some  
3 effort shifting, whatever the council thinks is reasonable, 5 or  
4 10 percent, again with the same qualifiers, that this is what  
5 we're using for purposes of the analysis. If it's actually  
6 less, this will be the result. If it's actually more, this will  
7 be the result.

8  
9 I think it may be difficult to ask staff to take all the  
10 different combinations that are in there and then apply  
11 different effort shifting estimates to then see what would  
12 happen if it was 15 or 10 or 5. I don't really know that that's  
13 going to really inform the decision, because you're not going to  
14 know which one it is, and it's going to create a lot of work and  
15 a lot of different, very complicated tables to sort of see what  
16 would happen.

17  
18 I think you know that if effort shifting goes one way that this  
19 is going to be the general result. If it goes the other way,  
20 this is going to be the general result, and so I guess it's are  
21 you comfortable with staff assuming no effort shifting or some  
22 percentage of effort shifting and then describing,  
23 qualitatively, what the consequences would be if you were either  
24 above or below that assumption.

25  
26 **CHAIRMAN ANSON:** Robin.

27  
28 **MR. RIECHERS:** What I guess I'm trying to figure out is we  
29 suggested they wanted some guidance there, and now you may be  
30 suggesting they don't want as much guidance there. It's  
31 basically a sensitivity analysis associated with some  
32 guesstimate of effort shifting, and whether we have anything to  
33 inform that or not I guess remains to be seen.

34  
35 If we're going to do a sensitivity analysis and it's simple, you  
36 pick three points, from no effort shifting to a complete effort  
37 shift, in some way, which we know, if it's a complete effort  
38 shift, you have accomplished nothing. I don't know. It's  
39 pretty easy to grab a couple of points in between zero and 100  
40 and figure it out.

41  
42 **CHAIRMAN ANSON:** I certainly understand the comment that it's  
43 going to add more work to staff and make a bigger document with  
44 additional tables and such, but I mean that was kind of the  
45 whole point of the council asking for that extra information to  
46 be put into the decision tool, was to get a better sense as to  
47 potentially maybe what the impact will be, but your comment,  
48 Mara, is qualitative that it's going to be up or down.

1  
2 I mean, we can generally assume that, but we're trying to get,  
3 particularly on a relatively small ACL with this, we're trying  
4 to get a better sense of that, so that we can make a more  
5 informed decision as we make those decisions, and that's all.

6  
7 **MS. LEVY:** That's fine, but I guess my question is, if the  
8 council were to decide we think this is a reasonable assumption  
9 for effort shifting, that would be one thing, and I think that's  
10 what staff, and they can speak for themselves, is looking for.  
11 Does the council have some idea about what a reasonable effort  
12 shifting would be?

13  
14 If you don't know, then I guess my thing was that I'm not sure  
15 it helps, because you can have all these different analysis that  
16 analyze them, but you don't know which one is likely, and so it  
17 doesn't really inform your decision very much.

18  
19 **CHAIRMAN ANSON:** Doug.

20  
21 **EXECUTIVE DIRECTOR GREGORY:** My interpretation of all of this is  
22 the next step might be best to let the IPT use their best  
23 judgment and bring that back to the council for consideration.

24  
25 **MS. LEVY:** I mean, I guess this was coming from the IPT not  
26 really knowing whether the council had any suggestions about  
27 what would be a reasonable assumption with respect to effort  
28 shifting. The discussion I heard from Mike Larkin was that he  
29 really couldn't come up with anything on his own that he would  
30 be like, yes, this is what I would put in there, but, again,  
31 staff can speak to that.

32  
33 **CHAIRMAN ANSON:** Robin.

34  
35 **MR. RIECHERS:** I think what Mike actually responded was that he  
36 hadn't really thought about looking back at some past possible  
37 shifting, where we've had some seasonal closures, and he  
38 possibly could do that. My guess is no better than yours or any  
39 member of the IPT team if I'm just guessing. If I look at some  
40 past data, where we've had that occur, then maybe we can create  
41 an estimate that we think might be reasonable.

42  
43 **CHAIRMAN ANSON:** Dr. Simmons.

44  
45 **DR. SIMMONS:** I guess what we'll do is we will produce some  
46 tables with the three different management measures and the five  
47 different ACTs for the recreational sector the council is  
48 looking at and add from zero to 100 to those -- Or zero to 10,

1 you're saying, percent effort shifting. Is that what I heard  
2 earlier by Mr. Riechers that you would want in there, or do you  
3 want us to go all the way up to 100?

4  
5 **MR. RIECHERS:** I think, in some past closures that we've had,  
6 we've had what we would consider probably 100 percent effort  
7 shifting that has occurred, almost, in certain instances, where  
8 the closure has not been very long, and so I would think, if  
9 we're going to look at something, and since we're not going to  
10 base it on any previous analysis, I would just suggest we pick a  
11 couple of points in between zero and 100, because it's -- Again,  
12 all we're doing is a sensitivity analysis of what we think it  
13 might do. If no effort shifting occurs or if we get 100 percent  
14 effort shifting, but a couple of points along the way is simple  
15 enough then, would be my scenario.

16  
17 **CHAIRMAN ANSON:** Does that provide guidance? Do you need a  
18 motion for that? No? Okay.

19  
20 **EXECUTIVE DIRECTOR GREGORY:** We will also go back and look and  
21 see if we can get evidence of estimates of effort shifting with  
22 past closures.

23  
24 **CHAIRMAN ANSON:** All right, Mr. Greene.

25  
26 **MR. GREENE:** The committee discussed Action 7 that contains  
27 alternatives to modify the commercial trip limit per vessel per  
28 day. National Marine Fisheries Service staff clarified that  
29 even on multiday trips that only twelve gray triggerfish per  
30 vessel can currently be landed.

31  
32 The committee discussed modifying the alternatives to include  
33 trip limits both in pounds and numbers. Staff explained that  
34 the Law Enforcement Technical Committee previously commented  
35 that a low poundage of fish is difficult to enforce and  
36 recommended the trip limits be in numbers of fish. After  
37 discussion, a motion to add an alternative to establish a  
38 seventy-five-pound trip limit per vessel for gray triggerfish  
39 was withdrawn.

40  
41 The committee discussed adding a twenty-fish per vessel per day  
42 trip limit and whether or not it would constrain harvest to the  
43 proposed ACT. Staff stated that this trip limit, combined with  
44 the June 1 to July 31 closed season is projected to land 46,699  
45 pounds. This is estimated to constrain landings to all ACT  
46 alternatives but the eight-year rebuilding option of ACT equals  
47 47,320 pounds.

1 After discussion, the committee passed the following motion.  
2 Without opposition, the committee recommends, and I so move, in  
3 Action 7, to add the IPT-proposed alternative. The IPT-Proposed  
4 Alternative X is to increase the commercial trip limit for gray  
5 triggerfish to twenty fish per vessel per day.  
6

7 **CHAIRMAN ANSON:** We have a committee motion. Is there any  
8 discussion on the motion? Ms. Bosarge.  
9

10 **MS. BOSARGE:** That was my motion in committee. I thought Doug  
11 Boyd made a good point. I think it was you. You were looking  
12 at the numbers, or maybe it was Robin. You said that that may  
13 put us pretty close, when we get our new quotas, and that this  
14 could get us in a sticky situation. The commercial would get  
15 real close to its quota, or maybe over.  
16

17 The IPT had recommended twenty, and that's why I went with  
18 twenty, but I don't know that twenty is the number, and I would  
19 like to have some discussion on it. If there is more comfort  
20 level with eighteen, I would be good with that. Eighteen also  
21 seemed to correspond to that seventy-five-pound basket of fish  
22 that David was talking about, and I would actually be willing to  
23 make a substitute motion that would put that closer to that  
24 eighteen-fish level, so that we don't get too close or over that  
25 quota, and actually have it listed in pounds of fish rather than  
26 eighteen fish.  
27

28 I think that, when we got to public testimony, the way that it  
29 was explained was very clear that the high-grading incentive  
30 that having it in fish, in numbers of fish, presents to the  
31 fishermen. When they're high-grading, it's not like you throw  
32 that fish back because you think you can catch a bigger one.  
33 It's more like there is some dead fish in the cooler that are  
34 smaller. Throw those over and keep these bigger ones that we  
35 just caught as bycatch, whereas, if you just tell that man a  
36 seventy-five-pound trip limit, he doesn't care if it's twenty or  
37 ten fish. He's going to keep the first seventy-five pounds and  
38 be done with it. Do you see what I am saying? There is no  
39 incentive there to start switching fish out anymore.  
40

41 In all of this, should I make a substitute? I don't know the  
42 protocol. Before I start throwing things on the board, would it  
43 be a substitute motion? Yes? Okay.  
44

45 **I would like to have a substitute motion, which would actually**  
46 **be an approximation of the eighteen fish, which is David's**  
47 **motion.** In Action 7, to add an alternative -- Can you go back  
48 to David's original motion with the seventy-five pounds? They

1 told us that that was approximately eighteen fish. In  
2 parentheses, next to the seventy-five pounds, put approximately  
3 eighteen fish.

4  
5 For all of the other alternatives in that action that are listed  
6 in fish, out next to it, you will have, in parentheses,  
7 approximately so many pounds. In the final codified  
8 regulations, we can choose to do it in fish or in pounds, but  
9 that will give us a way to compare apples to apples as we're  
10 looking at it.

11  
12 **CHAIRMAN ANSON:** We have the motion on the board. Is that your  
13 motion, Ms. Bosarge?

14  
15 **MS. BOSARGE:** That's almost it, because I remember Dr. Crabtree  
16 had a comment that their regulations are always written as --  
17 What did you call it, a daily trip limit -- How do we tweak  
18 this?

19  
20 **DR. CRABTREE:** It's just a commercial trip limit. It's a limit  
21 per trip, and it's a daily trip, so you can't do it twice in a  
22 day. Just say to establish a seventy-five-pound commercial trip  
23 limit.

24  
25 **MS. BOSARGE:** Okay. **A seventy-five-pound commercial trip limit.**

26  
27 **CHAIRMAN ANSON:** Do we have a second for the motion? Is there a  
28 second? Second by Dr. Stunz.

29  
30 **DR. STUNZ:** Second, but I have a question, too.

31  
32 **CHAIRMAN ANSON:** All right. I had Robin had his hand up.

33  
34 **MR. RIECHERS:** Leann, David was the one who brought -- I mean  
35 the motion was made because of high-grading, and so I think he  
36 was addressing the high-grading issue. I think we went to  
37 number of fish primarily because of the law enforcement  
38 concerns, as opposed to any other reason, really.

39  
40 I would just make sure that -- We need to go one way or the  
41 other on this option. Either we need to go pounds on everything  
42 else or fish on everything else, so that they're comparable in  
43 nature, in some respects. I will ask, is our LEAP/LEC going to  
44 have a chance to look at this document again or have they had  
45 their opportunity and it's gone?

46  
47 **CHAIRMAN ANSON:** Dr. Simmons.

48



1 **DR. SIMMONS:** Thank you, Mr. Chairman. They have not looked at  
2 this document yet, because we're just really fleshing out the  
3 options. We can certainly put it before them, either in October  
4 or early in the spring, depending on where we are. The other  
5 question is I just had a question about the current motion. Is  
6 that gutted weight, seventy-five pounds gutted weight?

7  
8 **MR. WALKER:** We leave ours whole. They are not gutted, our  
9 triggerfish.

10  
11 **CHAIRMAN ANSON:** So it would be gutted weight.

12  
13 **MR. WALKER:** I think Texas may gut their triggers. I am not  
14 sure, but most everybody in the east Gulf leaves their triggers  
15 whole weight.

16  
17 **CHAIRMAN ANSON:** It makes it easy for calculating landings. Dr.  
18 Stunz.

19  
20 **DR. STUNZ:** I recall, and this wasn't my question, but reading  
21 something in the amendment about it was whole weight, but I  
22 don't know. We would probably want to look at that. My  
23 question is, Leann, and I support your amendment. I  
24 particularly like it because of the discard issue, but I did  
25 have a question for David as it relates to that, because that's  
26 why, during discussion, whenever it was the other day, it  
27 explicitly said in there that enforcement liked the number,  
28 because of an enforcement standpoint, but, David, when they  
29 board your boat, do they weigh them as well as count them or is  
30 it just as easy or something? I don't know.

31  
32 Also, just to follow up with that question as well, is, from the  
33 discard, is it not illegal to chuck fish back overboard? I  
34 guess nothing prevents you from doing it, but it seems, to me,  
35 that that's not a legal activity. If you have small fish and  
36 the next spot you land on big fish, but who is going to be  
37 watching, I guess, but, still.

38  
39 **CHAIRMAN ANSON:** David, go ahead.

40  
41 **MR. WALKER:** We just count fish. The first twelve triggerfish  
42 we catch, that's what we keep, and they're whole weight. When  
43 you get back to the twelve fish, before I was on the council, I  
44 was on the Reef Fish AP. I am the one who suggested we go to  
45 the twelve fish at the time, because we just had that  
46 discussion, and the discussion was we wanted to get as close to  
47 maximum yield as we could, and so we ran the numbers of fish,  
48 and twelve fish was supposed to have gotten us there. Well, it

1 didn't.

2  
3 We were twenty-something percent short, and so we wanted to go  
4 to pounds. Now, this high-grading, I think it's a small  
5 percentage of the fish, of the people that were catching them.  
6 Well, logistics-wise, depending on what region you're in, from  
7 the Florida Panhandle, from Pensacola to Mobile, there is  
8 substantial amount of triggerfish.

9  
10 Some other areas, there is not, and so kind of put it in  
11 comparison with if we had a twelve-fish gag. Do you think if  
12 someone had a twelve-fish gag that they wouldn't have a  
13 temptation to throw over a smaller gag and keep a bigger gag? I  
14 am just trying to put it you from the fishermen.

15  
16 We don't want -- High-grading is probably going on, and I'm not  
17 saying it's great. I have had my dealer complain to me about a  
18 boat that was coming in and had like a hundred pounds of  
19 triggerfish, and he knew that he was not catching every  
20 triggerfish that was that big, and he was concerned about it.  
21 That is what we're trying to address, high-grading, and I don't  
22 think pounds is going to be that hard to weigh up.

23  
24 It's like I said. It's like a heaping basket full of fish, but  
25 we get paid the same for triggerfish whether it weighs two  
26 pounds or thirteen pounds, and so it doesn't matter. The  
27 fisherman is going to -- They survive very well, and so you  
28 throw these fish back. It's like I was trying to tell Dale.  
29 They survive until you get them on the ice, but it's what the  
30 industry has asked for. I mean, it's an alternative. We're not  
31 picking preferreds today, are we?

32  
33 **CHAIRMAN ANSON:** You're right. I think we are not picking  
34 preferreds, and so it just an alternative at this point. Dr.  
35 Crabtree.

36  
37 **DR. CRABTREE:** Yes, it is, and high-grading is illegal. You  
38 shouldn't do it, but it's obviously an enforcement problem. We  
39 have lots of trip limits that are in pounds. Enforcement might  
40 prefer numbers, but they can deal with pounds. Most of our trip  
41 limits are pounds, and so I suggest we vote this up.

42  
43 **CHAIRMAN ANSON:** Mr. Greene.

44  
45 **MR. GREENE:** I agree, because I think the gist of looking at  
46 this motion is that David is asking for a seventy-five-pound per  
47 trip limit, which should be approximately eighteen fish, which  
48 would be on about a four-pound average.

1  
2 Seeing some of the size of the triggerfish that are being caught  
3 on my boat when I fish from south of Pensacola to south of  
4 Pascagoula, an eight-pound average would put you at about 145  
5 pounds, and so just that's the -- I think that's exactly what  
6 this motion is trying to do, is say, look, you can have seventy-  
7 five pounds, which, to enforcement, should be approximately  
8 about eighteen fish. You get into the math deal of four pounds  
9 or eight pounds, and that's basically doubling the number of  
10 pounds that you put in, and so it's just one of those things. I  
11 support this motion.

12  
13 **CHAIRMAN ANSON:** Mr. Diaz.

14  
15 **MR. DIAZ:** Thank you, Mr. Chair. I am going to support the  
16 motion, too. I think it would read better if we took the part  
17 in parentheses out, because that might cause some confusion.  
18 People might see that somewhere and that stick in their head  
19 that it's eighteen, when that's just an approximate thing. I  
20 don't think that should be in the motion, and so I would  
21 recommend that that come out, if the maker of the motion and  
22 seconder are agreeable.

23  
24 **CHAIRMAN ANSON:** Leann.

25  
26 **MS. BOSARGE:** I don't think that has to be in the motion. I  
27 think staff could put a little spreadsheet illustration in the  
28 document somewhere, so that we can compare these alternatives,  
29 the ones that are in fish compared to the ones that are in  
30 pounds, and just give it us in a table. It doesn't have to be  
31 in the motion, in the actual alternative. That's fine.

32  
33 **CHAIRMAN ANSON:** The seconder agrees? Greg, I think you  
34 seconded it. He agrees. Okay. Any further discussion on the  
35 motion? **All those opposed to motion, please signify by raising**  
36 **your hand. No one was opposed. It carries unanimously.** Mr.  
37 Greene.

38  
39 **MR. GREENE:** Draft Amendment 42, Reef Fish Recreational  
40 Management for Headboat Survey Vessels, staff provided the  
41 purpose and need and summarized the actions and management  
42 alternatives in the amendment. Staff discussed the eligibility  
43 criteria that must be met to participate in the management  
44 program.

45  
46 Staff noted that a vessel qualifies as a landings history vessel  
47 if it has a valid or renewable federal reef fish for-hire permit  
48 and has individual landings history recorded by the Southeast

1 Region Headboat Survey by December 31, 2015. Committee members  
2 discussed participation in the management plan and indicated  
3 that only landings history vessels that are reporting to the  
4 Southeast survey in 2016 are eligible to participate in the  
5 management plan developed in Amendment 42.

6  
7 The committee discussed the distribution of future quota  
8 increases and made the following motion. **Without opposition,**  
9 **the committee recommends, and I so move, to move Action 13.1,**  
10 **Distribution of Quota Increases, to the considered but rejected**  
11 **section.**

12  
13 **CHAIRMAN ANSON:** We have a committee motion. Is there  
14 discussion on the motion? **Is there any opposition to the**  
15 **motion? Seeing none, the motion carries.**

16  
17 **MR. GREENE:** The committee discussed the opting-out options in  
18 the amendment. A motion to move Action 3, Participation at the  
19 Onset of the Program, to considered but rejected failed.

20  
21 Committee members discussed a potential timeline for  
22 implementation of this amendment and the need for eligibility  
23 requirements for participating in the referendum. Staff will  
24 present draft referendum eligibility criteria during full  
25 council.

26  
27 **CHAIRMAN ANSON:** I have a question from Dr. Diagne.

28  
29 **DR. ASSANE DIAGNE:** Thank you, Mr. Chair. I thought that  
30 perhaps that was our cue to briefly discuss with you these  
31 eligibility criteria for the referendum, but we can wait until  
32 the questions are asked and then we will proceed.

33  
34 **CHAIRMAN ANSON:** Mr. Greene.

35  
36 **MR. GREENE:** They have emailed this out to us. If you want to  
37 go through this now, as we go through the document, Mr.  
38 Chairman, or however you choose to proceed.

39  
40 **CHAIRMAN ANSON:** I guess it probably would be better to go  
41 through it now, under this section. As Mr. Greene said, it  
42 should be in your email box, if you would check that, but maybe  
43 we can get it on the board as well. Mr. Diaz.

44  
45 **MR. DIAZ:** I am just trying to get something straight, and maybe  
46 you all can help me. In 42, we discussed whether or not to let  
47 people opt-in or opt-out, and we didn't do anything with it in  
48 42, but, in 41, we did take out where boats could opt-out, and

1 is that how we did it?  
2  
3 **CHAIRMAN ANSON:** I am trying to think of how that went. Dr.  
4 Lasseter.  
5  
6 **DR. LASSETER:** I didn't quite understand Dale's question. In  
7 41, you do still have the voluntary program participation, and I  
8 noted that we're going to raise that issue with the charter AP  
9 and have them provide some further comments on that, but, Dale,  
10 I'm sorry, but what was your question?  
11  
12 **MR. DIAZ:** I was just trying to get it straight. In one of the  
13 documents, we're not allowing people to opt out anymore. The  
14 preferred we picked was to not let them opt out, I thought. In  
15 the other document, we didn't do that. Am I correct there?  
16  
17 **DR. LASSETER:** I think you may be referring just to the option  
18 that -- In committee, you made a motion to remove an option from  
19 the voluntary participation, which would not allow that to have  
20 the program be voluntary every year, because that would be very  
21 complicated for NMFS to recalculate who is participating and  
22 distribute the allocation, but only that option for one year was  
23 removed in 41 in committee.  
24  
25 **MR. DIAZ:** Thank you.  
26  
27 **CHAIRMAN ANSON:** The document that was distributed by email  
28 regarding the eligibility for referendum participation is on the  
29 board. Assane, can you lead us through that?  
30  
31 **DR. DIAGNE:** Yes, and, at this point, I will ask Ms. Gerhart to  
32 lead the discussion on this issue.  
33  
34 **MS. GERHART:** Thank you. First, let me point out these are  
35 draft alternatives that we kind of did on the fly here, and so  
36 there will probably be some wordsmithing by the IPT when they  
37 get a chance to look at it. Another thing is that you did  
38 determine yesterday or the day before, whenever we talked about  
39 this, that only those vessels still participating in the survey  
40 this year would be eligible for the program, and so we have  
41 based this on those.  
42  
43 I want to point out that we talked about sixty-seven vessels at  
44 that time. It's come to our attention that what we were  
45 counting as two vessels is actually one, and so the true number  
46 is sixty-six vessels.  
47  
48 What we did was look at the average landings of all the five

1 species combined and looked at the average for each vessel and  
2 then looked at those on a graph and found where there might be  
3 some natural breaks between the landings. The two numbers that  
4 we came up with as thresholds were 100 fish landed and 400 fish  
5 landed. Again, these would be averages over the five-year  
6 period of 2011 to 2015. That's the same time period that we're  
7 using for the initial allocation of shares.

8  
9 These are the alternatives we're looking at right now, and we  
10 would like input if you think this is appropriate or if there is  
11 other suggestions. What we will do for the October meeting is  
12 bring back an abbreviated framework document with some  
13 introduction, some explanation and discussion of these, and then  
14 you can make your choices then.

15  
16 **CHAIRMAN ANSON:** Thank you. Johnny.

17  
18 **MR. GREENE:** I am reading through this, and I have a little bit  
19 of concern. 100 fish of all species. Now, this is a  
20 multispecies document. There are some vessels that do not catch  
21 very many red grouper or gag grouper that are in other parts of  
22 the Gulf. Perhaps maybe you have to catch a specific number of  
23 the majority.

24  
25 There is five species, and so you would have to catch three  
26 somehow. In other words, there is five species. You have  
27 triggerfish, amberjack, red snapper. If you catch 100 of those,  
28 then you're in, but if you make your living catching red  
29 grouper, gag, and triggerfish, you have to have three of the  
30 five, or something to that effect, because I am concerned about  
31 a boat in Texas that doesn't catch a red grouper. Is red  
32 grouper not in it? That is my concern. Is it all species  
33 combined? I didn't read it that way. It's written in plain  
34 English, and I don't know why, but my apologies.

35  
36 **CHAIRMAN ANSON:** Go ahead, Mr. Boyd.

37  
38 **MR. BOYD:** A question. What we're saying is that there are  
39 probably some boats that fall below the 100 catch and would be  
40 excluded from participating?

41  
42 **CHAIRMAN ANSON:** To that point, Mr. Greene?

43  
44 **MR. GREENE:** No, Mr. Boyd. I'm sorry that I confused everybody  
45 on it. I don't think that anybody would have a problem meeting  
46 this criteria. When I first scanned through this, as we've all  
47 just received it here pretty quickly, it's of all species  
48 combined. It's really anybody that has a headboat that carries

1 thirty or forty people is going to qualify of catching all  
2 species combined, and so it should not be an issue. I apologize  
3 for the problem.

4  
5 **MR. BOYD:** Just a follow-up question. The question would be are  
6 there any that fall below the 100?

7  
8 **MS. GERHART:** Yes, there actually are five vessels that would  
9 fall below the 100 level. Those are vessels that have averages  
10 that -- I don't have it in front of me, but there are a handful  
11 of fish during that time. We can look at a lower number if you  
12 would like.

13  
14 Ms. Levy has explained that this is supposed to be substantially  
15 participated or substantially fished for those species. If  
16 someone has landed an average of five fish a year, that may not  
17 be considered substantially fished. If you would like us to  
18 look at a lower number, we can do that as well.

19  
20 **CHAIRMAN ANSON:** Robin.

21  
22 **MR. RIECHERS:** If you wanted to consider people who somehow did  
23 not land 100 fish, on average, from 2011 to 2015, wouldn't you  
24 just opt for the Alternative 1?

25  
26 **MS. GERHART:** Alternative 1 is to not define any criteria.

27  
28 **MR. RIECHERS:** Which means everyone who is a vessel gets to  
29 vote.

30  
31 **MS. LEVY:** You have to make some decision and justify it with a  
32 rational reason about who has substantially fished the species  
33 to be included, and "substantially fished" has got to be  
34 something more than at least zero. If you're going to say five  
35 fish is enough over a five-year period, I think you're going to  
36 have to explain how that is substantially fished.

37  
38 **CHAIRMAN ANSON:** Sue, substantially fished, you could leave it  
39 up to discretion and not have a number of 5 percent, 10 percent,  
40 20 percent, and that kind of is up to your discretion, but, I  
41 mean, generally, 100 fish, does that represent an average for  
42 the whole fleet? Is 100 fish 1 percent of the rest of the  
43 average for all the vessels or is it --

44  
45 **MS. GERHART:** I can't do the math that quickly in my head, but  
46 five out of sixty-six would not qualify.

47  
48 **CHAIRMAN ANSON:** No, I'm thinking of the fish, the number of

1 fish. That's at least 100 fish, but what was -- Maybe what was  
2 the maximum, I guess, for any of the vessels or you should have  
3 -- You should have that average, I guess, of all the vessels,  
4 for each vessel, I guess, for all the years is what I'm getting  
5 at.

6

7 **MS. GERHART:** The maximum was about 6,500.

8

9 **CHAIRMAN ANSON:** Robin.

10

11 **MR. RIECHERS:** I am assuming that when you analyze this and it  
12 gets put in the document that we will get to see those frequency  
13 histograms or something that gives us an idea of who fits where.  
14 I am not thinking that we probably need anything different than  
15 what we have, but I think we will know more about what those  
16 catches look like, and as we try to think about substantially  
17 fished, we would understand that better.

18

19 **CHAIRMAN ANSON:** Does anyone have any other comments to what has  
20 been offered for inclusion as we look at the referendum document  
21 that will need to be done? Ms. Guyas.

22

23 **MS. GUYAS:** Just a logistical question. When we come back and  
24 look at this in October, assuming we have the data that Robin  
25 just alluded to, if we add other alternatives, are we still on  
26 the same timeline or does that back us up? I just want to make  
27 sure we choose an alternative that really works and we're all  
28 comfortable with, but I know there is a timeline.

29

30 **MS. GERHART:** This document will be exempt from the NEPA  
31 requirements, and so it doesn't require the extensive analysis  
32 that a lot of our amendments and frameworks do. It will be a  
33 categorical exclusion. We would have to do some social impact  
34 analysis, but could they add another value, Mara?

35

36 **MS. LEVY:** I think you could add another value. I guess the big  
37 question is would you want to see an alternative that's higher  
38 than 400 fish and how much higher? I mean we can lower -- Lower  
39 is sort of included in the between 100 and 400 and zero to 100,  
40 but if you're looking at we really want to look at 1,000 fish,  
41 then that would be something to maybe put in there, so you can  
42 flesh out the economic or who would be in and out and stuff like  
43 that.

44

45 **CHAIRMAN ANSON:** I have several folks. I have Doug Boyd,  
46 followed by Dr. Crabtree, followed by Camp.

47

48 **MR. BOYD:** Mara, a question. If you use the criteria that it



1 has to be substantially fished to participate in the referendum,  
2 what do you do when you have a sector that has no catch history?

3  
4 **MS. LEVY:** You're going to have to come up with some other  
5 metric to decide who has substantially fished the species to be  
6 included in the program. There is no indication of what  
7 substantially fished has to mean, and so you would have to look  
8 at some other metric and explain why that captures the people or  
9 the permits that have substantially fished that species.

10  
11 **MR. BOYD:** With that definition then, we could say that  
12 substantially fished is ten days. You have reporting from the  
13 headboats that come in, and if they did ten days a year of  
14 reporting or twenty days or 100 days, they substantially fished.

15  
16 **MS. LEVY:** It has to be substantially fished the species to be  
17 included in the program, and so you somehow have to link it to  
18 the species that are going to be included in the program,  
19 because that's the exact language.

20  
21 **CHAIRMAN ANSON:** Dr. Crabtree, followed by Camp, followed by  
22 Robin.

23  
24 **DR. CRABTREE:** I just was going to point out that we're on this  
25 tight timeline for the referendum because we left the opt-in  
26 provision in the document, and that means the whole  
27 implementation takes longer, because we have to go to the  
28 vessels and give them a chance to opt-in and out.

29  
30 I raised, in committee, trying to eliminate that action. What I  
31 have heard in public testimony was they want us to get rid of  
32 that and make it mandatory, but we didn't do that, but, if we  
33 would get rid of Action 3 out of this amendment, then we are not  
34 under as tight of a timeline to do these things.

35  
36 **MR. MATENS:** Thank you, Mr. Chairman. Maybe it's just my  
37 background, and maybe I don't understand, but I am having a hard  
38 time wrapping my mind around eight fish a month, in the case of  
39 Alternative 2, or a fish a day, in Alternative 3, as  
40 substantial. I guess I don't understand why there are boats out  
41 there that aren't meeting this criteria. I guess the point of  
42 my discussion is, to Mara's point, I think we have to come to  
43 some agreement about what really is substantial.

44  
45 **CHAIRMAN ANSON:** Robin.

46  
47 **MR. RIECHERS:** Camp, someone down here said that's what we're  
48 trying to do, and I agree with that. When we get the data, we

1 will know more about that, and so I agree with that. I have two  
2 questions, Mara, and one of them is following up on Mr. Boyd's.  
3 He mentioned if you don't have landings and we would have to use  
4 other criteria, and so, if there aren't landings and we go to  
5 other criteria, could it be number of times the individual  
6 reported fish to a particular reporting agent or entity?

7  
8 **MS. LEVY:** I mean that's pretty hard for me to answer in the  
9 abstract. If you wanted to develop some criteria that would  
10 determine who substantially fished the species to be included in  
11 the program outside of landings, I think you have the  
12 flexibility to do that, but I would kind of need to see what  
13 that criteria is and how it relates to the species to be  
14 included in the program, and so I don't want to limit your  
15 flexibility, but it's just very hard to answer in the abstract.

16  
17 **MR. RIECHERS:** As we talk about charter vessels, we're not going  
18 to have those same catch histories, and so, if you don't have --  
19 One option is just a recording of someone who landed fish X  
20 number of times per year or something like that. Like I said,  
21 we don't have to belabor that. That isn't this one, but I'm  
22 just trying to figure out how that might work.

23  
24 My second question though is, because it was brought to me, was  
25 the whole partyboats and charter boats were removed as a sector,  
26 and so how are we separating, as we vote under two different  
27 amendments here, that sector or just explain how that works, as  
28 opposed to it all being a lumped sector.

29  
30 **MS. LEVY:** The referendum provision talks about the referendum  
31 has to be held among eligible permit holders, and so I think you  
32 decide who an eligible permit holder is by who you define who is  
33 eligible for the program.

34  
35 When you decide who is eligible to participate in the program,  
36 that is sort of the universe that could be included in the  
37 referendum. Then the only people that can vote, of those  
38 eligible permit holders, are the ones who have substantially  
39 fished the species to be included, and so that then is further  
40 narrowing the people who actually vote in the referendum.

41  
42 **CHAIRMAN ANSON:** All right. Looking at, again, the alternatives  
43 that are provided for us, and as it was suggested by Ms. Levy  
44 earlier, is that we want to have another alternative that  
45 deviates from this, we need to probably give some guidance here,  
46 so staff can be sure to include that as part of the next time we  
47 see this. Does anyone have any comments to that? Is there  
48 another way to look at it, with some of the limitations, I

1 guess, as to how you set that up, based on Ms. Levy's comments  
2 regarding the species or is there another number here that we  
3 would like to use based on Ms. Gerhart's comment that at least  
4 the largest number of fish that a vessel had, on average, was  
5 about 6,500? If we're happy with these, then we will send them  
6 on. Johnny.

7  
8 **MR. GREENE:** Just a question. Is zero, 100, and 400 going to be  
9 enough for a wide range of alternatives? If we need to have a  
10 number, I can just throw another number in there, but I --

11  
12 **CHAIRMAN ANSON:** It doesn't appear, based on the comments from  
13 NOAA legal, that in order to meet NEPA -- NEPA is not part of  
14 the discussion relative to this document, and so we don't need a  
15 really large or a very descriptive range of alternatives. We  
16 need to include those alternatives we feel essentially captures  
17 how we want to define who is going to be participating in the  
18 referendum, and so that's what the goal is here, is to make sure  
19 that, in your mind at least, that you have some alternatives  
20 that would cover that range.

21  
22 **MR. GREENE:** I think so. I mean 100 fish of all species  
23 combined is about as minimal as it can get. 400 certainly would  
24 qualify for that, and so I'm fine with this.

25  
26 **CHAIRMAN ANSON:** Ms. Levy.

27  
28 **MS. LEVY:** One thing that might be helpful to look at, and maybe  
29 staff can do that if they come back with a couple more  
30 alternatives. There is a couple more alternatives of sort of  
31 how many -- I am trying to figure out a way to explain this.

32  
33 If you have the number of permit holders, for example, who had  
34 an average of 2,000 fish and those permit holders represented 80  
35 percent of the landings, you might want to know that, because  
36 that means that you have a lot of other vessels landing a little  
37 bit and maybe substantially fished should be higher, because  
38 you're capturing the percentage of the landings by these permit  
39 holders.

40  
41 I don't know that staff has really looked at that yet, and so  
42 maybe we can do some more analysis and see if there are other  
43 alternatives that might be reasonable for you to consider in  
44 terms of deciding the substantially fished question.

45  
46 **CHAIRMAN ANSON:** Dr. Diagne.

47  
48 **DR. DIAGNE:** If we are granted the flexibility of doing so, we

1 are going to start with the 100 and 400 fish that we have, but,  
2 as we look at the data, if there is another breaking point,  
3 quote, unquote, that appears, we will add it and supplement the  
4 alternatives, so that in October you would have at least let's  
5 say an additional alternative.

6  
7 Keep in mind that this is for the referendum. Even those people  
8 who don't vote will participate in the program, should it come  
9 to pass. That's one thing. The second thing is obviously the  
10 higher the number of fish, the more people would be excluded  
11 from the vote, and so the 400 and the 100 as a starting point,  
12 but, as we do the analysis, maybe we will add one alternative  
13 for your consideration.

14  
15 **CHAIRMAN ANSON:** Thank you. Johnny.

16  
17 **MR. GREENE:** Just to be clear, Assane, all the participants  
18 participating in the referendum, no matter how they vote -- If a  
19 referendum was to pass, they will be included?

20  
21 **DR. DIAGNE:** Yes, and, of course, with the caveat that we have  
22 an opt-out provision. If they decided to opt-out, that would be  
23 their decision, but everybody that we defined as an eligible  
24 participant will be in the program should the referendum pass,  
25 yes.

26  
27 **MR. GREENE:** Okay. Thank you.

28  
29 **CHAIRMAN ANSON:** Dr. Lucas.

30  
31 **DR. LUCAS:** I have a question on the timing of the opt-out. Is  
32 it essential that they opt out before we even go through the  
33 whole referendum process or are you saying that we go through  
34 this process and then they have the opportunity to opt out? I  
35 am just wondering about the timing of that.

36  
37 **CHAIRMAN ANSON:** Go ahead, Dr. Crabtree.

38  
39 **DR. CRABTREE:** There wouldn't be any opting out until after  
40 you've taken final action and the whole program has been  
41 approved and implemented through rule-making, and so someone  
42 would get to vote, but that wouldn't affect their ability to opt  
43 out later.

44  
45 **CHAIRMAN ANSON:** Sue.

46  
47 **MS. GERHART:** If you look on the next two pages of this document  
48 that's up on the screen, the timelines are on there for both

1 with the opt-out and without the opt-out.

2  
3 **CHAIRMAN ANSON:** Thank you for providing that. Any further  
4 discussion on the requirements for determining referendum  
5 participation, those alternatives? As Dr. Diagne noted, if they  
6 find or come across another breaking point and they feel it's  
7 appropriate, they will include that the next time we see the  
8 documentation. Ms. Levy.

9  
10 **MS. LEVY:** Thank you. I know we discussed yesterday this idea  
11 about in order to be now eligible to participate in this program  
12 that you have to have been selected by the Science Center to  
13 participate in the survey in 2016, but I am a little bit wary of  
14 that, and I'm sort of wondering -- Maybe we can talk about it at  
15 the October meeting, but we had a whole discussion about the  
16 qualifying years being that you had to have landings before the  
17 end of 2015 to be considered a landings history vessel.

18  
19 It's not clear to me why the criteria for actually being in it  
20 would be what the Science Center decided to do for this year,  
21 because we used the headboat survey for a reason, because we  
22 wanted the vessels that had the landings history, but that, in  
23 my mind, was supposed to be it. The Science Center's decisions  
24 as to who was in and out, from that point forward, to me, didn't  
25 seem to be a real relevant criterion about who was in and out of  
26 the program.

27  
28 Again, if you don't want to spend time discussing it now, that's  
29 fine, but I think maybe we need to revisit that idea that you  
30 have to have been selected for 2016 to somehow now be  
31 participating in this.

32  
33 **CHAIRMAN ANSON:** That kind of ties into my thoughts, as we've  
34 been discussing the number of potential vessels that this could  
35 apply to, because I was kind of thinking of this participation  
36 in the headboat survey as being the main criteria to kind of  
37 establishing that group.

38  
39 I had contacted Ken Brennan earlier this year, and his staff had  
40 provided me a list for my comparison for our mandatory reporting  
41 program in Alabama for red snapper, and I have a list that  
42 includes sixty-nine vessels. You mentioned sixty-seven the  
43 other day and now sixty-six, and that was my criteria for  
44 requesting -- I assumed that that was their criteria, is they  
45 were participating in the headboat survey. That would be  
46 something that I will maybe just talk with you later on, Sue, is  
47 just to kind of get some clarification on that. Dr. Lucas.

48

1 **DR. LUCAS:** I kind of have some of the same questions, Mara,  
2 around that, but also around the whole idea that it is  
3 participation in the program, regardless of whether you meet the  
4 true definitions of a headboat.

5  
6 It all comes back to you don't necessarily have to be a true  
7 headboat. You just have to participate in this program, and so  
8 it seems to me that this whole document hinges on your  
9 participation in this program and not really the definitions of  
10 a headboat, and so that keeps me cycling back and forth into a -  
11 - I have problems understanding it.

12  
13 **CHAIRMAN ANSON:** To that point, Dr. Ponwith?

14  
15 **DR. PONWITH:** To that very point, and staff have raised concerns  
16 with me, and it is that participation in the headboat program  
17 was based on a set of criteria, and we discussed those a little  
18 bit yesterday, and that was basically the combination of size  
19 and payment type.

20  
21 There is concern about so it isn't a strict legal definition,  
22 and I understand using participation in the headboat program as  
23 a criterion, because what that does is it gives you concrete  
24 data to base landings history on. In terms of having those  
25 data, it's a good criterion, but the definitions that determine  
26 whether you were in or not are not particularly crisp.

27  
28 We have already discussed the point that we've had vessels that  
29 were in and then they hit some threshold where, instead of  
30 selling by the seat trips, they went, for a period, to selling  
31 by the boat trips and then came out of the program because of  
32 that. I think it is important to separate the convenience of  
33 having landings history, and certainly that is valuable, from  
34 what sort of definition they meet, in terms of the way they  
35 conduct their business.

36  
37 **CHAIRMAN ANSON:** Ms. Levy.

38  
39 **MS. LEVY:** One concern that Jessica just raised to me about this  
40 was that there are several vessels that are no longer in the  
41 program because they were sold, and so the permit is not related  
42 to those vessels anymore, since we're talking about vessels, and  
43 that's fine. If we want to say that the vessel has to have a  
44 federal charter/headboat permit to participate, like a current  
45 valid or renewable permit, that's fine. She may have had some  
46 other reasons, but I think that we need to then hone in on the  
47 reason we're excluding people, and it shouldn't necessarily be  
48 that they're not in the Science Center survey for 2016.

1  
2 **CHAIRMAN ANSON:** Dr. Diagne.

3  
4 **DR. DIAGNE:** Thank you. I think, based on the comments offered  
5 by Ms. Levy, we can go back and take another look at this and  
6 perhaps take that requirement of participation in the survey in  
7 2016 out of the equation. It probably will add a few vessels to  
8 this, maybe somewhere in the neighborhood of six or seven or so,  
9 maybe five, six, or seven. That will increase the universe to  
10 seventy-two. I guess that trying to be more inclusive would be  
11 a good thing for this program. If that's amenable to you, we  
12 can go and do that and take out that additional condition, if  
13 you would.

14  
15 **CHAIRMAN ANSON:** Sue.

16  
17 **MS. GERHART:** I was mostly going to say the same thing as  
18 Assane, but we are exploring those eight vessels that are no  
19 longer in the survey. Some of them no longer have a permit and  
20 there are other reasons, and so we are working on exploring  
21 that, and we can come back with that information.

22  
23 **CHAIRMAN ANSON:** All right. It appears that -- We have gone  
24 through some good discussion, and it appears that staff has some  
25 alternatives they can work with and go ahead and start compiling  
26 some of the information. Again, if they find another break  
27 beyond 400 that they feel is worthwhile and appropriate, they  
28 will go ahead and do the analysis on that and provide it at the  
29 next meeting. We don't need a motion for this. We will just go  
30 ahead. Everybody realizes what they're trying to do.

31  
32 Does anybody have any other comments or questions related to the  
33 referendum documentation, to get that together for headboats?  
34 All right. We were scheduled for an 11:30 lunch break, and  
35 we're just about fifteen minutes behind. We will go ahead and  
36 recess for lunch.

37  
38 We are supposed to pick it back up at 1:00 P.M. That's an hour  
39 and fifteen minutes. I would like to at least shoot for that.  
40 If you can do that, that would be great. We have a couple of  
41 folks that are trying to leave early, and so we just want to try  
42 to accommodate some of their schedules, and so an hour-and-  
43 fifteen minutes for lunch. Come back here at one o'clock.

44  
45 (Whereupon, the meeting recessed for lunch on August 18, 2016.)

46  
47 - - -

1 August 18, 2016

2  
3 THURSDAY AFTERNOON SESSION

4  
5 - - -

6  
7 The Full Council of the Gulf of Mexico Fishery Management  
8 Council reconvened at the Astor Crowne Plaza, New Orleans,  
9 Louisiana, Thursday afternoon, August 18, 2016, and was called  
10 by Chairman Kevin Anson.

11  
12 **MR. GREENE:** Draft Amendment 41, Red Snapper Management for  
13 Federally Permitted Charter Vessels, the committee received a  
14 presentation on potential split season lengths for the harvest  
15 of red snapper by charter vessels.

16  
17 Staff then reviewed the draft amendment, noting that the number  
18 of proposed programs should be reduced to allow staff to begin  
19 developing the supporting actions. A motion to remove the  
20 permit fishing allocation and harvest tag programs failed.

21  
22 The committee then passed the following motion to remove just  
23 the PFA program. **Without opposition, the committee recommends**  
24 **and, I so move, in Action 1, to move Alternative 3, Option 3a to**  
25 **considered but rejected.**

26  
27 **CHAIRMAN ANSON:** We have a committee motion. It's on the board.  
28 Is there any discussion on the motion? Mr. Sanchez.

29  
30 **MR. SANCHEZ:** Based on yesterday's testimony, I would like to  
31 offer a substitute. I would like it to read as follows: In  
32 Action 1, move the entire Alternative 3, PFA, and Alternative 4,  
33 referencing harvest tags, to considered but rejected.

34  
35 **CHAIRMAN ANSON:** We have a substitute motion. We will wait  
36 until we get it on the board and John looks at it and approves  
37 it before we get a second. Is that it, John? Okay. Do we have  
38 a second for the motion?

39  
40 **DR. DANA:** Second.

41  
42 **CHAIRMAN ANSON:** It's seconded by Dr. Dana. Any discussion on  
43 the motion? Dr. Lucas.

44  
45 **DR. LUCAS:** I would like to make a substitute motion on this  
46 motion. In Action 1, move just Alternative 3 to considered but  
47 rejected. If I get a second, I will explain.



1 **CHAIRMAN ANSON:** We have a second substitute motion. Is there a  
2 second? It's seconded by Dr. Stunz. Kelly.

3  
4 **DR. LUCAS:** The point of this document is to provide people with  
5 a range of alternatives. If we are to remove -- I agree that we  
6 need to make this document less complicated, but if you remove  
7 any discussion of just strictly allocation-based, separate from  
8 a quota system, out, then you don't really give another  
9 alternative. It's either go with a quota-based, share-based  
10 system, or go kind of status quo.

11  
12 I was trying to leave one of the actions in there, and, to me,  
13 PFAs or harvest tags, and this is not harvest tags for  
14 enforcement, and it doesn't even have to be a physical tag, but  
15 I am talking about harvest tags strictly as allocation, and so  
16 an allocation-only-based method. That's just to give people the  
17 option to see three kind of different things structured within  
18 the program, just because we're still kind of early in providing  
19 analysis in this document. Therefore, they will at least have  
20 something else to look at.

21  
22 **CHAIRMAN ANSON:** Dr. Stunz.

23  
24 **DR. STUNZ:** I agree with Dr. Lucas's assessment, and there is  
25 still a lot of potential with tags, in all of the sectors, in  
26 fact, in 41 and 42 and the private side, and we've been making  
27 this argument for some time about this wide range of  
28 alternatives, but none of the current alternatives, if this  
29 motion was to prevail, the motion before Kelly's, is really  
30 looking after the consumer and the user of these charter  
31 captains and for-hire vessels. By leaving the tag option in,  
32 there are some alternatives or options for that.

33  
34 **CHAIRMAN ANSON:** Any other discussion on the second substitute  
35 motion? Ms. Bosarge.

36  
37 **MS. BOSARGE:** Just out of curiosity, if this motion passes,  
38 because of the two that are before it, because each one is  
39 slightly different, is it possible to even have a motion after  
40 this to discuss removing Alternative 4, or is that off the table  
41 at that point?

42  
43 **CHAIRMAN ANSON:** Mara, do you have any -- I wouldn't think that  
44 it would preclude someone from offering a motion. I mean it's  
45 not like we're tabling it or something, but, administratively,  
46 it is a little bit more difficult, but -- Is that your general  
47 thought, too? I am saying that I don't know of anything that  
48 would prevent someone from offering another motion dealing with

1 Alternative 4, because it's like we tabled it or anything. This  
2 motion deals with everything that was in the previous motions,  
3 but you can come back in with another motion dealing with  
4 Alternative 4 as a stand-alone motion. That's the way I  
5 interpret it.

6  
7 **EXECUTIVE DIRECTOR GREGORY:** Since, there's no actual vote on  
8 Alternative 4 here. If this motion fails, it goes back to the  
9 previous motion, which does include Alternative 4.

10  
11 **CHAIRMAN ANSON:** All right, and so no other further discussion  
12 on the second substitute motion? **All those in favor of the**  
13 **second substitute motion, please signify by raising your hand.**

14  
15 **EXECUTIVE DIRECTOR GREGORY:** Ten.

16  
17 **CHAIRMAN ANSON:** All those opposed, same sign.

18  
19 **EXECUTIVE DIRECTOR GREGORY:** Four. It's ten to four.

20  
21 **CHAIRMAN ANSON:** It's ten to five with Dr. Dana. This motion  
22 carries. All right, Johnny.

23  
24 **MR. GREENE:** If you're ready to continue --

25  
26 **CHAIRMAN ANSON:** Hold on one second, Johnny. Dr. Crabtree.

27  
28 **DR. CRABTREE:** I would like to make a motion to remove  
29 Alternative 4 to considered but rejected.

30  
31 **MR. SANCHEZ:** Second.

32  
33 **CHAIRMAN ANSON:** We have a motion in Action 1 to move  
34 Alternative 4 to the considered but rejected section. It's been  
35 seconded by Mr. Sanchez. Is there any discussion on this  
36 motion? Robin.

37  
38 **MR. RIECHERS:** Dr. Crabtree, I have heard you many times talk  
39 about fish tags and how we might use those and how we should  
40 explore those, and I don't quite understand the motion then.

41  
42 **DR. CRABTREE:** I don't think, in this case, it's necessary in  
43 order to get to an effective, accountable program for the  
44 charter boats, but if you would like to make a motion to start  
45 working on an amendment to look at fish tags for the private  
46 sector, I would second that.

47  
48 **MR. RIECHERS:** Doesn't the recreational angler on the back of

1 the boat -- Couldn't they be using a fish tag?

2  
3 **DR. CRABTREE:** That is one way to do it, but I don't think it's  
4 the most appropriate way or the most practical way to manage  
5 this sector.

6  
7 **CHAIRMAN ANSON:** Dr. Stunz.

8  
9 **DR. STUNZ:** We haven't even really looked at some of this. The  
10 other AP under 41 is still meeting to look at a whole variety of  
11 things, and I think we're just really too early to remove this.  
12 I spoke kind of the consumer earlier, and so what we're doing  
13 with the other actions in here is essentially, if you have this  
14 permit, you're, ideally, I guess, going to get some type of  
15 quota.

16  
17 I don't know if that's the right way to go, with subsidizing  
18 certain businesses that we don't know whether they're good or  
19 whether they're bad or whether they're really going to look  
20 after the customer or what. In the scenario with tags, there  
21 are some options where, for example, you could distribute tags  
22 to the fleet. You could hold a portion of those back that  
23 individuals could then choose and go to whatever regions or  
24 whatever businesses they want to, and it's a little bit more of  
25 a free market, an opening up of that sector, rather than having  
26 it controlled by the businesses rather than the consumers.

27  
28 **CHAIRMAN ANSON:** Dr. Lucas.

29  
30 **DR. LUCAS:** I am just referring back to some of the discussion  
31 that the staff put into Amendment 41, in looking at it, and  
32 there are pros and cons to everything. This is like on page --  
33 I can't remember, but it's in the twenties.

34  
35 There are pros and cons, and those are things that should be  
36 weighed, but I think, given this is different and you can't look  
37 across the country and find where you have already split the  
38 recreational sector into two different components, I think we  
39 need to give them the opportunity to look at several  
40 alternatives, and a range of alternatives, and the analysis of  
41 what that looks like, rather than just having two discreet basic  
42 alternatives just providing them with some information. I  
43 think, given where we are in establishing the document, having  
44 that fleshed out a little bit for them to look at and comment on  
45 could be beneficial.

46  
47 **CHAIRMAN ANSON:** John.

48

1 **MR. SANCHEZ:** Again, I know there is probably some history and  
2 there was a time when maybe this was discussed, but these things  
3 tend to evolve as they progress, and we have heard from the  
4 industry that wanted this plan, that helped to develop this  
5 plan, repeatedly, for years now.

6  
7 Here we are, and the whole motivation behind doing this is to  
8 simplify this and make it more efficient to move forward, and  
9 it's at their request. I mean, just to keep something in to  
10 have options that they probably don't want, and you're probably  
11 going to hear that later, when the AP meets, hopefully before  
12 the next meeting. To me, it's just clearly a way to slow the  
13 thing down almost intentionally, and that seems like all we ever  
14 do. Instead of getting things done, we find ways to delay,  
15 delay, delay, delay, needlessly.

16  
17 If tags want to be explored for the recreational sector, by all  
18 means, do it for the recreational sector. This sector doesn't  
19 seem to want it. That's what I heard loud and clear yesterday.

20  
21 **CHAIRMAN ANSON:** Dr. Crabtree.

22  
23 **DR. CRABTREE:** To Dr. Stunz's comments, the way this alternative  
24 is set up, these tags will go to the charter boat operators.  
25 They wouldn't go to private anglers who could then decide where  
26 to go to use them. That's not what this is. This is just a way  
27 to distribute the fishing privileges to the charter boat  
28 operators, and I just don't think it's as practical a way to do  
29 it as some of the other alternatives.

30  
31 **CHAIRMAN ANSON:** Dr. Stunz.

32  
33 **DR. STUNZ:** I understand that, Dr. Crabtree, but there are some  
34 other alternatives under tags that we talked about a couple of  
35 meetings ago, but, to John's point, we did hear from the  
36 industry, and we did hear from Louisiana too, which wasn't  
37 necessarily in favor of this, but we haven't heard of the users  
38 of that industry, and that's why having a tag provision in  
39 there, where perhaps they could, like Dr. Crabtree mentioned,  
40 get some of these tags.

41  
42 Let's just say, for the sake of argument, that you gave a  
43 proportion of it to the charter fleet and you gave a proportion  
44 of it to the private anglers. Then they get to choose who they  
45 fish with and not the reverse way around, and having that option  
46 in there allows for that, but not having it in there now  
47 precludes an option for the public to even see that this is an  
48 alternative that could exist.

1  
2 **CHAIRMAN ANSON:** To that point, Dr. Crabtree?  
3  
4 **DR. CRABTREE:** To that point though, that is not what this  
5 alternative is, and that is not in the document even with this  
6 alternative. We have discussed that, and that's not the way we  
7 decided to go.  
8  
9 **CHAIRMAN ANSON:** Mr. Banks.  
10  
11 **MR. BANKS:** Thank you, Mr. Chairman. We have spoken to quite a  
12 number of the charter fleet, and they certainly think that tags  
13 are one option that should be considered, and so I would leave  
14 that at that for Louisiana.  
15  
16 **CHAIRMAN ANSON:** All right. Any other discussion on this  
17 motion? **All those in favor of, in Action 1, to move Alternative**  
18 **4 to considered but rejected, all those in favor, please signify**  
19 **by raising your hand.**  
20  
21 **EXECUTIVE DIRECTOR GREGORY:** Seven.  
22  
23 **CHAIRMAN ANSON:** All those opposed, same sign. Please raise  
24 your hand.  
25  
26 **EXECUTIVE DIRECTOR GREGORY:** Nine. The motion fails seven to  
27 nine.  
28  
29 **CHAIRMAN ANSON:** All right. Dr. Lucas.  
30  
31 **DR. LUCAS:** With that said, I would also like to make another  
32 motion. Because Roy did discuss some of the difficulties with  
33 doing annual allocations, I would like to say that, in Action 1,  
34 Alternative 4, to add options to distribute the allocation every  
35 three years and every five years.  
36  
37 **CHAIRMAN ANSON:** Staff is working on the motion.  
38  
39 **DR. LUCAS:** If I get a second, I will --  
40  
41 **CHAIRMAN ANSON:** Yes, and is that your motion? It's Action 1,  
42 Dr. Lucas? Would it be Action 1? Okay. So Action 1,  
43 Alternative 4, add options to distribute allocation every three  
44 and every five years. Is that --  
45  
46 **DR. LUCAS:** It's essentially the same wording that was in the  
47 PFA, but now applying it to the harvest tags, because I thought  
48 that was what we --

1  
2 **CHAIRMAN ANSON:** Okay, and so is there a second to the motion?  
3 It's seconded by Robin. Martha.  
4  
5 **MS. GUYAS:** You mean calculate every three years and five years  
6 and not like here is your allocation for five years and go have  
7 fun, right? Okay.  
8  
9 **CHAIRMAN ANSON:** All right, and so we need to change that from  
10 "distribute" to "calculate allocation", Dr. Lucas?  
11  
12 **DR. LUCAS:** Essentially, this was -- I mean allocation, as the  
13 staff discussed, whether it was PFA or whether it was the  
14 harvest tag, was allocation. As Roy seemed to discuss it, there  
15 seemed to be some difficulty with being able to do that every  
16 year, and that was why we had the options of three years and  
17 five years under the PFAs. Essentially, I'm just adding those  
18 same options under the harvest tags, since there seemed to be a  
19 limit to doing it every year.  
20  
21 **CHAIRMAN ANSON:** Right. Okay. Mr. Banks.  
22  
23 **MR. BANKS:** That answered my concern there, but I think we may  
24 need the word "annual" somewhere in there, to calculate annual  
25 allocation.  
26  
27 **DR. LUCAS:** Yes, I believe that's the way it reads. It says  
28 annual allocation will be calculated.  
29  
30 **CHAIRMAN ANSON:** All right. Mr. Matens.  
31  
32 **MR. MATENS:** Help me here, Kelly. Do you mean that there would  
33 be a choice under this of every three years or every five years?  
34  
35 **DR. LUCAS:** I would like to add it as like Option 4a and Option  
36 4b, and Option 4a would read three years and 4b would read five  
37 years.  
38  
39 **CHAIRMAN ANSON:** Dr. Crabtree.  
40  
41 **DR. CRABTREE:** Well, if we're going to keep this in, I will  
42 support the motion, but I think, effectively, what we have here  
43 is the PFA. That's what this is, only it has tags that go along  
44 with it, but, in terms of how it works and all, it's basically a  
45 PFA.  
46  
47 **CHAIRMAN ANSON:** Any other discussion on the motion? **Is there**  
48 **any opposition to the motion? We have one opposed.** I think

1 we're reading to proceed, Johnny.

2  
3 **MR. GREENE:** In Action 2, staff noted the time required for  
4 National Marine Fisheries Service to recalculate the quota  
5 redistribution, should participation in the program be  
6 voluntary.

7  
8 The committee then passed the following motion to remove the  
9 option to opt out of a voluntary program every year. **With no**  
10 **opposition, the committee recommends and I so move, in Action 2,**  
11 **to move Alternative 2, Option 2b to considered but rejected.**

12  
13 **CHAIRMAN ANSON:** We have a committee motion. Is there any  
14 discussion on the motion? **Is there any opposition to the**  
15 **motion? Seeing none, the motion carries.**

16  
17 **MR. GREENE:** In Action 3, staff reviewed the proposed  
18 alternatives for redistributing the quota. Dr. Crabtree noted  
19 that they would likely want to use a combination of the proposed  
20 methods for redistributing the quota, such as provided under  
21 Alternatives 6 and 8.

22  
23 The committee then passed the following motions. **By a vote of**  
24 **seven to six, the committee recommends, and I so move, in Action**  
25 **3, to move Alternative 2, which is distribute quota equally**  
26 **among charter permit holders, to considered but rejected.**

27  
28 **CHAIRMAN ANSON:** We have a committee motion. The motion is on  
29 the board. Is there any discussion on the motion? Any  
30 discussion? **All those in favor of the motion, please signify by**  
31 **raising your hand.**

32  
33 **EXECUTIVE DIRECTOR GREGORY:** Thirteen.

34  
35 **CHAIRMAN ANSON:** All those opposed, same sign.

36  
37 **EXECUTIVE DIRECTOR GREGORY:** Zero.

38  
39 **CHAIRMAN ANSON:** Okay, Johnny. Johnny, one second. Dr.  
40 Crabtree.

41  
42 **DR. CRABTREE:** Before we leave the amendment, one thing we heard  
43 in public --

44  
45 **MS. LEVY:** We have one more motion.

46  
47 **DR. CRABTREE:** We have one more motion? Sorry.

48

1 **MR. GREENE:** By a vote of nine to three, the committee  
2 recommends, and I so move, in Action 3, to move Alternative 3,  
3 which is distribute quota based on passenger capacity of charter  
4 vessels, to considered but rejected.

5  
6 **CHAIRMAN ANSON:** We have a committee motion. Is there any  
7 discussion on the motion? **Is there any opposition to the**  
8 **motion? Seeing none, the motion carries.** Dr. Crabtree.

9  
10 **DR. CRABTREE:** One thing we heard in public comment that I think  
11 we ought to talk about was a lot of the charter boat operators  
12 were interested in adding additional species to this, and I  
13 guess the same species that are in Amendment 42, which would be  
14 red snapper, gag, red grouper, amberjack, and triggerfish. I  
15 think some discussion about whether we want to make that change  
16 or not would be appropriate.

17  
18 **CHAIRMAN ANSON:** John.

19  
20 **MR. SANCHEZ:** If I can get a second to this, we can have some  
21 discussion. **I would like to make a motion to instruct staff to**  
22 **add an action to Amendment 41, similar to the action in**  
23 **Amendment 42, that includes the addition of the following**  
24 **species in the federally-permitted charter vessel management**  
25 **plan: red snapper, gray triggerfish, greater amberjack, gag, and**  
26 **red grouper.**

27  
28 **CHAIRMAN ANSON:** We have the motion. Is that your motion, John?

29  
30 **MR. SANCHEZ:** That will do.

31  
32 **CHAIRMAN ANSON:** That will do it, okay. Do we have a second to  
33 the motion?

34  
35 **MR. GREENE:** Second.

36  
37 **MR. GREENE:** It's seconded by Mr. Greene. Any discussion on the  
38 motion? Johnny.

39  
40 **MR. GREENE:** Well, I've got to admit that I was kind of opposed  
41 to this, and I've given it a lot of thought. With the  
42 transferability or the tradability within the sector itself, the  
43 intratrading portion of it, I think it's going to help equalize  
44 some of the issues that we've had in the past.

45  
46 Some of the problems, when you look at regional-based type  
47 stuff, it's that some states don't get a lot of allocation,  
48 based on stuff geographically. I think, by having a



1 multispecies type of approach, where an individual from Texas  
2 could trade whatever share of red grouper he received to an  
3 individual in south Florida that may need it for red snapper, I  
4 think this may be a good way to go.

5  
6 I would certainly like to look at this as it comes out and see  
7 how it could be developed and see how it would work, but I think  
8 that this is going to be one of those things. Given some of the  
9 issues we've run into in other fisheries, I just think this is  
10 going to be the best way to go.

11  
12 **CHAIRMAN ANSON:** Dr. Dana.

13  
14 **DR. DANA:** Thank you, Chairman Anson. When I attended the last  
15 AP for the charter for-hire, red snapper, they discussed the  
16 folks that were in the south part of Florida not having the same  
17 population, I guess, or at least not yet, of the red snapper,  
18 but having a higher percentage or a higher catch of the grouper.

19  
20 I mean this is precisely -- It's kind of like what Johnny just  
21 said. This is a great way that two different communities or  
22 areas of the Gulf can cooperate to trade and make things work  
23 out best for their business.

24  
25 **CHAIRMAN ANSON:** Robin, followed by Dr. Stunz.

26  
27 **MR. RIECHERS:** Certainly I am a little shocked that John would  
28 be making this motion, because this just complicates this  
29 document a whole lot more, both in getting the histories in  
30 here, including how you're going to distribute quota to the  
31 charter vessels, because certainly, as Johnny mentioned, some  
32 across the Gulf are going to have fewer of these species than  
33 others.

34  
35 I think being able to analyze that for people to understand  
36 really where they fit in that system, you have just created a  
37 whole host of tables, and probably we're going to want to come  
38 back to distribution of quota to charter vessels and think about  
39 that we may want to look at distributing some of those quotas  
40 equally among charter permit holders who had documented catch of  
41 some of those critters, possibly.

42  
43 The difficulty is we don't have that for everyone in this  
44 charter boat group, but, again, I certainly think it's going to  
45 complicate it a whole bunch, and I would ask Mara also how this  
46 plays into the whole notion of we have already had a sector  
47 separation document making this sector separate. The whole  
48 notion of that was for red snapper, and now we're trying to

1 expand that to other species, and I just wonder what her legal  
2 opinion about this might be.

3

4 **MS. LEVY:** Can you repeat what you said?

5

6 **MR. RIECHERS:** When we did sector separation, obviously it's a  
7 sector, but it was really -- The intent and purpose at the time  
8 was to move red snapper into that totally different set of  
9 management regime. Here, we are now applying that to other  
10 species, four other species, in fact, and I am just curious as  
11 to how you think that plays into the previous judgments  
12 regarding sector separation.

13

14 **MS. LEVY:** You mean the court cases or just the council's  
15 judgment to actually implement sector separation? I guess I'm  
16 just not clear what the question is.

17

18 **MR. RIECHERS:** How are we going to now go in and separate  
19 according to these species when we haven't done that before?  
20 How does it affect voting and how does it affect -- I mean we've  
21 got a whole host of issues that it's going to roll over into.

22

23 **MS. LEVY:** I mean, obviously you would have to make some  
24 decision about what proportion of the catch is going to be  
25 attributable to these charter vessels and then, I guess, the  
26 recreational quota for everyone else would be reduced by that  
27 amount.

28

29 I mean you're kind of doing that in Amendment 42, because it  
30 reflects five species, but you're using a catch history from the  
31 vessels, but you're still taking that catch history for those  
32 other species beyond red snapper and then applying it to the  
33 headboats, to give them whatever they get under the allocation  
34 you pick in the PFQ or IFQ. I don't see it as something you  
35 can't do. You would just have to make the policy decisions and  
36 the rationale for why you're choosing what you're choosing.

37

38 **CHAIRMAN ANSON:** Dr. Stunz.

39

40 **DR. STUNZ:** I would speak in strong opposition to the motion at  
41 this point. Robin pretty much made a lot of my points, but  
42 particularly because of the catch history and major allocation  
43 hurdles, obviously, and not to mention the data collection  
44 that's related to that.

45

46 We heard a lot of discussion the past few days about  
47 streamlining this document, and that definitely sends this 180  
48 degrees away from that, but, if you looked at this with red

1 snapper, and by adding these species, we're really jumping in,  
2 why don't we get it right first with one species? We may love  
3 the program or we may hate the program, but obviously, if we  
4 like it, it would be easier to add more in at that point, but,  
5 currently, I don't support adding this into the amendment.  
6

7 **CHAIRMAN ANSON:** Dr. Crabtree, followed by Martha.  
8

9 **DR. CRABTREE:** I think you could deal with this, in terms of the  
10 allocation decisions, the same way we deal with these same  
11 decisions in Amendment 42. We don't have individual catch  
12 histories for charter boats, but we do have the aggregate catch  
13 history of the charter boat fleet itself, and so it's not clear  
14 to me that it's substantially different than what we've already  
15 done in Amendment 42.  
16

17 **CHAIRMAN ANSON:** Martha.  
18

19 **MS. GUYAS:** I appreciate the desire to maybe accommodate some of  
20 the different regions of the Gulf with adding some of these  
21 other species, but I can't support this motion at this time, I  
22 don't think. One of the big things that jumps out to me is this  
23 has big implications for that other side of the recreational  
24 fishery, and I think -- I just don't know that I can support  
25 that. I don't know that I have the commission direction to  
26 support this motion right now. This expands sector separation  
27 times five, and I don't know that the private recreational side  
28 has even seen this coming.  
29

30 **CHAIRMAN ANSON:** John.  
31

32 **MR. SANCHEZ:** While I appreciate concerns from the other side of  
33 the table about me adding difficulties to this or slowing it  
34 down, I didn't perceive it that way, being that Amendment 42  
35 does that, and we heard from pretty much an entire industry that  
36 this genesis of this plan is -- They want this.  
37

38 It's almost comical to have concerns like that, when you have  
39 thrown every stumbling block you possibly can at it, sunsets and  
40 everything else, and here we still are, and so if you don't want  
41 to give industry what they want to do, then just be clear about  
42 it.  
43

44 **CHAIRMAN ANSON:** Dr. Dana.  
45

46 **DR. DANA:** Thank you, Chairman Anson. Basically, what this  
47 motion would do, it would just be to add an action in Amendment  
48 41. It doesn't mean that the council eventually would act on it

1 or vote on it, but it just means to add it into the document, so  
2 then -- I would assume that the AP, when they meet, prior to our  
3 next meeting in October, would have the opportunity to discuss  
4 this as well and bring back their recommendations on it, and so  
5 I don't see this as being -- I just see it as providing an  
6 option, just like what the previous vote was in keeping tags in  
7 the amendment. That is just a consideration. It doesn't mean  
8 it's forever. This is just adding an option.

9  
10 **CHAIRMAN ANSON:** Robin, followed by David.

11  
12 **MR. RIECHERS:** John, you and I have had this exchange across the  
13 table. While you may be in favor of blindly following  
14 directions from folks and impacting other parts of the private  
15 recreational sector, it is also, based on the purpose of this  
16 amendment, giving windfall profits. It's going to basically  
17 change the abilities of people in the other private recreational  
18 sector and what they can do, and so, while it's an option here  
19 now, it certainly signifies an intent, and, again, we're just  
20 going to disagree on this issue.

21  
22 It's not that we're stalling, but we're here to really look at  
23 all of these issues. We are here to listen to people and then  
24 make best judgments. What you deem as a best judgment may be  
25 just taking a piece of paper and reading a motion from someone  
26 and putting it on the board and trying to do it. Others of us  
27 may be looking at some things differently.

28  
29 **CHAIRMAN ANSON:** All right. David.

30  
31 **MR. WALKER:** I speak in support of this motion. What the  
32 recreational fishery has is a lot of little mini derbies, and  
33 you have heard testimony complaining about it with the amberjack  
34 and with the triggerfish. I think this would give a better  
35 opportunity for them to address their issues in their fishery,  
36 such as regulatory discards, and I think that the recreational  
37 fishery could benefit from that. If you reduce the discards and  
38 the interaction with the fish, it would help the private angler  
39 as well.

40  
41 **CHAIRMAN ANSON:** Dr. Lucas, followed by Dale.

42  
43 **DR. LUCAS:** I was just going to say, in looking at the title of  
44 this amendment, it's Red Snapper Management for Federally-  
45 Permitted Charter Vessels. That's the title. This action here  
46 fundamentally changes the whole document and the whole title of  
47 the document and the whole original purpose of the document.

48

1 I don't know if you want to restructure the whole entire thing  
2 or you want to hold this to a different amendment or you want to  
3 do kind of like Greg said, get it right on one and then look at  
4 expanding, but I mean, when people read this document, it says  
5 "Red Snapper Management for Federally-Permitted Charter  
6 Vessels". I think we should at least consider the purpose of  
7 the document.

8

9 **CHAIRMAN ANSON:** Dale.

10

11 **MR. DIAZ:** I am also going to speak against the motion, for a  
12 lot of reasons that Robin and Dr. Stunz and Martha and others  
13 have brought out. We did hear from some charter boats that  
14 asked for us to include a multispecies yesterday, from probably  
15 almost all of them, but what was noticeably absent yesterday was  
16 private recreational fishermen.

17

18 I mean I write down notes from everybody that talks, and I only  
19 had an "R" by two names yesterday, and both of them were  
20 affiliated with recreational fishing organizations, but, as far  
21 as individual private recreational fishermen, they're just  
22 absent here, and so we're not hearing from them here. We do get  
23 some written comments and things, and I do think it tremendously  
24 complicates this document. Thank you, sir.

25

26 **CHAIRMAN ANSON:** Mr. Matens.

27

28 **MR. MATENS:** Thank you, Mr. Chairman. I think Dale's point is  
29 well made. We have not heard from the private recreational  
30 sector. As all of you know, I am sitting in a recreational  
31 seat, and one of the people we heard from yesterday spoke  
32 against privatization of a public resource, and that's what this  
33 is doing. I think, from my perspective, I can't support this.  
34 Thank you.

35

36 **CHAIRMAN ANSON:** Mr. Greene.

37

38 **MR. GREENE:** I've got to tell you, and I will just be honest. I  
39 have gone back and forth on this on a hundred times. I am not  
40 going to tell you that I am a big, strong proponent of it, but  
41 the recent changes with triggerfish and amberjack, the state  
42 non-compliance with some of these other species, and it all  
43 started with red snapper, and then you see these state water  
44 triggerfish seasons.

45

46 I mean we're either going to deal with it here or we're going to  
47 deal with future sector separation type of stuff for triggerfish  
48 and amberjack and so on, because every one of these species can

1 be caught in state waters. Now, I understand states rights and  
2 wanting to operate inside state waters and so on and so forth,  
3 but we've got such a vast difference between charter and  
4 recreational needs that sometimes we get caught up in that whole  
5 thing.

6  
7 Whether we deal with it in this document and handle it, but I  
8 still don't know how it's going to resolve the state non-  
9 compliance type of deal. You're talking about a 200,000-pound  
10 quota on triggerfish, and I would just about bet that the City  
11 of Orange Beach, in their little eight or nine-mile area of the  
12 coast of Alabama, probably caught that whole quota.

13  
14 We have got some issues we're going to have to work through, and  
15 none of this is going to be a pleasant exchange from any side of  
16 the table, but the fact and the reality is that we're going to  
17 have to do something here, and it's going to be something big  
18 and it's going to be something that no one is going to like, but  
19 I don't know what the answer is, whether we start it here or we  
20 deal it in another amendment, but we're going to have to deal  
21 with it at some point in the future.

22  
23 **CHAIRMAN ANSON:** Mr. Swindell.

24  
25 **MR. SWINDELL:** Thank you, Mr. Chairman. I have a lot of  
26 problems even understanding just what does this mean. Does this  
27 mean -- To me, it appears that, if you put all of this group  
28 together with red snapper, that you can go out and you can catch  
29 any one of them in multiple numbers of what? Does this mean  
30 that the red snapper, if we put a limit on the amount of red  
31 snapper you can harvest, that you can harvest more than that  
32 limit, because you have other species that are going to fill the  
33 bill?

34  
35 What prevents a charter boat from knowing what the limit is and  
36 harvesting those fish, instead of going out and harvesting other  
37 fish at the same time? I assume that a charter boat might catch  
38 red snapper at the time it's catching triggerfish. I don't see  
39 a problem with that, as we're now structuring it, and, to me,  
40 you've got to pay attention to the resource.

41  
42 The resource of most significance here, ever since I've been on  
43 the council, for the year, is red snapper. If we don't manage  
44 red snapper, period, then the rest of these things are going to  
45 go by the wayside. Thank you.

46  
47 **CHAIRMAN ANSON:** Dr. Crabtree.

48

1 **DR. CRABTREE:** Well, there are different variants in how it  
2 would work in the amendment, but, essentially, it would mean a  
3 charterboat would be told that they're going to get to harvest  
4 this many red snapper and this many gray triggerfish and this  
5 many amberjack and this many red grouper and this many gag  
6 grouper, based on some allocation formula that we would come up  
7 with in the amendment.

8  
9 Then we would have an accounting, whether it's fish tags or some  
10 other way, to track what they're catching. If it works, it  
11 would really be good for the resource, because we wouldn't have  
12 these overruns that are caused by the difficulties of tracking  
13 the catches, and so, at least in theory, if the program is  
14 successful, it ought to stop the overruns and contribute to  
15 conservation, in that sense.

16  
17 At least that's how it has worked in the catch share programs  
18 we've done on the commercial side, but, generally speaking, you  
19 would be giving a charter boat the ability to catch set numbers  
20 of each of these species, and then they could decide when they  
21 wanted to catch them and how they wanted to go about doing that.

22  
23 **CHAIRMAN ANSON:** Mr. Banks.

24  
25 **MR. BANKS:** Roy, to that, just a question. How might that  
26 impact what the private recreational would be able to do with  
27 these species? These species are not managed under sector  
28 separation, correct?

29  
30 **DR. CRABTREE:** Right, other than red snapper. In theory, it all  
31 comes down to how we decide to allocate the charter boats and  
32 what fraction of the total recreational allocation they get, but  
33 if we use something that's akin to recent years, it wouldn't  
34 have any effect on the private vessels. They would still have  
35 their regulations and do what they're going to do. Remember,  
36 private recreational fishermen are the guys on the charter boats  
37 catching these fish too, and so all these fish ultimately are  
38 being caught by recreational fishermen.

39  
40 **CHAIRMAN ANSON:** Dr. Dana.

41  
42 **DR. DANA:** I think the discussion that we're having around the  
43 table is really good. Would it make any sense, since the AP is  
44 meeting before our next meeting, that, again, that they take  
45 part of our discussion -- They get the minutes of what we  
46 discussed, about how this may complicate or slow up the document  
47 going forward, and then, again, give us their recommendations at  
48 the October meeting? In that case, if that makes sense, then

1 that would probably require the motion maker to table or remove  
2 the motion or whatever, withdraw the motion, but it's totally up  
3 to you.

4  
5 **CHAIRMAN ANSON:** As I see it, yes, the maker of the motion would  
6 have to withdraw the motion, and then a motion would be needed  
7 to put that in the agenda for the next meeting, this very topic.  
8 All right. Everybody has pretty much had a chance to -- Mr.  
9 Banks.

10  
11 **MR. BANKS:** Just a quick question. How sure are we that this AP  
12 is going to meet before our next meeting?

13  
14 **CHAIRMAN ANSON:** Dr. Lasseter.

15  
16 **DR. LASSETER:** We have some tentative dates, and we were going  
17 to see what the council's direction was before we send out an  
18 announcement to get times, but we are looking at some time  
19 crunches before October. We're a little concerned about whether  
20 or not we'll be able to get a quorum. We will try very hard to  
21 get it before October, but, if we can't get a quorum, we would  
22 need to hold it between the October and January meeting.

23  
24 **CHAIRMAN ANSON:** Mr. Boyd.

25  
26 **MR. BOYD:** Dr. Dana, Dr. Crabtree made a statement a minute ago  
27 that the people on the back of these boats are recreational  
28 fishermen. We have an AP that's going to be meeting sometime in  
29 January. It's a recreational AP. If we're going to wait, we  
30 need to wait and hear from them too, because they are the people  
31 who are going to be affected by these fish being added and  
32 segregated out of the quota into a private holding.

33  
34 **CHAIRMAN ANSON:** To that point, Dr. Crabtree?

35  
36 **DR. CRABTREE:** Any final action on Amendment 41 is going to be  
37 long after that AP meets. We're talking about well into next  
38 year before we're going to get this ready, and then we're going  
39 to have a referendum and everything else, and so we're just  
40 talking about what alternatives we want in the scope of this  
41 thing. We're not making final decisions about any of this now,  
42 and we're a long way from doing that.

43  
44 **CHAIRMAN ANSON:** I will take just a couple more questions.  
45 Anyone else? The motion is to instruct staff to add an action  
46 in Amendment 41, similar to Amendment 42, that includes the  
47 addition of the following species: gray triggerfish, greater  
48 amberjack, red grouper, and gag grouper. **All those in favor of**



1 the motion, please signify by raising your hand; all those  
2 opposed, like sign. The motion fails. Dr. Lucas.

3  
4 **DR. LUCAS:** Before we leave Amendment 41, I sent a motion to  
5 staff that I would like to bring up on the board. **This is the**  
6 **motion that would be the instructions to staff to do the**  
7 **analysis.** If I get a second, I will explain.

8  
9 **CHAIRMAN ANSON:** We have a motion. It's been seconded by  
10 Johnny. Any discussion? Dr. Lucas.

11  
12 **DR. LUCAS:** Johnny and I had this discussion, I think at the  
13 June meeting, and we didn't realize that we needed a motion to  
14 have the analysis done this way. This would be to just, in that  
15 Table 1.1.1 in the document, that is the regions, it was to  
16 combine Alabama and Mississippi, so that the analysis on  
17 geographic distribution would be done with that as one region,  
18 and so at least putting that in there to get some comments from  
19 people.

20  
21 **CHAIRMAN ANSON:** All right. Dr. Lasseter.

22  
23 **DR. LASSETER:** Kelly, just to be clear, I am understanding this  
24 as not just Table 1.1.1, but considering that throughout the  
25 document as a combined region, and is that correct?

26  
27 **DR. LUCAS:** That's correct. If I need to rephrase the motion, I  
28 will.

29  
30 **CHAIRMAN ANSON:** Any other discussion on the motion? Mr. Boyd.

31  
32 **MR. BOYD:** Just a question for Dr. Lucas. Are you saying take  
33 out the individual line items of Alabama and Mississippi and  
34 replace it with one total for the two or to add that in, so we  
35 can compare all of them?

36  
37 **DR. LUCAS:** I guess it can be done either way. I was just  
38 trying to really get around -- We know that Mississippi has some  
39 zeroes in there, because we had challenges getting a lot of  
40 these surveys done in our area, especially since we have such a  
41 low number of charter for-hire vessels.

42  
43 Johnny noticed that, and so he pointed out that considering  
44 Alabama and Mississippi together would correct for that. His  
45 charter for-hire guys seemed to be okay with that, and so I  
46 wanted to give that as an option when they were considering the  
47 geographic distribution throughout the document, but I am fine  
48 either way. I was thinking just go ahead and combine them

1 straight-up, but, if you need to see them separate, that's fine.

2  
3 **MR. BOYD:** No, I don't. I was just trying to get clarification,  
4 but I'm fine with it.

5  
6 **CHAIRMAN ANSON:** That was a good question, Doug, but that's the  
7 way you're going, Kelly, is to have them combined and that's the  
8 only analysis that will be done and not separated by state? I  
9 think it would be important, for those that still believe that  
10 that would be a better way to go, for those charter boat  
11 captains who wanted to combine, for the reasons, as you stated,  
12 but I think it would also be beneficial to have the information  
13 by state, to help show how it actually does break out if you  
14 look at each state, and so it something that -- We just wanted  
15 some concrete clarification that that is your intention.

16  
17 **DR. LUCAS:** My intention was to combine it, just to make staff  
18 have one less analysis, but I am completely -- In understanding  
19 that, I am fine with doing it separate. I just was trying not  
20 to add more work on their part.

21  
22 **CHAIRMAN ANSON:** Dr. Lasseter.

23  
24 **DR. LASSETER:** If I can offer, I think we could keep the data  
25 separate in the tables and then, whenever there is alternatives,  
26 such as in the regional options and in that discussion, we will  
27 combine them and provide discussion.

28  
29 **CHAIRMAN ANSON:** Ms. Levy.

30  
31 **MS. LEVY:** I guess I would just like to be sure what the  
32 council's ultimate decision is regarding using this data. If  
33 you're going to have analysis of alone or together, it almost  
34 seems like an action with alternatives. Just putting them in  
35 there isn't going to help anything. We're going to have to have  
36 a decision, and, if we're going to compare them, then we're  
37 essentially adding some sort of action to look at which one you  
38 want to use. I know you're discussing it, but I think, at some  
39 point, we need to be really clear about what's expected.

40  
41 **CHAIRMAN ANSON:** I wasn't necessarily looking at it as a  
42 separate action, per se, but an alternative within an action,  
43 when you're looking at that distribution. There would be an  
44 alternative in there for Alabama only and an alternative in  
45 there for Mississippi, and then an alternative in there now, as  
46 I take this to be, as an Alabama/Mississippi. That's what I was  
47 trying to get at, was that there is three alternatives within  
48 this two-state region.

1  
2 We have already seen the Alabama and Mississippi, but now this  
3 is going to be a third with the Alabama combined with  
4 Mississippi, but it doesn't sound like that will be the case,  
5 and so I am concerned with that.

6  
7 **DR. LUCAS:** I think, and maybe Ava can provide this, but this  
8 all comes down in the -- I can't remember what the action number  
9 is now, but when they're discussing the geographic  
10 distributions. I am thinking that's the table where you would  
11 see that breakout. The way she explained it would be that that  
12 would be Mississippi and then Mississippi and Alabama combined.

13  
14 **DR. LASSETER:** The way I'm interpreting this is, in the tables,  
15 just with the data, we will leave Alabama and Mississippi as  
16 distinct rows and columns, but, when we were actually addressing  
17 the distribution of quota for defining regions, we would lump  
18 then Alabama and Mississippi together.

19  
20 **CHAIRMAN ANSON:** Thank you for that. Martha.

21  
22 **MS. GUYAS:** How do you feel about this, Kevin, because I feel  
23 like two need to tango here, and we're just kind of sitting on  
24 the sideline.

25  
26 **CHAIRMAN ANSON:** I am still a little slightly -- We are early in  
27 the document phase, but, to expedite and make sure we have a  
28 document that has all of these options the sooner the better, I  
29 am nervous, and I don't like not hearing that there is going to  
30 be alternatives in there or some analysis in there specific to  
31 Alabama and specific to Mississippi and specific to the combined  
32 Alabama/Mississippi.

33  
34 I understand that there will be some numbers in there that you  
35 will be adding and such, but, when it comes time to the  
36 allocation calculations and all of that, I want to make sure  
37 that there is still some information in there that segregates  
38 out those three options or three alternatives or sub-options,  
39 however they are -- I just wasn't getting there. I wasn't  
40 hearing it.

41  
42 **DR. LUCAS:** So let's ask. Ava, will that occur or are we all  
43 interpreting this the wrong way?

44  
45 **DR. LASSETER:** I understand both the idea of combining it and  
46 Kevin's concern for seeing them different, and so I will take  
47 this -- If this motion carries, I will take this back to the  
48 IPT, and we will figure out how to work it through the document,

1 so that we can provide you information to look at them  
2 separately and together.

3  
4 **CHAIRMAN ANSON:** I am glad that's how it's reflected in your  
5 motion, Dr. Lucas. Thank you. Any other discussion on the  
6 motion? **Is there any opposition to the motion? Seeing none,**  
7 **the motion carries.** Is that it for Amendment 41? All right,  
8 Mr. Greene, please continue.

9  
10 **MR. GREENE:** Staff reviewed the summary of the SSC webinar held  
11 on August 2. The SSC reviewed and approved the project schedule  
12 and terms of reference for SEDAR 51, gray snapper, with minor  
13 editorial changes and selected volunteers for a stock ID work  
14 group, data work group, assessment work group, and review work  
15 group.

16  
17 The SSC discussed FMSY proxies for red snapper, but felt that it  
18 should be part of a more comprehensive discussion of MSY proxies  
19 scheduled for the next SSC meeting and should be discussed in-  
20 person rather than by webinar.

21  
22 The SSC also discussed what type of assessment should be  
23 conducted for the next gray triggerfish assessment. There has  
24 not been enough time to gather sufficient data to evaluate some  
25 of the concerns raised in the previous assessment, such as the  
26 impact of circle hooks, and, without this new data, a benchmark  
27 or standard assessment would not be meaningful.

28  
29 However, an assessment that incorporates recruitment and  
30 landings data through 2017 would be able to evaluate if there  
31 has been a recent change in recruitment. This could be  
32 accomplished in an update assessment, and the 2017 data will be  
33 available by mid-2018. Therefore, the SSC recommended that an  
34 update assessment for gray triggerfish be conducted at the  
35 earliest opportunity, which would be in the fall of 2018, with  
36 completion in 2019.

37  
38 **CHAIRMAN ANSON:** Johnny, we have a question.

39  
40 **MS. BOSARGE:** No, but I just wanted to make a comment here. We  
41 had some comments in public testimony that I thought were very  
42 specific data comments that were things relative to stock  
43 assessments for gray triggerfish and things like that. At some  
44 point in the future, I think it may be helpful to have a short  
45 presentation that is going to be somewhat quantitative and data-  
46 intensive on that original stock assessment from 2006 for gray  
47 triggerfish and what the data limitations were and what some of  
48 the biggest uncertainties in some of the data were.

1  
2 Try not to get too deep into it, but have it during Reef Fish,  
3 when we have most of those fishermen in the audience. The  
4 council can get a kind of good idea for where we're struggling,  
5 the fishermen can get a good idea, because I think a lot of it  
6 is just getting the right people in the room together and  
7 letting them exchange information and exchange ideas.

8  
9 We are looking at having another stock assessment on this in the  
10 future, hopefully the near future, it being a benchmark, but if  
11 we don't -- Maybe not a benchmark, but we're having another  
12 stock assessment.

13  
14 If we don't ever address some of these data limitations that we  
15 have and the uncertainties that we have and get a better feel  
16 for it, then we're still going to get data out of it that we  
17 don't have the comfort level with that maybe we want. I think  
18 if we can have a presentation like that in the future, with all  
19 those great minds in the room together, maybe we can find out a  
20 few things we didn't know that we didn't know. I'm just  
21 throwing it out there.

22  
23 **CHAIRMAN ANSON:** Dr. Ponwith.

24  
25 **DR. PONWITH:** Thank you. I think that's a wonderful idea, to  
26 keep the lines of communication open among scientific  
27 practitioners, the fishing industry, the managers, to make sure  
28 that we are considering areas that could be focused on to  
29 strengthen future stock assessments.

30  
31 The catch is that if it's a deficiency in the data collection  
32 that we're doing right now, holding a meeting and talking about  
33 that would be beneficial for the far future, but it would not  
34 benefit the upcoming triggerfish assessment, because essentially  
35 you have to decide what data you're going to collect and  
36 implement that and peer review it to be able to enter it in.

37  
38 Now, that said, there is no time like the present to be able to  
39 look at the way we're distributing our efforts in data  
40 collection and reconsider that, if there are ways to  
41 redistribute the way we're making those investments.

42  
43 One thing that I would say that I am excited about is this. We  
44 have just put a recruitment announcement on the street for a  
45 management strategy evaluation expert at the Southeast Fisheries  
46 Science Center. This is an outcome from the stock assessment  
47 program review that we held as part of our program review  
48 series.

1  
2 One of the things that I am interested in having done as one of  
3 their very first assignments is to take a look at how we're  
4 making our investments in fishery-independent data collections  
5 and determine whether there are ways we could actually improve  
6 the efficiency and the effectiveness of those collections to  
7 strengthen the reliability of those data as assessment inputs.

8  
9 **CHAIRMAN ANSON:** Leann.

10  
11 **MS. BOSARGE:** That sounds great, and I don't get so hung up on  
12 when the data is going to be used and such as that. It's more  
13 so that we had some limitations in 2006 and we've just kind of  
14 built upon them. We haven't been able to really work all the  
15 kinks out of it, and that was ten years ago. I definitely want  
16 to get these people in the room and get started on that process  
17 and begin that trading of ideas and information. Hopefully, at  
18 some point in the next ten years, we can make it better.

19  
20 **CHAIRMAN ANSON:** That's a good point. I would like to also add  
21 that, Dave, you're in the room, and I know when I first joined  
22 the division that we would have those commission meetings, FIN  
23 meetings essentially, and there would be an opportunity, I  
24 guess, to try to synthesize some of those points that came out  
25 of assessments, as far as data needs relative to specific  
26 species.

27  
28 I recall we used to kind of hit the high points, at least, as to  
29 what FIN could do relative to its data collection apparatus or  
30 programs, to try to address some of those identified needs. Is  
31 that still ongoing or does that need to be brought back out in a  
32 more formal process? I know communication with the council or  
33 from the council to the commission would be better, I guess, but  
34 are you taking any of that information or is anything going on  
35 with that?

36  
37 **MR. DONALDSON:** It's my understanding that they periodically  
38 take the data needs sections out of the SEDAR reports and  
39 periodically review them. I think we did one last year or the  
40 year before. We identified the things that FIN is doing to  
41 address some of those and then some of the planned activities as  
42 well, and so I can check with Greg to make sure that that's  
43 something that periodically gets on the agenda.

44  
45 **CHAIRMAN ANSON:** Please do. John, do you have anything to add,  
46 Dr. Froeschke? No? Okay. Seeing that, Johnny, continue on.

47  
48 **MR. GREENE:** Dale Diaz noted that the council passed a motion to

1 consider reducing the recreational ACT buffer for red snapper,  
2 but wanted to wait for the final 2015 landings before deciding  
3 whether to proceed. The 2015 landings show that the  
4 recreational for-hire component was below both its ACL and ACT,  
5 while the private vessel component was below its ACL, but above  
6 its ACT.

7  
8 If the 2016 landings show that the for-hire component is again  
9 below its ACT, the council may want to consider a change to the  
10 ACT buffer. The 2016 landings are not yet available, but Mr.  
11 Diaz asked that the council begin thinking about this.

12  
13 The following items were deferred to either full council or the  
14 next Reef Fish Committee meeting, due to a lack of time, the  
15 Options Paper for Amendment 44, MSST for Reef Fish Stocks and  
16 Discussion on Carryover of Unharvested Red Snapper Allocations.  
17 Mr. Chairman, this concludes my report.

18  
19 **CHAIRMAN ANSON:** Thank you, Mr. Greene. Since we do have our  
20 time -- Our agenda had us in Reef Fish until three o'clock, and  
21 it is just after two, and so I would like to take the time to  
22 try to address those other two items. I am trying to see who is  
23 in charge of those. That would be Item Number IX, Options Paper  
24 for Amendment 44. If you're referring to the Reef Fish  
25 Committee agenda, it would be Item Number IX, and that would be  
26 MSST for Reef Fish Stocks. That would be Tab B, Number 15. Mr.  
27 Atran, are you available to do that?

28  
29 **MR. STEVEN ATRAN:** Yes, I am, Mr. Chairman. As you said, this  
30 is Tab B, Number 15. It's an options paper for what would be  
31 Amendment 44, which would be to set minimum stock size  
32 thresholds for reef fish stocks. What you're seeing is not  
33 anything new. You actually saw this at the last council  
34 meeting, but staff has a proposal to split this up into two  
35 amendments.

36  
37 This previously had two actions in it. One action was an action  
38 to set minimum stock size threshold, or, to be more specific,  
39 the formula for calculating the minimum stock size threshold for  
40 each stock in the Reef Fish FMP, with specific emphasis on those  
41 that have a low natural mortality rate, to try to make sure we  
42 have an adequate separation between our MSY level and our  
43 minimum stock size threshold, which is where the stock gets  
44 declared to be overfished.

45  
46 The second action that was in here was going to work on trying  
47 to define our MSY proxies for all of our reef fish, but those  
48 proxies and the discussion of that has slowed down somewhat. We

1 have talked about this earlier in the meeting. The SSC is  
2 planning a rather involved discussion at the next meeting about  
3 MSY proxies. We may be having an ad hoc panel put together. I  
4 am not quite sure where that stands, and so that's going to take  
5 some time to resolve.

6  
7 However, with respect to setting up these definitions for  
8 minimum stock size thresholds, we already pretty much have our  
9 alternatives in place, I think, and we could go ahead and  
10 develop this into a full-blown amendment fairly quickly, if we  
11 only do that as a one-action item.

12  
13 You were emailed last week a letter from Pew Charitable Trusts,  
14 and Chad Hanson also went over some of this information in his  
15 testimony yesterday. They are recommending the addition of two  
16 additional alternatives for defining what MSST is, and they're  
17 also recommending that we get some additional analysis from the  
18 Science Center.

19  
20 I am not going to go over it unless you want me to on the two  
21 alternatives. My feeling is that their impact is very similar  
22 to alternatives we already have in place, and so I'm not that  
23 crazy about adding new alternatives, but I think there is some  
24 good reason to get some new analysis.

25  
26 Right now, in general, we know that if you set minimum stock  
27 size threshold at say 75 percent of MSY that you're going to be  
28 less conservative than if you set it at 10 percent. If you set  
29 it at 50 percent, you're going to be less conservative than at  
30 10 percent, but that's just a general feeling.

31  
32 I think, if we could get some analysis that would say that, for  
33 various stocks, if they were to drop to 10 percent below MSY,  
34 how long would it take for them to rebuild back up? If they  
35 were to drop to 25 percent, how long would it take to build back  
36 up or if they were to drop to 50 percent and so forth?

37  
38 That would actually attach some numbers to the relative risk,  
39 and I think that would be useful to the council, but I had some  
40 discussions with Dr. Ponwith when we broke for lunch, and the  
41 Science Center would have to find time to fit that analysis into  
42 their schedule, and so we probably couldn't bring a public  
43 hearing draft until the January meeting, which means we take  
44 final action in April.

45  
46 That's pretty much what we're looking at right now. We're  
47 proposing that Amendment 44 proceed as a single action item,  
48 only looking at MSSTs. We pretty much have the alternatives in



1 place. We would like to get some additional analysis. I think  
2 we could bring a public hearing draft to the council in January  
3 and then take final action in April if we do this as a single  
4 item. Then the MSY proxies would continue as another amendment.  
5

6 **CHAIRMAN ANSON:** Steven, just to make sure there aren't any  
7 regulatory timelines for getting this approved, are there, and  
8 it's just something that we probably should clean up and address  
9 in moving forward with management of stocks, and is that  
10 correct? If we get it done for final action in April, it's not  
11 going to set us back or cause a delay for anything else,  
12 correct?  
13

14 **MR. ATRAN:** We were supposed to have done this back in 1996, and  
15 so we're a little behind schedule. Another thing to consider  
16 and another reason maybe to delay or go slower on the MSY  
17 proxies is that NMFS has some proposed revisions to the National  
18 Standard 1 Guidelines, and we've been told for the past year or  
19 so to expect them to be published any day now. They will be  
20 published at some point.  
21

22 Possibly they could contain some information that might change  
23 our thinking on MSY proxies, but I don't think they would really  
24 change our thinking on the minimum stock size threshold, and so  
25 I think we're okay trying to fast track the minimum stock size  
26 threshold but waiting to see if we get any new guidance from  
27 NMFS on MSY proxies and other status determination criteria.  
28

29 **CHAIRMAN ANSON:** Thank you. Ms. Bosarge.  
30

31 **MS. BOSARGE:** You say you will still bring it back to us with  
32 some analysis, even if we don't get the analysis from the  
33 Science Center that would essentially back the document up a  
34 meeting or so, and what's going to be the difference in the  
35 analysis that you will bring us versus analysis that we could  
36 get from that request you were talking about to the Science  
37 Center?  
38

39 **MR. ATRAN:** If we don't get that additional analysis from the  
40 Science Center, it would just be the more generalized analysis  
41 that tells us if you set minimum stock size threshold at 75  
42 percent of BMSY that you're going to be less conservative than  
43 at 10 percent and it will take longer to rebuild the stock. At  
44 50 percent, it's even less conservative, and you can rebuild the  
45 stock.  
46

47 If you're willing to go with that rather generalized analysis,  
48 then we could probably bring a public hearing draft in October

1 with final action in January, but I'm not sure. If we want to  
2 make sure we're covering all of our bases, we might want to get  
3 that additional analysis.

4  
5 **CHAIRMAN ANSON:** Dr. Crabtree.

6  
7 **DR. CRABTREE:** I think what we have here is good, and I support  
8 moving forward with this. In terms of doing an analysis to  
9 looking at time to recover, we can do that. I am not so  
10 convinced how meaningful it is, because time to recover is  
11 driven by recruitment, and we don't control that.

12  
13 We do these projections off into the future, but how fast stocks  
14 recover is really, to a great extent, dependent on recruitment.  
15 In terms of the risk, ten years ago, maybe so, but, with the new  
16 revisions to the Magnuson Act, we have annual catch limits for  
17 all of our stocks. Overfishing is not allowed anymore, and so  
18 it seems to me the level of risk associated with these various  
19 MSST levels is -- There is not a lot of difference between them,  
20 in my judgment, because we're not going to allow overfishing to  
21 continue in any circumstance.

22  
23 I can tell you that we have had stocks in the past where we had  
24 an assessment show the stock was overfished and we went through  
25 the rebuilding plan and put it in place and got the new stock  
26 assessment that showed the stock was never overfished to begin  
27 with, oftentimes just because the status of the stock shifted  
28 just a little bit.

29  
30 We have so many stocks with low natural mortality rates that the  
31 MSST is so close to BMSY, and that's the problem with this.  
32 It's just there is so much uncertainty in our stock assessments  
33 that we don't want to go through a rebuilding plan just because  
34 we're a little below the target, and we're not even sure if we  
35 really are.

36  
37 I'm fine with getting more analysis on all of those, but I think  
38 the thing is that we just don't want to be going through the  
39 exercise of rebuilding plans when we're not even sure if the  
40 stock biomass is much below the target to begin with. Because  
41 we have so many stocks with low natural mortality rates, that's  
42 really, I think, where we are right now.

43  
44 **CHAIRMAN ANSON:** Go ahead, Doug.

45  
46 **EXECUTIVE DIRECTOR GREGORY:** Just real quick, what happened in  
47 the beginning, in the mid-1990s, when the technical guidelines  
48 and Congress gave us this MSST, in the literature, with MSY,

1 fishing beyond MSY was always considered overfishing, and that's  
2 what most of the biologists have in their minds.

3  
4 With the Magnuson Act, MSST became a new definition of  
5 overfishing that was different than the historical literature.  
6 MSST, in this concept, and it was 50 percent was the standard  
7 for other councils, was, if the stock gets to that point, it  
8 could be on the verge of collapse, and this is the point of no  
9 return. You do not want to get down there.

10  
11 In the 1980s, a number of our stocks were that low. Red snapper  
12 was. The one minus M came about because the biologists writing  
13 the technical guidelines as a default suggested one minus M  
14 because that's about the natural variation around MSY. Now,  
15 what Roy is saying is, because this encompasses the natural  
16 variation about MSY, it now triggers overfishing concerns too  
17 easily, too quickly, when there is no real overfishing occurring  
18 from the concept of a stock on the verge of collapse.

19  
20 We've got two concepts mixed up with the same word of  
21 "overfishing", and going to 75 percent, which is what the South  
22 Atlantic Council did, is in between the two default  
23 recommendations of 50 percent and one minus M and it's more  
24 conservative. We are managing fisheries based on MSY fishing  
25 mortality rate, and so, unless an environmental disaster happens  
26 like it did with gag and red tide, we won't have to worry about  
27 MSST anymore, but it was a real concern in the 1980s and 1990s.

28  
29 **CHAIRMAN ANSON:** I have Leann, followed by Patrick.

30  
31 **MS. BOSARGE:** I think -- I mean, I'm not uncomfortable, based on  
32 this discussion, continuing to move forward with this on the  
33 timeline that we have, but I think that we could still make the  
34 request. Don't slow the document down and don't stop anything,  
35 but make the request from the Science Center for that, because  
36 it was only going to back us up one meeting, and then for people  
37 like me, that just seem to have to look at all the numbers that  
38 there are possible, I could see that information, even if it was  
39 at the meeting where we take final action. I can see it, and I  
40 will say, oh yes, I'm definitely comfortable with this, and,  
41 boom, we do final action. Can they run in tandem? Is that  
42 okay?

43  
44 **CHAIRMAN ANSON:** Steven or Dr. Ponwith?

45  
46 **DR. PONWITH:** We could take that approach, but, typically, when  
47 we do an analysis that's quantitative like this, the council has  
48 a preference for those materials to go to the SSC, so that they

1 can benefit from the SSC's view. This is technical enough that,  
2 while I think what you see would be obvious to you as a council,  
3 getting the SSC's weigh-in on that would be valuable before you  
4 use that information to make a decision.

5  
6 That, honestly, is what jams us up. This meeting is so close to  
7 the October meeting that, by the time you formulate the  
8 assignment and get it to the Science Center, you are almost late  
9 for time to get an SSC review and time to meet the briefing book  
10 for the council.

11  
12 **CHAIRMAN ANSON:** Patrick.

13  
14 **MR. BANKS:** Roy or Bonnie, in terms of -- I understand what  
15 you're saying about some of the long-lived species with low  
16 natural mortality, and this would take into account what Doug  
17 said about the variation around the MSY, but at what point do  
18 you think you get out of that variation? I think Doug said that  
19 50 percent seems to be too low and you could have a collapse,  
20 but at what point do you feel like you get out of that  
21 variation?

22  
23 **DR. CRABTREE:** The best I can tell you is we went through this  
24 whole exercise at the South Atlantic Council, and we decided to  
25 go with 75 percent of BMSY over one minus M times BMSY,  
26 whichever is less. That went through our SSC and the Center and  
27 everybody looked at it, and we seemed comfortable with it.

28  
29 **CHAIRMAN ANSON:** Doug.

30  
31 **EXECUTIVE DIRECTOR GREGORY:** If I recall, and correct me,  
32 Steven, if I'm wrong, but Clay did an analysis similar to this  
33 looking at these and provided it to the IPT, but I don't recall  
34 if it was in writing.

35  
36 **MR. ATRAN:** Yes, it was a presentation that was made at one of  
37 the SSC meetings last year, and he did an analysis looking at  
38 whether a stock was likely to drop into an overfishing condition  
39 purely from natural fluctuations if the MSST level was set at 10  
40 percent below or some other levels, and he concluded, based on  
41 his analysis, that, for stocks with a natural mortality rate of  
42 0.1 or greater, which is everything except red snapper and  
43 yellowedge grouper of the stocks we manage, where we have that  
44 estimate, they were unlikely to enter an overfished condition.  
45 They were unlikely to fluctuate so much that they would drop  
46 below MSST purely from natural fluctuations.

47  
48 I don't think that included consideration of extraordinary

1 events like a BP oil spill, and it also didn't take into  
2 consideration uncertainty. One of the reasons why there is  
3 interest in looking at changing the MSST, particularly for the  
4 low natural mortality stocks, isn't so much whether or not the  
5 stock is actually going to drop below that level, but whether we  
6 can detect whether it will drop below that level.

7  
8 If the MSST line is too close to the MSY line, we might not be  
9 able to effectively tell the difference, and so there is a lot  
10 of interest in taking some of the low-mortality fish, like red  
11 snapper, that has an M of 0.09, and so that means there would be  
12 a 9 percent buffer between MSY and the minimum stock size  
13 threshold, using the way we currently calculate it.

14  
15 If we were to drop it down to say it has to go to 25 percent  
16 below, we could be pretty sure that we were entering an  
17 overfished condition under that scenario. Under the 9 percent  
18 buffer, we won't necessarily be that certain, because of the  
19 variations in the data. That's where there was a lot of  
20 interest in maybe addressing particularly the low mortality rate  
21 stocks. On top of that, the fact that we never did define MSST  
22 for most of our reef fish, we can do that at the same time and  
23 then get into compliance with the Magnuson-Stevens Act.

24  
25 **CHAIRMAN ANSON:** All right. Any other discussion? Dr. Frazer.

26  
27 **DR. FRAZER:** Thank you. This question is for Steve. I am  
28 obviously new and I wasn't there for that discussion with the  
29 SSC, but would it be possibly to get those materials so I could  
30 evaluate the uncertainty around those estimates that Clay  
31 provided?

32  
33 **MR. ATRAN:** Yes, and I will send you the SSC summary where that  
34 was reviewed, and it includes the discussion. I think it  
35 includes the actual written materials, but it definitely  
36 includes the discussion that went on, but I will get that out to  
37 you fairly soon.

38  
39 **MR. FRAZER:** Thank you.

40  
41 **CHAIRMAN ANSON:** Any other comments or questions related to this  
42 item? Leann.

43  
44 **MS. BOSARGE:** I'm good with moving forward with the document,  
45 but, Bonnie, I would like to see some of that data, or at least  
46 Clay's data. I would like to see something to help me. Even if  
47 it doesn't go through the SSC, I know I will have to rely on my  
48 very limited scientific processes, but I will do my best to read

1 it and make sense of it. That will give me a little bit of  
2 comfort level, and so I appreciate that.

3  
4 **CHAIRMAN ANSON:** Doug.

5  
6 **EXECUTIVE DIRECTOR GREGORY:** As a routine matter, we run  
7 everything through the SSC. If time doesn't allow it and we  
8 bring it to the council, we make a point of noting that it's  
9 preliminary without the SSC review. I think we've done that  
10 once.

11  
12 **CHAIRMAN ANSON:** Leann, was this -- The information that you  
13 wanted to see, was this related to what Dr. Frazer asked for,  
14 the previously-run calculations that Dr. Porch had done, or are  
15 you asking about something related to what Chad was talking  
16 about at public testimony related to some new analyses that  
17 would go through the Center?

18  
19 **MS. BOSARGE:** I am talking about the analysis that would give me  
20 sort of idea of the time to rebuild, what Steven was originally  
21 talking about, and I'm okay if it's not vetted with the SSC, if  
22 that would slow the document down. That's okay, because it  
23 sounds like I am the only one that really wants to see the  
24 analysis. As long as I can read it on my own, I will be happy  
25 with that.

26  
27 **CHAIRMAN ANSON:** Steven.

28  
29 **MR. ATRAN:** Actually, I just realized that the analysis that Dr.  
30 Porch did is Appendix D on the Tab B, Number 15 document, and so  
31 you've got that in front of you right now.

32  
33 **CHAIRMAN ANSON:** Very good. Any other discussion about this  
34 issue or the options paper for Amendment 44? Steven, we'll be  
35 seeing this then in October, I guess, since there's nothing new?  
36 Is that correct?

37  
38 **MR. ATRAN:** I can bring you something in October, but it's still  
39 not going to be fully formed without that analysis. If you want  
40 to see it, I can bring it, but I can bring a more complete  
41 document in January.

42  
43 **CHAIRMAN ANSON:** All right. Thank you. Next, we will have Item  
44 Number X. It's a discussion of carryover of unharvested red  
45 snapper allocations, Tab B, Number 16, and Mr. Rindone.

46  
47 **MR. RYAN RINDONE:** Thank you, Mr. Chair. When I was reading the  
48 motion and trying to listen to some of the backstory, I had

1 many, many more questions than answers, and so I thought having  
2 this sheet of questions for you guys to ponder prior to the  
3 meeting and kind of mentally chew on a little bit might help  
4 with developing an options paper for you guys for things to  
5 consider for this. I don't know if we should move through the  
6 issues point-by-point or what your preference might be or -- I  
7 am kind of open to it.

8

9 **CHAIRMAN ANSON:** Probably I guess point-by-point, maybe.

10

11 **MR. RINDONE:** Okay. The biggest question is how it should be  
12 applied, if it should be applied to the recreational sector as  
13 an umbrella, so whatever remainder is left over is reapplied  
14 across the board, or if it should be done on an individual  
15 component basis, so the private component or the for-hire  
16 component, based on whether they individually had an underage  
17 that is looking to be carried over. Is that something you guys  
18 would like options on or is it pretty well known what you would  
19 want to do on that?

20

21 **CHAIRMAN ANSON:** I don't know.

22

23 **MR. RINDONE:** I mean I wanted a little bit of feedback, if I  
24 could get it, but I didn't also want to come to you guys with an  
25 options paper that had nineteen actions with 4,700 alternatives.  
26 I wanted to have a little bit of herd-thinning in advance, if it  
27 was possible.

28

29 **CHAIRMAN ANSON:** Does anybody have any comment to that? Dale.

30

31 **MR. DIAZ:** This is not necessarily to the question at hand, but  
32 this is for Dr. Crabtree. Dr. Crabtree, I think you were the  
33 one that brought this up. Right now, we're only looking at this  
34 in relation to red snapper. When you originally brought it up,  
35 did you intend us to consider this for other fisheries?

36

37 **DR. CRABTREE:** No, not at this point, because I don't think we  
38 have a buffer in place in other fisheries like we do with red  
39 snapper, and so that was what I was thinking about. I mean  
40 that's where we've had these big underages, and we have a lot of  
41 pressure on the stock at the same time. I think there is some -  
42 - I would like to see this document move fairly quickly, and so  
43 it makes sense, to me, to do it for red snapper right now.

44

45 With respect to the first question, it seems, to me, that this  
46 should apply to the recreational and commercial sectors and what  
47 makes the most sense to me is that if a sector -- If we're under  
48 the overall ACL and there is something to carry over, it would

1 be carried over and then applied to the sector or subcomponent  
2 that was under.

3  
4 **CHAIRMAN ANSON:** All right. No one else wants to chime in?  
5 That would kind of be my preference, too.  
6

7 **MR. RINDONE:** All right. I mean, that's really important in  
8 terms of how the whole thing is framed, and so that helps a lot.  
9 That also kind of answers the second question, which is should  
10 it be for the recreational sector as an umbrella or by  
11 component, and so we talked a lot about these threshold triggers  
12 with Amendment 26 and 29, when we were looking at the  
13 allocation-sharing options for kingfish, and is that something  
14 that you guys would like to see included in discussions of  
15 whether there should be a carryover? If it's a narrow margin,  
16 then that might be of concern to you, but, if there's a wide  
17 margin and a lot of leftovers, then obviously you would box  
18 those up for later.

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

21  
22 **MR. RIECHERS:** I guess my inclination would be that there should  
23 be some sort of trigger, because there's a certain amount of  
24 carryover that probably doesn't matter. I don't mean that -- It  
25 matters to everyone who hasn't caught those fish, but there is  
26 probably a point where it's not worth the effort and the  
27 movement and the recalculation, and so I would say we use some  
28 judgment about carryover thresholds.

29  
30 **CHAIRMAN ANSON:** Maybe, Ryan, anything maybe with the  
31 recreational side that doesn't offer a day, I guess, of extra  
32 fishing, maybe. That's the kind of percentage that -- You kind  
33 of look in today's terms of quotas and ACLs and all that stuff  
34 and what would constitute a day, as far as pounds, and then  
35 maybe that might relate to a percentage.

36  
37 **MR. RINDONE:** So base it on time?

38  
39 **DR. CRABTREE:** I would not go that way, because that could vary  
40 widely, depending on catch rates and all sorts of things. It  
41 makes more sense, to me, that it would be some fraction of the  
42 overall ABC or quota.

43  
44 **MR. RIECHERS:** I think what Kevin was suggesting is a fraction,  
45 but a good place to start, at least on the recreational side, is  
46 what is equivalent to an average day across the Gulf.

47  
48 **DR. CRABTREE:** That's going to be a moving target, though.



1  
2 **MR. RIECHERS:** Yes, it is a moving target, but, Roy, that's  
3 exactly how you estimate the number of days we get now. You've  
4 got some sort of calculation per day that gets us to nine days,  
5 and weekends are different than weekdays.

6  
7 **CHAIRMAN ANSON:** Yes, because we've had that issue before, where  
8 there is a half-a-day worth of quota left, and so it's not --

9  
10 **DR. CRABTREE:** Okay, but there's a lot of rounding and things  
11 that go into this, but what I'm telling you is that doing it  
12 based on days isn't going to work, and I would strongly advise  
13 you not to go that way. You need some set number that we can  
14 look at and say, okay, it's below that and you don't carry it  
15 and not tie it into some analysis that won't be completed,  
16 potentially, until May.

17  
18 **CHAIRMAN ANSON:** All we're trying to do is determine what the  
19 percentage of the underage that is going to be the trigger for  
20 us to go down that road to see about getting the extra day or  
21 days to that sector. That's all we're trying to do, and so it  
22 could be 10 percent underage or 15 percent, but it could be 5.  
23 If 5 gives us one day -- If we're putting a percent in that  
24 doesn't give us a day, then we're kind of -- That isn't  
25 practical, in my mind.

26  
27 **DR. CRABTREE:** What I'm saying is the percentage you give may  
28 get you a day one year and not the next year. There is no way  
29 of knowing what that percentage will be, and it's going to be  
30 different for the charter boats and different for everyone, and  
31 it doesn't apply at all to the commercial fishery. There isn't  
32 even a way to do it, in that sense, and you're going to want to  
33 have some fraction, some threshold, that's consistent about all  
34 of these.

35  
36 **CHAIRMAN ANSON:** I would just make a suggestion that it would  
37 apply to the sectors differently and that calculation could be  
38 done differently as it affects those various sectors, Ryan, and  
39 maybe put a buffer into the trigger so that you can increase  
40 that percentage, which would then give you some rational or some  
41 reasonable expectation that you would have those pounds  
42 available in subsequent years.

43  
44 **MS. BOSARGE:** Let me help you get to your forty-seven  
45 alternatives. I'm going throw an even bigger kink in it. I was  
46 thinking, on the commercial side, every pound kind of does  
47 count, and I don't know about there being quite the threshold,  
48 rather than just a straight carry-forward, and I am thinking

1 about like that one inactive account, that 12,000 pounds.

2  
3 If you carry that forward into next year's quota and then you do  
4 your allocation, that person may have only a 0.00015 share of  
5 the allocation, and so, next year, he's only getting 0.00015  
6 percent of that 12,000 pounds, and the bulk of it is going out  
7 to people that are going to fish it. In other words, I was just  
8 trying to think of it as a way to also handle some of those  
9 accounts for some of that quota that we're not catching, because  
10 that person is not going and catching their allocation each  
11 year. On the commercial side, maybe it might be a little  
12 different.

13  
14 **CHAIRMAN ANSON:** Dr. Crabtree.

15  
16 **DR. CRABTREE:** Guys, if we complicate this, we won't ever get  
17 this done. It's not that -- We need to figure out some  
18 discounting factor and then take the pounds and add it to the  
19 next year's quota and go on. Even if it's not a day, Kevin, if  
20 you end up with an overrun the next year, you're going to have  
21 to pay it back. If you had carried it forward, you might not  
22 have had an overrun, but you can't start trying to solve all of  
23 our problems with this. We need to keep this simple, or it's  
24 going to drag on and on and on and we won't get it done.

25  
26 **CHAIRMAN ANSON:** Dr. Stunz.

27  
28 **DR. STUNZ:** I am jumping ahead a little bit, but, along the same  
29 lines as Leann, I think any percentage matters, whether it's a  
30 day or whatever. As I'm looking ahead to Number 5, how should  
31 it be applied, there's a lot of creative things you could do  
32 with even a little amount, whether it's testing a tag system  
33 that we might want or maybe, for example, just some examples are  
34 looking at artificial reefs and people that I know want to do  
35 depletion studies to see how many fish are on a particular  
36 artificial reef. There is various ways you could use those  
37 small amounts, as science set-asides or maybe even other things  
38 that we're not even thinking about right now.

39  
40 I think we should at least calculate that amount and then we  
41 could decide what to do, but, while I've got the mic, Kevin, if  
42 you don't mind, related to Number 4, should 100 percent of the  
43 uncaught harvest be carried over or whatever, I would argue that  
44 yes, because -- We're already talking about a 20 percent buffer  
45 that's put in for reasons that we know, and not necessarily like  
46 an ACL or an ACT, and so you essentially have a buffer on top of  
47 a buffer.

1 Then we've got a buffer in the calculations that actually get  
2 the yield streams, and whether you call them buffers or not,  
3 whatever, but you've got three stopgaps already in place, and so  
4 we already kind of, in my mind, are being very, very risk-averse  
5 in this situation, and so there is no reason we couldn't capture  
6 that full 100 percent and we would still have built-in buffers  
7 in the system.

8  
9 **CHAIRMAN ANSON:** Dr. Crabtree.

10  
11 **DR. CRABTREE:** I would have to disagree with that, because what  
12 you're saying is you didn't catch all of the quota one year, and  
13 so you're ahead of things and there are fish left out there that  
14 you could have caught, but the problem is some of those fish  
15 will die from natural mortality before the next year, and so  
16 they're not going to all be there.

17  
18 Now, those fish will also grow a little bit for the next year,  
19 but I think, in order to get the science folks to go along with  
20 this, there will have to be some sort of discounting applied to  
21 this, and you won't be able to carry it all over. Now, the  
22 natural mortality rate for red snapper is pretty low, and so it  
23 might be a fairly low discount, but I think that's something  
24 you're going to have to go back to the SSC and take a look at.

25  
26 I think you can go back and look at some of the projections,  
27 where we've rerun projections because we were under, and use  
28 actual landings and see how that looks, and you could probably  
29 come up with some reasonable amount to discount it by.

30  
31 **CHAIRMAN ANSON:** Dr. Stunz.

32  
33 **DR. STUNZ:** To that point, Dr. Crabtree, I agree with you 100  
34 percent. I was trying to simplify it. If we have to calculate  
35 for growth and natural mortality that would have occurred,  
36 certainly we can do that, but, after we make those calculations  
37 and there is some amount left, I think all of that should go to  
38 some carryover that we specify.

39  
40 **CHAIRMAN ANSON:** Doug.

41  
42 **EXECUTIVE DIRECTOR GREGORY:** To Greg and Roy, there is also  
43 recruitment into the fishery. When we're talking about red  
44 snapper, from July of one year to June of the next year is a lot  
45 of growth and a lot of potential recruitment, and so I don't  
46 think it would necessarily result in a decrease of the  
47 carryover. It's a hard thing to calculate, and I know National  
48 Standard 1 assumes there will be a decrease because of

1 mortality, but it's ignoring growth and recruitment into the  
2 population as well.

3  
4 **CHAIRMAN ANSON:** Any other discussion?

5  
6 **DR. CRABTREE:** I think the bottom line is this is something that  
7 we need to consult with the SSC about.

8  
9 **CHAIRMAN ANSON:** Do you want to continue on, Ryan?

10  
11 **MR. RINDONE:** Nervously, sure. How should whatever credit or  
12 carryover or whatever we feel like calling this, how should that  
13 be applied? Are you guys thinking there should be some sort of  
14 fall season, if possible, if it's able to be done in time for  
15 that to be available, or should it be added just to the  
16 following year, as an increase to the ABC, or what were you guys  
17 thinking? When were you thinking you wanted this credit to show  
18 up?

19  
20 **CHAIRMAN ANSON:** Dr. Crabtree.

21  
22 **DR. CRABTREE:** Just add it onto the catch level for the next  
23 year.

24  
25 **CHAIRMAN ANSON:** Leann.

26  
27 **MS. BOSARGE:** I agree. I think we found something we might  
28 agree on, possibly.

29  
30 **MR. RINDONE:** Well, boy, that was easy. All right. Should  
31 credits be applied during payback years? I think Dr. Crabtree  
32 touched on this a little bit. If there might have been a  
33 potential payback, but you get some sort of credit, then maybe  
34 that cancels it out.

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

37  
38 **DR. CRABTREE:** It seems to me that if there's a payback that we  
39 were over, and so you would pay it back and there wouldn't be an  
40 underage. There would be an overage that we would have to pay  
41 back.

42  
43 **MR. RINDONE:** But we're talking about doing this for the  
44 recreational sector, in a component-specific manner, and then  
45 for the commercial sector, separate from the recreational  
46 sector, and so, depending on the amount of any overage in any  
47 component or sector -- I am just thinking about the overall math  
48 here coming up to 100 percent of the quota being landed in a

1 year.

2

3 **CHAIRMAN ANSON:** Robin.

4

5 **MR. RIECHERS:** I think the quota is still an aggregate  
6 recreational quota, and so I think what you're talking about is  
7 if somebody went over and someone went under, there is a payback  
8 going into the next year and there might be an overage, but you  
9 couldn't give the overage if the overall was over, and so you  
10 could give some if those didn't sum to greater than 100, but I  
11 think we are getting this -- As Dr. Crabtree would say, we're  
12 making it more complicated than it needs to be.

13

14 That's a binomial question when we get it in front of us, but I  
15 think it's going to probably be hard to suggest that -- I mean  
16 there is a scenario where what you say could happen, but it's  
17 going to be hard to -- I would say you set up, because you're  
18 asking how you do it, but there is a scenario where that could  
19 happen, but it means that one is going to be under by more than  
20 the percent that's over, by some pounds.

21

22 **MR. RINDONE:** Right, and I acknowledge that the odds are slim,  
23 but that they exist was the only reason I am bringing it up.  
24 The AMs that are currently in place can deal with it, but, like  
25 I said, I'm just bringing that question up. We can bypass that  
26 for now.

27

28 At what point should the SSC be asked to consider a temporary  
29 increase in ABC? If you guys are talking about wanting this to  
30 happen and it be added to the following fishing year, my thought  
31 would be that, once the landings are known, then the SSC would  
32 be convened and then would recommend any adjustments, as  
33 appropriate.

34

35 This kind of gets into a timing issue that Steven and I have  
36 talked about a little bit as far as the level of autonomy that  
37 might be possible for this process to carry on year after year,  
38 and setting up some sort of metric in the framework procedure  
39 for the landings become available and the SSC takes a look,  
40 depending on what the threshold situation is that you guys  
41 choose. If it's under the threshold, then the SSC doesn't have  
42 to bother with it. If it's over the threshold, if there's a lot  
43 left over, then the SSC takes a look, and that's just something  
44 that happens.

45

46 They take a look and then you guys meet, whether it be via  
47 webinar or, if you're adding it to the next year's quota, then  
48 you have time, and so it could be just at the following council

1 meeting, after the SSC gets a look at the landings information,  
2 and so I know timing is a popular topic that we talk about, and  
3 so I just wanted to go through that with you and perhaps get  
4 some input, maybe from Dr. Crabtree and the Southeast Regional  
5 Office folks as to what their thoughts were on timing.

6  
7 **DR. CRABTREE:** I think the best way to do this would be we just  
8 set up a process and the SSC gives the ABC and then the Regional  
9 Office just does it and it doesn't even come to the council.  
10 It's like when we hit an ACL and the fishery closes. We don't  
11 come back to the council for that. It just happens, and I think  
12 that -- Because this needs to happen quickly. That way, we  
13 don't have to wait for council meetings and things.

14  
15 **MR. RINDONE:** All right. Seeing no other thoughts on that, for  
16 years when there is a new stock assessment, should an uncaught  
17 harvest credit be applied to the following year after new  
18 projections are produced? Often, when we do a new assessment,  
19 we get new OFL and ABC recommendations, and they might be up and  
20 they might be down. Right now, the stock appears to be growing,  
21 and so they've been up for the last couple of assessments that  
22 you guys have seen. Or should any credit be incorporated into  
23 the new yield projections, which would spread the effect across  
24 multiple years?

25  
26 **CHAIRMAN ANSON:** Dr. Crabtree.

27  
28 **DR. CRABTREE:** It seems, to me, when you get the new ABC out of  
29 the assessment that all of these landings are factored into it,  
30 and so you would start afresh at that point. I mean, you could  
31 consult with the SSC about that, but that's how it seems to me.

32  
33 **CHAIRMAN ANSON:** Yes, I would kind of defer to the SSC and their  
34 opinion on how to handle this question.

35  
36 **MR. RINDONE:** That's great. That helps a lot. Thank you, guys.  
37 That's all I have.

38  
39 **CHAIRMAN ANSON:** Thank you, Ryan. That concludes the two items  
40 that we didn't cover under the Reef Fish Committee. Is there  
41 anything else under Reef Fish, any other hanging things out  
42 there? Seeing none, we will go ahead and -- We have a break  
43 scheduled. We had a fifteen-minute break, and so it's quarter  
44 to three. We will take a fifteen-minute break and reconvene at  
45 three o'clock.

46  
47 (Whereupon, a brief recess was taken.)  
48

1 **CHAIRMAN ANSON:** All right, everyone. Let's go ahead and  
2 continue with the meeting. We are on Item Number VIII for our  
3 agenda, and that is a Vote on Exempted Fishing Permit, EFP,  
4 Applications. There is one outstanding that we discussed  
5 earlier in the week. We had Mr. Kelly come up and answer a lot  
6 of questions about it. It's the one pertaining to the use of  
7 fish traps for lionfish removal. Dr. Crabtree has had to catch  
8 a plane and is not here, but he has left it in Sue Gerhart's  
9 capable hands, and so, Sue, did you want to talk about this? Do  
10 you have anything else to say? No? But you were looking for  
11 some sort of indication from the council that we would approve  
12 that EFP going forward. Dale.

13

14 **VOTE ON EXEMPTED FISHING PERMIT (EFP) APPLICATIONS**

15

16 **MR. DIAZ:** The staff has a motion that I sent them. They're  
17 going to be putting it up on the board in just a second. **Mr.**  
18 **Chairman, I would like to make a motion to approve the exempted**  
19 **fishing permit request submitted by the Florida Keys Commercial**  
20 **Fishing Association titled "Cooperative Lionfish Containment**  
21 **Device Testing Program in the Southeast United States".**

22

23 **CHAIRMAN ANSON:** We have a motion on the board. Is there a  
24 second to the motion? Second by Mr. Sanchez. Any discussion on  
25 the motion?

26

27 **MR. DIAZ:** Being as I'm the maker of the motion, I will just say  
28 I think that lionfish is a significant problem. I think the  
29 group spent a lot of time and put together a good program, and I  
30 think it's worthwhile for the council to pursue it and help us  
31 look at some alternatives to try to have some controls for this  
32 invasive species. Thank you, sir.

33

34 **CHAIRMAN ANSON:** Mr. Boyd.

35

36 **MR. BOYD:** I speak in favor of the motion, but there was a lot  
37 of discussion, or some discussion, about maybe this was a way to  
38 introduce fish traps back into the waters, and I don't think  
39 that's the intent. I just wanted to speak to that a little bit,  
40 and I trust Bill Kelly and his organization to do the right  
41 thing, and I think not only will it be monitored closely, but I  
42 think we can trust them, and so I speak in favor of the motion.

43

44 **CHAIRMAN ANSON:** Thank you. Robin.

45

46 **MR. RIECHERS:** I don't want to put Martha on the spot here, but  
47 obviously the trap issue has been an issue in the past. Have  
48 you all's commission had this presentation? Have you all talked

1 about this issue?

2  
3 **MS. GUYAS:** Well, I mean, we have just reviewed it as staff.  
4 Bill is now requesting a similar permit for state waters, and  
5 there will be some issues probably with him getting a permit for  
6 state waters. We have very specific criteria for being issued a  
7 permit to do this kind of thing, but, you know, I was planning  
8 to support the motion.

9  
10 **CHAIRMAN ANSON:** To that, Martha, I was curious. Based on our  
11 question-and-answer period with him the other day, I got the  
12 sense that they really weren't going to put any effort or were  
13 going to be putting those traps in over a hundred feet. Is the  
14 application the same to the State of Florida or is it going to  
15 be targeting shallower waters, since it's in the state?

16  
17 **MS. GUYAS:** Bill is not putting in an application with the  
18 state. We have already discussed it. He was planning to do  
19 this in federal waters completely, or at least that was the  
20 information that we got from him. There is other trap studies  
21 that are going on around Florida, and I should mention that.  
22 It's not with traditional gears like this. It's people more  
23 trying to develop traps, and so there is similar efforts going  
24 on in other places.

25  
26 **CHAIRMAN ANSON:** Ms. Gerhart.

27  
28 **MS. GERHART:** Just a point of clarification. The council  
29 doesn't approve the exempted fishing permit. They recommend  
30 that NMFS approve.

31  
32 **MR. DIAZ:** I would accept that as a friendly amendment. Thank  
33 you, Ms. Gerhart.

34  
35 **CHAIRMAN ANSON:** Mr. Matens.

36  
37 **MR. MATENS:** To the point about the deeper water, I discussed  
38 this with Bill after the meeting. I was heartened to hear him  
39 say that, on the Atlantic coast, they could recover traps in a  
40 thousand feet of water, because, certainly in Louisiana, it's  
41 not the water that's 100 feet or shallow that's the problem.  
42 It's the really deep water, and, of course, all we need is to be  
43 continually harvesting at 100 feet and all these fish at 1,000  
44 fish are migrating, and I was heartened to hear him say that.  
45 I'm all in favor of this.

46  
47 **CHAIRMAN ANSON:** Any other discussion on the motion? **Is there**  
48 **any opposition to the motion? Seeing none, the motion carries.**



1 That will take us to our next agenda item, Number IX, Supporting  
2 Agencies Update, and so we have first up is Chester with the  
3 South Atlantic Council.

4  
5 **SUPPORTING AGENCIES UPDATE**  
6 **SOUTH ATLANTIC COUNCIL LIAISON**  
7

8 **MR. BREWER:** Thank you, Mr. Chair. The South Atlantic Council  
9 has not met since the last Gulf Council meeting, and so you all  
10 got an update from Anna Beckwith, and I am not going to go back  
11 over that, but we've been faced recently with a pretty  
12 interesting conundrum, and I wanted to tell you about it and  
13 also tell you some of the things that the council is looking at  
14 to try to ameliorate the problem as much as possible.

15  
16 You may be aware that in 2015 the red snapper, of course red  
17 snapper, fishery was closed, and yet it was determined that red  
18 snapper was, of course, overfished and that overfishing was  
19 continuing, and so red snapper was again completely closed in  
20 2016.

21  
22 In all probability, the way things are going and the way things  
23 are set up right now, red snapper will be closed for years. The  
24 problem is -- You might say, wait a minute, you're not fishing  
25 for these fish and how are you overfishing, but the problem is  
26 that, while folks are out fishing for other reef fish, there is  
27 bycatch of red snapper.

28  
29 The red snapper last year, the ACL, total ACL, was 114,000  
30 pounds. That's pretty small, but it's under a pretty strict  
31 rebuilding program. Bycatch mortality was 276,000 pounds, and  
32 so the bycatch mortality was over twice the total ACL.

33  
34 You are faced with quite a problem when you have closed down a  
35 fishery and yet it is still undergoing overfishing. What in the  
36 world do you do? Well, there have been some interesting  
37 thoughts, and this is what I really wanted to bring to the  
38 council, is some of the thoughts that have been batted around,  
39 and we will be going through a scoping document the next  
40 meeting, which is in September, with some of these ideas, and  
41 some of them I found pretty interesting, and I think you might,  
42 too.

43  
44 There is an idea to establish a deep reef fish stamp that would  
45 be required, and not a tag, but a stamp. That would be required  
46 to fish outside of name your depth, either eighty feet or 110  
47 feet or 125 feet. That's up for discussion, but the purpose of  
48 that would be to define your universe, and the thought is that a

1 lot of people, while they may go out bottom fishing, they are  
2 not doing the real deep bottom fishing, and so it's a much  
3 smaller population than might be assumed, and we would like to  
4 get a handle on exactly how big that universe is, to aid in the  
5 management of red snapper.

6  
7 Another idea that's been floated, which, at first thought, you  
8 would say, well, nobody would be in favor of this, but,  
9 actually, there is some support, and that is that you establish  
10 a reef fish season. Now, this would be a season three months or  
11 four months or whatever in which fishing outside of a certain  
12 depth, say a hundred feet, would be allowed for all species.

13  
14 For the rest of the year, fishing outside of that depth would  
15 not be allowed, period, and so you're closing off the reef  
16 fishery outside of a certain depth. The idea is that, right  
17 now, we are calculated to be throwing away 276,000 pounds of red  
18 snapper as dead bycatch.

19  
20 Establish a season that you would be allowed to keep red  
21 snapper, of course with limits on size and bag limits and that  
22 kind of thing, but you would be allowed to keep red snapper, and  
23 you would be allowed to keep the other reef fish.

24  
25 When I first heard that I was like, man, I don't know. I was  
26 scared to even think about such a thing and what the reaction  
27 might be with some of my recreational brethren, but,  
28 interestingly enough, once people understand the situation and  
29 what the alternatives might be, there is some support for doing  
30 that, and so we're going to be talking about it at the next  
31 meeting.

32  
33 There is a lot of discussion going on with regard to using  
34 descending devices and this sort of thing, and that's going to  
35 be kicked around, requiring descending devices outside of a  
36 certain depth. There has also been some talk about ways to help  
37 get a better handle on what the bycatch mortality actually is,  
38 and that is a little bit nefarious right now, but it kind of  
39 feeds into that stamp idea. You would be talking to these folks  
40 that are fishing outside of say 100 feet and sampling them, from  
41 the standpoint of bycatch mortality.

42  
43 We have seen things like the use of circle hooks, and a lot of  
44 people keep descending devices onboard now, even though they're  
45 not, quote, actually required to do so, and it might be that we  
46 find that the bycatch mortality number is actually somewhat  
47 lower than what's being used in the calculations right now.

48

1 I think this is going to be -- At the next South Atlantic  
2 Council meeting, it's going to be a pretty interesting  
3 discussion and a pretty lively discussion, and so stay tuned and  
4 we'll see what happens. That concludes my report, Mr. Chairman.  
5

6 **CHAIRMAN ANSON:** Thank you for that report, Chester. We will be  
7 interested to see how you all progress through that process.  
8 Next, we have Gulf States Marine Fisheries Commission and Dave.  
9

#### 10 **GULF STATES MARINE FISHERIES COMMISSION**

11  
12 **MR. DONALDSON:** Thank you, Mr. Chairman. As I mentioned, we are  
13 working with NOAA and GSI on the aquaculture roundtable meeting.  
14 In addition to that, NOAA Fisheries gave us about \$400,000 to do  
15 an oyster aquaculture RFP. We are currently accepting  
16 proposals. It's open until September.  
17

18 We are looking to get proposals that address technical and  
19 regulatory opportunities and challenges with oyster farming in  
20 the Gulf of Mexico, and work is scheduled to begin in January of  
21 next year. Then, lastly, at our October meeting, we are  
22 convening an oyster general session, where we will be looking at  
23 the issues facing the industry currently as well as in the  
24 future, but that's just kind of a quick brief of what's going on  
25 at the commission.  
26

27 **CHAIRMAN ANSON:** Thank you, Dave. Next, we have the Coast Guard  
28 and Lieutenant Commander Danaher.  
29

#### 30 **U.S. COAST GUARD**

31  
32 **LCDR DANAHER:** Thank you, Mr. Chairman. The only update I  
33 wanted to pass is just to reintroduce myself. I have pretty  
34 much had the pleasure of meeting almost everybody the past  
35 couple of days. I am Lieutenant Commander Leo Danaher. I work  
36 for the District 8 staff here in New Orleans, and I have  
37 officially taken over the responsibilities of fishery  
38 enforcement from Lieutenant Commander Jason Brand.  
39

40 I do look forward working with everyone. It's been a pleasure  
41 getting to know everybody this week and getting to share some  
42 stories and learn a little bit about you, and I look forward to  
43 working with you and also our fellow stakeholders over the next  
44 couple of years.  
45

46 I have been in the service for twelve years, and most of my  
47 background has been working with the Department of Defense or on  
48 counternarcotic or other port security type missions, and so I

1 am pretty much very new to the fishery enforcement side of the  
2 house. I will work very hard to get up that learning curve, and  
3 just please bear with me if I tend to ask a lot of questions or  
4 if things sometimes don't make sense to me.

5  
6 The intent for the next meeting in October is we will look at  
7 trying to get you an update on the southern border, because  
8 there has been some progress there, but, if there are other  
9 topics in the future that are of interest to the council or that  
10 we think would be of interest to our audience, please do not  
11 hesitate to contact me. Thank you, Mr. Chairman.

12  
13 **CHAIRMAN ANSON:** Thank you, and welcome again to our body. We  
14 look forward to seeing you at future meetings. Do I have anyone  
15 else from the other two agencies that are non-voting members  
16 here on the councils? If not, that will take us to our next  
17 item, Other Business.

18  
19 Dr. Crabtree already had spoken about the aquaculture amendment  
20 information that the Southeast Regional Office is putting  
21 together, and I had a request from Patrick to pick up an item,  
22 and I am going to go ahead and give him that opportunity.

23  
24 **OTHER BUSINESS**

25  
26 **MR. BANKS:** I appreciate it, Mr. Chairman. I just wanted to  
27 mention something to you all that you all are all well aware of,  
28 but certainly natural disaster is nothing new to the Gulf Coast,  
29 but Louisiana is in one right now that I don't know that anybody  
30 expected. This is a natural disaster that didn't happen in  
31 areas that are protected by levies, necessarily, in areas along  
32 the coast.

33  
34 I just wanted to reach out to all of you guys, and I appreciate  
35 all the words of support that you all have given us and  
36 everything you all have done. We have set up several ways that  
37 you can assist these folks in Louisiana. One is  
38 volunteerlouisiana.gov and another one is the Red Cross. Then,  
39 in addition to that, we have a specific one for LDWF employees.  
40 Let me see if I can find that.

41  
42 **EXECUTIVE DIRECTOR GREGORY:** I will go ahead and forward the  
43 link to the full council.

44  
45 **MR. BANKS:** Thank you, Doug. I appreciate that. Anyway,  
46 anything you guys could do to help would be wonderful. Right  
47 now, we're right around the sixty-person mark, in terms of  
48 people who have been flooded out of their houses that work

1 directly for the agency. That's about one-tenth of our agency,  
2 and it has certainly greatly impacted all of -- Whether it be  
3 biologists, administrative staff, or enforcement, but the great  
4 thing is that we've got a lot of enforcement and fisheries and  
5 wildlife staff that are out there helping and saving people  
6 while their own house is underwater, and so we appreciate any  
7 help you can give. Thank you, all.

8  
9 **CHAIRMAN ANSON:** Thank you, and good luck to you and certainly  
10 give any well wishes to staff and such that we are thinking of  
11 them. Mr. Swindell.

12  
13 **MR. SWINDELL:** How many people have your enforcement agents had  
14 to rescue? Do you have an idea of people and pets?

15  
16 **MR. BANKS:** That's a good question. We got a report this  
17 morning. It's around 3,500 people, and I didn't total up the  
18 pets. I apologize to you pet owners, but it's in the hundreds  
19 of pets, and a lot of cows too, from what I understand.

20  
21 **CHAIRMAN ANSON:** Thank you. Again, good luck to you, Patrick  
22 and your staff. That will take us to the last agenda item, and  
23 that would be Election of Chair and Vice Chair and Mr.  
24 Donaldson.

25  
26 **ELECTION OF CHAIR AND VICE CHAIR**

27  
28 **MR. DONALDSON:** Thank you, Mr. Chairman. I will open the floor  
29 now for nominations of Chairman. Mr. Diaz.

30  
31 **MR. DIAZ:** Thank you, Mr. Donaldson. I would like to nominate  
32 Ms. Leann Bosarge for consideration for Chair of the Gulf of  
33 Mexico Fishery Management Council.

34  
35 **MR. DONALDSON:** All right. Any other nominations? Mr. Sanchez.

36  
37 **MR. SANCHEZ:** Thank you. I would like to nominate Mr. Johnny  
38 Greene for Vice Chair.

39  
40 **MR. DONALDSON:** We're doing Chairman right now. If there are no  
41 other nominees for Chairman -- Dale.

42  
43 **MR. DIAZ:** I don't want to rush this, but, if there is no other  
44 nominees, I would move that we close nominations for the Chair.

45  
46 **MR. DONALDSON:** The nominations are closed and congratulations,  
47 Leann. Yes, sir.

48

1 **MR. DIAZ:** I just want to say a few things. First, I am very  
2 honored to be able to nominate Leann. She has shown a lot of  
3 leadership in the three years she has been on the council.  
4 She's been Vice Chair of the council for the last year and has  
5 served as Chair on Administrative/Budget and the Shrimp  
6 Committee, and she has been Vice Chair of the Coral Committee.

7  
8 I think she does a very good job. I am always impressed by  
9 Leann's attitude. I think she's got a great attitude towards  
10 dealing with council issues. She does a great job dealing with  
11 other council members and the groups that interact with the  
12 council, and so I'm trying to say that I think she conducts  
13 herself very professionally.

14  
15 Personally, I would like to thank Leann, because I think she's  
16 been a great role model for me. I admire the way that when she  
17 comes to the meetings she is well prepared. I like the idea  
18 that she is creative and innovative with trying to solve some of  
19 the tough issues that we face on this council.

20  
21 I am constantly impressed with her honesty and integrity.  
22 Anyway, I just want to thank her for being a good example for  
23 me, and I think those characteristics that I just listed will  
24 make her a very able chairperson for this council, and so thank  
25 you, Leann, for being willing to put your name in for  
26 consideration.

27  
28 **MR. DONALDSON:** Mr. Boyd.

29  
30 **MR. BOYD:** I don't know if technically we need a second, but I  
31 second the nomination, just to be sure that we didn't do this  
32 wrong.

33  
34 **MR. DONALDSON:** Thank you. Ms. Bosarge.

35  
36 **MS. BOSARGE:** Thank you. I appreciate all the kind comments,  
37 and I am going to do my best to live up to your expectations.  
38 If you ever see me step out of line, don't hesitate to come up  
39 and tell me.

40  
41 To even be nominated for something like this, there are just so  
42 many very influential people around this table that have done  
43 this for a very long time, and I guess I always see myself as  
44 just kind of nobody, and so to even be at this table is amazing.  
45 To be Chairman is something that I never dreamed of, and so  
46 thank you.

47  
48 **MR. DONALDSON:** Yes, Mr. Chairman.

1  
2 **CHAIRMAN ANSON:** Thank you. I want to echo a lot of what Dale  
3 had said, Leann. You are very well prepared for each of the  
4 meetings. You are a breath of fresh air in regards to someone  
5 who can come up with some new ideas and new ways of looking at  
6 things. I would tell you that don't be worried. You're going  
7 to do a fine job. You should make a great Chair, and so I am  
8 glad that you're going to be taking up that position.

9  
10 **MS. BOSARGE:** Thank you.

11  
12 **MR. DONALDSON:** All right. We will now open the floor to  
13 nominations for Vice Chair. Mr. Sanchez. Got it. We've got  
14 Johnny Greene. Do I have a second? We have a second.

15  
16 **MR. BOYD:** I would like to place a nomination for Dr. Greg Stunz  
17 for Vice Chairman.

18  
19 **MR. DONALDSON:** Do I have a second for Greg Stunz? Second by  
20 Mr. Matens. Any other nominations? If not, then, Doug, I guess  
21 we need ballots. Everyone please use the pieces of the pad in  
22 front of you all and write your vote down and give it to staff.  
23 I am pleased to announce that Johnny Greene is the new Vice  
24 Chair of the Gulf Council for next year. With that, I will turn  
25 it back to you, Mr. Chairman.

26  
27 **CHAIRMAN ANSON:** Thank you for doing that. Congratulations,  
28 Johnny, and good luck to you. That takes us to the adjournment,  
29 but I would like to just say a couple of words and let everybody  
30 know that I appreciate all the work that council members put in  
31 and all of their participation, and I certainly appreciate the  
32 work of staff.

33  
34 Doug, you've been great to work with. It's been easy to get  
35 along. You have accommodated most of my requests, and so I  
36 appreciate that, and you have a very good staff. They are very  
37 attentive. They are willing to listen, and so I appreciate  
38 that. I have had the pleasure of the last couple of years of  
39 being Chairman. I will scratch it off my bucket list and go  
40 forward with the knowledge that I think I did some good. I  
41 think I served a role, and I do certainly appreciate it, and so  
42 thank you to everybody. Unless there is any other business, we  
43 will adjourn the meeting. Thank you.

44  
45 (Whereupon, the meeting adjourned on August 18, 2016.)

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48