

Gulf Council Motions

June 14-17, 2010
Gulfport, Mississippi

Administrative Policy

Motion: To adopt the following language in Section D of the Travel Guidelines in place of the highlighted language in Tab E, No. 3:

“Lodging will not be authorized if commuting is fifty miles or less, except for Council meetings (committees and Council of the whole) and other Council related meetings as approved in advance in writing.”

Motion carried.

Motion: On page 11, that the list of current management committees of the Council will include the seven fishery management plans in the list 1 through 7; add an eighth item entitled “Other Management Committees Approved by the Council;” remove “Marine Reserves” and “Sustainable Fisheries/Ecosystem” from the list of committees; and remove the word “Current” and replace it with the word “Fishery” in this section.

Motion carried.

Motion: To delete the paragraph marked in red in Section VI. Officers and Terms of Office.

Motion died for lack of a second.

Motion: To change the words “habitat support specialist” to “staff” on page 12, Habitat Protection, in the third paragraph.

Motion carried.

Motion: To remove the reference to the “Council Coordination Committee” (CCC) from the list of committees on page 13.

Motion carried.

Amendment: To add to this motion: “and remove further references to the Council Coordination Committee” from the SOPPs.

Amendment withdrawn.

Motion: To delete the second sentence, “Ordinarily a meeting will be held each two months” on page 16, XII.C., Frequency and Duration.

Motion carried.

Motion: To delete the word "Chair" from Page 16, A. General, first sentence.

Motion died for a lack of a second.

Motion: To add the word "geographic" before the word "location" on page 19, XIII.A.

Motion carried.

Motion: That the SOPPs be adopted as amended.

Motion carried.

Motion: To add the following underlined sentence on Page 16 of the SOPPs, XII., A., Meetings of the Council, Committees, and Advisory Groups:

"A. General

The Council will meet at the call of the Council Chair or upon request of a majority of its voting members. Meetings will ordinarily be held in plenary sessions, but may be in subgroups or in individual sessions. The Council's SSC and APs will meet with the approval of the Council Chair. The SSC shall hold its meetings in conjunction with the meeting of the Council to the extent practicable. All participants are to keep electronic devices on silent or vibrating mode during Council meetings."

Motion failed.

Motion: To remove the third, fourth, and fifth sentences on Page 64 of the Draft Administrative Handbook, Policy on Minority Reports, which are:

"If voting members are to utilize staff assistance in preparation of a minority position on an FMP or amendment, they must declare their intent to do so at the time the majority approves the FMP or amendment. The Council Chair will ask for a statement of such intent immediately following the roll call vote on the plan or amendment. If such members request staff assistance, where possible the Council Chair shall provide time during the course of that meeting for minority members to meet with staff to outline, verbally or in writing, the minority position and discuss (and record) supporting rationale."

Motion carried.

Motion: That the Habitat Protection Committee be assigned the task of updating the Habitat Policy and Procedures section in the Administrative Handbook.

Motion carried.

AP Selection

Motion: To place David Krebs back on the Mackerel LAPP AP and the Ad Hoc Reef Fish LAPP AP.

Motion carried.

Motion: To add Scott Hickman (charterboat) and Troy Williamson (recreational) to the Ad Hoc Mackerel LAPP AP.

Motion carried.

Motion: To add Benjamin Fairey and Scott Hickman to the Ad Hoc Reef Fish LAPP AP.

Motion carried.

Motion: To add David Stead and Jim Reeves as the SAFMC representatives on the Ad Hoc Mackerel LAPP AP contingent on a positive background check.

Motion carried.

Motion: To remove Karl Lessard from the Stone Crab AP and the Spiny Lobster AP.

Motion carried.

Motion: To appoint Bill Kelly to the Stone Crab AP.

Motion carried.

Coastal Migratory Pelagics (Mackerel)

Motion: To remove alternatives 2 & 3 from Action 1 and move them to the considered but rejected appendix

Motion carried.

Motion: To add individual alternatives or options to remove the individual species that are currently listed in the management unit for data collection purposes

Motion carried.

Motion: That any of those species currently listed in the management unit for data collection purposes should be assessed by a SEDAR assessment before they are added to the plan.

Motion carried.

Motion: To accept Alternatives 1 through 5 for Action 2 as presented.

Motion carried.

Motion: To accept the alternatives in Action 3.

Motion carried.

Motion: To accept the alternatives for Action 4 as presented.

Motion carried.

Motion: To accept the alternatives for Action 5 as presented.

Motion carried.

Motion: To accept the alternatives for Action 6 as presented.

Motion carried.

Motion: To accept the three alternatives for Action 7.

Motion carried.

Motion: To accept the alternatives for Action 8.

Motion carried.

Motion: To add an alternative to Action 8 that matches what is listed for Spanish mackerel in Action 11.

Motion carried.

Motion: To accept the alternatives for Action 9 with the intent to add a sub-alternative for run-around gill net.

Motion carried.

Motion: To accept the alternatives listed for Action 10.

Motion carried.

Motion: To accept the alternatives for Action 11 as presented.

Motion carried.

Motion: To accept the alternatives listed in Action 12.

Motion carried.

Motion: To accept Actions 10, 11, and 12 as written with no changes.

Motion carried.

Motion: To convene the Ad Hoc Mackerel LAPP AP at a convenient time relative to Amendment 18.

Motion carried.

Data Collection

Motion: To convene the Vessel Monitoring System Advisory Panel to discuss the VMS and other hardware programs that are available to the fishery for monitoring.

Motion carried.

Reef Fish

Amendment 32

Motion: To modify Action 2 in Reef Fish Amendment 32 into a discussion.

Motion carried.

Motion: That staff develop a solution to the problem of quota increases and ACLs and present it to the Council.

Motion carried.

Motion: To adopt the staff suggested wording:

“Add the following as Alternative 5 to Action 3: If, for a given species or species group, the catches of all sectors in aggregate exceed the aggregate of all sector ACLs, the target catch levels for each sector for the following year will remain at the previous year's level. In addition any applicable overage adjustment will be applied to the sector or sectors that exceed their respective ACLs.”

Motion carried.

Motion: In Action 5, to add an alternative that would exempt spear fishermen from the multi-species closure of shallow water grouper and only apply the gag closure to them.

Motion carried.

Motion: That the dead discard estimates in the alternatives in Action 6.1 be reevaluated in the context of the observer data, and that expected increases in commercial dead discards due to the actions in Amendment 32 be projected.

Motion carried.

Motion: To remove Actions 6.1 and 6.2 from the options paper, that those recreational alternatives be embedded into Action 5, and to either create a new action for commercial management measures or to move it into the appropriate existing action.

Motion carried.

Motion: To request an interim rule that reflects setting the commercial quota at 390,000 pounds for 2011, and closes the recreational harvest of gag.

Amendment: To add: “and closes the recreational harvest of gag for the interim rule period with the expectation that recreational management defined in Amendment 32 will define what recreational harvest is allowed during the balance of 2011 and suspends red grouper multi-use shares.”

Amendment carried.

Amended Motion: To request an interim rule that reflects setting the commercial quota at 390,000 pounds for 2011, and closes the recreational harvest of gag for the interim rule period with the expectation that recreational management defined in Amendment 32 will define what recreational harvest is allowed during the balance of 2011 and suspends red grouper multi-use shares.

Motion as amended carried by roll call vote.

Greene	Yes	Morris	Yes	Perret	Yes
Gill	Yes	Pearce	Yes	Ray	Yes
Hendrix	Yes	Fischer	No	McKnight	No
Sapp	Yes	Riechers	Yes	Shipp	Yes
Williams	Yes	Crabtree	No	Teehan	Abstain
		Anson	Yes	McIlwain	Yes

Red Grouper Regulatory Amendment

Motion: In the Red Grouper Regulatory Amendment, Action 3.1, that Alternative 3 be the preferred alternative:

Alternative 3: Set the 2011 total allowable catch based on the yield projection for fishing at FOY using the projections scenario recommended by the Scientific and Statistical Committee for setting the acceptable biological catch. Total allowable catch would be 5.68 MP GW for 2011. Based on the 76%:24% commercial and recreational allocation of red grouper, the commercial quota would be 4.32 MP GW and the recreational allocation would be 1.36 MP GW for 2011. The total allowable catch and commercial quota would remain at the 2011 levels until modified by a subsequent amendment or framework procedure.

Motion carried.

Motion: To submit the Red Grouper Regulatory Amendment to the Secretary of Commerce and deem the rules as necessary and appropriate.

Motion carried by roll call vote.

McKnight	Yes	Ray	Yes	Williams	Yes
Shipp	Yes	Hendrix	Yes	Pearce	Yes
Fischer	Yes	Morris	Yes	Perret	Yes
Sapp	Yes	Riechers	Yes	Anson	Yes
Gill	Yes	Crabtree	Yes	Teehan	Yes
		Greene	Yes	Mcllwain	Yes

Greater Amberjack Regulatory Framework Action

Motion: For Action 1 of the Greater Amberjack Regulatory Framework Action, that Alternative 3 be the preferred alternative:

Alternative 3. Establish a recreational seasonal closure May 1 through June 30.

Substitute motion: To select Alternative 4 which would have the closed season be June 1 through July 31.

Substitute motion carried.

Motion: To table the discussion until the August 2010 Council meeting.

Motion to table failed.

Motion: To defer final action on the Greater Amberjack Regulatory Amendment until August.

Motion carried.

Motion: To accept the buoy gear definition as described in the Tab B Handout:

Buoy gear means fishing gear intended to fish vertically in the water column that consists of a single drop line suspended from a float, from which a limited number of hooks are suspended, and the terminal end of the drop line contains a weight that is no more than 10 pounds. The drop line can be rope (hemp, manila, cotton or other natural fibers; nylon, polypropylene, spectra or other synthetic material) or monofilament, but must not be cable or wire. The gear is free-floating and not connected to other gear or the vessel. The drop line must be no greater than 2 times the depth of the water being fished. No more than 10 hooks can be connected to the drop line between the buoy and the weighted terminal end. All hooks must be attached to the drop line no more than 30 feet from the weighted terminal end. These hooks may be attached directly to the drop line; attached as snoods (defined as an offshoot line that is directly spliced, tied or otherwise connected to the drop line), where each snood has a single terminal hook; or as gangions (defined as an offshoot line connected to the drop line with some type of detachable clip), where each gangion has a single terminal hook.

Motion carried.

Motion: That staff add an action to Reef Fish Amendment 32 to allow the Regional Administrator under certain conditions, such as, but not limited to, hurricanes and oil spills, to temporarily suspend the earned income requirement for reef fish permit renewal.

Motion carried.

Amendment: To change “hurricanes and oil spills” to “natural and man-made disasters.”

Amendment withdrawn.

Motion: To request that Gulf Council and South Atlantic staff work together to develop alternative methods for allocating black grouper catch between the two Council areas and that those be reviewed at the August 2010 Council meeting.

Motion carried.

SEDAR Selection

Motion: To appoint Luiz Barbieri and Shannon Calay to attend the SEDAR 23 Goliath Review workshop.

Motion carried with no opposition.

Motion: To appoint Barbara Dorf to attend the SEDAR 23 Goliath Review workshop.

Motion carried.

Motion: To appoint Ben Fairey to attend the SEDAR 23 Goliath Review workshop.

Motion carried.

Motion: To appoint Kay Williams to attend SEDAR 23 Goliath Review workshop.

Motion carried.

Motion: To appoint Doug Gregory to attend the SEDAR Lobster Review workshop.

Motion carried.

Motion: To appoint Rene Buesa to attend the SEDAR Spiny Lobster Review workshop.

Motion carried.

Motion: To appoint Walter Keithly to attend the SEDAR Lobster Review workshop.

Motion carried.

SSC Selection

Motion: To recommend that Harry Blanchet, Joe Powers, and Sean Powers attend the Third National SSC meeting.

Motion carried.

Spiny Lobster

Motion: Action 1 – to delegate management of the spiny lobster FMP to Florida FWC be moved to the considered but rejected appendix.

Motion carried.

Motion: In Action 2, Option A (smoothtail spiny lobster) and Option B (spotted spiny lobster) under Alternative 2 (set ACLs and AMs for each species using historical landings) be moved to considered but rejected appendix.

Motion carried.

Motion: In Action 2, that the preferred alternative be alternative 3 (list species as ecosystem component species), Options A (smoothtail spiny lobster) and B (spotted spiny lobster).

Motion carried.

Motion: To add a sub-alternative that would provide the option of not subdividing the commercial allocation.

Motion carried.

Motion: In Action 5, that the preferred alternative be Alternative 2 (set an ACL for the entire stock based on the acceptable biological catch), option A (ACL=ABC)

Motion carried.

Motion: In Section 2.5.3 – (set ACTs for Caribbean spiny lobster), that the preferred alternative be Alternative 1 (no action-do not set ACTs) be the preferred alternative.

Motion carried.

Sustainable Fisheries/Ecosystem

Motion: To support the formation of the red drum ABC working group as recommended by the SSC.

Motion carried.

Motion: For Action 2, that Alternative 3 be the preferred alternative:

Alternative 3: Select species groupings based on NMFS stock groupings analysis. Group ACLs will be established for each group. In addition, individual ACLs will be established for single-species sub-groups and multi-species sub-groups within each group. (Refer to pages 34-35 in the options paper for specific groupings.)

Motion carried.

Motion: That for sub-groups where there is no assessment, do not use an indicator species.

Motion carried.

Motion: In Action 2, for the Mid/Deepwater snapper group, sub-group 1C in Alternative 3, that Option E be the preferred option, that vermilion snapper be the indicator species for the group that contains vermilion and lane snappers.

Motion carried.

Motion: That for the Mid/Deepwater Snapper group, sub-group 1C (vermilion snapper and lane snapper) and 1D (blackfin snapper and silk snapper) be combined into a single sub-group.

Motion carried.

Motion: To modify the ABC control rules in Table 2.4.1 under number 2 be modified to have alternatives that ABC is equal to 85% of OFL proxy, 75%, and 65%, and to also include an alternative that ABC equals OFL.

Motion carried.

Motion: That Alternative 3 in Section 2.7.6 be used as the method to determine whether a stock is undergoing overfishing.

The MFMT method will be used to determine overfishing for stocks or stock complexes which have stock assessments and estimates of current fishing mortality rates and maximum fishing mortality threshold only in years in which a stock assessment is conducted. For other years, and for stocks or stock complexes without stock assessments or without estimates of fishing mortality and maximum fishing mortality threshold, the OFL method will be used to determine overfishing.

Motion carried.

Motion: To request staff add an action to periodically review the ACLs and landings to comply with the Magnuson Act.

Motion carried.

Motion: That public hearings for the Generic ACL/AM Amendment be held in the following locations:

FL: Panama City, St. Petersburg, Fort Myers, Marathon

AL: Mobile

MS: Biloxi area

LA: New Orleans Airport area

TX: Galveston and Corpus Christi

Motion carried.

Motion: To remove the panaeid shrimp discussion from the Generic ACL/AM Amendment.

Motion carried.

Other Motions

Motion: To request an emergency rule to authorize the Regional Administrator to reopen the recreational red snapper season after the September 30, 2010, closure to allow the 2010 quota to be harvested.

Motion carried by roll call vote.

McKnight	Yes	Ray	Yes	Williams	Yes
Shipp	Yes	Hendrix	Yes	Pearce	Yes
Fischer	Yes	Morris	Yes	Perret	Yes
Sapp	Yes	Riechers	Yes	Anson	Yes
Gill	Yes	Crabtree	No	Teehan	Yes
		Greene	Yes	Mcllwain	Yes

Motion: To place an item on the next Council agenda which will review the past discussion sections in Reef Fish Amendment 27/Shrimp Amendment 14, and any other materials to inform the discussion on the pros and cons of regionalized management.

Motion carried.

Motion: To instruct staff to request that funding for Reef Fish Amendment 28 be carried forward into 2011.

Motion carried.