GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

276TH MEETING

FULL COUNCIL SESSION

The Tremont House

Galveston, Texas

OCTOBER 21-24, 2019

VOTING MEMBERS

Kevin Anson (designee for Scott Bannon)...................Alabama
Susan Boggs..................................................Alabama
Leann Bosarge.............................................Mississippi
Roy Crabtree.................................................NMFS
Dale Diaz................................................Mississippi
Jonathan Dugas........................................Louisiana
Phil Dyskow................................................Florida
Tom Frazer................................................Florida
Martha Guyas (designee for Jessica McCawley)..............Florida
Paul Mickle (designee for Joe Spraggins)..................Mississippi
Lance Robinson (designee for Robin Riechers).............Texas
John Sanchez..............................................Florida
Chris Schieble (designee for Patrick Banks)..............Louisiana
Bob Shipp...................................................Alabama
Greg Stunz...............................................Texas
Ed Swindell..............................................Louisiana
Troy Williamson........................................Texas

NON-VOTING MEMBERS

Dave Donaldson..............................................GSMFC
Lt. Mark Zanowicz........................................USCG

STAFF

Zeenatul Basher..............................Coral and Habitat Biologist
Assane Diagne........................................Economist
John Froeschke.................................Deputy Director
Lisa Hollensead......................Fishery Biologist
Ava Lasseter.........................................Anthropologist
Mara Levy..........................................NOAA General Counsel
Jessica Matos......................Document Editor & Administrative Assistant
Natasha Mendez-Ferrer......................Fishery Biologist
Ryan Muehlstein..........................Public Information Officer
Ryan Rindone..............................Fishery Biologist & SEDAR Liaison
Bernadine Roy..............................Office Manager
Carrie Simmons..............................Executive Director

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2 Terry Bessinger........................................
3 Taylor Borel........................................Galveston, TX
4 Eric Brazer........................................Reef Fish Shareholders Alliance
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6 Catherine Bruger.................................Ocean Conservancy, FL
7 B.J. Burkett..........................................Panama City, FL
8 Shane Cantrell..................................Galveston, TX
9 Ronald Chicola....................................LA
10 Bubba Cochrane.................................Galveston, TX
11 Mike Colby.......................................Clearwater, FL
12 Chris Conklin...................................SAFMC
13 Jason Delacruz..................................FL
14 Katie Fischer.................................Pine Island, FL
15 Troy Frady..........................................Orange Beach, AL
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17 Jamie Gaspard..................................Port Fourchon, LA
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21 Buddy Guindon.................................Galveston, TX
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47 Johnny Williams.................................Galveston, TX
48 Bob Zales, II................................Panama City Beach, FL
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TABLE OF MOTIONS

PAGE 8: Motion to adopt the October 2019 through August 2020 council committee assignments as presented. The motion carried on page 8.

PAGE 64: Motion to approve the release mortality workshop summary with committee recommendations and distribute to NRDA. The motion carried on page 66.

PAGE 67: Motion to publish the Gulf Council’s Fishing for Our Future website pages. The motion carried on page 67.

PAGE 68: Motion to approve the Framework Action to Modify Federal For-hire Trip Limits and that it be forwarded to the Secretary of Commerce for review and implementation and deem the codified text as necessary and appropriate, giving staff editorial license to make the necessary changes in the document. The Council Chair is given the authority to deem any changes to the codified text as necessary and appropriate. The motion carried on page 73.

PAGE 75: Motion to approve the Gulf Council’s Council Research and Monitoring Priorities for 2020-2024 as written. The motion carried on page 75.

PAGE 79: Motion to instruct staff to proceed with the spending plan request as it relates to the carryover funds. The motion carried on page 80.

PAGE 85: Motion for the council staff to facilitate the possibility of an in-person workshop to address MRIP-CHTS and MRIP-FES data stream conversions and their calibration with state survey data collections as they relate to inclusion in future stock assessments. The motion carried on page 92.

PAGE 97: Motion to write a letter to the FKNMS requesting that they extend the comment period for the GMFMC to mid-February 2020. The motion carried on page 98.

PAGE 101: Motion to reconvene the Coral AP and Coral SSC to reexamine priority areas for consideration for coral HAPCs in light of new data and the Flower Garden Banks expansion. The motion carried on page 103.

PAGE 104: Motion to request that the council receive an update from each state at the January 2020 council meeting on that state’s 2019 red snapper private angler management. The motion
carried on page 104.

PAGE 105: Motion to request that staff explore the feasibility of establishing a non-profit red snapper quota bank. The motion was withdrawn on page 113.

PAGE 114: Motion to move Action 1 to Considered but Rejected. The motion failed on page 119.

PAGE 119: Motion to direct staff to create a recreational greater amberjack zone management decision tool showing the landings by selected time series for a two-zone system and a three-zone system, as specified in the document. The motion carried on page 124.

PAGE 125: Motion to move Action 3 to Considered but Rejected. The motion carried on page 125.

PAGE 125: Motion to add an action to consider a split quota between seasons for recreational management of greater amberjack in the Gulf of Mexico based on NMFS projections designed to facilitate access to the stock in spring and fall. The motion carried on page 126.

PAGE 131: Motion to ask the SSC to review red grouper projections based on the allocation time series from Reef Fish Amendment 30B, 1986 to 2005, and the best available landings used as inputs in the new stock assessment (40.52 percent recreational/59.48 percent commercial) and direct staff to start work on a plan amendment to update the red grouper allocation and establish catch levels based on the new assessment. The motion carried on page 131.

PAGE 131: Motion to ask the Science Center to conduct interim analyses of red grouper annually starting in 2020. The motion carried on page 133.

PAGE 134: Motion to ask staff to begin a framework action to reevaluate the trolling provisions in Madison-Swanson and Steamboat Lumps. The motion carried on page 134.

PAGE 139: Motion that the council write a letter to the Secretary of Commerce and copy the NOAA Office of International Affairs and the Assistant Administrator for NOAA Fisheries to open communication and request an annual report regarding the specific impacts and measures taken by Mexico to address the Mexican IUU fishing issue. It would be important to note in the report the estimated take of red snapper by the illegal fleet
and the economic impact that it poses against recreational and commercial fishermen in the U.S. The motion carried on page 140.

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The Full Council of the Gulf of Mexico Fishery Management Council convened at the Tremont House, Galveston, Texas, Monday morning, October 21, 2019, and was called to order by Chairman Tom Frazer.

**INDUCTION OF NEW COUNCIL MEMBER**

**CHAIRMAN TOM FRAZER:** Before the committee sessions, we have two agenda items. The first is the induction of our new council member, Mr. Troy Williamson. Sue Gerhart, would you like to do the induction?

(Whereupon, Mr. Williamson is inducted into the council.)

**REVIEW AND ADOPTION OF COUNCIL COMMITTEE ASSIGNMENTS OCTOBER 2019 THROUGH AUGUST 2020**

**CHAIRMAN FRAZER:** Welcome to the council, Troy. The next agenda item will be the Review and Adoption of the Council Committee Assignments October 2019 through August of 2020, and so everybody has an opportunity to review the committee assignments, and so is there a motion to approve the committee assignments?

**DR. BOB SHIPP:** So moved.

**CHAIRMAN FRAZER:** Motion made by Dr. Shipp. Is there a second? It’s seconded by Ms. Bosarge. Is there any discussion on the committee assignments or any concerns? Okay. Seeing none, is there any opposition to the assignments? Seeing none, the committee is assigned, all of them.

(Whereupon, the meeting recessed on October 21, 2019.)

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October 23, 2019

**WEDNESDAY AFTERNOON SESSION**

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The Full Council of the Gulf of Mexico Fishery Management Council reconvened at the Tremont House, Galveston, Texas, Wednesday afternoon, October 23, 2019, and was called to order by Chairman Tom Frazer.

**CALL TO ORDER, ANNOUNCEMENTS, AND INTRODUCTIONS**
CHAIRMAN FRAZER: Welcome to the 276th meeting of the Gulf Council. My name is Tom Frazier, Chairman of the Council. If you have a cell phone or similar device, we ask that you place it on silent or vibrating mode during the meeting. Also, in order for all to be able to hear the proceedings, we ask that you have any private conversations outside. Please be advised that alcoholic beverages are not permitted in the meeting room.

The Gulf Council is one of eight regional councils established in 1976 by the Fishery Conservation and Management Act, known today as the Magnuson-Stevens Act. The council’s purpose is to serve as a deliberative body to advise the Secretary of Commerce on fishery management measures in the federal waters of the Gulf of Mexico. These measures help ensure that fishery resources in the Gulf are sustained, while providing the best overall benefit to the nation.

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

The membership also includes the five state fishery managers from each Gulf state and the Regional Administrator from NOAA’s Southeast Fisheries Service, as well as several other non-voting members.

Public input is a vital part of the council’s deliberative process, and comments, both oral and written, are accepted and considered by the council throughout the process. Anyone wishing to speak during public comment should sign in at the registration kiosk located at the entrance to the meeting room. We accept only one registration per person. A digital recording is used for the public record. Therefore, for the purpose of voice identification, each person at the table is requested to identify him or herself, starting on my left.

MR. DALE DIAZ: Dale Diaz, Mississippi.

MS. LEANN BOSARGE: Leann Bosarge, Mississippi.

DR. PAUL MICKLE: Paul Mickle, Mississippi.

MR. DAVE DONALDSON: Dave Donaldson, Gulf States Marine Fisheries Commission.

MR. J.D. DUGAS: J.D. Dugas, Louisiana.
MR. CHRIS SCHIEBLE: Chris Schieble, Louisiana.

MR. ED SWINDELL: Ed Swindell, Louisiana.

MS. SUSAN BOGGS: Susan Boggs, Alabama.

MR. KEVIN ANSON: Kevin Anson, Alabama.

DR. SHIPP: Bob Shipp, Alabama.

LT. MARK ZANOWICZ: Mark Zanowicz, U.S. Coast Guard.

MR. CHRIS CONKLIN: Chris Conklin, South Atlantic Council liaison.

MS. MARA LEVY: Mara Levy, NOAA Office of General Counsel.

MS. SUSAN GERHART: Susan Gerhart, NOAA Fisheries, Southeast Regional Office.

DR. ROY CRABTREE: Roy Crabtree, NOAA Fisheries.

DR. CLAY PORCH: Clay Porch, NOAA Fisheries, Southeast Fisheries Science Center.

DR. LANCE ROBINSON: Lance Robinson, Texas.

MR. TROY WILLIAMSON: Troy Williamson, Texas.

DR. GREG STUNZ: Greg Stunz, Texas.

MR. JOHN SANCHEZ: John Sanchez, Florida.

MR. PHIL DYSKOW: Phil Dyskow, Florida.

MS. MARTHA GUYAS: Martha Guyas, Florida.

EXECUTIVE DIRECTOR CARRIE SIMMONS: Carrie Simmons, council staff.

CHAIRMAN Frazer: All right. Thank you, everybody. The first order of business is the Adoption of the Agenda. Can I get a motion to adopt the agenda?

ADOPTION OF AGENDA AND APPROVAL OF MINUTES

MS. BOSARGE: Can I just add one thing under Other Business, just an informational on the aquaculture project?
CHAIRMAN FRAZER: Yes, you may.

MS. BOSARGE: Thank you.

CHAIRMAN FRAZER: Is there any other business? Okay. Can I get a motion to adopt the agenda?

DR. SHIPP: So moved.

CHAIRMAN FRAZER: Motion by Bob Shipp. Can I get a second? It’s seconded by Ms. Guyas. Is there any opposition to adopting the agenda? Seeing none, we consider it adopted.

The next agenda item would be Approval of the Minutes. Is there a motion to approve the minutes?

MR. DIAZ: So moved.

CHAIRMAN FRAZER: Motion by Mr. Diaz. Is there a second? It’s seconded by Mr. Anson. Any other discussion on the minutes? Seeing none, I will consider the minutes approved.

Okay, and so we have no exempted fishing permit applications to review at this council meeting, and so we will be able to move right past that item. We have also previously heard from Texas law enforcement with a presentation, and so we will bypass that as well, and that allows us to move right into our public comment period, and so I’m going to read you another statement.

Good afternoon, everyone. Public input is a vital part of the council’s deliberative process, and comments, both oral and written, are accepted and considered by the council throughout the process.

The Sustainable Fisheries Act requires that all statements include a brief description of the background and interest of the persons in the subject of the statement. All written information shall include a statement of the source and date of such information.

Oral or written communications provided to the council, its members, or its staff that relate to matters within the council’s purview are public in nature. Please give any written comments to the staff, as all written comments will also be posted on the council’s website for viewing by council members and the public, and it will be maintained by the council as part of the permanent record.
Knowingly and willfully submitting false information to the council is a violation of federal law. If you plan to speak and haven’t already done so, please sign in at the iPad registration station located at the entrance to the meeting room. We accept only one registration per person.

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

If you have a cell phone or similar device, we ask that you keep them on silent or vibrating mode during the meeting. Also, in order for all to be able to hear the proceedings, we ask that you have any private conversations outside, and please be advised that alcoholic beverages are not permitted in the meeting room. With that said, we will start the public comment process, and we will get the speaker list on the board. Our first speaker is Lawrence Marino, followed by Mark Kelley.

**PUBLIC COMMENT**

**MR. LAWRENCE MARINO:** Good afternoon. My name is Larry Marino, and I’m here on behalf of Louisiana Attorney General Jeff Landry. Attorney General Landry supports requiring a reef fish permit to obtain or to maintain shares under Amendment 36B. It’s appropriate for the rights to the fish to be limited to those who can fish.

There’s been some question whether that was the original goal of the program or whether it should be. Regardless, this current council can pursue its own priorities, as long as they’re within Magnuson parameters. Preservation of fishing communities is obviously within those parameters, and it’s also fair. The fishermen doing the work and taking the risk should receive the benefits, and that’s the fundamental policy question here.

Is this council okay with shareholders adding no value to the fishery, taking no risk, and yet leasing out the public’s fish to fishermen for three-quarters of the value of the fish? That’s what’s happening, and it will continue to happen unless shares are tied to actual fishing activity. This is sharecropping, and Attorney General Landry opposes it.

Magnuson provides that catch shares are a permission, and they
are not ownership of the fish. The program has been in place for so long that people have forgotten that. Even the warnings about control dates in 2012 and 2015 that we heard about yesterday have been forgotten, and it seems harsh to take away a share that someone bought, but they bought those shares, either pricing in that risk, ignoring the risk, or being ignorant that there was such a risk in the thing that they bought.

Allowing them to keep shares, because they bought them in reliance on being able to keep them, means ignoring the nature of the shares as permissions and the warnings that non-fishermen might not be allowed to own shares. If this council nevertheless chooses to grandfather these folks, a control date must be established. It should be a date in the past and not in the future, like under Alternative 4, because a future date incentivizes gainsmanship, as shareholders will create and stockpile new accounts in anticipation of that date.

Also, in accounts that were created before the control date, the right to obtain additional shares is different from the right to maintain existing ones, and there is no justification for allowing grandfathered non-fishermen to get more shares, as there at least arguably is for allowing them to retain the shares that they have already bought. Like the original IFQ structure, grandfathered accounts should be limited to maintaining shares they had before the control date and precluded from acquiring new ones.

Attorney General Landry also supports adding an additional action, requiring income from fishing and actual landing by the shareholders, as this would go further to restricting shares to those actually doing the fish, and, ultimately, the redistribution of shares to those who actually fished under Amendment 36C and the eventual termination and redistribution of those shares, as discussed by Mr. Dyskow and others, are essential to returning the fish to the fishermen. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Marino. Our next speaker is Mark Kelley, followed by Alicia Paul.

MR. MARK KELLEY: I don’t know how I like being the first fisherman up here, but I guess I’m fixing to swallow the pill. My name is Mark Kelley, and I’m from Panama City. I’ve got two charterboats, and I’m dually permitted, and I’m in the IFQ system, and I am fully invested in this fishing.

I’m up here today, and I want to discuss this amberjack fishery. Us in the Panhandle have been robbed from our spring fishery
because of the start date, and we brought to you, two or three
meetings ago, about a split quota, where each quota would be the
spring and a fall quota, and we wanted some accountability
measures set for each quota.

That way, it comes out of each month, the spring month or the
fall month, and we’re not -- Under current, the way it is, we’re
not going to get a May season for several years to come, and
some of you all setting here in this committee this week said
you didn’t see any reason to be in a hurry with this.

Well, if your livelihood was dependent on it, it would be kind
of a concern for you, and the easiest way to solve the problem
is to change that start date back to January 1 and open in May,
and then that assures us a May season. Then anything else -- If
we overfish it in the fall, because I need them in the fall too,
and it comes off of the fall, and I look at the numbers, and I
would be willing to give up August, but, when you look at the
numbers, it gives you exactly the right amount of days for
failure, and then we start paying them back in May, if that
start date is not changed.

Also, as far as the IFQs on the whether or not you should own a
commercial permit, I think, if you’re fully invested in this IFQ
system, you should be like the regular fishermen and have to own
a permit and have to own a boat. I know there’s a few ways
around that, but, hey, we all spent the money to get the
permits, and so they should have to, too.

Also, in the charter, commercial, any industry, we are having a
massive shark intrusion, and then, on top of the sharks, we’re
having this massive dolphin problem. I mean, I know that sounds
trivial to you all, but it is killing our business. Until you
have experienced it, you really don’t know what we’re talking
about. We in the fishing business will get shut down for the
whole day by those dolphins, I mean to the point that you cannot
get anything to the boat. We need some kind of guidance on
something we can do about them, because some of them are going
to be taken care of by some of the industry, and I would hate to
see that happen.

Also, the Madison-Swanson, the marine reserves, I think, if
we’re going to have a marine reserve, we should not allow any
fishing at all in there, and I would love to see nothing
traveling across there, but I know that’s going to be virtually
impossible. Other than that, that’s about all I’ve got to say.
Thank you.
CHAIRMAN FRAZER: Thank you, Mr. Kelley. Our next speaker is Alicia Paul, followed by B.J. Burkett.

MS. ALICIA PAUL: Good afternoon. I’m Alicia Paul, dually-permitted vessel Long Shot, Panama City Beach, Florida. I’m here to talk about amberjack, just like him, and we need our May season. I would like to see it go back to a January start date, to ensure that that May season is there for us. We do need them in the fall too, but we get more months in the fall, and let’s pay them back in the fall, and let’s go back to a January start date. You all said let it ride, but, you all, we’ve lost May of 2019. At this rate, we’re going to lose May of 2020. If you let it ride, we’re going to lose 2021. Come on. Help us out.

I am in support of the 36B. We had to buy a permit, and so should they, and a boat, and the dolphins and the sharks are an issue, a big issue, especially the dolphins. I spent a week out there commercial fishing last week, and for four days I fought them buggers, and I went home almost busted.

The triggerfish, we have an overabundance of triggerfish. The stock assessment is way behind, and I would like to see something more current on that issue. As far as the overnight trips, the current preferred, I would like to see that happen as well, and thank you all for letting me speak today. That’s all I’ve got.

CHAIRMAN FRAZER: Thank you, Ms. Paul. Our next speaker is B.J. Burkett, followed by Bob Zales.

MR. B.J. BURKETT: My name is B.J. Burkett, and I fish out of Panama City. I charter fish, I’m a commercial boat owner and an IFQ holder. The first thing I would say would be a thanks to the council for confusing the hell out of us yesterday.

I mean, the red grouper and the amberjack presentations, half of the audience -- I mean, it really confused us, and I don’t even know if -- I feel like half of the council was pretty confused about it, too.

I’m going to start with the amberjacks. A spring season is a must for our business, and you all have been all the way around the map with this amberjack over the last year, and now we’re just going to let it play out. I mean, if we’re going to let something play out, why not set it back to the easiest way, where you all can manage it if it does work.

There is no reason to start it in August. It’s the only
recreational fishing that don’t have a normal calendar year. Please move the start date back to January. We need a May fishery, and we also need a fall fishery, but, at the way it’s set up, I don’t see a spring fishery ever happening.

The May 1 to May 31 would be the spring season, and then I can lose August, and we’ll take September and October, or however long the quota lasts. Another thing with the jacks is, after seeing that presentation yesterday, I would love some clarification on the fractional bag limit percentages. I can’t make my calculator add it up like you all did, and so I would love to see some better information on that.

On the 36B, I am invested way up past my neck in this IFQ fishery, and I would love to see everybody have to have a permit to own the IFQ, and the dolphins and sharks, I mean, it’s not just that they’re hurting our business, but they’re hurting our fishery. If you all don’t figure out a way to do something about it, there’s not going to be a need for a council. I mean, they’re going to eat them all. They’re thriving. You have the creatures that have no -- There is nothing that can hurt them. I mean, you can’t do nothing to them, and please help us with the dolphins and sharks.

The closed areas, Madison-Swanson and Steamboat Lumps, I would love to see no fishing in those areas, and I’m with Mark Kelley on that, and not even travel through it, and I know it’s probably hard, but, I mean, we need those sanctuaries.

Red grouper, I don’t even know how to talk about that one. I mean, you all set up this IFQ to control and manage and help this fishery, and we would be in no different place if this IFQ wasn’t there with red grouper and gags. Right now, if you pulled it away, there would be no more fish caught and no less fish caught, but the fish is in horrible shape, and that goes along with gag, and it cuts me, because, I mean, I own quite few of them, and I have a boat that catches them, and it’s a huge issue, and I’m out of time. Thank you, all.

CHAIRMAN FRAZER: Thank you, Mr. Burkett. Our next speaker is Bob Zales, followed by Ronald Chicola.

MR. BOB ZALES, II: Bob Zales, II, and I am representing the Southern Offshore Fishing Association. I sent you all our comments, but I will briefly read through them. On 36B, based on the stated purpose and need in Draft Amendment 36B, the members of SOFA encourage you to continue to work on this document to reflect your stated purpose and need. As you go
forward, we will provide more comments.

We also recommend that you investigate management measures that help to make available red snapper quota to the grouper fishermen who have none, but are interacting with red snapper, due to the species expanded range, in an effort to reduce discard mortality.

Pulley’s Ridge modification, the members of SOFA are opposed to any expansion of the Pulley’s Ridge area and changes to current regulations within the current area. We support the continued use of grouper longline gear within the Pulley’s Ridge area.

On the Florida Keys Marine Sanctuary management review, the members of SOFA are totally opposed to any proposed expansion or regulatory changes of the Florida Keys National Marine Sanctuary.

On SEDAR 61, the red grouper stock assessment, we came prepared to fully support the SSC recommendations on this stock assessment, but clearly changes are in the air, and so we fully support the results of the current red grouper stock assessment and the SSC recommendation of an ABC of 4.9 million pounds gutted weight.

We also support the committee motion to have the SSC review and provide their guidance on the new information provided at this meeting, where the allocation will shift to 60 percent commercial and 40 percent recreational. We recommend that the council take no final action on the red grouper stock assessment at this meeting or SSC actions until the SSC has acted on the new information.

While we have concerns about the last-minute presentation of preliminary 2017 MRIP APAIS-adjusted landings and the resulting shift of allocation of red grouper, we feel that more time and work is necessary before any changes in allocation is made. Any questions?

CHAIRMAN FRAZER: Mr. Diaz.

MR. DIAZ: Thank you, Captain Zales, for coming. Me and you had a conversation in the hall the other day, and you was talking about the volume of bait in your area, and, anyway, could you say a few words about that? You’ve been around a long time, and, when you talk about stuff like that, I think it’s very important that we hear that type of feedback from people.
MR. ZALES: Well, I’m from Panama City, and, as everybody knows, Michael rode through there last year and pretty much devastated that area of the Panhandle, especially Mexico Beach and Tyndall Air Force Base and Panama City proper. What we saw this year was really strange, because, normally, there is a good bit of live bait and stuff around in the area. In the spring, it was almost nonexistent.

We had problems with it pretty much throughout the year, and some bait is beginning to show up now, but we had a live bait operation that’s been operating there for many years, and I don’t know how long Jack has been in the business, but, for a long time, but, as an example, in the red snapper season of sixty days, I would guess, in my best guess, that, probably half of that sixty days, he didn’t have any live bait at all.

For the first time that I can remember in many years, when he did have live bait, he restricted the amount of bait that he would provide to each boat, and he was trying to be fair, to give everybody some bait to go fishing, and so we’ve been scratching our heads, and the only thing we can really come up with is, apparently, when Michael rode through there, it changed -- We know it changed the bottom, and it must have changed a lot of other stuff with it, because the bait seems to be -- Maybe it’s recovering, and hopefully it will, but the only thing we can put it on right now is Michael.

MR. DIAZ: Thank you, Captain Zales.

MR. ZALES: Thank you.

CHAIRMAN FRAZER: Thank you. Our next speaker is Ronald Chicola, followed by Bobby Kelly.

MR. RONALD CHICOLA: Good afternoon. My name is Ron Chicola, a commercial fisherman. We are the people that bring to the fish to the table for the consumer. We are the most important people on the food chain, and I don’t really have a lot to say, and Lawrence said it all. I wish you all would follow the instructions of the Attorney General of Louisiana, and there’s one more thing that I wanted to clarify with Mr. Roy.

Mr. Roy said the other day that there’s always been investors in the snapper business, and I’m seventy years old, and, when I started fishing, there was no investors. There were companies that owned many boats, but they dealt with the crews, and they dealt with the boat problems every day, and so I wish you all would vote on 36B and 36C. Right or wrong, just vote on it.
Every time it comes up, you all pass it around the table and
pass it back to the next meeting and pass it around the table,
and it never gets voted on. It’s time to step up and vote on
it, right or wrong, and whatever it is is whatever it is. You
all have a good day.

CHAIRMAN FRAZER: Thank you, Mr. Chicola. Our next speaker is
Bobby Kelly, followed by Billy Neff.

MR. BOBBY KELLY: Bobby Kelly, Orange Beach, Alabama, charter
fishing and commercial fishing, a dual-permitted boat. I just
want to say welcome to Texas. This place is beautiful, and the
bugs aren’t going around, and so we’re doing great.

Right now, while other people are talking about greater
amberjack, I’m still not interested in altering that greater
amberjack season just yet. I know a lot of people are asking
for them in May, but the fact of the matter is that these fish
are important whenever the season is open, depending on what
fleet you’re at, and you’ve got to have them in May, and I’ve
got to have them in August, and so they’re important to
everybody.

However, I do reserve the right to change this testimony in
April of 2020, when you all announce the greater amberjack
season, and so let’s just see how it goes. I mean, I will
probably be up here next year pounding the podium and saying we
need them, we need them, we need them, but let’s just -- I’m
still hopeful, guys, that we’ll get a May season.

I am in favor of harvesting a two-day bag limit within the two-
day trip. I mean, I used to run a lot of two-day trips, and, if
these fish are biting, why not just them harvest the fish now.
We’re not going over the limit, and we’re not doing anything
illegal, and so give the guys that.

It was great to see the flexibility that the EFP provided for
the states in the red snapper fishery, as given by the
additional weekends, and it’s good that they had that, and I’m
looking forward to moving to that in the future, and I would
like to find a mechanism somehow that the charter/for-hire fish
-- We’re going to have a lot of fish not used, and we had a
pretty rough weather year. Looking down the road, I would like
to have a mechanism that we get our extra fish that we left on
the table.

I would like to finish on the recalibration of red grouper. I
don’t know why the council is spending time looking backwards on these fish. We should be looking forward. Taking 15 percent away of the commercial quota seems like a harmless little action, because the commercial sector didn’t harvest all their fish. Well, you guys have got to think about the little man out there that’s only got 7,000 or 8,000 pounds of allocation. When you all knock it out under, he probably caught all his 7,000 or 8,000 pounds of fish. If you take 15 percent away from him, it’s going to hurt him.

Also, when you start taking these fish away, it provides a slippery slope, taking unused fish, uncaught fish, away from the anglers that didn’t catch them, i.e., the charter/for-hire. Like I just said, the last three or four years, we haven’t been able to catch all of our fish. We haven’t been allotted the days, and so we don’t want to go down that path. Otherwise, thank you, guys, and you all have a safe trip home.

CHAIRMAN FRAZER: Thank you, Mr. Kelly. Our next speaker is Billy Neff, followed by Jim Green.

MR. BILLY NEFF: I am Billy Neff from Orange Beach, Alabama. I have been in the charter boat industry for seventeen years, and I do think we need -- I would like to see amberjack in May. Typically, when amberjack has been opened in May, in previous years, we have had a real strong May fishing time, with a lot of people down.

Since it’s been closed, I almost didn’t fish at all this May, and so I think we need something to draw people to want to charter these boats that is not a vermilion snapper, a small fish. We need something to offer them that will make them want to spend the money to get on the boat. I am also in support of two-day limits on multiple-day trips, and so anything over twenty-four hours, two and three-day trips. That’s pretty much all I have to say. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Neff. Our next speaker is Jim Green, followed by Ken Haddad.

MR. JIM GREEN: Hello. I’m Jim Green, President of the Destin Charter Boat Association. I appreciate the opportunity to speak today, and it’s good to see you all. The DCBA supports the current form of the for-hire multi-day possession limit document, and we support passage of this document today. This will provide an efficient prosecution of the fishery, and it will reduce discards, and it also adds the clarity to the regulation, and our guys support it wholeheartedly.
Concerning the amberjack, we have come before this council and asked for changes, and it’s needed. We understand the analysis is difficult, but we need some action taken, and this document that was all but gutted yesterday provides some approaches that could be beneficial.

The DCBA supports exploring a zone fishery. It’s no secret that the western and eastern Gulf have different weather patterns and needs. When it comes to the eastern Gulf, we would like to see a season of May, September, and October, even if the May season is May 1 through 20. We feel we have a better chance of having stability within the projected seasons and reduce the chance for an in-season closure. If this is accomplished, then things like fractional bag limits may not need to be considered, because we would have the harvest reduction built into this projected season.

Logbooks, in the last couple of months, I personally have finished a unit tested for bluefin data, and the unit worked great, and it ran seamlessly, and it was easy to install, and we need to get them on the water as soon as possible, and so please keep the ball rolling with that.

I would like to echo Captain Kelley’s comments about predation. We are protecting the apex predators of the Gulf of Mexico, being dolphins and the sharks, and it is very apparent. It adds a whole other level of complexity to our fishery, and, as he said, there is days that you just can’t get away from them, and there is areas that we don’t go to, because we can’t efficiently harvest fish, and we pretty much spend most of our day burning fuel and aggravating customers and disenfranchising them with the fishery, and so any kind of movement on that would be greatly appreciated, and that’s all I’ve got for today. Thank you.

CHAIRMAN FRAZER: Captain Green, we’ve got a question from Mr. Dyskow.

MR. DYSKOW: Thank you for your presentation, Captain Green. We’ve heard a lot of information about sharks and dolphin. Do you have any mitigation practices that you are currently using in your fleet?

MR. GREEN: I would not like to comment on that.

MR. DYSKOW: Okay. I get it. Thank you. Thanks for answering my stupid question.
MR. GREEN: I would be open to any kind of mitigation practice, and Dr. Crabtree even ran off from that one, and I would say that I have heard of rubber bullets, and I’ve heard of soundwaves, and I’ve heard of lot of things. To kind of give you some history, I started deck-handing at ten, and it never became a problem until the net ban in Florida happened, and those dolphins used to follow the net boats and eat the spill-outs on the net boats, and then, once the net ban happened, they moved to the for-hire and the fishing vessels.

I don’t know exactly how you go about doing it, and there’s people a lot smarter in that field, but it’s going -- For lack of a better word, it’s going to have to be a cultural change. These are generations of dolphins that have now learned to follow our boats, and, barring getting lambasted by people, it may take a show of force to deter some of them, or at least mitigate some of those problems, but, to answer your question, no, sir, I do not commit any felonies whatsoever.

MR. DYSKOW: Well, I wasn’t assuming that you did. There is a NMFS policy statement that’s been distributed on the west coast of the United States, and they have a number of approved methods that include rubber bullets and some other draconian things, and so I know you’re not using any of those, even though they are approved.

The other question I had for you is the current, I guess unofficial, policy, or perhaps it’s an official policy, that NMFS has in the Gulf is that, when you encounter dolphins and they are taking your fish, you should move. How fast are your average boats in your fleet?

MR. GREEN: Our average boats are somewhere between ten to fifteen knots, I would say.

MR. DYSKOW: So, in theory, they could be slower than the dolphin.

MR. GREEN: I will have to tell you that whoever wrote that piece of paper and used that as an official policy does not know how to prosecute a fishery or deal with mammals that are hungry. Those fish run from me. I get on a bite of fish, and I had the most that I ever had this summer. Me and a crew member -- It was so devastating down there, and I had one come up and count them with me, and I could see them on the bottom machine, and we counted over fourteen on the surface, and we were out there by ourselves that day, and it was very aggressive.
Whenever you get in a position like that, you’re not going to outrun a thirty-knot mammal on a ten-knot boat. It’s not going to happen, and so what we do is we keep fishing until we feed them, and we call it paying the piper, or call it paying the taxman, whatever you want to call it, but we’re on their turf, and the only thing we can do is to continue to fish and feed them until they get to a point where they do not take our fish anymore.

MR. DYSKOW: Thank you.

MR. GREEN: Yes, sir. Thank you, all, for the opportunity to speak today.

CHAIRMAN FRAZER: Thank you, Captain Green. Our next speaker is Ken Haddad, followed by Chris Niquet.

MR. KEN HADDAD: Thank you, Mr. Chairman and council members. First, I want to welcome Troy Williamson as the new council member and thank him for taking a thankless and complicated job. The allocation process, we were hoping that the federal working group would give a little more prescriptive results in their charge, but that’s a reasonable start, and we’re hoping the technical group will move forward with some sort of template or decision matrix that can aid the council in really making fully objective and accountable allocation decisions.

We would like to see this process, if at all possible, kind of carried out and fully implemented in 2020, if that’s a number that will work, and we also recommend that stakeholders be included early in the process, maybe through existing APs or an ad hoc allocation AP or something that brings in stakeholders to think about the values criterion and how the process should work.

On red grouper, we realize that the FES is going to open up, quote, allocation debates. We believe this is a data calibration or correction issue and not the same as conducting a full allocation, and we hope it won’t get framed into that box. It’s not a commercial versus recreational battle, which has already surfaced yesterday in discussions, and so we’re hoping it’s the application of the best scientific data.

The red grouper is just the beginning, and so we ask that you address both the changes in stock abundance and the resultant allocation changes in some sort of straightforward manner, if that’s possible, and not confuse it with the allocation process.
We agree with the committee motion to initiate a plan amendment, but we also think that some interim or emergency rule may be needed to deal with quota changes, and so thank you.

CHAIRMAN FRAZER: Thank you, Mr. Haddad. Our next speaker is Chris Niquet, followed by Bill Kelly.

MR. CHRIS NIQUET: Chris Niquet, Panama City, Florida, commercial fisherman and IFQ stakeholder. I have three subjects. The first one is the use of VMS and how it can be applied to the private recreational angler. If you want hard data, you will get hard data, up-to-the-minute hard data. All you do is require them to have an offshore license issued by the state and a VMS on the boat if it’s going offshore. If it’s not going offshore, you don’t have to have one.

If it is, make available VMS to lease or rent on a short-term basis, and you don’t need them year-round. Your season isn’t that long, and you will know who is going fishing, how often, where they are boating, where they are landing, which pass they’re coming through, and, if you have a thirty-day season, and he’s out there for forty trips, you’ve got to do something. He is violating, obviously. These things would be with your Social Security number, and so there would be no way to get around it.

Next is the IFQ. Your first speaker, the Governor’s representative, made it plain that he didn’t think the IFQ should be in the hands of stakeholders unless they were fishing the shares, and I’m going to call them shares, and that’s what they are.

If you had this idea that went throughout American history, Warren Buffet would never own forty-one-million shares of Coca-Cola. He doesn’t manufacture Coca-Cola, and he hasn’t been to plant in years. Guess what? He still owns the Coca-Cola, and he still gets the dividends. It’s called your lease price.

I don’t think you can fully say, well, you’ve got to have this requirement or that requirement. You had that requirement — Way back when, you had no requirements, and anybody could buy them. Then you had it for a while where you had to have a reef fish permit, and I didn’t have one, and I sold my permit, and I was sitting there with the shares, and now you’ve got have one. I tried to buy some, and it was turned down by NMFS. Then you changed it back to where you don’t have to have one.

Somebody is making some money in this movement of reef fish
permits. You aren’t issuing any more, and there’s got to be some reason there for it, and I don’t know why, and the addition of a reef fish permit -- If you think it’s going to release one more pound to be on the open market to satisfy the people in west Texas or west Florida, it’s not.

Let me tell you why. This last year, I personally leased 200,000 pounds everywhere from Tarpon Springs south, and they’re still complaining that there is no fish available, and I can’t do any more than that. Before you start making any rules, how about just taking a look at it and saying is this really going to increase the number of shares or allocation available and affect the price? If you want to affect the price of this commodity, raise the TAC. If you get more commodity, the price will fall on any commodity, and I don’t care if it’s gold or silver or bread. Thank you very much for your time.

CHAIRMAN FRAZER: Thank you, Mr. Niquet. Our next speaker is Bill Kelly, followed by James Bruce.

MR. BILL KELLY: Mr. Chairman and council members, Bill Kelly, representing the Florida Keys Commercial Fishermen’s Association, and I would like to talk to you about the Florida Keys National Marine Sanctuary, their restoration blueprint, and you saw that presentation yesterday.

It's a restoration all right, after twenty-two years of mismanagement by sanctuary officials that included an Inspector General’s investigation in 2015, with allegations of fraud, misuse of funds, and abuse of power. That resulted in the top three sanctuary managers being relieved of duty, and it also put seven years of general management plan work in the garbage can.

Also, the shallow-water working group chairman was relieved of duty for inappropriate actions, and he was the one that was in charge of the group that would define those proposed closed areas.

An excellent example of manipulating things is we had a lionfish exempted fishing permit request that was approved by this council and the South Atlantic. We spent years trying to get that approved by the sanctuary, and it was blocked repeatedly by those officials, and particularly Billy Causey, yet, using the same application as a guideline, the Florida Fish and Wildlife Research Institute applied for a permit from the sanctuary and got it in three months.

The issues down there are water quality, education, and law
enforcement and not fishing, none of which is addressed in their 585-page draft environmental impact statement. Water quality, we’ve got algal blooms, and we’ve got red tides. Fortunately our current Governor is addressing these issues very aggressively, but, in Miami-Dade County, an aging infrastructure -- In the last ten years, they have had a major sewage break every year for ten years, and two of them have been over 100 million gallons of raw sewage dumped into Biscayne Bay. The latest one was five weeks ago, and twenty-eight million gallons of raw sewage went straight into Haulover Inlet there and out on the beach, which is at the north end of Miami Beach in Miami. Not a penny in fines, but, if we pumped our bilge and put a sheen on the water, the marine patrol would be after us in a skinny minute.

Education, the sanctuary’s creation opened the doors for increased tourism, and the DEIS that they’ve got out is pushing for more, yet they’re one of the biggest parts of the problem, because there is no educational materials or training. You just go in there and do whatever you want to do, and that’s the results of the prop scarring and a lot of the coral damage.

Law enforcement, NOAA just increased the law enforcement in the sanctuary by 33 percent, and they now have three officers. They also cut funding to the supplemental law enforcement to FWC by more than 50 percent, and I’m seeing that I’m going to run out of time here, but the fisheries management job -- It’s your responsibility and FWC. Large-scale closures accomplish nothing, and you protect fish with ACLs and size and bag limits, and you protect spawning aggregations with closed seasons and not closed territory. I have got more, and I will submit that in writing. Thank you so very much.

CHAIRMAN FRAZER: Thank you, Mr. Kelly. We’ve got a question from Dr. Shipp.

DR. SHIPP: Bill, thanks for coming. I am just curious. Why did they block your efforts on the traps for lionfish, or what was their motivation?

MR. KELLY: That’s a real quandary there. We had a fully-funded $1 million program there, and it was delay after delay, and it took us over three-and-a-half years to try and get that exempted fishing permit, and we ultimately withdrew it, because of the time involved and the expense that we were experiencing.

To put it in perspective, I have one fisherman alone, one,
fishing just west of the Tortugas, between there and Pulley Ridge, that caught 30,000 pounds of lionfish as bycatch in his spiny lobster traps. Because of our trap fishery, we know the geographical distribution and population densities, and, of out of anyone, the commercial fishing industry in Monroe County would have been the best to address this issue, but we were continually blocked. The excuse that Mr. Causey used was it was simply an effort to reintroduce wire-mesh fish traps into the Gulf of Mexico.

CHAIRMAN FRAZER: Thank you, Mr. Kelly. Our next speaker is James Bruce, followed by Catherine Bruger.

MR. JAMES BRUCE: I’m James Bruce, a commercial fisherman from Cutoff, Louisiana. When we started this, it was cool, but I like what you all are doing, and you all leave it the way it is, and why not, but we need more access to the quotas. Like, we need to take the permits off altogether. That way, we could lease our fish to other people, because, if you put permit, we won’t be able to -- All we’ll do is take our VMS and put it on a boat and down-power it, and you could have a bunch of permits like that.

When you all dropped the qualifying, like you all said in there, you all got all the data for us, and so, when we unload our fish, you all know what we’re catching, by what boat, and so what good are the permits doing? I don’t think we need them.

As far as the red grouper, them dudes are getting it bad, and you’ve got sixty longline permits, and you all are doing the stock assessment, and forty of them are being used.

You need the two-day quota on the charter boats, too. If you put a permit, there’s all kind of ways to get around it, and we know that, because you couldn’t even get an earned income qualifier, because people said you wasn’t telling the truth, and so let’s take it off the law, and so I like it the way it is. All we need to do is get rid of the permits. That way, anybody can go catch them. Thank you.

CHAIRMAN FRAZER: Mr. Bruce, we’ve got a question from Chris.

MR. SCHIEBLE: Real quick, for Amendment 36B, other than no action, what would be your preferred alternative?

MR. BRUCE: The one you all did on the reef fish permit before it got the substitute motion, which was Number 2, because we’ve got the control dates already, and any control dates that -- You
all put out a control date, and what did you all put out a
control date for? That is for people who is investing a lot of
money, and they’re going to check the CFRs, because anything
could change from that time on, and you all put them on call.

You put the people on call, and look out, man. Let’s go invest
some money? I don’t think so. If I had $4 million to invest,
that would be 100,000 pounds of fish, and at four-dollars a
pound, dude? I pay my crew more than what you can make on the
lease. Watch the red snapper stock assessment, and not this
one, but the next one. It will be just like the red grouper,
and I told Leann.

CHAIRMAN FRAZER: Thank you, Mr. Bruce. Our next speaker is
Catherine Bruger, followed by Dylan Hubbard.

MS. CATHERINE BRUGER: Good afternoon. Thank you for the
opportunity to give comment. I am Catherine Bruger, a St.
Petersburg, Florida native and a second-generation fishery
biologist. My father worked for the State of Florida, and I
followed his path, working for FWC, and I studied the
reproductive biology of snook. I worked for the NMFS Southeast
Regional Office for nearly a decade, and I’m here today in my
new role with Ocean Conservancy.

As discussed this morning, the development of a common currency,
Option 1b in the white paper, is necessary for in-season state
management of red snapper, to ensure that Amendment 50 is
compliant with MSA and prevents overfishing. By applying the
white paper calibrations, we estimate that, based on the common
currency issue alone, the private recreational sector is
overharvesting by nearly three-million pounds and exceeding the
OFL by two-million pounds annually, as detailed in our letter.

Option 1a, using the MRIP query site and back-calculating to the
phone survey units, the units of the ACL, it suggests that the
2019 ACL and OFL are likely being exceeded by three states
alone. We support state management of red snapper, but the only
solution to ensure accountability is for the calibrations to be
applied to the state ACLs prior to opening any 2020 state
seasons.

Because timeliness is critical, we urge the council to support
the SSC motion to hold a special workshop to review the data and
direct the SSC to develop a calibration process for stock
assessments and for management.

On the topic of red grouper, our concern is that the stock
biomass is at an all-time low, and previous definitions would
classify the stock as overfished. Scientific research suggests
that MSST should be set at 0.75 and SPR between 40 and 50
percent. We still don’t know the impacts of the 2018 red tide.

The cumulative effects of these risky management decisions for a
stock with cyclical biomass patterns leave little room for
reductions in biomass due to recruitment failures or natural
disturbances, such as red tide, which are expected to become
more frequent and longer in duration. We urge the council to
consider revising SDCs by increasing the overfished threshold
and raising SPR levels for red grouper, to encourage stability
and protect this stock, whose biomass is at critically low
levels.

Last, I wanted to make you aware of an exciting public mural
project. Our goal was to use art as a form of communication.
The murals highlight the significance of healthy ecosystems and
feature seven fishing communities on the Gulf coast of Florida
whose local economies rely on the fishing industry. We hope, if
you’re in St. Petersburg, that you will visit the seawalls
funded by a grant through the NOAA Heritage Program. Thank you
for allowing me the opportunity to comment, and I look forward
to speaking with you all in the future.

CHAIRMAN FRAZER: Thank you, Ms. Bruger. Our next speaker is
Dylan Hubbard, followed by Mike Colby.

MR. DYLAN HUBBARD: Hello. My name is Captain Dylan Hubbard
from Hubbard’s Marina, and my family business has been fishing
in central west Florida waters for almost 100 hundred years and
four generations. We operate six federally-permitted vessels,
two of which are partyboats and four are charter boats. Also,
I’m a graduate of the Marine Resource Education Program, and I
hold a spot on the Reef Fish AP, the Data Collection AP, and I’m
the Chairman of the Outreach and Education Committee.

The release mortality symposium that we recently had was really,
really awesome, and I appreciate everybody’s work on that, and
hopefully some of the recommendations that came out of that
meeting can be moved forward, and I think we have a lot of work
to do trying to change the culture offshore and prevent discard
mortality and improve best practices, as far as releasing fish
offshore.

On that subject, these multiday trips that we have, we have a
big issue, and I appreciate the council’s hard work on trying to
fix that issue. I fully support the current preferreds in the
document, and I hope that tomorrow that document can be made
final with the current preferreds.

Please help us moving forward. This will allow us to operate
efficiently, with minimal discarded fish, and it will continue
to allow us to be good examples, educating our guests and
clients on the importance of preventing discard mortality.
Also, keep in mind these multiday trips are such a small number
of trips in the Gulf of Mexico. According to the document,
there was only 298 trips taken in 2018 that exceeded twenty-four
hours on vessels in the headboat survey.

Of those 298 trips, fifty-two of them were on my boat, and so
that is why I am so passionate about this issue and fixing this
problem that was caused by regulation consolidation and not
council action. If we’re able to hit the dock with a two-day
limit, why should it matter when those fish are landed? These
are long-range boats that are very large and have the sleeping
quarters needed to operate under this provision legally. We
have been operating these long-range trips for nearly six
decades, and I hope to be continuing to operate them for many
more decades.

During this long history of operation, we have never had to
return the dock inside that twenty-four-hour window, and we
don’t plan to start now, increasing the minimum number of hours
to thirty. As far as enforceability, as the law currently
states, it has nothing to do with calendar days. It’s all about
that twenty-four-hour minimum requirement. We’re not changing
that in this new document. We’re only increasing the minimum
number of hours fished to qualify for a two-day limit.

As it stands now, law enforcement has the challenge of
discerning exactly when the fish are landed. This change is
moved forward, but they just need to confirm that the receipts
are onboard, there is two captains, it’s a federally-permitted
for-hire vessel, and that it doesn’t come into the dock within
thirty hours, and so, in my opinion, it relieves one of the
burdens of proof that law enforcement has to prove, and so
hopefully it would make their job easier. I am out of time, but
I wanted to talk about red grouper and amberjack too, but I will
forward my comments. Thank you.

CHAIRMAN FRAZER: Mr. Hubbard, we’ve got a question from Ed
Swindell.

MR. SWINDELL: The 291 vessels that were multiday trips, what --
MR. HUBBARD: There was, according to the document, I think seventy-eight vessels, and there was 298 trips in 2018, and that is vessels participating in the Southeast Regional Headboat Survey, and, of those 298 trips, we operated fifty-two of them.

MR. SWINDELL: So that’s just in the Southeast, and is it the total Gulf or --

MR. HUBBARD: That is Gulf of Mexico headboats. Yes, sir, and so it’s a very small percentage of trips, 3.2 percent, to be exact.

CHAIRMAN FRAZER: Martha.

MS. GUYAS: Okay, Dylan. Tell me about amberjack and red grouper.

MR. HUBBARD: Thank you, Martha. Amberjack, as some other people have stated, I would support leaving the amberjack season alone right now. It stinks, and I would like a May season, but I really feel that we need to leave it alone and stop changing size limits and bag limits and let this fishery -- The access to this fishery continue to suck for a little while, and so, that way, we can get an assessment with actual data that’s comparable, instead of just keep changing and stabbing in the dark and trying to gain access for a few crumbs of fish. Let it ride, and hopefully the assessment will be able to give us some good news, and then we’ll have better access.

As far as red grouper goes, we really need red grouper in the first half of the year, when gag grouper are not open, and so, if red grouper season is going to be significantly shortened, I would like to see it start on January 1 and run as long as possible. I would not want to evaluate bag limit changes until we have a year of trying that.

If we open red grouper on January 1 and they close in March, then let’s go to one fish, but, if they close in June, July, August, September, or October, let’s keep it two fish and just have a little shorter season, but we really need a fish open, a grouper open, twelve months out of the year in our area, and the first half of the year is very tough, which now amberjack not in May. Everything is in the second-half of the year, and so having red grouper open January through June is very important to me. Thank you. Happy Birthday, Leann.

MS. BOSARGE: Thank you.
CHAIRMAN FRAZER: Our next speaker is Mike Colby, followed by Greg Ball.

MR. MIKE COLBY: Good afternoon. I’m Mike Colby from Clearwater, Florida, charter operator and President of the Clearwater Marine Association. This is going to be another interim update on what is rapidly getting to the end of our voluntary ELB project that was funded through NFWF and prosecuted by the Gulf Seafood Institute and Woods Hole CLS.

We are down to probably less than fifty units, and, over the last six months, I have had phone calls after phone calls, and particularly after the mailing on what to expect on the rollout for when the Fisheries Service has a directive to report for all federally-permitted boats.

There’s a little bit of confusion still out there, but I try to clear it up with everybody, and probably I would see our voluntary effort closing in maybe three to five months, somewhere around that time. The data is a database in Maryland, and I think we’ll just proceed on until either we have installed the rest of the units, either that or there’s a rollout for the directive.

Woods Hole CLS, I put them in touch with then Mike Cahall at ACCSP, and Woods Hole provided them with the appropriate information from their end, and so the Coastal Cooperative could receive the information from their unit and then pass it on through Bluefin or the Southeast Headboat Survey or wherever the data is going to finally end up, and so knots were being tied and things were getting together to see this through to the end.

Again, it’s a little interesting, that there’s still some of the perceptions out there about reporting in an ELB environment, whether it’s cellular-based or whether it’s a traditional satellite platform, but fishermen are calling me a lot, particularly south Florida fishermen, that are interested in getting updates on this and what the final shakedown will be.

As an add-on, or an interesting sidebar, to our data that has been collected in this project, Dr. Sagarese allowed me to present some of that at the SEDAR 61 workshop, and what’s really interesting is, since the conversation was on red grouper, the 2017 data that we pulled, and, again, it’s a finite number of vessels reporting, about 130, and that data pulled from those boats on record showed about 5,900 harvested red grouper, with that number of boats reporting, and about 24,000 discards, live discards, and so you’ve got about four-and-a-half-times as many
discards as you had legally-harvested fish, and it’s kind of interesting. I mean, those may be very telling numbers, and they may not be, but I thought that would be interesting to bring that up. Thank you.

CHAIRMAN FRAZER: We’ve got a couple of questions. Kevin Anson.

MR. ANSON: Thank you and thanks for coming, Mike. Do you know anything about a summary presentation that’s going to be given regarding the program to talk about some of the successes and problems and those types of things in some of the data? Is there going to be one coming?

MR. COLBY: Yes, and I think I might even drag Harlon here to take care of some of that, and we’ve been submitting interim reports to NFWF on the project, and, yes, as we tail this down, I think we’re going to have final observations that -- Again, it will be like the miner’s canary for the Fisheries Service and rolling out the directive to report, and it will be interesting to share some of the pitfalls and whatever, and we may be able to avoid those.

Frankly, if I get the rest of the units in, we’ve darned near got half the fishery covered, at about 400 to 425 vessels, and so there’s quite a bit of information to garner for that on fishermen’s attitudes and what their final observations are on reporting, but I can guarantee you that, when we do make this mandatory, those folks are going to hit the ground running. I mean, they’re already battle tested, and so they’ll be ready.

MR. ANSON: Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Colby. Our next speaker is Greg Ball, followed by Taylor Borel.

MR. GREG BALL: Good evening. I’m from Greg Ball, from here in Galveston. I have a couple of federally-permitted charter boats, one dual-permitted commercial and charter/for-hire. I have a state water boat, and I’m also President of the Galveston Professional Boatmen’s Association, and we want to welcome you all to Galveston, and hopefully you all have enjoyed some of our charm and some fresh local seafood while you were here.

Today, I want to talk about the barotrauma release device, where we’re using that as our group of the Galveston Professional Boatmen’s Association, and all of our captains are using them on our boats, the SeaQualizer, and I would like to see that go on charter boats Gulf-wide. I think it’s a big asset to our fish
stock, and they’re working.

We are sending fish down through dolphins and sharks, and I
don’t see them eating them. They run from them, instead of
grabbing them, and so the SeaQualizer kind of deters them a
little bit, helping them survive, I believe.

Also, on our amberjack, the August season is working great for
us. I would like to see it just left alone for right now, and I
know guys in the eastern Gulf want a May season, and that could
still happen if the allocation ends up being there, but, for
right now, it’s good. Maybe something like zone management or
something later on, but, right now, it’s working.

I also want to thank all the law enforcement for the way they’ve
been involved this last year, and they’ve really gotten involved
and help get a lot of poachers off the water and a lot of
illegal charter boats and illegal fishermen, and so I thank you
all for that, and keep up the good work. That’s all I’ve got.
Thank you, all.

CHAIRMAN FRAZER: We’ve got a question for you from Lance.

MR. ROBINSON: Captain Ball, thank you for coming. Does your
organization have a position on the amendment that will be voted
on tomorrow about the two limits on a thirty-hour trip, for-hire
trip?

MR. BALL: No, not really.

MR. ROBINSON: Okay. Thank you.

MR. BALL: Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Ball. Our next speaker is
Taylor Borel, followed by Casey Streeter.

MR. TAYLOR BOREL: Hi, everybody. I’m Taylor Borel, and I run a
dual-permitted vessel out of Galveston, Texas. Thank you all
for being here, and I just wanted to say that we’ve been doing
work with the barotrauma release devices, and the SeaQualizer
has been working great, as Greg said, and I would like to see
the amberjack be a split-zone season, and that’s all I have to
say. Thanks.

CHAIRMAN FRAZER: Thank you, Mr. Borel. Our next speaker is
Casey Streeter, followed by Katie Fischer.
MR. CASEY STREETER: Thank you, Mr. Chairman. I want to thank the council for all the hours and care and concern for the fishery. I will make it short and quick. I definitely support Action 1, Alternative 2. I believe, if you have ownership in this fishery, you should have a permit. It’s called IFQ, individual fishing quota, for a reason, and I think it’s important to keep the fish in the fishermen’s hands and allow them to go to work.

I would go as far as saying I believe you need a permit to purchase the allocation, and, I mean, this is going to control the outside influence of entities who want the end use of the fish, but want to control it from the time it leaves the dock and goes to the boat and comes back to the dock, and so I think that’s really important.

Also, some of the things I hear coming out of the APs concern me, and hopefully some of these APs really do have the concerns of commercial fishermen involved, instead of their personal vested interests. I believe they were put together to really hear the voice of fishermen that are on the water and things and issues that they see and they want corrected, and so hopefully those things will continue to best suit the fishermen and represent what their true interests are. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Streeter. Our next speaker is Katie Fischer, followed by Jay Mullins.

MS. KATIE FISCHER: Hello. Casey and I own a fish house in Pine Island, Florida, and also several commercial grouper boats. In terms of 36B, Action 1, we support Alternative 2, and we feel that shareholders should have to have a permit and also a boat, in order to have fish. I feel like the other three alternatives are solutions that solve no problems. Also, the Reef Fish AP did not represent my interests on that issue.

Then, in regard to reallocating the grouper, I am definitely not in favor of reallocating more grouper to the recreational sector until a plan for accurate accountability is brought forward. Under the current system, the landings are still estimates.

The commercial sector can tell you exactly how many pounds of fish, of each fish species, non-IFQ or IFQ, are landed every day, week, or year. If we’re truly trying to manage our fishery, to give the recreational sector more fish would be irresponsible and move farther away from sustainability and also principles set forth in the MSA, and so thank you.
CHAIRMAN FRAZER: Thank you, Ms. Fischer. Our next speaker is Jay Mullins, followed by Sean Heverin.

MR. JAY MULLINS: Good afternoon, everybody. I am Jay Mullins, and I am one of the only four left owner-operators in the eastern Gulf in the longline industry. At the beginning, Mr. Tom, you told me that it’s a federal crime to report false information to you. Well, I don’t know where this goes in false information, but our commercial Reef Fish Advisory Panel and the Gulf Shareholders Alliance does not hold my best interests at hand.

I am a lifetime fisherman from the west coast of Florida, and what bonified fisherman will say it’s okay for you not to have a reef permit to own quota? There is not one, and maybe the reason behind that is there’s hardly any of us left.

Mr. Crabtree, I’m glad you said something about going back in history, back into the 1980s, to bring up data from back then, and why don’t we go back? Why don’t we go back to the beginning of this IFQ program, because it’s no longer an IFQ program. It’s a CFQ program, corporate fishing quota. Everybody knows, and it’s no secret.

Also, furthermore, our red snapper stock was just about devastated in the 1980s, and almost now to nil. It’s taken almost thirty years to get that stock healthy again, and you guys are allowing -- I think Mr. Niquet explained it pretty openly, and he has leased 200,000 pounds of red snapper quota to the south Gulf, over in the eastern Gulf, and it’s taken you guys thirty years to give us a red snapper fishery back, and we’ve never had a red snapper assessment, and nobody cares. You guys are allowing the western Gulf quota system to be brought over into a fishery that’s taken thirty years to replenish. Is there anything right about what’s going on here?

I am in full support of having a permit, and not only a permit, but back to the original way. You needed a boat, and you needed to be the one landing fish. I am not the dentist from Michigan. I have never seen that in my whole life, and I grew up in this industry, and I have never seen outside investors until the IFQ program came along, ever.

You know, I have an original IFQ permit, original 180,000 pound a year average, and do you think that us top fishermen in the eastern Gulf voted on this? That’s a false reality. I was set up at the beginning where I still have to lease fish six months out of the year, because my fishing demands were not met. I am
still in somebody’s pocket from day number one of this program, and have we come here and cried about it? No. There was nothing fair and equitable about the IFQ program. It was based on certain individual’s self-interests, and we would like to see you do something about that. Thank you very much.

CHAIRMAN FRAZER: Thank you, Mr. Mullins. Our next speaker is Sean Heverin, followed by Tad Mask.

MR. SEAN HEVERIN: I’m a fisherman from -- I currently reside in Louisiana, until I run out of fish to catch, and then I will move somewhere else, but I am a longliner. I have three boats, and I started out with one a few years ago, and now I have three. A lot of that came through hard work.

I am just trying to -- The challenges of being a young fisherman are access to quota, number one, and number two is getting out there and catching the fish, and putting the fish across the dock is the best way to make money, but groupers and tiles are getting slower, and I would fish the eastern Gulf, but there’s only sixty-something endorsements, and they’re hard to come by, and so I do what I can to get access to whatever snapper I can, and that’s what’s out there, and that’s what we’re catching.

In order to invest in this fishery, as a fisherman, I’m 100 percent -- I invest all my income into catching fish, and I became a dealer and started selling my own fish, to help make a little bit of extra money.

I bought a couple of extra vessels and worked out some deals with some shareholders to get quota from them for those vessels, and we could sell them and make a little bit of extra money, and the goal is to eventually buy shares of fish, because, as a fisherman, if you’re working on ex-vessel price of the snapper, between $1.25 to $2.10, and groupers and tiles and b-liners are harder to catch now, because there’s less around, how is a young person to save up the money to invest in shares and be a shareholder eventually, being as I own zero shares, and I didn’t inherit anything, and I had to work my ass off to get where I’m at, and so it’s tough.

I wanted to touch base on the permit requirements. As much as I would like to see a permit requirement for shareholders, I don’t know that that would really change much, because, if you’re a shareholder and you put out this permit requirement, what’s to stop the shareholder from working out a deal with somebody to just provide the fish to somebody and then have them manage the boat, which I kind of do with my other two boats, the ones that
I don’t run, and so I don’t know that it would really change much.

I mean, I would like to see some of these shareholders be in there and change down a pilot rudder feedback sensor at one o’clock in the morning, being a boat owner and seeing all that stuff, but -- I don’t know.

A couple of other things. I would like to see data reporting to be streamlined. As an owner-operator and dealer, and managing two other boats, I have to do logbooks, trip tickets, bycatch reporting stuff, and then I get these return letters from the logbook office saying, oh, you filled this out incorrectly and this out incorrectly and this out, and you have the trip ticket, and why don’t you just fill it out? Why are you asking me to do it? I’m up at two o’clock in the morning filling out all this paperwork for all the different boats, and so I would like to see the data reporting to be more streamlined and faster data management decisions.

It seems like, from what I’ve gathered from being over here, it’s like you all talk about all these stock assessments and this and that thing from three or four years ago, but real time -- Like this isn’t the fishery that we’re in. That’s three or four years ago. If it takes that long to make a decision and do something different, you guys are behind the times.

I see like other fisheries, like say Alaska, for instance. Based on the salmon that return upstream, they can right then make the decision on how many salmon can be caught that year or that season or whatever, and I would like to see something faster for this fishery.

The other thing that a couple other people have talked about were shark and dolphin issues, and I just got back and unloaded yesterday, and I just did a quick five-day trip, and it was a way shorter trip than normal, and I think I lost over 500 hooks to sharks, and they just bite it off my gear. Maybe we could open up sharks to harvest, and porpoises are a big problem. They’re eating all the fish off of my longline when I go west and fish in the Flower Garden area or when I fish east, off of like the Panama City area. The dolphins kind of just eat me alive.

CHAIRMAN FRAZER: Mr. Heverin, I’m going to ask you to wrap it up, if that’s okay.

MR. HEVERIN: Yes, and that’s all I’ve got. I had a couple more
things, but I can talk about them later.

CHAIRMAN FRAZER: Thank you. Our next speaker is Tad Mask, followed by Gary Jarvis.

MR. TAD MASK: Good afternoon, Mr. Chairman and council members. My name is Tad Mask, and I’m here with the Southeastern Fisheries Association. I would like to make comment on a couple of items discussed this week on behalf of our members.

We applaud your efforts to reduce release mortality. We believe that emphasis placed on reducing release mortality is of the utmost importance, and using the correct methods to prevent barotrauma and increase the survival rate of caught fish are vital. We are happy to point our members, and any interested parties, to the council’s website to get the correct information about the best practices to reduce release mortality.

We request no changes or expansion of the Florida Keys National Marine Sanctuary. We understand the complex issues with Amendment 36B. While we understand the need for a free market, and we are not in favor of government overreach, we agree with the spirit of getting IFQ shareholders to be truly invested in the Gulf fishing industry, and not just as bankers. We are also in favor of reexamining the ability to retain shares in perpetuity, especially as an inheritance.

In regard to the SEDAR 61 and the red grouper stock assessment, we agree with the need to proactively plan for the reduction to the biomass from red tide events and erring on the side of conservation, but we caution adding even more assumption to the process of stock assessments.

This is the reason for having buffers and multiple levels of protection for the species. We believe that maintaining the 2017 ACLs is fair, until the effects of the 2018 red tide event are properly quantified.

In general, we strongly oppose any actions taken by the council to take fish away from commercial fishers, especially because of recalculation of a historical dataset that is from fourteen years ago. Commercial fishermen do not ask for all the fish, but we do ask to be able to make a sustainable living for our families and to continue to provide a sustainable, natural food source for everyone.

Finally, members and staff of SFA would like to thank the Gulf Council and their staff for all of their hard work. We really
appreciate your time, and we understand that your efforts help keep this natural resource sustainable and keep our members providing seafood to the general public. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Mask. Our next speaker is Gary Jarvis, followed by Troy Frady.

MR. GARY JARVIS: Thank you, council, for the opportunity to speak. Working waterfronts with robust commercial and charter/for-hire industries is important to my community of Destin, Florida.

It’s not only an economic aspect, but it’s our heritage and our culture. The Destin brand is world-class beaches and fishing, and I would hope that fishery management decisions, especially allocation ones, would take this into account, because this is important, not only just to Destin, but every fishing port along the entire Gulf of Mexico.

After two days of data, stock, and allocation discussions during the committees, it seemed to me that ignoring the ramifications of these decisions to our communities without thoughtful solutions wasn’t part of the discussion.

The charter/for-hire sector has an approved ELB requirement, and the industry is poised to implement them as soon as possible, and we’ve actually literally begged for them since 2008, ten years ago, or, actually, longer than that, and this sector, with self-reported electronic reporting, will assist in solving some of the challenges expressed yesterday and today. I would ask you to please implore the agency to, at the very least, implement this program when it comes to the data collection and recreational fisheries, while they wrestle with the challenges facing data collection in the private sector.

We understand that being more accountable in rebuilding fisheries increases your access, and that lesson should apply to the private recreational sector, and, thankfully, in Florida, working with our FWC, we have grasped that concept, and we are trying to increase the accountability level of the private sector, so they can gain more access to a rebuilding fishery.

During allocation discussions in the future here, I think it’s time to explore sector allocation for amberjack and triggerfish for the charter/for-hire sector. We don’t have to build a better mousetrap. Amendment 40 has done that already, and we know that it’s been a resounding success to ensure public access to the resource for the non-boat-owning public.
I support the two-day limit rule for overnight trips that was introduced by Captain Dylan Hubbard. I support the closing of the trolling loophole in the sanctuary of Swanson and Steamboat Lumps.

The last comment that I want to make is based on some of the comments about the IFQ program and requiring a permit or a vessel to execute the fishery. The original AP for the IFQ recommended to this council that the fishery remain within the fishers and that no other people could own the allocation. It was the fishermen, and they would transfer shares or allocations and buy and sell and remain in the fishery.

It was members of this council, and the CCA and other recreational lobbyists, that actually introduced the ability for non-fishermen to own these shares. It wasn’t the IFQ AP, and the rationale behind that was I think they thought they could buy out the fishery from the commercial fishermen, because, at the time, red snapper wasn’t worth very much.

Well, that blew up in their face, and so they’re the ones that implemented the five-year rule, this council did, to allow anyone to invest in the fishery. It wasn’t the original IFQ shareholders or the people in the industry, and I just want to clarify that on the public record.

The last thing that I will comment about this is, for the people that are on the outside looking in, or are worried about future access into the fishery, if you force a man who has 15,000 or 20,000 or 30,000 pounds of allocation, which is worth $700,000 or $800,000 or $900,000 or $1 million, he’s going to buy a boat and a permit, and he’s going to fish it himself, and the people that are complaining about not having allocation to access the fishery are going to further have difficulty, because now that guy who is leasing fish now is going to catch them himself, and so you’re still going to be on the outside looking in, or working for him.

The only fix to the situation is just like what all of us did, is work hard, save your pennies, and buy your way in, because it’s a good investment, and I think the agency is allowing people to take loans against allocation, and so your allocation that you’re buying is going to be your security, and you don’t have to go outside and hock your house, like I did to get my Class 1 permit, put a second mortgage on my house.

They’re actually -- The agency is going to make a provision, I
believe, to where new entrants can borrow on the value of that allocation, and that’s how you allow the free market to work, but, more importantly, allow young, hard-working fishermen to enter into the fishery, because, if you notice, a lot of these shareholders now have gray hair, and their life needs change as they get older, and there is -- I don’t think there’s been a year in the last ten years to where allocation hasn’t been for sale, one single time. Thank you very much.

CHAIRMAN FRAZER: Thank you, Mr. Jarvis. Our next speaker is Troy Frady, followed by Jamie Gaspard.

MR. TROY FRADY: Good afternoon. I am Troy Frady, from Orange Beach, Alabama. I’m a full-time charter fisherman. First, I would like to say, Mr. Williamson, welcome to the council. I’m proud that you’re here, and may you do a great job.

I guess the first thing that I want to talk about is the greater amberjack. You know, I remember, back not too long ago, this council was talking about setting the amberjack season outside of the January 1 start date, in order to give other stakeholders in the Gulf an opportunity to catch these fish, because, historically, everybody remembers the fish were being caught before we even opened up in the spring.

Well, you all finally made the tough decision, based on the biology of the fish and allowing them to spawn, to set the season to where we received our allocation in August. Now, I know there’s a lot of people in the eastern Gulf who have been uncomfortable, and I totally respect how uncomfortable they have been by not having the amberjack season in the spring this year.

It wasn’t exactly easy for myself, but, being proactive, I have tried to figure out a way to increase income and generate a living for myself, and so I fully support leaving it like it is. Let this thing run for a couple of years and let’s see if the fishery recovers.

Another thing that you need to consider is, during the summer, with all these charter fishermen and private recreational fishermen accessing the fishery, there’s an unintended consequence where pressure is being put on the greater amberjack, with everyone using live bait and everyone continuing to fish and trying to catch larger fish, and so, whenever we are out there fishing and trying to catch big fish, we unintentionally hook amberjack, using the longer leaders and the live bait, and so that’s an unintended consequence that may have an effect on the rebuilding. Keeping the fish in mind first and making sure
they do recover, again, I fully support leaving the season the way it is.

The second thing that I would like to talk about is the two-day bag limit. I fully support the thirty-hour rule, and it will close the loopholes of some people leaving and running their charters and coming in before twenty-four hours is up. I believe that’s the right way to do it, and it will close that loophole.

In an effort to help the amberjack, I propose that this council go to a one-fish bag limit total on overnight or two-day trips. Just set the amberjack at one fish per person for two days and see if we’ve got any fish left over, and then we can use those in the spring, if we have any allocation left over, and that’s pretty much about it. I want to thank you for the opportunity. Have a good day.

CHAIRMAN FRAZER: Thank you, Mr. Frady. Our next speaker is Jamie Gaspard, followed by Ted Venker.

MR. JAMIE GASPARD: How are you all doing, council? My name is Jamie Gaspard, and I’m from Port Fourchon, Louisiana. I’ve been a charter captain for twenty-three years, and I’m a new IFQ entrant, and I just recently purchased my permit, and I ran my first commercial trip about two weeks ago.

It’s given me a chance to be in an industry, and it’s been tough, but we work hard, and we’re moving along. The VMS, we’re using CLS, and it’s worked well for me, and so I would like to continue using that.

One thing I would like to address is a commercial crew size. Charters, six people, and the commercial crew size is four people. When we’re on VMS, we’re doing the right things, while we’re punished for being commercial.

Another thing that I would like to address is the shark influx, and we’re seeing a lot more sharks, a lot of bigger sharks, and we would like to see something done about that. That’s pretty much it. Thanks for -- Amberjack. One thing about the amberjack that I’ve got to say. The amberjack issue has worked well for us, and maybe some type of regional area management would be better, because I would say that August works better for us in Louisiana, and so just speaking for myself.

CHAIRMAN FRAZER: We’ve got a question for you from Dr. Crabtree.
DR. CRABTREE: Are you hook-and-line commercial fishing or spear?


DR. CRABTREE: Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Gaspard. Our next speaker is Ted Venker, followed by Jesse Zepeda.

MR. TED VENKER: Hello. My name is Ted Venker, and I’m with the Coastal Conservation Association, and I just really wanted to come up and say that we’re proud of NOAA and the Gulf Council for the work they’ve done with the barotrauma symposium and bringing together all stakeholders to figure out ways to minimize release mortality.

Clearly, there are a lot of things that we can be doing to minimize the impacts of the way we fish in the recreational sector, which is why CCA has been supportive of the mandatory use of descending devices.

We also have a program called Release Sense, which is a partnership with the Harte Research Institute and Shimano and CCA that is used to promote best fishing practices, and it’s kind of a national partner for the council and all the work that Emily has been doing, and we’re happy to offer our communication tools and our magazine as part of the council’s outreach efforts to the recreational fishing community.

It seems appropriate here to highlight and also applaud the efforts of the South Atlantic Council, which last month approved a rule requiring commercial and recreational fishermen who are fishing for snapper grouper species to have a descending device readily available to release unwanted fish, and Dr. Crabtree can probably speak to the new rule better than I can, but the council took it upon itself to define what a descending device is and provided enough flexibility to allow for even homemade tools to decrease barotrauma in released fish, allowing anglers to be creative and innovative.

There was universal support for that new rule, with major commercial, recreational, and environmental organizations all publicly supporting the proposed requirement, which seems to be getting to the crux of a critical problem, and I just want to applaud your efforts in that area.
As the council starts to get its hands around this problem holistically, it seems like a natural next step to include continued scrutiny on things that are impacting our fisheries, things like bycatch in the shrimp industry.

Great strides have been made with BRD technology, and I understand, from some information that I received this morning from NMFS, that the bycatch ratio is down to two-and-a-half to three pounds of bycatch per pound of shrimp, but you’re dealing with such volumes that that still equates to hundreds of millions of pounds of bycatch, if I’m doing the math correctly, and this just seems like an opportunity time, with the commercial and recreational sectors making real efforts to improve their bycatch and release mortality, to ask this council to request annual reports on progress to quantify and, if possible, reduce shrimp trawl bycatch. It’s kind of the same report that you requested on the IUU fishery out of Mexico this morning.

In the spirit of all these other efforts to reduce unnecessary waste, it would seem that additional focus on those kinds of bycatch and illegal harvest are a logical next step for producing healthier fisheries for everyone, and so I appreciate your time, and welcome to Texas.

**CHAIRMAN FRAZER:** Thank you, Mr. Venker. Our next speaker is Jesse Zepeda, followed by Terry Bessinger. Jesse Zepeda. Then we will move forward. The next speaker will be Terry Bessinger, followed by Bill Cochrane, Sr. Is Bill Cochrane, Sr. in the audience? Our next speaker then would be Johnny Williams, followed by Allan Scott.

**MR. JOHNNY WILLIAMS:** Johnny Williams from Williams Partyboats, Galveston, Texas, third-generation partyboat operator. I am here today to speak about the multiday trips and the double bag limit. I support being allowed to have a double limit on a trip at any time during the trip.

I actually would prefer if we used the over twenty-four-hour period instead of the thirty-hour period. In Amendment 1, it was over twenty-four hours, and I don’t see any reason why not to go back with the over twenty-four-hour trip instead of incorporating a new thirty-hour limit.

I have made trips on -- One of my boats does mostly thirty-six-hour trips, but the other one does some trips that are just over twenty-four hours, and I would leave at 7:30 in the evening and run the boat out slow, and we would get out there in the wee
hours of the morning, to where we were going to fish, and we
would fish all day long and run in fast and get in between 7:31
and 8:30 and keep a double limit of fish.

If I was forced to stay out another six hours, we would be
fishing for other species, which would lead to some more catch
of red snapper, which would lead to more fishing mortality when
we release these additional red snapper that we would keep.

The reason that I would do the twenty-five-hour trips on one
boat, instead of the thirty-six-hour trips and run farther
offshore, like the other boat does, is one of my boats is
certified for 200 miles, and the other one is only certified for
100. On the one boat, we go out, often, 145 miles or so and
fish for tuna fish out there, but the other boat is not
certified for over 100 miles, and so that’s why I think that it
would be better for the fish and better for my customers not to
have to be on the boat for another six hours, if we went ahead
and left it at twenty-four hours, over twenty-four hours,
instead of the thirty-hour threshold.

The other thing that I want to mention is I looked through the
logbook that I have here on the Captain John that does almost
exclusively offshore trips, and, so far this year, we’ve made
eighty-one trips, and some of those trips were two-day trips,
where they fished on the way out and on the way back in, and
then they fished for the tuna at night, and I discovered that we
captured a total of forty-eight king mackerel in eighty-one trips.

That is just crazy. I mean, we used to catch that many on one
trip. Recently, the king mackerel bag limit was increased from
two to three, and that doesn’t make a whole lot of sense to me.
If the fish aren’t there, why are we increasing the bag limit?

It would seem to me like it would be pretty simple math that, if
the fish aren’t there, instead of increasing the bag limit, you
would want to keep it where it’s at, or maybe even decrease it
down to one, instead of increasing the bag limit, and so maybe
this is just an anomaly, and it seems like it’s been slower the
last few years, but it might be something that we might want to
keep a close eye on, because we certainly don’t want to distress
the stock to where nobody is catching it any more.

I have spoke with a lot of folks up and down the coast, and some
of them are saying, yes, the fish are late this year, or we’re
not catching them yet, and I said, well, hey, don’t hold your
breath. They might not be here, period, and so it might be
something that the council might want to address in the future.
Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Williams. Our next speaker is Allan Scott, followed by Daryl Wiley.

MR. ALLAN SCOTT: Thank you. That’s a tough act to follow right there. My name is Captain Allan Scott, and I’m really a local charter fishing guide in the Galveston Bay system, but one thing that I wanted to mention was that, first of all, I support -- Everybody has to manage fisheries and so forth, and we need to do that, but I get a lot of requests from my customers that fish with me in the bay, and they want me to take them offshore, and the way I see it is -- I am not federally-licensed or anything, but it seems like, to do the fisheries offshore, you kind of have to be the Exxon-Mobil of fishing or nothing, and I just thought if there was any idea that someone like me -- I want to be legal, and there’s always the deal about we’ll share gas or whatever, but I’m not going to take six people offshore and share the gas and get myself in a bind.

When I have one or two or maybe three customers a year that specifically ask me if I can run out and do a little red snapper fishing, it sure would be nice if there was some sort of just a daily permit, like Texas has daily fishing licenses, and you can go online, and it’s just twelve red snapper or whatever, and it would be real easy to keep tabs on that, and I don’t know how many people would want to do that, but it seems like, the way the business is going, with the reporting and all the paperwork involved -- People like me, I just can’t really go out there and fish for red snapper, because I just don’t have the resources, but it would be kind of neat to be able to do one or two or three trips a year, whenever one of my customers specifically wants to take his corporate group or whatever out there, and so, anyway, that’s just kind of the comment I had. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Scott. Our next speaker is Daryl Wiley, followed by John Walker.

MR. DARYL WILEY: Hello. My name is Daryl Wiley, and I’m a hand on a vessel here in Galveston that does both charter/for-hire and IFQ fishing. I would like to speak on barotrauma release devices. I primarily come from a background of recreational fishing, and, up until this point, I hadn’t experienced the barotrauma release devices.

Being on a boat with the barotrauma release devices, specifically the SeaQualizer that we use in the GPBA, I have noticed a reduction in discard mortality on the boat. I
previously fished in the Gulf for red snapper, and there was a
high rate of discard mortality, but, with the SeaQualizer, it
gets them down past the predators, and it helps them get down to
their natural barometric pressure, and it basically works really
well. Thank you.

CHAIRMAN FRAZER: Thank you. Our next speaker would be John
Walker, followed by Eric Brazer.

MR. JOHN WALKER: Hello. Thank you for having me. I just
wanted to say that my name is Johnny Walker, and I’ve got four
federally-permitted boats, and two of them are dual-permitted,
charter and commercial, and I wanted to say one thing. I think
it’s a good thing that the council is working on this expansion
on the Flower Garden Banks.

I spend a lot of time out there fishing, and I think that
there’s not one person in this room that wants to see the coral
and that end of it not protected. I think that expanding it is
a great thing. As far as limiting any fishing, as far as during
the expansion, I think that’s the wrong way to go, but there is
one thing.

As far as the -- There is something that I noticed this summer,
as far as charter boat fishing. A lot of times, I was pulling
up behind boats, and I saw this trail of snapper behind the
boats. It was recreational, mainly during June, but
recreational and charter boats alike, and I think that acquiring
something like this barotrauma device would probably really help
us on our discards. Anything that helps with discards, I think
everybody is for that, and so I’m for that.

Also, on the Gulf amberjack deal, I see all the guys in Florida
wanting the May season and this and that, and I think, as far as
in the Gulf, our western -- What we need to do in the western
Gulf is not what happens in the eastern Gulf, and so I think a
split or a zone or a region, something like that, as far as on
the Gulf, the amberjack thing, would probably work out better
for both sides. On the commercial end of it, as far as a three-
hour notification, I think we need to leave that end of it the
way that it is and stick with that. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Walker. Our next speaker is
Eric Brazer, followed by Zachary Lewis.

MR. ERIC BRAZER: Thank you very much, Mr. Chairman and council
members and agency staff. My name is Eric Brazer, and I’m the
Deputy Director for the Gulf of Mexico Reef Fish Shareholders
Alliance. Thank you for the opportunity to speak. First, I want to welcome Troy to the council. We appreciate you being here, and we look forward to working with you.

I would like to speak to four issues today, the first one being red grouper. The Shareholders Alliance supports the AP recommendations for a 3.5-million-pound ACL, and we very much support the motion for annual check-ins. We need to maintain a conservative TAC-setting process, at least for the time being, to protect those fish that we’re all seeing, and we all have high hopes for the future, but we also need the ability to adjust these quotas in real time, to reflect what’s actually happening on the water and not what happened on the water a year or two years or five years ago.

Number two is the Florida Keys National Marine Sanctuary. We appreciate the opportunity for the council to weigh-in, and we think there should be more of this. We think there should be much more of this. We wish we had more time to digest the 600-page blueprint that Mr. Kelly referenced earlier, and we would ask the council to consider a request for an extension of the comment period.

Third, recalibration, and I couldn’t get away without speaking to recalibration. This is certainly complicated, and it’s challenging, and it’s contentious. We are concerned this is going to suck up -- It’s already sucked up a significant amount of council resources and time.

As long as you have a portion of the fishery that operates based on a census, rather than a survey, recalibration will penalize those operating under the census. It is a one-way street. Don’t get me wrong. We should always be striving for improving accuracy and precision and timeliness of data, but this premise of trying to effectively rewrite history, and doing this in perpetuity moving forward, is a dangerous precedent, and it impacts not just commercial fishermen and not just charter fishermen and not just private anglers, but anybody who has a business, a fishing business, a seafood business, that depends on a stable access to this resource.

I would like to end on a positive note though, talking about electronic monitoring. Cameras on boats present a huge opportunity for data collection, and we appreciate the presentation from the Mote Marine Lab, and we hope you took that very seriously, and we hope you consider how we can move EM from a pilot program towards implementation.
You may know that there is a national electronic monitoring workshop next month, up in New Hampshire, and we hope that the council is sending staff there, and we would ask the council to consider convening an advisory panel of industry, administrative, private sector, to really start to flesh out what this pathway looks like for implementation. Thank you very much for your time.

CHAIRMAN FRAZER: We’ve got a couple of questions. Roy.

DR. CRABTREE: Eric, your statement that you have a survey versus a census and calibration can only go one way, and it’s a one-way street, and I am mystified by that. That doesn’t seem to have any basis whatsoever to me, and can you explain that?

MR. BRAZER: Sure. I mean, the way that we look at it is there is actual, verifiable data, wave data, validated data, on the commercial side of things, yet we’re continuously looking at surveys and various levels of guesses and estimations on the private angler side of things.

As we move forward, those assumptions change, and we maybe get a better idea for what variables should be considered and what variables shouldn’t be considered, but, as long as we’re looking backwards to a time when there were no verifiable weights, as opposed to a sector where there are verifiable weights, I don’t see how, we don’t see how, recalibration could do anything but reduce the amount of access that the sector has, the sector that has the verifiable weights attached to it.

DR. CRABTREE: Well, I would like to talk to you about that someday, because I don’t understand that at all. It seems to me that it could go either way and that there’s no clear-cut pattern why a census and a survey would necessarily only go in one direction, and so I just don’t get it.

MR. BRAZER: I appreciate that, and, if we’re mistaken, if there’s something we’re missing -- We would gladly sit down and talk this through. Thank you.

CHAIRMAN FRAZER: Mr. Dyskow.

MR. DYSKOW: Thank you, Mr. Chairman. Thank you, Eric, for your presentation. The one thing I was hoping to get your input on you ignored, which was 36B, and does the organization that you represent have a preference on any of the actions within 36B?

MR. BRAZER: I was hoping to get away without that question. In
all seriousness, I do appreciate that, and, officially, the Shareholders Alliance does not have a position on 36B yet, as it stands. We are still trying to understand the problem statement, and we’re still trying to understand what problems this is trying to solve and whether it actually does solve that problem.

We are polling our members. We are a member-based organization, and we represent a wide spectrum of fishermen, from some of the biggest players to some of the individual day boat owners. It’s a contentious issue, but, at the end of the day, we are still unclear whether this solves the problem as it’s been identified, but we hope to have an official position on it by the time that final action is taken.

CHAIRMAN FRAZER: Thank you, Eric.

MR. BRAZER: Thank you.

CHAIRMAN FRAZER: Our next speaker is Zachary Lewis, followed by Scott Hickman.

MR. ZACHARY LEWIS: Hi. I’m a charter boat captain here in Galveston, Texas. I run a federally-boat, two federally-permitted boats, and I would like to see the use of barotrauma release devices mandatory on all federally-permitted boats. We use them now, and it’s reducing bycatch quite a bit. We’re not having them float back up. I have heard other people talk about seeing a line of red snapper behind boats, and we see it all the time.

I also would like to talk about our amberjack season in the western Gulf. We would like to have it stay the same, and it gives us an opportunity to fish in the fall, and so that’s all I have to say. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Lewis. Our next speaker is Scott Hickman, followed by Jason Delacruz.

MR. SCOTT HICKMAN: Good afternoon, ladies and gentlemen of the Gulf Council. Welcome to Galveston, my home port. First off, I would like to hopefully see all of you all at the social tonight. We’ve got some fresh-caught red snapper that were caught here in the last few days.

I’m a local charter boat captain, about thirty-five years, and I’m also a commercial IFQ shareholder and fisherman. I sit on the Flower Garden Banks Sanctuary Council, and I’m the current
chairman, and I sit on a few of your advisory panels, and it’s a
pleasure to be able to do that and represent the folks here at
home.

First off, I would like to say the charter/for-hire recreational
fishery in the Gulf of Mexico, in my eyes, and I have fished all
over the Gulf, has a huge discard problem. We are wasting a lot
of fish that need to be in the water spawning or going home on
somebody’s table. We could have a heck of a great season and
ACL if we would just quit letting these fish float off.

We need barotrauma release devices. I applaud the council for
having the workshop, and I heard some real good feedback from
it, from some of our local people that attended, and I would
like to applaud the work that Greg Stunz has been doing with
barotrauma release devices, and the folks at CCA have been
putting out some god stuff on it, and we really appreciate that.

Our local association, the Galveston Professional Boatmen’s
Association, which I’m a board member, made it mandatory, to be
a member of our association, to use barotrauma release devices
while fishing, and we’re going to put our money where our mouth
is, and we think everybody should be doing this, including the
commercial fleet. We shouldn’t be throwing perfectly good fish
back in the ocean dead. It’s a bad practice.

As far as estimated commercial landing weights and our three-
hour notification, if the fish are in your account, they’re in
your account. It’s an estimated landing weight. On my boat, a
thirty-six-foot center console, if it gets rough, there is no
way that I can take a scale with a rolling around basket of fish
and try to get some kind of a weight on it.

We estimate the baskets to be about fifty to sixty pounds,
depending on the size of fish, if their tails are sticking up
out of the basket, and it’s hard to judge, but we can get pretty
close, but I know how many fish are in my account, and I know,
if I stay underneath that, I’m good. I have never come in where
I have had some huge overage or underage, and we can get it
fairly close, but we don’t need it shrunk down to the point
where everybody is getting in trouble on this deal.

It works. The current system works. There is not a lot of
citations that I have seen from people doing illegal stuff.
I’ve got a VMS on my boat, and I’ve got to hail-in and hail-out
and a three-hour notification, and I can’t stop anywhere on the
way in. There’s no reason for that change.
Recreational charter/for-hire and amberjacks, I would like to see a zone-type approach, a regional-type approach, like we do with the commercial kingfish. The needs of the amberjack fishermen in this part of the Gulf are totally different than the eastern Gulf. I think a lot of the charter boat folks support that.

I would like the council to continue to look at protecting our corals in the Gulf of Mexico. Once again, I’m the chairman of our sanctuary here, at the Flower Garden Banks, and, with the expansion, we appreciate all the positive feedback on the fishery regulations that come from this body. We have special places, and it’s good to protect them.

I do support, not so much my association so far, and we haven’t voted on it, but this motion that was made to the headboat multiday rule, on this possession. If it’s good for those folks, and it doesn’t hurt the fishery, and it doesn’t hurt the conservation of the fishery, I am for it, just like I did with the barotrauma release devices. Once again, welcome to Galveston, and I appreciate everything you all do, and enjoy the rest of your stay.

CHAIRMAN FRAZER: We’ve got a question for you, Scott. Dr. Stunz.

DR. STUNZ: Captain Hickman, I just wanted to tell you thanks once again for the groups that you’re representing and involved with for taking the leadership as it relates to this barotrauma reduction. I mean, with or without regulation, I think it’s going to take leaders and your respective industries and general recreational fishermen to really take the lead and do this, and so I really appreciate that, and I think that’s a good move.

MR. HICKMAN: Thank you. We know that, instead of trying to fight each other over allocations -- We’ve got the fish out there. We’re just throwing them back and wasting them, and so why don’t we better utilize what we currently have, instead of fighting over the current slice of the pie? We can do better, and we can make more fish. If we quit throwing them back dead, there will be more fish in the water. Thank you.

CHAIRMAN FRAZER: Thank you. Our next speaker is Jason Delacruz, followed by Buddy Guindon.

MR. JASON DELACRUZ: Good afternoon. Thank you for giving me a chance to speak, and it’s good to see you, Troy. We’ve been on the AP for a long time together, and I like to see you at the
big-boy table now.

I want to talk a little bit about some of the comments that I’ve heard today about what the AP did and our thought processes on the permit issue when it comes to 36B. I can tell you one thing that we’re definitely doing, and it’s driving the cost of permits up, whether that be a factor of that this fishery is real good, and people want to get into it, and that’s why the price comes up, or whether these conversations continue to make that happen.

If our goals are to really maintain access to entry, that’s the first point to entry, and, today, you’re looking at a $20,000 reef fish permit. When I bought my first reef fish permit, I paid $5,000 for it, and so I think that’s something that we need to think about as we have these conversations.

Just as a matter of person, me personally, Jason Delacruz, owner of Brickyard Fishing, owner of Wild Seafood Company, I don’t really care. It’s not going to change anything for me. I have permits, and I have boats, and I have all of that stuff, and so, from a standpoint of looking at it that way, I think it’s important to look at the groups that you say are doing these things and say, well, it doesn’t really affect most of their members, and it doesn’t. It doesn’t really change anything.

For me, this is a bigger issue, that you’re doing a rule that I think effectively changes nothing, and it’s going to take some small shareholders that are in it now and basically disenfranchise them and move them out of the fishery, and what’s going to happen is they’re going to sell off to other guys that are bigger shareholders, and so you’re going to consolidate and have a bigger issue that you guys are trying to avoid, and that’s my personal opinion.

I know it’s looking back, and, again, this is personally me, I actually didn’t want it to happen. I went to the Regional Office with other co-fishermen of mine, and we sat down with General Counsel and said we don’t want this to happen in 2012, before it happened for red snapper, and we did the same thing for red grouper, and, just like everybody has testified here before, the AP didn’t want it when we originally designed it, and I said “we”, and that wasn’t me. I wasn’t part of that AP, but we never wanted that.

I really get agitated with spending time working on these issues, and it was done by this group for reasons so that they could move fish from one sector to another, and now we’re back
in this position, and we’re doing something that’s just going to penalize the new guys that want to get into the fishery and cause them a more expensive barrier to entry as they move into the fishery, and that’s all I have. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Delacruz. Our next speaker is Buddy Guindon, followed by Mike Jennings.

MR. BUDDY GUINDON: Good afternoon. Welcome to Galveston. I’m Buddy Guindon, a commercial fisherman and owner of Katie’s Seafood. I would like to make a few points on the recalibration. There is obviously a lot of uncertainty in these new catch estimates, particularly given the major discrepancies we’re seeing from the state monitoring systems.

Recalibrating thirty years of data based on recent comparisons in methodology is fundamentally flawed, and I think that the council should defer work on the reallocation amendment until these issues can be addressed. MRIP was a telephone survey, and we used to have telephones in our homes, and, in talking with folks, about ten years back, phones kind of faded away, and cellphones became the new norm, and so, going back all the way into the mid-1980s and saying that these phone surveys weren’t a good way of counting fish is inaccurate.

Saying it is not a good way in the past ten years is accurate, and so I really hope that the council moves carefully on this, because it costs a lot of money to sort it out in a courtroom.

I would like to address kind of the folks that are coming up here mad about not being able to access quota. There are many ways to access quota. You have to be able to handle your finances, and you have to be able to build relationships that you’re trying to put out of the fishery, and I just don’t see that being a fair way of dealing with the problems that they have ended up with.

We have commercial fishermen who have retired and are making their living off of leasing their shares, and I think that was the intent, was to give fishermen a way to retire and to continue to have a living, and eventually that share will transfer, but, unless these folks that are desperately seeking access to quota get a better business model and save their money and go out into the market and purchase these, I don’t see a fair way to transfer allocation.

I hope that maybe we have some type of an education program for existing fishermen that will help them move forward in the
current system, because this system is working for the fish and for the fishermen that are involved, and I hope that this reallocation deal doesn’t just snowball out of control and create a devastating effect on our fisheries, on the commercial or the recreational side. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Guindon. Our next speaker is Mike Jennings, followed by Dan Green.

MR. MIKE JENNINGS: Hello. My name is Mike Jennings, and I’m a charter boat owner, and I own three federally-permitted charter boats, and they’re right here south of us thirty miles, out of Freeport, Texas. I am also the President of the Charter Fishermen’s Association, and I appreciate you all letting me speak today.

On the issue of the multispecies trip limits that’s in front of the council right now, we support the current preferred alternatives, and we would like the council to go ahead and move forward with that. We see it as a pretty simple win-win, especially when it comes down to the possibility of reducing some release mortality and not making those guys go sit on those spots twice to catch fish that they’re going to come home with one way or the other.

Amberjacks, it’s been spoken about up here several times today, and it’s obvious that the eastern and western Gulf are really separated on when they want those season dates to start, and, for every person that you can put up here that throughout our association strings from the Keys to the Mexican border, and, for every one of the members that I can put up here that will talk about wanting a May start, you can put just as many up here wanting to leave it with an August start, because a May start doesn’t work for them, or they’re worried about losing fish, or the fish being overfished prior to their season getting a start, et cetera, et cetera.

I would like the -- There’s been some comments today about a zone approach to that management, and I would really like the council to take an honest look at that and give us some pitfalls and some ideas and some thoughts on where this can go, and there’s always -- When you start making major management change decisions, or start talking about them, there’s always going to be these thorns that somebody didn’t think about that someone around this table will come up with, and we would really like to hear some discussion around this table about it.

The logbooks, of course, you all passed that, and we would like
to see that move on forward and get implemented. The last thing
that I have sat here, and we’ve sat here and talked about all
day, or listened to people talk about, is predation, the sharks
and the dolphins, and I sit in the back of the room, and I
wonder, what exactly are they expecting those people around that
table to do about a 200-pound shark?

I don’t know what you do, but I do know that, when it comes to
those animals, and since the late 1980s of fishing in the Gulf
of Mexico, when I first started, it’s -- They are telling the
truth. It’s worse than I have ever seen it, especially the big
sharks. On spots that we have historically fished for
amberjacks, you just almost can’t get a bait by them, and the
dolphins are eating more and more fish off the lines, and we
have a big issue in the western Gulf of them eating kingfish.

It's king mackerel after king mackerel after king mackerel bit
off behind the gills when you get on them, when they get on you,
basically, and I don’t know whether there is anything that can
be done about it, but I do know there’s some things that have
been tried elsewhere, with some electronic devices, et cetera,
and I think that maybe starting to explore some of those
options, if it’s within the council’s power to look into some of
those options, and it would sure be nice to start seeing a
little bit of discussion on it anyway, and I don’t know how many
solutions any of us can really come up with about a giant marine
mammal that’s eating fish on the way up, but it’s becoming a
problem. I appreciate you all’s time, and I see my red light,
and I will step down. Thank you.

CHAIRMAN FRAZER: We’ve got a question for you, Mike.

MS. BOSARGE: Not a question, but I was just going to tell you
and the other fishermen that are bringing up the predation and
the sharks that I don’t know if we did it maybe during Full
Council at the last meeting, but we did have a discussion, and a
lot of the fishermen aren’t there usually on the last day of the
meeting, and we talked about it, and we’re hoping to maybe bring
somebody from HMS to one of our meetings, to give us a
presentation, and mainly so we can give them some feedback and
hopefully ask them some questions and see what we can do, if
anything. Like you said, we don’t manage those, but we would
still like to have a conversation.

MR. JENNINGS: Right. Just real quick, and then I’ll step down,
but it seems like, every once in while, we will -- Fishermen or
user groups will come in here and throw something against the
wall, just to see if it will stick, and I know this predation
conversation has just kind of arose real quick, but, once
somebody brought it up, and we started talking about it and
thinking about it, it’s obviously been a significant increase in
the problem over a short period of time, and it hasn’t been this
gradual twenty-year increase, in my opinion.

I think that your downfall of your trawl fisheries and things
along those lines, as someone stated earlier, probably has a lot
to do with it. We’ve seen it kind of -- As the shrimpers -- We
fish behind them a lot, and I would love to see more shrimp
boats, personally. I love the fishery, but, as we’ve seen those
kind of go away, I think we see more and more problems with
those predators. They are typically behind those nets, but,
anyway, I will step down, and thank you very much.

CHAIRMAN FRAZER: Thank you. Our next speaker is Dan Green,
followed by Bubba Cochrane.

MR. DAN GREEN: Hello. I’m Dan Green, and I own a dual-
permitted vessel here in Galveston, Texas. As far as the
amberjack season, over here in the western Gulf, we like it how
it is, obviously, and we have the calmest days in August and
September, and we have to run seventy to a hundred miles
offshore to be able to catch those fish, and so the May season
for us doesn’t really work out, because it’s super windy over
here, but we know the guys in the eastern Gulf like the May
season, and so we would be -- I would like to see something with
regional management on the amberjack and see what the numbers
look like.

Also, I got to work with the barotrauma release devices during
the spring here, part of the Great Snapper Count, and it was my
first time using them, and they worked really well, and released
fish from one pound all the way to twenty-five pounds. You just
have to add a little more weight and tighten it down a little
bit, and it gets them down. We did have a couple that floated
back up, but we went back and got them and sent them back down
again, and they stayed down, and so they do work.

I also have used them on my commercial trips to release
amberjack, fifty-pound amberjack, when the season wasn’t open
for those, and so they work, and I think, if they are mandatory,
they would definitely help on the discard rate.

As far as the commercial permits go, having to own the permits
to have the quota, I am against that, because 99 percent of the
red snapper that I catch I lease from other commercial
fishermen, and I only own about 350 shares, and, this year, I
have caught about 19,000 pounds, and so, for me, that’s a huge deal. I can’t even spell my name right, and they changed it, and so I need some fish to catch, because I wouldn’t be very good doing anything else.

The last thing is I fish on a thirty-six-foot center console, and I’m dual-permitted, and so my charters kind of shut down this time of year, and so what I have to do is transfer my charter permits to my bay boat, to be able to take an efficient amount of people on my commercial trips to catch my fish, and my boat -- During this time, in the winter, we don’t have very many days where it’s flat for multiple days at a time, and so I can only get out one day, or maybe two days, to catch my fish, and so, for me, the crew size is very important, to not be able to be restricted by it to four people if have my charter permits on the boat.

Instead of me shuffling them on and off, it would be more beneficial to me, and a lot of people like me, to be able to have the crew size lifted on dual-permitted vessels. That’s all I have. Thanks.

CHAIRMAN FRAZER: Thank you, Mr. Green. Our next speaker is Bubba Cochrane, followed by Lisa Schmidt.

MR. BUBBA COCHRANE: I’m Bubba Cochrane from Galveston, Texas. I’m a commercial fishing boat owner/operator. I also have a federally-permitted charter boat here in Galveston. It’s pretty much the same thing that I always get up here and talk about, reallocation, and I’m not for any type of reallocation, and that’s the one thing that I think all commercial fishermen here can agree on, and we don’t agree on much, but I am pretty sure that we can all agree on that, whether it’s red snapper, red grouper, or whatever, especially when a methodology is something like recalibration, which I’m still trying to kind of wrap my head around, but it seems like going back into the past and picking data and changing it to change the outcome for the present is not really a fair way to do things, especially when it always seems to benefit the recreational side, and I’m not sure how that happens, and I’ve not sure if there’s any scenarios where it does benefit the commercial, but it doesn’t seem to.

On the hail-in weight requirement and trying to make that more accurate, I’m not sure why we’re still talking about that, and I think federal law enforcement has already come up to the podium and gone on record as saying this is something that they don’t want to pursue.
I don’t think, other than maybe being able to write more tickets, it’s going to be a real useful tool in law enforcement. I think, if law enforcement feels that people are breaking the law, they should go after them the old-fashioned way and investigate them and catch these guys doing that, and I think that would be a lot more effective way than penalizing people for making honest mistakes when they are trying to be as accurate as they can on their estimates.

On the MRIP, I was happy to hear today, on the MRIP, that they’re going to get rid of the telephone survey, and so I can throw away my old rotary telephone, but I was a little surprised to hear, and a little disappointed, that they’re going to go to the mail system, because that’s my second-least-favorite thing to deal with, but it’s good that they’re realizing that times are changing and that data can be collected in different ways, and so I’m hoping that they will continue to look for other avenues to gather this data and keep on looking at other ways to do that. That’s it. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Cochrane. Our next speaker is Lisa Schmidt, followed by Shane Cantrell.

MS. LISA SCHMIDT: Good afternoon, council. Thank you for letting me speak. I’m Lisa Schmidt, and I’ve been here before. It’s my first time to Galveston, and I own three commercial longline vessels out of Madeira Beach, Florida, and I have to admit that I was more excited about coming here to red snapper fish off the oil rigs than publicly speak, but I luckily was able to catch and offload at Buddy Guindon’s seafood market, and I always learn from that, and, if you want some really good fresh seafood, go to his new restaurant.

My issues are this, and it’s a personal issue. I am tired of talking about red snapper. We need to start a red grouper annual assessment as soon as possible. The fishermen in the eastern Gulf of Mexico are struggling, and I have been in the business since 2015, and our catches have been declining.

Just as Dr. Barbieri said yesterday, stated yesterday, there are more eco issues that we don’t know about, such as the warmer waters, red tides, and probably lionfish. Commercial fishermen are a strong source of data, and I strongly support finding ways to incorporate this into more timely stock assessments, which also is about reallocation and recalibration.

As I just stated, the red grouper are in trouble, and, while
there are lots of data streams that are being plugged into the assessments, we still don’t have a clear picture as to why they are declining, and we need to focus more on stock health than reallocation. We don’t need a knee-jerk reaction to move the fish from hardworking and struggling fishermen to an unaccountable group, and does that make any kind of sense? It doesn’t to me, and so thank you.

CHAIRMAN FRAZER: Thank you, Ms. Schmidt. The next speaker is Shane Cantrell.

MR. SHANE CANTRELL: Good afternoon. I am Shane Cantrell from right here in Galveston, Texas. I own and operate a dual-permitted boat here, and it’s a federally-permitted charter boat and a reef fish vessel, and I also do some king mackerel fishing, which is where I’m going to start my comments today.

A couple of years ago, we were dealing with a recreational season that is year-round, two fish per person, and the quota wasn’t being met. The idea came up, to make this an efficient use of the fishery, that that fish could go to the commercial side that was meeting their quota, and the recreational lobby came unglued. How dare us do that? We increased it to three fish, and we’ll see if that’s going to work.

It’s hard to believe that it’s not a commercial versus recreational issue when you come up with red grouper that is like we’ve got to now reallocate from the commercial, or recalibrate, to move that fish over to the recreational side, and it just doesn’t add up.

Maybe there is something wrong with the fishery, and maybe we’ve got to address the issues that are there, instead of trying to move quota around for somebody to get more access to it. When it’s not an efficient use of the resource, we should consider it, but, whenever the resource is in danger, we’ve got to also consider what to do for that.

Amberjack is a work in progress. We’ve been working on it for many years, and the SEDAR assessments are not caught up to the changes that have been made in management. Multiple, multiple changes in management, a season shift and bag limits and size limits, are not reflected in the assessment. Before we go to make more changes, let’s see what the changes we’ve already made are going to do.

One thing that I noticed, and maybe it was just me, this summer was the U.S. Coast Guard, Parks and Wildlife, and federal law
enforcement were busy, and maybe they just found my boat, but
they were busy, and I can guarantee you that they did their job,
and they did an excellent job. I got checked one time, about
eighteen miles offshore, two times on the same day, two
different trips, by the same vessel, and it was interesting.
You get checked offshore, and you get checked inshore, and they
have made a presence here off of Texas, and I’m sure they didn’t
make a lot of friends.

Estimating weights penalizes boats like me, who are not landing
a ton of fish at one time. 10 percent of a small number is a
lot smaller error, and that pushes the people that are smaller
operators into a more precarious situation.

Otherwise, we need to do away with the crew size limit. With
the changes that have been made in management of the commercial
and the recreational fishery, my vessel leaves the dock, and it
makes a declaration, and you know what it’s doing, and there is
no gray area to operate in. That has outlived its purpose, and
it no longer serves a great thing in the fishery.

In terms of barotrauma release devices, I fully support the
opportunities that are there, as long as we address -- We know
what we’re trying to address. If we’re trying to release a
bunch of age-one fish, to feel good and not get anything for the
fishery, it’s just a burdensome addition to the fishery.

CHAIRMAN FRAZER: Thank you, Mr. Cantrell. We are going to try
to circle back on a couple of people that were not available at
the time their name was called. The first one would be Daryl
Wiley. Is Daryl in the audience? Okay. Give me just a second
to make sure we’re square.

All right. I just wanted to make sure that we got everybody,
and so the three people I have left on my list are Terry
Bessinger, and is Terry in the audience? All right. Bill
Cochrane, Sr. Okay. The final one would be Jesse Zepeda. All
right. We have no more speakers. I want to thank everybody for
taking the time out of their schedules to provide that public
testimony, and it means a lot to this council, and so thank you
again very much for your time. We’re going to take a fifteen-
minute break.

(Whereupon, a brief recess was taken.)

CHAIRMAN FRAZER: Okay. We are going to try to knock out a few
committee reports this afternoon, if possible, and I have talked
to a number of folks, and you should have in your emails several
committee reports, but we’re going to start with the Education
and Outreach Committee and Mr. Dyskow.

**COMMITTEE REPORTS**

**OUTREACH AND EDUCATION COMMITTEE REPORT**

**MR. DYSKOW:** Thank you, Mr. Chairman. The committee adopted the
agenda, which was in Tab O, Number 1, if you’re looking for it,
and they approved the minutes of the January 2019 meeting, and
so we adopted the agenda and approved the minutes from the
previous report.

Staff presented the council’s communications analytics,
including website traffic, social media engagement, and all the
other efforts. The typical spike in second-quarter analytics
attributed to the recreational red snapper season announcement
is absent this year, because the states are communicating their
own seasons, and so we have shifted that effort from the Gulf
Council website to the states. Despite this change, the
council’s constituent contacts continue to increase.

The transition away from the council’s own fishing regulations
app to Fish Rules has greatly increased the number of times
users access the federal regulations. The committee asked if it
was possible for Fish Rules to enhance the way it communicates
the state-specific fall supplemental red snapper seasons. The
committee also suggested that the app would benefit from making
the difference between state and federal fishing regulations
more apparent. Staff committed to discussing both issues with
the Fish Rules app developer, when appropriate.

Staff provided an overview of the Release Mortality Symposium
hosted by the council to create an action plan for the
recreational fishery to promote the use of barotrauma mitigation
tools, enhance data collection efforts, and incorporate results
into stock assessments and management.

During the symposium, the discussion focused on the reduction of
release mortality as a whole. Private, charter, and headboat
groups uniformly recommended that anglers should retain
flexibility to choose the best release mortality mitigation
measures for their circumstances and asked for best practice
recommendations to guide them in that choice.

It was recommended that current monitoring programs collecting
data relevant to discards and discard mortality should ask for
consistent information on discards, including the number,
species, mitigation technique used, condition upon release, and
depth of capture. Additionally, current gaps in discard data were identified and prioritized. Finally, achieving consistent messaging to anglers was recommended.

The Gulf Council should remain the point agency in control of release mortality communications to continue updating research, recommendations, and messaging. If possible, the Fishing for Our Future website should be branded as its own organization and enhanced with additional narrative, and that would be angler narrative, and content and other media that could be utilized by influencers.

The committee noted that changing their data collection programs would be a process and would ultimately require NOAA approval. It was also noted that the list of influencers in the report should be expanded to include others that were not listed during the symposium.

The committee recommends, and I so move, to approve the release mortality workshop summary with committee recommendations and distribute to NRDA. That motion which I just read was carried by the committee with no opposition.

CHAIRMAN FRAZER: Okay. We have a committee motion on the board. Is there any further discussion of this motion?

MR. DYSKOW: Does everybody understand why we’re doing this? We’re placing this in NRDA’s hands so they can use it as a tool to help them in their redistribution efforts to get that BP money in the hands of us, I guess, the Gulf Council.


MS. BOGGS: I guess -- I was trying to pull it up, but I couldn’t find it. We are not dictating -- Mr. Dyskow just said something about the funds will come to the council?

MR. DYSKOW: The process whereby the NRDA funds are released is not perfect, in my mind, but I believe the funds are released to the council for distribution to this project, if they’re not given to the committee. Could you clarify that, Carrie? The Education and Outreach Committee doesn’t get the funds. They go to the Gulf Council, as I understand it.

EXECUTIVE DIRECTOR SIMMONS: No, it’s open, and I don’t know how they’re going to -- If they’re going to make it competitive, or
if they’re going to solicit proposals based on these recommendations, but it does not go to the council. It does not go to the Gulf Council.

MR. DYSKOW: Do we know who it goes to?

EXECUTIVE DIRECTOR SIMMONS: It will go to the projects that NRDA decides to fund.

MR. DYSKOW: Very good. They had a representative at our Education and Outreach Committee meeting and also at the symposium, and they’re really looking for a pathway to finalize their -- I guess their funding release, and so that was a helpful project, and that’s why this information on the mortality release workshop was recommended to be distributed to the NRDA by the committee.

CHAIRMAN FRAZER: A real quick follow-up to that. I do think that the workshop summary will certainly inform the decisions that are made and how they distribute those monies, but I am not sure that they have identified, at this point, where they would be distributed to.

MR. DYSKOW: That’s true, and I think the person that’s been talking to them, or at least involved in that process, as much as anybody, is Emily, and do you have anything to add to that?

CHAIRMAN FRAZER: Ms. Muehlstein.

MS. MUEHLSTEIN: I don’t, and, as Carrie stated, it’s kind of unclear as to how they’re going to distribute the funds, but they have asked us directly to help inform them and guide them as they make those decisions, and so that’s the purpose of this report.

CHAIRMAN FRAZER: Ms. Boggs.

MS. BOGGS: Okay, and so my original comment was going to be -- Because I know I was the one that kind of initiated the discussion. Where it says it was also noted that the list of influencers in the report should be expanded, what I said is I would like to make sure that the list of influencers was open and not for us to dictate or direct NRDA, but that NRDA would open it up to whomever might be interested.

MR. DYSKOW: That’s a totally different subject, Susan. What we were referring to there is we have this Fishing for our Future website, and, rather than have all that information be in
government-ese, government speak, if you will, we wanted to get
people from the industry to use peer pressure to encourage the
use of barotrauma mitigation devices within the recreational
fishing community. They’re two separate projects.

MS. BOGGS: Okay. Then I’m confused, because I thought this
report was going to NRDA as kind of a roadmap and a suggestion,
and I was very clear that I don’t want NRDA to think this is our
only influencers in the Gulf, and that NRDA would open it up. I
did not understand that it only dealt with this Fishing for our
Future website.

MR. DYSKOW: Well, that’s what it says, the Fishing for our
Future website.

CHAIRMAN FRAZER: Ms. Muehlstein.

MS. MUEHLSTEIN: Susan, based on the conversation we have, it is
my understanding that I will return and add some language to the
document, before we forward it, that says this is not an
exhaustive list, and this was simply a list that was provided by
the members of the panel at the time, and I think that will give
them the understanding that that’s not an exhaustive list and
that, if they are to use that list, it should be expanded
through their own means.

CHAIRMAN FRAZER: Susan.

MS. BOGGS: I only ask because it’s not reflected in the
minutes.

MR. DYSKOW: To go on, the staff reviewed --

CHAIRMAN FRAZER: Hold on, Mr. Dyskow. I just want to make sure
that we dispense with this motion, and I’m not sure that, as a
committee, we’re quite there yet. Again, just to summarize
here, the report will be delivered to NRDA, and it will help
inform any funding decision that they might make, and we’re not
dictating what that funding decision will look like. The names
in the report, there will be verbiage added to the report that
reflects that they are simply a sample, and are you okay with
that?

MS. BOGGS: Now that it’s on the record I am.

CHAIRMAN FRAZER: Then we’re on the same page. Is there any
further discussion of this motion? Seeing none, is there any
opposition to the motion? Seeing none, the motion carries. Mr.
Mr. Dyskow.

Mr. Dyskow: Thank you, Mr. Chair. To complete the report, the staff reviewed the draft Fishing for Our Future website, and the website strives to display the magnitude of discard mortality, and I’m assuming many of you have had a chance to get on the site and look at it, and I know Emily distributed it with some people.

Currently, the data only includes red snapper, gag, and greater amberjack, but we plan to expand it to other species. The webpage makes some best fishing practice recommendations and curates discard mortality related outreach materials, of which there are many, from agencies, many different agencies, across the region, the Gulf region, primarily, and the webpage also houses all of the research that has been conducted on release mortality in the Gulf.

The committee recommends, and I so move, to publish the Gulf Council’s, Fishing for Our Future website pages, and this motion was carried with no opposition by the committee, and I guess you want a Full Council vote on this as well. Does everybody know what we’re talking about there? Basically, the website that Emily demoed in our committee report, and I believe it was Tuesday, that’s what we’re talking about going live.

Chairman Frazer: Okay. Again, we have a committee motion on the board, and that motion is to publish the Gulf Council’s Fishing for our Future website pages. Is there any further discussion of the motion? Seeing none, is there any opposition to the motion? Seeing none, the motion carries. Mr. Dyskow.

Mr. Dyskow: Thank you. Finally, the staff explained that the Outreach and Education Committee could benefit from some direction on what it should do next in the future.

The technical committee made a motion directing the council to survey knowledgeable stakeholders to determine their recommendation for the next best project or goal for the Outreach and Education Technical Committee, and that doesn’t mean that we’re done with what we’re currently doing, but we’re trying to look downstream as to what the next best project should be, and, Mr. Chair, this concludes the report.

Chairman Frazer: Thank you, Mr. Dyskow. Okay. If there is no other discussion related to this particular committee, we are going to move ahead, and we will tackle the Sustainable Fisheries Committee and Mr. Diaz.
SUSTAINABLE FISHERIES COMMITTEE REPORT

MR. DIAZ: Thank you, Mr. Chairman. This is the Sustainable Fisheries Committee Report. The committee adopted the agenda and approved the minutes of the August 2019 meeting.

Council staff reviewed the updated data in the document, which characterized the frequency of for-hire trips by headboat and charter vessels exceeding given trip durations in the Gulf. Public comments received on the document were summarized, and the Reef Fish Advisory Panel’s concurrence with the council’s current preferred alternative was noted.

The framework action, if implemented, would result in different multiday possession limit regulations between Gulf and South Atlantic Council jurisdictions, creating the need for additional regulatory compliance awareness for vessels conducting multiday trips in both jurisdictions.

Law enforcement representatives at the Law Enforcement Technical Committee expressed concern about enforcing a multiday possession limit based on hours fished, as opposed to calendar days. Law enforcement was also concerned about weather and other circumstances that could bring a vessel in early.

Committee members noted that receipts detailing the duration of the for-hire trip are required to be carried by passengers at all times. A hail-out process for the for-hire fleet is expected in the future. To clarify when multiday trips are scheduled to begin and end, the committee recommended requiring that the departure and arrival times for these trips be printed on the receipts required to be carried by passengers. The revised codified text is available.

The committee recommends, and I so move, to approve the Framework Action to Modify Federal For-hire Trip Limits and that it be forwarded to the Secretary of Commerce for review and implementation and deem the codified text as necessary and appropriate, giving staff editorial license to make the necessary changes in the document. The Council Chair is given the authority to deem any changes to the codified text as necessary and appropriate. The motion carried with no opposition, Mr. Chair.

CHAIRMAN FRAZER: Okay. We are going to let this motion get up on the board, and I want to remind people that it’s a final action item, and so is there any further discussion of this
motion? Dr. Stunz.

DR. STUNZ: I think, in the end here, I’m going to support the motion, a little bit reluctantly, not because I don’t support the intent of the motion, but I think some of the unintended consequences this opens up -- I just want to get a couple of things on the record.

I mean, I think the intent here is correct and where we want to go and that kind of thing, but, even in public testimony, just today, I think you heard some of the unintended things. I mean, I think this is such a small number of trips, and it’s relatively benign that we saw, and so there’s not really a problem there, and we heard from enforcement, especially from our Texas wardens today, talking about some of the issues with enforcement and the day versus the actual time clock thing, and so that concerns me a little bit.

The whole idea that we went to this thirty-hour thing because that curbed exactly what we just heard about, that, okay, I’m coming back at one minute after the twenty-four-hour clock, to be able to catch my two fish, and I hope that’s not the trend of what we’re seeing, and I certainly wouldn’t support others coming back for a forty-eight or seventy-two kind of thing or other groups that would like to do this kind of thing that maybe don’t have extra captains, that ability, and all the stuff we’ve been talking about.

I guess all that comes down to I’m still going to support this, but I think, just like the discussion we have on the other things, we need to keep a very close eye on it, and I would really appreciate enforcement reporting back on how this is going in the first years, but keep a close eye on it. We talked about keeping a close eye on the recreational EFPs and all that kind of stuff, and this is just something else that I see there is a lot of loopholes and things down the line that we might regret, but, with all that said, I’m going to move forward with it, and I just wanted to get it on the record.

CHAIRMAN FRAZER: Ms. Levy.

MS. LEVY: Thank you. I just wanted to note that the updated codified -- We did changing you had to have a receipt that verifies, quote, “the length of the trip” to “verifies the date and time of departure of the trip”. We didn’t put the end time in there, because, once you know the time they left, you know when thirty hours has passed and when it would be legal for them to come back, and so I know you talked about that in committee,
and so I just wanted to point that out. If anyone has super
strong feelings about requiring the end time on the receipt, let
me know, but it seemed like it wasn’t a necessary thing to
actually have in the regulations.

CHAIRMAN FRAZER: We’ve got the codified text on the board, and
if we can point out where that change actually was made.

MS. LEVY: It’s like towards the bottom, and it’s highlighted
pink, where it says, “verifies the date and time of departure of
the trip”.

CHAIRMAN FRAZER: Right, and so I will just read that for
everybody here. The vessel that verifies the date and time of
departure of the trip, and the entire trip occurs on days when
the harvest and possession of the applicable reef fish species
are allowed.

MS. LEVY: Yes, and that was already in there, that last part
you read.

CHAIRMAN FRAZER: Sure, but just for context. Is everybody okay
with that language? Mr. Anson.

MR. ANSON: Well, I may or may not, and I don’t know. I guess
if you just have the date and time of the departure of the trip,
that may be a twenty-four-hour trip, and it may be a thirty-hour
trip. I mean, the regulations states that it must be thirty
hours, but there is not anything that the officers would be
aware of that would indicate that it would be thirty hours or
more, and so, I mean, I understand that it’s intuitive that it
must be thirty hours or more, and so you don’t need to put the
date and time of the end of the trip, but I think it would be
important to add that, to make sure it’s clear to the boarding
officers that that’s in fact the case.

Then I am just looking at the rest of the paragraph there, or at
least the middle part, a couple of sentences up there, a couple
of lines up, where it says the vessel has two licensed operators
aboard, and so, going back to that issue of not really having to
lay out all of the regulations that are required, particularly
those from other agencies, like the Coast Guard, that they would
need to fulfill, and is this two licensed operators -- Is that
something that comes from us, or is that something that comes
from the Coast Guard, because, again, we’ve had that discussion
about which is -- They need to know if it’s another agency’s
regulations and we don’t necessarily need to be advertising
that, or telling them that.
CHAIRMAN FRAZER: Ms. Levy.

MS. LEVY: It may come from the Coast Guard regulations, but it’s been in the possession limit regulations, and I think it’s a way to also help verify that they intend the trip to be more than twenty-four hours. We can add date and time of departure and return of the trip, and this is one section, and there’s another section for CMP, and it just has the same language, and so we would just do the same thing there.

CHAIRMAN FRAZER: Mr. Anson, are you okay with some liberties there?

MR. ANSON: I am. Thank you.

CHAIRMAN FRAZER: Mr. Williamson.

MR. WILLIAMSON: I would like to echo what Mr. Stunz had to say, and I think that probably there’s a good chance that we will see additional requests for variations of what, as you see here, is a daily bag limit, and they didn’t put that term in there by happenstance, and I think we’re putting an extraordinary burden on our law enforcement officers that we tend to rely on, and so, like we pointed out, it may be de minimis now, but, in a couple of sessions, we may be flooded with additional requests to vary this and vary that, and I am thinking of maybe I can shoot my two bags on pintails, one this year and one next year, since I only have one per season, and so anyway -- I am being facetious.

CHAIRMAN FRAZER: And I know you are. Dr. Crabtree.

DR. CRABTREE: Well, bear in mind that this provision was put in the regulations in Amendment 1 in 1990, and, to the best of my knowledge, this is the first time we have ever changed it, and so I don’t know that we’re going to get inundated by requests to do this, and that certainly hasn’t been the pattern in the past, and enforcement has dealt with this provision since then, and I don’t think the way we’re modifying it really makes it any more onerous than it’s been in the past.

CHAIRMAN FRAZER: Okay. Is there any further discussion? I certainly appreciate the concerns and the issues, potential issues, that were raised, but we will go ahead and make the suggested changes to the codified text, and, given that liberty to do so, is there any opposition to this motion? It’s a final action, and so we will do a roll call vote on this. Dr. Simmons.
EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. Mr. Schieble.

MR. SCHIEBLE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Shipp.

DR. SHIPP: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Guyas.

MS. GUYAS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Diaz.

MR. DIAZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Mickle.

DR. MICKLE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Swindell.

MR. SWINDELL: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dugas.

MR. DUGAS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Williamson.

MR. WILLIAMSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Anson.

MR. ANSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.

MR. SANCHEZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dyskow.

MR. DYSKOW: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Boggs.
MS. BOGGS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Stunz.

DR. STUNZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Crabtree.

DR. CRABTREE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Robinson.

MR. ROBINSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Bosarge.

MS. BOSARGE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Frazer.

CHAIRMAN FRAZER: Yes.

EXECUTIVE DIRECTOR SIMMONS: The motion carried unanimously.

CHAIRMAN FRAZER: Okay. Mr. Diaz.

MR. DIAZ: Draft Amendment Reef Fish 48/Red Drum 5: Status Determination Criteria and Optimum Yield for Reef Fish and Red Drum, council staff presented the revised actions and alternatives in the document.

The committee was satisfied with the range of alternatives for Actions 1 through 3, including maximum sustainable yield, maximum fishing mortality threshold, and minimum stock size threshold. Staff presented three different approaches to the action to define optimum yield for several reef fish stocks and red drum.

Ms. Levy indicated that OY definitions for goliath grouper and red drum should be considered separately from other reef fish species to accurately reflect the unique management strategies for goliath grouper and red drum. She also recommended presenting an alternative that would allow for calculating OY as a ratio of MSY and the overfishing limit.

Dr. Porch stated that setting OY as the long-term yield as a percentage of the FMSY proxy would require an extra projection step during the assessment process. He suggested that using a
scalar relating the MSY proxy to OY would be more efficient for defining OY.

Dr. Barbieri indicated that the SSC recommended a range of possible options for defining OY that were scientifically defensible. He also stated that social and economic information is required for defining OY, but these data are generally unknown. Therefore, explicitly defining OY would be more appropriate as a council decision rather than an SSC determination.

The committee requested that staff develop a public hearing draft of this document to be presented at the January 2020 council meeting with the revised OY alternatives for red drum and goliath grouper, along with an alternative using the ACL/OFL ratio multiplied by the MSY proxy for each stock. Staff will bring a draft public hearing document to the January 2020 council meeting for the committee review.

CHAIRMAN FRAZER: Ms. Levy.

MS. LEVY: Thank you. Just to note that the ACL-OFL ratio alternative -- It’s described at the end correctly, but I think, when it’s first described, up on the prior page, it says as a ratio of MSY to the overfishing limit, and I think it’s meant to say ACL to the overfishing limit, and so I would just take a look at that, to make sure that it’s accurately reflecting what we’re talking about.

MR. DIAZ: Thank you, Ms. Levy.

CHAIRMAN FRAZER: Go ahead.

MR. DIAZ: Council Research and Monitoring Priorities for 2020 through 2024, staff reviewed the council’s updated list of fisheries monitoring and research priorities, which have been reviewed and approved by the council’s SSC.

The committee asked about the recommendation to expand the SEAMAP video survey and whether the direction was to expand that survey off the West Florida Shelf. Staff replied that the SEAMAP video survey is one component of a combined video index of abundance used in stock assessments in the Gulf, and, by not specifying where and how to expand the survey, the recommendation avoids being too prescriptive. The committee also noted that data needs necessary for better defining optimum yield are found under research priorities with Priority Codes A and B.
The committee recommends, and I so move, to approve the Gulf Council’s Research and Monitoring Priorities for 2020 through 2024, as written. The motion carried with no opposition, MR. Chair.

CHAIRMAN FRAZER: Okay. We have a committee motion on the board. Is there any further discussion of this motion? Seeing none, is there any opposition to the motion? Seeing none, the motion carries. Mr. Diaz.

MR. DIAZ: Eye on the Gulf: An Electronic Monitoring Presentation on the Gulf of Mexico Reef Fish Fishery, Ms. Neidig of Mote Marine Laboratory gave a presentation on electronic monitoring. Ms. Neidig noted the importance of EM for the management of Gulf reef fish fisheries and discussed the objectives of the Center for Fisheries Electronic Monitoring at Mote.

The EM applications discussed included the documentation of shark bycatch and incidental marine mammal encounters. Ms. Neidig summarized commercial fisheries data collection in pilot studies and discussed modeling efforts that are underway.

The committee members inquired about the length of time needed to process the data collected. Ms. Neidig indicated that the process is costly and time-consuming, but artificial intelligence is expected to offer alternatives to reduce costs and viewing times. In response to a question relative to information sharing, Ms. Neidig replied that information collected is shared with fishermen.

Presentation on Allocation Review Criteria, council staff gave a presentation on allocation review. The presentation provided the allocation review triggers selected by the council and discussed the review procedures and criteria considered by the Allocation Review Workgroup.

Procedures listed by the workgroup include council input, recommendations by the SSCs, and input from advisory panels. Criteria and variables suggested by the workgroup for possible inclusion in future allocation reviews included ABCs, ACLs, quota utilization rates, landings histories, discards, participation trends, and social indicators.

Committee members noted that allocation reviews could be lengthy and suggested that placing time limits may be needed. A committee member suggested that biomass distribution across the
Gulf could be considered as an additional criterion in allocation reviews. Dr. Barbieri noted that the SSC was supportive of a tiered allocation review approach and that data for some of the criteria discussed may not be available or may be challenging to compile.

Remaining items from the SSC Summary Report, Dr. Barbieri discussed an SSC review of the variability in yield projections from stock assessments. Typically, the yields in the first year or two following a stock assessment are higher than the previous landings, often regardless of stock status.

The SSC reviewed a presentation to this effect during its September 2019 meeting and, along with the Southeast Fisheries Science Center, will investigate the nuances of yield projections in the future.

Dr. Dan Holland provided a presentation to the SSC on technical guidance for implementing new provisions under National Standard 1, specifically carryover and phase-in in council ABC control rules. Councils are not required to incorporate these provisions in their control rules. However, if they choose to do so, the technical guidance is designed to assist with that incorporation. Comments are expected back to the responsible NOAA working groups prior to the end of the year. The SSC will be convening the ABC Control Rule Working Group via webinar in the near future to evaluate improvements to the council’s current control rule.

Committee Discussion on Allocation Issues, Dr. Frazer noted that this installment of the ongoing discussion on allocation would be used to introduce discussions on the red grouper stock assessment, SEDAR 61. Potential impacts of recreational data recalibration on the red grouper sector allocations will be considered during SEDAR 61 discussions. Mr. Chair, this concludes my report.

CHAIRMAN FRAZER: Thank you, Mr. Diaz. Before we leave this committee, is there any further discussion? Does anyone want to bring anything up? Okay. Then we’re going to move forward, and we have six minutes, and so I’m going to squeak every minute out. Thank you, Leann. Dr. Crabtree.

DR. CRABTREE: I can tell you something new in Permits in three minutes that they have asked me to relate to you, if you would like.

CHAIRMAN FRAZER: Please do.
DR. CRABTREE: All right. We have implemented a new process in the Permits Office to handle transfer applications. Historically, transfer applications have been grouped in with other vessel application request types and then processed in the order they were received. Depending on the time of year, this meant the application could sit idle on the shelf for eight to eighteen days before the review processed commenced.

The Permits Office recognizes that permits that are waiting to be transferred from one vessel to another are not valid until the transferred permits are approved and mailed and in the possession of the permit holder, and so they have created a new workflow process that prioritizes the review of transfer applications within a day of receiving it, and the new workflow should significantly reduce the time it takes to transfer permits and get fishermen back on the water sooner.

CHAIRMAN FRAZER: That’s excellent news, Roy. All right. I am looking here at the couple of supporting agencies updates, and I think we’ve heard all of them. We’ve talked with Dave Donaldson, and we don’t have anything from the Gulf States Marine Fisheries Commission at this particular meeting, and OLE, similarly, is not going to provide an update this time, but I will give the South Atlantic Council liaison an opportunity. Chris.

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL LIAISON REPORT

MR. CONKLIN: Sure, and I will make this quick, unless you guys really want to sit around here forever. The South Atlantic Council met on September 16 through 20 in Charleston, South Carolina. Some things of interest to your council are Ryan Rindone gave us a presentation on the federal for-hire trip limits, which you guys just approved for secretarial review. As I told you earlier in the week, we are not going to pursue anything similar to that until we pick up another amendment, and we want to give our fishermen time to put their two-cents in.

At our meeting, we also approved an amendment, Regulatory Amendment 29, and it’s to require descending devices onboard commercial, private, and for-hire vessels that are fishing or possessing species in our Snapper Grouper Fishery Management Unit, and we had a lot of issues with coming up with a definition of a descending device, since we didn’t approve just one name brand, and, if you want me to give you the definition, I can, or we can talk about it later.
We also approved an amendment, a couple of years ago, for the for-hire recreational reporting, and that is still sitting in Headquarters being reviewed, and probably waiting on some funding too, and, other than that, John Carmichael is our new Executive Director, and that will take effect on December 13 at 5:01 p.m., and that’s immediately following Gregg’s retirement, but we look forward to working with John, and I hope that he’s easy to work with for you guys as well. If not, then just let me know. Thanks a lot.

CHAIRMAN FRAZER: Extend our congratulations to Mr. Carmichael, and thank you, Chris, for that update. Are there any questions for Chris?

MR. CONKLIN: I have one more thing. The Florida Keys National Marine Sanctuary, we haven’t seen anything on it yet. Our APs are getting some presentations, similar to what you guys have, and we’re going to see that in December, and, Mr. Chairman, that concludes my report.

CHAIRMAN FRAZER: Thank you for being here. All right. We are at 5:29, and so that’s as hard as I can crack the whip, Leann. You guys have a wonderful evening. We will meet at 8:30 in the morning tomorrow.

Whereupon, the meeting recessed on October 23, 2019.

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October 24, 2019

THURSDAY MORNING SESSION

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The Full Council of the Gulf of Mexico Fishery Management Council reconvened at the Tremont House, Galveston, Texas, Thursday morning, October 24, 2019, and was called to order by Chairman Tom Frazer.

CHAIRMAN FRAZER: We have six committee reports and one Other Business item to take care of today. Excuse me. We have two Other Business items, and so we will work through the committee reports first, and first on the list is the Administrative and Budget Committee and Mr. Dyskow.

COMMITTEE REPORTS (CONTINUED)

ADMINISTRATIVE/BUDGET COMMITTEE REPORT
MR. DYSKOW: Thank you, Chairman Frazer. The Administrative and Budget Committee adopted the agenda and approved the minutes as written regarding the carryover minutes from the August 2019 meeting.

Staff reviewed the updated year-end projection, and that’s the budget projection, noting that the anticipated unexpended funds of $316,062 are still an estimate. The exact figure of unexpended funds will not be known until all activities for this year are completed.

Staff also reviewed several of the proposed carryover activities, including potential contracts for the development of the commercial Fish Rule app, updates to the website, and the conversion of documents to a 508-compliant format. The committee passed a motion to approve the carryover budget. However, staff is requesting the council consider the following motion, which addresses a spending plan request instead of an actual budget request.

The committee recommends, and I so move, to instruct staff to proceed with the spending plan request as it relates to the carryover funds.

CHAIRMAN FRAZER: Okay, and so that’s actually an amended motion, right, a suggested amendment to the motion before that reads: The committee recommends, and I so move, to approve the carryover budget, as stated. Any discussion on this?

MR. DYSKOW: The modification, just so everybody knows, is simply changing the word “budget” and insert the words “spending plan”.

CHAIRMAN FRAZER: Ms. Bosarge.

MS. BOSARGE: Would you like me to make that substitute motion? Is that how you want it to play out?

MR. DYSKOW: I will defer to the Chairman on how he wants to handle that.

CHAIRMAN FRAZER: Sure. I think that would be good to put on the record as a substitute.

MR. DYSKOW: Leann is moving to adopt the substitute motion, as it is being printed on the screen, and do we have a second? We have a second, and now we’ll open it up to discussion, if anyone
has any questions. Dr. Frazer.

CHAIRMAN FRAZER: I just want to make sure that there’s no opposition to the motion, the substitute motion. Seeing none, the motion carries. Mr. Dyskow.

MR. DYSKOW: Thank you. The staff provided a review of nine proposed research projects. The projects selected -- These potential projects, by the way, would be funded by these carryover dollars. The projects selected by the council will be funded with the unexpended 2014 to 2019 administrative award funds and included in the carryover request submitted to NOAA.

Since a final carryover amount is not yet known, the committee was asked to rank the projects in order of preference for funding. After some discussion, the committee determined that it would be most expedient for staff to create a Google survey, which would allow all council members to rank the projects and provide a record of their preferences.

As per the direction of General Counsel, any council member that might be directly involved in one of the projects will recuse themselves from the discussions and vote. A council member requested to add a project to assess Kemp’s ridley sea turtles.

A committee member responded that Dr. Benny Gallaway would provide a summary of the project in a similar format to that of the other projects, and that would be presented to -- That would be presented on the Google poll, I guess. It would be sent out as appended meeting materials, so the project can be included in the ranking survey. The prioritized project list will then be sent on to the Full Council.

In the event we need to review contracts for carryover funds in the future, staff was requested to categorize the projects under some criteria and indicate how they relate to the council activities. Mr. Chair, this concludes the report.

CHAIRMAN FRAZER: Okay. Thank you, Mr. Dyskow, and so we have that list of prioritized projects on the screen for people to view, and I will let Dr. Simmons kind of discuss how we got to this point.

EXECUTIVE DIRECTOR SIMMONS: We sent out the doodle poll, and we included Dr. Benny Gallaway’s proposal, and so we now have ten proposed contracts, and this was the council’s rankings, and it was just the voting council members, and it excluded Dr. Greg Stunz.
CHAIRMAN FRAZER: Okay, and so one of the things that we did in this committee was to approve the spending plan, and, as part of that spending plan, we’re going to be able to fund a number of projects, but, depending on the budget of those projects, there’s going to need to be some discretion, but we needed to take care of them in a fairly quick order, but, given the available dollars that we have, we would try to accommodate those projects in priority order, and so I will open the floor for discussion about the rankings. Dr. Mickle.

DR. MICKLE: Just real quick, Dr. Simmons, what was the universe size? Was it sixteen, because of the sixteen voting?

EXECUTIVE DIRECTOR SIMMONS: Correct.

CHAIRMAN FRAZER: Ms. Guyas.

MS. GUYAS: Just a question. I assume that, once these are funded, we’ll know which ones and maybe, after the projects are complete, get a report-out from those projects.

CHAIRMAN FRAZER: Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. Yes, that’s correct. That is our plan, and so, probably early in 2021, we would ask them to give a presentation, or at least definitely provide a report, and hopefully give a presentation, at some point in 2021.

CHAIRMAN FRAZER: Okay. Is there any further discussion about these particular projects? Ms. Bosarge and then J.D.

MS. BOSARGE: More of a logistical thing. I know, if we do a contract over I think it’s over $100,000, or over $99,999, there’s a different process for that, and I forget exactly what it was, and it may be that it has to go out for proposal and have people submit something and then see which is the best.

Now, in this kind of world, I realize it’s very specialized, and you’re going to have one or two scientists that may be in that arena that would want to do that work, but, you know, if we end up -- Some of the PIs, you call them, and I could see their name repeating on some of the things, and so I think, if you end up picking some of these that uses the same PI, and that ends up being over $100,000, we may want to think about at least putting it out for proposal, and I think it will end up the same result, but that may be the more prudent way to do it.
CHAIRMAN FRAZER: Sure, and I guess I appreciate that concern, and what we’ll do is make sure that we consult with the appropriate people to make sure that we’re doing everything appropriately moving forward and we don’t get into a situation where we have exceeded that $100,000 and getting into a problem. Thanks, Leann. J.D.

MR. DUGAS: Why were there no universities from Louisiana involved?

CHAIRMAN FRAZER: Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. Like I said, we did this in short order, and these were the projects that we came up with, and so I apologize if we excluded Louisiana.

CHAIRMAN FRAZER: Okay. Are there any further discussions regarding this project list? Okay. Any further discussion with regard to the Administrative and Budget in general? Mr. Swindell.

MR. SWINDELL: The total amount of funds that’s available is how much? What is the funds?

CHAIRMAN FRAZER: Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. The projected amount is three-hundred-and-sixteen-plus-thousand, but, again, we have to, on the other projects, carryover projects, that I discussed during the committee, such as the website and other things, we have to get those contracts finalized, and so that number may fluctuate.

If I also may add that one thing we did at the end of our 2014 award, if we just had a couple of thousand dollars left, we anticipated having that left, if it was not enough to fund another project, is we did provide some funding to MREP, and I don’t have that exact number in front of me, but I think it was around $20,000, and so I did want to bring that up with the council, and that’s something we have done in the past, and, if anyone has any concerns with that, please let me know and bring that up now, because, if there’s a limited amount, or we can’t fund like a sixth project, that is something we’ve done in the past.

CHAIRMAN FRAZER: Mr. Swindell.
MR. SWINDELL: I added up the first four, and they add up to $327,500, which means that the other six are not going to have consideration for funding.

CHAIRMAN FRAZER: Dr. Simmons.

DR. SIMMONS: Just please keep in mind that this is not a final number. Like I mentioned, we have to still develop our contracts with the website individual, which we may go with an $85,000 contractor versus the $95,000 contractor, and so we still have a lot of things in flux, and we have several meetings in November that we haven’t closed out yet, and so this is just a projection of what we think we’re going to have at the end of this year, and so, please, this number is still fluid.

CHAIRMAN FRAZER: That is important, I guess, when we talk about approving a spend plan, and so we need some discretion here. Okay, Dr. Porch.

DR. PORCH: Just, in case you find it relevant, next year, there will be a multimillion-dollar RFP for greater amberjack coming through Sea Grant.

CHAIRMAN FRAZER: Yes, and do you have any specifics of what they’re targeting?

DR. PORCH: It will be an RFP similar to the one that went out for the Great Red Snapper Count.

CHAIRMAN FRAZER: So is that a national Sea Grant program, or is that a Florida Sea Grant program?

DR. PORCH: I think it will actually be through Alabama and Mississippi Sea Grant, like the red snapper RFP was.

CHAIRMAN FRAZER: Do you know if it would be possible to get any preliminary look at that, because that may have some bearing, of course, on what we do here.

DR. PORCH: It depends on how soon you need it. I mean, it’s still -- We haven’t moved the money over there yet, because of some constraints they have with their end-of-year, but arrangements should happen pretty soon, this fiscal year.

CHAIRMAN FRAZER: Okay, Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. Do you know when that is supposed to be started and completed? Is it a two-
year project or a three-year project, or is it just annual?

DR. PORCH: Well, that hasn’t been determined yet, because it hasn’t been awarded, and so it really depends on what competing projects. I mean, it could be that several projects that get funded, and it could be the consortium comes in with a project that we can’t resist, but the terms of reference haven’t been fully developed yet.

GULF SEDAR COMMITTEE REPORT

CHAIRMAN FRAZER: Okay, and so I think what we can do is explore that with the Sea Grant leadership and see if we can get some preliminary kind of inclination of where they’re going, and that may in fact determine what we do here. Thanks, Clay. Is there any further discussion? Seeing none, we will move to our next committee report, and we’re actually going to go to the SEDAR Committee.

The SEDAR Committee report, the committee adopted the agenda as presented and approved the minutes of the August 2019 meeting as written.

Review of Gulf Stocks Suitable for Interim Analyses, Dr. Clay Porch provided a presentation on the interim analysis process. Full stock assessments can be a couple years out of date by the time the data are processed, whereas interim analyses, which are forecasts based on the most recent assessment, can be conducted annually, using the previous year’s data.

An interim analysis relies on the previously-accepted stock assessment for that species, an updated index of abundance or other data and provides an updated acceptable biological catch. An ABC from a reference year is adjusted by the ratio of the observed index value and the index value from a reference year to generate the new ABC. The use of a buffer and accounting for the uncertainty of the index can help smooth out annual variation in the index and improve catch forecasting.

Based on data availability, interim analyses could be conducted for red snapper, red grouper, vermilion snapper, gray snapper, gag, scamp, yellowedge grouper, and greater amberjack. Other species, like gray triggerfish, king mackerel, and yellowtail snapper will need to be assessed before an interim analysis is attempted.

A committee member asked about the approach when two or more surveys exist for a species. Dr. Porch replied that two surveys
can be combined and weighted appropriately. However, consideration would need to be given to the time required to process the data from each index. Also, each index would need to be spatially representative of where the fish occur and where the fishery for that species is prosecuted.

Summary of August 2019 SEDAR Steering Committee Webinar: NOAA’s Recommended Use of the Current Gulf of Mexico Surveys of Marine Recreational Fishing in Stock Assessments, the Marine Recreational Information Program, MRIP, has undergone substantial modifications from the previous program.

Also, the Gulf states have developed either supplemental, such as, in Florida, the Gulf Reef Fish Survey; in Alabama, Snapper Check; in Mississippi, Tails ‘n Scales; or standalone, such as, in Louisiana, LA Creel; in Texas, the Texas Parks and Wildlife Division’s Sport Angling Survey, which are surveys, which contribute catch advice for some or all surveys.

These surveys have been certified by MRIP, which simply means that the survey design is statistically sound manner. Certification is not an indication of the accuracy or precision of the estimates coming from those surveys. Because the state surveys are not yet calibrated back in time, the National Marine Fisheries Service’s current position is to move forward with stock assessments using MRIP until the state calibrations are available.

The SEDAR Steering Committee accepted the use of the new MRIP methodologies, but encouraged continued and timely development of the requisite calibrations for each of the states during its September 2019 webinar.

Dr. Luiz Barbieri reviewed the council’s Scientific and Statistical Committee’s position on the evolution of the recreational data collection programs. The SSC recognizes the exclusive use of MRIP as an interim measure until the state surveys can be more readily integrated. Ultimately, the SSC recommended an in-person workshop to address the Fishing Effort Survey calibrated MRIP data and conversions and their calibration with state data collection programs, as they relate to the inclusion of the state surveys into future stock assessments. Ms. Bosarge.

MS. BOSARGE: The SSC actually made a motion on that, and I would like to mimic that motion with a slight change. I would like to make a motion, please, sir, for council staff to facilitate an in-person workshop to address MRIP and FES data.
stream conversions and their calibration with state survey data collections as they relate to inclusion in future stock assessments. Just for the record, the only thing I changed from the SSC motion was that council staff would facilitate it.

CHAIRMAN FRAZER: Thank you. Is there a second to that motion? Second by Dr. Mickle.

DR. MICKLE: I am seconding the motion, but, for clarification, I think FES is part of MRIP. It is MRIP, but it’s just the new conversion of MRIP, and so help me out, Roy. Should that be worded as APAIS and FES?

CHAIRMAN FRAZER: Dr. Crabtree.

DR. CRABTREE: Yes, FES is part of the MRIP program.

CHAIRMAN FRAZER: So, Leann, based on those comments, would you like to modify the language?

MS. BOSARGE: Sure, and so, on the MRIP, put a dash and then put “APAIS”. Then put “and”, and then put “MRIP-FES”, and is that how it goes?

CHAIRMAN FRAZER: Ms. Guyas.

MS. GUYAS: We are not converting from MRIP APAIS to MRIP FES. It’s the Coastal Household Telephone Survey to FES. I am just putting that out there. APAIS is the in-person survey, and FES is the mail survey. The effort survey has changed from the telephone to mail, and I think that’s --

MS. BOSARGE: Great. That must be why the SSC just said MRIP.

CHAIRMAN FRAZER: Mr. Williamson.

MR. WILLIAMSON: Just for clarification purposes, and I’m sure everyone understands the intent of this, but, if I recall correctly, when Luiz gave his presentation, he was pretty adamant that all the states and the folks who developed the FES survey be participants together in this in-person meeting, and so I would just offer that the in-person between yada-yada probably needs to be added to that.

CHAIRMAN FRAZER: Ms. Bosarge.

MS. BOSARGE: If you don’t mind, I wouldn’t add that, but, yes, that is most definitely the intent, and that’s why it says “with
state survey data collections”, but I don’t want to dictate
exactly who is supposed to come, because you’re going to need
some Science Center people there, and probably some MRIP FES
type people there, and all your states, and, if you’re worried
that I didn’t mean Texas, I do mean Texas. I mean all the
states.

CHAIRMAN FRAZER: Mr. Anson and then Mr. Diaz.

MR. ANSON: It’s kind of a question I had as well, and two
things, I guess, that I had regarding this motion. Who is going
to be included, as far as the workshop, and then -- Which would
also include, potentially, the consultants that the MRIP folks
have been using as we’ve gone along this process, from the
beginnings of the state surveys, as they have gone through the
certification process and such, but will this supersede the
timeline that the MRIP folks have been talking about discussing?
We’ve got a little bit of a summary as to that timeline from Dr.
Cody, and, if that’s the case, there ought to be, certainly,
some good communication with them, and those are my comments.

CHAIRMAN FRAZER: To that point, Roy, and then we’ll get to
Dale.

DR. CRABTREE: My suggestion to you would be to give a lot of
flexibility, and my suggestion to you would be that maybe Tom
and Carrie and Clay and myself and Dave and some MRIP folks talk
about where we are with this and how we might do this, because I
think a lot of this is already in the works with the MRIP
people, and I don’t want to see us get all confused with it, and
so I think the MRIP folks are already working with the
consultants and trying to pull a lot of the preliminary work
that would be done and try to look at how these calibrations
might work, and it seems to me that, when we have a meeting like
this, we’re going to need to look at here are the options, here
is the potential ways to do it, and here’s the things that
should be consistent across all of them, and then here’s things
that might be specific to how a certain survey works and those
kinds of things.

I don’t think we want to have a workshop where people just come
in cold and nothing has been done in advance. I think we need
to come in with a lot of preparatory work, and so I think,
before we start actually setting up a workshop, there needs to
be a lot of discussion about who really should facilitate it and
who is going to do it and who -- All the details of it, that I
think we need a lot of technical people involved with and what
they have already done.
CHAIRMAN FRAZER: Ms. Bosarge.

MS. BOSARGE: I agree completely, and that’s why I put for staff to facilitate it, and I actually talked to staff a little bit about my motion, to make sure that I got it right before I did this, and that was the discussion, that, yes, there will have to be a game plan that’s created and make sure we ask people to bring the right things in, and something that’s reasonable for them to bring in, but, if you don’t start trying to plan the meeting, you will never ask the people to get it ready, and you will never get there.

The way I see it, we have to have some calibrations pretty soon, and we’ve got the amberjack assessment that starts in January. When that starts, we have twelve months before we get the results, and this meeting probably won’t happen until January, and so we have twelve months to at least get a calibration for amberjack and for FES to LA Creel, or we’re going to end up in a situation where we have a new assessment coming out and a quota with FES and landings that are not in the currency, and, as Clay stated, you need them both the same, and you’ve got for it to balance out and offset, and so I want to get this ball rolling.

CHAIRMAN FRAZER: Mr. Anson.

MR. ANSON: Leann, I appreciate your interest and desire to get this ball rolling, and certainly I have had some concerns that have been growing here as of late on the timing and the speed to which this process is occurring, and so I would be more than happy to expedite that process, but it is a process, and there is lots of moving parts, as far as individuals with knowledge and expertise that need to be aligned to make sure that we get everybody at the table at the right time.

Another comment or question I have to Dr. Simmons would be would this be included in the budget, or the impact then, the amount of funds that could be available to those other projects, or those from the previous year, and so that’s not going to be impacted, but certainly how does your budget look to add this, because it will be a lot of folks that we would need to bring to the table.

CHAIRMAN FRAZER: Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. The previous projects we just discussed would be from our previous five-year grant, and so, as always, we’ll bring the council the first year
of our new five-year grant cycle, which starts in 2020, with proposed activities and a budget, and hopefully we’ll have a number, but, typically, it’s based on what we received the previous year, and so this would have to be worked into those activities and estimated for the number of individuals and travel and all those types of things. I think, if I may, Dr. Froeschke had a suggestion, perhaps, and is that okay?

CHAIRMAN FRAZER: Sure. Dr. Froeschke.

DR. JOHN FROESCHKE: We were just talking, and perhaps we could consult with Richard Cody from MRIP and figure out what their meeting plans are and the upcoming dates and bring a summary back to the next meeting of those, and we could see what gaps and things there are that perhaps could be filled by this meeting.

CHAIRMAN FRAZER: Mr. Diaz.

MR. DIAZ: I think this has kind of been dancing around, but I believe that Mr. Donaldson said earlier in the meeting that they had already intended to try to help coordinate some of this, and I do think Gulf States at least should be an integral part in it, because they do have some committees that could maybe help look at some of these issues, also. Thank you.

CHAIRMAN FRAZER: Dr. Porch.

DR. PORCH: I just wanted to remind the council that Dr. Cody had said that they should have conversions available by the spring, and I think he even said March of 2020, and then I just wanted to point out that, the way the motion is written now, it’s very broad, and it’s basically -- It’s almost saying review everything that’s been done, and is that the intent, or do you want to focus on the state conversions, because, if you’re focused on the MRIP CHTS to FES conversions back in time, I mean, that’s already been reviewed and released, and you could chew up the whole time just rehashing all of that.

CHAIRMAN FRAZER: Leann.

MS. BOSARGE: Well, the way I read it is you take those data streams that have already been converted, and so those data stream conversions, and you’re looking at their calibration with state survey data collections, and so that’s the way I read that, but, with some states, you may not be able to go straight to FES. You may have to go -- Like, with Louisiana, you have, I think, one year of the MRIP CHTS overlapped with LA Creel, and
so we didn’t want to get too specific. We just wanted to say that you’ve got those data streams, and you’ve got state surveys, and we’ve got to figure out how to mesh them up.

I don’t want to get too prescriptive in the motion. The motion is just for staff to start facilitating this. I don’t think that I have the expertise to say exactly what these people should be looking at in this meeting. I want to leave it open, and I would like staff to start those conversations, and then they can hone-in on what’s the appropriate path forward.

CHAIRMAN FRAZER: All right, and so I’m thinking about a couple of things. I mean, there’s a lot going on at this time, and so we’ve got a group already, Richard Cody’s group, who plans to bring some calibrations to light in the spring, March of 2020 or April of 2020. Dave’s group, Gulf States Marine Fisheries Commission, is facilitating some interaction to help with that process prior to that, and is that true?

MR. DONALDSON: Well, I mean, it’s all kind of interrelated. We’re not doing a -- It’s not actually a separate activity. It’s all part of this calibration and facilitating getting the states together to talk about it, but, yes, we’re involved in that.

CHAIRMAN FRAZER: So my concern is that we’re going to have a lot of cooks in this kitchen, and I just want to make sure -- I think we want to facilitate the process moving forward, but we don’t want to complicate the process, and so I’m thinking about what the best way to do this is, timely, and so what Roy might have been suggesting, and I guess he has his hand up. Go ahead, Roy.

DR. CRABTREE: Well, yes. I am right with you, and perhaps there is a need for the council to organize some in-person workshop, but I am not certain that that’s the case, and so that’s my suggestion, that we just -- To me, to facilitate is to have the council get the ball rolling and get all these folks on the horn talking, and then let’s figure out what needs to be done to get us where we want to be and what the council could do to make that happen better. If that’s an in-person workshop, then great, but, if there’s already something else planned to do it, then fine, and we just want to get to the endpoint.

CHAIRMAN FRAZER: So there’s an intermediate step then in this process, the way that the motion is written, and so I’m trying to figure out where we want to go with this motion at this point.
MS. BOSARGE: I mean, I can try and adapt it, if you want me to, but, essentially, I like what Roy said, to have staff start to facilitate. If there’s already a workshop, or there’s already a meeting planned, that fits the timelines that we are under, then that’s fine. Council staff would not have to develop another workshop, and that’s just fine, but to get the ball rolling and get the conversation started.

CHAIRMAN FRAZER: Mr. Anson.

MR. ANSON: Basically just kind of instruct staff to get together with the players involved and then come back to the January meeting with some more concrete information as to that timeline, and then, yes, where we would fit in, and maybe talk about the budget stuff and all that stuff at the January meeting.

CHAIRMAN FRAZER: Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. Just so I am clear again also, this would be -- I think we’re on the right path here, and I think we can do that, hopefully by January, but this would be to achieve Option 1b in the NOAA white paper, correct, to move in that direction, to determine if the MRIP staff need an in-person workshop and if we can help facilitate that and move Option 1b in the right direction, correct?

CHAIRMAN FRAZER: Mr. Anson.

MR. ANSON: Yes, and maybe a little bit more specific to that, to provide more information as to find out if they need the help, but also find out the timing of the workshop, and that would be helpful, I think, just for the general public to understand the process and give another opportunity to educate folks on the timeline for that process, but then what they -- Who they were planning to invite to that and the expectation outcome relative to 1b, yes, to make sure it did address Option 1b in the white paper.

CHAIRMAN FRAZER: Ms. Guyas.

MS. GUYAS: I just wanted to, I guess, come back to the reason why the SSC made this similar request, because some of this may be happening, but it’s very piecemeal and disconnected, and so the thought was to kind of get everybody to the table, and so, if you guys figure out that some of this is happening, but it’s not coordinated across everybody, then I think, yes, we would
still want to do this, and so I’m just kind of reminding everybody why we’re having this conversation in the first place.

CHAIRMAN FRAZER: Sure, and so what I was concerned about is that we’re committing to a workshop that might already be organized in another venue, and so, Leann, do you want to add a word to that?

MS. BOSARGE: After “facilitate”, put “the possibility of”. Now you’re not held to the fire.

CHAIRMAN FRAZER: Dr. Mickle, are you good with that change? Okay. I think that captures the intent. Is there any further discussion on this motion? Is there any opposition to the motion? Seeing none, the motion carries.

We will get back to the committee report. Sorry, Dr. Porch. I didn’t see your hand.

DR. PORCH: Sorry. I should have raised it earlier, but just one point, technical point, but Richard will chastise me if I don’t bring it up. Where it says the surveys have been certified by MRIP, which simply means that the survey is being conducted in a statistically-sound manner, that’s actually not correct. They are not saying they are being conducted in a sound manner, but they are just saying the statistical design is -- The survey design is statistically sound, if key assumptions are met, and so it’s even simpler than that, but they are not evaluating whether it’s being conducted in a sound manner. I can send you that language, if it helps.

CHAIRMAN FRAZER: Yes. Absolutely. If you send that language, we will modify the committee report accordingly. Thank you, Clay.

DR. PORCH: Thank you.

CHAIRMAN FRAZER: All right. We will continue on. The committee’s expectation is that the calibrations developed in 2020 will be available for use in 2021. A committee member asked whether a calibration for a state survey was necessary, especially if the state’s survey was certified as statistically sound and was producing timely and reliable estimates of catch and effort.

Means exist to use a combined survey approach to use the data currently being collected by the states. However, it is also important to develop retrospective estimates of catch and effort.
for the years of data prior to a new survey’s implementation.
Integrating the surveys as they are is made somewhat more difficult, due to differences in how each state survey collects data. A committee member expressed concern about the magnitude of the differences between the state and MRIP surveys. Dr. Barbieri added that addressing this issue is a priority of the SSC’s proposed workshop.

Review of the Report to Congress Regarding Section 201 of the Modernizing Recreational Fisheries Management Act of 2018, Dr. Richard Cody gave an overview of the cooperative data collection requirements from the Modernizing Recreational Fisheries Management Act of 2018. The report to Congress discusses the types of data and analyses, inclusion of state and non-governmental sources of data, stock assessment process reviews, adherence and improvements to National Standard 2, and consideration of citizen science initiatives. NMFS has requested comments from the regional fishery management councils by the end of 2019.

Council staff have provided some recommendations, including clarifying that the state data collection surveys are not all presently incorporated into the stock assessment process in the Gulf. Further, a committee member noted that the report is not actually facilitating improved incorporation of data and analyses from state and non-governmental sources.

Also, it is uncommon that state surveys do not generate data which meet or exceed the requirements specified in this report to Congress. Lastly, the data used in the assessments should be representative of a species distribution in a region and be of sufficient temporal coverage to show contrast between years of data within that survey.

Summary of September 2019 SEDAR Steering Committee Webinar, Dr. Simmons reviewed the SEDAR scheduling efforts by the SEDAR Steering Committee during its September 2019 webinar. Dr. Porch added that struggles in coordinating data receipt from the many data providers for an assessment needs to be addressed and asked that the state representatives assist in considering solutions to this issue. The Gulf States Marine Fisheries Commission, acting as a hub for the Gulf states, could assist in the management of data acquisition efforts.

Review of Gulf of Mexico SEDAR Schedule, council staff reviewed the SEDAR assessment schedule for the Gulf species, adding that the SSC recommended adding Spanish mackerel and yellowedge grouper to the schedule, as these assessments are quite dated.
This concludes the report. Are there any further discussion items related to the SEDAR Committee? Okay. Seeing none, we will move on. Next on the list would be the Coral Management Committee Report. We will get that up on the board.

CORAL MANAGEMENT COMMITTEE REPORT

The committee adopted the agenda as provided and approved the minutes of the October 2018 meeting as written. Agenda Item IV: Coral Reef Conservation Program Update, council staff presented updates on products and services produced under the current NOAA Coral Reef Conservation Program grant, the 2017 to 2020 cycle.

The committee asked if staff was planning to disseminate information on the status of stony coral tissue loss disease, which is currently affecting shallow-water corals in the Florida Keys as well as other reefs in the Caribbean. Staff referenced the current efforts undertaken by the Florida state agencies, based on a presentation by Florida Wildlife Research Institute staff, at the most recent Joint Coral SSC, Coral AP, and Shrimp AP meeting, as well as the opportunity to receive additional status updates on the spread of the disease.

The committee inquired about the environmental variables that would be used to develop a model to predict the distribution of corals that might provide insight into the effects of climate change on corals. Staff provided a list of the variables and they can be found at the end of this report. The variables were sourced from publicly-available environmental databases. Source grid size ranged between 30 arc second to 0.25 degree and all variables were compiled into a uniform grid of five square kilometers covering the marine ecoregion area of the Gulf of Mexico.

Staff explained that the model mostly uses satellite-based environmental data, which limits their application to shallow-water corals. Other types of data would have to be used to develop a similar model focused on deep-sea corals. Staff explained also that some of the analyses are restricted, due to data sharing agreements with partnering agencies. Finally, it was noted that the variables employed in the models may change as staff finetunes the model and more information becomes available.

Agenda Item V: Flower Garden Banks National Marine Sanctuary Expansion Update, Mr. Schmahl gave an update on the Flower Garden Banks National Marine Sanctuary expansion. The current Flower Garden Banks National Marine Sanctuary covers fifty-six
square miles. The most recent Sanctuary Advisory Committee recommendation would result in an expansion to 160 square miles.

Regulations within the areas designated as no activity zones include the prohibition of anchoring by any kind of vessel. The use of conventional hook and line and bandit rigs is allowed. The objective of the regulations in place is to protect bottom communities from physical disturbances. The proposal is currently under interagency review, and a proposed rule is expected to be announced soon.

The committee suggested that language related to transit regulations within the NAZs be clarified, specifically those regulations related to fishing gear on a vessel. A similar recommendation was made at the most recent Joint Coral SSC, Coral AP, and Shrimp AP meeting. A letter with this recommendation will be submitted to the Flower Garden Banks National Marine Sanctuary.

Agenda Item VI: Status of Coral Amendment 9, the notice of availability of Coral Amendment 9 was released on September 26, and the release of the proposed rule is expected to be published soon. Both the notice of availability and the proposed rule will have a public comment period, and all comments will be addressed in the final rule.

Agenda Item VII: Florida Keys National Marine Sanctuary Management Review, Ms. Beth Dieveney presented the proposed changes to the Florida Keys National Marine Sanctuary boundary that are included in the Draft Environmental Impact Statement for the restoration blueprint and indicated there is an opportunity for the council’s consultation on the proposed fishery regulations.

The Florida Keys National Marine Sanctuary is currently at the first stage of the consultation process for this DEIS, with a deadline for public comments on January 31, 2020. The proposed Florida Keys National Marine Sanctuary boundary includes a southern expansion that would align with existing zones designated as areas to be avoided, which prevent navigation of large vessels within those areas.

In addition, the proposal includes an expansion of the western boundary, which would encompass the waters surrounding the Tortugas Ecological Reserves North and South. The Florida Keys National Marine Sanctuary currently has fifty-seven marine zones with regulatory actions. Each of the proposed alternatives proposes to add additional marine zones with various fishing,
transit, or anchoring regulations.

For the Pulley Ridge unit, the proposed Alternative 4 would maintain the fishing regulations proposed in Coral Amendment 9, but would include an additional action of no anchoring, regardless of vessel type. Current regulations stipulate no anchoring by fishing vessels.

The committee asked about language in the DEIS that applies to private use. Ms. Dieveney explained that private use refers to variety of activities and uses by the local business entities within adjacent communities.

Following recommendations by the Shrimp AP and Ms. Bosarge, the Florida Keys National Marine Sanctuary staff is working on including additional layers to their interactive map, which would allow users to access the coordinates of the proposed marine zones, and fathom lines on the map.

There was concern regarding making council recommendations based on the available Shrimp ELB data, as these data come from a subset of the shrimp fleet and are not likely to be representative of shrimping activity within the areas in and around the Florida Keys National Marine Sanctuary. Ms. Bosarge.

**MS. BOSARGE:** The recurring theme that I think I’ve gotten out of our APs thus far, which all of them have not met yet to look at this, but it’s that it’s pretty confusing, and it’s a lot of information, because they have all those different marine zones, the fifty-seven zones, within the greater sanctuary, and then four alternatives that expand each one of those just a little bit, and it’s going to take them more than one glance at a thirty-minute presentation. My question is the South Atlantic, I believe, is requesting that the Florida Keys Sanctuary extend their -- Is it the comment period, or whatever ends on January 31.

**CHAIRMAN FRAZER:** Ms. Guyas.

**MS. GUYAS:** They are requesting that specifically for them, that they be allowed to provide comments after that time and not the entire public comment period, is my understanding from that letter.

**MS. BOSARGE:** I think it would like to mimic that, because, otherwise, we are under the gun, and our next meeting ends on January 30, and the 31st is the day for the comments to be submitted, and that’s a tight turnaround for council, and that’s
a tight turnaround for staff, and I’m not sure that we’ll have
it all nailed down at that next meeting, and so I would say that
we would want to mimic that.

CHAIRMAN FRAZER: Do you want to make a motion here to do that?

MS. BOSARGE: Yes, and maybe if Martha could help me with the
motion, since she --

CHAIRMAN FRAZER: Martha, do you want to make the motion?

MS. GUYAS: I can. I think the motion would be to request that
the sanctuary extend the comment period for the council -- What
do you all think? When would be an okay timeline for you? I
think the idea, Leann, just to make sure that I’m understanding,
is we would talk about it in January, but we’re just giving
staff time to write the letter, right? To the middle of
February, something like that, or to mid-February.

CHAIRMAN FRAZER: I didn’t see the letter. Is there a timestamp
on the South Atlantic’s letter? Chris, do you know?

MR. CONKLIN: I am looking at the letter right now, and I am
going to email it to your tech staff, so they can email it all
around, unless you already have it, and I think it’s saying
March 13, 2020, and we’ve got to get it in front of all of our
APs and stuff, and so we want to get it through there and then
have the opportunity to make comment.

MS. GUYAS: I think, with the South Atlantic, what they’re
trying to get at -- Because they only have one meeting to look
at this. They meet in December, and that’s it. They don’t meet
again until March, and so what they were trying to do with their
letter, at least from my understanding, is have two bites of the
apple, kind of like we’re going to talk about it twice, and so,
whatever timeline staff needs, I’m good with here, but we’ll be
able to look at it at two meetings, I think, either way, since
we’ve already looked at it once.

CHAIRMAN FRAZER: Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. I will just
note that we did bring this up during conference calls with the
sanctuary, and we were told that we were already given more than
120 days, and so have you received any feedback from the
sanctuary, Ms. Fangman, Mr. Conklin, regarding the request, as
if they may be able to accommodate it, because we were pretty
much told no already, verbally.
CHAIRMAN FRAZER: Chris.

MR. CONKLIN: I don’t know if we’ve gotten a response back. I can check with our staff and get back with you. I just have the request on our behalf to the sanctuary, but I do know that a lot of the public comment we’ve heard at our council is not just on the council comments, but the whole process was an issue with everybody, and so hopefully they will take that into consideration.

CHAIRMAN FRAZER: Ms. Guyas.

MS. GUYAS: I guess a couple of things. I think this would be appropriate, partly because the council is a consulting party here, and we have this interesting agreement with the sanctuary here, and I can also tell you that FWC has made a similar request, so that our commission can talk about this at multiple meetings, and we are, again, kind of in a partnership with the sanctuary. The regulations for fishing in state waters would ultimately be the FWC’s responsibility, and so we have made a similar request to the sanctuary, and it sounds like they are willing to grant that for us, and, by us, I mean FWC, and so I’m comfortable with this request, even if they have been resistant to it.

CHAIRMAN FRAZER: Okay, and so it will be good to, again, look at the South Atlantic’s letter, and perhaps, Martha, we can get the letter from FWC, the request, and we can tailor the letter that comes from the Gulf Council in a way that it’s fairly consistent. Okay. Is everybody good with this particular motion? Any more discussion on it? Is there any opposition? Seeing none, the motion carries. Ms. Bosarge.

MS. BOSARGE: I will just jump in, and this actually -- If you don’t mind, I will just jump in here, but the first agenda item that you had, when we talked about the stony coral disease, I just wanted to request that -- So we got that presentation at the Joint Coral AP/Shrimp AP meeting that I was the liaison at, and it was very interesting, and I do think that it will have an impact on what we manage, not just coral, but the entire ecosystem that depends on that coral.

I think it would be very advantageous to have that presentation at a future council meeting, whenever you can fit it in, and specifically have it on a Tuesday or a Wednesday, because that’s when the fishermen are here, and sometimes it helps scientists to have the feedback from the fishermen. They are out there
every day, and they see what is happening too, and they may have
comments that may turn on a switch for the scientists and help
them, because they are trying to figure out where it’s coming
from and how it’s spreading.

CHAIRMAN Frazer: Okay. We will try to accommodate that in a
future meeting. Any further discussion on that particular
topic? Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair, and so, just
to try to get an idea from the staff perspective of what you’re
anticipating us to be working on between now and January on this
issue, for the Flower Garden Banks, we had some letters we were
drafting, and we brought them to the council with some proposed
regulations, and they got pretty complicated, with tiered
suggestions and things like that, and so I guess what are you
expecting for us to be working on regarding the feedback to the
Florida Keys Sanctuary, and what would you like to see in
January? We are holding a joint Spiny Lobster AP meeting with
the South Atlantic Council, and you will be getting their
recommendations in January, but what would you like us to work
on between now and then?

MS. Bosarge: I think we need to start the synthesis of that
letter, and, by synthesis, I mean we’re going to have to take
all the different comments from all of our different APs and any
comments that the council has made thus far, which, really, we
just kind of got a first glance at that presentation, and I
don’t think we had too many comments on it, and then, hopefully,
we’ll have another presentation for the council on the sanctuary
at the next meeting, and we can get a little more involved in
all those zones, and we’ll give you more feedback, and you can
tailor the letter, but we need to have a letter to start with.

CHAIRMAN Frazer: Natasha.

MR. Natasha Mendez-Ferrer: To clarify, Ms. Bosarge, are you
requesting a presentation from council staff or to bring back a
representative from the Florida Keys?

MS. Bosarge: Whatever you think is best. You will be the one
synthesizing the information. If you think we need somebody
from the Keys to come in, if you feel that there’s questions
that you can’t answer, that you need them to answer, then bring
them in.

CHAIRMAN Frazer: All right. Ms. Guyas.
**MS. GUYAS:** I would maybe throw out a suggestion. I can kind of explain how we’re handling this with our commissioners, and so we have had a presentation at our last commission meeting, just in general, like this is happening with the sanctuary, and it was a joint presentation by sanctuary staff and our staff, because there is two sides of the process, what the sanctuary is doing and then how FWC is handling that and what our timeline is as well.

Because there is so much in this plan, particularly from our perspective, where 60 percent of it is in state waters, what we’re going to -- Our plan is to basically pick some hot items to cover at our next meeting, basically the things that we’re getting lots and lots of feedback on and commissioners are already asking questions about.

Like our chairman is from Key West, and so he’s getting information about this all the time, and we’re going to kind of hit those items, and then we’re actually going to do a third meeting as well to talk about, okay, once we have combed through everything, to just kind of give an overview of this is where we think we are and then get our commission’s thumbs-up.

I don’t know, and maybe something like that might be helpful, where we go through the feedback that we’ve gotten from the APs and the public, things that the council has raised, and maybe that’s probably staff that would do that, but it would be nice, probably, to have a sanctuary person here as well, to get into the nitty-gritty, if need be, or at least answer questions, and that’s just some thoughts there.

**CHAIRMAN FRAZER:** Ms. Bosarge and then Dr. Simmons.

**MS. BOSARGE:** Not to put more on your plate, Martha, but maybe you could chime in that conversation, since you are involved in a lot of that stakeholder feedback, and you could give us some input as well.

**MS. GUYAS:** I can certainly do that. I mean, we won’t have our official commission position together at that point, but, yes, we’re trying to collect as much information as we can during this public comment period and understand all the points of view and issues that are out there, and so I’m happy to do that.

**CHAIRMAN FRAZER:** Dr. Simmons.

**EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. What staff will do is we will work on drafting the letter, and we’ll pull
the information from the various AP meetings for the council to look at in January, and we’ll request the sanctuary come back, and we’ll decide if another presentation is needed or not, and we’ll try to parse it out both by the area being expanded, versus what we should also be focusing on is -- Well, and the proposed fishing regulations. So it will be the proposed area and then the fishing regulations, and I think that’s the way we kind of parsed it out last time for the Flower Garden Banks.

CHAIRMAN FRAZER: Okay. Is everybody okay with that plan? All right. We will continue on with our committee report. Agenda Item VIII: Remaining Items from the Joint Coral SSC, Coral AP, and Shrimp AP Meeting, the Shrimp AP passed a motion to request a stock assessment on Kemp’s ridley sea turtles, given the apparent decline in nesting activity of this species. Additional discussion about this motion occurred during the Administrative and Budget Committee meeting.

Finally, discussion of the proposed motion by the Coral AP and Coral SSC to begin work on Coral Amendment 10 was deferred, because of time constraints, to Full Council. This concludes the report. Is there any further discussion on the Coral Committee? Ms. Guyas.

MS. GUYAS: Relative to Coral Amendment 10, I think that I want to make a motion here, and I didn’t send this to staff, but I will read it slow.

CHAIRMAN FRAZER: Okay.

MS. GUYAS: My motion would be to reconvene the Coral AP/SSC to reexamine priority areas for consideration as coral HAPCs, in light of new data and the Flower Gardens expansion.

CHAIRMAN FRAZER: Let me read that motion. It’s to reconvene the Coral AP/SSC to reexamine priority areas for consideration for coral HAPCs, in light of new data and the Flower Gardens expansion. That, I am assuming, is the precursor to working on Coral Amendment 10.

MS. GUYAS: Yes, and so it’s been a long time since -- Obviously, we had Coral Amendment 9, and there were a number of areas that, at the time, the Coral SSC had identified, and some of them were, it looks like, maybe incorporated in the Flower Gardens expansion, and there’s probably some new information out there, and so it would be -- This would just be a look at those areas again and trying to prioritize some of those, and then, presumably at some point, the council can look at that
information and decide whether they want to move forward with an Amendment 10 or not or how to handle that. That’s where I’m coming from here.

CHAIRMAN FRAZER: Okay. Is there a second to this motion? It’s seconded by Mr. Williamson. Is there any further discussion? Mr. Diaz.

MR. DIAZ: This question is for Ms. Guyas. Is it your intention to assemble the entire SSC or just the coral scientists on the SSC?

MS. GUYAS: I don’t remember how we’ve handled this in the past. Does anybody?

CHAIRMAN FRAZER: Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. It’s typically been just the Coral SSC, but we really are supposed to be convening both together, and so, based on the recommendations, the Joint Coral SSC and AP may -- Was that September? Those will go to the Standing and Special Coral SSC in January. Typically, we do convene them together, but we can start small and then bring it to the full SSC, maybe after they have a chance to deliberate.

CHAIRMAN FRAZER: Ms. Levy.

MS. LEVY: Just to note that, for the Flower Garden Banks, they are still working on the notice of proposed rulemaking, and so I’m not saying not to do this, but with the caveat that the proposed rule hasn’t published yet, and they’re going to have a comment period and then a final rule, and so you never quite know exactly what’s going to be implemented in the end.

CHAIRMAN FRAZER: Ms. Guyas.

MS. GUYAS: Yes, and so I don’t think there’s a huge rush to do this. I think maybe, at least after that proposed rule comes out, knowing that, even if we decide to move forward with an Amendment 10, it’s going to take us a while, and so, even if we’re ahead of the final rule, I’m probably okay with that, but I will defer to the council, if they would rather wait until the final thing. This was a recommendation that came out of the committee report, and so I figured now would be the time to go for it.

CHAIRMAN FRAZER: Okay. Is there any further discussion of the
motion? Seeing none, is there any opposition to the motion?

Seeing none, the motion carries.

Is there any other business having to do with the Coral
Management Committee? Seeing none, we are going to move on.
Let me take a look at our timing real quick and our schedule,
because we’re going to take a break here. We were going to move
into Reef Fish, and I guess we can at least start Reef Fish, if
you’re okay with that, Martha.

MS. GUYAS: Yes.

CHAIRMAN FRAZER: Okay. Sorry about that.

REEF FISH MANAGEMENT COMMITTEE REPORT

MS. GUYAS: Okay. The committee adopted the agenda as written
and approved the minutes of the August 2019 meeting as written.
Review of Reef Fish and Coastal Migratory Pelagics Landings, the
committee asked to be briefed on what recreational data
collection programs are being used for which species when the
landings are reviewed.

Southeast Regional Office staff said landings are generated in
Fishing Effort Survey-calibrated Marine Recreational Information
Program data for each species and can then be converted back to
other data currencies, depending on the quota monitoring program
for each species.

Commercial fishing for gray triggerfish remains open for 2019,
while greater amberjack closed on June 9. Recreational fishing
for greater amberjack was closed for the remainder of the 2018-
2019 fishing season, which reset on August 1, 2020. Gray
triggerfish is closed for the remainder of 2019. Fishing for
red grouper and gag remains open for the recreational sector.

The for-hire component for recreational red snapper is closed,
but not all data have been received to know the landings totals
in 2019. The landings for the private angling component for
recreational red snapper are below the respective quotas for all
states for data received thus far. Fishing for species with
stock annual catch limits (hogfish, lane snapper, mutton
snapper, and vermilion snapper) are all expected to remain open
thru the end of 2019.

Commercial landings for king mackerel remain open in all Gulf
zones except for the Southern Zone gillnet, which opens on
January 22, 2020. For the 2018-2019 commercial fishing season,
commercial vertical line landings of king mackerel were under
the combined ACL, with 96.6 percent of the vertical line portion
of the commercial ACL landed. The Southern Zone gillnet fishery
exceeded its quota in 2019, landing 107.7 percent of its portion
of the commercial ACL, and they will have to pay back when the
gillnet opens in 2020. The recreational sector for king
mackerel landed 37 percent of its ACL in the 2018-2019 fishing
season. Spanish mackerel and cobia landings are both below
their stock ACLs.

The committee discussed receiving state-specific feedback on
data collection and management activities for the 2019 private
angling component’s fishing season for red snapper. This
information would allow the committee to better understand the
progress being made through the states management of the
exempted fishing permits issued for 2018 and 2019. The U.S.
Coast Guard requested that the states provide them with their
management plans for state management, expected to be
implemented for 2020.

Without opposition, the committee recommends, and I so move, to
request that the council receive an update from each state at
the January 2020 council meeting on that state’s 2019 red
snapper private angler management.

CHAIRMAN FRAZER: We’ve got a committee motion on the board. Is
there any further discussion on this motion? Seeing none, is
there any opposition to the motion? Seeing none, the motion
carries. Ms. Guyas.

MS. GUYAS: Draft Amendment 36B, staff presented the revised
Amendment 36B, and the committee discussed the alternatives for
requiring shareholders to have a commercial reef fish permit.
The committee suggested that more discussion relative to the
duration of shares, i.e., indefinite or finite time period, may
be warranted. Committee members noted that additional
discussion may also be needed concerning landing requirements
for shareholders.

The Committee considered whether those shareholder accounts that
may be grandfathered in should be allowed to increase their
shareholdings or only to maintain them. Committee members also
discussed the history of developing the IFQ programs and the
decision to allow shareholders to participate in the program
after five years without a commercial permit. In the interest
of time, the committee postponed further discussion and review
of Action 2.
CHAIRMAN FRAZER: Mr. Anson.

MR. ANSON: What’s the timeline for bringing this back up? Will it be in the January meeting? Will it be back on the Reef Fish Committee?

CHAIRMAN FRAZER: Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chairman. I think that is the plan, and then I think we’ll have, at a minimum, I believe a presentation, and is that right, Dr. Lasseter, for starting 36C?

DR. AVA LASSETER: Yes, a presentation, including the remaining actions that were in there, plus the ideas for going forward with your other motion.

CHAIRMAN FRAZER: Mr. Dyskow.

MR. DYSKOW: Thank you, Chairman Frazer. As we could tell from yesterday’s testimony, the comments on 36B are all over the board, and there are people on the inside looking out and people on the outside looking in and everyone in between.

There are only two councils, that I’m aware of, that have an IFQ program, us and the North Pacific, and they’re both struggling with them. How do we approach this more constructively? We’re not getting anywhere, and yet we’ve got a real challenge in front of us. I am not suggesting this, but a reset of some kind would be appropriate, simply to get rid of all of these problems, or at least most of them, but we’re not making progress, and I would like to ask staff, Mara and others, to weigh-in on what can we do different to make progress on this issue. Thank you.

CHAIRMAN FRAZER: I am going to ask a couple of things here to kind of facilitate this discussion, and perhaps we could get Dr. Lasseter up to the table here. In the interim, Bob, did you have a question?

DR. SHIPP: Following what Mr. Dyskow said, I would like to make a motion.

CHAIRMAN FRAZER: Okay.

DR. SHIPP: I would like to request that staff explore the feasibility of establishing a non-profit red snapper quota bank.
DR. LASSETER: If I could respond to that specifically, I believe you did pass that same motion at the last meeting, and we are working on that, and that is the presentation that we would be bringing you in January, and the reason we were saying presentation is we’re expecting right now that it’s going to be so broad, and we’re going to need guidance from you, and so we’re going to bring a presentation that would then inform an initial draft of the document, but that is the same motion that we had before.

CHAIRMAN FRAZER: Hold on real quick. Go ahead, Mr. Dyskow, and then we’ll come back to the motion.

MR. DYSKOW: I would certainly support what Dr. Shipp said, but that is, as you point out, part of 36C, and we are planning to have discussion on that, but, specific to 36B, I naively thought that, when Leann brought this up at our last meeting, this would be the easy part, and we didn’t make much progress on this, and all of the concerns and issues that the stakeholders have are still there, and they’re all over the board, and how do we address this? We’re not going to get anywhere unless we address this from a different perspective.

CHAIRMAN FRAZER: Dr. Crabtree.

DR. CRABTREE: Well, just to point out that there are other IFQ programs. There is one in the South Atlantic with wreckfish, and there’s one with surf clams, I think, in the Mid, and I think there’s a West Pacific trawl ration, and so there are other IFQ programs.

I think our problem with 36B is we have never been really clear about what is the problem that we’re trying to address and why do we feel like it’s a problem. We’ve been fuzzy and all over the map on that, and then there were a number of questions raised specific to how the permit requirement would work and things, but we didn’t come to any resolution on any of them, and so this is very complicated, and it’s confusing to me to try and understand what even is the purpose. Our purpose and need is vague, and I think it’s sort of ill-defined, and I just don’t think we’ve ever been clear about exactly what it is we want to do and why here.

CHAIRMAN FRAZER: Mr. Dyskow.

MR. DYSKOW: Thank you, Mr. Chair. I totally agree with what Dr. Crabtree said, and we’re all over the board with this, but the two common threads that I am aware of within the reef
fishery is we want to reduce discard mortality, and the way the
fleets are operating today -- If I was a red grouper fisherman
without quota, and I had to buy my quota for four-dollars a
pound, I would probably consider releasing that red snapper that
I caught as a dead discard as being a viable alternative to
paying four-dollars a share, when I can only sell it for
slightly over five-dollars a share, and so we want to find a way
to reduce the discard mortality of red snapper within the red
grouper fishery, and that was one of the issues that we had.

Another issue that we had, and, Leann, you might chime in if I
am misquoting you, but we wanted to ensure that fishermen, reef
fishermen, controlled more of their destiny. In other words,
right now, so many of those on the outside looking in have to
buy their quota, and they have to buy it from either another
fisherman or from an outside investor who is leasing for profit,
and so that’s an issue we want to sort of address with this
concept of having to own a reef fish permit and a boat in order
to be awarded quota, and I think that’s what Leann was getting
at, and correct me if I’m wrong. That was another issue that we
had.

Then I think the third issue that we are evidencing concern on
is where is this all going to end up? As more of these existing
quota holders age out of the fleets, the way this is written,
that share stays with their heirs into perpetuity, and so, two
or three generations from now, or perhaps one or two generations
from now, we may have a situation where reef fishermen, in the
majority, have to lease shares from outside investors, let’s
say, and so this thing won’t get better over time, and it will
potentially get worse.

We have those three issues that are probably a common thread,
and there’s a plethora of other issues that are brought up
before us in open testimony and discussed around the council,
and so we have a need, and, yes, Dr. Crabtree, it is fuzzy,
because this whole thing is fuzzy.

CHAIRMAN FRAZER: Dr. Lasseter.

DR. LASSETER: I think I do really like the idea of kind of
taking a step back a bit, and, if we go back to when we were
first talking about 36A, this is where I think this problem kind
of started. The council came up with a list of things that you
wanted to explore whether or not they could be executed through
these amendments, and so we were starting with the things you
wanted to do to the programs, rather than starting with what
were the specific problems that you wanted to solve.
We have been kind of going back and forth and trying to identify what is the goal and objective that you want to change of the program, what are the things that you want to do, and trying to mash them into these changes to make to the program.

Over the course of these meetings, we have managed to pull some of these goals and objectives together, but we’re still not meshing what it is that the actions are proposing to do with what you’re trying to accomplish behind it, and so what I am really hearing over the last couple of meetings is this articulation of these problems, and I think, Phil, you’re really leading this, and this is very helpful, but I think that’s what we have to work together on.

36B now, we have established your purpose and need statement, and I think that is -- Those are more connected, but I’m starting to hear a little bit more about potentially other things to do in 36B, and that is going to be a little more messy.

In looking at also the complexity of 36B and 36C, I wouldn’t say 36B is simple, but it’s definitely easier than 36C at the moment. What we’re talking about in 36C, we don’t have an example of that right now, and so that’s going to be a novel thing for us to build on, and so that’s why that is more complex, and so I just kind of wanted to throw some of that out there, that, really, if we could keep focused on these goals and objectives and what you want to accomplish, then maybe staff could come back and bring you some ways to address those types of problems, but let me let Mara maybe contribute to this.

CHAIRMAN FRAZER: Ms. Levy.

MS. LEVY: Well, I will just offer some observations. I hear the articulation of the issues, and I think that’s been articulated over a number of meetings. I think what’s not happening is the council drilling into the specific questions that are required to address those issues, and so, I mean, for the issue of discards in the grouper fishery, you started talking about that, and you started talking about the quota bank as a way to address that, which is in 36C, but there are all sorts of questions related to what that means and exactly who would get it, and, I mean, you have to deal with the whole quota bank thing, potentially, or you have to deal with some redistribution of the quota in some way, if you want to try and get at that problem, but there has been sort of no drilling down to specifically like how, as a policy matter, you want to
address that, and it’s hard to then come up with action items if
there is no clear policy decision on how to get at that issue.

The idea that there is a potential problem of not having quota
or shares in the hands of, quote, fishermen, I think we’ve
talked about that a lot, and, again, that kind of -- The
discussion is now in the quota bank thing too, but what do you
mean by “fishermen”, and I think we’ve talked about that.

Are you talking about someone who just has a permit? Like is it
being addressed in 36B, or are you talking about required to be
on the vessel, or are you talking about actually holding the
pole or the net or whatever it is, and then there are certainly
going to be loopholes with whatever you try to do, but, if
you’re talking owner onboard provisions, we know that that
hasn’t worked so well, in some cases, but you go into it knowing
what folks might try to do to sort of meet that requirement
legally and maybe not necessarily get at what you want.

I think, without a further discussion of exactly what you mean
by those very broad terms, it’s, again, hard to come up with
action items of how you address it, and the idea that something
goes on in perpetuity -- I mean, we talked a whole lot about
cyclical redistribution as a potential way to pull things back
and redistribute them, but, again, that’s also going to require
drilling down.

Who exactly are you trying to get shares to? There is a whole
discussion in 36C, at this point, about are you talking small
shareholders, and what does that mean, or are you talking new
entrants, and what does mean, and we have never drilled down
into exactly who you are trying to target in a way that we can
develop action items to address that particular thing. I get
that the specificity is hard, but, ultimately, that’s what we
have to get at to actually come up with action items to do what
the council decides they want to do as a policy matter.

CHAIRMAN FRAZER: Mr. Dyskow and then Mr. Williamson.

MR. DYSKOW: I am very sensitive to burning up your time and
screwing up your schedule, and so this will be my last comment,
Chairman Frazer. The way this program currently works, we
allocate 100 percent of the quota, and is that correct? As long
as we continue to allocate 100 percent of the quota to the same
people, or the same entities, not much is going to change.

Maybe one of the things we need to consider is allocating 80
percent of the quota to those people, so that we have some quota
available to address these things, because we can be as articulate as we want, and we should be. We should drill into these items more, but, unless we find a way to come up with more fish, we’re not going to be able to solve anything, and I think one of the challenges is we made the decision, initially, to allocate 100 percent of the quota to these people, over and over again, into infinity, and so we don’t have any quota available to address these other issues.

That’s another element that we need to consider, whether it be a quota bank, as Dr. Shipp suggested, and then the next question is who administers it, and it is challenging, but where do the fish come from? I think the only way they can come forth is if we make the decision not to allocate 100 percent of the quota to the same people in the same way into perpetuity, but we have some holdback quota, so that we can address these issues. Then, as we define these issues, we actually have a path forward, and I will shut up.

CHAIRMAN FRAZER: No, your comments are welcome. Mr. Williamson.

MR. WILLIAMSON: As a point of clarification, Mara, it’s my understanding that there is no explicit provision for the access rights to be held in perpetuity. That’s a question.

CHAIRMAN FRAZER: Mara, to that point?

MS. LEVY: Well, no, and, I mean, I’m using that just as until the council changes it, and the shares are a permit, right? The Magnuson Act is express about that, and, the way it’s set up, people don’t have to divest. There is nothing that triggers divestment at this point, and so, in that sense, they can hold on to them as long as they are allowed to, but the council can certainly look at changing the criteria, I mean as long as it’s consistent with the Act.

MR. WILLIAMSON: Thank you.

CHAIRMAN FRAZER: To that point, Dr. Lasseter, and then John Sanchez.

DR. LASSETER: I will note that, in 36C, we have -- You have passed motions, and, therefore, they are represented in the document, for both the quota set-aside idea, and we did provide you with an example of that 20 percent in a slide in a recent presentation, and the cyclical redistribution as well. You had passed a motion about that, and so those are potential ways of
distributing partial parts of shares, and so those are both potential alternatives resulting from motions you have passed, and so we have those concepts in the document already, and it’s just moving forward with those.

CHAIRMAN FRAZER: Mr. Sanchez.

MR. SANCHEZ: Thank you, Mr. Chairman. I tried not to jump in this, but these folks invested heavily in buying these shares, and they have them. I mean, this has already transpired. Anything we do is going to hurt existing people that have made significant investments in this.

Clearly, if you don’t like this, then, going forward with any future IFQ programs, lesson learned, and let’s not do this, but to change it now is going to be highly disruptive to an industry, and it’s kind of like saying that we’re going to take something from someone that made a big investment to give to someone and put it in this new quota bank, and it kind of like begs the question of would Yamaha give free engines to new boaters, because they are entering boating?

CHAIRMAN FRAZER: Mr. Anson and then Ms. Bosarge.

MR. ANSON: I mean, this is a difficult -- Obviously, it’s a difficult, and as John hit the nail on the head, and there are going to be some financial hardships if the council decides to do anything different. There is financial hardships that have been created that the council has done in the current program, and that’s kind of why we’re been talking about the IFQ issue.

We manage a public resource, and we don’t manage engines, and we don’t manage companies. We manage the public’s access to a resource, and, for red snapper commercially, we utilize commercial fishermen to do that, and so, I mean, there are some big challenges. The question has been posed as to how we might get some direction from staff to help us be a little bit more efficient and get to the goalpost, and I don’t know, but certainly there are some overarching issues that have been identified from the public, as well as the council, that might be kind of the focus that could lead us down a particular path.

I think it’s worthwhile that we need to pursue this, modifying the IFQ program, and IFQs are in other parts of the country, and there are some benefits to IFQ programs, certainly, in trying to constrain effort and such and capitalization in fisheries and trying to make it more efficient, but I am just -- My desire to move this along is by much of the comments that we heard
yesterday of folks that are outside looking in that are trying

To hear comments from those that do have, that are on the
inside, that basically let-them-eat-cake attitude is
frustrating, because everybody looks to us, and we’re
responsible. We created this, and so I am just not happy where
it is, and I think it can be improved, and I think it can be
improved for the better, and I think it will have to go through
some hoops and some hurdles, and, yes, it will be painful, and,
yes, there will be hardships, but, instead of making a change
permanent immediately, effective immediately, you can do it over
time. You can do it step-wise, and you can kind of minimize the
pain, to some degree.

If Dr. Lasseter or Dr. Simmons want to respond to the question,
I am certainly interested in hearing that, but I think it’s just
basically identifying those major, salient points that have been
brought up time and time again regarding long-term ownership, if
you will, of those shares and retention of those shares, and
that’s one of the main overarching themes.

CHAIRMAN FRAZER: Ms. Bosarge.

MS. BOSARGE: Well, I was just -- I have some comments, and the
first one, I guess, is about perpetuity. You know there is also
access rights for 49 percent of that stock for the recreational
sector, and we have granted that access, essentially. Just like
Mara said, it’s in perpetuity until we change it, and we don’t
have some date certain that we’re going to take it away from the
recreational fishermen. It’s there, and it’s yours in
perpetuity, until we change it, if we ever change it.

I like the way we’re going forward with this. I think that we
finally, with I guess you would say the new 36B, and we had some
good discussion, and we were really able to get into the details
of one specific topic and start to understand, all right, what
are the headwinds and what do we need to figure out on that
topic and what details do we have to specify to figure out can
we make this work, do we want to make this work, or do we want
to throw it out the window, and that’s been the problem with the
old 36B, is that it’s so vast and so diverse that it’s hard to
wrap your head around one individual topic.

I hope that we will continue to make progress on the new 36B,
and I think, hopefully, we can work through that, and then these
other ideas that are out there, they are still going to be in
36C, and they’re vast, and we’ll probably have to do the same thing there.

We will have to try and look at 36C and say, all right, what do we really feel is a problem, and is there a problem, and do we want to fix that, and how do we do it, and hone-in on another big chunk of it. I don’t think it’s something you can do in one fell swoop.

CHAIRMAN FRAZER: Ms. Levy, and then I’m going to rein this one in.

MS. LEVY: Well, a lot of what you’ve been talking about though isn’t in 36B at this point, and so 36B is strictly do you need a permit or not, and are we grandfathering people in, and, if we are, does that mean they can keep shares, but not get new shares, although we have them both lumped together, and I haven’t heard any way to move that forward at this point.

I mean, if it comes back in January, you’re going to see the exact same thing that you saw this week, because you have talked about it, but I haven’t heard sort of any guidance about what to do differently, if anything, or whether you want to keep going with it, I guess.

CHAIRMAN FRAZER: We’re going to take a break soon, and we have two issues to deal with. Bob, real quick, because this motion is essentially a duplicate of what we had at the last meeting of 36C, would you like to withdraw the motion?

DR. SHIPP: No, but I will.

CHAIRMAN FRAZER: Thank you. Motion withdrawn. This is where I think where we’re going to go, and this is going to be my suggestion. I agree with all of what’s been said, and it’s a very complicated issue. Trying to deal with this even in the most simple manner that we’ve got to date, with a 36B and a 36C, it’s still, perhaps, too broad, and so I think what we will come back and do in the next meeting, when we deal with this issue, is we will have a discussion about what our purpose is, and we will drill down into that very specifically, and I think we will try to simplify actions one problem at a time. That would be my suggestion, perhaps, moving forward. With that said, we’re going to take a break for fifteen minutes, and then we will get back to the Reef Fish Committee.

(Whereupon, a brief recess was taken.)
CHAIRMAN FRAZER: Martha, if you want to pick up with the Draft Framework Action to Modify Greater Amberjack.

MS. GUYAS: All right. Council staff gave a presentation outlining the updates to the revised framework action, specifically focusing on the additional action regarding recreational zone management, Action 1. The committee recognized that a zone management approach could complicate recreational management measures without necessarily achieving management goals. After discussing the tradeoffs, the committee decided to remove Action 1 from further consideration.

The committee recommends, and I so move, to move Action 1 to Considered but Rejected. Action 1 is Establish Greater Amberjack Recreational Fishing Zones and Quotas.

CHAIRMAN FRAZER: Okay, and so we have a committee motion on the board. Is there any further discussion of the motion? Mr. Diaz.

MR. DIAZ: Having put some thought into this, and listening to public testimony yesterday, I think, generally, the testimony that I heard yesterday is some of the people that came to the mic had hoped that we would give this a little bit more thought and look at this in greater detail, because it does have some potential, and so, at this time, I am going to speak against the motion, and I would like to see it put back into the document.

CHAIRMAN FRAZER: Dr. Mickle and then Dr. Stunz.

DR. MICKLE: To comment on the motion on the board, we know the amberjack -- We have done changes in the past, a size change, and we've done a fishing season change, and we have a spatial issue, and we have a temporal issue, and so a timing issue and a spatial issue, through the Gulf, and it’s important that we look at everything, and I think the document was -- This beginning document, it was the first time we’ve looked at it, and it was done really well, and I like the flow charts that apply to this action, and it obviously involves a lot of work on staff, but it’s worth it.

We started this document saying we’re going to look at everything, and we’re going to take our time doing it. I asked the group on Tuesday if we were in a rush on this, and no one seemed to be nodding yes, and so I’m going to vote against this and try to keep it in the document. Thank you.

CHAIRMAN FRAZER: Dr. Stunz and then Susan Boggs.
DR. STUNZ: Thank you, Mr. Chairman, and I want to speak in opposition to this motion as well, in the sense that I know we’ve been discussing around this table a lot about the issues with amberjack and the need for some type of spatial-type management, and it really begs for that, and so I want to keep this in the motion, for the exact same reasons the other two comments before me pointed out, or I’m sorry, but keep this action in the document.

CHAIRMAN FRAZER: Ms. Boggs.

MS. BOGGS: I am the one that made the motion, and, I mean, I don’t mind keeping it in there for consideration, and I don’t think that I will support it in the end, but I just wanted to make that note.

CHAIRMAN FRAZER: Okay. Is there any further discussion on the motion? Dr. Froeschke.

DR. FROESCHKE: Just a question to the group. When we talked about the seasons, and we had done those previous documents, our biggest hang-up was this concept of the accountability measures, and you could not apply a specific accountability measure to whether it be a season or a zone, and I just wondered if there have been any updates to that thought and if there was any way in which a zone, if they were to exceed their portion, if a zone that opened later in the year could still open.

If not, since the timing and the zones are sort of correlated in different ways, I’m just wondering if it’s a different way to the same problem, and that’s what we had talked about at the IPT, and it would be great to get some guidance on that.

CHAIRMAN FRAZER: Ms. Levy.

MS. LEVY: Those are two slightly different things. I don’t think we ever said that you can’t have different accountability measures as a broad concept for different zones or seasons. What I said is, once NMFS knows that the total rec ACL is met, or projected to be met, you can’t then allow more fishing somewhere else, such that we know that we’re going to exceed the ACL, and the timing issue that ends up happening is, if you have two seasons that are far enough apart that you get the MRIP data in, and you know, based on projections or what you already have, that you’re going to have reached the ACL, we can’t then allow more fishing, knowing we’re exceeding it.
CHAIRMAN FRAZER: Dr. Froeschke.

DR. FROESCHKE: If you have a zone, if the first zone catches all the fish, then it meets the recreational ACL. The second zone would not be allowed to be opened within that calendar year, if there was a temporal separation in the zones.

CHAIRMAN FRAZER: Ms. Levy.

MS. LEVY: Right, but the same thing when we talked about allocating the quota between the two seasons. If NMFS could project when they thought, for a particular season, that season quota or zone quota would be met, and they’re accurate enough that it doesn’t go way over, which, for the first couple of years, is probably going to be iffy, because they just don’t have a lot of data, then you try to minimize that problem, but, if you don’t allow for the projection, and you just allow the season to run the way it is set up now, then, yes, one goes over, and you know it goes over enough to capture the whole ACL, and you can’t let the other season open.

CHAIRMAN FRAZER: Mr. Diaz.

MR. DIAZ: So, to get away from that, is there enough information to where we could set separate ACLs for separate zones? Then that would solve that problem, and so is that something that could be considered?

CHAIRMAN FRAZER: Ms. Levy.

MS. LEVY: Well, you could always divide the recreational quota between the zones. I mean, keep in mind that it’s a fairly small quota, and so, the more you hack it up, and the likelihood of exceeding it goes up -- The issue is going to be -- Say you want different start dates for those zones, and so you want one zone to start fishing in, and I’m going to use January as the opening season, just because it’s easier.

One starts in January, and you don’t want the other one to start fishing until September. If you know that Zone 1 harvested way more than its quota, starting in January, again, you have the timing issue, and so they’re two separate kind of issues. You can, again, project, to try to minimize that, but, if you’re going to start at different times, then, the zone that starts later, there’s a chance that it doesn’t ever get to start.

CHAIRMAN FRAZER: To that point, Mr. Diaz?
MR. DIAZ: I agree with what you’re saying, but the goal would be to get to a point where each zone was responsible for their own payback. If they exceeded their ACL for that zone, then they would be required to pay it back in the future, and it would not affect other zones.

CHAIRMAN FRAZER: Ms. Levy.

MS. LEVY: I understand that that’s the goal, and you could have a zone payback, but, again, we’re not allowed to knowingly exceed the total rec quota or ACL, and you have an ACL, and it’s the total rec ACL, and the agency cannot, just knowing that we’ve already blown past it, let more fishing occur, and particularly with this stock. This stock is still overfished, and it’s not been rebuilding like it’s been projected to, and so I think we have a lot of issues with this stock, and we need to be pretty careful that, in a fishing year, we’re not just blowing over the ACL consistently.

CHAIRMAN FRAZER: Okay. One of the ways that you, again, would try to deal with some of the projection issues is having enough temporal separation, perhaps, between a spring and a fall date. To get the projections going into the fall, for example, if you started the -- I am just speculating, but, if you moved the start date of the fall to September, and you have the second wave of data, that May/June type of data come in, you would get that in August, and you would be in a much better position to kind of project forward what the quota might be for that season or set the limit. Anyway, I think there are some opportunities here, and I have Dr. Mickle and Susan Boggs.

MS. BOGGS: Based on what Mara just said, and I don’t mind it for discussion purposes, but it’s still -- I go back to my original comment that it doesn’t solve the problem, because you’ve got one area that is wanting May, and you’ve got one area that is wanting August and September, or September and October, and I don’t think that you would have enough time during those time spans to determine what you have caught and if you’re going to have another season, and I still don’t think the zones -- I am going to stick with what I’ve done, but I just don’t think the zones solve the problem.

CHAIRMAN FRAZER: Dr. Mickle.

DR. MICKLE: Just thinking out loud about that, I think it’s very difficult, and I think it’s potentially risky, because, to address Mara’s concerns with MSA compliance, obviously, we may need to have larger buffers, but, thinking about the season and
the accountability measures and the timing of landings, the western Gulf, Texas and Louisiana, can potentially have their landings a lot faster than MRIP.

In Mississippi, we have the ability to add amberjack to Tails ‘n Scales, and we’ve already built it in on the web, and I don’t want to get into the weeds, but we could do it too, and so we could have very fast reporting, and so, if we broke up the season, or potentially have the season as it is now, off the calendar year, the landings of the beginning of the annual landings year, based on the Gulf-wide quota, could be brought in very quickly if the west side opened first, in the beginning of it, at the end of the year, or the second-half of the year, and then the landings come in, and the eastern side opens up, and their landings take a lot longer, and so we wouldn’t have the carryover in the next year, but at least, in the beginning of the process, it would carry over in that right way.

The way that the landings are, the recreational side the landings are, the western side would be faster in the reporting of those landings and finalizing them, and so I’m trying to -- Maybe I am being confusing on purpose, but Action 1 is very difficult to do, but I still think we should vote this up or down right now and go to the next meeting and allow staff to delve into what we’ve talked about here today and play out these scenarios, and, if it’s just not possible -- If it’s hard, we should do it. If it’s impossible, we should not do it and kill this motion, but let’s do this the next time we see it. Let’s not do it now.

**CHAIRMAN FRAZER:** Chris.

**MR. SCHIEBLE:** I agree with Dr. Mickle. I think, if the fishing season starts in August, and we would most likely be finished up with our numbers in October, you’ve got all the way through the winter before the May season would start, which is still part of that fishing year, correct, and so the timing of landings data before May would take place, I think. However, both zones would still be fishing in the fall, correct, and so we’re going to have landings data that we would need from all five states for that. I think I have a motion that I will make after we deal with this one that may help us with this.

**CHAIRMAN FRAZER:** Okay. Ms. Levy, and then we’ll vote this up or down.

**MS. LEVY:** Kind of just to that discussion, the issue isn’t -- I mean, right now, I don’t think the timeliness is an issue,
meaning we had a fall season, and we knew, before the May season was opening, that the fall season had caught all of the quota, and so the May season didn’t open, and so my -- The potential solution to that is to now allow the full fall season to go, by cutting it down or by doing a projection that says, with your piece of whatever we decided your quota is, this is how many months or days you get, and then doing the same thing for the May season, but I don’t think the timeliness is really what the issue has been.

The issue has been we know that the fall season has captured it all, and so we can’t open in May, or it could potentially flip-flop the other way. If you started with May, maybe May catches it all and you can’t open in the fall.

CHAIRMAN FRAZER: Okay. Again, we have a committee motion on the board, and I’m going to ask for a raise of hands on this. All of those in favor of the motion, and that means removing it from the document, raise your hands, three; all those in favor of keeping it in the document, raise your hand. The motion fails three to twelve. First I have Chris, and then Leann.

MR. SCHIEBLE: I sent this motion to staff already, and I can read it, if they can pull it up for me. It’s to create a recreational greater amberjack zone management decision tool, similar to what we had when we were dealing with red snapper for state management.

Obviously, it wouldn’t have all the same parameters, and we don’t have biomass numbers yet, even though that would be nice to figure out how to put that in there, but it would include landings by selected time series, and so it would include a decision tool for a two-zone system, which is in the document already, with the line where they have it currently drawn, and also the three-zone system, to see what the benefit or caveats would be of either one of those, to help us look at that, because I fully don’t understand, when I look at those bar graphs in there, as to why a three-zone may be preferential to two-zone or not.

CHAIRMAN FRAZER: Mr. Rindone real quick, and then we’ll go to Ms. Bosarge.

MR. RYAN RINDONE: Thank you, Mr. Chair. You have delineations for the two-zone system. Where would the other line be for the three-zone system, or is that something you would want us to kind of -- So using the one that’s in the amendment.
MR. SCHIEBLE: I think I sent that in correctly when I wrote it to send it to them, but it would have that other boundary along the Panhandle for the third factor, I guess.

MR. RINDONE: The Dixie-Levy County line? Okay.

MR. SCHIEBLE: Yes. Sorry.

CHAIRMAN FRAZER: Ms. Bosarge.

MS. BOSARGE: I was just going to mention that I thought that Ms. Boggs made some good comments during the committee about where the lines were, and it really didn’t solve the problem between the two fleets, possibly, and so, as this is brought back to us, and it doesn’t need to be in the document, but maybe if staff can speak to that in a presentation and maybe have some other ideas of where those lines could be drawn, especially, I guess, along the Panhandle. It sounds like there might need to be a different line.

CHAIRMAN FRAZER: Okay, and so we still need a second for this motion. Is there a second for this motion? It’s seconded by Dr. Mickle. Is there any further discussion on the motion? Dr. Shipp.

DR. SHIPP: I am still confused about Ryan’s comment. Where is the dividing line for the three-zone system?

CHAIRMAN FRAZER: Mr. Rindone.

MR. RINDONE: Thank you, sir. Per the document, the western zone would be west of the Mississippi-Alabama state line, and the northern zone would encompass the Panhandle, and so it would include Alabama and the Panhandle of Florida down to the Dixie-Levy County line in the Big Bend, and then the southern zone would be south of the Dixie-Levy County line on the west coast of Florida.

DR. SHIPP: Shouldn’t that be included in the motion?

CHAIRMAN FRAZER: Let’s get the motion back on the board and let me look at it, real quick. The motion is to direct staff to create a recreational greater amberjack zone management decision tool showing the landings by selected time series for a two-zone system and a three-zone system. Chris, do you want to modify the language there?

MR. SCHIEBLE: Please modify and add the third boundary. I just
forgot it, and I’m sorry, when I sent it over there, when I was
typing it. I can give you my justification for some of this, if
you want.

MR. RINDONE: So perhaps just to have it say for a two and
three-zone system, as specified in the document?

MR. SCHIEBLE: Yes, that will work.

CHAIRMAN FRAZER: Okay. Dr. Mickle, are you good with these
changes?

DR. MICKLE: Yes.


MS. GERHART: Thank you. We have landings in the document right
now for each of these zones. Those are starting with Table
2.1.6, and so I’m not entirely clear what you want in addition
to those landings, but, also, you talk about the selected time
series, and we have shown one time series in those tables, but
the council has not given us any direction on a time series that
they would like to see, and so, for us to proceed with anything,
we would need to have one or more time series to look at for
alternatives in the document.

CHAIRMAN FRAZER: Chris.

MR. SCHIEBLE: Okay, and so my logic to this is what I foresee
happening here is this is going to turn into probably some sort
of limited allocation discussion at the next meeting, and you’ve
got a time series in the document, and you have landings, like
you said, and so what I’m looking for is some sort of
combination, because certain states are going to want to
probably pull out certain years from the time series, and I can
tell you for sure that we’re definitely going to pull out 2017
and recommend to take it out, because we didn’t catch any,
because the season closed in the east, because all the fish were
catched.

I’m sure other states may want to pull out some other years,
like perhaps 2010 with the oil spill, and there are landings
data in there that are probably not accurate as well, because we
had closures in the Gulf, and so, as we start going through
which years we’re going to keep, that’s the decision tool that
I’m after, as well as what landings would be associated with
that.
CHAIRMAN FRAZER: Ms. Levy.

MS. LEVY: I think, for a decision tool to be helpful, you need an action or a sub-action that has allocation alternatives, and so you have some action that is going to decide how you’re going to allocate between those different zones. Is it going to be a long time series, or is it going to be half of a long time series and half of a recent time series, like you’ve had in other documents?

Once you have the alternatives fleshed out, then your decision tool can help you figure out what you want to do with it, and I get what you’re saying of you might want to exclude some years and this and that, but you can kind of look at whatever tables show the landings, and so, right now, 2018 to 2009, are you not going to consider any landings data before 2009 for your allocation decision?

It's just like we don't -- If we go along with having this zone stuff, there are other decision points that need to happen, including the allocation, and none of that has been fleshed out yet, because we just started talking about this.

CHAIRMAN FRAZER: Mr. Anson.

MR. ANSON: I don’t want to speak for Chris, but I thought, Chris, you had said this would be kind of like a stepping stone into an action item that would probably have to be created in the document, and all you’re asking for, simply, is just a decision tool to be created, and then each council member has the liberty to kind of select and choose those time ranges and years that they want to look at, and then that would be the basis of coming back with an action item that would then describe maybe a suite or a range of years, and so that’s how I take it.

CHAIRMAN FRAZER: Ms. Gerhart, to that point, real quick, and then Chris.

MS. GERHART: Again, it would be helpful for staff to have some sort of boundaries on that. We have recreational data for greater amberjack starting in 1981, and so how far back do you want to go? We didn’t have a fall season in 2014 through 2017. Did you want to look at taking those out or not taking those out? Before that, we had full years with no closures, from 2013 back.

We have a fall season from last year, and we aren’t complete
with this one this year, and do we want to try to include preliminary from this year or not, and so if we could just have some parameters around that, for staff to know where to go with it, that would be helpful.

CHAIRMAN FRAZER: Chris.

MR. SCHIEBLE: I guess the vision I had here was a simple spreadsheet, like we had with Nick Farmer’s decision tool for the snapper, but that, obviously, was far more complicated, because we had 75 percent biomass and 25 percent landings, and vice versa.

Looking at Action 1 in the document, it lists Option a and b under Alternatives 2 and 3, and those are historical landings, years to be determined, or daily catch rates, years to be determined, and those are the factors that I’m looking for in a decision tool, to help those years to be determined.

CHAIRMAN FRAZER: Sue, let me ask you a quick question. There are data available for greater amberjack back to 1981, right, and so it would be possible -- I am just thinking out loud at this point, but to include the whole historical data and then start to fiddle with those time series, and that’s what Kevin is suggesting, perhaps. If you have all the available data in the tool, then you can do that. Kevin.

MR. ANSON: My only addition to that would be that, if that type of information could be provided, inasmuch as 2014 started a split season or whatever, or it was closed early, and that type of stuff. If you had that as a separate little table, just to describe it, or maybe an asterisk next to the year that would say this really differs compared to the previous year, or whatever the case may be, but, yes, that’s kind of where I would go.

CHAIRMAN FRAZER: Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. So you’re suggesting like some management history, like was presented in the PowerPoint, but maybe in more detail in a table that would go along with the decision tool.

MR. ANSON: Yes, that’s what I’m suggesting, but also highlighting the year where, again, things changed pretty drastically, like a footnote type of thing.

EXECUTIVE DIRECTOR SIMMONS: We will try to put something
together that will make sense, because there’s been a lot of changes.

CHAIRMAN FRAZER: Ms. Guyas.

MS. GUYAS: I am probably getting ahead of myself here, and I agree with the points that Kevin just brought up, but, in my mind, if we end up adding some of the actions that we talked about in committee, I mean, we’ll really need probably multiple iterations of the decision tool, depending on which path we take here, if it’s going to be zones, if it’s going to be just split quotas with the seasons, and so it might be helpful to, I guess at our next committee meeting, to really dig into what are the pros and cons to these different approaches, because I think, if we move forward with the direction we were going at committee, we kind of have multiple approaches to maybe addressing the same issue here, and, in the end, we’re not going to -- We’ll end up abandoning some of the actions, right, and so trying to lay out the pros and cons of all those, lay out some of these allocations or the time series issues, the history, the caveats, that this part of the Gulf was closed or that part of the Gulf was closed, blah, blah, blah, or the data from this time series is not really great, and that kind of stuff would I think be probably helpful in us moving forward in our discussions at the next meeting.

CHAIRMAN FRAZER: I understand, and I think that’s the intent of Chris, to use the decision tool to make those decisions moving forward. That’s the decision tool.

MR. SCHIEBLE: Yes, and she pretty much hit the nail on the head.

CHAIRMAN FRAZER: All right. We have a motion on the board, and we’ve had a fair amount of discussion. Is there any opposition to this motion? Seeing none, the motion carries. Ms. Guyas.

MS. GUYAS: Ms. Levy stated that the committee could consider spilt seasonal quotas for greater amberjack, which may be less complicated to implement than zone management. The committee agreed that a spilt quota consideration may be worth considering.

After reviewing the alternatives for modifying the recreational bag limit, Action 2, and fishing year, Action 3, the committee stated that, if a split quota measure was going to be included in the document, modification to the start of the fishing year would not be necessary, and Action 3 was removed from further
consideration.

The committee recommends, and I so move, to move Action 3 to Considered but Rejected. Action 3 is Modify the Greater Amberjack Recreational Fishing Year.

CHAIRMAN FRAZER: We have a committee motion on the board. Is there any further discussion of the motion? Seeing none, is there any opposition to the motion? Seeing none, the motion carries. Ms. Guyas.

MS. GUYAS: Additionally, the committee decided to add another action in the document to examine a split recreational season quota for greater amberjack.

The committee recommends, and I so move, to add an action to consider a split quota between seasons for recreational management of greater amberjack in the Gulf of Mexico based on NMFS projections designed to facilitate access to the stock in spring and fall.

CHAIRMAN FRAZER: Okay, and so we have a committee motion on the board. Is there any further discussion of this motion? Ms. Boggs.

MS. BOGGS: Well, the fact now that we have put the zone concept back into the document, is this not somewhat redundant?

CHAIRMAN FRAZER: Again, I think, Susan, perhaps a decision tool will have some bearing on this motion, and I don’t think it hurts to leave it in the document at this particular time. Ms. Guyas.

MS. GUYAS: I don’t think it’s redundant. I think it’s an alternative way to deal with the question of how to move forward, because this doesn’t split east and west. It just splits by season, and so, theoretically, you could accomplish a similar goal. In the end, I think we would have to choose if we’re going to do split quotas by season or are we going to do split quotas by geography.

CHAIRMAN FRAZER: Mr. Rindone.

MR. RINDONE: Just to add some clarification for you guys, if you split by zone, then you can apply accountability measures, like paybacks, to a zone, but you can’t pay back to a season.

CHAIRMAN FRAZER: Ms. Gerhart.
MS. GERHART: I don’t believe that’s true. I think you can still do a season by accountability measure, but the same things that Ms. Levy brought up about the zones also applies for the seasons. If you go through one season, and you know that the quota was already taken, we can’t knowingly open the next season.

CHAIRMAN FRAZER: Okay. Chris.

MR. SCHIEBLe: This will sound unrelated, but related, and maybe Ryan can help me with this. In king mackerel, don’t we have zones, and they each have their own allocation, correct, and they each have their own payback, correct?

MR. RINDONE: The only one that has a payback provision is the gillnet fleet in the Southern Zone, and that’s commercial, not that makes that big of a difference, but it’s still quota monitoring that is done in each one.

CHAIRMAN FRAZER: Okay. I think those are details, at this point, that can wait. Is there any further discussion on this motion? Seeing none, is there any opposition to the motion? Seeing none, the motion carries. Ms. Guyas.

MS. GUYAS: Dr. Froeschke stated that a previous examination for a recreational split season for greater amberjack resulted in a 65 percent fall and 35 percent spring division in harvest. Dr. Crabtree reminded the committee that future MRIP data incorporating the new FES design may greatly increase landings estimates for the eastern Gulf. However, recreational landing estimates from Texas and Louisiana will remain relatively unchanged.

The committee also discussed removing the fixed closed season action, Action 4, from the document, but decided to retain the action and review the subsequent analysis with the additional split quota consideration. A revised document will be presented at the January 2020 council meeting.

CHAIRMAN FRAZER: Before we leave this section, I saw Sue’s hand, and I apologize that I didn’t catch it before, but, Mara, did you have a question?

MS. LEVY: Well, just a comment. I have two things, a little bit separate. We kind of talked about it at committee, but you didn’t take any action, and I’m wondering if you want to reconsider keeping the bag limit action in there, the doing the
fractional bag limit, since you’re considering -- Whether it’s
going to be helpful.

If you think it’s still going to be helpful, and you’re going to
want to apply it, if you do zone or split seasons, and you can
keep it in there, but that seemed to give you the least bang for
the buck, in terms of actually giving a longer season, and so
I’m just going to ask that question.

The other thing I’m going to say is we’ve been talking about all
of these things as alternatives to solve the problem, right, and
so you could have zones, you could have split quotas, you could
change the length, the season closure length, to sort of all get
at this issue, and so we might look at just maybe restructuring
the document a bit, and so like the first action would be what
do you want to do, zones, split quotas, or modify the closed
seasons.

Then, if you choose Number 1, then you have actions that follow,
with respect to what do you need to do with zones, and so I just
wanted to give you a heads-up that we would probably look at
that, and so the version you might see might be a little
different, if you’re okay with us monkeying with the format a
bit.

CHAIRMAN FRAZER: Ms. Guyas.

MS. GUYAS: I think that’s kind of what we’re talking about
here. I think that would be helpful.

CHAIRMAN FRAZER: Okay. I don’t see any real consternation
here. All right. We will continue to move forward.

MS. GUYAS: SEDAR 61, Gulf of Mexico Red Grouper, Dr. Skyler
Saigarese of the Southeast Fisheries Science Center reviewed the
data used in the SEDAR 61 stock assessment of Gulf red grouper,
which assessed the stock using data through 2017.

Some improvements from the previous assessment include the
addition of the Florida Fish and Wildlife Research Institute
repetitive time drop survey, the estimation of commercial
discards, the combination of several video surveys into a single
index, and the estimation of recreational fishing effort.

The larger estimate of initial biomass in SEDAR 42, as compared
to SEDAR 61, was identified as a computational error, which has
been corrected in SEDAR 61. The committee asked what the trend
in biomass would look like in SEDAR 42 if the computational
error were resolved. Dr. Sagarese replied that the biomass trend from SEDAR 42 becomes very similar to SEDAR 61 when the error is fixed in that model.

Red tide is an important source of mortality for red grouper, with SEDAR 61 recognizing and modeling large red tide events in 2005, the worst, and 2014. Red tide is incorporated as a discard-only fishery, applying mortality in red tide years to reflect the predicted removals from the stock. Recent fishing mortality has been much lower than previous years.

Based on data through 2017, and using the council’s definition of minimum stock size threshold from Reef Fish Amendment 44, red grouper is not overfished and is not undergoing overfishing. However, the spawning stock biomass remains below the biomass at maximum sustainable yield, and this stock status determination does not take into consideration the 2018 red tide event.

Yield projections rely on the current sector allocations, which are 76 percent commercial and 24 percent recreational, assume constant recruitment, selectivity, catchability, retention, and discard mortality, based on the 2010 to 2017 time period, and begin in 2020. The projections are very sensitive to the degree of mortality assumed for the 2018 red tide event.

The council’s Something’s Fishy tool for red grouper was useful as a litmus test for estimating the intensity and spatial extent of the 2018 red tide and suggested that the 2018 event was significant. Further, the information provided suggested that there were many small individuals in the population and that the stock was generally being found in deeper water than in previous years.

Further, the Southeast Fisheries Science Center received funding to compare the 2018 event to previous events through stakeholder interviews, with local knowledge again suggesting that the 2018 event was quite significant.

Initial spikes in yield projections result in part from the 2013 recruit class moving into the fishery, with the magnitude of a spike dependent on the predicted severity of the 2018 red tide. Dr. Sagarese described harvest levels corresponding to the probability of overfishing.

Ultimately, the SSC decided to recommend setting the OFL at a 50 percent probability of overfishing, 5.35 million pounds gutted weight, and the ABC at a 30 percent probability of overfishing, 4.9 million pounds gutted weight, and assumed that the 2018 red tide
tide event was equivalent to the 2005 event, approximately 34 percent mortality.

These catch recommendations are made using the FES-MRIP data currency under the current sector allocations. For comparison, the recreational landings for 2017 under the Access Point Angler Interview Survey, APAIS, adjusted MRIP data were less than one million pounds gutted weight, and, under FES-MRIP, were equivalent to 2.1 million pounds gutted weight.

The committee asked whether the application of red tide as a discard-only fishery within the model was influencing the trend in biomass in the stock. Dr. Sagares replied that the sensitivity runs excluding red tide mortality still showed declines in abundance, indicating the model was picking up on declines in total biomass even without looking at the red tide explicitly. Dr. Sagares cautioned against looking at the projections in the absence of the 2018 red tide event, since those projections do not likely represent reality.

The SSC recognized the SEDAR 61 assessment as the best scientific information available and recommended the aforementioned stock status and catch levels for the OFL and ABC.

Dr. Barbieri noted that the total biomass of the stock is lower than it has ever been in the observed time series. The SSC thought that a number of factors are likely affecting red grouper, including mating dynamics and sexual transition from females to males, and other ecosystem-level elements, such as competition for habitat and prey with other reef fish species.

Given these and other factors, such as red grouper’s intermittent recruitment and vulnerability to red tide, the SSC decided to set the ABC at a 30 percent probability of overfishing, 4.9 million pounds gutted weight, as opposed to using the $P^*$ analysis of the ABC control rule, as 30 percent represents the lowest probability of overfishing considered by the control rule.

To avoid the spike in the projections, partially resulting from 2013 recruitment, the SSC set its catch advice based on a five-year average of years 2020 to 2024. These catch recommendations are made in the FES-MRIP data currency. The council’s Reef Fish Advisory Panel has also reviewed the SEDAR 61 assessment and thought that an ACL of 3.5 million pounds gutted weight, based on APAIS-MRIP, would be appropriate. The Reef Fish AP recommended the equivalent value in the FES-MRIP data currency.
Dr. Crabtree discussed the implications of SEDAR 61 on sector allocations for red grouper. The transition from APAIS-MRIP to FES-MRIP results in an increased estimate of total biomass, based on the increased landings and effort coming from the recreational sector. Because the increase in the total biomass estimate is attributed to changes in the recreational data, it means that the historical data used to determine sector allocations, 1986 - 2005 from Reef Fish Amendment 30B, using FES-MRIP data for the same time series would result in different sector allocations than the council has presently.

Applying the new FES-MRIP landings to that same time series results in new sector allocations of 59.48 percent commercial and 40.52 percent recreational.

The yield projections, rerun to accommodate this new sector allocation and based on the parameters used by the SSC in their catch recommendations, result in an OFL of 4.67 million pounds gutted weight and an ABC of 4.27 million pounds gutted weight. The commercial ACL would be 2.54 million pounds gutted weight, and the recreational ACL would be 1.73 million pounds gutted weight.

The committee asked for clarification on why the adjusted projections under the revised sector allocation result in overall lower catch recommendations. Dr. Crabtree clarified that the reduction is because of the projected size and age at harvest by fleet, combined with the discards by fleet projected into the future and the effects of those factors on total biomass.

The committee noted that the recreational grouper fishery has expressed a desire in the past to have red grouper available through the end of the year, which may require management changes, given that the recent FES-MRIP recreational landings have exceeded the 1.73 million pound gutted weight projected recreational ACL under the revised FES-adjusted allocation.

The committee expressed some concern about changing allocations based on FES-MRIP estimates for previously used time series for determining species sector allocations. Dr. Crabtree reminded the committee that retaining the current sector allocations would be a de facto reallocation to the commercial sector, since the increase in biomass for red grouper is the result of the revised recreational landings and effort data.

The committee discussed the timing for making catch...
recommendation and allocation changes, noting that the SSC needed to review the projections under the revised FES-adjusted allocations before providing new catch advice. A plan amendment would be needed to revise allocations, with the updated catch recommendations specified within the amendment. The committee thought that it would be unlikely to complete and submit this amendment to the Secretary for implementation until late 2020, at the earliest.

The committee recommends, and I so move, to ask the SSC to review red grouper projections based on the allocation time series from Reef Fish Amendment 30B, 1986 to 2005, and the best available landings used as inputs in the new stock assessment (40.52 percent recreational/59.48 percent commercial) and direct staff to start work on a plan amendment to update the red grouper allocation and establish catch levels based on the new assessment.

CHAIRMAN FRAZER: We have a committee motion on the board. Is there any further discussion on the motion? Is there any opposition to the motion? Seeing none, the motion carries. Ms. Guyas.

MS. GUYAS: The committee recommends, and I so move, to ask the Science Center to conduct interim analyses of red grouper annually, starting in 2020.

CHAIRMAN FRAZER: Another committee motion on the board. Any further discussion of this motion? Ms. Bosarge.

MS. BOSARGE: Just a little clarification on that motion. In Dr. Porch’s presentation, he said that, for red grouper, there were two indices that could be used, I think bottom longline and the video survey, and the bottom longline is the one that he gets the results on, or that his center gets the results on, fairly quickly, and maybe in January or February of 2020 they will have that in.

For us to implement anything for 2021, we can’t really wait on that reef fish video survey. We wouldn’t get that until the end of 2020, or we couldn’t implement anything, and so, just the timeliness of this interim assessment, we probably need it by mid-year, at the latest, to try and implement anything.

CHAIRMAN FRAZER: Dr. Porch.

DR. PORCH: We should be able to have the updated version with the video done by May or June of 2020.
CHAIRMAN FRAZER: Leann.

MS. BOSARGE: So, if it’s June, we won’t see it until -- The SSC will see it after the June meeting, and we won’t see it until August, and, if we start an amendment in October, we would never be able to implement it for 2021, and so, in this case, we may just want to look -- Go ahead and start looking at the bottom longline to the SSC and some analysis early in the year, and then, if they want to tweak -- We can start an amendment, if we need to, and they can tweak it later, if we need some more feedback from the video.

CHAIRMAN FRAZER: Clay, are you good with that general approach?

DR. PORCH: Yes, that’s fine. It’s easier for us.

CHAIRMAN FRAZER: Any -- Mr. Swindell.

MR. SWINDELL: What I remember -- I don’t have the report about the SEDAR 61 in front of me, but it seems like the SEDAR 61, as I am hearing here, is that the SSC recognized SEDAR 61 as the best scientific information available. Did the SEDAR 61 account for any of the red tide during that time?

CHAIRMAN FRAZER: Ms. Bosarge.

MS. BOSARGE: Well, Clay can speak to that, but I just was going to note, and I don’t know if you want to change this in your committee report, but usually they pass a motion saying the best scientific information available, and I don’t think they did anything on purpose, but, this time, they said the SSC agrees with the SEDAR 61 assessment that overfishing is not occurring, and the SSC agrees with the SEDAR 61 assessment that Gulf red grouper is not overfished, and they never used the words “best scientific information available”, just for clarification.

CHAIRMAN FRAZER: My recollection of the language was that the SSC accepted the assessment, and so I guess that’s implicit, right, that they agreed it was the best available information. Dr. Porch.

DR. PORCH: Just to clarify, in SEDAR 61, we didn’t actually have observations from 2018, when the red tide occurred, and so we did projections, and we had to make assumptions that it was about as strong as the 2005, et cetera. You remember Dr. Sagarese showing all the different projections, whereas, if we do an interim analysis early next year, you will actually have
CHAIRMAN FRAZER: All right. Is there any further discussion on this motion? Do you have the clarification that you need, Leann? Okay. Ms. Levy, you’re good? Okay. Is there any opposition to the motion? Seeing none, the motion carries. Ms. Guyas.

MS. GUYAS: The committee reviewed the content and organization of the SEDAR 61 executive summary, the format for which will be used to generate similar standalone summaries for each stock assessment for the public. The committee recommended adding a hyperlink to the full assessment on the first page and a hyperlink to the location in the most recent assessment which details the main model deviations.

Further, the committee praised the success of the council’s Something’s Fishy tool, and asked staff to follow-up with respondents by sending them the executive summary and perhaps identifying differences between their input and the assessment.

Stock Assessment Review: iTarget Model Update and Projections for Gulf Lane Snapper, Dr. Sagarese reviewed the work of the Southeast Fisheries Science Center to update the headboat index used to assess lane snapper in SEDAR 49. This index was selected as representative of the trend in the stock and was updated through 2018. The reference period used for this index was 1999 to 2008.

Landings of lane snapper have increased, with lane snapper occurring in headboat landings 38 percent to 68 percent of the time. The effort from the headboat index for lane snapper was similar to the overall headboat effort for the same time series. Landings include APAIS-MRIP data for the recreational sector, with all landings data, recreational and commercial, updated through 2018. These landings were compared to the reference period to determine the recommended catch level.

When reviewing the lane snapper analysis, the SSC determined it represented the best scientific information available and recommended an OFL of 603,195 pounds and an ABC of 588,965 pounds. The OFL was set based on a 50 percent probability of overfishing, and the ABC on a 30 percent probability. The Reef Fish AP recommended setting the ACL equal to the ABC. The same analysis of the headboat index is available in FES-MRIP, and the SSC will review that analysis at its January 2020 meeting.

Discussion of Removing the Rule Allowing Trolling in the
Steamboat Lumps and Madison-Swanson MPAs, a Reef Fish AP member
reported observing fishermen bottom fishing under the guise of
trolling within the Steamboat Lumps and Madison-Swanson MPAs.
Bottom fishing is not allowed inside either of the MPAs, and
trolling is only permitted from May through October.

Reef Fish AP members did not consider the MPAs a legitimate
trolling destination for fishermen and noted that rampant reef
fish poaching is occurring in the area, which is known to hold
large numbers of mature gag and red grouper. Law enforcement
officers rarely report encountering typical trolling activity in
either of the MPAs. Commercial vessels can transit through the
MPA boundaries with reef fish onboard, as long as all fishing
gear is stowed.

The U.S. Coast Guard added that enforcement in the MPAs can be
difficult, due to distance from port. The AP expressed a desire
to maintain the ability to transit through the MPAs while in
possession of reef fish species with all fishing gear stowed,
with which the committee agreed.

The committee recommends, and I so move, to ask staff to begin a
framework action to reevaluate the trolling provisions in
Madison-Swanson and Steamboat Lumps.

CHAIRMAN FRAZER: Okay. We have a committee motion on the
board. Is there any further discussion of the motion? Seeing
none, is there any opposition to the motion? Seeing none, the
motion carries. Ms. Guyas.

MS. GUYAS: The committee asked about the status of the discards
data for the longline fleets. Staff replied that the discard
data already received from the Southeast Fisheries Science
Center are still being compiled. Staff will provide a letter to
the Southeast Fisheries Science Center with the council’s
request. The committee is interested in these data as they may
relate to Draft Amendment 36B. Mr. Chair, this concludes my
report.

CHAIRMAN FRAZER: Thank you, Martha. Dr. Porch.

DR. PORCH: Sorry, but, before we get away from this text, I
wanted to make a couple of requests. One, where we’re referring
to red tide and the discard-only fishery, I think that’s going
to be confusing for people who just read the text and don’t have
the benefit of my verbal comment that that’s just a sort of
Stock Synthesis lingo, and it’s not actually modeled as a
fishery, and it’s not counted as fishery kill, and so I
recommend that we just strike where it says the discard-only
fishery, and I think the text would be okay if you just cut that
part out, because, again, it’s going to be misleading.

Then there’s a couple of places with lane snapper and red
grouper, where we refer to the APAIS-MRIP, and APAIS is used
regardless of whether it’s FES or CHTS, and APAIS is a given,
and so just change “APAIS-MRIP” to “CHTS-MRIP”, and we’ll be
okay, and that’s all throughout the document.

CHAIRMAN FRAZER: Okay, and so two general document changes, one
having to do with the red tide issue and the other one with the
APAIS, and is everybody good with those changes? Staff, we can

MS. BOSARGE: Just a thank you, real quick. I just wanted to
say thank you to Skyler for being here. A lot of times, we’ll
get these stock assessment updates from whoever the SSC
representative may be, and that is great, but it’s even better
when the lead assessment personnel is here, and we really get a
good grip on what was going on, and I just wanted to say thanks
for allowing her the time to come and explain it.

CHAIRMAN FRAZER: I would agree with that. She did an excellent
job. All right. Is there any further discussion? Mr. Swindell.

MR. SWINDELL: One quick question, Dr. Porch. The red tide, did
it affect equally the commercial and recreational catches during
that time, or is one more susceptible to the red tide than the
other?

DR. PORCH: I might have to pull Skyler up, because I’m not sure
we were able to really distinguish it. Certainly the red tide
goes pretty far offshore, into the area where the commercial
fishery is most active, and so it affected both. I am not sure
that I can say that it affected one more than the other, and I
don’t know if -- Skyler is shaking her head no, that we don’t
have any information on that.

MR. SWINDELL: May I respond?

CHAIRMAN FRAZER: Yes, Mr. Swindell.

MR. SWINDELL: One of my reasons is because, on your chart that
you had there, you have a lot higher commercial catch for the
SEDAR 61 work that was done for the commercial versus the
recreational side, and I was just wondering -- Where is this
chart going to be when all of the red tide numbers come
together, and, also, it makes me wonder why, and I’m sorry that
Dr. Crabtree is not here, but why do we go so far back with the
data, when the SEDAR 61 seemed to be the best scientific
information available, as accepted by the Scientific and
Statistical Committee? That’s just questions I have, but I
don’t have good answers for them. Thank you.

CHAIRMAN FRAZER: Okay. I am not sure that I quite -- I mean,
that’s probably discussion that we can have offline, and I will
try to narrow down in the specifics of that question. Thank
you. All right. Is there any other discussion with regard to
the Reef Fish Committee? Seeing none, we’re going to move on.
Next committee report will be the Data Collection report and
Mr. Anson.

DATA COLLECTION COMMITTEE REPORT

MR. ANSON: Thank you, Mr. Chairman. The Data Collection
Committee was held on October 23, 2019. The committee adopted
the agenda as written and approved the minutes of the August
2019 meeting as written.

Draft Procedural Directive for Electronic Monitoring Data
Retention, council staff presented the draft document to the
committee and stated that the data retention stipulation
outlined in the procedural directive was applicable to video and
imagery data only.

After reviewing the draft procedural directive, the committee
asked if the video and imagery data collected by fishery
participants would be proprietary during the recordkeeping
period. Ms. Levy indicated that procedures related to the
proprietary nature and accessibility of the electronic
monitoring data are currently being developed along the west
coast and that these procedures would likely also be implemented
for the Gulf of Mexico. The committee decided to draft a
comment letter acknowledging the data retention directive for
electronic monitoring data, but also ask for clarification
regarding the proprietary nature of the data.

Update on SEFHIER, Ms. Gerhart presented an update to the
committee on the progress and implementation timeline for the
Southeast For-Hire Integrated Electronic Reporting (SEFHIER)
program. She provided a progress update about the platform
approvals for the logbook systems along with information related
to data storage and data sharing for phase one of the program.
Additionally, she provided insights into phase two of the implementation timeline regarding the approval process for cellular-based vessel monitoring systems. The committee inquired as to whether VMS used by participants in the headboat pilot program would be applicable for phase two requirements. Ms. Gerhart indicated that if the VMS vendor applied, and was approved for the program, that those participants would be in compliance. She recommended contacting VISMA, the vending coordinator contractor which works with NOAA Law Enforcement, for more information.

The committee also asked about the recently-acquired funding for the program. Ms. Gerhart stated that the funding was intended to help with the initial outreach and start-up of the program and would only be available for one year. Mr. Chair, this concludes my report.

CHAIRMAN FRAZER: Thank you, Mr. Anson. Chris.

MR. CONKLIN: Thanks. I wanted to clarify something that came up in committee. I spoke about, and Sue spoke about, South Carolina getting the data, and I just wanted to clarify that our state has no interest and is not pursuing handling the business side of the data. We currently use BlueFIN data and SAFIS, I believe, to handle all of our charter boat reporting, and it’s a compatible system that could be used in the Gulf, but, however, it’s a private company, and so I just wanted to clarify that. Thank you.

CHAIRMAN FRAZER: Thank you, Chris. Ms. Gerhart.

MS. GERHART: Thank you. I was going to make that same clarification. I clarified that it is BlueFIN that runs that program, and it’s used by South Carolina, and so it’s one of the FINs.

MR. CONKLIN: BlueFIN is out of Louisiana, and so you might want to check it out.

CHAIRMAN FRAZER: Are there any other comments on the Data Collection Committee report? Seeing none, we will move on. The next committee report would be the Law Enforcement Committee and Mr. Diaz.

LAW ENFORCEMENT COMMITTEE REPORT

MR. DIAZ: Thank you, Mr. Chairman. The Law Enforcement Committee Report, the committee adopted the agenda and approved
the minutes of the August 2019 meeting.

Final Action on Framework Action Modification for For-Hire Multiday Trip Possession, council staff reviewed the updated data in the document that would characterize the frequency of for-hire trips by headboat and charter boat vessels exceeding given trip durations in the Gulf. Public comments received on the document were summarized, and the Reef Fish Advisory Panel’s concurrence with the council’s current preferred alternative was noted.

This framework action, if implemented, would result in different multiday possession limit regulations between the Gulf and South Atlantic Council jurisdictions, creating the need for additional regulatory compliance. Am I in the right thing? I am sorry. I think I pulled up the wrong --

CHAIRMAN FRAZER: There was a lot of questions going on.

MR. DIAZ: I am sorry about that. I am going to try this one more time.

CHAIRMAN FRAZER: Let’s restart.

MR. DIAZ: I clicked on the wrong -- The Law Enforcement Committee report. The committee adopted the agenda as written, and the Full Council minutes of the April 2019 meeting were approved at its June 2019 meeting and were provided as background.

Agenda Item IV, Law Enforcement Technical Committee Meeting Summary, staff reviewed the sections of the meeting summary that were not covered in other committees.

Agenda Item V, Illegal, Unreported, and Unregulated Fishing Report, council staff discussed the history of the reports to Congress relative to Mexico and IUU fishing in U.S. waters of the Gulf of Mexico. Lieutenant Zanowicz provided a presentation on the Coast Guard’s observations and interdictions of Mexican lanchas.

Assistant Commander Barker provided a presentation on TPWD’s enforcement efforts and interactions with illegally-fishing Mexican lanchas. Both the Coast Guard and TPWD presentations highlight that the number of lancha incursions has not declined. The LETC requested additional support from the council, and the committee approved the LETC’s request.
The committee recommends, and I so move, that the council write a letter to the NOAA Office of International Affairs and/or the Assistant Administrator for NOAA Fisheries to open communication and request an annual report regarding the specific impacts and measures taken by Mexico to address the Mexican IUU fishing issue. It would be important to note in the report the estimated take of red snapper by the illegal fleet and the economic impact that it poses against recreational and commercial fishermen in the U.S. The motion carried with no opposition. Mr. Chair.

CHAIRMAN FRAZER: All right. We have a committee motion on the board. Is there any further discussion of the motion? Mr. Dyskow.

MR. DYSKOW: Thank you, Dr. Frazier. My only question would be are we communicating high enough up on the food chain with this issue? Should this issue and concern be better directed to the Secretary?

CHAIRMAN FRAZER: I am looking around the table, and I have no particular problem directing that letter to the Secretary. Dr. Mickle.

DR. MICKLE: Is it a tradition to send multiple letters to multiple levels, or do we focus a single letter? What’s been done in the past, not specifically to law enforcement, but just any letters coming out of the council?

CHAIRMAN FRAZER: Let me suggest that, if we were to write a letter to the Secretary, then we would CC the individuals indicated here. Dr. Stunz.

DR. STUNZ: That’s exactly what I was going to say, Tom. Let’s just do both and copy the lower division or whatever.

CHAIRMAN FRAZER: Okay. Is there any opposition to that? So I guess what we will do is we’ll have to modify the motion. Dr. Stunz, do you want to go ahead and do that?

DR. STUNZ: Okay. I think they just modified it. She’s putting it up there.

CHAIRMAN FRAZER: Okay, and so do we have a second to that motion? It’s seconded by Mr. Dyskow. Any further discussion? Mr. Anson.

MR. ANSON: I am just wondering if we can just remove the
“and/or” and just say “and the Assistant Administrator”.

CHAIRMAN FRAZER: Greg and Phil, are you good with that change?

DR. STUNZ: That’s fine.

CHAIRMAN FRAZER: Okay. We’ll make that change. Mara.

MS. LEVY: This is a minor procedural thing, and so I’m assuming this is a substitute motion to the committee motion, right, and that’s what we’re doing?

CHAIRMAN FRAZER: You assumed appropriately.

MS. LEVY: Okay.

CHAIRMAN FRAZER: Okay, and so we have a substitute motion on the board. Is there any further discussion on the motion? Seeing none, is there any opposition to the motion? Seeing none, the motion carries. Mr. Diaz.

MR. DIAZ: Mr. Chairman, this concludes my report.

CHAIRMAN FRAZER: Dr. Stunz.

DR. STUNZ: Very briefly here, when Lieutenant Zanowicz gave his presentation, whenever that was, a few days ago, is that on -- I tried to find that last night, and I couldn’t find it. Is it available, or could you maybe email it around, or is it on the webpage? Just somehow so I can re-access that.

EXECUTIVE DIRECTOR SIMMONS: Yes, it’s available. It was supposed to be discussed under the liaison reports during Full Council, and we moved it up to the Law Enforcement Committee to bring up, since the items were the same, as well as the Lieutenant Barker’s presentation as well.

CHAIRMAN FRAZER: Okay. Any other discussion with regard to the Law Enforcement Committee? Seeing none, we will attend to our Other Business items. We have gone through all of the supporting agency updates, and so we have three Other Business items. The first one would be an update on the South Atlantic Council’s control date for Spanish mackerel. Ms. Gerhart.

OTHER BUSINESS
UPDATE ON THE SAFMC CONTROL DATE FOR SPANISH MACKEREL

MS. GERHART: Thank you. I just wanted to make sure that the
Gulf Council was aware of this action. The South Atlantic Council has put out an announcement of proposed rulemaking, advance notice of proposed rulemaking, it’s called, which is a control rule that is dated March 7, 2019 for the commercial sector for Spanish mackerel.

This control date is in response to some conversations at the South Atlantic Council about making that permit limited access, and I’m sure that Mr. Conklin can tell you more about that if you would like to know about it, but the point to make to the Gulf Council is that this is a joint permit between both the South Atlantic and the Gulf, and so any changes made to that permit will have to involve both councils.

CHAIRMAN FRAZER: Chris, do you want to add anything to that?

MR. CONKLIN: I think, in 2015, North Carolina wanted to get their own northern sub-zone of the Spanish mackerel quota, because Florida was catching it up, and it’s been in place, and it isn’t working. North Carolina has been catching their fish up, and Florida has been doing a pretty good job as well, and North Carolina has had to borrow fish from the Southern Zone more than once, I believe, and, this past year, when it happened, Florida didn’t have any fish to give, and so there’s been a lot of effort and discussions about increasing effort in both zones.

With an open access permit, there is no end in sight, and we’re paying special attention to the fishermen in North Carolina especially, because it’s a large part of their livelihood in September and October, and we want to be cognizant of what’s going on, because those guys are sitting at the dock, and so we’re looking to make some changes, and I think we’ve got a white paper, or we’re beginning an amendment soon, and we’re looking to get it in place before a 2021 season, and we did a band-aid sort of fix on that, where the commercial fishermen can meet the quota and go over to borrow a 500-pound trip limit off of the general quota, and that’s per ACCSP rules, and so it sort of circumvents the system, but it’s a band-aid for now, and so thank you.

CHAIRMAN FRAZER: Thank you, Mr. Conklin. All right. Any more discussion about this particular item? Seeing none, we will move on. Ms. Bosarge, you had an Other Business item having to do with the aquaculture.

AQUACULTURE UPDATE

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MS. BOSARGE: It was just an update, because I happen to be involved in a little bit. The council saw the two presentations on the aquaculture project that was the Kampachi Farms Velella Epsilon, where they were going to use the net pen off of Florida to raise the almaco jack and rear those.

Then, somewhere in that process, after we saw it twice, and we wrote a comment letter to NMFS recommending approval of the EFP with our stipulations, but, anyhow, and then, with the lawsuit, and it was settled, and it was decided that this council doesn’t regulate aquaculture anymore.

That project is still going forward, and I want to compliment staff on keeping us up-to-date on the latest. They sent out an email, when they received one, saying, hey, there’s a public comment period open on it right now, and they went ahead and sent our comment letter that we had sent to NMFS for the same project, and they sent that to the EPA, I believe, for us, and so, during all of that, I came to realize that they had changed their siting location, just slightly.

If you remember, they worked really well with the shrimp industry, those project personnel, to try and find a siting location that wasn’t in the middle of shrimp grounds. Well, they had to tweak that a little bit, and now it is, and so we realized that, as an industry, and we have reached out to Dr. Neil Sims, and hopefully he is going to work with us to try and find something that will be suitable, but, since the council doesn’t manage that anymore, I just wanted to give you that update, but they are still working with us, and so that’s good. It’s a good thing, and, hopefully, in the future, as these aquaculture projects move forward, I hope staff will have time to keep us posted on those, because they do still have an influence on our fisheries.

CHAIRMAN FRAZER: Mr. Anson.

MR. ANSON: Leann, do you know what the process was that allowed them to tweak it? Was that an informal -- Was it just a letter to one of the agencies, the EPA or whoever, that had the governing over that?

MS. BOSARGE: I think, when they started doing those baseline surveys of the bottom and things like that, I guess something came up in that survey that said, hey, this site that you have chosen might not work, and it’s my understanding.

Now, I haven’t talked to this -- This is secondhand, industry
telling me what they’ve heard, and so, when they tweaked it
though, because they don’t interact with us anymore, there
really wasn’t a discussion about, well, is this going to impact
fishing, and so we reached out to them, when we realized it, and
said those coordinates are in shrimp grounds, and let’s talk
about this, and I am hoping that they will still work with us
and tweak it again.

CHAIRMAN FRAZER: Dr. Simmons is suggesting that the Army Corps
would have been involved in a re-siting of that, and so -- You
don’t think so?

MS. BOSARGE: I think they already have their permit from the
Corps, and this permit is mainly through the EPA, but maybe Mara
can talk about that.

CHAIRMAN FRAZER: Ms. Levy.

MS. LEVY: I don’t know that the Corps has issued their permit
yet, but the EPA and the Corps are going to be the federal
permitting agencies, and I know the EPA put out their draft
permit for comment, but the EPA is going to be concerned with
water quality, and the Army Corps is going to be concerned with
attaching to the bottom, and I don’t have any problem with you
writing a letter or whatever you want to do, but I don’t know
that those agencies are really going to get involved in the
fisheries stuff.

CHAIRMAN FRAZER: Mr. Anson.

MR. ANSON: That’s my sense too, is I don’t know how much
they’re going to want to do the extra effort. If, in this case,
if they come back again, or any other company that comes in
after Kampachi, and they go through the whole public comment
process, and the public comment says that we’re going to put it
here, and then something comes up after the fact, and then they
want to move it over here, then that could potentially change
the whole ballgame, inasmuch as the resources that we are
responsible for and the people that come to our meetings are
interested in, and so a letter might be appropriate, just to,
one, identify the process, and, two, let them know, depending
upon what the response is, a follow-up letter, or the same
letter, to just indicate and remind them of what our
responsibilities are and our interests are in managing the
resources and that we might want to work on a better system, if
in fact it was simply they went to the public comment process
with one location, and they found something, and then they
decided to move it over here, and didn’t think nothing of it,
and then went and gave the approval, or might give them the approval, and we just have some concerns about that, because of the impacts, potentially, after that initial public comment period.

CHAIRMAN FRAZER: Let me just circle back. So you’re suggesting that we write a letter to the EPA, asking for clarification of the process that would allow for a change in the siting. Go ahead.

MR. ANSON: Yes, whether it’s the EPA or the Corps, whoever, again, has the umbrella, the authority, to give the final permit, whether it’s here is a permit from the EPA saying you can do these type of things relative to water quality concerns, and then the Corps would have those locational, I think, oversight responsibilities, and so we’re more interested in the locational at this point, and so, yes, I think it might be the Corps that really we would write the letter to.

Then, again, say, look, this is how we interpret this process and how it went, but we feel like, if that’s in fact what happened, is that they changed after the public comment period, now there is going to be some impacts that weren’t addressed in the original one, because of the location.

CHAIRMAN FRAZER: Okay, and so I think that we can put a letter together, and, after hearing this, I think the appropriate recipient of the letter would be the Army Corps of Engineers, and so we can do that. I am happy to work with the staff to do that. Ms. Levy.

MS. LEVY: I mean, if you’re going to write a letter, you might include the EPA. They were the lead on the NEPA document, and so, again, they are focused on water quality, but they were the lead for the NEPA document, which looks at a whole bunch of different things, right, and so it might be helpful.

CHAIRMAN FRAZER: Sure. We will certainly CC the EPA on the letter. Okay. Martha, you an Other Business item.

FLORIDA RED SNAPPER SEASON UPDATE

MS. GUYAS: I certainly do. Some of you all may be aware that the commission and Governor DeSantis extended Florida’s red snapper season. Earlier this month, we had three October weekends open, and one of them was last weekend, which was more or less blown out by Tropical Storm Nestor, and so, this morning, it was announced that there will be another weekend
added to the season on November 2nd and 3rd, and so I am just sharing the information, as we’ve discussed that at a couple of committee meetings at this meeting.

CHAIRMAN FRAZER: All right. Thank you, Martha, for that update. Are there any Other Business items to come before the council? Seeing none -- Mr. Swindell.

INCLUSION OF COMMENTS INTO LETTER REGARDING MODERNIZING RECREATIONAL FISHERIES MANAGEMENT ACT OF 2018

MR. SWINDELL: Are you asking me to bring up again about including Ms. Gerhart’s information about electronic monitoring in the letter that you’re going to send out about the status of our data collection?

CHAIRMAN FRAZER: Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Mr. Swindell, are you referring to the letter that we’re writing to Headquarters on the report to Congress for the Section 201 of the Modernizing Recreational Fisheries Management Act of 2018? Is that what you’re referring to?

MR. SWINDELL: Yes.

EXECUTIVE DIRECTOR SIMMONS: I believe, and I haven’t confirmed this with Ms. Gerhart, but I believe, because that program is not implemented and in place, and since this report is really documenting what data streams and improved data streams and current systems are set up -- I think we could note that in the letter, but I don’t know if we would want to directly comment on that, since this program is not implemented.

MR. SWINDELL: Well, I am disappointed in that, because, regardless of whether we have something accomplished or not accomplished, but we are working on a program that’s trying to get some things done, and I think it’s worthwhile letting people know that they have asked us to get something done, and why don’t we let them know that we’re working on it? Thank you. I am just trying, because I think that we could also maybe encourage them to help fund the program, but, if they don’t have the information, how are they going to get the information for us to seek funding for you? Thank you.

CHAIRMAN FRAZER: Ms. Bosarge.

MS. BOSARGE: I think you’re right that we don’t have it
implemented yet, but we have had some pilot programs, and maybe
we could comment on how those have gone and what we’ve seen as
improvements.

CHAIRMAN FRAZER: I am just quickly scrolling through the
document. Just give me a second.

EXECUTIVE DIRECTOR SIMMONS: Again, this is for the information
to go into the stock assessment and management process, and so I
don’t know if those pilot programs have been considered during
the stock assessment process, but we could bring that up,
generally. I don’t know if we want to comment specifically
about specific pilots and whether they were used in various
stock assessments, because it is a general letter, or a general
report. Excuse me.

CHAIRMAN FRAZER: Okay, and so I think this is what we’ll do. I
understand your intent, Mr. Swindell, and, if we can incorporate
that into the letter, and I understand where you want to go with
that, and we’ll make an effort to do that. Mr. Anson.

MR. ANSON: Sorry, Mr. Chair, and I apologize that I didn’t
bring it up earlier, but I am just wondering, going back to the
motion we made to write the letter to the Secretary of Commerce
regarding the illegal, unregulated, and unreported fishing
activities along the Mexican/U.S. border, would it be worthwhile
to include the State Department? Does that reach within there?
I know the reports kind of come through NOAA, but I don’t know
how much interaction or process, as far as including the State
Department as a CC on the letter to the Secretary of Commerce.

CHAIRMAN FRAZER: Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. If the
council is comfortable with giving us leeway, we’re going to be
going up to D.C. here in the next week or two, at the CCC
meeting, and we could try to get some more information on all
the appropriate parties that we would be sending this letter to
and trying to get more information about this.

CHAIRMAN FRAZER: Mr. Diaz.

MR. DIAZ: Tom, I’m sorry that I did not mention this under
Other Business, and is there time to bring something else up?

CHAIRMAN FRAZER: Yes. Now is a good time.

DISCUSSION OF FAD PROJECT
MR. DIAZ: Mr. Bergman, in the audience, sent me an email, a day or so ago, about a project that Okaloosa County in Florida applied for, to put some FADs offshore in Desoto County, and apparently it’s a RESTORE Act project that they’re working on, and I’m not positive of the status of it, but it seems to be something that probably fell through the cracks, because I don’t remember us ever discussing it here at the council before.

I am not saying anything positive or negative about the project, but I am just thinking that -- Something like this, I would think that we would be aware of it at some point in time, and it did not rise to the level where we actually got this on our radar. Martha may know more about it. Thank you.

CHAIRMAN FRAZER: Ms. Guyas. She says no. Again, I don’t know anything. If you want to forward that to me, Dale, I can go ahead and look into that a little bit as well. I would think that, if it’s a FAD, that, again, it would have to be a permitted project that would come through the Army Corps of Engineers, and so, following up on the discussions that we had with them, it seems as though we haven’t quite, I guess, closed that loop. Thank you. Is there any other business to come before the committee? Seeing none, this meeting is adjourned. Thank you, everybody, and travel safe.

(Whereupon, the meeting adjourned on October 24, 2019.)