

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
 Emily Muehlstein.....Public Information Officer
 Ryan Rindone.....Fishery Biologist & SEDAR Liaison
 Bernadine Roy.....Office Manager
 Carrie Simmons.....Executive Director

OTHER PARTICIPANTS

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| 1 | Greg Ball..... | Galveston, TX |
| 2 | Terry Bessinger..... | |
| 3 | Taylor Borel..... | Galveston, TX |
| 4 | Eric Brazer..... | Reef Fish Shareholders Alliance |
| 5 | James Bruce..... | Cutoff, LA |
| 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 |
| 16 | Benny Gallaway..... | LGL Ecological, Galveston, TX |
| 17 | Jamie Gaspard..... | Port Fourchon, LA |
| 18 | Susan Gerhart..... | NMFS |
| 19 | Dan Green..... | Galveston, TX |
| 20 | Jim Green..... | Destin, FL |
| 21 | Buddy Guindon..... | Galveston, TX |
| 22 | Ken Haddad..... | ASA, FL |
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| 25 | Dylan Hubbard..... | FL |
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| 27 | Mike Jennings..... | Freeport, TX |
| 28 | Mark Kelley..... | Panama City, FL |
| 29 | Bill Kelly..... | FKCFA, FL |
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| 33 | Lawrence Marino..... | LA |
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| 44 | Ted Venker..... | CCA |
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| 46 | Daryl Wiley..... | Galveston, TX |
| 47 | Johnny Williams..... | Galveston, TX |
| 48 | Bob Zales, II..... | Panama City Beach, FL |

1 Jesse Zepeda.....Galveston, TX
2
3
4 - - -
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TABLE OF MOTIONS

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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

1 [carried on page 104.](#)

2
3 [PAGE 105:](#) Motion to request that staff explore the feasibility
4 of establishing a non-profit red snapper quota bank. [The motion](#)
5 [was withdrawn on page 113.](#)

6
7 [PAGE 114:](#) Motion to move Action 1 to Considered but Rejected.
8 [The motion failed on page 119.](#)

9
10 [PAGE 119:](#) Motion to direct staff to create a recreational
11 greater amberjack zone management decision tool showing the
12 landings by selected time series for a two-zone system and a
13 three-zone system, as specified in the document. [The motion](#)
14 [carried on page 124.](#)

15
16 [PAGE 125:](#) Motion to move Action 3 to Considered but Rejected.
17 [The motion carried on page 125.](#)

18
19 [PAGE 125:](#) Motion to add an action to consider a split quota
20 between seasons for recreational management of greater amberjack
21 in the Gulf of Mexico based on NMFS projections designed to
22 facilitate access to the stock in spring and fall. [The motion](#)
23 [carried on page 126.](#)

24
25 [PAGE 131:](#) Motion to ask the SSC to review red grouper
26 projections based on the allocation time series from Reef Fish
27 Amendment 30B, 1986 to 2005, and the best available landings
28 used as inputs in the new stock assessment (40.52 percent
29 recreational/59.48 percent commercial) and direct staff to start
30 work on a plan amendment to update the red grouper allocation
31 and establish catch levels based on the new assessment. [The](#)
32 [motion carried on page 131.](#)

33
34 [PAGE 131:](#) Motion to ask the Science Center to conduct interim
35 analyses of red grouper annually starting in 2020. [The motion](#)
36 [carried on page 133.](#)

37
38 [PAGE 134:](#) Motion to ask staff to begin a framework action to
39 reevaluate the trolling provisions in Madison-Swanson and
40 Steamboat Lumps. [The motion carried on page 134.](#)

41
42 [PAGE 139:](#) Motion that the council write a letter to the
43 Secretary of Commerce and copy the NOAA Office of International
44 Affairs and the Assistant Administrator for NOAA Fisheries to
45 open communication and request an annual report regarding the
46 specific impacts and measures taken by Mexico to address the
47 Mexican IUU fishing issue. It would be important to note in the
48 report the estimated take of red snapper by the illegal fleet

1 and the economic impact that it poses against recreational and
2 commercial fishermen in the U.S. [The motion carried on page](#)
3 [140](#).
4

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6

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

5 **INDUCTION OF NEW COUNCIL MEMBER**

6
7 **CHAIRMAN TOM FRAZER:** Before the committee sessions, we have two
8 agenda items. The first is the induction of our new council
9 member, Mr. Troy Williamson. Sue Gerhart, would you like to do
10 the induction?

11
12 (Whereupon, Mr. Williamson is inducted into the council.)

13
14 **REVIEW AND ADOPTION OF COUNCIL COMMITTEE ASSIGNMENTS OCTOBER**
15 **2019 THROUGH AUGUST 2020**

16
17 **CHAIRMAN FRAZER:** Welcome to the council, Troy. The next agenda
18 item will be the Review and Adoption of the Council Committee
19 Assignments October 2019 through August of 2020, and so
20 everybody has an opportunity to review the committee
21 assignments, and so is there a motion to approve the committee
22 assignments?

23
24 **DR. BOB SHIPP:** So moved.

25
26 **CHAIRMAN FRAZER:** Motion made by Dr. Shipp. Is there a second?
27 It's seconded by Ms. Bosarge. Is there any discussion on the
28 committee assignments or any concerns? Okay. **Seeing none, is**
29 **there any opposition to the assignments? Seeing none, the**
30 **committee is assigned, all of them.**

31
32 (Whereupon, the meeting recessed on October 21, 2019.)

33
34 - - -

35
36 October 23, 2019

37
38 **WEDNESDAY AFTERNOON SESSION**

39
40 - - -

41
42 The Full Council of the Gulf of Mexico Fishery Management
43 Council reconvened at the Tremont House, Galveston, Texas,
44 Wednesday afternoon, October 23, 2019, and was called to order
45 by Chairman Tom Frazer.

46
47 **CALL TO ORDER, ANNOUNCEMENTS, AND INTRODUCTIONS**

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

8
9 The Gulf Council is one of eight regional councils established
10 in 1976 by the Fishery Conservation and Management Act, known
11 today as the Magnuson-Stevens Act. The council's purpose is to
12 serve as a deliberative body to advise the Secretary of Commerce
13 on fishery management measures in the federal waters of the Gulf
14 of Mexico. These measures help ensure that fishery resources in
15 the Gulf are sustained, while providing the best overall benefit
16 to the nation.

17
18 The council has seventeen voting members, eleven of whom are
19 appointed by the Secretary of Commerce and include individuals
20 from a range of geographical areas in the Gulf of Mexico with
21 experience in various aspects of fisheries.

22
23 The membership also includes the five state fishery managers
24 from each Gulf state and the Regional Administrator from NOAA's
25 Southeast Fisheries Service, as well as several other non-voting
26 members.

27
28 Public input is a vital part of the council's deliberative
29 process, and comments, both oral and written, are accepted and
30 considered by the council throughout the process. Anyone
31 wishing to speak during public comment should sign in at the
32 registration kiosk located at the entrance to the meeting room.
33 We accept only one registration per person. A digital recording
34 is used for the public record. Therefore, for the purpose of
35 voice identification, each person at the table is requested to
36 identify him or herself, starting on my left.

37
38 **MR. DALE DIAZ:** Dale Diaz, Mississippi.

39
40 **MS. LEANN BOSARGE:** Leann Bosarge, Mississippi.

41
42 **DR. PAUL MICKLE:** Paul Mickle, Mississippi.

43
44 **MR. DAVE DONALDSON:** Dave Donaldson, Gulf States Marine
45 Fisheries Commission.

46
47 **MR. J.D. DUGAS:** J.D. Dugas, Louisiana.

1 **MR. CHRIS SCHIEBLE:** Chris Schieble, Louisiana.

2
3 **MR. ED SWINDELL:** Ed Swindell, Louisiana.

4
5 **MS. SUSAN BOGGS:** Susan Boggs, Alabama.

6
7 **MR. KEVIN ANSON:** Kevin Anson, Alabama.

8
9 **DR. SHIPP:** Bob Shipp, Alabama.

10
11 **LT. MARK ZANOWICZ:** Mark Zanowicz, U.S. Coast Guard.

12
13 **MR. CHRIS CONKLIN:** Chris Conklin, South Atlantic Council
14 liaison.

15
16 **MS. MARA LEVY:** Mara Levy, NOAA Office of General Counsel.

17
18 **MS. SUSAN GERHART:** Susan Gerhart, NOAA Fisheries, Southeast
19 Regional Office.

20
21 **DR. ROY CRABTREE:** Roy Crabtree, NOAA Fisheries.

22
23 **DR. CLAY PORCH:** Clay Porch, NOAA Fisheries, Southeast Fisheries
24 Science Center.

25
26 **DR. LANCE ROBINSON:** Lance Robinson, Texas.

27
28 **MR. TROY WILLIAMSON:** Troy Williamson, Texas.

29
30 **DR. GREG STUNZ:** Greg Stunz, Texas.

31
32 **MR. JOHN SANCHEZ:** John Sanchez, Florida.

33
34 **MR. PHIL DYSKOW:** Phil Dyskow, Florida.

35
36 **MS. MARTHA GUYAS:** Martha Guyas, Florida.

37
38 **EXECUTIVE DIRECTOR CARRIE SIMMONS:** Carrie Simmons, council
39 staff.

40
41 **CHAIRMAN FRAZER:** All right. Thank you, everybody. The first
42 order of business is the Adoption of the Agenda. Can I get a
43 motion to adopt the agenda?

44
45 **ADOPTION OF AGENDA AND APPROVAL OF MINUTES**

46
47 **MS. BOSARGE:** Can I just add one thing under Other Business,
48 just an informational on the aquaculture project?

1
2 **CHAIRMAN FRAZER:** Yes, you may.

3
4 **MS. BOSARGE:** Thank you.

5
6 **CHAIRMAN FRAZER:** Is there any other business? Okay. Can I get
7 a motion to adopt the agenda?

8
9 **DR. SHIPP:** So moved.

10
11 **CHAIRMAN FRAZER:** Motion by Bob Shipp. Can I get a second?
12 It's seconded by Ms. Guyas. **Is there any opposition to adopting**
13 **the agenda? Seeing none, we consider it adopted.**

14
15 The next agenda item would be Approval of the Minutes. Is there
16 a motion to approve the minutes?

17
18 **MR. DIAZ:** So moved.

19
20 **CHAIRMAN FRAZER:** Motion by Mr. Diaz. Is there a second? It's
21 seconded by Mr. Anson. Any other discussion on the minutes?
22 Seeing none, I will consider the minutes approved.

23
24 Okay, and so we have no exempted fishing permit applications to
25 review at this council meeting, and so we will be able to move
26 right past that item. We have also previously heard from Texas
27 law enforcement with a presentation, and so we will bypass that
28 as well, and that allows us to move right into our public
29 comment period, and so I'm going to read you another statement.

30
31 Good afternoon, everyone. Public input is a vital part of the
32 council's deliberative process, and comments, both oral and
33 written, are accepted and considered by the council throughout
34 the process.

35
36 The Sustainable Fisheries Act requires that all statements
37 include a brief description of the background and interest of
38 the persons in the subject of the statement. All written
39 information shall include a statement of the source and date of
40 such information.

41
42 Oral or written communications provided to the council, its
43 members, or its staff that relate to matters within the
44 council's purview are public in nature. Please give any written
45 comments to the staff, as all written comments will also be
46 posted on the council's website for viewing by council members
47 and the public, and it will be maintained by the council as part
48 of the permanent record.

1
2 Knowingly and willfully submitting false information to the
3 council is a violation of federal law. If you plan to speak and
4 haven't already done so, please sign in at the iPad registration
5 station located at the entrance to the meeting room. We accept
6 only one registration per person.
7

8 Each speaker is allowed three minutes for their testimony.
9 Please note the timer lights on the podium, as they will be
10 green for the first two minutes and yellow for the final minute
11 of testimony. At three minutes, the red light will blink, and a
12 buzzer may be enacted. Time allowed to dignitaries providing
13 testimony is extended at the discretion of the Chair.
14

15 If you have a cell phone or similar device, we ask that you keep
16 them on silent or vibrating mode during the meeting. Also, in
17 order for all to be able to hear the proceedings, we ask that
18 you have any private conversations outside, and please be
19 advised that alcoholic beverages are not permitted in the
20 meeting room. With that said, we will start the public comment
21 process, and we will get the speaker list on the board. Our
22 first speaker is Lawrence Marino, followed by Mark Kelley.
23

24 PUBLIC COMMENT

25
26 **MR. LAWRENCE MARINO:** Good afternoon. My name is Larry Marino,
27 and I'm here on behalf of Louisiana Attorney General Jeff
28 Landry. Attorney General Landry supports requiring a reef fish
29 permit to obtain or to maintain shares under Amendment 36B.
30 It's appropriate for the rights to the fish to be limited to
31 those who can fish.
32

33 There's been some question whether that was the original goal of
34 the program or whether it should be. Regardless, this current
35 council can pursue its own priorities, as long as they're within
36 Magnuson parameters. Preservation of fishing communities is
37 obviously within those parameters, and it's also fair. The
38 fishermen doing the work and taking the risk should receive the
39 benefits, and that's the fundamental policy question here.
40

41 Is this council okay with shareholders adding no value to the
42 fishery, taking no risk, and yet leasing out the public's fish
43 to fishermen for three-quarters of the value of the fish?
44 That's what's happening, and it will continue to happen unless
45 shares are tied to actual fishing activity. This is
46 sharecropping, and Attorney General Landry opposes it.
47

48 Magnuson provides that catch shares are a permission, and they

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

8
9 Allowing them to keep shares, because they bought them in
10 reliance on being able to keep them, means ignoring the nature
11 of the shares as permissions and the warnings that non-fishermen
12 might not be allowed to own shares. If this council
13 nevertheless chooses to grandfather these folks, a control date
14 must be established. It should be a date in the past and not in
15 the future, like under Alternative 4, because a future date
16 incentivizes gainsmanship, as shareholders will create and
17 stockpile new accounts in anticipation of that date.

18
19 Also, in accounts that were created before the control date, the
20 right to obtain additional shares is different from the right to
21 maintain existing ones, and there is no justification for
22 allowing grandfathered non-fishermen to get more shares, as
23 there at least arguably is for allowing them to retain the
24 shares that they have already bought. Like the original IFQ
25 structure, grandfathered accounts should be limited to
26 maintaining shares they had before the control date and
27 precluded from acquiring new ones.

28
29 Attorney General Landry also supports adding an additional
30 action, requiring income from fishing and actual landing by the
31 shareholders, as this would go further to restricting shares to
32 those actually doing the fish, and, ultimately, the
33 redistribution of shares to those who actually fished under
34 Amendment 36C and the eventual termination and redistribution of
35 those shares, as discussed by Mr. Dyskow and others, are
36 essential to returning the fish to the fishermen. Thank you.

37
38 **CHAIRMAN FRAZER:** Thank you, Mr. Marino. Our next speaker is
39 Mark Kelley, followed by Alicia Paul.

40
41 **MR. MARK KELLEY:** I don't know how I like being the first
42 fisherman up here, but I guess I'm fixing to swallow the pill.
43 My name is Mark Kelley, and I'm from Panama City. I've got two
44 charterboats, and I'm dually permitted, and I'm in the IFQ
45 system, and I am fully invested in this fishing.

46
47 I'm up here today, and I want to discuss this amberjack fishery.
48 Us in the Panhandle have been robbed from our spring fishery

1 because of the start date, and we brought to you, two or three
2 meetings ago, about a split quota, where each quota would be the
3 spring and a fall quota, and we wanted some accountability
4 measures set for each quota.

5
6 That way, it comes out of each month, the spring month or the
7 fall month, and we're not -- Under current, the way it is, we're
8 not going to get a May season for several years to come, and
9 some of you all setting here in this committee this week said
10 you didn't see any reason to be in a hurry with this.

11
12 Well, if your livelihood was dependent on it, it would be kind
13 of a concern for you, and the easiest way to solve the problem
14 is to change that start date back to January 1 and open in May,
15 and then that assures us a May season. Then anything else -- If
16 we overfish it in the fall, because I need them in the fall too,
17 and it comes off of the fall, and I look at the numbers, and I
18 would be willing to give up August, but, when you look at the
19 numbers, it gives you exactly the right amount of days for
20 failure, and then we start paying them back in May, if that
21 start date is not changed.

22
23 Also, as far as the IFQs on the whether or not you should own a
24 commercial permit, I think, if you're fully invested in this IFQ
25 system, you should be like the regular fishermen and have to own
26 a permit and have to own a boat. I know there's a few ways
27 around that, but, hey, we all spent the money to get the
28 permits, and so they should have to, too.

29
30 Also, in the charter, commercial, any industry, we are having a
31 massive shark intrusion, and then, on top of the sharks, we're
32 having this massive dolphin problem. I mean, I know that sounds
33 trivial to you all, but it is killing our business. Until you
34 have experienced it, you really don't know what we're talking
35 about. We in the fishing business will get shut down for the
36 whole day by those dolphins, I mean to the point that you cannot
37 get anything to the boat. We need some kind of guidance on
38 something we can do about them, because some of them are going
39 to be taken care of by some of the industry, and I would hate to
40 see that happen.

41
42 Also, the Madison-Swanson, the marine reserves, I think, if
43 we're going to have a marine reserve, we should not allow any
44 fishing at all in there, and I would love to see nothing
45 traveling across there, but I know that's going to be virtually
46 impossible. Other than that, that's about all I've got to say.
47 Thank you.

1 **CHAIRMAN FRAZER:** Thank you, Mr. Kelley. Our next speaker is
2 Alicia Paul, followed by B.J. Burkett.

3
4 **MS. ALICIA PAUL:** Good afternoon. I'm Alicia Paul, dually-
5 permitted vessel Long Shot, Panama City Beach, Florida. I'm
6 here to talk about amberjack, just like him, and we need our May
7 season. I would like to see it go back to a January start date,
8 to ensure that that May season is there for us. We do need them
9 in the fall too, but we get more months in the fall, and let's
10 pay them back in the fall, and let's go back to a January start
11 date. You all said let it ride, but, you all, we've lost May of
12 2019. At this rate, we're going to lose May of 2020. If you
13 let it ride, we're going to lose 2021. Come on. Help us out.

14
15 I am in support of the 36B. We had to buy a permit, and so
16 should they, and a boat, and the dolphins and the sharks are an
17 issue, a big issue, especially the dolphins. I spent a week out
18 there commercial fishing last week, and for four days I fought
19 them buggers, and I went home almost busted.

20
21 The triggerfish, we have an overabundance of triggerfish. The
22 stock assessment is way behind, and I would like to see
23 something more current on that issue. As far as the overnight
24 trips, the current preferred, I would like to see that happen as
25 well, and thank you all for letting me speak today. That's all
26 I've got.

27
28 **CHAIRMAN FRAZER:** Thank you, Ms. Paul. Our next speaker is B.J.
29 Burkett, followed by Bob Zales.

30
31 **MR. B.J. BURKETT:** My name is B.J. Burkett, and I fish out of
32 Panama City. I charter fish, I'm a commercial boat owner and an
33 IFQ holder. The first thing I would say would be a thanks to
34 the council for confusing the hell out of us yesterday.

35
36 I mean, the red grouper and the amberjack presentations, half of
37 the audience -- I mean, it really confused us, and I don't even
38 know if -- I feel like half of the council was pretty confused
39 about it, too.

40
41 I'm going to start with the amberjacks. A spring season is a
42 must for our business, and you all have been all the way around
43 the map with this amberjack over the last year, and now we're
44 just going to let it play out. I mean, if we're going to let
45 something play out, why not set it back to the easiest way,
46 where you all can manage it if it does work.

47
48 There is no reason to start it in August. It's the only

1 recreational fishing that don't have a normal calendar year.
2 Please move the start date back to January. We need a May
3 fishery, and we also need a fall fishery, but, at the way it's
4 set up, I don't see a spring fishery ever happening.

5
6 The May 1 to May 31 would be the spring season, and then I can
7 lose August, and we'll take September and October, or however
8 long the quota lasts. Another thing with the jacks is, after
9 seeing that presentation yesterday, I would love some
10 clarification on the fractional bag limit percentages. I can't
11 make my calculator add it up like you all did, and so I would
12 love to see some better information on that.

13
14 On the 36B, I am invested way up past my neck in this IFQ
15 fishery, and I would love to see everybody have to have a permit
16 to own the IFQ, and the dolphins and sharks, I mean, it's not
17 just that they're hurting our business, but they're hurting our
18 fishery. If you all don't figure out a way to do something
19 about it, there's not going to be a need for a council. I mean,
20 they're going to eat them all. They're thriving. You have the
21 creatures that have no -- There is nothing that can hurt them.
22 I mean, you can't do nothing to them, and please help us with
23 the dolphins and sharks.

24
25 The closed areas, Madison-Swanson and Steamboat Lumps, I would
26 love to see no fishing in those areas, and I'm with Mark Kelley
27 on that, and not even travel through it, and I know it's
28 probably hard, but, I mean, we need those sanctuaries.

29
30 Red grouper, I don't even know how to talk about that one. I
31 mean, you all set up this IFQ to control and manage and help
32 this fishery, and we would be in no different place if this IFQ
33 wasn't there with red grouper and gags. Right now, if you
34 pulled it away, there would be no more fish caught and no less
35 fish caught, but the fish is in horrible shape, and that goes
36 along with gag, and it cuts me, because, I mean, I own quite few
37 of them, and I have a boat that catches them, and it's a huge
38 issue, and I'm out of time. Thank you, all.

39
40 **CHAIRMAN FRAZER:** Thank you, Mr. Burkett. Our next speaker is
41 Bob Zales, followed by Ronald Chicola.

42
43 **MR. BOB ZALES, II:** Bob Zales, II, and I am representing the
44 Southern Offshore Fishing Association. I sent you all our
45 comments, but I will briefly read through them. On 36B, based
46 on the stated purpose and need in Draft Amendment 36B, the
47 members of SOFA encourage you to continue to work on this
48 document to reflect your stated purpose and need. As you go

1 forward, we will provide more comments.

2
3 We also recommend that you investigate management measures that
4 help to make available red snapper quota to the grouper
5 fishermen who have none, but are interacting with red snapper,
6 due to the species expanded range, in an effort to reduce
7 discard mortality.

8
9 Pulley's Ridge modification, the members of SOFA are opposed to
10 any expansion of the Pulley's Ridge area and changes to current
11 regulations within the current area. We support the continued
12 use of grouper longline gear within the Pulley's Ridge area.

13
14 On the Florida Keys Marine Sanctuary management review, the
15 members of SOFA are totally opposed to any proposed expansion or
16 regulatory changes of the Florida Keys National Marine
17 Sanctuary.

18
19 On SEDAR 61, the red grouper stock assessment, we came prepared
20 to fully support the SSC recommendations on this stock
21 assessment, but clearly changes are in the air, and so we fully
22 support the results of the current red grouper stock assessment
23 and the SSC recommendation of an ABC of 4.9 million pounds
24 gutted weight.

25
26 We also support the committee motion to have the SSC review and
27 provide their guidance on the new information provided at this
28 meeting, where the allocation will shift to 60 percent
29 commercial and 40 percent recreational. We recommend that the
30 council take no final action on the red grouper stock assessment
31 at this meeting or SSC actions until the SSC has acted on the
32 new information.

33
34 While we have concerns about the last-minute presentation of
35 preliminary 2017 MRIP APAIS-adjusted landings and the resulting
36 shift of allocation of red grouper, we feel that more time and
37 work is necessary before any changes in allocation is made. Any
38 questions?

39
40 **CHAIRMAN FRAZER:** Mr. Diaz.

41
42 **MR. DIAZ:** Thank you, Captain Zales, for coming. Me and you had
43 a conversation in the hall the other day, and you was talking
44 about the volume of bait in your area, and, anyway, could you
45 say a few words about that? You've been around a long time,
46 and, when you talk about stuff like that, I think it's very
47 important that we hear that type of feedback from people.

1 **MR. ZALES:** Well, I'm from Panama City, and, as everybody knows,
2 Michael rode through there last year and pretty much devastated
3 that area of the Panhandle, especially Mexico Beach and Tyndall
4 Air Force Base and Panama City proper. What we saw this year
5 was really strange, because, normally, there is a good bit of
6 live bait and stuff around in the area. In the spring, it was
7 almost nonexistent.

8
9 We had problems with it pretty much throughout the year, and
10 some bait is beginning to show up now, but we had a live bait
11 operation that's been operating there for many years, and I
12 don't know how long Jack has been in the business, but, for a
13 long time, but, as an example, in the red snapper season of
14 sixty days, I would guess, in my best guess, that, probably half
15 of that sixty days, he didn't have any live bait at all.

16
17 For the first time that I can remember in many years, when he
18 did have live bait, he restricted the amount of bait that he
19 would provide to each boat, and he was trying to be fair, to
20 give everybody some bait to go fishing, and so we've been
21 scratching our heads, and the only thing we can really come up
22 with is, apparently, when Michael rode through there, it changed
23 -- We know it changed the bottom, and it must have changed a lot
24 of other stuff with it, because the bait seems to be -- Maybe
25 it's recovering, and hopefully it will, but the only thing we
26 can put it on right now is Michael.

27
28 **MR. DIAZ:** Thank you, Captain Zales.

29
30 **MR. ZALES:** Thank you.

31
32 **CHAIRMAN FRAZER:** Thank you. Our next speaker is Ronald
33 Chicola, followed by Bobby Kelly.

34
35 **MR. RONALD CHICOLA:** Good afternoon. My name is Ron Chicola, a
36 commercial fisherman. We are the people that bring to the fish
37 to the table for the consumer. We are the most important people
38 on the food chain, and I don't really have a lot to say, and
39 Lawrence said it all. I wish you all would follow the
40 instructions of the Attorney General of Louisiana, and there's
41 one more thing that I wanted to clarify with Mr. Roy.

42
43 Mr. Roy said the other day that there's always been investors in
44 the snapper business, and I'm seventy years old, and, when I
45 started fishing, there was no investors. There were companies
46 that owned many boats, but they dealt with the crews, and they
47 dealt with the boat problems every day, and so I wish you all
48 would vote on 36B and 36C. Right or wrong, just vote on it.

1
2 Every time it comes up, you all pass it around the table and
3 pass it back to the next meeting and pass it around the table,
4 and it never gets voted on. It's time to step up and vote on
5 it, right or wrong, and whatever it is is whatever it is. You
6 all have a good day.

7
8 **CHAIRMAN FRAZER:** Thank you, Mr. Chicola. Our next speaker is
9 Bobby Kelly, followed by Billy Neff.

10
11 **MR. BOBBY KELLY:** Bobby Kelly, Orange Beach, Alabama, charter
12 fishing and commercial fishing, a dual-permitted boat. I just
13 want to say welcome to Texas. This place is beautiful, and the
14 bugs aren't going around, and so we're doing great.

15
16 Right now, while other people are talking about greater
17 amberjack, I'm still not interested in altering that greater
18 amberjack season just yet. I know a lot of people are asking
19 for them in May, but the fact of the matter is that these fish
20 are important whenever the season is open, depending on what
21 fleet you're at, and you've got to have them in May, and I've
22 got to have them in August, and so they're important to
23 everybody.

24
25 However, I do reserve the right to change this testimony in
26 April of 2020, when you all announce the greater amberjack
27 season, and so let's just see how it goes. I mean, I will
28 probably be up here next year pounding the podium and saying we
29 need them, we need them, we need them, but let's just -- I'm
30 still hopeful, guys, that we'll get a May season.

31
32 I am in favor of harvesting a two-day bag limit within the two-
33 day trip. I mean, I used to run a lot of two-day trips, and, if
34 these fish are biting, why not just them harvest the fish now.
35 We're not going over the limit, and we're not doing anything
36 illegal, and so give the guys that.

37
38 It was great to see the flexibility that the EFP provided for
39 the states in the red snapper fishery, as given by the
40 additional weekends, and it's good that they had that, and I'm
41 looking forward to moving to that in the future, and I would
42 like to find a mechanism somehow that the charter/for-hire fish
43 -- We're going to have a lot of fish not used, and we had a
44 pretty rough weather year. Looking down the road, I would like
45 to have a mechanism that we get our extra fish that we left on
46 the table.

47
48 I would like to finish on the recalibration of red grouper. I

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

10
11 Also, when you start taking these fish away, it provides a
12 slippery slope, taking unused fish, uncaught fish, away from the
13 anglers that didn't catch them, i.e., the charter/for-hire.
14 Like I just said, the last three or four years, we haven't been
15 able to catch all of our fish. We haven't been allotted the
16 days, and so we don't want to go down that path. Otherwise,
17 thank you, guys, and you all have a safe trip home.

18
19 **CHAIRMAN FRAZER:** Thank you, Mr. Kelly. Our next speaker is
20 Billy Neff, followed by Jim Green.

21
22 **MR. BILLY NEFF:** I am Billy Neff from Orange Beach, Alabama. I
23 have been in the charter boat industry for seventeen years, and
24 I do think we need -- I would like to see amberjack in May.
25 Typically, when amberjack has been opened in May, in previous
26 years, we have had a real strong May fishing time, with a lot of
27 people down.

28
29 Since it's been closed, I almost didn't fish at all this May,
30 and so I think we need something to draw people to want to
31 charter these boats that is not a vermilion snapper, a small
32 fish. We need something to offer them that will make them want
33 to spend the money to get on the boat. I am also in support of
34 two-day limits on multiple-day trips, and so anything over
35 twenty-four hours, two and three-day trips. That's pretty much
36 all I have to say. Thank you.

37
38 **CHAIRMAN FRAZER:** Thank you, Mr. Neff. Our next speaker is Jim
39 Green, followed by Ken Haddad.

40
41 **MR. JIM GREEN:** Hello. I'm Jim Green, President of the Destin
42 Charter Boat Association. I appreciate the opportunity to speak
43 today, and it's good to see you all. The DCBA supports the
44 current form of the for-hire multi-day possession limit
45 document, and we support passage of this document today. This
46 will provide an efficient prosecution of the fishery, and it
47 will reduce discards, and it also adds the clarity to the
48 regulation, and our guys support it wholeheartedly.

1
2 Concerning the amberjack, we have come before this council and
3 asked for changes, and it's needed. We understand the analysis
4 is difficult, but we need some action taken, and this document
5 that was all but gutted yesterday provides some approaches that
6 could be beneficial.

7
8 The DCBA supports exploring a zone fishery. It's no secret that
9 the western and eastern Gulf have different weather patterns and
10 needs. When it comes to the eastern Gulf, we would like to see
11 a season of May, September, and October, even if the May season
12 is May 1 through 20. We feel we have a better chance of having
13 stability within the projected seasons and reduce the chance for
14 an in-season closure. If this is accomplished, then things like
15 fractional bag limits may not need to be considered, because we
16 would have the harvest reduction built into this projected
17 season.

18
19 Logbooks, in the last couple of months, I personally have
20 finished a unit tested for bluefin data, and the unit worked
21 great, and it ran seamlessly, and it was easy to install, and we
22 need to get them on the water as soon as possible, and so please
23 keep the ball rolling with that.

24
25 I would like to echo Captain Kelley's comments about predation.
26 We are protecting the apex predators of the Gulf of Mexico,
27 being dolphins and the sharks, and it is very apparent. It adds
28 a whole other level of complexity to our fishery, and, as he
29 said, there is days that you just can't get away from them, and
30 there is areas that we don't go to, because we can't efficiently
31 harvest fish, and we pretty much spend most of our day burning
32 fuel and aggravating customers and disenfranchising them with
33 the fishery, and so any kind of movement on that would be
34 greatly appreciated, and that's all I've got for today. Thank
35 you.

36
37 **CHAIRMAN FRAZER:** Captain Green, we've got a question from Mr.
38 Dyskow.

39
40 **MR. DYSKOW:** Thank you for your presentation, Captain Green.
41 We've heard a lot of information about sharks and dolphin. Do
42 you have any mitigation practices that you are currently using
43 in your fleet?

44
45 **MR. GREEN:** I would not like to comment on that.

46
47 **MR. DYSKOW:** Okay. I get it. Thank you. Thanks for answering
48 my stupid question.

1
2 **MR. GREEN:** I would be open to any kind of mitigation practice,
3 and Dr. Crabtree even ran off from that one, and I would say
4 that I have heard of rubber bullets, and I've heard of
5 soundwaves, and I've heard of lot of things. To kind of give
6 you some history, I started deck-handing at ten, and it never
7 became a problem until the net ban in Florida happened, and
8 those dolphins used to follow the net boats and eat the spill-
9 outs on the net boats, and then, once the net ban happened, they
10 moved to the for-hire and the fishing vessels.

11
12 I don't know exactly how you go about doing it, and there's
13 people a lot smarter in that field, but it's going -- For lack
14 of a better word, it's going to have to be a cultural change.
15 These are generations of dolphins that have now learned to
16 follow our boats, and, barring getting lambasted by people, it
17 may take a show of force to deter some of them, or at least
18 mitigate some of those problems, but, to answer your question,
19 no, sir, I do not commit any felonies whatsoever.

20
21 **MR. DYSKOW:** Well, I wasn't assuming that you did. There is a
22 NMFS policy statement that's been distributed on the west coast
23 of the United States, and they have a number of approved methods
24 that include rubber bullets and some other draconian things, and
25 so I know you're not using any of those, even though they are
26 approved.

27
28 The other question I had for you is the current, I guess
29 unofficial, policy, or perhaps it's an official policy, that
30 NMFS has in the Gulf is that, when you encounter dolphins and
31 they are taking your fish, you should move. How fast are your
32 average boats in your fleet?

33
34 **MR. GREEN:** Our average boats are somewhere between ten to
35 fifteen knots, I would say.

36
37 **MR. DYSKOW:** So, in theory, they could be slower than the
38 dolphin.

39
40 **MR. GREEN:** I will have to tell you that whoever wrote that
41 piece of paper and used that as an official policy does not know
42 how to prosecute a fishery or deal with mammals that are hungry.
43 Those fish run from me. I get on a bite of fish, and I had the
44 most that I ever had this summer. Me and a crew member -- It
45 was so devastating down there, and I had one come up and count
46 them with me, and I could see them on the bottom machine, and we
47 counted over fourteen on the surface, and we were out there by
48 ourselves that day, and it was very aggressive.

1
2 Whenever you get in a position like that, you're not going to
3 outrun a thirty-knot mammal on a ten-knot boat. It's not going
4 to happen, and so what we do is we keep fishing until we feed
5 them, and we call it paying the piper, or call it paying the
6 taxman, whatever you want to call it, but we're on their turf,
7 and the only thing we can do is to continue to fish and feed
8 them until they get to a point where they do not take our fish
9 anymore.

10
11 **MR. DYSKOW:** Thank you.

12
13 **MR. GREEN:** Yes, sir. Thank you, all, for the opportunity to
14 speak today.

15
16 **CHAIRMAN FRAZER:** Thank you, Captain Green. Our next speaker is
17 Ken Haddad, followed by Chris Niquet.

18
19 **MR. KEN HADDAD:** Thank you, Mr. Chairman and council members.
20 First, I want to welcome Troy Williamson as the new council
21 member and thank him for taking a thankless and complicated job.
22 The allocation process, we were hoping that the federal working
23 group would give a little more prescriptive results in their
24 charge, but that's a reasonable start, and we're hoping the
25 technical group will move forward with some sort of template or
26 decision matrix that can aid the council in really making fully
27 objective and accountable allocation decisions.

28
29 We would like to see this process, if at all possible, kind of
30 carried out and fully implemented in 2020, if that's a number
31 that will work, and we also recommend that stakeholders be
32 included early in the process, maybe through existing APs or an
33 ad hoc allocation AP or something that brings in stakeholders to
34 think about the values criterion and how the process should
35 work.

36
37 On red grouper, we realize that the FES is going to open up,
38 quote, allocation debates. We believe this is a data
39 calibration or correction issue and not the same as conducting a
40 full allocation, and we hope it won't get framed into that box.
41 It's not a commercial versus recreational battle, which has
42 already surfaced yesterday in discussions, and so we're hoping
43 it's the application of the best scientific data.

44
45 The red grouper is just the beginning, and so we ask that you
46 address both the changes in stock abundance and the resultant
47 allocation changes in some sort of straightforward manner, if
48 that's possible, and not confuse it with the allocation process.

1 We agree with the committee motion to initiate a plan amendment,
2 but we also think that some interim or emergency rule may be
3 needed to deal with quota changes, and so thank you.

4
5 **CHAIRMAN FRAZER:** Thank you, Mr. Haddad. Our next speaker is
6 Chris Niquet, followed by Bill Kelly.

7
8 **MR. CHRIS NIQUET:** Chris Niquet, Panama City, Florida,
9 commercial fisherman and IFQ stakeholder. I have three
10 subjects. The first one is the use of VMS and how it can be
11 applied to the private recreational angler. If you want hard
12 data, you will get hard data, up-to-the-minute hard data. All
13 you do is require them to have an offshore license issued by the
14 state and a VMS on the boat if it's going offshore. If it's not
15 going offshore, you don't have to have one.

16
17 If it is, make available VMS to lease or rent on a short-term
18 basis, and you don't need them year-round. Your season isn't
19 that long, and you will know who is going fishing, how often,
20 where they are boating, where they are landing, which pass
21 they're coming through, and, if you have a thirty-day season,
22 and he's out there for forty trips, you've got to do something.
23 He is violating, obviously. These things would be with your
24 Social Security number, and so there would be no way to get
25 around it.

26
27 Next is the IFQ. Your first speaker, the Governor's
28 representative, made it plain that he didn't think the IFQ
29 should be in the hands of stakeholders unless they were fishing
30 the shares, and I'm going to call them shares, and that's what
31 they are.

32
33 If you had this idea that went throughout American history,
34 Warren Buffet would never own forty-one-million shares of Coca-
35 Cola. He doesn't manufacture Coca-Cola, and he hasn't been to
36 plant in years. Guess what? He still owns the Coca-Cola, and
37 he still gets the dividends. It's called your lease price.

38
39 I don't think you can fully say, well, you've got to have this
40 requirement or that requirement. You had that requirement --
41 Way back when, you had no requirements, and anybody could buy
42 them. Then you had it for a while where you had to have a reef
43 fish permit, and I didn't have one, and I sold my permit, and I
44 was sitting there with the shares, and now you've got have one.
45 I tried to buy some, and it was turned down by NMFS. Then you
46 changed it back to where you don't have to have one.

47
48 Somebody is making some money in this movement of reef fish

1 permits. You aren't issuing any more, and there's got to be
2 some reason there for it, and I don't know why, and the addition
3 of a reef fish permit -- If you think it's going to release one
4 more pound to be on the open market to satisfy the people in
5 west Texas or west Florida, it's not.

6
7 Let me tell you why. This last year, I personally leased
8 200,000 pounds everywhere from Tarpon Springs south, and they're
9 still complaining that there is no fish available, and I can't
10 do any more than that. Before you start making any rules, how
11 about just taking a look at it and saying is this really going
12 to increase the number of shares or allocation available and
13 affect the price? If you want to affect the price of this
14 commodity, raise the TAC. If you get more commodity, the price
15 will fall on any commodity, and I don't care if it's gold or
16 silver or bread. Thank you very much for your time.

17
18 **CHAIRMAN FRAZER:** Thank you, Mr. Niquet. Our next speaker is
19 Bill Kelly, followed by James Bruce.

20
21 **MR. BILL KELLY:** Mr. Chairman and council members, Bill Kelly,
22 representing the Florida Keys Commercial Fishermen's
23 Association, and I would like to talk to you about the Florida
24 Keys National Marine Sanctuary, their restoration blueprint, and
25 you saw that presentation yesterday.

26
27 It's a restoration all right, after twenty-two years of
28 mismanagement by sanctuary officials that included an Inspector
29 General's investigation in 2015, with allegations of fraud,
30 misuse of funds, and abuse of power. That resulted in the top
31 three sanctuary managers being relieved of duty, and it also put
32 seven years of general management plan work in the garbage can.

33
34 Also, the shallow-water working group chairman was relieved of
35 duty for inappropriate actions, and he was the one that was in
36 charge of the group that would define those proposed closed
37 areas.

38
39 An excellent example of manipulating things is we had a lionfish
40 exempted fishing permit request that was approved by this
41 council and the South Atlantic. We spent years trying to get
42 that approved by the sanctuary, and it was blocked repeatedly by
43 those officials, and particularly Billy Causey, yet, using the
44 same application as a guideline, the Florida Fish and Wildlife
45 Research Institute applied for a permit from the sanctuary and
46 got it in three months.

47
48 The issues down there are water quality, education, and law

1 enforcement and not fishing, none of which is addressed in their
2 585-page draft environmental impact statement. Water quality,
3 we've got algal blooms, and we've got red tides. Fortunately
4 our current Governor is addressing these issues very
5 aggressively, but, in Miami-Dade County, an aging infrastructure
6 -- In the last ten years, they have had a major sewage break
7 every year for ten years, and two of them have been over 100
8 million gallons of raw sewage dumped into Biscayne Bay.

9
10 The latest one was five weeks ago, and twenty-eight million
11 gallons of raw sewage went straight into Haulover Inlet there
12 and out on the beach, which is at the north end of Miami Beach
13 in Miami. Not a penny in fines, but, if we pumped our bilge and
14 put a sheen on the water, the marine patrol would be after us in
15 a skinny minute.

16
17 Education, the sanctuary's creation opened the doors for
18 increased tourism, and the DEIS that they've got out is pushing
19 for more, yet they're one of the biggest parts of the problem,
20 because there is no educational materials or training. You just
21 go in there and do whatever you want to do, and that's the
22 results of the prop scarring and a lot of the coral damage.

23
24 Law enforcement, NOAA just increased the law enforcement in the
25 sanctuary by 33 percent, and they now have three officers. They
26 also cut funding to the supplemental law enforcement to FWC by
27 more than 50 percent, and I'm seeing that I'm going to run out
28 of time here, but the fisheries management job -- It's your
29 responsibility and FWC. Large-scale closures accomplish
30 nothing, and you protect fish with ACLs and size and bag limits,
31 and you protect spawning aggregations with closed seasons and
32 not closed territory. I have got more, and I will submit that
33 in writing. Thank you so very much.

34
35 **CHAIRMAN FRAZER:** Thank you, Mr. Kelly. We've got a question
36 from Dr. Shipp.

37
38 **DR. SHIPP:** Bill, thanks for coming. I am just curious. Why
39 did they block your efforts on the traps for lionfish, or what
40 was their motivation?

41
42 **MR. KELLY:** That's a real quandary there. We had a fully-funded
43 \$1 million program there, and it was delay after delay, and it
44 took us over three-and-a-half years to try and get that exempted
45 fishing permit, and we ultimately withdrew it, because of the
46 time involved and the expense that we were experiencing.

47
48 To put it in perspective, I have one fisherman alone, one,

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

10
11 **CHAIRMAN FRAZER:** Thank you, Mr. Kelly. Our next speaker is
12 James Bruce, followed by Catherine Bruger.

13
14 **MR. JAMES BRUCE:** I'm James Bruce, a commercial fisherman from
15 Cutoff, Louisiana. When we started this, it was cool, but I
16 like what you all are doing, and you all leave it the way it is,
17 and why not, but we need more access to the quotas. Like, we
18 need to take the permits off altogether. That way, we could
19 lease our fish to other people, because, if you put permit, we
20 won't be able to -- All we'll do is take our VMS and put it on a
21 boat and down-power it, and you could have a bunch of permits
22 like that.

23
24 When you all dropped the qualifying, like you all said in there,
25 you all got all the data for us, and so, when we unload our
26 fish, you all know what we're catching, by what boat, and so
27 what good are the permits doing? I don't think we need them.

28
29 As far as the red grouper, them dudes are getting it bad, and
30 you've got sixty longline permits, and you all are doing the
31 stock assessment, and forty of them are being used.

32
33 You need the two-day quota on the charter boats, too. If you
34 put a permit, there's all kind of ways to get around it, and we
35 know that, because you couldn't even get an earned income
36 qualifier, because people said you wasn't telling the truth, and
37 so let's take it off the law, and so I like it the way it is.
38 All we need to do is get rid of the permits. That way, anybody
39 can go catch them. Thank you.

40
41 **CHAIRMAN FRAZER:** Mr. Bruce, we've got a question from Chris.

42
43 **MR. SCHIEBLE:** Real quick, for Amendment 36B, other than no
44 action, what would be your preferred alternative?

45
46 **MR. BRUCE:** The one you all did on the reef fish permit before
47 it got the substitute motion, which was Number 2, because we've
48 got the control dates already, and any control dates that -- You

1 all put out a control date, and what did you all put out a
2 control date for? That is for people who is investing a lot of
3 money, and they're going to check the CFRs, because anything
4 could change from that time on, and you all put them on call.

5
6 You put the people on call, and look out, man. Let's go invest
7 some money? I don't think so. If I had \$4 million to invest,
8 that would be 100,000 pounds of fish, and at four-dollars a
9 pound, dude? I pay my crew more than what you can make on the
10 lease. Watch the red snapper stock assessment, and not this
11 one, but the next one. It will be just like the red grouper,
12 and I told Leann.

13
14 **CHAIRMAN FRAZER:** Thank you, Mr. Bruce. Our next speaker is
15 Catherine Bruger, followed by Dylan Hubbard.

16
17 **MS. CATHERINE BRUGER:** Good afternoon. Thank you for the
18 opportunity to give comment. I am Catherine Bruger, a St.
19 Petersburg, Florida native and a second-generation fishery
20 biologist. My father worked for the State of Florida, and I
21 followed his path, working for FWC, and I studied the
22 reproductive biology of snook. I worked for the NMFS Southeast
23 Regional Office for nearly a decade, and I'm here today in my
24 new role with Ocean Conservancy.

25
26 As discussed this morning, the development of a common currency,
27 Option 1b in the white paper, is necessary for in-season state
28 management of red snapper, to ensure that Amendment 50 is
29 compliant with MSA and prevents overfishing. By applying the
30 white paper calibrations, we estimate that, based on the common
31 currency issue alone, the private recreational sector is
32 overharvesting by nearly three-million pounds and exceeding the
33 OFL by two-million pounds annually, as detailed in our letter.

34
35 Option 1a, using the MRIP query site and back-calculating to the
36 phone survey units, the units of the ACL, it suggests that the
37 2019 ACL and OFL are likely being exceeded by three states
38 alone. We support state management of red snapper, but the only
39 solution to ensure accountability is for the calibrations to be
40 applied to the state ACLs prior to opening any 2020 state
41 seasons.

42
43 Because timeliness is critical, we urge the council to support
44 the SSC motion to hold a special workshop to review the data and
45 direct the SSC to develop a calibration process for stock
46 assessments and for management.

47
48 On the topic of red grouper, our concern is that the stock

1 biomass is at an all-time low, and previous definitions would
2 classify the stock as overfished. Scientific research suggests
3 that MSST should be set at 0.75 and SPR between 40 and 50
4 percent. We still don't know the impacts of the 2018 red tide.

5
6 The cumulative effects of these risky management decisions for a
7 stock with cyclical biomass patterns leave little room for
8 reductions in biomass due to recruitment failures or natural
9 disturbances, such as red tide, which are expected to become
10 more frequent and longer in duration. We urge the council to
11 consider revising SDCs by increasing the overfished threshold
12 and raising SPR levels for red grouper, to encourage stability
13 and protect this stock, whose biomass is at critically low
14 levels.

15
16 Last, I wanted to make you aware of an exciting public mural
17 project. Our goal was to use art as a form of communication.
18 The murals highlight the significance of healthy ecosystems and
19 feature seven fishing communities on the Gulf coast of Florida
20 whose local economies rely on the fishing industry. We hope, if
21 you're in St. Petersburg, that you will visit the seawalls
22 funded by a grant through the NOAA Heritage Program. Thank you
23 for allowing me the opportunity to comment, and I look forward
24 to speaking with you all in the future.

25
26 **CHAIRMAN FRAZER:** Thank you, Ms. Bruger. Our next speaker is
27 Dylan Hubbard, followed by Mike Colby.

28
29 **MR. DYLAN HUBBARD:** Hello. My name is Captain Dylan Hubbard
30 from Hubbard's Marina, and my family business has been fishing
31 in central west Florida waters for almost 100 hundred years and
32 four generations. We operate six federally-permitted vessels,
33 two of which are partyboats and four are charter boats. Also,
34 I'm a graduate of the Marine Resource Education Program, and I
35 hold a spot on the Reef Fish AP, the Data Collection AP, and I'm
36 the Chairman of the Outreach and Education Committee.

37
38 The release mortality symposium that we recently had was really,
39 really awesome, and I appreciate everybody's work on that, and
40 hopefully some of the recommendations that came out of that
41 meeting can be moved forward, and I think we have a lot of work
42 to do trying to change the culture offshore and prevent discard
43 mortality and improve best practices, as far as releasing fish
44 offshore.

45
46 On that subject, these multiday trips that we have, we have a
47 big issue, and I appreciate the council's hard work on trying to
48 fix that issue. I fully support the current preferreds in the

1 document, and I hope that tomorrow that document can be made
2 final with the current preferreds.

3
4 Please help us moving forward. This will allow us to operate
5 efficiently, with minimal discarded fish, and it will continue
6 to allow us to be good examples, educating our guests and
7 clients on the importance of preventing discard mortality.
8 Also, keep in mind these multiday trips are such a small number
9 of trips in the Gulf of Mexico. According to the document,
10 there was only 298 trips taken in 2018 that exceeded twenty-four
11 hours on vessels in the headboat survey.

12
13 Of those 298 trips, fifty-two of them were on my boat, and so
14 that is why I am so passionate about this issue and fixing this
15 problem that was caused by regulation consolidation and not
16 council action. If we're able to hit the dock with a two-day
17 limit, why should it matter when those fish are landed? These
18 are long-range boats that are very large and have the sleeping
19 quarters needed to operate under this provision legally. We
20 have been operating these long-range trips for nearly six
21 decades, and I hope to be continuing to operate them for many
22 more decades.

23
24 During this long history of operation, we have never had to
25 return the dock inside that twenty-four-hour window, and we
26 don't plan to start now, increasing the minimum number of hours
27 to thirty. As far as enforceability, as the law currently
28 states, it has nothing to do with calendar days. It's all about
29 that twenty-four-hour minimum requirement. We're not changing
30 that in this new document. We're only increasing the minimum
31 number of hours fished to qualify for a two-day limit.

32
33 As it stands now, law enforcement has the challenge of
34 discerning exactly when the fish are landed. This change is
35 moved forward, but they just need to confirm that the receipts
36 are onboard, there is two captains, it's a federally-permitted
37 for-hire vessel, and that it doesn't come into the dock within
38 thirty hours, and so, in my opinion, it relieves one of the
39 burdens of proof that law enforcement has to prove, and so
40 hopefully it would make their job easier. I am out of time, but
41 I wanted to talk about red grouper and amberjack too, but I will
42 forward my comments. Thank you.

43
44 **CHAIRMAN FRAZER:** Mr. Hubbard, we've got a question from Ed
45 Swindell.

46
47 **MR. SWINDELL:** The 291 vessels that were multiday trips, what --
48

1 **MR. HUBBARD:** There was, according to the document, I think
2 seventy-eight vessels, and there was 298 trips in 2018, and that
3 is vessels participating in the Southeast Regional Headboat
4 Survey, and, of those 298 trips, we operated fifty-two of them.

5
6 **MR. SWINDELL:** So that's just in the Southeast, and is it the
7 total Gulf or --

8
9 **MR. HUBBARD:** That is Gulf of Mexico headboats. Yes, sir, and
10 so it's a very small percentage of trips, 3.2 percent, to be
11 exact.

12
13 **CHAIRMAN FRAZER:** Martha.

14
15 **MS. GUYAS:** Okay, Dylan. Tell me about amberjack and red
16 grouper.

17
18 **MR. HUBBARD:** Thank you, Martha. Amberjack, as some other
19 people have stated, I would support leaving the amberjack season
20 alone right now. It stinks, and I would like a May season, but
21 I really feel that we need to leave it alone and stop changing
22 size limits and bag limits and let this fishery -- The access to
23 this fishery continue to suck for a little while, and so, that
24 way, we can get an assessment with actual data that's
25 comparable, instead of just keep changing and stabbing in the
26 dark and trying to gain access for a few crumbs of fish. Let it
27 ride, and hopefully the assessment will be able to give us some
28 good news, and then we'll have better access.

29
30 As far as red grouper goes, we really need red grouper in the
31 first half of the year, when gag grouper are not open, and so,
32 if red grouper season is going to be significantly shortened, I
33 would like to see it start on January 1 and run as long as
34 possible. I would not want to evaluate bag limit changes until
35 we have a year of trying that.

36
37 If we open red grouper on January 1 and they close in March,
38 then let's go to one fish, but, if they close in June, July,
39 August, September, or October, let's keep it two fish and just
40 have a little shorter season, but we really need a fish open, a
41 grouper open, twelve months out of the year in our area, and the
42 first half of the year is very tough, which now amberjack not in
43 May. Everything is in the second-half of the year, and so
44 having red grouper open January through June is very important
45 to me. Thank you. Happy Birthday, Leann.

46
47 **MS. BOSARGE:** Thank you.

1 **CHAIRMAN FRAZER:** Our next speaker is Mike Colby, followed by
2 Greg Ball.

3
4 **MR. MIKE COLBY:** Good afternoon. I'm Mike Colby from
5 Clearwater, Florida, charter operator and President of the
6 Clearwater Marine Association. This is going to be another
7 interim update on what is rapidly getting to the end of our
8 voluntary ELB project that was funded through NFWF and
9 prosecuted by the Gulf Seafood Institute and Woods Hole CLS.

10
11 We are down to probably less than fifty units, and, over the
12 last six months, I have had phone calls after phone calls, and
13 particularly after the mailing on what to expect on the rollout
14 for when the Fisheries Service has a directive to report for all
15 federally-permitted boats.

16
17 There's a little bit of confusion still out there, but I try to
18 clear it up with everybody, and probably I would see our
19 voluntary effort closing in maybe three to five months,
20 somewhere around that time. The data is a database in Maryland,
21 and I think we'll just proceed on until either we have installed
22 the rest of the units, either that or there's a rollout for the
23 directive.

24
25 Woods Hole CLS, I put them in touch with then Mike Cahall at
26 ACCSP, and Woods Hole provided them with the appropriate
27 information from their end, and so the Coastal Cooperative could
28 receive the information from their unit and then pass it on
29 through Bluefin or the Southeast Headboat Survey or wherever the
30 data is going to finally end up, and so knots were being tied
31 and things were getting together to see this through to the end.

32
33 Again, it's a little interesting, that there's still some of the
34 perceptions out there about reporting in an ELB environment,
35 whether it's cellular-based or whether it's a traditional
36 satellite platform, but fishermen are calling me a lot,
37 particularly south Florida fishermen, that are interested in
38 getting updates on this and what the final shakedown will be.

39
40 As an add-on, or an interesting sidebar, to our data that has
41 been collected in this project, Dr. Sagarese allowed me to
42 present some of that at the SEDAR 61 workshop, and what's really
43 interesting is, since the conversation was on red grouper, the
44 2017 data that we pulled, and, again, it's a finite number of
45 vessels reporting, about 130, and that data pulled from those
46 boats on record showed about 5,900 harvested red grouper, with
47 that number of boats reporting, and about 24,000 discards, live
48 discards, and so you've got about four-and-a-half-times as many

1 discards as you had legally-harvested fish, and it's kind of
2 interesting. I mean, those may be very telling numbers, and
3 they may not be, but I thought that would be interesting to
4 bring that up. Thank you.

5
6 **CHAIRMAN FRAZER:** We've got a couple of questions. Kevin Anson.

7
8 **MR. ANSON:** Thank you and thanks for coming, Mike. Do you know
9 anything about a summary presentation that's going to be given
10 regarding the program to talk about some of the successes and
11 problems and those types of things in some of the data? Is
12 there going to be one coming?

13
14 **MR. COLBY:** Yes, and I think I might even drag Harlon here to
15 take care of some of that, and we've been submitting interim
16 reports to NFWF on the project, and, yes, as we tail this down,
17 I think we're going to have final observations that -- Again, it
18 will be like the miner's canary for the Fisheries Service and
19 rolling out the directive to report, and it will be interesting
20 to share some of the pitfalls and whatever, and we may be able
21 to avoid those.

22
23 Frankly, if I get the rest of the units in, we've darned near
24 got half the fishery covered, at about 400 to 425 vessels, and
25 so there's quite a bit of information to garner for that on
26 fishermen's attitudes and what their final observations are on
27 reporting, but I can guarantee you that, when we do make this
28 mandatory, those folks are going to hit the ground running. I
29 mean, they're already battle tested, and so they'll be ready.

30
31 **MR. ANSON:** Thank you.

32
33 **CHAIRMAN FRAZER:** Thank you, Mr. Colby. Our next speaker is
34 Greg Ball, followed by Taylor Borel.

35
36 **MR. GREG BALL:** Good evening. I'm from Greg Ball, from here in
37 Galveston. I have a couple of federally-permitted charter
38 boats, one dual-permitted commercial and charter/for-hire. I
39 have a state water boat, and I'm also President of the Galveston
40 Professional Boatmen's Association, and we want to welcome you
41 all to Galveston, and hopefully you all have enjoyed some of our
42 charm and some fresh local seafood while you were here.

43
44 Today, I want to talk about the barotrauma release device, where
45 we're using that as our group of the Galveston Professional
46 Boatmen's Association, and all of our captains are using them on
47 our boats, the SeaQualizer, and I would like to see that go on
48 charter boats Gulf-wide. I think it's a big asset to our fish

1 stock, and they're working.

2
3 We are sending fish down through dolphins and sharks, and I
4 don't see them eating them. They run from them, instead of
5 grabbing them, and so the SeaQualizer kind of deters them a
6 little bit, helping them survive, I believe.

7
8 Also, on our amberjack, the August season is working great for
9 us. I would like to see it just left alone for right now, and I
10 know guys in the eastern Gulf want a May season, and that could
11 still happen if the allocation ends up being there, but, for
12 right now, it's good. Maybe something like zone management or
13 something later on, but, right now, it's working.

14
15 I also want to thank all the law enforcement for the way they've
16 been involved this last year, and they've really gotten involved
17 and help get a lot of poachers off the water and a lot of
18 illegal charter boats and illegal fishermen, and so I thank you
19 all for that, and keep up the good work. That's all I've got.
20 Thank you, all.

21
22 **CHAIRMAN FRAZER:** We've got a question for you from Lance.

23
24 **MR. ROBINSON:** Captain Ball, thank you for coming. Does your
25 organization have a position on the amendment that will be voted
26 on tomorrow about the two limits on a thirty-hour trip, for-hire
27 trip?

28
29 **MR. BALL:** No, not really.

30
31 **MR. ROBINSON:** Okay. Thank you.

32
33 **MR. BALL:** Thank you.

34
35 **CHAIRMAN FRAZER:** Thank you, Mr. Ball. Our next speaker is
36 Taylor Borel, followed by Casey Streeter.

37
38 **MR. TAYLOR BOREL:** Hi, everybody. I'm Taylor Borel, and I run a
39 dual-permitted vessel out of Galveston, Texas. Thank you all
40 for being here, and I just wanted to say that we've been doing
41 work with the barotrauma release devices, and the SeaQualizer
42 has been working great, as Greg said, and I would like to see
43 the amberjack be a split-zone season, and that's all I have to
44 say. Thanks.

45
46 **CHAIRMAN FRAZER:** Thank you, Mr. Borel. Our next speaker is
47 Casey Streeter, followed by Katie Fischer.

1 **MR. CASEY STREETER:** Thank you, Mr. Chairman. I want to thank
2 the council for all the hours and care and concern for the
3 fishery. I will make it short and quick. I definitely support
4 Action 1, Alternative 2. I believe, if you have ownership in
5 this fishery, you should have a permit. It's called IFQ,
6 individual fishing quota, for a reason, and I think it's
7 important to keep the fish in the fishermen's hands and allow
8 them to go to work.

9
10 I would go as far as saying I believe you need a permit to
11 purchase the allocation, and, I mean, this is going to control
12 the outside influence of entities who want the end use of the
13 fish, but want to control it from the time it leaves the dock
14 and goes to the boat and comes back to the dock, and so I think
15 that's really important.

16
17 Also, some of the things I hear coming out of the APs concern
18 me, and hopefully some of these APs really do have the concerns
19 of commercial fishermen involved, instead of their personal
20 vested interests. I believe they were put together to really
21 hear the voice of fishermen that are on the water and things and
22 issues that they see and they want corrected, and so hopefully
23 those things will continue to best suit the fishermen and
24 represent what their true interests are. Thank you.

25
26 **CHAIRMAN FRAZER:** Thank you, Mr. Streeter. Our next speaker is
27 Katie Fischer, followed by Jay Mullins.

28
29 **MS. KATIE FISCHER:** Hello. Casey and I own a fish house in Pine
30 Island, Florida, and also several commercial grouper boats. In
31 terms of 36B, Action 1, we support Alternative 2, and we feel
32 that shareholders should have to have a permit and also a boat,
33 in order to have fish. I feel like the other three alternatives
34 are solutions that solve no problems. Also, the Reef Fish AP
35 did not represent my interests on that issue.

36
37 Then, in regard to reallocating the grouper, I am definitely not
38 in favor of reallocating more grouper to the recreational sector
39 until a plan for accurate accountability is brought forward.
40 Under the current system, the landings are still estimates.

41
42 The commercial sector can tell you exactly how many pounds of
43 fish, of each fish species, non-IFQ or IFQ, are landed every
44 day, week, or year. If we're truly trying to manage our
45 fishery, to give the recreational sector more fish would be
46 irresponsible and move farther away from sustainability and also
47 principles set forth in the MSA, and so thank you.

1 **CHAIRMAN FRAZER:** Thank you, Ms. Fischer. Our next speaker is
2 Jay Mullins, followed by Sean Heverin.

3
4 **MR. JAY MULLINS:** Good afternoon, everybody. I am Jay Mullins,
5 and I am one of the only four left owner-operators in the
6 eastern Gulf in the longline industry. At the beginning, Mr.
7 Tom, you told me that it's a federal crime to report false
8 information to you. Well, I don't know where this goes in false
9 information, but our commercial Reef Fish Advisory Panel and the
10 Gulf Shareholders Alliance does not hold my best interests at
11 hand.

12
13 I am a lifetime fisherman from the west coast of Florida, and
14 what bonified fisherman will say it's okay for you not to have a
15 reef permit to own quota? There is not one, and maybe the
16 reason behind that is there's hardly any of us left.

17
18 Mr. Crabtree, I'm glad you said something about going back in
19 history, back into the 1980s, to bring up data from back then,
20 and why don't we go back? Why don't we go back to the beginning
21 of this IFQ program, because it's no longer an IFQ program.
22 It's a CFQ program, corporate fishing quota. Everybody knows,
23 and it's no secret.

24
25 Also, furthermore, our red snapper stock was just about
26 devastated in the 1980s, and almost now to nil. It's taken
27 almost thirty years to get that stock healthy again, and you
28 guys are allowing -- I think Mr. Niquet explained it pretty
29 openly, and he has leased 200,000 pounds of red snapper quota to
30 the south Gulf, over in the eastern Gulf, and it's taken you
31 guys thirty years to give us a red snapper fishery back, and
32 we've never had a red snapper assessment, and nobody cares. You
33 guys are allowing the western Gulf quota system to be brought
34 over into a fishery that's taken thirty years to replenish. Is
35 there anything right about what's going on here?

36
37 I am in full support of having a permit, and not only a permit,
38 but back to the original way. You needed a boat, and you needed
39 to be the one landing fish. I am not the dentist from Michigan.
40 I have never seen that in my whole life, and I grew up in this
41 industry, and I have never seen outside investors until the IFQ
42 program came along, ever.

43
44 You know, I have an original IFQ permit, original 180,000 pound
45 a year average, and do you think that us top fishermen in the
46 eastern Gulf voted on this? That's a false reality. I was set
47 up at the beginning where I still have to lease fish six months
48 out of the year, because my fishing demands were not met. I am

1 still in somebody's pocket from day number one of this program,
2 and have we come here and cried about it? No. There was
3 nothing fair and equitable about the IFQ program. It was based
4 on certain individual's self-interests, and we would like to see
5 you do something about that. Thank you very much.

6
7 **CHAIRMAN FRAZER:** Thank you, Mr. Mullins. Our next speaker is
8 Sean Heverin, followed by Tad Mask.

9
10 **MR. SEAN HEVERIN:** I'm a fisherman from -- I currently reside in
11 Louisiana, until I run out of fish to catch, and then I will
12 move somewhere else, but I am a longliner. I have three boats,
13 and I started out with one a few years ago, and now I have
14 three. A lot of that came through hard work.

15
16 I am just trying to -- The challenges of being a young fisherman
17 are access to quota, number one, and number two is getting out
18 there and catching the fish, and putting the fish across the
19 dock is the best way to make money, but groupers and tiles are
20 getting slower, and I would fish the eastern Gulf, but there's
21 only sixty-something endorsements, and they're hard to come by,
22 and so I do what I can to get access to whatever snapper I can,
23 and that's what's out there, and that's what we're catching.

24
25 In order to invest in this fishery, as a fisherman, I'm 100
26 percent -- I invest all my income into catching fish, and I
27 became a dealer and started selling my own fish, to help make a
28 little bit of extra money.

29
30 I bought a couple of extra vessels and worked out some deals
31 with some shareholders to get quota from them for those vessels,
32 and we could sell them and make a little bit of extra money, and
33 the goal is to eventually buy shares of fish, because, as a
34 fisherman, if you're working on ex-vessel price of the snapper,
35 between \$1.25 to \$2.10, and groupers and tiles and b-liners are
36 harder to catch now, because there's less around, how is a young
37 person to save up the money to invest in shares and be a
38 shareholder eventually, being as I own zero shares, and I didn't
39 inherit anything, and I had to work my ass off to get where I'm
40 at, and so it's tough.

41
42 I wanted to touch base on the permit requirements. As much as I
43 would like to see a permit requirement for shareholders, I don't
44 know that that would really change much, because, if you're a
45 shareholder and you put out this permit requirement, what's to
46 stop the shareholder from working out a deal with somebody to
47 just provide the fish to somebody and then have them manage the
48 boat, which I kind of do with my other two boats, the ones that

1 I don't run, and so I don't know that it would really change
2 much.

3
4 I mean, I would like to see some of these shareholders be in
5 there and change down a pilot rudder feedback sensor at one
6 o'clock in the morning, being a boat owner and seeing all that
7 stuff, but -- I don't know.

8
9 A couple of other things. I would like to see data reporting to
10 be streamlined. As an owner-operator and dealer, and managing
11 two other boats, I have to do logbooks, trip tickets, bycatch
12 reporting stuff, and then I get these return letters from the
13 logbook office saying, oh, you filled this out incorrectly and
14 this out incorrectly and this out, and you have the trip ticket,
15 and why don't you just fill it out? Why are you asking me to do
16 it? I'm up at two o'clock in the morning filling out all this
17 paperwork for all the different boats, and so I would like to
18 see the data reporting to be more streamlined and faster data
19 management decisions.

20
21 It seems like, from what I've gathered from being over here,
22 it's like you all talk about all these stock assessments and
23 this and that thing from three or four years ago, but real time
24 -- Like this isn't the fishery that we're in. That's three or
25 four years ago. If it takes that long to make a decision and do
26 something different, you guys are behind the times.

27
28 I see like other fisheries, like say Alaska, for instance.
29 Based on the salmon that return upstream, they can right then
30 make the decision on how many salmon can be caught that year or
31 that season or whatever, and I would like to see something
32 faster for this fishery.

33
34 The other thing that a couple other people have talked about
35 were shark and dolphin issues, and I just got back and unloaded
36 yesterday, and I just did a quick five-day trip, and it was a
37 way shorter trip than normal, and I think I lost over 500 hooks
38 to sharks, and they just bite it off my gear. Maybe we could
39 open up sharks to harvest, and porpoises are a big problem.
40 They're eating all the fish off of my longline when I go west
41 and fish in the Flower Garden area or when I fish east, off of
42 like the Panama City area. The dolphins kind of just eat me
43 alive.

44
45 **CHAIRMAN FRAZER:** Mr. Heverin, I'm going to ask you to wrap it
46 up, if that's okay.

47
48 **MR. HEVERIN:** Yes, and that's all I've got. I had a couple more

1 things, but I can talk about them later.

2
3 **CHAIRMAN FRAZER:** Thank you. Our next speaker is Tad Mask,
4 followed by Gary Jarvis.

5
6 **MR. TAD MASK:** Good afternoon, Mr. Chairman and council members.
7 My name is Tad Mask, and I'm here with the Southeastern
8 Fisheries Association. I would like to make comment on a couple
9 of items discussed this week on behalf of our members.

10
11 We applaud your efforts to reduce release mortality. We believe
12 that emphasis placed on reducing release mortality is of the
13 utmost importance, and using the correct methods to prevent
14 barotrauma and increase the survival rate of caught fish are
15 vital. We are happy to point our members, and any interested
16 parties, to the council's website to get the correct information
17 about the best practices to reduce release mortality.

18
19 We request no changes or expansion of the Florida Keys National
20 Marine Sanctuary. We understand the complex issues with
21 Amendment 36B. While we understand the need for a free market,
22 and we are not in favor of government overreach, we agree with
23 the spirit of getting IFQ shareholders to be truly invested in
24 the Gulf fishing industry, and not just as bankers. We are also
25 in favor of reexamining the ability to retain shares in
26 perpetuity, especially as an inheritance.

27
28 In regard to the SEDAR 61 and the red grouper stock assessment,
29 we agree with the need to proactively plan for the reduction to
30 the biomass from red tide events and erring on the side of
31 conservation, but we caution adding even more assumption to the
32 process of stock assessments.

33
34 This is the reason for having buffers and multiple levels of
35 protection for the species. We believe that maintaining the
36 2017 ACLs is fair, until the effects of the 2018 red tide event
37 are properly quantified.

38
39 In general, we strongly oppose any actions taken by the council
40 to take fish away from commercial fishers, especially because of
41 recalculations of a historical dataset that is from fourteen
42 years ago. Commercial fishermen do not ask for all the fish,
43 but we do ask to be able to make a sustainable living for our
44 families and to continue to provide a sustainable, natural food
45 source for everyone.

46
47 Finally, members and staff of SFA would like to thank the Gulf
48 Council and their staff for all of their hard work. We really

1 appreciate your time, and we understand that your efforts help
2 keep this natural resource sustainable and keep our members
3 providing seafood to the general public. Thank you.

4
5 **CHAIRMAN FRAZER:** Thank you, Mr. Mask. Our next speaker is Gary
6 Jarvis, followed by Troy Frady.

7
8 **MR. GARY JARVIS:** Thank you, council, for the opportunity to
9 speak. Working waterfronts with robust commercial and
10 charter/for-hire industries is important to my community of
11 Destin, Florida.

12
13 It's not only an economic aspect, but it's our heritage and our
14 culture. The Destin brand is world-class beaches and fishing,
15 and I would hope that fishery management decisions, especially
16 allocation ones, would take this into account, because this is
17 important, not only just to Destin, but every fishing port along
18 the entire Gulf of Mexico.

19
20 After two days of data, stock, and allocation discussions during
21 the committees, it seemed to me that ignoring the ramifications
22 of these decisions to our communities without thoughtful
23 solutions wasn't part of the discussion.

24
25 The charter/for-hire sector has an approved ELB requirement, and
26 the industry is poised to implement them as soon as possible,
27 and we've actually literally begged for them since 2008, ten
28 years ago, or, actually, longer than that, and this sector, with
29 self-reported electronic reporting, will assist in solving some
30 of the challenges expressed yesterday and today. I would ask
31 you to please implore the agency to, at the very least,
32 implement this program when it comes to the data collection and
33 recreational fisheries, while they wrestle with the challenges
34 facing data collection in the private sector.

35
36 We understand that being more accountable in rebuilding
37 fisheries increases your access, and that lesson should apply to
38 the private recreational sector, and, thankfully, in Florida,
39 working with our FWC, we have grasped that concept, and we are
40 trying to increase the accountability level of the private
41 sector, so they can gain more access to a rebuilding fishery.

42
43 During allocation discussions in the future here, I think it's
44 time to explore sector allocation for amberjack and triggerfish
45 for the charter/for-hire sector. We don't have to build a
46 better mousetrap. Amendment 40 has done that already, and we
47 know that it's been a resounding success to ensure public access
48 to the resource for the non-boat-owning public.

1
2 I support the two-day limit rule for overnight trips that was
3 introduced by Captain Dylan Hubbard. I support the closing of
4 the trolling loophole in the sanctuary of Swanson and Steamboat
5 Lumps.

6
7 The last comment that I want to make is based on some of the
8 comments about the IFQ program and requiring a permit or a
9 vessel to execute the fishery. The original AP for the IFQ
10 recommended to this council that the fishery remain within the
11 fishers and that no other people could own the allocation. It
12 was the fishermen, and they would transfer shares or allocations
13 and buy and sell and remain in the fishery.

14
15 It was members of this council, and the CCA and other
16 recreational lobbyists, that actually introduced the ability for
17 non-fishermen to own these shares. It wasn't the IFQ AP, and
18 the rationale behind that was I think they thought they could
19 buy out the fishery from the commercial fishermen, because, at
20 the time, red snapper wasn't worth very much.

21
22 Well, that blew up in their face, and so they're the ones that
23 implemented the five-year rule, this council did, to allow
24 anyone to invest in the fishery. It wasn't the original IFQ
25 shareholders or the people in the industry, and I just want to
26 clarify that on the public record.

27
28 The last thing that I will comment about this is, for the people
29 that are on the outside looking in, or are worried about future
30 access into the fishery, if you force a man who has 15,000 or
31 20,000 or 30,000 pounds of allocation, which is worth \$700,000
32 or \$800,000 or \$900,000 or \$1 million, he's going to buy a boat
33 and a permit, and he's going to fish it himself, and the people
34 that are complaining about not having allocation to access the
35 fishery are going to further have difficulty, because now that
36 guy who is leasing fish now is going to catch them himself, and
37 so you're still going to be on the outside looking in, or
38 working for him.

39
40 The only fix to the situation is just like what all of us did,
41 is work hard, save your pennies, and buy your way in, because
42 it's a good investment, and I think the agency is allowing
43 people to take loans against allocation, and so your allocation
44 that you're buying is going to be your security, and you don't
45 have to go outside and hock your house, like I did to get my
46 Class 1 permit, put a second mortgage on my house.

47
48 They're actually -- The agency is going to make a provision, I

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

9
10 **CHAIRMAN FRAZER:** Thank you, Mr. Jarvis. Our next speaker is
11 Troy Frady, followed by Jamie Gaspard.

12
13 **MR. TROY FRADY:** Good afternoon. I am Troy Frady, from Orange
14 Beach, Alabama. I'm a full-time charter fisherman. First, I
15 would like to say, Mr. Williamson, welcome to the council. I'm
16 proud that you're here, and may you do a great job.

17
18 I guess the first thing that I want to talk about is the greater
19 amberjack. You know, I remember, back not too long ago, this
20 council was talking about setting the amberjack season outside
21 of the January 1 start date, in order to give other stakeholders
22 in the Gulf an opportunity to catch these fish, because,
23 historically, everybody remembers the fish were being caught
24 before we even opened up in the spring.

25
26 Well, you all finally made the tough decision, based on the
27 biology of the fish and allowing them to spawn, to set the
28 season to where we received our allocation in August. Now, I
29 know there's a lot of people in the eastern Gulf who have been
30 uncomfortable, and I totally respect how uncomfortable they have
31 been by not having the amberjack season in the spring this year.

32
33 It wasn't exactly easy for myself, but, being proactive, I have
34 tried to figure out a way to increase income and generate a
35 living for myself, and so I fully support leaving it like it is.
36 Let this thing run for a couple of years and let's see if the
37 fishery recovers.

38
39 Another thing that you need to consider is, during the summer,
40 with all these charter fishermen and private recreational
41 fishermen accessing the fishery, there's an unintended
42 consequence where pressure is being put on the greater
43 amberjack, with everyone using live bait and everyone continuing
44 to fish and trying to catch larger fish, and so, whenever we are
45 out there fishing and trying to catch big fish, we unintendingly
46 hook amberjack, using the longer leaders and the live bait, and
47 so that's an unintended consequence that may have an effect on
48 the rebuilding. Keeping the fish in mind first and making sure

1 they do recover, again, I fully support leaving the season the
2 way it is.

3
4 The second thing that I would like to talk about is the two-day
5 bag limit. I fully support the thirty-hour rule, and it will
6 close the loopholes of some people leaving and running their
7 charters and coming in before twenty-four hours is up. I
8 believe that's the right way to do it, and it will close that
9 loophole.

10
11 In an effort to help the amberjack, I propose that this council
12 go to a one-fish bag limit total on overnight or two-day trips.
13 Just set the amberjack at one fish per person for two days and
14 see if we've got any fish left over, and then we can use those
15 in the spring, if we have any allocation left over, and that's
16 pretty much about it. I want to thank you for the opportunity.
17 Have a good day.

18
19 **CHAIRMAN FRAZER:** Thank you, Mr. Frady. Our next speaker is
20 Jamie Gaspard, followed by Ted Venker.

21
22 **MR. JAMIE GASPARD:** How are you all doing, council? My name is
23 Jamie Gaspard, and I'm from Port Fourchon, Louisiana. I've been
24 a charter captain for twenty-three years, and I'm a new IFQ
25 entrant, and I just recently purchased my permit, and I ran my
26 first commercial trip about two weeks ago.

27
28 It's given me a chance to be in an industry, and it's been
29 tough, but we work hard, and we're moving along. The VMS, we're
30 using CLS, and it's worked well for me, and so I would like to
31 continue using that.

32
33 One thing I would like to address is a commercial crew size.
34 Charters, six people, and the commercial crew size is four
35 people. When we're on VMS, we're doing the right things, while
36 we're punished for being commercial.

37
38 Another thing that I would like to address is the shark influx,
39 and we're seeing a lot more sharks, a lot of bigger sharks, and
40 we would like to see something done about that. That's pretty
41 much it. Thanks for -- Amberjack. One thing about the
42 amberjack that I've got to say. The amberjack issue has worked
43 well for us, and maybe some type of regional area management
44 would be better, because I would say that August works better
45 for us in Louisiana, and so just speaking for myself.

46
47 **CHAIRMAN FRAZER:** We've got a question for you from Dr.
48 Crabtree.

1
2 **DR. CRABTREE:** Are you hook-and-line commercial fishing or
3 spear?

4
5 **MR. GASPARD:** Hook-and-line.

6
7 **DR. CRABTREE:** Thank you.

8
9 **CHAIRMAN FRAZER:** Thank you, Mr. Gaspard. Our next speaker is
10 Ted Venker, followed by Jesse Zepeda.

11
12 **MR. TED VENKER:** Hello. My name is Ted Venker, and I'm with the
13 Coastal Conservation Association, and I just really wanted to
14 come up and say that we're proud of NOAA and the Gulf Council
15 for the work they've done with the barotrauma symposium and
16 bringing together all stakeholders to figure out ways to
17 minimize release mortality.

18
19 Clearly, there are a lot of things that we can be doing to
20 minimize the impacts of the way we fish in the recreational
21 sector, which is why CCA has been supportive of the mandatory
22 use of descending devices.

23
24 We also have a program called Release Sense, which is a
25 partnership with the Harte Research Institute and Shimano and
26 CCA that is used to promote best fishing practices, and it's
27 kind of a national partner for the council and all the work that
28 Emily has been doing, and we're happy to offer our communication
29 tools and our magazine as part of the council's outreach efforts
30 to the recreational fishing community.

31
32 It seems appropriate here to highlight and also applaud the
33 efforts of the South Atlantic Council, which last month approved
34 a rule requiring commercial and recreational fishermen who are
35 fishing for snapper grouper species to have a descending device
36 readily available to release unwanted fish, and Dr. Crabtree can
37 probably speak to the new rule better than I can, but the
38 council took it upon itself to define what a descending device
39 is and provided enough flexibility to allow for even homemade
40 tools to decrease barotrauma in released fish, allowing anglers
41 to be creative and innovative.

42
43 There was universal support for that new rule, with major
44 commercial, recreational, and environmental organizations all
45 publicly supporting the proposed requirement, which seems to be
46 getting to the crux of a critical problem, and I just want to
47 applaud your efforts in that area.

1 As the council starts to get its hands around this problem
2 holistically, it seems like a natural next step to include
3 continued scrutiny on things that are impacting our fisheries,
4 things like bycatch in the shrimp industry.

5
6 Great strides have been made with BRD technology, and I
7 understand, from some information that I received this morning
8 from NMFS, that the bycatch ratio is down to two-and-a-half to
9 three pounds of bycatch per pound of shrimp, but you're dealing
10 with such volumes that that still equates to hundreds of
11 millions of pounds of bycatch, if I'm doing the math correctly,
12 and this just seems like an opportunity time, with the
13 commercial and recreational sectors making real efforts to
14 improve their bycatch and release mortality, to ask this council
15 to request annual reports on progress to quantify and, if
16 possible, reduce shrimp trawl bycatch. It's kind of the same
17 report that you requested on the IUU fishery out of Mexico this
18 morning.

19
20 In the spirit of all these other efforts to reduce unnecessary
21 waste, it would seem that additional focus on those kinds of
22 bycatch and illegal harvest are a logical next step for
23 producing healthier fisheries for everyone, and so I appreciate
24 your time, and welcome to Texas.

25
26 **CHAIRMAN FRAZER:** Thank you, Mr. Venker. Our next speaker is
27 Jesse Zepeda, followed by Terry Bessinger. Jesse Zepeda. Then
28 we will move forward. The next speaker will be Terry Bessinger,
29 followed by Bill Cochran, Sr. Is Bill Cochran, Sr. in the
30 audience? Our next speaker then would be Johnny Williams,
31 followed by Allan Scott.

32
33 **MR. JOHNNY WILLIAMS:** Johnny Williams from Williams Partyboats,
34 Galveston, Texas, third-generation partyboat operator. I am
35 here today to speak about the multiday trips and the double bag
36 limit. I support being allowed to have a double limit on a trip
37 at any time during the trip.

38
39 I actually would prefer if we used the over twenty-four-hour
40 period instead of the thirty-hour period. In Amendment 1, it
41 was over twenty-four hours, and I don't see any reason why not
42 to go back with the over twenty-four-hour trip instead of
43 incorporating a new thirty-hour limit.

44
45 I have made trips on -- One of my boats does mostly thirty-six-
46 hour trips, but the other one does some trips that are just over
47 twenty-four hours, and I would leave at 7:30 in the evening and
48 run the boat out slow, and we would get out there in the wee

1 hours of the morning, to where we were going to fish, and we
2 would fish all day long and run in fast and get in between 7:31
3 and 8:30 and keep a double limit of fish.

4
5 If I was forced to stay out another six hours, we would be
6 fishing for other species, which would lead to some more catch
7 of red snapper, which would lead to more fishing mortality when
8 we release these additional red snapper that we would keep.

9
10 The reason that I would do the twenty-five-hour trips on one
11 boat, instead of the thirty-six-hour trips and run farther
12 offshore, like the other boat does, is one of my boats is
13 certified for 200 miles, and the other one is only certified for
14 100. On the one boat, we go out, often, 145 miles or so and
15 fish for tuna fish out there, but the other boat is not
16 certified for over 100 miles, and so that's why I think that it
17 would be better for the fish and better for my customers not to
18 have to be on the boat for another six hours, if we went ahead
19 and left it at twenty-four hours, over twenty-four hours,
20 instead of the thirty-hour threshold.

21
22 The other thing that I want to mention is I looked through the
23 logbook that I have here on the Captain John that does almost
24 exclusively offshore trips, and, so far this year, we've made
25 eighty-one trips, and some of those trips were two-day trips,
26 where they fished on the way out and on the way back in, and
27 then they fished for the tuna at night, and I discovered that we
28 caught a total of forty-eight king mackerel in eighty-one trips.

29
30 That is just crazy. I mean, we used to catch that many on one
31 trip. Recently, the king mackerel bag limit was increased from
32 two to three, and that doesn't make a whole lot of sense to me.
33 If the fish aren't there, why are we increasing the bag limit?

34
35 It would seem to me like it would be pretty simple math that, if
36 the fish aren't there, instead of increasing the bag limit, you
37 would want to keep it where it's at, or maybe even decrease it
38 down to one, instead of increasing the bag limit, and so maybe
39 this is just an anomaly, and it seems like it's been slower the
40 last few years, but it might be something that we might want to
41 keep a close eye on, because we certainly don't want to distress
42 the stock to where nobody is catching it any more.

43
44 I have spoke with a lot of folks up and down the coast, and some
45 of them are saying, yes, the fish are late this year, or we're
46 not catching them yet, and I said, well, hey, don't hold your
47 breath. They might not be here, period, and so it might be
48 something that the council might want to address in the future.

1 Thank you.

2
3 **CHAIRMAN FRAZER:** Thank you, Mr. Williams. Our next speaker is
4 Allan Scott, followed by Daryl Wiley.

5
6 **MR. ALLAN SCOTT:** Thank you. That's a tough act to follow right
7 there. My name is Captain Allan Scott, and I'm really a local
8 charter fishing guide in the Galveston Bay system, but one thing
9 that I wanted to mention was that, first of all, I support --
10 Everybody has to manage fisheries and so forth, and we need to
11 do that, but I get a lot of requests from my customers that fish
12 with me in the bay, and they want me to take them offshore, and
13 the way I see it is -- I am not federally-licensed or anything,
14 but it seems like, to do the fisheries offshore, you kind of
15 have to be the Exxon-Mobil of fishing or nothing, and I just
16 thought if there was any idea that someone like me -- I want to
17 be legal, and there's always the deal about we'll share gas or
18 whatever, but I'm not going to take six people offshore and
19 share the gas and get myself in a bind.

20
21 When I have one or two or maybe three customers a year that
22 specifically ask me if I can run out and do a little red snapper
23 fishing, it sure would be nice if there was some sort of just a
24 daily permit, like Texas has daily fishing licenses, and you can
25 go online, and it's just twelve red snapper or whatever, and it
26 would be real easy to keep tabs on that, and I don't know how
27 many people would want to do that, but it seems like, the way
28 the business is going, with the reporting and all the paperwork
29 involved -- People like me, I just can't really go out there and
30 fish for red snapper, because I just don't have the resources,
31 but it would be kind of neat to be able to do one or two or
32 three trips a year, whenever one of my customers specifically
33 wants to take his corporate group or whatever out there, and so,
34 anyway, that's just kind of the comment I had. Thank you.

35
36 **CHAIRMAN FRAZER:** Thank you, Mr. Scott. Our next speaker is
37 Daryl Wiley, followed by John Walker.

38
39 **MR. DARYL WILEY:** Hello. My name is Daryl Wiley, and I'm a hand
40 on a vessel here in Galveston that does both charter/for-hire
41 and IFQ fishing. I would like to speak on barotrauma release
42 devices. I primarily come from a background of recreational
43 fishing, and, up until this point, I hadn't experienced the
44 barotrauma release devices.

45
46 Being on a boat with the barotrauma release devices,
47 specifically the SeaQualizer that we use in the GPBA, I have
48 noticed a reduction in discard mortality on the boat. I

1 previously fished in the Gulf for red snapper, and there was a
2 high rate of discard mortality, but, with the SeaQualizer, it
3 gets them down past the predators, and it helps them get down to
4 their natural barometric pressure, and it basically works really
5 well. Thank you.

6
7 **CHAIRMAN FRAZER:** Thank you. Our next speaker would be John
8 Walker, followed by Eric Brazer.

9
10 **MR. JOHN WALKER:** Hello. Thank you for having me. I just
11 wanted to say that my name is Johnny Walker, and I've got four
12 federally-permitted boats, and two of them are dual-permitted,
13 charter and commercial, and I wanted to say one thing. I think
14 it's a good thing that the council is working on this expansion
15 on the Flower Garden Banks.

16
17 I spend a lot of time out there fishing, and I think that
18 there's not one person in this room that wants to see the coral
19 and that end of it not protected. I think that expanding it is
20 a great thing. As far as limiting any fishing, as far as during
21 the expansion, I think that's the wrong way to go, but there is
22 one thing.

23
24 As far as the -- There is something that I noticed this summer,
25 as far as charter boat fishing. A lot of times, I was pulling
26 up behind boats, and I saw this trail of snapper behind the
27 boats. It was recreational, mainly during June, but
28 recreational and charter boats alike, and I think that acquiring
29 something like this barotrauma device would probably really help
30 us on our discards. Anything that helps with discards, I think
31 everybody is for that, and so I'm for that.

32
33 Also, on the Gulf amberjack deal, I see all the guys in Florida
34 wanting the May season and this and that, and I think, as far as
35 in the Gulf, our western -- What we need to do in the western
36 Gulf is not what happens in the eastern Gulf, and so I think a
37 split or a zone or a region, something like that, as far as on
38 the Gulf, the amberjack thing, would probably work out better
39 for both sides. On the commercial end of it, as far as a three-
40 hour notification, I think we need to leave that end of it the
41 way that it is and stick with that. Thank you.

42
43 **CHAIRMAN FRAZER:** Thank you, Mr. Walker. Our next speaker is
44 Eric Brazer, followed by Zachary Lewis.

45
46 **MR. ERIC BRAZER:** Thank you very much, Mr. Chairman and council
47 members and agency staff. My name is Eric Brazer, and I'm the
48 Deputy Director for the Gulf of Mexico Reef Fish Shareholders

1 Alliance. Thank you for the opportunity to speak. First, I
2 want to welcome Troy to the council. We appreciate you being
3 here, and we look forward to working with you.

4
5 I would like to speak to four issues today, the first one being
6 red grouper. The Shareholders Alliance supports the AP
7 recommendations for a 3.5-million-pound ACL, and we very much
8 support the motion for annual check-ins. We need to maintain a
9 conservative TAC-setting process, at least for the time being,
10 to protect those fish that we're all seeing, and we all have
11 high hopes for the future, but we also need the ability to
12 adjust these quotas in real time, to reflect what's actually
13 happening on the water and not what happened on the water a year
14 or two years or five years ago.

15
16 Number two is the Florida Keys National Marine Sanctuary. We
17 appreciate the opportunity for the council to weigh-in, and we
18 think there should be more of this. We think there should be
19 much more of this. We wish we had more time to digest the 600-
20 page blueprint that Mr. Kelly referenced earlier, and we would
21 ask the council to consider a request for an extension of the
22 comment period.

23
24 Third, recalibration, and I couldn't get away without speaking
25 to recalibration. This is certainly complicated, and it's
26 challenging, and it's contentious. We are concerned this is
27 going to suck up -- It's already sucked up a significant amount
28 of council resources and time.

29
30 As long as you have a portion of the fishery that operates based
31 on a census, rather than a survey, recalibration will penalize
32 those operating under the census. It is a one-way street.
33 Don't get me wrong. We should always be striving for improving
34 accuracy and precision and timeliness of data, but this premise
35 of trying to effectively rewrite history, and doing this in
36 perpetuity moving forward, is a dangerous precedent, and it
37 impacts not just commercial fishermen and not just charter
38 fishermen and not just private anglers, but anybody who has a
39 business, a fishing business, a seafood business, that depends
40 on a stable access to this resource.

41
42 I would like to end on a positive note though, talking about
43 electronic monitoring. Cameras on boats present a huge
44 opportunity for data collection, and we appreciate the
45 presentation from the Mote Marine Lab, and we hope you took that
46 very seriously, and we hope you consider how we can move EM from
47 a pilot program towards implementation.

1 You may know that there is a national electronic monitoring
2 workshop next month, up in New Hampshire, and we hope that the
3 council is sending staff there, and we would ask the council to
4 consider convening an advisory panel of industry,
5 administrative, private sector, to really start to flesh out
6 what this pathway looks like for implementation. Thank you very
7 much for your time.

8
9 **CHAIRMAN FRAZER:** We've got a couple of questions. Roy.

10
11 **DR. CRABTREE:** Eric, your statement that you have a survey
12 versus a census and calibration can only go one way, and it's a
13 one-way street, and I am mystified by that. That doesn't seem
14 to have any basis whatsoever to me, and can you explain that?

15
16 **MR. BRAZER:** Sure. I mean, the way that we look at it is there
17 is actual, verifiable data, wave data, validated data, on the
18 commercial side of things, yet we're continuously looking at
19 surveys and various levels of guesses and estimations on the
20 private angler side of things.

21
22 As we move forward, those assumptions change, and we maybe get a
23 better idea for what variables should be considered and what
24 variables shouldn't be considered, but, as long as we're looking
25 backwards to a time when there were no verifiable weights, as
26 opposed to a sector where there are verifiable weights, I don't
27 see how, we don't see how, recalibration could do anything but
28 reduce the amount of access that the sector has, the sector that
29 has the verifiable weights attached to it.

30
31 **DR. CRABTREE:** Well, I would like to talk to you about that
32 someday, because I don't understand that at all. It seems to me
33 that it could go either way and that there's no clear-cut
34 pattern why a census and a survey would necessarily only go in
35 one direction, and so I just don't get it.

36
37 **MR. BRAZER:** I appreciate that, and, if we're mistaken, if
38 there's something we're missing -- We would gladly sit down and
39 talk this through. Thank you.

40
41 **CHAIRMAN FRAZER:** Mr. Dyskow.

42
43 **MR. DYSKOW:** Thank you, Mr. Chairman. Thank you, Eric, for your
44 presentation. The one thing I was hoping to get your input on
45 you ignored, which was 36B, and does the organization that you
46 represent have a preference on any of the actions within 36B?

47
48 **MR. BRAZER:** I was hoping to get away without that question. In

1 all seriousness, I do appreciate that, and, officially, the
2 Shareholders Alliance does not have a position on 36B yet, as it
3 stands. We are still trying to understand the problem
4 statement, and we're still trying to understand what problems
5 this is trying to solve and whether it actually does solve that
6 problem.

7
8 We are polling our members. We are a member-based organization,
9 and we represent a wide spectrum of fishermen, from some of the
10 biggest players to some of the individual day boat owners. It's
11 a contentious issue, but, at the end of the day, we are still
12 unclear whether this solves the problem as it's been identified,
13 but we hope to have an official position on it by the time that
14 final action is taken.

15
16 **CHAIRMAN FRAZER:** Thank you, Eric.

17
18 **MR. BRAZER:** Thank you.

19
20 **CHAIRMAN FRAZER:** Our next speaker is Zachary Lewis, followed by
21 Scott Hickman.

22
23 **MR. ZACHARY LEWIS:** Hi. I'm a charter boat captain here in
24 Galveston, Texas. I run a federally-boat, two federally-
25 permitted boats, and I would like to see the use of barotrauma
26 release devices mandatory on all federally-permitted boats. We
27 use them now, and it's reducing bycatch quite a bit. We're not
28 having them float back up. I have heard other people talk about
29 seeing a line of red snapper behind boats, and we see it all the
30 time.

31
32 I also would like to talk about our amberjack season in the
33 western Gulf. We would like to have it stay the same, and it
34 gives us an opportunity to fish in the fall, and so that's all I
35 have to say. Thank you.

36
37 **CHAIRMAN FRAZER:** Thank you, Mr. Lewis. Our next speaker is
38 Scott Hickman, followed by Jason Delacruz.

39
40 **MR. SCOTT HICKMAN:** Good afternoon, ladies and gentlemen of the
41 Gulf Council. Welcome to Galveston, my home port. First off, I
42 would like to hopefully see all of you all at the social
43 tonight. We've got some fresh-caught red snapper that were
44 caught here in the last few days.

45
46 I'm a local charter boat captain, about thirty-five years, and
47 I'm also a commercial IFQ shareholder and fisherman. I sit on
48 the Flower Garden Banks Sanctuary Council, and I'm the current

1 chairman, and I sit on a few of your advisory panels, and it's a
2 pleasure to be able to do that and represent the folks here at
3 home.

4
5 First off, I would like to say the charter/for-hire recreational
6 fishery in the Gulf of Mexico, in my eyes, and I have fished all
7 over the Gulf, has a huge discard problem. We are wasting a lot
8 of fish that need to be in the water spawning or going home on
9 somebody's table. We could have a heck of a great season and
10 ACL if we would just quit letting these fish float off.

11
12 We need barotrauma release devices. I applaud the council for
13 having the workshop, and I heard some real good feedback from
14 it, from some of our local people that attended, and I would
15 like to applaud the work that Greg Stunz has been doing with
16 barotrauma release devices, and the folks at CCA have been
17 putting out some god stuff on it, and we really appreciate that.

18
19 Our local association, the Galveston Professional Boatmen's
20 Association, which I'm a board member, made it mandatory, to be
21 a member of our association, to use barotrauma release devices
22 while fishing, and we're going to put our money where our mouth
23 is, and we think everybody should be doing this, including the
24 commercial fleet. We shouldn't be throwing perfectly good fish
25 back in the ocean dead. It's a bad practice.

26
27 As far as estimated commercial landing weights and our three-
28 hour notification, if the fish are in your account, they're in
29 your account. It's an estimated landing weight. On my boat, a
30 thirty-six-foot center console, if it gets rough, there is no
31 way that I can take a scale with a rolling around basket of fish
32 and try to get some kind of a weight on it.

33
34 We estimate the baskets to be about fifty to sixty pounds,
35 depending on the size of fish, if their tails are sticking up
36 out of the basket, and it's hard to judge, but we can get pretty
37 close, but I know how many fish are in my account, and I know,
38 if I stay underneath that, I'm good. I have never come in where
39 I have had some huge overage or underage, and we can get it
40 fairly close, but we don't need it shrunk down to the point
41 where everybody is getting in trouble on this deal.

42
43 It works. The current system works. There is not a lot of
44 citations that I have seen from people doing illegal stuff.
45 I've got a VMS on my boat, and I've got to hail-in and hail-out
46 and a three-hour notification, and I can't stop anywhere on the
47 way in. There's no reason for that change.

1 Recreational charter/for-hire and amberjacks, I would like to
2 see a zone-type approach, a regional-type approach, like we do
3 with the commercial kingfish. The needs of the amberjack
4 fishermen in this part of the Gulf are totally different than
5 the eastern Gulf. I think a lot of the charter boat folks
6 support that.

7
8 I would like the council to continue to look at protecting our
9 corals in the Gulf of Mexico. Once again, I'm the chairman of
10 our sanctuary here, at the Flower Garden Banks, and, with the
11 expansion, we appreciate all the positive feedback on the
12 fishery regulations that come from this body. We have special
13 places, and it's good to protect them.

14
15 I do support, not so much my association so far, and we haven't
16 voted on it, but this motion that was made to the headboat
17 multiday rule, on this possession. If it's good for those
18 folks, and it doesn't hurt the fishery, and it doesn't hurt the
19 conservation of the fishery, I am for it, just like I did with
20 the barotrauma release devices. Once again, welcome to
21 Galveston, and I appreciate everything you all do, and enjoy the
22 rest of your stay.

23
24 **CHAIRMAN FRAZER:** We've got a question for you, Scott. Dr.
25 Stunz.

26
27 **DR. STUNZ:** Captain Hickman, I just wanted to tell you thanks
28 once again for the groups that you're representing and involved
29 with for taking the leadership as it relates to this barotrauma
30 reduction. I mean, with or without regulation, I think it's
31 going to take leaders and your respective industries and general
32 recreational fishermen to really take the lead and do this, and
33 so I really appreciate that, and I think that's a good move.

34
35 **MR. HICKMAN:** Thank you. We know that, instead of trying to
36 fight each other over allocations -- We've got the fish out
37 there. We're just throwing them back and wasting them, and so
38 why don't we better utilize what we currently have, instead of
39 fighting over the current slice of the pie? We can do better,
40 and we can make more fish. If we quit throwing them back dead,
41 there will be more fish in the water. Thank you.

42
43 **CHAIRMAN FRAZER:** Thank you. Our next speaker is Jason
44 Delacruz, followed by Buddy Guindon.

45
46 **MR. JASON DELACRUZ:** Good afternoon. Thank you for giving me a
47 chance to speak, and it's good to see you, Troy. We've been on
48 the AP for a long time together, and I like to see you at the

1 big-boy table now.

2
3 I want to talk a little bit about some of the comments that I've
4 heard today about what the AP did and our thought processes on
5 the permit issue when it comes to 36B. I can tell you one thing
6 that we're definitely doing, and it's driving the cost of
7 permits up, whether that be a factor of that this fishery is
8 real good, and people want to get into it, and that's why the
9 price comes up, or whether these conversations continue to make
10 that happen.

11
12 If our goals are to really maintain access to entry, that's the
13 first point to entry, and, today, you're looking at a \$20,000
14 reef fish permit. When I bought my first reef fish permit, I
15 paid \$5,000 for it, and so I think that's something that we need
16 to think about as we have these conversations.

17
18 Just as a matter of person, me personally, Jason Delacruz, owner
19 of Brickyard Fishing, owner of Wild Seafood Company, I don't
20 really care. It's not going to change anything for me. I have
21 permits, and I have boats, and I have all of that stuff, and so,
22 from a standpoint of looking at it that way, I think it's
23 important to look at the groups that you say are doing these
24 things and say, well, it doesn't really affect most of their
25 members, and it doesn't. It doesn't really change anything.

26
27 For me, this is a bigger issue, that you're doing a rule that I
28 think effectively changes nothing, and it's going to take some
29 small shareholders that are in it now and basically
30 disenfranchise them and move them out of the fishery, and what's
31 going to happen is they're going to sell off to other guys that
32 are bigger shareholders, and so you're going to consolidate and
33 have a bigger issue that you guys are trying to avoid, and
34 that's my personal opinion.

35
36 I know it's looking back, and, again, this is personally me, I
37 actually didn't want it to happen. I went to the Regional
38 Office with other co-fishermen of mine, and we sat down with
39 General Counsel and said we don't want this to happen in 2012,
40 before it happened for red snapper, and we did the same thing
41 for red grouper, and, just like everybody has testified here
42 before, the AP didn't want it when we originally designed it,
43 and I said "we", and that wasn't me. I wasn't part of that AP,
44 but we never wanted that.

45
46 I really get agitated with spending time working on these
47 issues, and it was done by this group for reasons so that they
48 could move fish from one sector to another, and now we're back

1 in this position, and we're doing something that's just going to
2 penalize the new guys that want to get into the fishery and
3 cause them a more expensive barrier to entry as they move into
4 the fishery, and that's all I have. Thank you.

5
6 **CHAIRMAN FRAZER:** Thank you, Mr. Delacruz. Our next speaker is
7 Buddy Guindon, followed by Mike Jennings.

8
9 **MR. BUDDY GUINDON:** Good afternoon. Welcome to Galveston. I'm
10 Buddy Guindon, a commercial fisherman and owner of Katie's
11 Seafood. I would like to make a few points on the
12 recalibration. There is obviously a lot of uncertainty in these
13 new catch estimates, particularly given the major discrepancies
14 we're seeing from the state monitoring systems.

15
16 Recalibrating thirty years of data based on recent comparisons
17 in methodology is fundamentally flawed, and I think that the
18 council should defer work on the reallocation amendment until
19 these issues can be addressed. MRIP was a telephone survey, and
20 we used to have telephones in our homes, and, in talking with
21 folks, about ten years back, phones kind of faded away, and
22 cellphones became the new norm, and so, going back all the way
23 into the mid-1980s and saying that these phone surveys weren't a
24 good way of counting fish is inaccurate.

25
26 Saying it is not a good way in the past ten years is accurate,
27 and so I really hope that the council moves carefully on this,
28 because it costs a lot of money to sort it out in a courtroom.

29
30 I would like to address kind of the folks that are coming up
31 here mad about not being able to access quota. There are many
32 ways to access quota. You have to be able to handle your
33 finances, and you have to be able to build relationships that
34 you're trying to put out of the fishery, and I just don't see
35 that being a fair way of dealing with the problems that they
36 have ended up with.

37
38 We have commercial fishermen who have retired and are making
39 their living off of leasing their shares, and I think that was
40 the intent, was to give fishermen a way to retire and to
41 continue to have a living, and eventually that share will
42 transfer, but, unless these folks that are desperately seeking
43 access to quota get a better business model and save their money
44 and go out into the market and purchase these, I don't see a
45 fair way to transfer allocation.

46
47 I hope that maybe we have some type of an education program for
48 existing fishermen that will help them move forward in the

1 current system, because this system is working for the fish and
2 for the fishermen that are involved, and I hope that this
3 reallocation deal doesn't just snowball out of control and
4 create a devastating effect on our fisheries, on the commercial
5 or the recreational side. Thank you.

6
7 **CHAIRMAN FRAZER:** Thank you, Mr. Guindon. Our next speaker is
8 Mike Jennings, followed by Dan Green.

9
10 **MR. MIKE JENNINGS:** Hello. My name is Mike Jennings, and I'm a
11 charter boat owner, and I own three federally-permitted charter
12 boats, and they're right here south of us thirty miles, out of
13 Freeport, Texas. I am also the President of the Charter
14 Fishermen's Association, and I appreciate you all letting me
15 speak today.

16
17 On the issue of the multispecies trip limits that's in front of
18 the council right now, we support the current preferred
19 alternatives, and we would like the council to go ahead and move
20 forward with that. We see it as a pretty simple win-win,
21 especially when it comes down to the possibility of reducing
22 some release mortality and not making those guys go sit on those
23 spots twice to catch fish that they're going to come home with
24 one way or the other.

25
26 Amberjacks, it's been spoken about up here several times today,
27 and it's obvious that the eastern and western Gulf are really
28 separated on when they want those season dates to start, and,
29 for every person that you can put up here that throughout our
30 association strings from the Keys to the Mexican border, and,
31 for every one of the members that I can put up here that will
32 talk about wanting a May start, you can put just as many up here
33 wanting to leave it with an August start, because a May start
34 doesn't work for them, or they're worried about losing fish, or
35 the fish being overfished prior to their season getting a start,
36 et cetera, et cetera.

37
38 I would like the -- There's been some comments today about a
39 zone approach to that management, and I would really like the
40 council to take an honest look at that and give us some pitfalls
41 and some ideas and some thoughts on where this can go, and
42 there's always -- When you start making major management change
43 decisions, or start talking about them, there's always going to
44 be these thorns that somebody didn't think about that someone
45 around this table will come up with, and we would really like to
46 hear some discussion around this table about it.

47
48 The logbooks, of course, you all passed that, and we would like

1 to see that move on forward and get implemented. The last thing
2 that I have sat here, and we've sat here and talked about all
3 day, or listened to people talk about, is predation, the sharks
4 and the dolphins, and I sit in the back of the room, and I
5 wonder, what exactly are they expecting those people around that
6 table to do about a 200-pound shark?

7
8 I don't know what you do, but I do know that, when it comes to
9 those animals, and since the late 1980s of fishing in the Gulf
10 of Mexico, when I first started, it's -- They are telling the
11 truth. It's worse than I have ever seen it, especially the big
12 sharks. On spots that we have historically fished for
13 amberjacks, you just almost can't get a bait by them, and the
14 dolphins are eating more and more fish off the lines, and we
15 have a big issue in the western Gulf of them eating kingfish.

16
17 It's king mackerel after king mackerel after king mackerel bit
18 off behind the gills when you get on them, when they get on you,
19 basically, and I don't know whether there is anything that can
20 be done about it, but I do know there's some things that have
21 been tried elsewhere, with some electronic devices, et cetera,
22 and I think that maybe starting to explore some of those
23 options, if it's within the council's power to look into some of
24 those options, and it would sure be nice to start seeing a
25 little bit of discussion on it anyway, and I don't know how many
26 solutions any of us can really come up with about a giant marine
27 mammal that's eating fish on the way up, but it's becoming a
28 problem. I appreciate you all's time, and I see my red light,
29 and I will step down. Thank you.

30
31 **CHAIRMAN FRAZER:** We've got a question for you, Mike.

32
33 **MS. BOSARGE:** Not a question, but I was just going to tell you
34 and the other fishermen that are bringing up the predation and
35 the sharks that I don't know if we did it maybe during Full
36 Council at the last meeting, but we did have a discussion, and a
37 lot of the fishermen aren't there usually on the last day of the
38 meeting, and we talked about it, and we're hoping to maybe bring
39 somebody from HMS to one of our meetings, to give us a
40 presentation, and mainly so we can give them some feedback and
41 hopefully ask them some questions and see what we can do, if
42 anything. Like you said, we don't manage those, but we would
43 still like to have a conversation.

44
45 **MR. JENNINGS:** Right. Just real quick, and then I'll step down,
46 but it seems like, every once in while, we will -- Fishermen or
47 user groups will come in here and throw something against the
48 wall, just to see if it will stick, and I know this predation

1 conversation has just kind of arose real quick, but, once
2 somebody brought it up, and we started talking about it and
3 thinking about it, it's obviously been a significant increase in
4 the problem over a short period of time, and it hasn't been this
5 gradual twenty-year increase, in my opinion.

6
7 I think that your downfall of your trawl fisheries and things
8 along those lines, as someone stated earlier, probably has a lot
9 to do with it. We've seen it kind of -- As the shrimpers -- We
10 fish behind them a lot, and I would love to see more shrimp
11 boats, personally. I love the fishery, but, as we've seen those
12 kind of go away, I think we see more and more problems with
13 those predators. They are typically behind those nets, but,
14 anyway, I will step down, and thank you very much.

15
16 **CHAIRMAN FRAZER:** Thank you. Our next speaker is Dan Green,
17 followed by Bubba Cochrane.

18
19 **MR. DAN GREEN:** Hello. I'm Dan Green, and I own a dual-
20 permitted vessel here in Galveston, Texas. As far as the
21 amberjack season, over here in the western Gulf, we like it how
22 it is, obviously, and we have the calmest days in August and
23 September, and we have to run seventy to a hundred miles
24 offshore to be able to catch those fish, and so the May season
25 for us doesn't really work out, because it's super windy over
26 here, but we know the guys in the eastern Gulf like the May
27 season, and so we would be -- I would like to see something with
28 regional management on the amberjack and see what the numbers
29 look like.

30
31 Also, I got to work with the barotrauma release devices during
32 the spring here, part of the Great Snapper Count, and it was my
33 first time using them, and they worked really well, and released
34 fish from one pound all the way to twenty-five pounds. You just
35 have to add a little more weight and tighten it down a little
36 bit, and it gets them down. We did have a couple that floated
37 back up, but we went back and got them and sent them back down
38 again, and they stayed down, and so they do work.

39
40 I also have used them on my commercial trips to release
41 amberjack, fifty-pound amberjack, when the season wasn't open
42 for those, and so they work, and I think, if they are mandatory,
43 they would definitely help on the discard rate.

44
45 As far as the commercial permits go, having to own the permits
46 to have the quota, I am against that, because 99 percent of the
47 red snapper that I catch I lease from other commercial
48 fishermen, and I only own about 350 shares, and, this year, I

1 have caught about 19,000 pounds, and so, for me, that's a huge
2 deal. I can't even spell my name right, and they changed it,
3 and so I need some fish to catch, because I wouldn't be very
4 good doing anything else.

5
6 The last thing is I fish on a thirty-six-foot center console,
7 and I'm dual-permitted, and so my charters kind of shut down
8 this time of year, and so what I have to do is transfer my
9 charter permits to my bay boat, to be able to take an efficient
10 amount of people on my commercial trips to catch my fish, and my
11 boat -- During this time, in the winter, we don't have very many
12 days where it's flat for multiple days at a time, and so I can
13 only get out one day, or maybe two days, to catch my fish, and
14 so, for me, the crew size is very important, to not be able to
15 be restricted by it to four people if have my charter permits on
16 the boat.

17
18 Instead of me shuffling them on and off, it would be more
19 beneficial to me, and a lot of people like me, to be able to
20 have the crew size lifted on dual-permitted vessels. That's all
21 I have. Thanks.

22
23 **CHAIRMAN FRAZER:** Thank you, Mr. Green. Our next speaker is
24 Bubba Cochrane, followed by Lisa Schmidt.

25
26 **MR. BUBBA COCHRANE:** I'm Bubba Cochrane from Galveston, Texas.
27 I'm a commercial fishing boat owner/operator. I also have a
28 federally-permitted charter boat here in Galveston. It's pretty
29 much the same thing that I always get up here and talk about,
30 reallocation, and I'm not for any type of reallocation, and
31 that's the one thing that I think all commercial fishermen here
32 can agree on, and we don't agree on much, but I am pretty sure
33 that we can all agree on that, whether it's red snapper, red
34 grouper, or whatever, especially when a methodology is something
35 like recalibration, which I'm still trying to kind of wrap my
36 head around, but it seems like going back into the past and
37 picking data and changing it to change the outcome for the
38 present is not really a fair way to do things, especially when
39 it always seems to benefit the recreational side, and I'm not
40 sure how that happens, and I've not sure if there's any
41 scenarios where it does benefit the commercial, but it doesn't
42 seem to.

43
44 On the hail-in weight requirement and trying to make that more
45 accurate, I'm not sure why we're still talking about that, and I
46 think federal law enforcement has already come up to the podium
47 and gone on record as saying this is something that they don't
48 want to pursue.

1
2 I don't think, other than maybe being able to write more
3 tickets, it's going to be a real useful tool in law enforcement.
4 I think, if law enforcement feels that people are breaking the
5 law, they should go after them the old-fashioned way and
6 investigate them and catch these guys doing that, and I think
7 that would be a lot more effective way than penalizing people
8 for making honest mistakes when they are trying to be as
9 accurate as they can on their estimates.

10
11 On the MRIP, I was happy to hear today, on the MRIP, that
12 they're going to get rid of the telephone survey, and so I can
13 throw away my old rotary telephone, but I was a little surprised
14 to hear, and a little disappointed, that they're going to go to
15 the mail system, because that's my second-least-favorite thing
16 to deal with, but it's good that they're realizing that times
17 are changing and that data can be collected in different ways,
18 and so I'm hoping that they will continue to look for other
19 avenues to gather this data and keep on looking at other ways to
20 do that. That's it. Thank you.

21
22 **CHAIRMAN FRAZER:** Thank you, Mr. Cochrane. Our next speaker is
23 Lisa Schmidt, followed by Shane Cantrell.

24
25 **MS. LISA SCHMIDT:** Good afternoon, council. Thank you for
26 letting me speak. I'm Lisa Schmidt, and I've been here before.
27 It's my first time to Galveston, and I own three commercial
28 longline vessels out of Madeira Beach, Florida, and I have to
29 admit that I was more excited about coming here to red snapper
30 fish off the oil rigs than publicly speak, but I luckily was
31 able to catch and offload at Buddy Guindon's seafood market, and
32 I always learn from that, and, if you want some really good
33 fresh seafood, go to his new restaurant.

34
35 My issues are this, and it's a personal issue. I am tired of
36 talking about red snapper. We need to start a red grouper
37 annual assessment as soon as possible. The fishermen in the
38 eastern Gulf of Mexico are struggling, and I have been in the
39 business since 2015, and our catches have been declining.

40
41 Just as Dr. Barbieri said yesterday, stated yesterday, there are
42 more eco issues that we don't know about, such as the warmer
43 waters, red tides, and probably lionfish. Commercial fishermen
44 are a strong source of data, and I strongly support finding ways
45 to incorporate this into more timely stock assessments, which
46 also is about reallocation and recalibration.

47
48 As I just stated, the red grouper are in trouble, and, while

1 there are lots of data streams that are being plugged into the
2 assessments, we still don't have a clear picture as to why they
3 are declining, and we need to focus more on stock health than
4 reallocation. We don't need a knee-jerk reaction to move the
5 fish from hardworking and struggling fishermen to an
6 unaccountable group, and does that make any kind of sense? It
7 doesn't to me, and so thank you.

8
9 **CHAIRMAN FRAZER:** Thank you, Ms. Schmidt. The next speaker is
10 Shane Cantrell.

11
12 **MR. SHANE CANTRELL:** Good afternoon. I am Shane Cantrell from
13 right here in Galveston, Texas. I own and operate a dual-
14 permitted boat here, and it's a federally-permitted charter boat
15 and a reef fish vessel, and I also do some king mackerel
16 fishing, which is where I'm going to start my comments today.

17
18 A couple of years ago, we were dealing with a recreational
19 season that is year-round, two fish per person, and the quota
20 wasn't being met. The idea came up, to make this an efficient
21 use of the fishery, that that fish could go to the commercial
22 side that was meeting their quota, and the recreational lobby
23 came unglued. How dare us do that? We increased it to three
24 fish, and we'll see if that's going to work.

25
26 It's hard to believe that it's not a commercial versus
27 recreational issue when you come up with red grouper that is
28 like we've got to now reallocate from the commercial, or
29 recalibrate, to move that fish over to the recreational side,
30 and it just doesn't add up.

31
32 Maybe there is something wrong with the fishery, and maybe we've
33 got to address the issues that are there, instead of trying to
34 move quota around for somebody to get more access to it. When
35 it's not an efficient use of the resource, we should consider
36 it, but, whenever the resource is in danger, we've got to also
37 consider what to do for that.

38
39 Amberjack is a work in progress. We've been working on it for
40 many years, and the SEDAR assessments are not caught up to the
41 changes that have been made in management. Multiple, multiple
42 changes in management, a season shift and bag limits and size
43 limits, are not reflected in the assessment. Before we go to
44 make more changes, let's see what the changes we've already made
45 are going to do.

46
47 One thing that I noticed, and maybe it was just me, this summer
48 was the U.S. Coast Guard, Parks and Wildlife, and federal law

1 enforcement were busy, and maybe they just found my boat, but
2 they were busy, and I can guarantee you that they did their job,
3 and they did an excellent job. I got checked one time, about
4 eighteen miles offshore, two times on the same day, two
5 different trips, by the same vessel, and it was interesting.
6 You get checked offshore, and you get checked inshore, and they
7 have made a presence here off of Texas, and I'm sure they didn't
8 make a lot of friends.

9
10 Estimating weights penalizes boats like me, who are not landing
11 a ton of fish at one time. 10 percent of a small number is a
12 lot smaller error, and that pushes the people that are smaller
13 operators into a more precarious situation.

14
15 Otherwise, we need to do away with the crew size limit. With
16 the changes that have been made in management of the commercial
17 and the recreational fishery, my vessel leaves the dock, and it
18 makes a declaration, and you know what it's doing, and there is
19 no gray area to operate in. That has outlived its purpose, and
20 it no longer serves a great thing in the fishery.

21
22 In terms of barotrauma release devices, I fully support the
23 opportunities that are there, as long as we address -- We know
24 what we're trying to address. If we're trying to release a
25 bunch of age-one fish, to feel good and not get anything for the
26 fishery, it's just a burdensome addition to the fishery.

27
28 **CHAIRMAN FRAZER:** Thank you, Mr. Cantrell. We are going to try
29 to circle back on a couple of people that were not available at
30 the time their name was called. The first one would be Daryl
31 Wiley. Is Daryl in the audience? Okay. Give me just a second
32 to make sure we're square.

33
34 All right. I just wanted to make sure that we got everybody,
35 and so the three people I have left on my list are Terry
36 Bessinger, and is Terry in the audience? All right. Bill
37 Cochrane, Sr. Okay. The final one would be Jesse Zepeda. All
38 right. We have no more speakers. I want to thank everybody for
39 taking the time out of their schedules to provide that public
40 testimony, and it means a lot to this council, and so thank you
41 again very much for your time. We're going to take a fifteen-
42 minute break.

43
44 (Whereupon, a brief recess was taken.)

45
46 **CHAIRMAN FRAZER:** Okay. We are going to try to knock out a few
47 committee reports this afternoon, if possible, and I have talked
48 to a number of folks, and you should have in your emails several

1 committee reports, but we're going to start with the Education
2 and Outreach Committee and Mr. Dyskow.

3
4 **COMMITTEE REPORTS**
5 **OUTREACH AND EDUCATION COMMITTEE REPORT**
6

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

12
13 Staff presented the council's communications analytics,
14 including website traffic, social media engagement, and all the
15 other efforts. The typical spike in second-quarter analytics
16 attributed to the recreational red snapper season announcement
17 is absent this year, because the states are communicating their
18 own seasons, and so we have shifted that effort from the Gulf
19 Council website to the states. Despite this change, the
20 council's constituent contacts continue to increase.

21
22 The transition away from the council's own fishing regulations
23 app to Fish Rules has greatly increased the number of times
24 users access the federal regulations. The committee asked if it
25 was possible for Fish Rules to enhance the way it communicates
26 the state-specific fall supplemental red snapper seasons. The
27 committee also suggested that the app would benefit from making
28 the difference between state and federal fishing regulations
29 more apparent. Staff committed to discussing both issues with
30 the Fish Rules app developer, when appropriate.

31
32 Staff provided an overview of the Release Mortality Symposium
33 hosted by the council to create an action plan for the
34 recreational fishery to promote the use of barotrauma mitigation
35 tools, enhance data collection efforts, and incorporate results
36 into stock assessments and management.

37
38 During the symposium, the discussion focused on the reduction of
39 release mortality as a whole. Private, charter, and headboat
40 groups uniformly recommended that anglers should retain
41 flexibility to choose the best release mortality mitigation
42 measures for their circumstances and asked for best practice
43 recommendations to guide them in that choice.

44
45 It was recommended that current monitoring programs collecting
46 data relevant to discards and discard mortality should ask for
47 consistent information on discards, including the number,
48 species, mitigation technique used, condition upon release, and

1 depth of capture. Additionally, current gaps in discard data
2 were identified and prioritized. Finally, achieving consistent
3 messaging to anglers was recommended.

4
5 The Gulf Council should remain the point agency in control of
6 release mortality communications to continue updating research,
7 recommendations, and messaging. If possible, the Fishing for
8 Our Future website should be branded as its own organization and
9 enhanced with additional narrative, and that would be angler
10 narrative, and content and other media that could be utilized by
11 influencers.

12
13 The committee noted that changing their data collection programs
14 would be a process and would ultimately require NOAA approval.
15 It was also noted that the list of influencers in the report
16 should be expanded to include others that were not listed during
17 the symposium.

18
19 **The committee recommends, and I so move, to approve the release**
20 **mortality workshop wummary with committee recommendations and**
21 **distribute to NRDA.** That motion which I just read was carried
22 by the committee with no opposition.

23
24 **CHAIRMAN FRAZER:** Okay. We have a committee motion on the
25 board. Is there any further discussion of this motion?

26
27 **MR. DYSKOW:** Does everybody understand why we're doing this?
28 We're placing this in NRDA's hands so they can use it as a tool
29 to help them in their redistribution efforts to get that BP
30 money in the hands of us, I guess, the Gulf Council.

31
32 **CHAIRMAN FRAZER:** Understood. Is everybody clear on that one?
33 Okay. Is there any further discussion of this motion? Ms.
34 Boggs.

35
36 **MS. BOGGS:** I guess -- I was trying to pull it up, but I
37 couldn't find it. We are not dictating -- Mr. Dyskow just said
38 something about the funds will come to the council?

39
40 **MR. DYSKOW:** The process whereby the NRDA funds are released is
41 not perfect, in my mind, but I believe the funds are released to
42 the council for distribution to this project, if they're not
43 given to the committee. Could you clarify that, Carrie? The
44 Education and Outreach Committee doesn't get the funds. They go
45 to the Gulf Council, as I understand it.

46
47 **EXECUTIVE DIRECTOR SIMMONS:** No, it's open, and I don't know how
48 they're going to -- If they're going to make it competitive, or

1 if they're going to solicit proposals based on these
2 recommendations, but it does not go to the council. It does not
3 go to the Gulf Council.

4
5 **MR. DYSKOW:** Do we know who it goes to?

6
7 **EXECUTIVE DIRECTOR SIMMONS:** It will go to the projects that
8 NRDA decides to fund.

9
10 **MR. DYSKOW:** Very good. They had a representative at our
11 Education and Outreach Committee meeting and also at the
12 symposium, and they're really looking for a pathway to finalize
13 their -- I guess their funding release, and so that was a
14 helpful project, and that's why this information on the
15 mortality release workshop was recommended to be distributed to
16 the NRDA by the committee.

17
18 **CHAIRMAN FRAZER:** A real quick follow-up to that. I do think
19 that the workshop summary will certainly inform the decisions
20 that are made and how they distribute those monies, but I am not
21 sure that they have identified, at this point, where they would
22 be distributed to.

23
24 **MR. DYSKOW:** That's true, and I think the person that's been
25 talking to them, or at least involved in that process, as much
26 as anybody, is Emily, and do you have anything to add to that?

27
28 **CHAIRMAN FRAZER:** Ms. Muehlstein.

29
30 **MS. MUEHLSTEIN:** I don't, and, as Carrie stated, it's kind of
31 unclear as to how they're going to distribute the funds, but
32 they have asked us directly to help inform them and guide them
33 as they make those decisions, and so that's the purpose of this
34 report.

35
36 **CHAIRMAN FRAZER:** Ms. Boggs.

37
38 **MS. BOGGS:** Okay, and so my original comment was going to be --
39 Because I know I was the one that kind of initiated the
40 discussion. Where it says it was also noted that the list of
41 influencers in the report should be expanded, what I said is I
42 would like to make sure that the list of influencers was open
43 and not for us to dictate or direct NRDA, but that NRDA would
44 open it up to whomever might be interested.

45
46 **MR. DYSKOW:** That's a totally different subject, Susan. What we
47 were referring to there is we have this Fishing for our Future
48 website, and, rather than have all that information be in

1 government-ese, government speak, if you will, we wanted to get
2 people from the industry to use peer pressure to encourage the
3 use of barotrauma mitigation devices within the recreational
4 fishing community. They're two separate projects.

5
6 **MS. BOGGS:** Okay. Then I'm confused, because I thought this
7 report was going to NRDA as kind of a roadmap and a suggestion,
8 and I was very clear that I don't want NRDA to think this is our
9 only influencers in the Gulf, and that NRDA would open it up. I
10 did not understand that it only dealt with this Fishing for our
11 Future website.

12
13 **MR. DYSKOW:** Well, that's what it says, the Fishing for our
14 Future website.

15
16 **CHAIRMAN FRAZER:** Ms. Muehlstein.

17
18 **MS. MUEHLSTEIN:** Susan, based on the conversation we have, it is
19 my understanding that I will return and add some language to the
20 document, before we forward it, that says this is not an
21 exhaustive list, and this was simply a list that was provided by
22 the members of the panel at the time, and I think that will give
23 them the understanding that that's not an exhaustive list and
24 that, if they are to use that list, it should be expanded
25 through their own means.

26
27 **CHAIRMAN FRAZER:** Susan.

28
29 **MS. BOGGS:** I only ask because it's not reflected in the
30 minutes.

31
32 **MR. DYSKOW:** To go on, the staff reviewed --

33
34 **CHAIRMAN FRAZER:** Hold on, Mr. Dyskow. I just want to make sure
35 that we dispense with this motion, and I'm not sure that, as a
36 committee, we're quite there yet. Again, just to summarize
37 here, the report will be delivered to NRDA, and it will help
38 inform any funding decision that they might make, and we're not
39 dictating what that funding decision will look like. The names
40 in the report, there will be verbiage added to the report that
41 reflects that they are simply a sample, and are you okay with
42 that?

43
44 **MS. BOGGS:** Now that it's on the record I am.

45
46 **CHAIRMAN FRAZER:** Then we're on the same page. Is there any
47 further discussion of this motion? **Seeing none, is there any**
48 **opposition to the motion? Seeing none, the motion carries.** Mr.

1 Dyskow.

2
3 **MR. DYSKOW:** Thank you, Mr. Chair. To complete the report, the
4 staff reviewed the draft Fishing for Our Future website, and the
5 website strives to display the magnitude of discard mortality,
6 and I'm assuming many of you have had a chance to get on the
7 site and look at it, and I know Emily distributed it with some
8 people.

9
10 Currently, the data only includes red snapper, gag, and greater
11 amberjack, but we plan to expand it to other species. The
12 webpage makes some best fishing practice recommendations and
13 curates discard mortality related outreach materials, of which
14 there are many, from agencies, many different agencies, across
15 the region, the Gulf region, primarily, and the webpage also
16 houses all of the research that has been conducted on release
17 mortality in the Gulf.

18
19 **The committee recommends, and I so move, to publish the Gulf**
20 **Council's, Fishing for Our Future website pages, and this motion**
21 **was carried with no opposition by the committee, and I guess you**
22 **want a Full Council vote on this as well.** Does everybody know
23 what we're talking about there? Basically, the website that
24 Emily demoed in our committee report, and I believe it was
25 Tuesday, that's what we're talking about going live.

26
27 **CHAIRMAN FRAZER:** Okay. Again, we have a committee motion on
28 the board, and that motion is to publish the Gulf Council's
29 Fishing for our Future website pages. Is there any further
30 discussion of the motion? **Seeing none, is there any opposition**
31 **to the motion? Seeing none, the motion carries.** Mr. Dyskow.

32
33 **MR. DYSKOW:** Thank you. Finally, the staff explained that the
34 Outreach and Education Committee could benefit from some
35 direction on what it should do next in the future.

36
37 The technical committee made a motion directing the council to
38 survey knowledgeable stakeholders to determine their
39 recommendation for the next best project or goal for the
40 Outreach and Education Technical Committee, and that doesn't
41 mean that we're done with what we're currently doing, but we're
42 trying to look downstream as to what the next best project
43 should be, and, Mr. Chair, this concludes the report.

44
45 **CHAIRMAN FRAZER:** Thank you, Mr. Dyskow. Okay. If there is no
46 other discussion related to this particular committee, we are
47 going to move ahead, and we will tackle the Sustainable
48 Fisheries Committee and Mr. Diaz.

1
2 **SUSTAINABLE FISHERIES COMMITTEE REPORT**
3

4 **MR. DIAZ:** Thank you, Mr. Chairman. This is the Sustainable
5 Fisheries Committee Report. The committee adopted the agenda
6 and approved the minutes of the August 2019 meeting.
7

8 Council staff reviewed the updated data in the document, which
9 characterized the frequency of for-hire trips by headboat and
10 charter vessels exceeding given trip durations in the Gulf.
11 Public comments received on the document were summarized, and
12 the Reef Fish Advisory Panel's concurrence with the council's
13 current preferred alternative was noted.
14

15 The framework action, if implemented, would result in different
16 multiday possession limit regulations between Gulf and South
17 Atlantic Council jurisdictions, creating the need for additional
18 regulatory compliance awareness for vessels conducting multiday
19 trips in both jurisdictions.
20

21 Law enforcement representatives at the Law Enforcement Technical
22 Committee expressed concern about enforcing a multiday
23 possession limit based on hours fished, as opposed to calendar
24 days. Law enforcement was also concerned about weather and
25 other circumstances that could bring a vessel in early.
26

27 Committee members noted that receipts detailing the duration of
28 the for-hire trip are required to be carried by passengers at
29 all times. A hail-out process for the for-hire fleet is
30 expected in the future. To clarify when multiday trips are
31 scheduled to begin and end, the committee recommended requiring
32 that the departure and arrival times for these trips be printed
33 on the receipts required to be carried by passengers. The
34 revised codified text is available.
35

36 **The committee recommends, and I so move, to approve the**
37 **Framework Action to Modify Federal For-hire Trip Limits and that**
38 **it be forwarded to the Secretary of Commerce for review and**
39 **implementation and deem the codified text as necessary and**
40 **appropriate, giving staff editorial license to make the**
41 **necessary changes in the document. The Council Chair is given**
42 **the authority to deem any changes to the codified text as**
43 **necessary and appropriate.** The motion carried with no
44 opposition, Mr. Chair.
45

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

1 motion? Dr. Stunz.

2
3 **DR. STUNZ:** I think, in the end here, I'm going to support the
4 motion, a little bit reluctantly, not because I don't support
5 the intent of the motion, but I think some of the unintended
6 consequences this opens up -- I just want to get a couple of
7 things on the record.

8
9 I mean, I think the intent here is correct and where we want to
10 go and that kind of thing, but, even in public testimony, just
11 today, I think you heard some of the unintended things. I mean,
12 I think this is such a small number of trips, and it's
13 relatively benign that we saw, and so there's not really a
14 problem there, and we heard from enforcement, especially from
15 our Texas wardens today, talking about some of the issues with
16 enforcement and the day versus the actual time clock thing, and
17 so that concerns me a little bit.

18
19 The whole idea that we went to this thirty-hour thing because
20 that curbed exactly what we just heard about, that, okay, I'm
21 coming back at one minute after the twenty-four-hour clock, to
22 be able to catch my two fish, and I hope that's not the trend of
23 what we're seeing, and I certainly wouldn't support others
24 coming back for a forty-eight or seventy-two king of thing or
25 other groups that would like to do this kind of thing that maybe
26 don't have extra captains, that ability, and all the stuff we've
27 been talking about.

28
29 I guess all that comes down to I'm still going to support this,
30 but I think, just like the discussion we have on the other
31 things, we need to keep a very close eye on it, and I would
32 really appreciate enforcement reporting back on how this is
33 going in the first years, but keep a close eye on it. We talked
34 about keeping a close eye on the recreational EFPs and all that
35 kind of stuff, and this is just something else that I see there
36 is a lot of loopholes and things down the line that we might
37 regret, but, with all that said, I'm going to move forward with
38 it, and I just wanted to get it on the record.

39
40 **CHAIRMAN FRAZER:** Ms. Levy.

41
42 **MS. LEVY:** Thank you. I just wanted to note that the updated
43 codified -- We did changing you had to have a receipt that
44 verifies, quote, "the length of the trip" to "verifies the date
45 and time of departure of the trip". We didn't put the end time
46 in there, because, once you know the time they left, you know
47 when thirty hours has passed and when it would be legal for them
48 to come back, and so I know you talked about that in committee,

1 and so I just wanted to point that out. If anyone has super
2 strong feelings about requiring the end time on the receipt, let
3 me know, but it seemed like it wasn't a necessary thing to
4 actually have in the regulations.

5
6 **CHAIRMAN FRAZER:** We've got the codified text on the board, and
7 if we can point out where that change actually was made.

8
9 **MS. LEVY:** It's like towards the bottom, and it's highlighted
10 pink, where it says, "verifies the date and time of departure of
11 the trip".

12
13 **CHAIRMAN FRAZER:** Right, and so I will just read that for
14 everybody here. The vessel that verifies the date and time of
15 departure of the trip, and the entire trip occurs on days when
16 the harvest and possession of the applicable reef fish species
17 are allowed.

18
19 **MS. LEVY:** Yes, and that was already in there, that last part
20 you read.

21
22 **CHAIRMAN FRAZER:** Sure, but just for context. Is everybody okay
23 with that language? Mr. Anson.

24
25 **MR. ANSON:** Well, I may or may not, and I don't know. I guess
26 if you just have the date and time of the departure of the trip,
27 that may be a twenty-four-hour trip, and it may be a thirty-hour
28 trip. I mean, the regulations states that it must be thirty
29 hours, but there is not anything that the officers would be
30 aware of that would indicate that it would be thirty hours or
31 more, and so, I mean, I understand that it's intuitive that it
32 must be thirty hours or more, and so you don't need to put the
33 date and time of the end of the trip, but I think it would be
34 important to add that, to make sure it's clear to the boarding
35 officers that that's in fact the case.

36
37 Then I am just looking at the rest of the paragraph there, or at
38 least the middle part, a couple of sentences up there, a couple
39 of lines up, where it says the vessel has two licensed operators
40 aboard, and so, going back to that issue of not really having to
41 lay out all of the regulations that are required, particularly
42 those from other agencies, like the Coast Guard, that they would
43 need to fulfill, and is this two licensed operators -- Is that
44 something that comes from us, or is that something that comes
45 from the Coast Guard, because, again, we've had that discussion
46 about which is -- They need to know if it's another agency's
47 regulations and we don't necessarily need to be advertising
48 that, or telling them that.

1
2 **CHAIRMAN FRAZER:** Ms. Levy.

3
4 **MS. LEVY:** It may come from the Coast Guard regulations, but
5 it's been in the possession limit regulations, and I think it's
6 a way to also help verify that they intend the trip to be more
7 than twenty-four hours. We can add date and time of departure
8 and return of the trip, and this is one section, and there's
9 another section for CMP, and it just has the same language, and
10 so we would just do the same thing there.

11
12 **CHAIRMAN FRAZER:** Mr. Anson, are you okay with some liberties
13 there?

14
15 **MR. ANSON:** I am. Thank you.

16
17 **CHAIRMAN FRAZER:** Mr. Williamson.

18
19 **MR. WILLIAMSON:** I would like to echo what Mr. Stunz had to say,
20 and I think that probably there's a good chance that we will see
21 additional requests for variations of what, as you see here, is
22 a daily bag limit, and they didn't put that term in there by
23 happenstance, and I think we're putting an extraordinary burden
24 on our law enforcement officers that we tend to rely on, and so,
25 like we pointed out, it may be *de minimis* now, but, in a couple
26 of sessions, we may be flooded with additional requests to vary
27 this and vary that, and I am thinking of maybe I can shoot my
28 two bags on pintails, one this year and one next year, since I
29 only have one per season, and so anyway -- I am being facetious.

30
31 **CHAIRMAN FRAZER:** And I know you are. Dr. Crabtree.

32
33 **DR. CRABTREE:** Well, bear in mind that this provision was put in
34 the regulations in Amendment 1 in 1990, and, to the best of my
35 knowledge, this is the first time we have ever changed it, and
36 so I don't know that we're going to get inundated by requests to
37 do this, and that certainly hasn't been the pattern in the past,
38 and enforcement has dealt with this provision since then, and I
39 don't think the way we're modifying it really makes it any more
40 onerous than it's been in the past.

41
42 **CHAIRMAN FRAZER:** Okay. Is there any further discussion? I
43 certainly appreciate the concerns and the issues, potential
44 issues, that were raised, but we will go ahead and make the
45 suggested changes to the codified text, and, given that liberty
46 to do so, is there any opposition to this motion? It's a final
47 action, and so we will do a roll call vote on this. Dr.
48 Simmons.

1
2 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Mr.
3 Schieble.
4
5 **MR. SCHIEBLE:** Yes.
6
7 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Shipp.
8
9 **DR. SHIPP:** Yes.
10
11 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Guyas.
12
13 **MS. GUYAS:** Yes.
14
15 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Diaz.
16
17 **MR. DIAZ:** Yes.
18
19 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Mickle.
20
21 **DR. MICKLE:** Yes.
22
23 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Swindell.
24
25 **MR. SWINDELL:** Yes.
26
27 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dugas.
28
29 **MR. DUGAS:** Yes.
30
31 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Williamson.
32
33 **MR. WILLIAMSON:** Yes.
34
35 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Anson.
36
37 **MR. ANSON:** Yes.
38
39 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Sanchez.
40
41 **MR. SANCHEZ:** Yes.
42
43 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dyskow.
44
45 **MR. DYSKOW:** Yes.
46
47 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Boggs.
48

1 **MS. BOGGS:** Yes.

2
3 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Stunz.

4
5 **DR. STUNZ:** Yes.

6
7 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Crabtree.

8
9 **DR. CRABTREE:** Yes.

10
11 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Robinson.

12
13 **MR. ROBINSON:** Yes.

14
15 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Bosarge.

16
17 **MS. BOSARGE:** Yes.

18
19 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Frazer.

20
21 **CHAIRMAN FRAZER:** Yes.

22
23 **EXECUTIVE DIRECTOR SIMMONS:** The motion carried unanimously.

24
25 **CHAIRMAN FRAZER:** Okay. Mr. Diaz.

26
27 **MR. DIAZ:** Draft Amendment Reef Fish 48/Red Drum 5: Status
28 Determination Criteria and Optimum Yield for Reef Fish and Red
29 Drum, council staff presented the revised actions and
30 alternatives in the document.

31
32 The committee was satisfied with the range of alternatives for
33 Actions 1 through 3, including maximum sustainable yield,
34 maximum fishing mortality threshold, and minimum stock size
35 threshold. Staff presented three different approaches to the
36 action to define optimum yield for several reef fish stocks and
37 red drum.

38
39 Ms. Levy indicated that OY definitions for goliath grouper and
40 red drum should be considered separately from other reef fish
41 species to accurately reflect the unique management strategies
42 for goliath grouper and red drum. She also recommended
43 presenting an alternative that would allow for calculating OY as
44 a ratio of MSY and the overfishing limit.

45
46 Dr. Porch stated that setting OY as the long-term yield as a
47 percentage of the FMSY proxy would require an extra projection
48 step during the assessment process. He suggested that using a

1 scalar relating the MSY proxy to OY would be more efficient for
2 defining OY.

3
4 Dr. Barbieri indicated that the SSC recommended a range of
5 possible options for defining OY that were scientifically
6 defensible. He also stated that social and economic information
7 is required for defining OY, but these data are generally
8 unknown. Therefore, explicitly defining OY would be more
9 appropriate as a council decision rather than an SSC
10 determination.

11
12 The committee requested that staff develop a public hearing
13 draft of this document to be presented at the January 2020
14 council meeting with the revised OY alternatives for red drum
15 and goliath grouper, along with an alternative using the ACL/OFL
16 ratio multiplied by the MSY proxy for each stock. Staff will
17 bring a draft public hearing document to the January 2020
18 council meeting for the committee review.

19
20 **CHAIRMAN FRAZER:** Ms. Levy.

21
22 **MS. LEVY:** Thank you. Just to note that the ACL-OFL ratio
23 alternative -- It's described at the end correctly, but I think,
24 when it's first described, up on the prior page, it says as a
25 ratio of MSY to the overfishing limit, and I think it's meant to
26 say ACL to the overfishing limit, and so I would just take a
27 look at that, to make sure that it's accurately reflecting what
28 we're talking about.

29
30 **MR. DIAZ:** Thank you, Ms. Levy.

31
32 **CHAIRMAN FRAZER:** Go ahead.

33
34 **MR. DIAZ:** Council Research and Monitoring Priorities for 2020
35 through 2024, staff reviewed the council's updated list of
36 fisheries monitoring and research priorities, which have been
37 reviewed and approved by the council's SSC.

38
39 The committee asked about the recommendation to expand the
40 SEAMAP video survey and whether the direction was to expand that
41 survey off the West Florida Shelf. Staff replied that the
42 SEAMAP video survey is one component of a combined video index
43 of abundance used in stock assessments in the Gulf, and, by not
44 specifying where and how to expand the survey, the
45 recommendation avoids being too prescriptive. The committee
46 also noted that data needs necessary for better defining optimum
47 yield are found under research priorities with Priority Codes A
48 and B.

1
2 **The committee recommends, and I so move, to approve the Gulf**
3 **Council's Research and Monitoring Priorities for 2020 through**
4 **2024, as written.** The motion carried with no opposition, MR.
5 Chair.

6
7 **CHAIRMAN FRAZER:** Okay. We have a committee motion on the
8 board. Is there any further discussion of this motion? **Seeing**
9 **none, is there any opposition to the motion? Seeing none, the**
10 **motion carries.** Mr. Diaz.

11
12 **MR. DIAZ:** Eye on the Gulf: An Electronic Monitoring
13 Presentation on the Gulf of Mexico Reef Fish Fishery, Ms. Neidig
14 of Mote Marine Laboratory gave a presentation on electronic
15 monitoring. Ms. Neidig noted the importance of EM for the
16 management of Gulf reef fish fisheries and discussed the
17 objectives of the Center for Fisheries Electronic Monitoring at
18 Mote.

19
20 The EM applications discussed included the documentation of
21 shark bycatch and incidental marine mammal encounters. Ms.
22 Neidig summarized commercial fisheries data collection in pilot
23 studies and discussed modeling efforts that are underway.

24
25 The committee members inquired about the length of time needed
26 to process the data collected. Ms. Neidig indicated that the
27 process is costly and time-consuming, but artificial
28 intelligence is expected to offer alternatives to reduce costs
29 and viewing times. In response to a question relative to
30 information sharing, Ms. Neidig replied that information
31 collected is shared with fishermen.

32
33 Presentation on Allocation Review Criteria, council staff gave a
34 presentation on allocation review. The presentation provided
35 the allocation review triggers selected by the council and
36 discussed the review procedures and criteria considered by the
37 Allocation Review Workgroup.

38
39 Procedures listed by the workgroup include council input,
40 recommendations by the SSCs, and input from advisory panels.
41 Criteria and variables suggested by the workgroup for possible
42 inclusion in future allocation reviews included ABCs, ACLs,
43 quota utilization rates, landings histories, discards,
44 participation trends, and social indicators.

45
46 Committee members noted that allocation reviews could be lengthy
47 and suggested that placing time limits may be needed. A
48 committee member suggested that biomass distribution across the

1 Gulf could be considered as an additional criterion in
2 allocation reviews. Dr. Barbieri noted that the SSC was
3 supportive of a tiered allocation review approach and that data
4 for some of the criteria discussed may not be available or may
5 be challenging to compile.

6
7 Remaining items from the SSC Summary Report, Dr. Barbieri
8 discussed an SSC review of the variability in yield projections
9 from stock assessments. Typically, the yields in the first year
10 or two following a stock assessment are higher than the previous
11 landings, often regardless of stock status.

12
13 The SSC reviewed a presentation to this effect during its
14 September 2019 meeting and, along with the Southeast Fisheries
15 Science Center, will investigate the nuances of yield
16 projections in the future.

17
18 Dr. Dan Holland provided a presentation to the SSC on technical
19 guidance for implementing new provisions under National Standard
20 1, specifically carryover and phase-in in council ABC control
21 rules. Councils are not required to incorporate these
22 provisions in their control rules. However, if they choose to
23 do so, the technical guidance is designed to assist with that
24 incorporation. Comments are expected back to the responsible
25 NOAA working groups prior to the end of the year. The SSC will
26 be convening the ABC Control Rule Working Group via webinar in
27 the near future to evaluate improvements to the council's
28 current control rule.

29
30 Committee Discussion on Allocation Issues, Dr. Frazer noted that
31 this installment of the ongoing discussion on allocation would
32 be used to introduce discussions on the red grouper stock
33 assessment, SEDAR 61. Potential impacts of recreational data
34 recalibration on the red grouper sector allocations will be
35 considered during SEDAR 61 discussions. Mr. Chair, this
36 concludes my report.

37
38 **CHAIRMAN FRAZER:** Thank you, Mr. Diaz. Before we leave this
39 committee, is there any further discussion? Does anyone want to
40 bring anything up? Okay. Then we're going to move forward, and
41 we have six minutes, and so I'm going to squeak every minute
42 out. Thank you, Leann. Dr. Crabtree.

43
44 **DR. CRABTREE:** I can tell you something new in Permits in three
45 minutes that they have asked me to relate to you, if you would
46 like.

47
48 **CHAIRMAN FRAZER:** Please do.

1
2 **DR. CRABTREE:** All right. We have implemented a new process in
3 the Permits Office to handle transfer applications.
4 Historically, transfer applications have been grouped in with
5 other vessel application request types and then processed in the
6 order they were received. Depending on the time of year, this
7 meant the application could sit idle on the shelf for eight to
8 eighteen days before the review processed commenced.

9
10 The Permits Office recognizes that permits that are waiting to
11 be transferred from one vessel to another are not valid until
12 the transferred permits are approved and mailed and in the
13 possession of the permit holder, and so they have created a new
14 workflow process that prioritizes the review of transfer
15 applications within a day of receiving it, and the new workflow
16 should significantly reduce the time it takes to transfer
17 permits and get fishermen back on the water sooner.

18
19 **CHAIRMAN FRAZER:** That's excellent news, Roy. All right. I am
20 looking here at the couple of supporting agencies updates, and I
21 think we've heard all of them. We've talked with Dave
22 Donaldson, and we don't have anything from the Gulf States
23 Marine Fisheries Commission at this particular meeting, and OLE,
24 similarly, is not going to provide an update this time, but I
25 will give the South Atlantic Council liaison an opportunity.
26 Chris.

27
28 **SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL LIAISON REPORT**
29

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

39
40 At our meeting, we also approved an amendment, Regulatory
41 Amendment 29, and it's to require descending devices onboard
42 commercial, private, and for-hire vessels that are fishing or
43 possessing species in our Snapper Grouper Fishery Management
44 Unit, and we had a lot of issues with coming up with a
45 definition of a descending device, since we didn't approve just
46 one name brand, and, if you want me to give you the definition,
47 I can, or we can talk about it later.

1 We also approved an amendment, a couple of years ago, for the
2 for-hire recreational reporting, and that is still sitting in
3 Headquarters being reviewed, and probably waiting on some
4 funding too, and, other than that, John Carmichael is our new
5 Executive Director, and that will take effect on December 13 at
6 5:01 p.m., and that's immediately following Gregg's retirement,
7 but we look forward to working with John, and I hope that he's
8 easy to work with for you guys as well. If not, then just let
9 me know. Thanks a lot.

10
11 **CHAIRMAN FRAZER:** Extend our congratulations to Mr. Carmichael,
12 and thank you, Chris, for that update. Are there any questions
13 for Chris?

14
15 **MR. CONKLIN:** I have one more thing. The Florida Keys National
16 Marine Sanctuary, we haven't seen anything on it yet. Our APs
17 are getting some presentations, similar to what you guys have,
18 and we're going to see that in December, and, Mr. Chairman, that
19 concludes my report.

20
21 **CHAIRMAN FRAZER:** Thank you for being here. All right. We are
22 at 5:29, and so that's as hard as I can crack the whip, Leann.
23 You guys have a wonderful evening. We will meet at 8:30 in the
24 morning tomorrow.

25
26 (Whereupon, the meeting recessed on October 23, 2019.)
27

28 - - -

29
30 October 24, 2019

31
32 THURSDAY MORNING SESSION
33

34 - - -
35

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

40
41 **CHAIRMAN FRAZER:** We have six committee reports and one Other
42 Business item to take care of today. Excuse me. We have two
43 Other Business items, and so we will work through the committee
44 reports first, and first on the list is the Administrative and
45 Budget Committee and Mr. Dyskow.

46
47 **COMMITTEE REPORTS (CONTINUED)**
48 **ADMINISTRATIVE/BUDGET COMMITTEE REPORT**

1
2 **MR. DYSKOW:** Thank you, Chairman Frazer. The Administrative and
3 Budget Committee adopted the agenda and approved the minutes as
4 written regarding the carryover minutes from the August 2019
5 meeting.

6
7 Staff reviewed the updated year-end projection, and that's the
8 budget projection, noting that the anticipated unexpended funds
9 of \$316,062 are still an estimate. The exact figure of
10 unexpended funds will not be known until all activities for this
11 year are completed.

12
13 Staff also reviewed several of the proposed carryover
14 activities, including potential contracts for the development of
15 the commercial Fish Rule app, updates to the website, and the
16 conversion of documents to a 508-compliant format. The
17 committee passed a motion to approve the carryover budget.
18 However, staff is requesting the council consider the following
19 motion, which addresses a spending plan request instead of an
20 actual budget request.

21
22 **The committee recommends, and I so move, to instruct staff to**
23 **proceed with the spending plan request as it relates to the**
24 **carryover funds.**

25
26 **CHAIRMAN FRAZER:** Okay, and so that's actually an amended
27 motion, right, a suggested amendment to the motion before that
28 reads: The committee recommends, and I so move, to approve the
29 carryover budget, as stated. Any discussion on this?

30
31 **MR. DYSKOW:** The modification, just so everybody knows, is
32 simply changing the word "budget" and insert the words "spending
33 plan".

34
35 **CHAIRMAN FRAZER:** Ms. Bosarge.

36
37 **MS. BOSARGE:** Would you like me to make that substitute motion?
38 Is that how you want it to play out?

39
40 **MR. DYSKOW:** I will defer to the Chairman on how he wants to
41 handle that.

42
43 **CHAIRMAN FRAZER:** Sure. I think that would be good to put on
44 the record as a substitute.

45
46 **MR. DYSKOW:** Leann is moving to adopt the substitute motion, as
47 it is being printed on the screen, and do we have a second? We
48 have a second, and now we'll open it up to discussion, if anyone

1 has any questions. Dr. Frazer.

2
3 **CHAIRMAN FRAZER:** I just want to make sure that there's no
4 opposition to the motion, the substitute motion. Seeing none,
5 the motion carries. Mr. Dyskow.

6
7 **MR. DYSKOW:** Thank you. The staff provided a review of nine
8 proposed research projects. The projects selected -- These
9 potential projects, by the way, would be funded by these
10 carryover dollars. The projects selected by the council will be
11 funded with the unexpended 2014 to 2019 administrative award
12 funds and included in the carryover request submitted to NOAA.

13
14 Since a final carryover amount is not yet known, the committee
15 was asked to rank the projects in order of preference for
16 funding. After some discussion, the committee determined that
17 it would be most expedient for staff to create a Google survey,
18 which would allow all council members to rank the projects and
19 provide a record of their preferences.

20
21 As per the direction of General Counsel, any council member that
22 might be directly involved in one of the projects will recuse
23 themselves from the discussions and vote. A council member
24 requested to add a project to assess Kemp's ridley sea turtles.

25
26 A committee member responded that Dr. Benny Gallaway would
27 provide a summary of the project in a similar format to that of
28 the other projects, and that would be presented to -- That would
29 be presented on the Google poll, I guess. It would be sent out
30 as appended meeting materials, so the project can be included in
31 the ranking survey. The prioritized project list will then be
32 sent on to the Full Council.

33
34 In the event we need to review contracts for carryover funds in
35 the future, staff was requested to categorize the projects under
36 some criteria and indicate how they relate to the council
37 activities. Mr. Chair, this concludes the report.

38
39 **CHAIRMAN FRAZER:** Okay. Thank you, Mr. Dyskow, and so we have
40 that list of prioritized projects on the screen for people to
41 view, and I will let Dr. Simmons kind of discuss how we got to
42 this point.

43
44 **EXECUTIVE DIRECTOR SIMMONS:** We sent out the doodle poll, and we
45 included Dr. Benny Gallaway's proposal, and so we now have ten
46 proposed contracts, and this was the council's rankings, and it
47 was just the voting council members, and it excluded Dr. Greg
48 Stunz.

1
2 **CHAIRMAN FRAZER:** Okay, and so one of the things that we did in
3 this committee was to approve the spending plan, and, as part of
4 that spending plan, we're going to be able to fund a number of
5 projects, but, depending on the budget of those projects,
6 there's going to need to be some discretion, but we needed to
7 take care of them in a fairly quick order, but, given the
8 available dollars that we have, we would try to accommodate
9 those projects in priority order, and so I will open the floor
10 for discussion about the rankings. Dr. Mickle.

11
12 **DR. MICKLE:** Just real quick, Dr. Simmons, what was the universe
13 size? Was it sixteen, because of the sixteen voting?

14
15 **EXECUTIVE DIRECTOR SIMMONS:** Correct.

16
17 **CHAIRMAN FRAZER:** Ms. Guyas.

18
19 **MS. GUYAS:** Just a question. I assume that, once these are
20 funded, we'll know which ones and maybe, after the projects are
21 complete, get a report-out from those projects.

22
23 **CHAIRMAN FRAZER:** Dr. Simmons.

24
25 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Yes, that's
26 correct. That is our plan, and so, probably early in 2021, we
27 would ask them to give a presentation, or at least definitely
28 provide a report, and hopefully give a presentation, at some
29 point in 2021.

30
31 **CHAIRMAN FRAZER:** Okay. Is there any further discussion about
32 these particular projects? Ms. Bosarge and then J.D.

33
34 **MS. BOSARGE:** More of a logistical thing. I know, if we do a
35 contract over I think it's over \$100,000, or over \$99,999,
36 there's a different process for that, and I forget exactly what
37 it was, and it may be that it has to go out for proposal and
38 have people submit something and then see which is the best.

39
40 Now, in this kind of world, I realize it's very specialized, and
41 you're going to have one or two scientists that may be in that
42 arena that would want to do that work, but, you know, if we end
43 up -- Some of the PIs, you call them, and I could see their name
44 repeating on some of the things, and so I think, if you end up
45 picking some of these that uses the same PI, and that ends up
46 being over \$100,000, we may want to think about at least putting
47 it out for proposal, and I think it will end up the same result,
48 but that may be the more prudent way to do it.

1
2 **CHAIRMAN FRAZER:** Sure, and I guess I appreciate that concern,
3 and what we'll do is make sure that we consult with the
4 appropriate people to make sure that we're doing everything
5 appropriately moving forward and we don't get into a situation
6 where we have exceeded that \$100,000 and getting into a problem.
7 Thanks, Leann. J.D.

8
9 **MR. DUGAS:** Why were there no universities from Louisiana
10 involved?

11
12 **CHAIRMAN FRAZER:** Dr. Simmons.

13
14 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Like I said,
15 we did this in short order, and these were the projects that we
16 came up with, and so I apologize if we excluded Louisiana.

17
18 **CHAIRMAN FRAZER:** Okay. Are there any further discussions
19 regarding this project list? Okay. Any further discussion with
20 regard to the Administrative and Budget in general? Mr.
21 Swindell.

22
23 **MR. SWINDELL:** The total amount of funds that's available is how
24 much? What is the funds?

25
26 **CHAIRMAN FRAZER:** Dr. Simmons.

27
28 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. The
29 projected amount is three-hundred-and-sixteen-plus-thousand,
30 but, again, we have to, on the other projects, carryover
31 projects, that I discussed during the committee, such as the
32 website and other things, we have to get those contracts
33 finalized, and so that number may fluctuate.

34
35 If I also may add that one thing we did at the end of our 2014
36 award, if we just had a couple of thousand dollars left, we
37 anticipated having that left, if it was not enough to fund
38 another project, is we did provide some funding to MREP, and I
39 don't have that exact number in front of me, but I think it was
40 around \$20,000, and so I did want to bring that up with the
41 council, and that's something we have done in the past, and, if
42 anyone has any concerns with that, please let me know and bring
43 that up now, because, if there's a limited amount, or we can't
44 fund like a sixth project, that is something we've done in the
45 past.

46
47 **CHAIRMAN FRAZER:** Mr. Swindell.

1 **MR. SWINDELL:** I added up the first four, and they add up to
2 \$327,500, which means that the other six are not going to have
3 consideration for funding.

4
5 **CHAIRMAN FRAZER:** Dr. Simmons.

6
7 **DR. SIMMONS:** Just please keep in mind that this is not a final
8 number. Like I mentioned, we have to still develop our
9 contracts with the website individual, which we may go with an
10 \$85,000 contractor versus the \$95,000 contractor, and so we
11 still have a lot of things in flux, and we have several meetings
12 in November that we haven't closed out yet, and so this is just
13 a projection of what we think we're going to have at the end of
14 this year, and so, please, this number is still fluid.

15
16 **CHAIRMAN FRAZER:** That is important, I guess, when we talk about
17 approving a spend plan, and so we need some discretion here.
18 Okay. Dr. Porch.

19
20 **DR. PORCH:** Just, in case you find it relevant, next year, there
21 will be a multimillion-dollar RFP for greater amberjack coming
22 through Sea Grant.

23
24 **CHAIRMAN FRAZER:** Yes, and do you have any specifics of what
25 they're targeting?

26
27 **DR. PORCH:** It will be an RFP similar to the one that went out
28 for the Great Red Snapper Count.

29
30 **CHAIRMAN FRAZER:** So is that a national Sea Grant program, or is
31 that a Florida Sea Grant program?

32
33 **DR. PORCH:** I think it will actually be through Alabama and
34 Mississippi Sea Grant, like the red snapper RFP was.

35
36 **CHAIRMAN FRAZER:** Do you know if it would be possible to get any
37 preliminary look at that, because that may have some bearing, of
38 course, on what we do here.

39
40 **DR. PORCH:** It depends on how soon you need it. I mean, it's
41 still -- We haven't moved the money over there yet, because of
42 some constraints they have with their end-of-year, but
43 arrangements should happen pretty soon, this fiscal year.

44
45 **CHAIRMAN FRAZER:** Okay. Dr. Simmons.

46
47 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Do you know
48 when that is supposed to be started and completed? Is it a two-

1 year project or a three-year project, or is it just annual?

2
3 **DR. PORCH:** Well, that hasn't been determined yet, because it
4 hasn't been awarded, and so it really depends on what competing
5 projects. I mean, it could be that several projects that get
6 funded, and it could be the consortium comes in with a project
7 that we can't resist, but the terms of reference haven't been
8 fully developed yet.

9
10 **GULF SEDAR COMMITTEE REPORT**

11
12 **CHAIRMAN FRAZER:** Okay, and so I think what we can do is explore
13 that with the Sea Grant leadership and see if we can get some
14 preliminary kind of inclination of where they're going, and that
15 may in fact determine what we do here. Thanks, Clay. Is there
16 any further discussion? Seeing none, we will move to our next
17 committee report, and we're actually going to go to the SEDAR
18 Committee.

19
20 The SEDAR Committee report, the committee adopted the agenda as
21 presented and approved the minutes of the August 2019 meeting as
22 written.

23
24 Review of Gulf Stocks Suitable for Interim Analyses, Dr. Clay
25 Porch provided a presentation on the interim analysis process.
26 Full stock assessments can be a couple years out of date by the
27 time the data are processed, whereas interim analyses, which are
28 forecasts based on the most recent assessment, can be conducted
29 annually, using the previous year's data.

30
31 An interim analysis relies on the previously-accepted stock
32 assessment for that species, an updated index of abundance or
33 other data and provides an updated acceptable biological catch.
34 An ABC from a reference year is adjusted by the ratio of the
35 observed index value and the index value from a reference year
36 to generate the new ABC. The use of a buffer and accounting for
37 the uncertainty of the index can help smooth out annual
38 variation in the index and improve catch forecasting.

39
40 Based on data availability, interim analyses could be conducted
41 for red snapper, red grouper, vermilion snapper, gray snapper,
42 gag, scamp, yellowedge grouper, and greater amberjack. Other
43 species, like gray triggerfish, king mackerel, and yellowtail
44 snapper will need to be assessed before an interim analysis is
45 attempted.

46
47 A committee member asked about the approach when two or more
48 surveys exist for a species. Dr. Porch replied that two surveys

1 can be combined and weighted appropriately. However,
2 consideration would need to be given to the time required to
3 process the data from each index. Also, each index would need
4 to be spatially representative of where the fish occur and where
5 the fishery for that species is prosecuted.

6
7 Summary of August 2019 SEDAR Steering Committee Webinar: NOAA's
8 Recommended Use of the Current Gulf of Mexico Surveys of Marine
9 Recreational Fishing in Stock Assessments, the Marine
10 Recreational Information Program, MRIP, has undergone
11 substantial modifications from the previous program.

12
13 Also, the Gulf states have developed either supplemental, such
14 as, in Florida, the Gulf Reef Fish Survey; in Alabama, Snapper
15 Check; in Mississippi, Tails 'n Scales; or standalone, such as,
16 in Louisiana, LA Creel; in Texas, the Texas Parks and Wildlife
17 Division's Sport Angling Survey, which are surveys, which
18 contribute catch advice for some or all surveys.

19
20 These surveys have been certified by MRIP, which simply means
21 that the survey design is statistically sound manner.
22 Certification is not an indication of the accuracy or precision
23 of the estimates coming from those surveys. Because the state
24 surveys are not yet calibrated back in time, the National Marine
25 Fisheries Service's current position is to move forward with
26 stock assessments using MRIP until the state calibrations are
27 available.

28
29 The SEDAR Steering Committee accepted the use of the new MRIP
30 methodologies, but encouraged continued and timely development
31 of the requisite calibrations for each of the states during its
32 September 2019 webinar.

33
34 Dr. Luiz Barbieri reviewed the council's Scientific and
35 Statistical Committee's position on the evolution of the
36 recreational data collection programs. The SSC recognizes the
37 exclusive use of MRIP as an interim measure until the state
38 surveys can be more readily integrated. Ultimately, the SSC
39 recommended an in-person workshop to address the Fishing Effort
40 Survey calibrated MRIP data and conversions and their
41 calibration with state data collection programs, as they relate
42 to the inclusion of the state surveys into future stock
43 assessments. Ms. Bosarge.

44
45 **MS. BOSARGE:** The SSC actually made a motion on that, and I
46 would like to mimic that motion with a slight change. **I would**
47 **like to make a motion, please, sir, for council staff to**
48 **facilitate an in-person workshop to address MRIP and FES data**

1 stream conversions and their calibration with state survey data
2 collections as they relate to inclusion in future stock
3 assessments. Just for the record, the only thing I changed from
4 the SSC motion was that council staff would facilitate it.

5
6 **CHAIRMAN FRAZER:** Thank you. Is there a second to that motion?
7 Second by Dr. Mickle.

8
9 **DR. MICKLE:** I am seconding the motion, but, for clarification,
10 I think FES is part of MRIP. It is MRIP, but it's just the new
11 conversion of MRIP, and so help me out, Roy. Should that be
12 worded as APAIS and FES?

13
14 **CHAIRMAN FRAZER:** Dr. Crabtree.

15
16 **DR. CRABTREE:** Yes, FES is part of the MRIP program.

17
18 **CHAIRMAN FRAZER:** So, Leann, based on those comments, would you
19 like to modify the language?

20
21 **MS. BOSARGE:** Sure, and so, on the MRIP, put a dash and then put
22 "APAIS". Then put "and", and then put "MRIP-FES", and is that
23 how it goes?

24
25 **CHAIRMAN FRAZER:** Ms. Guyas.

26
27 **MS. GUYAS:** We are not converting from MRIP APAIS to MRIP FES.
28 It's the Coastal Household Telephone Survey to FES. I am just
29 putting that out there. APAIS is the in-person survey, and FES
30 is the mail survey. The effort survey has changed from the
31 telephone to mail, and I think that's --

32
33 **MS. BOSARGE:** Great. That must be why the SSC just said MRIP.

34
35 **CHAIRMAN FRAZER:** Mr. Williamson.

36
37 **MR. WILLIAMSON:** Just for clarification purposes, and I'm sure
38 everyone understands the intent of this, but, if I recall
39 correctly, when Luiz gave his presentation, he was pretty
40 adamant that all the states and the folks who developed the FES
41 survey be participants together in this in-person meeting, and
42 so I would just offer that the in-person between yada-yada
43 probably needs to be added to that.

44
45 **CHAIRMAN FRAZER:** Ms. Bosarge.

46
47 **MS. BOSARGE:** If you don't mind, I wouldn't add that, but, yes,
48 that is most definitely the intent, and that's why it says "with

1 state survey data collections", but I don't want to dictate
2 exactly who is supposed to come, because you're going to need
3 some Science Center people there, and probably some MRIP FES
4 type people there, and all your states, and, if you're worried
5 that I didn't mean Texas, I do mean Texas. I mean all the
6 states.

7
8 **CHAIRMAN FRAZER:** Mr. Anson and then Mr. Diaz.

9
10 **MR. ANSON:** It's kind of a question I had as well, and two
11 things, I guess, that I had regarding this motion. Who is going
12 to be included, as far as the workshop, and then -- Which would
13 also include, potentially, the consultants that the MRIP folks
14 have been using as we've gone along this process, from the
15 beginnings of the state surveys, as they have gone through the
16 certification process and such, but will this supersede the
17 timeline that the MRIP folks have been talking about discussing?
18 We've got a little bit of a summary as to that timeline from Dr.
19 Cody, and, if that's the case, there ought to be, certainly,
20 some good communication with them, and those are my comments.

21
22 **CHAIRMAN FRAZER:** To that point, Roy, and then we'll get to
23 Dale.

24
25 **DR. CRABTREE:** My suggestion to you would be to give a lot of
26 flexibility, and my suggestion to you would be that maybe Tom
27 and Carrie and Clay and myself and Dave and some MRIP folks talk
28 about where we are with this and how we might do this, because I
29 think a lot of this is already in the works with the MRIP
30 people, and I don't want to see us get all confused with it, and
31 so I think the MRIP folks are already working with the
32 consultants and trying to pull a lot of the preliminary work
33 that would be done and try to look at how these calibrations
34 might work, and it seems to me that, when we have a meeting like
35 this, we're going to need to look at here are the options, here
36 is the potential ways to do it, and here's the things that
37 should be consistent across all of them, and then here's things
38 that might be specific to how a certain survey works and those
39 kinds of things.

40
41 I don't think we want to have a workshop where people just come
42 in cold and nothing has been done in advance. I think we need
43 to come in with a lot of preparatory work, and so I think,
44 before we start actually setting up a workshop, there needs to
45 be a lot of discussion about who really should facilitate it and
46 who is going to do it and who -- All the details of it, that I
47 think we need a lot of technical people involved with and what
48 they have already done.

1
2 **CHAIRMAN FRAZER:** Ms. Bosarge.

3
4 **MS. BOSARGE:** I agree completely, and that's why I put for staff
5 to facilitate it, and I actually talked to staff a little bit
6 about my motion, to make sure that I got it right before I did
7 this, and that was the discussion, that, yes, there will have to
8 be a game plan that's created and make sure we ask people to
9 bring the right things in, and something that's reasonable for
10 them to bring in, but, if you don't start trying to plan the
11 meeting, you will never ask the people to get it ready, and you
12 will never get there.

13
14 The way I see it, we have to have some calibrations pretty soon,
15 and we've got the amberjack assessment that starts in January.
16 When that starts, we have twelve months before we get the
17 results, and this meeting probably won't happen until January,
18 and so we have twelve months to at least get a calibration for
19 amberjack and for FES to LA Creel, or we're going to end up in a
20 situation where we have a new assessment coming out and a quota
21 with FES and landings that are not in the currency, and, as Clay
22 stated, you need them both the same, and you've got for it to
23 balance out and offset, and so I want to get this ball rolling.

24
25 **CHAIRMAN FRAZER:** Mr. Anson.

26
27 **MR. ANSON:** Leann, I appreciate your interest and desire to get
28 this ball rolling, and certainly I have had some concerns that
29 have been growing here as of late on the timing and the speed to
30 which this process is occurring, and so I would be more than
31 happy to expedite that process, but it is a process, and there
32 is lots of moving parts, as far as individuals with knowledge
33 and expertise that need to be aligned to make sure that we get
34 everybody at the table at the right time.

35
36 Another comment or question I have to Dr. Simmons would be would
37 this be included in the budget, or the impact then, the amount
38 of funds that could be available to those other projects, or
39 those from the previous year, and so that's not going to be
40 impacted, but certainly how does your budget look to add this,
41 because it will be a lot of folks that we would need to bring to
42 the table.

43
44 **CHAIRMAN FRAZER:** Dr. Simmons.

45
46 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. The previous
47 projects we just discussed would be from our previous five-year
48 grant, and so, as always, we'll bring the council the first year

1 of our new five-year grant cycle, which starts in 2020, with
2 proposed activities and a budget, and hopefully we'll have a
3 number, but, typically, it's based on what we received the
4 previous year, and so this would have to be worked into those
5 activities and estimated for the number of individuals and
6 travel and all those types of things. I think, if I may, Dr.
7 Froeschke had a suggestion, perhaps, and is that okay?

8
9 **CHAIRMAN FRAZER:** Sure. Dr. Froeschke.

10
11 **DR. JOHN FROESCHKE:** We were just talking, and perhaps we could
12 consult with Richard Cody from MRIP and figure out what their
13 meeting plans are and the upcoming dates and bring a summary
14 back to the next meeting of those, and we could see what gaps
15 and things there are that perhaps could be filled by this
16 meeting.

17
18 **CHAIRMAN FRAZER:** Mr. Diaz.

19
20 **MR. DIAZ:** I think this has kind of been dancing around, but I
21 believe that Mr. Donaldson said earlier in the meeting that they
22 had already intended to try to help coordinate some of this, and
23 I do think Gulf States at least should be an integral part in
24 it, because they do have some committees that could maybe help
25 look at some of these issues, also. Thank you.

26
27 **CHAIRMAN FRAZER:** Dr. Porch.

28
29 **DR. PORCH:** I just wanted to remind the council that Dr. Cody
30 had said that they should have conversions available by the
31 spring, and I think he even said March of 2020, and then I just
32 wanted to point out that, the way the motion is written now,
33 it's very broad, and it's basically -- It's almost saying review
34 everything that's been done, and is that the intent, or do you
35 want to focus on the state conversions, because, if you're
36 focused on the MRIP CHTS to FES conversions back in time, I
37 mean, that's already been reviewed and released, and you could
38 chew up the whole time just rehashing all of that.

39
40 **CHAIRMAN FRAZER:** Leann.

41
42 **MS. BOSARGE:** Well, the way I read it is you take those data
43 streams that have already been converted, and so those data
44 stream conversions, and you're looking at their calibration with
45 state survey data collections, and so that's the way I read
46 that, but, with some states, you may not be able to go straight
47 to FES. You may have to go -- Like, with Louisiana, you have, I
48 think, one year of the MRIP CHTS overlapped with LA Creel, and

1 so we didn't want to get too specific. We just wanted to say
2 that you've got those data streams, and you've got state
3 surveys, and we've got to figure out how to mesh them up.

4
5 I don't want to get too prescriptive in the motion. The motion
6 is just for staff to start facilitating this. I don't think
7 that I have the expertise to say exactly what these people
8 should be looking at in this meeting. I want to leave it open,
9 and I would like staff to start those conversations, and then
10 they can hone-in on what's the appropriate path forward.

11
12 **CHAIRMAN FRAZER:** All right, and so I'm thinking about a couple
13 of things. I mean, there's a lot going on at this time, and so
14 we've got a group already, Richard Cody's group, who plans to
15 bring some calibrations to light in the spring, March of 2020 or
16 April of 2020. Dave's group, Gulf States Marine Fisheries
17 Commission, is facilitating some interaction to help with that
18 process prior to that, and is that true?

19
20 **MR. DONALDSON:** Well, I mean, it's all kind of interrelated.
21 We're not doing a -- It's not actually a separate activity.
22 It's all part of this calibration and facilitating getting the
23 states together to talk about it, but, yes, we're involved in
24 that.

25
26 **CHAIRMAN FRAZER:** So my concern is that we're going to have a
27 lot of cooks in this kitchen, and I just want to make sure -- I
28 think we want to facilitate the process moving forward, but we
29 don't want to complicate the process, and so I'm thinking about
30 what the best way to do this is, timely, and so what Roy might
31 have been suggesting, and I guess he has his hand up. Go ahead,
32 Roy.

33
34 **DR. CRABTREE:** Well, yes. I am right with you, and perhaps
35 there is a need for the council to organize some in-person
36 workshop, but I am not certain that that's the case, and so
37 that's my suggestion, that we just -- To me, to facilitate is to
38 have the council get the ball rolling and get all these folks on
39 the horn talking, and then let's figure out what needs to be
40 done to get us where we want to be and what the council could do
41 to make that happen better. If that's an in-person workshop,
42 then great, but, if there's already something else planned to do
43 it, then fine, and we just want to get to the endpoint.

44
45 **CHAIRMAN FRAZER:** So there's an intermediate step then in this
46 process, the way that the motion is written, and so I'm trying
47 to figure out where we want to go with this motion at this
48 point.

1
2 **MS. BOSARGE:** I mean, I can try and adapt it, if you want me to,
3 but, essentially, I like what Roy said, to have staff start to
4 facilitate. If there's already a workshop, or there's already a
5 meeting planned, that fits the timelines that we are under, then
6 that's fine. Council staff would not have to develop another
7 workshop, and that's just fine, but to get the ball rolling and
8 get the conversation started.

9
10 **CHAIRMAN FRAZER:** Mr. Anson.

11
12 **MR. ANSON:** Basically just kind of instruct staff to get
13 together with the players involved and then come back to the
14 January meeting with some more concrete information as to that
15 timeline, and then, yes, where we would fit in, and maybe talk
16 about the budget stuff and all that stuff at the January
17 meeting.

18
19 **CHAIRMAN FRAZER:** Dr. Simmons.

20
21 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Just so I am
22 clear again also, this would be -- I think we're on the right
23 path here, and I think we can do that, hopefully by January, but
24 this would be to achieve Option 1b in the NOAA white paper,
25 correct, to move in that direction, to determine if the MRIP
26 staff need an in-person workshop and if we can help facilitate
27 that and move Option 1b in the right direction, correct?

28
29 **CHAIRMAN FRAZER:** Mr. Anson.

30
31 **MR. ANSON:** Yes, and maybe a little bit more specific to that,
32 to provide more information as to find out if they need the
33 help, but also find out the timing of the workshop, and that
34 would be helpful, I think, just for the general public to
35 understand the process and give another opportunity to educate
36 folks on the timeline for that process, but then what they --
37 Who they were planning to invite to that and the expectation
38 outcome relative to 1b, yes, to make sure it did address Option
39 1b in the white paper.

40
41 **CHAIRMAN FRAZER:** Ms. Guyas.

42
43 **MS. GUYAS:** I just wanted to, I guess, come back to the reason
44 why the SSC made this similar request, because some of this may
45 be happening, but it's very piecemeal and disconnected, and so
46 the thought was to kind of get everybody to the table, and so,
47 if you guys figure out that some of this is happening, but it's
48 not coordinated across everybody, then I think, yes, we would

1 still want to do this, and so I'm just kind of reminding
2 everybody why we're having this conversation in the first place.

3
4 **CHAIRMAN FRAZER:** Sure, and so what I was concerned about is
5 that we're committing to a workshop that might already be
6 organized in another venue, and so, Leann, do you want to add a
7 word to that?

8
9 **MS. BOSARGE:** After "facilitate", put "the possibility of". Now
10 you're not held to the fire.

11
12 **CHAIRMAN FRAZER:** Dr. Mickle, are you good with that change?
13 Okay. I think that captures the intent. Is there any further
14 discussion on this motion? **Is there any opposition to the**
15 **motion? Seeing none, the motion carries.**

16
17 We will get back to the committee report. Sorry, Dr. Porch. I
18 didn't see your hand.

19
20 **DR. PORCH:** Sorry. I should have raised it earlier, but just
21 one point, technical point, but Richard will chastise me if I
22 don't bring it up. Where it says the surveys have been
23 certified by MRIP, which simply means that the survey is being
24 conducted in a statistically-sound manner, that's actually not
25 correct. They are not saying they are being conducted in a
26 sound manner, but they are just saying the statistical design is
27 -- The survey design is statistically sound, if key assumptions
28 are met, and so it's even simpler than that, but they are not
29 evaluating whether it's being conducted in a sound manner. I
30 can send you that language, if it helps.

31
32 **CHAIRMAN FRAZER:** Yes. Absolutely. If you send that language,
33 we will modify the committee report accordingly. Thank you,
34 Clay.

35
36 **DR. PORCH:** Thank you.

37
38 **CHAIRMAN FRAZER:** All right. We will continue on. The
39 committee's expectation is that the calibrations developed in
40 2020 will be available for use in 2021. A committee member
41 asked whether a calibration for a state survey was necessary,
42 especially if the state's survey was certified as statistically
43 sound and was producing timely and reliable estimates of catch
44 and effort.

45
46 Means exist to use a combined survey approach to use the data
47 currently being collected by the states. However, it is also
48 important to develop retrospective estimates of catch and effort

1 for the years of data prior to a new survey's implementation.
2 Integrating the surveys as they are is made somewhat more
3 difficult, due to differences in how each state survey collects
4 data. A committee member expressed concern about the magnitude
5 of the differences between the state and MRIP surveys. Dr.
6 Barbieri added that addressing this issue is a priority of the
7 SSC's proposed workshop.

8
9 Review of the Report to Congress Regarding Section 201 of the
10 Modernizing Recreational Fisheries Management Act of 2018, Dr.
11 Richard Cody gave an overview of the cooperative data collection
12 requirements from the Modernizing Recreational Fisheries
13 Management Act of 2018. The report to Congress discusses the
14 types of data and analyses, inclusion of state and non-
15 governmental sources of data, stock assessment process reviews,
16 adherence and improvements to National Standard 2, and
17 consideration of citizen science initiatives. NMFS has
18 requested comments from the regional fishery management councils
19 by the end of 2019.

20
21 Council staff have provided some recommendations, including
22 clarifying that the state data collection surveys are not all
23 presently incorporated into the stock assessment process in the
24 Gulf. Further, a committee member noted that the report is not
25 actually facilitating improved incorporation of data and
26 analyses from state and non-governmental sources.

27
28 Also, it is uncommon that state surveys do not generate data
29 which meet or exceed the requirements specified in this report
30 to Congress. Lastly, the data used in the assessments should be
31 representative of a species distribution in a region and be of
32 sufficient temporal coverage to show contrast between years of
33 data within that survey.

34
35 Summary of September 2019 SEDAR Steering Committee Webinar, Dr.
36 Simmons reviewed the SEDAR scheduling efforts by the SEDAR
37 Steering Committee during its September 2019 webinar. Dr. Porch
38 added that struggles in coordinating data receipt from the many
39 data providers for an assessment needs to be addressed and asked
40 that the state representatives assist in considering solutions
41 to this issue. The Gulf States Marine Fisheries Commission,
42 acting as a hub for the Gulf states, could assist in the
43 management of data acquisition efforts.

44
45 Review of Gulf of Mexico SEDAR Schedule, council staff reviewed
46 the SEDAR assessment schedule for the Gulf species, adding that
47 the SSC recommended adding Spanish mackerel and yellowedge
48 grouper to the schedule, as these assessments are quite dated.

1 This concludes the report. Are there any further discussion
2 items related to the SEDAR Committee? Okay. Seeing none, we
3 will move on. Next on the list would be the Coral Management
4 Committee Report. We will get that up on the board.

5 6 **CORAL MANAGEMENT COMMITTEE REPORT**

7
8 The committee adopted the agenda as provided and approved the
9 minutes of the October 2018 meeting as written. Agenda Item IV:
10 Coral Reef Conservation Program Update, council staff presented
11 updates on products and services produced under the current NOAA
12 Coral Reef Conservation Program grant, the 2017 to 2020 cycle.

13
14 The committee asked if staff was planning to disseminate
15 information on the status of stony coral tissue loss disease,
16 which is currently affecting shallow-water corals in the Florida
17 Keys as well as other reefs in the Caribbean. Staff referenced
18 the current efforts undertaken by the Florida state agencies,
19 based on a presentation by Florida Wildlife Research Institute
20 staff, at the most recent Joint Coral SSC, Coral AP, and Shrimp
21 AP meeting, as well as the opportunity to receive additional
22 status updates on the spread of the disease.

23
24 The committee inquired about the environmental variables that
25 would be used to develop a model to predict the distribution of
26 corals that might provide insight into the effects of climate
27 change on corals. Staff provided a list of the variables and
28 they can be found at the end of this report. The variables were
29 sourced from publicly-available environmental databases. Source
30 grid size ranged between 30 arc second to 0.25 degree and all
31 variables were compiled into a uniform grid of five square
32 kilometers covering the marine ecoregion area of the Gulf of
33 Mexico.

34
35 Staff explained that the model mostly uses satellite-based
36 environmental data, which limits their application to shallow-
37 water corals. Other types of data would have to be used to
38 develop a similar model focused on deep-sea corals. Staff
39 explained also that some of the analyses are restricted, due to
40 data sharing agreements with partnering agencies. Finally, it
41 was noted that the variables employed in the models may change
42 as staff finetunes the model and more information becomes
43 available.

44
45 Agenda Item V: Flower Garden Banks National Marine Sanctuary
46 Expansion Update, Mr. Schmahl gave an update on the Flower
47 Garden Banks National Marine Sanctuary expansion. The current
48 Flower Garden Banks National Marine Sanctuary covers fifty-six

1 square miles. The most recent Sanctuary Advisory Committee
2 recommendation would result in an expansion to 160 square miles.
3

4 Regulations within the areas designated as no activity zones
5 include the prohibition of anchoring by any kind of vessel. The
6 use of conventional hook and line and bandit rigs is allowed.
7 The objective of the regulations in place is to protect bottom
8 communities from physical disturbances. The proposal is
9 currently under interagency review, and a proposed rule is
10 expected to be announced soon.
11

12 The committee suggested that language related to transit
13 regulations within the NAZs be clarified, specifically those
14 regulations related to fishing gear on a vessel. A similar
15 recommendation was made at the most recent Joint Coral SSC,
16 Coral AP, and Shrimp AP meeting. A letter with this
17 recommendation will be submitted to the Flower Garden Banks
18 National Marine Sanctuary.
19

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

27 Agenda Item VII: Florida Keys National Marine Sanctuary
28 Management Review, Ms. Beth Dieveney presented the proposed
29 changes to the Florida Keys National Marine Sanctuary boundary
30 that are included in the Draft Environmental Impact Statement
31 for the restoration blueprint and indicated there is an
32 opportunity for the council's consultation on the proposed
33 fishery regulations.
34

35 The Florida Keys National Marine Sanctuary is currently at the
36 first stage of the consultation process for this DEIS, with a
37 deadline for public comments on January 31, 2020. The proposed
38 Florida Keys National Marine Sanctuary boundary includes a
39 southern expansion that would align with existing zones
40 designated as areas to be avoided, which prevent navigation of
41 large vessels within those areas.
42

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

1 transit, or anchoring regulations.

2
3 For the Pulley Ridge unit, the proposed Alternative 4 would
4 maintain the fishing regulations proposed in Coral Amendment 9,
5 but would include an additional action of no anchoring,
6 regardless of vessel type. Current regulations stipulate no
7 anchoring by fishing vessels.

8
9 The committee asked about language in the DEIS that applies to
10 private use. Ms. Dieveney explained that private use refers to
11 variety of activities and uses by the local business entities
12 within adjacent communities.

13
14 Following recommendations by the Shrimp AP and Ms. Bosarge, the
15 Florida Keys National Marine Sanctuary staff is working on
16 including additional layers to their interactive map, which
17 would allow users to access the coordinates of the proposed
18 marine zones, and fathom lines on the map.

19
20 There was concern regarding making council recommendations based
21 on the available Shrimp ELB data, as these data come from a
22 subset of the shrimp fleet and are not likely to be
23 representative of shrimping activity within the areas in and
24 around the Florida Keys National Marine Sanctuary. Ms. Bosarge.

25
26 **MS. BOSARGE:** The recurring theme that I think I've gotten out
27 of our APs thus far, which all of them have not met yet to look
28 at this, but it's that it's pretty confusing, and it's a lot of
29 information, because they have all those different marine zones,
30 the fifty-seven zones, within the greater sanctuary, and then
31 four alternatives that expand each one of those just a little
32 bit, and it's going to take them more than one glance at a
33 thirty-minute presentation. My question is the South Atlantic,
34 I believe, is requesting that the Florida Keys Sanctuary extend
35 their -- Is it the comment period, or whatever ends on January
36 31.

37
38 **CHAIRMAN FRAZER:** Ms. Guyas.

39
40 **MS. GUYAS:** They are requesting that specifically for them, that
41 they be allowed to provide comments after that time and not the
42 entire public comment period, is my understanding from that
43 letter.

44
45 **MS. BOSARGE:** I think it would like to mimic that, because,
46 otherwise, we are under the gun, and our next meeting ends on
47 January 30, and the 31st is the day for the comments to be
48 submitted, and that's a tight turnaround for council, and that's

1 a tight turnaround for staff, and I'm not sure that we'll have
2 it all nailed down at that next meeting, and so I would say that
3 we would want to mimic that.

4
5 **CHAIRMAN FRAZER:** Do you want to make a motion here to do that?

6
7 **MS. BOSARGE:** Yes, and maybe if Martha could help me with the
8 motion, since she --

9
10 **CHAIRMAN FRAZER:** Martha, do you want to make the motion?

11
12 **MS. GUYAS:** I can. I think the motion would be to request that
13 the sanctuary extend the comment period for the council -- What
14 do you all think? When would be an okay timeline for you? I
15 think the idea, Leann, just to make sure that I'm understanding,
16 is we would talk about it in January, but we're just giving
17 staff time to write the letter, right? To the middle of
18 February, something like that, or to mid-February.

19
20 **CHAIRMAN FRAZER:** I didn't see the letter. Is there a timestamp
21 on the South Atlantic's letter? Chris, do you know?

22
23 **MR. CONKLIN:** I am looking at the letter right now, and I am
24 going to email it to your tech staff, so they can email it all
25 around, unless you already have it, and I think it's saying
26 March 13, 2020, and we've got to get it in front of all of our
27 APs and stuff, and so we want to get it through there and then
28 have the opportunity to make comment.

29
30 **MS. GUYAS:** I think, with the South Atlantic, what they're
31 trying to get at -- Because they only have one meeting to look
32 at this. They meet in December, and that's it. They don't meet
33 again until March, and so what they were trying to do with their
34 letter, at least from my understanding, is have two bites of the
35 apple, kind of like we're going to talk about it twice, and so,
36 whatever timeline staff needs, I'm good with here, but we'll be
37 able to look at it at two meetings, I think, either way, since
38 we've already looked at it once.

39
40 **CHAIRMAN FRAZER:** Dr. Simmons.

41
42 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. I will just
43 note that we did bring this up during conference calls with the
44 sanctuary, and we were told that we were already given more than
45 120 days, and so have you received any feedback from the
46 sanctuary, Ms. Fangman, Mr. Conklin, regarding the request, as
47 if they may be able to accommodate it, because we were pretty
48 much told no already, verbally.

1
2 **CHAIRMAN FRAZER:** Chris.

3
4 **MR. CONKLIN:** I don't know if we've gotten a response back. I
5 can check with our staff and get back with you. I just have the
6 request on our behalf to the sanctuary, but I do know that a lot
7 of the public comment we've heard at our council is not just on
8 the council comments, but the whole process was an issue with
9 everybody, and so hopefully they will take that into
10 consideration.

11
12 **CHAIRMAN FRAZER:** Ms. Guyas.

13
14 **MS. GUYAS:** I guess a couple of things. I think this would be
15 appropriate, partly because the council is a consulting party
16 here, and we have this interesting agreement with the sanctuary
17 here, and I can also tell you that FWC has made a similar
18 request, so that our commission can talk about this at multiple
19 meetings, and we are, again, kind of in a partnership with the
20 sanctuary. The regulations for fishing in state waters would
21 ultimately be the FWC's responsibility, and so we have made a
22 similar request to the sanctuary, and it sounds like they are
23 willing to grant that for us, and, by us, I mean FWC, and so I'm
24 comfortable with this request, even if they have been resistant
25 to it.

26
27 **CHAIRMAN FRAZER:** Okay, and so it will be good to, again, look
28 at the South Atlantic's letter, and perhaps, Martha, we can get
29 the letter from FWC, the request, and we can tailor the letter
30 that comes from the Gulf Council in a way that it's fairly
31 consistent. Okay. Is everybody good with this particular
32 motion? Any more discussion on it? **Is there any opposition?**
33 **Seeing none, the motion carries.** Ms. Bosarge.

34
35 **MS. BOSARGE:** I will just jump in, and this actually -- If you
36 don't mind, I will just jump in here, but the first agenda item
37 that you had, when we talked about the stony coral disease, I
38 just wanted to request that -- So we got that presentation at
39 the Joint Coral AP/Shrimp AP meeting that I was the liaison at,
40 and it was very interesting, and I do think that it will have an
41 impact on what we manage, not just coral, but the entire
42 ecosystem that depends on that coral.

43
44 I think it would be very advantageous to have that presentation
45 at a future council meeting, whenever you can fit it in, and
46 specifically have it on a Tuesday or a Wednesday, because that's
47 when the fishermen are here, and sometimes it helps scientists
48 to have the feedback from the fishermen. They are out there

1 every day, and they see what is happening too, and they may have
2 comments that may turn on a switch for the scientists and help
3 them, because they are trying to figure out where it's coming
4 from and how it's spreading.

5
6 **CHAIRMAN FRAZER:** Okay. We will try to accommodate that in a
7 future meeting. Any further discussion on that particular
8 topic? Dr. Simmons.

9
10 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so, just
11 to try to get an idea from the staff perspective of what you're
12 anticipating us to be working on between now and January on this
13 issue, for the Flower Garden Banks, we had some letters we were
14 drafting, and we brought them to the council with some proposed
15 regulations, and they got pretty complicated, with tiered
16 suggestions and things like that, and so I guess what are you
17 expecting for us to be working on regarding the feedback to the
18 Florida Keys Sanctuary, and what would you like to see in
19 January? We are holding a joint Spiny Lobster AP meeting with
20 the South Atlantic Council, and you will be getting their
21 recommendations in January, but what would you like us to work
22 on between now and then?

23
24 **MS. BOSARGE:** I think we need to start the synthesis of that
25 letter, and, by synthesis, I mean we're going to have to take
26 all the different comments from all of our different APs and any
27 comments that the council has made thus far, which, really, we
28 just kind of got a first glance at that presentation, and I
29 don't think we had too many comments on it, and then, hopefully,
30 we'll have another presentation for the council on the sanctuary
31 at the next meeting, and we can get a little more involved in
32 all those zones, and we'll give you more feedback, and you can
33 tailor the letter, but we need to have a letter to start with.

34
35 **CHAIRMAN FRAZER:** Natasha.

36
37 **MR. NATASHA MENDEZ-FERRER:** To clarify, Ms. Bosarge, are you
38 requesting a presentation from council staff or to bring back a
39 representative from the Florida Keys?

40
41 **MS. BOSARGE:** Whatever you think is best. You will be the one
42 synthesizing the information. If you think we need somebody
43 from the Keys to come in, if you feel that there's questions
44 that you can't answer, that you need them to answer, then bring
45 them in.

46
47 **CHAIRMAN FRAZER:** All right. Ms. Guyas.

1 **MS. GUYAS:** I would maybe throw out a suggestion. I can kind of
2 explain how we're handling this with our commissioners, and so
3 we have had a presentation at our last commission meeting, just
4 in general, like this is happening with the sanctuary, and it
5 was a joint presentation by sanctuary staff and our staff,
6 because there is two sides of the process, what the sanctuary is
7 doing and then how FWC is handling that and what our timeline is
8 as well.

9
10 Because there is so much in this plan, particularly from our
11 perspective, where 60 percent of it is in state waters, what
12 we're going to -- Our plan is to basically pick some hot items
13 to cover at our next meeting, basically the things that we're
14 getting lots and lots of feedback on and commissioners are
15 already asking questions about.

16
17 Like our chairman is from Key West, and so he's getting
18 information about this all the time, and we're going to kind of
19 hit those items, and then we're actually going to do a third
20 meeting as well to talk about, okay, once we have combed through
21 everything, to just kind of give an overview of this is where we
22 think we are and then get our commission's thumbs-up.

23
24 I don't know, and maybe something like that might be helpful,
25 where we go through the feedback that we've gotten from the APs
26 and the public, things that the council has raised, and maybe
27 that's probably staff that would do that, but it would be nice,
28 probably, to have a sanctuary person here as well, to get into
29 the nitty-gritty, if need be, or at least answer questions, and
30 that's just some thoughts there.

31
32 **CHAIRMAN FRAZER:** Ms. Bosarge and then Dr. Simmons.

33
34 **MS. BOSARGE:** Not to put more on your plate, Martha, but maybe
35 you could chime in on that conversation, since you are involved
36 in a lot of that stakeholder feedback, and you could give us
37 some input as well.

38
39 **MS. GUYAS:** I can certainly do that. I mean, we won't have our
40 official commission position together at that point, but, yes,
41 we're trying to collect as much information as we can during
42 this public comment period and understand all the points of view
43 and issues that are out there, and so I'm happy to do that.

44
45 **CHAIRMAN FRAZER:** Dr. Simmons.

46
47 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. What staff
48 will do is we will work on drafting the letter, and we'll pull

1 the information from the various AP meetings for the council to
2 look at in January, and we'll request the sanctuary come back,
3 and we'll decide if another presentation is needed or not, and
4 we'll try to parse it out both by the area being expanded,
5 versus what we should also be focusing on is -- Well, and the
6 proposed fishing regulations. So it will be the proposed area
7 and then the fishing regulations, and I think that's the way we
8 kind of parsed it out last time for the Flower Garden Banks.

9
10 **CHAIRMAN FRAZER:** Okay. Is everybody okay with that plan? All
11 right. We will continue on with our committee report. Agenda
12 Item VIII: Remaining Items from the Joint Coral SSC, Coral AP,
13 and Shrimp AP Meeting, the Shrimp AP passed a motion to request
14 a stock assessment on Kemp's ridley sea turtles, given the
15 apparent decline in nesting activity of this species.
16 Additional discussion about this motion occurred during the
17 Administrative and Budget Committee meeting.

18
19 Finally, discussion of the proposed motion by the Coral AP and
20 Coral SSC to begin work on Coral Amendment 10 was deferred,
21 because of time constraints, to Full Council. This concludes
22 the report. Is there any further discussion on the Coral
23 Committee? Ms. Guyas.

24
25 **MS. GUYAS:** Relative to Coral Amendment 10, I think that I want
26 to make a motion here, and I didn't send this to staff, but I
27 will read it slow.

28
29 **CHAIRMAN FRAZER:** Okay.

30
31 **MS. GUYAS:** My motion would be to reconvene the Coral AP/SSC to
32 reexamine priority areas for consideration as coral HAPCs, in
33 light of new data and the Flower Gardens expansion.

34
35 **CHAIRMAN FRAZER:** Let me read that motion. It's to reconvene
36 the Coral AP/SSC to reexamine priority areas for consideration
37 for coral HAPCs, in light of new data and the Flower Gardens
38 expansion. That, I am assuming, is the precursor to working on
39 Coral Amendment 10.

40
41 **MS. GUYAS:** Yes, and so it's been a long time since --
42 Obviously, we had Coral Amendment 9, and there were a number of
43 areas that, at the time, the Coral SSC had identified, and some
44 of them were, it looks like, maybe incorporated in the Flower
45 Gardens expansion, and there's probably some new information out
46 there, and so it would be -- This would just be a look at those
47 areas again and trying to prioritize some of those, and then,
48 presumably at some point, the council can look at that

1 information and decide whether they want to move forward with an
2 Amendment 10 or not or how to handle that. That's where I'm
3 coming from here.

4
5 **CHAIRMAN FRAZER:** Okay. Is there a second to this motion? It's
6 seconded by Mr. Williamson. Is there any further discussion?
7 Mr. Diaz.

8
9 **MR. DIAZ:** This question is for Ms. Guyas. Is it your intention
10 to assemble the entire SSC or just the coral scientists on the
11 SSC?

12
13 **MS. GUYAS:** I don't remember how we've handled this in the past.
14 Does anybody?

15
16 **CHAIRMAN FRAZER:** Dr. Simmons.

17
18 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. It's
19 typically been just the Coral SSC, but we really are supposed to
20 be convening both together, and so, based on the
21 recommendations, the Joint Coral SSC and AP may -- Was that
22 September? Those will go to the Standing and Special Coral SSC
23 in January. Typically, we do convene them together, but we can
24 start small and then bring it to the full SSC, maybe after they
25 have a chance to deliberate.

26
27 **CHAIRMAN FRAZER:** Ms. Levy.

28
29 **MS. LEVY:** Just to note that, for the Flower Garden Banks, they
30 are still working on the notice of proposed rulemaking, and so
31 I'm not saying not to do this, but with the caveat that the
32 proposed rule hasn't published yet, and they're going to have a
33 comment period and then a final rule, and so you never quite
34 know exactly what's going to be implemented in the end.

35
36 **CHAIRMAN FRAZER:** Ms. Guyas.

37
38 **MS. GUYAS:** Yes, and so I don't think there's a huge rush to do
39 this. I think maybe, at least after that proposed rule comes
40 out, knowing that, even if we decide to move forward with an
41 Amendment 10, it's going to take us a while, and so, even if
42 we're ahead of the final rule, I'm probably okay with that, but
43 I will defer to the council, if they would rather wait until the
44 final thing. This was a recommendation that came out of the
45 committee report, and so I figured now would be the time to go
46 for it.

47
48 **CHAIRMAN FRAZER:** Okay. Is there any further discussion of the

1 motion? **Seeing none, is there any opposition to the motion?**
2 **Seeing none, the motion carries.**
3

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

10
11 **MS. GUYAS:** Yes.

12
13 **CHAIRMAN FRAZER:** Okay. Sorry about that.

14
15 **REEF FISH MANAGEMENT COMMITTEE REPORT**
16

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

23
24 Southeast Regional Office staff said landings are generated in
25 Fishing Effort Survey-calibrated Marine Recreational Information
26 Program data for each species and can then be converted back to
27 other data currencies, depending on the quota monitoring program
28 for each species.

29
30 Commercial fishing for gray triggerfish remains open for 2019,
31 while greater amberjack closed on June 9. Recreational fishing
32 for greater amberjack was closed for the remainder of the 2018-
33 2019 fishing season, which reset on August 1, 2020. Gray
34 triggerfish is closed for the remainder of 2019. Fishing for
35 red grouper and gag remains open for the recreational sector.

36
37 The for-hire component for recreational red snapper is closed,
38 but not all data have been received to know the landings totals
39 in 2019. The landings for the private angling component for
40 recreational red snapper are below the respective quotas for all
41 states for data received thus far. Fishing for species with
42 stock annual catch limits (hogfish, lane snapper, mutton
43 snapper, and vermilion snapper) are all expected to remain open
44 thru the end of 2019.

45
46 Commercial landings for king mackerel remain open in all Gulf
47 zones except for the Southern Zone gillnet, which opens on
48 January 22, 2020. For the 2018-2019 commercial fishing season,

1 commercial vertical line landings of king mackerel were under
2 the combined ACL, with 96.6 percent of the vertical line portion
3 of the commercial ACL landed. The Southern Zone gillnet fishery
4 exceeded its quota in 2019, landing 107.7 percent of its portion
5 of the commercial ACL, and they will have to pay back when the
6 gillnet opens in 2020. The recreational sector for king
7 mackerel landed 37 percent of its ACL in the 2018-2019 fishing
8 season. Spanish mackerel and cobia landings are both below
9 their stock ACLs.

10
11 The committee discussed receiving state-specific feedback on
12 data collection and management activities for the 2019 private
13 angling component's fishing season for red snapper. This
14 information would allow the committee to better understand the
15 progress being made through the states management of the
16 exempted fishing permits issued for 2018 and 2019. The U.S.
17 Coast Guard requested that the states provide them with their
18 management plans for state management, expected to be
19 implemented for 2020.

20
21 **Without opposition, the committee recommends, and I so move, to**
22 **request that the council receive an update from each state at**
23 **the January 2020 council meeting on that state's 2019 red**
24 **snapper private angler management.**

25
26 **CHAIRMAN FRAZER:** We've got a committee motion on the board. Is
27 there any further discussion on this motion? **Seeing none, is**
28 **there any opposition to the motion? Seeing none, the motion**
29 **carries.** Ms. Guyas.

30
31 **MS. GUYAS:** Draft Amendment 36B, staff presented the revised
32 Amendment 36B, and the committee discussed the alternatives for
33 requiring shareholders to have a commercial reef fish permit.
34 The committee suggested that more discussion relative to the
35 duration of shares, i.e., indefinite or finite time period, may
36 be warranted. Committee members noted that additional
37 discussion may also be needed concerning landing requirements
38 for shareholders.

39
40 The Committee considered whether those shareholder accounts that
41 may be grandfathered in should be allowed to increase their
42 shareholdings or only to maintain them. Committee members also
43 discussed the history of developing the IFQ programs and the
44 decision to allow shareholders to participate in the program
45 after five years without a commercial permit. In the interest
46 of time, the committee postponed further discussion and review
47 of Action 2.

1 **CHAIRMAN FRAZER:** Mr. Anson.

2
3 **MR. ANSON:** What's the timeline for bringing this back up? Will
4 it be in the January meeting? Will it be back on the Reef Fish
5 Committee?

6
7 **CHAIRMAN FRAZER:** Dr. Simmons.

8
9 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chairman. I think
10 that is the plan, and then I think we'll have, at a minimum, I
11 believe a presentation, and is that right, Dr. Lasseter, for
12 starting 36C?

13
14 **DR. AVA LASSETER:** Yes, a presentation, including the remaining
15 actions that were in there, plus the ideas for going forward
16 with your other motion.

17
18 **CHAIRMAN FRAZER:** Mr. Dyskow.

19
20 **MR. DYSKOW:** Thank you, Chairman Frazer. As we could tell from
21 yesterday's testimony, the comments on 36B are all over the
22 board, and there are people on the inside looking out and people
23 on the outside looking in and everyone in between.

24
25 There are only two councils, that I'm aware of, that have an IFQ
26 program, us and the North Pacific, and they're both struggling
27 with them. How do we approach this more constructively? We're
28 not getting anywhere, and yet we've got a real challenge in
29 front of us. I am not suggesting this, but a reset of some kind
30 would be appropriate, simply to get rid of all of these
31 problems, or at least most of them, but we're not making
32 progress, and I would like to ask staff, Mara and others, to
33 weigh-in on what can we do different to make progress on this
34 issue. Thank you.

35
36 **CHAIRMAN FRAZER:** I am going to ask a couple of things here to
37 kind of facilitate this discussion, and perhaps we could get Dr.
38 Lasseter up to the table here. In the interim, Bob, did you
39 have a question?

40
41 **DR. SHIPP:** Following what Mr. Dyskow said, I would like to make
42 a motion.

43
44 **CHAIRMAN FRAZER:** Okay.

45
46 **DR. SHIPP:** I would like to request that staff explore the
47 feasibility of establishing a non-profit red snapper quota bank.

1 **DR. LASSETER:** If I could respond to that specifically, I
2 believe you did pass that same motion at the last meeting, and
3 we are working on that, and that is the presentation that we
4 would be bringing you in January, and the reason we were saying
5 presentation is we're expecting right now that it's going to be
6 so broad, and we're going to need guidance from you, and so
7 we're going to bring a presentation that would then inform an
8 initial draft of the document, but that is the same motion that
9 we had before.

10
11 **CHAIRMAN FRAZER:** Hold on real quick. Go ahead, Mr. Dyskow, and
12 then we'll come back to the motion.

13
14 **MR. DYSKOW:** I would certainly support what Dr. Shipp said, but
15 that is, as you point out, part of 36C, and we are planning to
16 have discussion on that, but, specific to 36B, I naively thought
17 that, when Leann brought this up at our last meeting, this would
18 be the easy part, and we didn't make much progress on this, and
19 all of the concerns and issues that the stakeholders have are
20 still there, and they're all over the board, and how do we
21 address this? We're not going to get anywhere unless we address
22 this from a different perspective.

23
24 **CHAIRMAN FRAZER:** Dr. Crabtree.

25
26 **DR. CRABTREE:** Well, just to point out that there are other IFQ
27 programs. There is one in the South Atlantic with wreckfish,
28 and there's one with surf clams, I think, in the Mid, and I
29 think there's a West Pacific trawl ration, and so there are
30 other IFQ programs.

31
32 I think our problem with 36B is we have never been really clear
33 about what is the problem that we're trying to address and why
34 do we feel like it's a problem. We've been fuzzy and all over
35 the map on that, and then there were a number of questions
36 raised specific to how the permit requirement would work and
37 things, but we didn't come to any resolution on any of them, and
38 so this is very complicated, and it's confusing to me to try and
39 understand what even is the purpose. Our purpose and need is
40 vague, and I think it's sort of ill-defined, and I just don't
41 think we've ever been clear about exactly what it is we want to
42 do and why here.

43
44 **CHAIRMAN FRAZER:** Mr. Dyskow.

45
46 **MR. DYSKOW:** Thank you, Mr. Chair. I totally agree with what
47 Dr. Crabtree said, and we're all over the board with this, but
48 the two common threads that I am aware of within the reef

1 fishery is we want to reduce discard mortality, and the way the
2 fleets are operating today -- If I was a red grouper fisherman
3 without quota, and I had to buy my quota for four-dollars a
4 pound, I would probably consider releasing that red snapper that
5 I caught as a dead discard as being a viable alternative to
6 paying four-dollars a share, when I can only sell it for
7 slightly over five-dollars a share, and so we want to find a way
8 to reduce the discard mortality of red snapper within the red
9 grouper fishery, and that was one of the issues that we had.

10
11 Another issue that we had, and, Leann, you might chime in if I
12 am misquoting you, but we wanted to ensure that fishermen, reef
13 fishermen, controlled more of their destiny. In other words,
14 right now, so many of those on the outside looking in have to
15 buy their quota, and they have to buy it from either another
16 fisherman or from an outside investor who is leasing for profit,
17 and so that's an issue we want to sort of address with this
18 concept of having to own a reef fish permit and a boat in order
19 to be awarded quota, and I think that's what Leann was getting
20 at, and correct me if I'm wrong. That was another issue that we
21 had.

22
23 Then I think the third issue that we are evidencing concern on
24 is where is this all going to end up? As more of these existing
25 quota holders age out of the fleets, the way this is written,
26 that share stays with their heirs into perpetuity, and so, two
27 or three generations from now, or perhaps one or two generations
28 from now, we may have a situation where reef fishermen, in the
29 majority, have to lease shares from outside investors, let's
30 say, and so this thing won't get better over time, and it will
31 potentially get worse.

32
33 We have those three issues that are probably a common thread,
34 and there's a plethora of other issues that are brought up
35 before us in open testimony and discussed around the council,
36 and so we have a need, and, yes, Dr. Crabtree, it is fuzzy,
37 because this whole thing is fuzzy.

38
39 **CHAIRMAN FRAZER:** Dr. Lasseter.

40
41 **DR. LASSETER:** I think I do really like the idea of kind of
42 taking a step back a bit, and, if we go back to when we were
43 first talking about 36A, this is where I think this problem kind
44 of started. The council came up with a list of things that you
45 wanted to explore whether or not they could be executed through
46 these amendments, and so we were starting with the things you
47 wanted to do to the programs, rather than starting with what
48 were the specific problems that you wanted to solve.

1
2 We have been kind of going back and forth and trying to identify
3 what is the goal and objective that you want to change of the
4 program, what are the things that you want to do, and trying to
5 mash them into these changes to make to the program.

6
7 Over the course of these meetings, we have managed to pull some
8 of these goals and objectives together, but we're still not
9 meshing what it is that the actions are proposing to do with
10 what you're trying to accomplish behind it, and so what I am
11 really hearing over the last couple of meetings is this
12 articulation of these problems, and I think, Phil, you're really
13 leading this, and this is very helpful, but I think that's what
14 we have to work together on.

15
16 36B now, we have established your purpose and need statement,
17 and I think that is -- Those are more connected, but I'm
18 starting to hear a little bit more about potentially other
19 things to do in 36B, and that is going to be a little more
20 messy.

21
22 In looking at also the complexity of 36B and 36C, I wouldn't say
23 36B is simple, but it's definitely easier than 36C at the
24 moment. What we're talking about in 36C, we don't have an
25 example of that right now, and so that's going to be a novel
26 thing for us to build on, and so that's why that is more
27 complex, and so I just kind of wanted to throw some of that out
28 there, that, really, if we could keep focused on these goals and
29 objectives and what you want to accomplish, then maybe staff
30 could come back and bring you some ways to address those types
31 of problems, but let me let Mara maybe contribute to this.

32
33 **CHAIRMAN FRAZER:** Ms. Levy.

34
35 **MS. LEVY:** Well, I will just offer some observations. I hear
36 the articulation of the issues, and I think that's been
37 articulated over a number of meetings. I think what's not
38 happening is the council drilling into the specific questions
39 that are required to address those issues, and so, I mean, for
40 the issue of discards in the grouper fishery, you started
41 talking about that, and you started talking about the quota bank
42 as a way to address that, which is in 36C, but there are all
43 sorts of questions related to what that means and exactly who
44 would get it, and, I mean, you have to deal with the whole quota
45 bank thing, potentially, or you have to deal with some
46 redistribution of the quota in some way, if you want to try and
47 get at that problem, but there has been sort of no drilling down
48 to specifically like how, as a policy matter, you want to

1 address that, and it's hard to then come up with action items if
2 there is no clear policy decision on how to get at that issue.

3
4 The idea that there is a potential problem of not having quota
5 or shares in the hands of, quote, fishermen, I think we've
6 talked about that a lot, and, again, that kind of -- The
7 discussion is now in the quota bank thing too, but what do you
8 mean by "fishermen", and I think we've talked about that.

9
10 Are you talking about someone who just has a permit? Like is it
11 being addressed in 36B, or are you talking about required to be
12 on the vessel, or are you talking about actually holding the
13 pole or the net or whatever it is, and then there are certainly
14 going to be loopholes with whatever you try to do, but, if
15 you're talking owner onboard provisions, we know that that
16 hasn't worked so well, in some cases, but you go into it knowing
17 what folks might try to do to sort of meet that requirement
18 legally and maybe not necessarily get at what you want.

19
20 I think, without a further discussion of exactly what you mean
21 by those very broad terms, it's, again, hard to come up with
22 action items of how you address it, and the idea that something
23 goes on in perpetuity -- I mean, we talked a whole lot about
24 cyclical redistribution as a potential way to pull things back
25 and redistribute them, but, again, that's also going to require
26 drilling down.

27
28 Who exactly are you trying to get shares to? There is a whole
29 discussion in 36C, at this point, about are you talking small
30 shareholders, and what does that mean, or are you talking new
31 entrants, and what does mean, and we have never drilled down
32 into exactly who you are trying to target in a way that we can
33 develop action items to address that particular thing. I get
34 that the specificity is hard, but, ultimately, that's what we
35 have to get at to actually come up with action items to do what
36 the council decides they want to do as a policy matter.

37
38 **CHAIRMAN FRAZER:** Mr. Dyskow and then Mr. Williamson.

39
40 **MR. DYSKOW:** I am very sensitive to burning up your time and
41 screwing up your schedule, and so this will be my last comment,
42 Chairman Frazer. The way this program currently works, we
43 allocate 100 percent of the quota, and is that correct? As long
44 as we continue to allocate 100 percent of the quota to the same
45 people, or the same entities, not much is going to change.

46
47 Maybe one of the things we need to consider is allocating 80
48 percent of the quota to those people, so that we have some quota

1 available to address these things, because we can be as
2 articulate as we want, and we should be. We should drill into
3 these items more, but, unless we find a way to come up with more
4 fish, we're not going to be able to solve anything, and I think
5 one of the challenges is we made the decision, initially, to
6 allocate 100 percent of the quota to these people, over and over
7 again, into infinity, and so we don't have any quota available
8 to address these other issues.

9
10 That's another element that we need to consider, whether it be a
11 quota bank, as Dr. Shipp suggested, and then the next question
12 is who administers it, and it is challenging, but where do the
13 fish come from? I think the only way they can come forth is if
14 we make the decision not to allocate 100 percent of the quota to
15 the same people in the same way into perpetuity, but we have
16 some holdback quota, so that we can address these issues. Then,
17 as we define these issues, we actually have a path forward, and
18 I will shut up.

19
20 **CHAIRMAN FRAZER:** No, your comments are welcome. Mr.
21 Williamson.

22
23 **MR. WILLIAMSON:** As a point of clarification, Mara, it's my
24 understanding that there is no explicit provision for the access
25 rights to be held in perpetuity. That's a question.

26
27 **CHAIRMAN FRAZER:** Mara, to that point?

28
29 **MS. LEVY:** Well, no, and, I mean, I'm using that just as until
30 the council changes it, and the shares are a permit, right? The
31 Magnuson Act is express about that, and, the way it's set up,
32 people don't have to divest. There is nothing that triggers
33 divestment at this point, and so, in that sense, they can hold
34 on to them as long as they are allowed to, but the council can
35 certainly look at changing the criteria, I mean as long as it's
36 consistent with the Act.

37
38 **MR. WILLIAMSON:** Thank you.

39
40 **CHAIRMAN FRAZER:** To that point, Dr. Lasseter, and then John
41 Sanchez.

42
43 **DR. LASSETER:** I will note that, in 36C, we have -- You have
44 passed motions, and, therefore, they are represented in the
45 document, for both the quota set-aside idea, and we did provide
46 you with an example of that 20 percent in a slide in a recent
47 presentation, and the cyclical redistribution as well. You had
48 passed a motion about that, and so those are potential ways of

1 distributing partial parts of shares, and so those are both
2 potential alternatives resulting from motions you have passed,
3 and so we have those concepts in the document already, and it's
4 just moving forward with those.

5
6 **CHAIRMAN FRAZER:** Mr. Sanchez.

7
8 **MR. SANCHEZ:** Thank you, Mr. Chairman. I tried not to jump in
9 this, but these folks invested heavily in buying these shares,
10 and they have them. I mean, this has already transpired.
11 Anything we do is going to hurt existing people that have made
12 significant investments in this.

13
14 Clearly, if you don't like this, then, going forward with any
15 future IFQ programs, lesson learned, and let's not do this, but
16 to change it now is going to be highly disruptive to an
17 industry, and it's kind of like saying that we're going to take
18 something from someone that made a big investment to give to
19 someone and put it in this new quota bank, and it kind of like
20 begs the question of would Yamaha give free engines to new
21 boaters, because they are entering boating?

22
23 **CHAIRMAN FRAZER:** Mr. Anson and then Ms. Bosarge.

24
25 **MR. ANSON:** I mean, this is a difficult -- Obviously, it's a
26 difficult, and as John hit the nail on the head, and there are
27 going to be some financial hardships if the council decides to
28 do anything different. There is financial hardships that have
29 been created that the council has done in the current program,
30 and that's kind of why we're been talking about the IFQ issue.

31
32 We manage a public resource, and we don't manage engines, and we
33 don't manage companies. We manage the public's access to a
34 resource, and, for red snapper commercially, we utilize
35 commercial fishermen to do that, and so, I mean, there are some
36 big challenges. The question has been posed as to how we might
37 get some direction from staff to help us be a little bit more
38 efficient and get to the goalpost, and I don't know, but
39 certainly there are some overarching issues that have been
40 identified from the public, as well as the council, that might
41 be kind of the focus that could lead us down a particular path.

42
43 I think it's worthwhile that we need to pursue this, modifying
44 the IFQ program, and IFQs are in other parts of the country, and
45 there are some benefits to IFQ programs, certainly, in trying to
46 constrain effort and such and capitalization in fisheries and
47 trying to make it more efficient, but I am just -- My desire to
48 move this along is by much of the comments that we heard

1 yesterday of folks that are outside looking in that are trying
2 to get better business models and business plans and not have to
3 pay these exorbitant lease prices.

4
5 To hear comments from those that do have, that are on the
6 inside, that basically let-them-eat-cake attitude is
7 frustrating, because everybody looks to us, and we're
8 responsible. We created this, and so I am just not happy where
9 it is, and I think it can be improved, and I think it can be
10 improved for the better, and I think it will have to go through
11 some hoops and some hurdles, and, yes, it will be painful, and,
12 yes, there will be hardships, but, instead of making a change
13 permanent immediately, effective immediately, you can do it over
14 time. You can do it step-wise, and you can kind of minimize the
15 pain, to some degree.

16
17 If Dr. Lasseter or Dr. Simmons want to respond to the question,
18 I am certainly interested in hearing that, but I think it's just
19 basically identifying those major, salient points that have been
20 brought up time and time again regarding long-term ownership, if
21 you will, of those shares and retention of those shares, and
22 that's one of the main overarching themes.

23
24 **CHAIRMAN FRAZER:** Ms. Bosarge.

25
26 **MS. BOSARGE:** Well, I was just -- I have some comments, and the
27 first one, I guess, is about perpetuity. You know there is also
28 access rights for 49 percent of that stock for the recreational
29 sector, and we have granted that access, essentially. Just like
30 Mara said, it's in perpetuity until we change it, and we don't
31 have some date certain that we're going to take it away from the
32 recreational fishermen. It's there, and it's yours in
33 perpetuity, until we change it, if we ever change it.

34
35 I like the way we're going forward with this. I think that we
36 finally, with I guess you would say the new 36B, and we had some
37 good discussion, and we were really able to get into the details
38 of one specific topic and start to understand, all right, what
39 are the headwinds and what do we need to figure out on that
40 topic and what details do we have to specify to figure out can
41 we make this work, do we want to make this work, or do we want
42 to throw it out the window, and that's been the problem with the
43 old 36B, is that it's so vast and so diverse that it's hard to
44 wrap your head around one individual topic.

45
46 I hope that we will continue to make progress on the new 36B,
47 and I think, hopefully, we can work through that, and then these
48 other ideas that are out there, they are still going to be in

1 36C, and they're vast, and we'll probably have to do the same
2 thing there.

3
4 We will have to try and look at 36C and say, all right, what do
5 we really feel is a problem, and is there a problem, and do we
6 want to fix that, and how do we do it, and hone-in on another
7 big chunk of it. I don't think it's something you can do in one
8 fell swoop.

9
10 **CHAIRMAN FRAZER:** Ms. Levy, and then I'm going to rein this one
11 in.

12
13 **MS. LEVY:** Well, a lot of what you've been talking about though
14 isn't in 36B at this point, and so 36B is strictly do you need a
15 permit or not, and are we grandfathering people in, and, if we
16 are, does that mean they can keep shares, but not get new
17 shares, although we have them both lumped together, and I
18 haven't heard any way to move that forward at this point.

19
20 I mean, if it comes back in January, you're going to see the
21 exact same thing that you saw this week, because you have talked
22 about it, but I haven't heard sort of any guidance about what to
23 do differently, if anything, or whether you want to keep going
24 with it, I guess.

25
26 **CHAIRMAN FRAZER:** We're going to take a break soon, and we have
27 two issues to deal with. Bob, real quick, because this motion
28 is essentially a duplicate of what we had at the last meeting of
29 36C, would you like to withdraw the motion?

30
31 **DR. SHIPP:** No, but I will.

32
33 **CHAIRMAN FRAZER:** Thank you. **Motion withdrawn.** This is where I
34 think where we're going to go, and this is going to be my
35 suggestion. I agree with all of what's been said, and it's a
36 very complicated issue. Trying to deal with this even in the
37 most simple manner that we've got to date, with a 36B and a 36C,
38 it's still, perhaps, too broad, and so I think what we will come
39 back and do in the next meeting, when we deal with this issue,
40 is we will have a discussion about what our purpose is, and we
41 will drill down into that very specifically, and I think we will
42 try to simplify actions one problem at a time. That would be my
43 suggestion, perhaps, moving forward. With that said, we're
44 going to take a break for fifteen minutes, and then we will get
45 back to the Reef Fish Committee.

46
47 (Whereupon, a brief recess was taken.)
48

1 **CHAIRMAN FRAZER:** Martha, if you want to pick up with the Draft
2 Framework Action to Modify Greater Amberjack.

3
4 **MS. GUYAS:** All right. Council staff gave a presentation
5 outlining the updates to the revised framework action,
6 specifically focusing on the additional action regarding
7 recreational zone management, Action 1. The committee
8 recognized that a zone management approach could complicate
9 recreational management measures without necessarily achieving
10 management goals. After discussing the tradeoffs, the committee
11 decided to remove Action 1 from further consideration.

12
13 **The committee recommends, and I so move, to move Action 1 to**
14 **Considered but Rejected. Action 1 is Establish Greater**
15 **Amberjack Recreational Fishing Zones and Quotas.**

16
17 **CHAIRMAN FRAZER:** Okay, and so we have a committee motion on the
18 board. Is there any further discussion of the motion? Mr.
19 Diaz.

20
21 **MR. DIAZ:** Having put some thought into this, and listening to
22 public testimony yesterday, I think, generally, the testimony
23 that I heard yesterday is some of the people that came to the
24 mic had hoped that we would give this a little bit more thought
25 and look at this in greater detail, because it does have some
26 potential, and so, at this time, I am going to speak against the
27 motion, and I would like to see it put back into the document.

28
29 **CHAIRMAN FRAZER:** Dr. Mickle and then Dr. Stunz.

30
31 **DR. MICKLE:** To comment on the motion on the board, we know the
32 amberjack -- We have done changes in the past, a size change,
33 and we've done a fishing season change, and we have a spatial
34 issue, and we have a temporal issue, and so a timing issue and a
35 spatial issue, through the Gulf, and it's important that we look
36 at everything, and I think the document was -- This beginning
37 document, it was the first time we've looked at it, and it was
38 done really well, and I like the flow charts that apply to this
39 action, and it obviously involves a lot of work on staff, but
40 it's worth it.

41
42 We started this document saying we're going to look at
43 everything, and we're going to take our time doing it. I asked
44 the group on Tuesday if we were in a rush on this, and no one
45 seemed to be nodding yes, and so I'm going to vote against this
46 and try to keep it in the document. Thank you.

47
48 **CHAIRMAN FRAZER:** Dr. Stunz and then Susan Boggs.

1
2 **DR. STUNZ:** Thank you, Mr. Chairman, and I want to speak in
3 opposition to this motion as well, in the sense that I know
4 we've been discussing around this table a lot about the issues
5 with amberjack and the need for some type of spatial-type
6 management, and it really begs for that, and so I want to keep
7 this in the motion, for the exact same reasons the other two
8 comments before me pointed out, or I'm sorry, but keep this
9 action in the document.

10
11 **CHAIRMAN FRAZER:** Ms. Boggs.

12
13 **MS. BOGGS:** I am the one that made the motion, and, I mean, I
14 don't mind keeping it in there for consideration, and I don't
15 think that I will support it in the end, but I just wanted to
16 make that note.

17
18 **CHAIRMAN FRAZER:** Okay. Is there any further discussion on the
19 motion? Dr. Froeschke.

20
21 **DR. FROESCHKE:** Just a question to the group. When we talked
22 about the seasons, and we had done those previous documents, our
23 biggest hang-up was this concept of the accountability measures,
24 and you could not apply a specific accountability measure to
25 whether it be a season or a zone, and I just wondered if there
26 have been any updates to that thought and if there was any way
27 in which a zone, if they were to exceed their portion, if a zone
28 that opened later in the year could still open.

29
30 If not, since the timing and the zones are sort of correlated in
31 different ways, I'm just wondering if it's a different way to
32 the same problem, and that's what we had talked about at the
33 IPT, and it would be great to get some guidance on that.

34
35 **CHAIRMAN FRAZER:** Ms. Levy.

36
37 **MS. LEVY:** Those are two slightly different things. I don't
38 think we ever said that you can't have different accountability
39 measures as a broad concept for different zones or seasons.
40 What I said is, once NMFS knows that the total rec ACL is met,
41 or projected to be met, you can't then allow more fishing
42 somewhere else, such that we know that we're going to exceed the
43 ACL, and the timing issue that ends up happening is, if you have
44 two seasons that are far enough apart that you get the MRIP data
45 in, and you know, based on projections or what you already have,
46 that you're going to have reached the ACL, we can't then allow
47 more fishing, knowing we're exceeding it.

1 **CHAIRMAN FRAZER:** Dr. Froeschke.

2
3 **DR. FROESCHKE:** If you have a zone, if the first zone catches
4 all the fish, then it meets the recreational ACL. The second
5 zone would not be allowed to be opened within that calendar
6 year, if there was a temporal separation in the zones.

7
8 **CHAIRMAN FRAZER:** Ms. Levy.

9
10 **MS. LEVY:** Right, but the same thing when we talked about
11 allocating the quota between the two seasons. If NMFS could
12 project when they thought, for a particular season, that season
13 quota or zone quota would be met, and they're accurate enough
14 that it doesn't go way over, which, for the first couple of
15 years, is probably going to be iffy, because they just don't
16 have a lot of data, then you try to minimize that problem, but,
17 if you don't allow for the projection, and you just allow the
18 season to run the way it is set up now, then, yes, one goes
19 over, and you know it goes over enough to capture the whole ACL,
20 and you can't let the other season open.

21
22 **CHAIRMAN FRAZER:** Mr. Diaz.

23
24 **MR. DIAZ:** So, to get away from that, is there enough
25 information to where we could set separate ACLs for separate
26 zones? Then that would solve that problem, and so is that
27 something that could be considered?

28
29 **CHAIRMAN FRAZER:** Ms. Levy.

30
31 **MS. LEVY:** Well, you could always divide the recreational quota
32 between the zones. I mean, keep in mind that it's a fairly
33 small quota, and so, the more you hack it up, and the likelihood
34 of exceeding it goes up -- The issue is going to be -- Say you
35 want different start dates for those zones, and so you want one
36 zone to start fishing in, and I'm going to use January as the
37 opening season, just because it's easier.

38
39 One starts in January, and you don't want the other one to start
40 fishing until September. If you know that Zone 1 harvested way
41 more than its quota, starting in January, again, you have the
42 timing issue, and so they're two separate kind of issues. You
43 can, again, project, to try to minimize that, but, if you're
44 going to start at different times, then, the zone that starts
45 later, there's a chance that it doesn't ever get to start.

46
47 **CHAIRMAN FRAZER:** To that point, Mr. Diaz?

1 **MR. DIAZ:** I agree with what you're saying, but the goal would
2 be to get to a point where each zone was responsible for their
3 own payback. If they exceeded their ACL for that zone, then
4 they would be required to pay it back in the future, and it
5 would not affect other zones.

6
7 **CHAIRMAN FRAZER:** Ms. Levy.

8
9 **MS. LEVY:** I understand that that's the goal, and you could have
10 a zone payback, but, again, we're not allowed to knowingly
11 exceed the total rec quota or ACL, and you have an ACL, and it's
12 the total rec ACL, and the agency cannot, just knowing that
13 we've already blown past it, let more fishing occur, and
14 particularly with this stock. This stock is still overfished,
15 and it's not been rebuilding like it's been projected to, and so
16 I think we have a lot of issues with this stock, and we need to
17 be pretty careful that, in a fishing year, we're not just
18 blowing over the ACL consistently.

19
20 **CHAIRMAN FRAZER:** Okay. One of the ways that you, again, would
21 try to deal with some of the projection issues is having enough
22 temporal separation, perhaps, between a spring and a fall date.
23 To get the projections going into the fall, for example, if you
24 started the -- I am just speculating, but, if you moved the
25 start date of the fall to September, and you have the second
26 wave of data, that May/June type of data come in, you would get
27 that in August, and you would be in a much better position to
28 kind of project forward what the quota might be for that season
29 or set the limit. Anyway, I think there are some opportunities
30 here, and I have Dr. Mickle and Susan Boggs.

31
32 **MS. BOGGS:** Based on what Mara just said, and I don't mind it
33 for discussion purposes, but it's still -- I go back to my
34 original comment that it doesn't solve the problem, because
35 you've got one area that is wanting May, and you've got one area
36 that is wanting August and September, or September and October,
37 and I don't think that you would have enough time during those
38 time spans to determine what you have caught and if you're going
39 to have another season, and I still don't think the zones -- I
40 am going to stick with what I've done, but I just don't think
41 the zones solve the problem.

42
43 **CHAIRMAN FRAZER:** Dr. Mickle.

44
45 **DR. MICKLE:** Just thinking out loud about that, I think it's
46 very difficult, and I think it's potentially risky, because, to
47 address Mara's concerns with MSA compliance, obviously, we may
48 need to have larger buffers, but, thinking about the season and

1 the accountability measures and the timing of landings, the
2 western Gulf, Texas and Louisiana, can potentially have their
3 landings a lot faster than MRIP.

4
5 In Mississippi, we have the ability to add amberjack to Tails 'n
6 Scales, and we've already built it in on the web, and I don't
7 want to get into the weeds, but we could do it too, and so we
8 could have very fast reporting, and so, if we broke up the
9 season, or potentially have the season as it is now, off the
10 calendar year, the landings of the beginning of the annual
11 landings year, based on the Gulf-wide quota, could be brought in
12 very quickly if the west side opened first, in the beginning of
13 it, at the end of the year, or the second-half of the year, and
14 then the landings come in, and the eastern side opens up, and
15 their landings take a lot longer, and so we wouldn't have the
16 carryover in the next year, but at least, in the beginning of
17 the process, it would carry over in that right way.

18
19 The way that the landings are, the recreational side the
20 landings are, the western side would be faster in the reporting
21 of those landings and finalizing them, and so I'm trying to --
22 Maybe I am being confusing on purpose, but Action 1 is very
23 difficult to do, but I still think we should vote this up or
24 down right now and go to the next meeting and allow staff to
25 delve into what we've talked about here today and play out these
26 scenarios, and, if it's just not possible -- If it's hard, we
27 should do it. If it's impossible, we should not do it and kill
28 this motion, but let's do this the next time we see it. Let's
29 not do it now.

30
31 **CHAIRMAN FRAZER:** Chris.

32
33 **MR. SCHIEBLE:** I agree with Dr. Mickle. I think, if the fishing
34 season starts in August, and we would most likely be finished up
35 with our numbers in October, you've got all the way through the
36 winter before the May season would start, which is still part of
37 that fishing year, correct, and so the timing of landings data
38 before May would take place, I think. However, both zones would
39 still be fishing in the fall, correct, and so we're going to
40 have landings data that we would need from all five states for
41 that. I think I have a motion that I will make after we deal
42 with this one that may help us with this.

43
44 **CHAIRMAN FRAZER:** Okay. Ms. Levy, and then we'll vote this up
45 or down.

46
47 **MS. LEVY:** Kind of just to that discussion, the issue isn't -- I
48 mean, right now, I don't think the timeliness is an issue,

1 meaning we had a fall season, and we knew, before the May season
2 was opening, that the fall season had caught all of the quota,
3 and so the May season didn't open, and so my -- The potential
4 solution to that is to now allow the full fall season to go, by
5 cutting it down or by doing a projection that says, with your
6 piece of whatever we decided your quota is, this is how many
7 months or days you get, and then doing the same thing for the
8 May season, but I don't think the timeliness is really what the
9 issue has been.

10
11 The issue has been we know that the fall season has captured it
12 all, and so we can't open in May, or it could potentially flip-
13 flop the other way. If you started with May, maybe May catches
14 it all and you can't open in the fall.

15
16 **CHAIRMAN FRAZER:** Okay. Again, we have a committee motion on
17 the board, and I'm going to ask for a raise of hands on this.
18 **All of those in favor of the motion, and that means removing it**
19 **from the document, raise your hands, three; all those in favor**
20 **of keeping it in the document, raise your hand. The motion**
21 **fails three to twelve.** First I have Chris, and then Leann.

22
23 **MR. SCHIEBLE:** I sent this motion to staff already, and I can
24 read it, if they can pull it up for me. **It's to create a**
25 **recreational greater amberjack zone management decision tool,**
26 **similar to what we had when we were dealing with red snapper for**
27 **state management.**

28
29 Obviously, it wouldn't have all the same parameters, and we
30 don't have biomass numbers yet, even though that would be nice
31 to figure out how to put that in there, but it would include
32 landings by selected time series, and so it would include a
33 decision tool for a two-zone system, which is in the document
34 already, with the line where they have it currently drawn, and
35 also the three-zone system, to see what the benefit or caveats
36 would be of either one of those, to help us look at that,
37 because I fully don't understand, when I look at those bar
38 graphs in there, as to why a three-zone may be preferential to
39 two-zone or not.

40
41 **CHAIRMAN FRAZER:** Mr. Rindone real quick, and then we'll go to
42 Ms. Bosarge.

43
44 **MR. RYAN RINDONE:** Thank you, Mr. Chair. You have delineations
45 for the two-zone system. Where would the other line be for the
46 three-zone system, or is that something you would want us to
47 kind of -- So using the one that's in the amendment.

1 **MR. SCHIEBLE:** I think I sent that in correctly when I wrote it
2 to send it to them, but it would have that other boundary along
3 the Panhandle for the third factor, I guess.

4
5 **MR. RINDONE:** The Dixie-Levy County line? Okay.

6
7 **MR. SCHIEBLE:** Yes. Sorry.

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

10
11 **MS. BOSARGE:** I was just going to mention that I thought that
12 Ms. Boggs made some good comments during the committee about
13 where the lines were, and it really didn't solve the problem
14 between the two fleets, possibly, and so, as this is brought
15 back to us, and it doesn't need to be in the document, but maybe
16 if staff can speak to that in a presentation and maybe have some
17 other ideas of where those lines could be drawn, especially, I
18 guess, along the Panhandle. It sounds like there might need to
19 be a different line.

20
21 **CHAIRMAN FRAZER:** Okay, and so we still need a second for this
22 motion. Is there a second for this motion? It's seconded by
23 Dr. Mickle. Is there any further discussion on the motion? Dr.
24 Shipp.

25
26 **DR. SHIPP:** I am still confused about Ryan's comment. Where is
27 the dividing line for the three-zone system?

28
29 **CHAIRMAN FRAZER:** Mr. Rindone.

30
31 **MR. RINDONE:** Thank you, sir. Per the document, the western
32 zone would be west of the Mississippi-Alabama state line, and
33 the northern zone would encompass the Panhandle, and so it would
34 include Alabama and the Panhandle of Florida down to the Dixie-
35 Levy County line in the Big Bend, and then the southern zone
36 would be south of the Dixie-Levy County line on the west coast
37 of Florida.

38
39 **DR. SHIPP:** Shouldn't that be included in the motion?

40
41 **CHAIRMAN FRAZER:** Let's get the motion back on the board and let
42 me look at it, real quick. The motion is to direct staff to
43 create a recreational greater amberjack zone management decision
44 tool showing the landings by selected time series for a two-zone
45 system and a three-zone system. Chris, do you want to modify
46 the language there?

47
48 **MR. SCHIEBLE:** Please modify and add the third boundary. I just

1 forgot it, and I'm sorry, when I sent it over there, when I was
2 typing it. I can give you my justification for some of this, if
3 you want.

4
5 **MR. RINDONE:** So perhaps just to have it say for a two and
6 three-zone system, as specified in the document?

7
8 **MR. SCHIEBLE:** Yes, that will work.

9
10 **CHAIRMAN FRAZER:** Okay. Dr. Mickle, are you good with these
11 changes?

12
13 **DR. MICKLE:** Yes.

14
15 **CHAIRMAN FRAZER:** Okay. Ms. Gerhart.

16
17 **MS. GERHART:** Thank you. We have landings in the document right
18 now for each of these zones. Those are starting with Table
19 2.1.6, and so I'm not entirely clear what you want in addition
20 to those landings, but, also, you talk about the selected time
21 series, and we have shown one time series in those tables, but
22 the council has not given us any direction on a time series that
23 they would like to see, and so, for us to proceed with anything,
24 we would need to have one or more time series to look at for
25 alternatives in the document.

26
27 **CHAIRMAN FRAZER:** Chris.

28
29 **MR. SCHIEBLE:** Okay, and so my logic to this is what I foresee
30 happening here is this is going to turn into probably some sort
31 of limited allocation discussion at the next meeting, and you've
32 got a time series in the document, and you have landings, like
33 you said, and so what I'm looking for is some sort of
34 combination, because certain states are going to want to
35 probably pull out certain years from the time series, and I can
36 tell you for sure that we're definitely going to pull out 2017
37 and recommend to take it out, because we didn't catch any,
38 because the season closed in the east, because all the fish were
39 caught.

40
41 I'm sure other states may want to pull out some other years,
42 like perhaps 2010 with the oil spill, and there are landings
43 data in there that are probably not accurate as well, because we
44 had closures in the Gulf, and so, as we start going through
45 which years we're going to keep, that's the decision tool that
46 I'm after, as well as what landings would be associated with
47 that.

1 **CHAIRMAN FRAZER:** Ms. Levy.

2
3 **MS. LEVY:** I think, for a decision tool to be helpful, you need
4 an action or a sub-action that has allocation alternatives, and
5 so you have some action that is going to decide how you're going
6 to allocate between those different zones. Is it going to be a
7 long time series, or is it going to be half of a long time
8 series and half of a recent time series, like you've had in
9 other documents?

10
11 Once you have the alternatives fleshed out, then your decision
12 tool can help you figure out what you want to do with it, and I
13 get what you're saying of you might want to exclude some years
14 and this and that, but you can kind of look at whatever tables
15 show the landings, and so, right now, 2018 to 2009, are you not
16 going to consider any landings data before 2009 for your
17 allocation decision?

18
19 It's just like we don't -- If we go along with having this zone
20 stuff, there are other decision points that need to happen,
21 including the allocation, and none of that has been fleshed out
22 yet, because we just started talking about this.

23
24 **CHAIRMAN FRAZER:** Mr. Anson.

25
26 **MR. ANSON:** I don't want to speak for Chris, but I thought,
27 Chris, you had said this would be kind of like a stepping stone
28 into an action item that would probably have to be created in
29 the document, and all you're asking for, simply, is just a
30 decision tool to be created, and then each council member has
31 the liberty to kind of select and choose those time ranges and
32 years that they want to look at, and then that would be the
33 basis of coming back with an action item that would then
34 describe maybe a suite or a range of years, and so that's how I
35 take it.

36
37 **CHAIRMAN FRAZER:** Ms. Gerhart, to that point, real quick, and
38 then Chris.

39
40 **MS. GERHART:** Again, it would be helpful for staff to have some
41 sort of boundaries on that. We have recreational data for
42 greater amberjack starting in 1981, and so how far back do you
43 want to go? We didn't have a fall season in 2014 through 2017.
44 Did you want to look at taking those out or not taking those
45 out? Before that, we had full years with no closures, from 2013
46 back.

47
48 We have a fall season from last year, and we aren't complete

1 with this one this year, and do we want to try to include
2 preliminary from this year or not, and so if we could just have
3 some parameters around that, for staff to know where to go with
4 it, that would be helpful.

5
6 **CHAIRMAN FRAZER:** Chris.

7
8 **MR. SCHIEBLE:** I guess the vision I had here was a simple
9 spreadsheet, like we had with Nick Farmer's decision tool for
10 the snapper, but that, obviously, was far more complicated,
11 because we had 75 percent biomass and 25 percent landings, and
12 vice versa.

13
14 Looking at Action 1 in the document, it lists Option a and b
15 under Alternatives 2 and 3, and those are historical landings,
16 years to be determined, or daily catch rates, years to be
17 determined, and those are the factors that I'm looking for in a
18 decision tool, to help those years to be determined.

19
20 **CHAIRMAN FRAZER:** Sue, let me ask you a quick question. There
21 are data available for greater amberjack back to 1981, right,
22 and so it would be possible to -- I am just thinking out loud at
23 this point, but to include the whole historical data and then
24 start to fiddle with those time series, and that's what Kevin is
25 suggesting, perhaps. If you have all the available data in the
26 tool, then you can do that. Kevin.

27
28 **MR. ANSON:** My only addition to that would be that, if that type
29 of information could be provided, inasmuch as 2014 started a
30 split season or whatever, or it was closed early, and that type
31 of stuff. If you had that as a separate little table, just to
32 describe it, or maybe an asterisk next to the year that would
33 say this really differs compared to the previous year, or
34 whatever the case may be, but, yes, that's kind of where I would
35 go.

36
37 **CHAIRMAN FRAZER:** Dr. Simmons.

38
39 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. So you're
40 suggesting like some management history, like was presented in
41 the PowerPoint, but maybe in more detail in a table that would
42 go along with the decision tool.

43
44 **MR. ANSON:** Yes, that's what I'm suggesting, but also
45 highlighting the year where, again, things changed pretty
46 drastically, like a footnote type of thing.

47
48 **EXECUTIVE DIRECTOR SIMMONS:** We will try to put something

1 together that will make sense, because there's been a lot of
2 changes.

3
4 **CHAIRMAN FRAZER:** Ms. Guyas.

5
6 **MS. GUYAS:** I am probably getting ahead of myself here, and I
7 agree with the points that Kevin just brought up, but, in my
8 mind, if we end up adding some of the actions that we talked
9 about in committee, I mean, we'll really need probably multiple
10 iterations of the decision tool, depending on which path we take
11 here, if it's going to be zones, if it's going to be just split
12 quotas with the seasons, and so it might be helpful to, I guess
13 at our next committee meeting, to really dig into what are the
14 pros and cons to these different approaches, because I think, if
15 we move forward with the direction we were going at committee,
16 we kind of have multiple approaches to maybe addressing the same
17 issue here, and, in the end, we're not going to -- We'll end up
18 abandoning some of the actions, right, and so trying to lay out
19 the pros and cons of all those, lay out some of these
20 allocations or the time series issues, the history, the caveats,
21 that this part of the Gulf was closed or that part of the Gulf
22 was closed, blah, blah, blah, or the data from this time series
23 is not really great, and that kind of stuff would I think be
24 probably helpful in us moving forward in our discussions at the
25 next meeting.

26
27 **CHAIRMAN FRAZER:** I understand, and I think that's the intent of
28 Chris, to use the decision tool to make those decisions moving
29 forward. That's the decision tool.

30
31 **MR. SCHIEBLE:** Yes, and she pretty much hit the nail on the
32 head.

33
34 **CHAIRMAN FRAZER:** All right. We have a motion on the board, and
35 we've had a fair amount of discussion. **Is there any opposition**
36 **to this motion? Seeing none, the motion carries.** Ms. Guyas.

37
38 **MS. GUYAS:** Ms. Levy stated that the committee could consider
39 split seasonal quotas for greater amberjack, which may be less
40 complicated to implement than zone management. The committee
41 agreed that a split quota consideration may be worth
42 considering.

43
44 After reviewing the alternatives for modifying the recreational
45 bag limit, Action 2, and fishing year, Action 3, the committee
46 stated that, if a split quota measure was going to be included
47 in the document, modification to the start of the fishing year
48 would not be necessary, and Action 3 was removed from further

1 consideration.

2
3 **The committee recommends, and I so move, to move Action 3 to**
4 **Considered but Rejected. Action 3 is Modify the Greater**
5 **Amberjack Recreational Fishing Year.**

6
7 **CHAIRMAN FRAZER:** We have a committee motion on the board. Is
8 there any further discussion of the motion? **Seeing none, is**
9 **there any opposition to the motion? Seeing none, the motion**
10 **carries.** Ms. Guyas.

11
12 **MS. GUYAS:** Additionally, the committee decided to add another
13 action in the document to examine a split recreational season
14 quota for greater amberjack.

15
16 **The committee recommends, and I so move, to add an action to**
17 **consider a split quota between seasons for recreational**
18 **management of greater amberjack in the Gulf of Mexico based on**
19 **NMFS projections designed to facilitate access to the stock in**
20 **spring and fall.**

21
22 **CHAIRMAN FRAZER:** Okay, and so we have a committee motion on the
23 board. Is there any further discussion of this motion? Ms.
24 Boggs.

25
26 **MS. BOGGS:** Well, the fact now that we have put the zone concept
27 back into the document, is this not somewhat redundant?

28
29 **CHAIRMAN FRAZER:** Again, I think, Susan, perhaps a decision tool
30 will have some bearing on this motion, and I don't think it
31 hurts to leave it in the document at this particular time. Ms.
32 Guyas.

33
34 **MS. GUYAS:** I don't think it's redundant. I think it's an
35 alternative way to deal with the question of how to move
36 forward, because this doesn't split east and west. It just
37 splits by season, and so, theoretically, you could accomplish a
38 similar goal. In the end, I think we would have to choose if
39 we're going to do split quotas by season or are we going to do
40 split quotas by geography.

41
42 **CHAIRMAN FRAZER:** Mr. Rindone.

43
44 **MR. RINDONE:** Just to add some clarification for you guys, if
45 you split by zone, then you can apply accountability measures,
46 like paybacks, to a zone, but you can't pay back to a season.

47
48 **CHAIRMAN FRAZER:** Ms. Gerhart.

1
2 **MS. GERHART:** I don't believe that's true. I think you can
3 still do a season by accountability measure, but the same things
4 that Ms. Levy brought up about the zones also applies for the
5 seasons. If you go through one season, and you know that the
6 quota was already taken, we can't knowingly open the next
7 season.

8
9 **CHAIRMAN FRAZER:** Okay. Chris.

10
11 **MR. SCHIEBLE:** This will sound unrelated, but related, and maybe
12 Ryan can help me with this. In king mackerel, don't we have
13 zones, and they each have their own allocation, correct, and
14 they each have their own payback, correct?

15
16 **MR. RINDONE:** The only one that has a payback provision is the
17 gillnet fleet in the Southern Zone, and that's commercial, not
18 that that makes that big of a difference, but it's still quota
19 monitoring that is done in each one.

20
21 **CHAIRMAN FRAZER:** Okay. I think those are details, at this
22 point, that can wait. Is there any further discussion on this
23 motion? **Seeing none, is there any opposition to the motion?**
24 **Seeing none, the motion carries.** Ms. Guyas.

25
26 **MS. GUYAS:** Dr. Froeschke stated that a previous examination for
27 a recreational split season for greater amberjack resulted in a
28 65 percent fall and 35 percent spring division in harvest. Dr.
29 Crabtree reminded the committee that future MRIP data
30 incorporating the new FES design may greatly increase landings
31 estimates for the eastern Gulf. However, recreational landing
32 estimates from Texas and Louisiana will remain relatively
33 unchanged.

34
35 The committee also discussed removing the fixed closed season
36 action, Action 4, from the document, but decided to retain the
37 action and review the subsequent analysis with the additional
38 split quota consideration. A revised document will be presented
39 at the January 2020 council meeting.

40
41 **CHAIRMAN FRAZER:** Before we leave this section, I saw Sue's
42 hand, and I apologize that I didn't catch it before, but, Mara,
43 did you have a question?

44
45 **MS. LEVY:** Well, just a comment. I have two things, a little
46 bit separate. We kind of talked about it at committee, but you
47 didn't take any action, and I'm wondering if you want to
48 reconsider keeping the bag limit action in there, the doing the

1 fractional bag limit, since you're considering -- Whether it's
2 going to be helpful.

3
4 If you think it's still going to be helpful, and you're going to
5 want to apply it, if you do zone or split seasons, and you can
6 keep it in there, but that seemed to give you the least bang for
7 the buck, in terms of actually giving a longer season, and so
8 I'm just going to ask that question.

9
10 The other thing I'm going to say is we've been talking about all
11 of these things as alternatives to solve the problem, right, and
12 so you could have zones, you could have split quotas, you could
13 change the length, the season closure length, to sort of all get
14 at this issue, and so we might look at just maybe restructuring
15 the document a bit, and so like the first action would be what
16 do you want to do, zones, split quotas, or modify the closed
17 seasons.

18
19 Then, if you choose Number 1, then you have actions that follow,
20 with respect to what do you need to do with zones, and so I just
21 wanted to give you a heads-up that we would probably look at
22 that, and so the version you might see might be a little
23 different, if you're okay with us monkeying with the format a
24 bit.

25
26 **CHAIRMAN FRAZER:** Ms. Guyas.

27
28 **MS. GUYAS:** I think that's kind of what we're talking about
29 here. I think that would be helpful.

30
31 **CHAIRMAN FRAZER:** Okay. I don't see any real consternation
32 here. All right. We will continue to move forward.

33
34 **MS. GUYAS:** SEDAR 61, Gulf of Mexico Red Grouper, Dr. Skyler
35 Sagarese of the Southeast Fisheries Science Center reviewed the
36 data used in the SEDAR 61 stock assessment of Gulf red grouper,
37 which assessed the stock using data through 2017.

38
39 Some improvements from the previous assessment include the
40 addition of the Florida Fish and Wildlife Research Institute
41 repetitive time drop survey, the estimation of commercial
42 discards, the combination of several video surveys into a single
43 index, and the estimation of recreational fishing effort.

44
45 The larger estimate of initial biomass in SEDAR 42, as compared
46 to SEDAR 61, was identified as a computational error, which has
47 been corrected in SEDAR 61. The committee asked what the trend
48 in biomass would look like in SEDAR 42 if the computational

1 error were resolved. Dr. Sagarese replied that the biomass
2 trend from SEDAR 42 becomes very similar to SEDAR 61 when the
3 error is fixed in that model.

4
5 Red tide is an important source of mortality for red grouper,
6 with SEDAR 61 recognizing and modeling large red tide events in
7 2005, the worst, and 2014. Red tide is incorporated as a
8 discard-only fishery, applying mortality in red tide years to
9 reflect the predicted removals from the stock. Recent fishing
10 mortality has been much lower than previous years.

11
12 Based on data through 2017, and using the council's definition
13 of minimum stock size threshold from Reef Fish Amendment 44, red
14 grouper is not overfished and is not undergoing overfishing.
15 However, the spawning stock biomass remains below the biomass at
16 maximum sustainable yield, and this stock status determination
17 does not take into consideration the 2018 red tide event.

18
19 Yield projections rely on the current sector allocations, which
20 are 76 percent commercial and 24 percent recreational, assume
21 constant recruitment, selectivity, catchability, retention, and
22 discard mortality, based on the 2010 to 2017 time period, and
23 begin in 2020. The projections are very sensitive to the degree
24 of mortality assumed for the 2018 red tide event.

25
26 The council's Something's Fishy tool for red grouper was useful
27 as a litmus test for estimating the intensity and spatial extent
28 of the 2018 red tide and suggested that the 2018 event was
29 significant. Further, the information provided suggested that
30 there were many small individuals in the population and that the
31 stock was generally being found in deeper water than in previous
32 years.

33
34 Further, the Southeast Fisheries Science Center received funding
35 to compare the 2018 event to previous events through stakeholder
36 interviews, with local knowledge again suggesting that the 2018
37 event was quite significant.

38
39 Initial spikes in yield projections result in part from the 2013
40 recruit class moving into the fishery, with the magnitude of a
41 spike dependent on the predicted severity of the 2018 red tide.
42 Dr. Sagarese described harvest levels corresponding to the
43 probability of overfishing.

44
45 Ultimately, the SSC decided to recommend setting the OFL at a 50
46 percent probability of overfishing, 5.35 million pounds gutted
47 weight, and the ABC at a 30 percent probability of overfishing,
48 4.9 million pounds gutted weight, and assumed that the 2018 red

1 tide event was equivalent to the 2005 event, approximately 34
2 percent mortality.

3
4 These catch recommendations are made using the FES-MRIP data
5 currency under the current sector allocations. For comparison,
6 the recreational landings for 2017 under the Access Point Angler
7 Interview Survey, APAIS, adjusted MRIP data were less than one
8 million pounds gutted weight, and, under FES-MRIP, were
9 equivalent to 2.1 million pounds gutted weight.

10
11 The committee asked whether the application of red tide as a
12 discard-only fishery within the model was influencing the trend
13 in biomass in the stock. Dr. Sagarese replied that the
14 sensitivity runs excluding red tide mortality still showed
15 declines in abundance, indicating the model was picking up on
16 declines in total biomass even without looking at the red tide
17 explicitly. Dr. Sagarese cautioned against looking at the
18 projections in the absence of the 2018 red tide event, since
19 those projections do not likely represent reality.

20
21 The SSC recognized the SEDAR 61 assessment as the best
22 scientific information available and recommended the
23 aforementioned stock status and catch levels for the OFL and
24 ABC.

25
26 Dr. Barbieri noted that the total biomass of the stock is lower
27 than it has ever been in the observed time series. The SSC
28 thought that a number of factors are likely affecting red
29 grouper, including mating dynamics and sexual transition from
30 females to males, and other ecosystem-level elements, such as
31 competition for habitat and prey with other reef fish species.

32
33 Given these and other factors, such as red grouper's
34 intermittent recruitment and vulnerability to red tide, the SSC
35 decided to set the ABC at a 30 percent probability of
36 overfishing, 4.9 million pounds gutted weight, as opposed to
37 using the P* analysis of the ABC control rule, as 30 percent
38 represents the lowest probability of overfishing considered by
39 the control rule.

40
41 To avoid the spike in the projections, partially resulting from
42 2013 recruitment, the SSC set its catch advice based on a five-
43 year average of years 2020 to 2024. These catch recommendations
44 are made in the FES-MRIP data currency. The council's Reef Fish
45 Advisory Panel has also reviewed the SEDAR 61 assessment and
46 thought that an ACL of 3.5 million pounds gutted weight, based
47 on APAIS-MRIP, would be appropriate. The Reef Fish AP
48 recommended the equivalent value in the FES-MRIP data currency.

1
2 Dr. Crabtree discussed the implications of SEDAR 61 on sector
3 allocations for red grouper. The transition from APAIS-MRIP to
4 FES-MRIP results in an increased estimate of total biomass,
5 based on the increased landings and effort coming from the
6 recreational sector. Because the increase in the total biomass
7 estimate is attributed to changes in the recreational data, it
8 means that the historical data used to determine sector
9 allocations, 1986 - 2005 from Reef Fish Amendment 30B, using
10 FES-MRIP data for the same time series would result in different
11 sector allocations than the council has presently.

12
13 Applying the new FES-MRIP landings to that same time series
14 results in new sector allocations of 59.48 percent commercial
15 and 40.52 percent recreational.

16
17 The yield projections, rerun to accommodate this new sector
18 allocation and based on the parameters used by the SSC in their
19 catch recommendations, result in an OFL of 4.67 million pounds
20 gutted weight and an ABC of 4.27 million pounds gutted weight.
21 The commercial ACL would be 2.54 million pounds gutted weight,
22 and the recreational ACL would be 1.73 million pounds gutted
23 weight.

24
25 The committee asked for clarification on why the adjusted
26 projections under the revised sector allocation result in
27 overall lower catch recommendations. Dr. Crabtree clarified
28 that the reduction is because of the projected size and age at
29 harvest by fleet, combined with the discards by fleet projected
30 into the future and the effects of those factors on total
31 biomass.

32
33 The committee noted that the recreational grouper fishery has
34 expressed a desire in the past to have red grouper available
35 through the end of the year, which may require management
36 changes, given that the recent FES-MRIP recreational landings
37 have exceeded the 1.73 million pound gutted weight projected
38 recreational ACL under the revised FES-adjusted allocation.

39
40 The committee expressed some concern about changing allocations
41 based on FES-MRIP estimates for previously used time series for
42 determining species sector allocations. Dr. Crabtree reminded
43 the committee that retaining the current sector allocations
44 would be a de facto reallocation to the commercial sector, since
45 the increase in biomass for red grouper is the result of the
46 revised recreational landings and effort data.

47
48 The committee discussed the timing for making catch

1 recommendation and allocation changes, noting that the SSC
2 needed to review the projections under the revised FES-adjusted
3 allocations before providing new catch advice. A plan amendment
4 would be needed to revise allocations, with the updated catch
5 recommendations specified within the amendment. The committee
6 thought that it would be unlikely to complete and submit this
7 amendment to the Secretary for implementation until late 2020,
8 at the earliest.

9
10 **The committee recommends, and I so move, to ask the SSC to**
11 **review red grouper projections based on the allocation time**
12 **series from Reef Fish Amendment 30B, 1986 to 2005, and the best**
13 **available landings used as inputs in the new stock assessment**
14 **(40.52 percent recreational/59.48 percent commercial) and direct**
15 **staff to start work on a plan amendment to update the red**
16 **grouper allocation and establish catch levels based on the new**
17 **assessment.**

18
19 **CHAIRMAN FRAZER:** We have a committee motion on the board. Is
20 there any further discussion on the motion? **Is there any**
21 **opposition to the motion? Seeing none, the motion carries.** Ms.
22 Guyas.

23
24 **MS. GUYAS:** The committee recommends, and I so move, to ask the
25 Science Center to conduct interim analyses of red grouper
26 annually, starting in 2020.

27
28 **CHAIRMAN FRAZER:** Another committee motion on the board. Any
29 further discussion of this motion? Ms. Bosarge.

30
31 **MS. BOSARGE:** Just a little clarification on that motion. In
32 Dr. Porch's presentation, he said that, for red grouper, there
33 were two indices that could be used, I think bottom longline and
34 the video survey, and the bottom longline is the one that he
35 gets the results on, or that his center gets the results on,
36 fairly quickly, and maybe in January or February of 2020 they
37 will have that in.

38
39 For us to implement anything for 2021, we can't really wait on
40 that reef fish video survey. We wouldn't get that until the end
41 of 2020, or we couldn't implement anything, and so, just the
42 timeliness of this interim assessment, we probably need it by
43 mid-year, at the latest, to try and implement anything.

44
45 **CHAIRMAN FRAZER:** Dr. Porch.

46
47 **DR. PORCH:** We should be able to have the updated version with
48 the video done by May or June of 2020.

1
2 **CHAIRMAN FRAZER:** Leann.

3
4 **MS. BOSARGE:** So, if it's June, we won't see it until -- The SSC
5 will see it after the June meeting, and we won't see it until
6 August, and, if we start an amendment in October, we would never
7 be able to implement it for 2021, and so, in this case, we may
8 just want to look -- Go ahead and start looking at the bottom
9 longline to the SSC and some analysis early in the year, and
10 then, if they want to tweak -- We can start an amendment, if we
11 need to, and they can tweak it later, if we need some more
12 feedback from the video.

13
14 **CHAIRMAN FRAZER:** Clay, are you good with that general approach?

15
16 **DR. PORCH:** Yes, that's fine. It's easier for us.

17
18 **CHAIRMAN FRAZER:** Any -- Mr. Swindell.

19
20 **MR. SWINDELL:** What I remember -- I don't have the report about
21 the SEDAR 61 in front of me, but it seems like the SEDAR 61, as
22 I am hearing here, is that the SSC recognized SEDAR 61 as the
23 best scientific information available. Did the SEDAR 61 account
24 for any of the red tide during that time?

25
26 **CHAIRMAN FRAZER:** Ms. Bosarge.

27
28 **MS. BOSARGE:** Well, Clay can speak to that, but I just was going
29 to note, and I don't know if you want to change this in your
30 committee report, but usually they pass a motion saying the best
31 scientific information available, and I don't think they did
32 anything on purpose, but, this time, they said the SSC agrees
33 with the SEDAR 61 assessment that overfishing is not occurring,
34 and the SSC agrees with the SEDAR 61 assessment that Gulf red
35 grouper is not overfished, and they never used the words "best
36 scientific information available", just for clarification.

37
38 **CHAIRMAN FRAZER:** My recollection of the language was that the
39 SSC accepted the assessment, and so I guess that's implicit,
40 right, that they agreed it was the best available information.
41 Dr. Porch.

42
43 **DR. PORCH:** Just to clarify, in SEDAR 61, we didn't actually
44 have observations from 2018, when the red tide occurred, and so
45 we did projections, and we had to make assumptions that it was
46 about as strong as the 2005, et cetera. You remember Dr.
47 Sagarese showing all the different projections, whereas, if we
48 do an interim analysis early next year, you will actually have

1 data that's from 2018 and 2019, so you can see the full effects.

2
3 **CHAIRMAN FRAZER:** All right. Is there any further discussion on
4 this motion? Do you have the clarification that you need,
5 Leann? Okay. Ms. Levy, you're good? Okay. **Is there any**
6 **opposition to the motion? Seeing none, the motion carries.** Ms.
7 Guyas.

8
9 **MS. GUYAS:** The committee reviewed the content and organization
10 of the SEDAR 61 executive summary, the format for which will be
11 used to generate similar standalone summaries for each stock
12 assessment for the public. The committee recommended adding a
13 hyperlink to the full assessment on the first page and a
14 hyperlink to the location in the most recent assessment which
15 details the main model deviations.

16
17 Further, the committee praised the success of the council's
18 Something's Fishy tool, and asked staff to follow-up with
19 respondents by sending them the executive summary and perhaps
20 identifying differences between their input and the assessment.

21
22 Stock Assessment Review: iTarget Model Update and Projections
23 for Gulf Lane Snapper, Dr. Sagarese reviewed the work of the
24 Southeast Fisheries Science Center to update the headboat index
25 used to assess lane snapper in SEDAR 49. This index was
26 selected as representative of the trend in the stock and was
27 updated through 2018. The reference period used for this index
28 was 1999 to 2008.

29
30 Landings of lane snapper have increased, with lane snapper
31 occurring in headboat landings 38 percent to 68 percent of the
32 time. The effort from the headboat index for lane snapper was
33 similar to the overall headboat effort for the same time series.
34 Landings include APAIS-MRIP data for the recreational sector,
35 with all landings data, recreational and commercial, updated
36 through 2018. These landings were compared to the reference
37 period to determine the recommended catch level.

38
39 When reviewing the lane snapper analysis, the SSC determined it
40 represented the best scientific information available and
41 recommended an OFL of 603,195 pounds and an ABC of 588,965
42 pounds. The OFL was set based on a 50 percent probability of
43 overfishing, and the ABC on a 30 percent probability. The Reef
44 Fish AP recommended setting the ACL equal to the ABC. The same
45 analysis of the headboat index is available in FES-MRIP, and the
46 SSC will review that analysis at its January 2020 meeting.

47
48 Discussion of Removing the Rule Allowing Trolling in the

1 Steamboat Lumps and Madison-Swanson MPAs, a Reef Fish AP member
2 reported observing fishermen bottom fishing under the guise of
3 trolling within the Steamboat Lumps and Madison-Swanson MPAs.
4 Bottom fishing is not allowed inside either of the MPAs, and
5 trolling is only permitted from May through October.

6
7 Reef Fish AP members did not consider the MPAs a legitimate
8 trolling destination for fishermen and noted that rampant reef
9 fish poaching is occurring in the area, which is known to hold
10 large numbers of mature gag and red grouper. Law enforcement
11 officers rarely report encountering typical trolling activity in
12 either of the MPAs. Commercial vessels can transit through the
13 MPA boundaries with reef fish onboard, as long as all fishing
14 gear is stowed.

15
16 The U.S. Coast Guard added that enforcement in the MPAs can be
17 difficult, due to distance from port. The AP expressed a desire
18 to maintain the ability to transit through the MPAs while in
19 possession of reef fish species with all fishing gear stowed,
20 with which the committee agreed.

21
22 **The committee recommends, and I so move, to ask staff to begin a**
23 **framework action to reevaluate the trolling provisions in**
24 **Madison-Swanson and Steamboat Lumps.**

25
26 **CHAIRMAN FRAZER:** Okay. We have a committee motion on the
27 board. Is there any further discussion of the motion? **Seeing**
28 **none, is there any opposition to the motion? Seeing none, the**
29 **motion carries.** Ms. Guyas.

30
31 **MS. GUYAS:** The committee asked about the status of the discards
32 data for the longline fleets. Staff replied that the discard
33 data already received from the Southeast Fisheries Science
34 Center are still being compiled. Staff will provide a letter to
35 the Southeast Fisheries Science Center with the council's
36 request. The committee is interested in these data as they may
37 relate to Draft Amendment 36B. Mr. Chair, this concludes my
38 report.

39
40 **CHAIRMAN FRAZER:** Thank you, Martha. Dr. Porch.

41
42 **DR. PORCH:** Sorry, but, before we get away from this text, I
43 wanted to make a couple of requests. One, where we're referring
44 to red tide and the discard-only fishery, I think that's going
45 to be confusing for people who just read the text and don't have
46 the benefit of my verbal comment that that's just a sort of
47 Stock Synthesis lingo, and it's not actually modeled as a
48 fishery, and it's not counted as fishery kill, and so I

1 recommend that we just strike where it says the discard-only
2 fishery, and I think the text would be okay if you just cut that
3 part out, because, again, it's going to be misleading.

4
5 Then there's a couple of places with lane snapper and red
6 grouper, where we refer to the APAIS-MRIP, and APAIS is used
7 regardless of whether it's FES or CHTS, and APAIS is a given,
8 and so just change "APAIS-MRIP" to "CHTS-MRIP", and we'll be
9 okay, and that's all throughout the document.

10
11 **CHAIRMAN FRAZER:** Okay, and so two general document changes, one
12 having to do with the red tide issue and the other one with the
13 APAIS, and is everybody good with those changes? Staff, we can
14 make those? Okay. Ms. Bosarge.

15
16 **MS. BOSARGE:** Just a thank you, real quick. I just wanted to
17 say thank you to Skyler for being here. A lot of times, we'll
18 get these stock assessment updates from whoever the SSC
19 representative may be, and that is great, but it's even better
20 when the lead assessment personnel is here, and we really get a
21 good grip on what was going on, and I just wanted to say thanks
22 for allowing her the time to come and explain it.

23
24 **CHAIRMAN FRAZER:** I would agree with that. She did an excellent
25 job. All right. Is there any further discussion? Mr.
26 Swindell.

27
28 **MR. SWINDELL:** One quick question, Dr. Porch. The red tide, did
29 it affect equally the commercial and recreational catches during
30 that time, or is one more susceptible to the red tide than the
31 other?

32
33 **DR. PORCH:** I might have to pull Skyler up, because I'm not sure
34 we were able to really distinguish it. Certainly the red tide
35 goes pretty far offshore, into the area where the commercial
36 fishery is most active, and so it affected both. I am not sure
37 that I can say that it affected one more than the other, and I
38 don't know if -- Skyler is shaking her head no, that we don't
39 have any information on that.

40
41 **MR. SWINDELL:** May I respond?

42
43 **CHAIRMAN FRAZER:** Yes, Mr. Swindell.

44
45 **MR. SWINDELL:** One of my reasons is because, on your chart that
46 you had there, you have a lot higher commercial catch for the
47 SEDAR 61 work that was done for the commercial versus the
48 recreational side, and I was just wondering -- Where is this

1 chart going to be when all of the red tide numbers come
2 together, and, also, it makes me wonder why, and I'm sorry that
3 Dr. Crabtree is not here, but why do we go so far back with the
4 data, when the SEDAR 61 seemed to be the best scientific
5 information available, as accepted by the Scientific and
6 Statistical Committee? That's just questions I have, but I
7 don't have good answers for them. Thank you.

8
9 **CHAIRMAN FRAZER:** Okay. I am not sure that I quite -- I mean,
10 that's probably discussion that we can have offline, and I will
11 try to narrow down in the specifics of that question. Thank
12 you. All right. Is there any other discussion with regard to
13 the Reef Fish Committee? Seeing none, we're going to move on.
14 The next committee report will be the Data Collection report and
15 Mr. Anson.

16 17 **DATA COLLECTION COMMITTEE REPORT**

18
19 **MR. ANSON:** Thank you, Mr. Chairman. The Data Collection
20 Committee was held on October 23, 2019. The committee adopted
21 the agenda as written and approved the minutes of the August
22 2019 meeting as written.

23
24 Draft Procedural Directive for Electronic Monitoring Data
25 Retention, council staff presented the draft document to the
26 committee and stated that the data retention stipulation
27 outlined in the procedural directive was applicable to video and
28 imagery data only.

29
30 After reviewing the draft procedural directive, the committee
31 asked if the video and imagery data collected by fishery
32 participants would be proprietary during the recordkeeping
33 period. Ms. Levy indicated that procedures related to the
34 proprietary nature and accessibility of the electronic
35 monitoring data are currently being developed along the west
36 coast and that these procedures would likely also be implemented
37 for the Gulf of Mexico. The committee decided to draft a
38 comment letter acknowledging the data retention directive for
39 electronic monitoring data, but also ask for clarification
40 regarding the proprietary nature of the data.

41
42 Update on SEFHIER, Ms. Gerhart presented an update to the
43 committee on the progress and implementation timeline for the
44 Southeast For-Hire Integrated Electronic Reporting (SEFHIER)
45 program. She provided a progress update about the platform
46 approvals for the logbook systems along with information related
47 to data storage and data sharing for phase one of the program.

1 Additionally, she provided insights into phase two of the
2 implementation timeline regarding the approval process for
3 cellular-based vessel monitoring systems. The committee
4 inquired as to whether VMS used by participants in the headboat
5 pilot program would be applicable for phase two requirements.
6 Ms. Gerhart indicated that if the VMS vendor applied, and was
7 approved for the program, that those participants would be in
8 compliance. She recommended contacting VISMA, the vending
9 coordinator contractor which works with NOAA Law Enforcement,
10 for more information.

11
12 The committee also asked about the recently-acquired funding for
13 the program. Ms. Gerhart stated that the funding was intended
14 to help with the initial outreach and start-up of the program
15 and would only be available for one year. Mr. Chair, this
16 concludes my report.

17
18 **CHAIRMAN FRAZER:** Thank you, Mr. Anson. Chris.

19
20 **MR. CONKLIN:** Thanks. I wanted to clarify something that came
21 up in committee. I spoke about, and Sue spoke about, South
22 Carolina getting the data, and I just wanted to clarify that our
23 state has no interest and is not pursuing handling the business
24 side of the data. We currently use BlueFIN data and SAFIS, I
25 believe, to handle all of our charter boat reporting, and it's a
26 compatible system that could be used in the Gulf, but, however,
27 it's a private company, and so I just wanted to clarify that.
28 Thank you.

29
30 **CHAIRMAN FRAZER:** Thank you, Chris. Ms. Gerhart.

31
32 **MS. GERHART:** Thank you. I was going to make that same
33 clarification. I clarified that it is BlueFIN that runs that
34 program, and it's used by South Carolina, and so it's one of the
35 FINs.

36
37 **MR. CONKLIN:** BlueFIN is out of Louisiana, and so you might want
38 to check it out.

39
40 **CHAIRMAN FRAZER:** Are there any other comments on the Data
41 Collection Committee report? Seeing none, we will move on. The
42 next committee report would be the Law Enforcement Committee and
43 Mr. Diaz.

44 45 **LAW ENFORCEMENT COMMITTEE REPORT**

46
47 **MR. DIAZ:** Thank you, Mr. Chairman. The Law Enforcement
48 Committee Report, the committee adopted the agenda and approved

1 the minutes of the August 2019 meeting.

2
3 Final Action on Framework Action Modification for For-Hire
4 Multiday Trip Possession, council staff reviewed the updated
5 data in the document that would characterize the frequency of
6 for-hire trips by headboat and charter boat vessels exceeding
7 given trip durations in the Gulf. Public comments received on
8 the document were summarized, and the Reef Fish Advisory Panel's
9 concurrence with the council's current preferred alternative was
10 noted.

11
12 This framework action, if implemented, would result in different
13 multiday possession limit regulations between the Gulf and South
14 Atlantic Council jurisdictions, creating the need for additional
15 regulatory compliance. Am I in the right thing? I am sorry. I
16 think I pulled up the wrong --

17
18 **CHAIRMAN FRAZER:** There was a lot of questions going on.

19
20 **MR. DIAZ:** I am sorry about that. I am going to try this one
21 more time.

22
23 **CHAIRMAN FRAZER:** Let's restart.

24
25 **MR. DIAZ:** I clicked on the wrong -- The Law Enforcement
26 Committee report. The committee adopted the agenda as written,
27 and the Full Council minutes of the April 2019 meeting were
28 approved at its June 2019 meeting and were provided as
29 background.

30
31 Agenda Item IV, Law Enforcement Technical Committee Meeting
32 Summary, staff reviewed the sections of the meeting summary that
33 were not covered in other committees.

34
35 Agenda Item V, Illegal, Unreported, and Unregulated Fishing
36 Report, council staff discussed the history of the reports to
37 Congress relative to Mexico and IUU fishing in U.S. waters of
38 the Gulf of Mexico. Lieutenant Zanolowicz provided a presentation
39 on the Coast Guard's observations and interdictions of Mexican
40 lanchas.

41
42 Assistant Commander Barker provided a presentation on TPWD's
43 enforcement efforts and interactions with illegally-fishing
44 Mexican lanchas. Both the Coast Guard and TPWD presentations
45 highlight that the number of lancha incursions has not declined.
46 The LETC requested additional support from the council, and the
47 committee approved the LETC's request.

1 The committee recommends, and I so move, that the council write
2 a letter to the NOAA Office of International Affairs and/or the
3 Assistant Administrator for NOAA Fisheries to open communication
4 and request an annual report regarding the specific impacts and
5 measures taken by Mexico to address the Mexican IUU fishing
6 issue. It would be important to note in the report the
7 estimated take of red snapper by the illegal fleet and the
8 economic impact that it poses against recreational and
9 commercial fishermen in the U.S. The motion carried with no
10 opposition. Mr. Chair.

11
12 **CHAIRMAN FRAZER:** All right. We have a committee motion on the
13 board. Is there any further discussion of the motion? Mr.
14 Dyskow.

15
16 **MR. DYSKOW:** Thank you, Dr. Frazer. My only question would be
17 are we communicating high enough up on the food chain with this
18 issue? Should this issue and concern be better directed to the
19 Secretary?

20
21 **CHAIRMAN FRAZER:** I am looking around the table, and I have no
22 particular problem directing that letter to the Secretary. Dr.
23 Mickle.

24
25 **DR. MICKLE:** Is it a tradition to send multiple letters to
26 multiple levels, or do we focus a single letter? What's been
27 done in the past, not specifically to law enforcement, but just
28 any letters coming out of the council?

29
30 **CHAIRMAN FRAZER:** Let me suggest that, if we were to write a
31 letter to the Secretary, then we would CC the individuals
32 indicated here. Dr. Stunz.

33
34 **DR. STUNZ:** That's exactly what I was going to say, Tom. Let's
35 just do both and copy the lower division or whatever.

36
37 **CHAIRMAN FRAZER:** Okay. Is there any opposition to that? So I
38 guess what we will do is we'll have to modify the motion. Dr.
39 Stunz, do you want to go ahead and do that?

40
41 **DR. STUNZ:** Okay. **I think they just modified it.** She's putting
42 it up there.

43
44 **CHAIRMAN FRAZER:** Okay, and so do we have a second to that
45 motion? It's seconded by Mr. Dyskow. Any further discussion?
46 Mr. Anson.

47
48 **MR. ANSON:** I am just wondering if we can just remove the

1 "and/or" and just say "and the Assistant Administrator".

2
3 **CHAIRMAN FRAZER:** Greg and Phil, are you good with that change?

4
5 **DR. STUNZ:** That's fine.

6
7 **CHAIRMAN FRAZER:** Okay. We'll make that change. Mara.

8
9 **MS. LEVY:** This is a minor procedural thing, and so I'm assuming
10 this is a substitute motion to the committee motion, right, and
11 that's what we're doing?

12
13 **CHAIRMAN FRAZER:** You assumed appropriately.

14
15 **MS. LEVY:** Okay.

16
17 **CHAIRMAN FRAZER:** Okay, and so we have a substitute motion on
18 the board. Is there any further discussion on the motion?
19 **Seeing none, is there any opposition to the motion? Seeing**
20 **none, the motion carries.** Mr. Diaz.

21
22 **MR. DIAZ:** Mr. Chairman, this concludes my report.

23
24 **CHAIRMAN FRAZER:** Dr. Stunz.

25
26 **DR. STUNZ:** Very briefly here, when Lieutenant Zanowicz gave his
27 presentation, whenever that was, a few days ago, is that on -- I
28 tried to find that last night, and I couldn't find it. Is it
29 available, or could you maybe email it around, or is it on the
30 webpage? Just somehow so I can re-access that.

31
32 **EXECUTIVE DIRECTOR SIMMONS:** Yes, it's available. It was
33 supposed to be discussed under the liaison reports during Full
34 Council, and we moved it up to the Law Enforcement Committee to
35 bring up, since the items were the same, as well as the
36 Lieutenant Barker's presentation as well.

37
38 **CHAIRMAN FRAZER:** Okay. Any other discussion with regard to the
39 Law Enforcement Committee? Seeing none, we will attend to our
40 Other Business items. We have gone through all of the
41 supporting agency updates, and so we have three Other Business
42 items. The first one would be an update on the South Atlantic
43 Council's control date for Spanish mackerel. Ms. Gerhart.

44
45 **OTHER BUSINESS**

46 **UPDATE ON THE SAFMC CONTROL DATE FOR SPANISH MACKEREL**

47
48 **MS. GERHART:** Thank you. I just wanted to make sure that the

1 Gulf Council was aware of this action. The South Atlantic
2 Council has put out an announcement of proposed rulemaking,
3 advance notice of proposed rulemaking, it's called, which is a
4 control rule that is dated March 7, 2019 for the commercial
5 sector for Spanish mackerel.

6
7 This control date is in response to some conversations at the
8 South Atlantic Council about making that permit limited access,
9 and I'm sure that Mr. Conklin can tell you more about that if
10 you would like to know about it, but the point to make to the
11 Gulf Council is that this is a joint permit between both the
12 South Atlantic and the Gulf, and so any changes made to that
13 permit will have to involve both councils.

14
15 **CHAIRMAN FRAZER:** Chris, do you want to add anything to that?

16
17 **MR. CONKLIN:** I think, in 2015, North Carolina wanted to get
18 their own northern sub-zone of the Spanish mackerel quota,
19 because Florida was catching it up, and it's been in place, and
20 it isn't working. North Carolina has been catching their fish
21 up, and Florida has been doing a pretty good job as well, and
22 North Carolina has had to borrow fish from the Southern Zone
23 more than once, I believe, and, this past year, when it
24 happened, Florida didn't have any fish to give, and so there's
25 been a lot of effort and discussions about increasing effort in
26 both zones.

27
28 With an open access permit, there is no end in sight, and we're
29 paying special attention to the fishermen in North Carolina
30 especially, because it's a large part of their livelihood in
31 September and October, and we want to be cognizant of what's
32 going on, because those guys are sitting at the dock, and so
33 we're looking to make some changes, and I think we've got a
34 white paper, or we're beginning an amendment soon, and we're
35 looking to get it in place before a 2021 season, and we did a
36 band-aid sort of fix on that, where the commercial fishermen can
37 meet the quota and go over to borrow a 500-pound trip limit off
38 of the general quota, and that's per ACCSP rules, and so it sort
39 of circumvents the system, but it's a band-aid for now, and so
40 thank you.

41
42 **CHAIRMAN FRAZER:** Thank you, Mr. Conklin. All right. Any more
43 discussion about this particular item? Seeing none, we will
44 move on. Ms. Bosarge, you had an Other Business item having to
45 do with the aquaculture.

46
47 **AQUACULTURE UPDATE**
48

1 **MS. BOSARGE:** It was just an update, because I happen to be
2 involved in a little bit. The council saw the two presentations
3 on the aquaculture project that was the Kampachi Farms Velella
4 Epsilon, where they were going to use the net pen off of Florida
5 to raise the almaco jack and rear those.

6
7 Then, somewhere in that process, after we saw it twice, and we
8 wrote a comment letter to NMFS recommending approval of the EFP
9 with our stipulations, but, anyhow, and then, with the lawsuit,
10 and it was settled, and it was decided that this council doesn't
11 regulate aquaculture anymore.

12
13 That project is still going forward, and I want to compliment
14 staff on keeping us up-to-date on the latest. They sent out an
15 email, when they received one, saying, hey, there's a public
16 comment period open on it right now, and they went ahead and
17 sent our comment letter that we had sent to NMFS for the same
18 project, and they sent that to the EPA, I believe, for us, and
19 so, during all of that, I came to realize that they had changed
20 their siting location, just slightly.

21
22 If you remember, they worked really well with the shrimp
23 industry, those project personnel, to try and find a siting
24 location that wasn't in the middle of shrimp grounds. Well,
25 they had to tweak that a little bit, and now it is, and so we
26 realized that, as an industry, and we have reached out to Dr.
27 Neil Sims, and hopefully he is going to work with us to try and
28 find something that will be suitable, but, since the council
29 doesn't manage that anymore, I just wanted to give you that
30 update, but they are still working with us, and so that's good.
31 It's a good thing, and, hopefully, in the future, as these
32 aquaculture projects move forward, I hope staff will have time
33 to keep us posted on those, because they do still have an
34 influence on our fisheries.

35
36 **CHAIRMAN FRAZER:** Mr. Anson.

37
38 **MR. ANSON:** Leann, do you know what the process was that allowed
39 them to tweak it? Was that an informal -- Was it just a letter
40 to one of the agencies, the EPA or whoever, that had the
41 governing over that?

42
43 **MS. BOSARGE:** I think, when they started doing those baseline
44 surveys of the bottom and things like that, I guess something
45 came up in that survey that said, hey, this site that you have
46 chosen might not work, and it's my understanding.

47
48 Now, I haven't talked to this -- This is secondhand, industry

1 telling me what they've heard, and so, when they tweaked it
2 though, because they don't interact with us anymore, there
3 really wasn't a discussion about, well, is this going to impact
4 fishing, and so we reached out to them, when we realized it, and
5 said those coordinates are in shrimp grounds, and let's talk
6 about this, and I am hoping that they will still work with us
7 and tweak it again.

8
9 **CHAIRMAN FRAZER:** Dr. Simmons is suggesting that the Army Corps
10 would have been involved in a re-siting of that, and so -- You
11 don't think so?

12
13 **MS. BOSARGE:** I think they already have their permit from the
14 Corps, and this permit is mainly through the EPA, but maybe Mara
15 can talk about that.

16
17 **CHAIRMAN FRAZER:** Ms. Levy.

18
19 **MS. LEVY:** I don't know that the Corps has issued their permit
20 yet, but the EPA and the Corps are going to be the federal
21 permitting agencies, and I know the EPA put out their draft
22 permit for comment, but the EPA is going to be concerned with
23 water quality, and the Army Corps is going to be concerned with
24 attaching to the bottom, and I don't have any problem with you
25 writing a letter or whatever you want to do, but I don't know
26 that those agencies are really going to get involved in the
27 fisheries stuff.

28
29 **CHAIRMAN FRAZER:** Mr. Anson.

30
31 **MR. ANSON:** That's my sense too, is I don't know how much
32 they're going to want to do the extra effort. If, in this case,
33 if they come back again, or any other company that comes in
34 after Kampachi, and they go through the whole public comment
35 process, and the public comment says that we're going to put it
36 here, and then something comes up after the fact, and then they
37 want to move it over here, then that could potentially change
38 the whole ballgame, inasmuch as the resources that we are
39 responsible for and the people that come to our meetings are
40 interested in, and so a letter might be appropriate, just to,
41 one, identify the process, and, two, let them know, depending
42 upon what the response is, a follow-up letter, or the same
43 letter, to just indicate and remind them of what our
44 responsibilities are and our interests are in managing the
45 resources and that we might want to work on a better system, if
46 in fact it was simply they went to the public comment process
47 with one location, and they found something, and then they
48 decided to move it over here, and didn't think nothing of it,

1 and then went and gave the approval, or might give them the
2 approval, and we just have some concerns about that, because of
3 the impacts, potentially, after that initial public comment
4 period.

5
6 **CHAIRMAN FRAZER:** Let me just circle back. So you're suggesting
7 that we write a letter to the EPA, asking for clarification of
8 the process that would allow for a change in the siting. Go
9 ahead.

10
11 **MR. ANSON:** Yes, whether it's the EPA or the Corps, whoever,
12 again, has the umbrella, the authority, to give the final
13 permit, whether it's here is a permit from the EPA saying you
14 can do these type of things relative to water quality concerns,
15 and then the Corps would have those locational, I think,
16 oversight responsibilities, and so we're more interested in the
17 locational at this point, and so, yes, I think it might be the
18 Corps that really we would write the letter to.

19
20 Then, again, say, look, this is how we interpret this process
21 and how it went, but we feel like, if that's in fact what
22 happened, is that they changed after the public comment period,
23 now there is going to be some impacts that weren't addressed in
24 the original one, because of the location.

25
26 **CHAIRMAN FRAZER:** Okay, and so I think that we can put a letter
27 together, and, after hearing this, I think the appropriate
28 recipient of the letter would be the Army Corps of Engineers,
29 and so we can do that. I am happy to work with the staff to do
30 that. Ms. Levy.

31
32 **MS. LEVY:** I mean, if you're going to write a letter, you might
33 include the EPA. They were the lead on the NEPA document, and
34 so, again, they are focused on water quality, but they were the
35 lead for the NEPA document, which looks at a whole bunch of
36 different things, right, and so it might be helpful.

37
38 **CHAIRMAN FRAZER:** Sure. We will certainly CC the EPA on the
39 letter. Okay. Martha, you an Other Business item.

40
41 **FLORIDA RED SNAPPER SEASON UPDATE**

42
43 **MS. GUYAS:** I certainly do. Some of you all may be aware that
44 the commission and Governor DeSantis extended Florida's red
45 snapper season. Earlier this month, we had three October
46 weekends open, and one of them was last weekend, which was more
47 or less blown out by Tropical Storm Nestor, and so, this
48 morning, it was announced that there will be another weekend

1 added to the season on November 2nd and 3rd, and so I am just
2 sharing the information, as we've discussed that at a couple of
3 committee meetings at this meeting.

4
5 **CHAIRMAN FRAZER:** All right. Thank you, Martha, for that
6 update. Are there any Other Business items to come before the
7 council? Seeing none -- Mr. Swindell.

8
9 **INCLUSION OF COMMENTS INTO LETTER REGARDING MODERNIZING**
10 **RECREATIONAL FISHERIES MANAGEMENT ACT OF 2018**
11

12 **MR. SWINDELL:** Are you asking me to bring up again about
13 including Ms. Gerhart's information about electronic monitoring
14 in the letter that you're going to send out about the status of
15 our data collection?

16
17 **CHAIRMAN FRAZER:** Dr. Simmons.

18
19 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Swindell, are you referring to
20 the letter that we're writing to Headquarters on the report to
21 Congress for the Section 201 of the Modernizing Recreational
22 Fisheries Management Act of 2018? Is that what you're referring
23 to?

24
25 **MR. SWINDELL:** Yes.

26
27 **EXECUTIVE DIRECTOR SIMMONS:** I believe, and I haven't confirmed
28 this with Ms. Gerhart, but I believe, because that program is
29 not implemented and in place, and since this report is really
30 documenting what data streams and improved data streams and
31 current systems are set up -- I think we could note that in the
32 letter, but I don't know if we would want to directly comment on
33 that, since this program is not implemented.

34
35 **MR. SWINDELL:** Well, I am disappointed in that, because,
36 regardless of whether we have something accomplished or not
37 accomplished, but we are working on a program that's trying to
38 get some things done, and I think it's worthwhile letting people
39 know that they have asked us to get something done, and why
40 don't we let them know that we're working on it? Thank you. I
41 am just trying, because I think that we could also maybe
42 encourage them to help fund the program, but, if they don't have
43 the information, how are they going to get the information for
44 us to seek funding for you? Thank you.

45
46 **CHAIRMAN FRAZER:** Ms. Bosarge.

47
48 **MS. BOSARGE:** I think you're right that we don't have it

1 implemented yet, but we have had some pilot programs, and maybe
2 we could comment on how those have gone and what we've seen as
3 improvements.

4
5 **CHAIRMAN FRAZER:** I am just quickly scrolling through the
6 document. Just give me a second.

7
8 **EXECUTIVE DIRECTOR SIMMONS:** Again, this is for the information
9 to go into the stock assessment and management process, and so I
10 don't know if those pilot programs have been considered during
11 the stock assessment process, but we could bring that up,
12 generally. I don't know if we want to comment specifically
13 about specific pilots and whether they were used in various
14 stock assessments, because it is a general letter, or a general
15 report. Excuse me.

16
17 **CHAIRMAN FRAZER:** Okay, and so I think this is what we'll do. I
18 understand your intent, Mr. Swindell, and, if we can incorporate
19 that into the letter, and I understand where you want to go with
20 that, and we'll make an effort to do that. Mr. Anson.

21
22 **MR. ANSON:** Sorry, Mr. Chair, and I apologize that I didn't
23 bring it up earlier, but I am just wondering, going back to the
24 motion we made to write the letter to the Secretary of Commerce
25 regarding the illegal, unregulated, and unreported fishing
26 activities along the Mexican/U.S. border, would it be worthwhile
27 to include the State Department? Does that reach within there?
28 I know the reports kind of come through NOAA, but I don't know
29 how much interaction or process, as far as including the State
30 Department as a CC on the letter to the Secretary of Commerce.

31
32 **CHAIRMAN FRAZER:** Dr. Simmons.

33
34 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. If the
35 council is comfortable with giving us leeway, we're going to be
36 going up to D.C. here in the next week or two, at the CCC
37 meeting, and we could try to get some more information on all
38 the appropriate parties that we would be sending this letter to
39 and trying to get more information about this.

40
41 **CHAIRMAN FRAZER:** Mr. Diaz.

42
43 **MR. DIAZ:** Tom, I'm sorry that I did not mention this under
44 Other Business, and is there time to bring something else up?

45
46 **CHAIRMAN FRAZER:** Yes. Now is a good time.

47
48 **DISCUSSION OF FAD PROJECT**

1
2 **MR. DIAZ:** Mr. Bergman, in the audience, sent me an email, a day
3 or so ago, about a project that Okaloosa County in Florida
4 applied for, to put some FADs offshore in Desoto County, and
5 apparently it's a RESTORE Act project that they're working on,
6 and I'm not positive of the status of it, but it seems to be
7 something that probably fell through the cracks, because I don't
8 remember us ever discussing it here at the council before.

9
10 I am not saying anything positive or negative about the project,
11 but I am just thinking that -- Something like this, I would
12 think that we would be aware of it at some point in time, and it
13 did not rise to the level where we actually got this on our
14 radar. Martha may know more about it. Thank you.

15
16 **CHAIRMAN FRAZER:** Ms. Guyas. She says no. Again, I don't know
17 anything. If you want to forward that to me, Dale, I can go
18 ahead and look into that a little bit as well. I would think
19 that, if it's a FAD, that, again, it would have to be a
20 permitted project that would come through the Army Corps of
21 Engineers, and so, following up on the discussions that we had
22 with them, it seems as though we haven't quite, I guess, closed
23 that loop. Thank you. Is there any other business to come
24 before the committee? Seeing none, this meeting is adjourned.
25 Thank you, everybody, and travel safe.

26
27 (Whereupon, the meeting adjourned on October 24, 2019.)
28
29
30

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