

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

2
3 DATA COLLECTION COMMITTEE

4
5 IP Casino and Resort Biloxi, Mississippi

6
7 OCTOBER 17, 2016

8
9 **VOTING MEMBERS**

10 Greg Stunz.....Texas
11 Patrick Banks.....Louisiana
12 Chris Blankenship.....Alabama
13 Jack McGovern (designee for Roy Crabtree).....NMFS
14 Pamela Dana.....Florida
15 Dave Donaldson.....GSMFC
16 John Greene.....Alabama
17 Kelly Lucas (designee for Jamie Miller).....Mississippi
18 Robin Riechers.....Texas
19 John Sanchez.....Florida
20 David Walker.....Alabama

21
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24 Doug Boyd.....Texas
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18

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1 The Data Collection Committee of the Gulf of Mexico Fishery
2 Management Council convened at the IP Casino and Hotel, Biloxi,
3 Mississippi, Monday morning, October 17, 2016, and was called to
4 order by Chairman Greg Stunz.

5
6 **ADOPTION OF AGENDA**
7 **APPROVAL OF MINUTES**
8

9 **CHAIRMAN GREG STUNZ:** Data Collection is Tab F, if you're
10 looking for your files. First, I have to excuse my voice. I
11 think the gambling floor must have piped the exhaust into my
12 room last night, and so I'm having a little trouble breathing
13 here, with my allergies.

14
15 Let me call out the new committee members, just so everyone is
16 on the same page. Obviously, I am chairing the committee. Mr.
17 Greene is Vice Chair. Banks and Fischer are present here and
18 Blankenship/Anson. Dr. McGovern is representing Dr. Crabtree
19 this morning. Dave Donaldson is here, and Miller/Lucas are
20 here, and Robin is here. John Sanchez and David Walker and Pam
21 Dana are here, and so it looks like that is our full committee
22 roster and everyone is present.

23
24 Our first order of business is going to be Adoption of the
25 Agenda, and so you guys should have the agenda in front of you
26 there. Are there any changes to the agenda or modifications?
27 Seeing none, would a committee like to provide a motion to
28 accept the agenda?

29
30 **MR. ROBIN RIECHERS:** Move to adopt.

31
32 **MR. DAVE DONALDSON:** Second.

33
34 **CHAIRMAN STUNZ:** It's seconded by Mr. Donaldson. Any opposition
35 to that motion? Seeing none, the agenda is approved. Our
36 second order of business is Approval of the Minutes that you
37 have in Tab F, again, Number 2. If everyone has had time to
38 review the minutes, are there any edits or changes to the
39 minutes? Seeing none, would someone like to make a motion for
40 approval of the minutes?

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

43
44 **MR. JOHNNY GREENE:** Second.

45
46 **CHAIRMAN STUNZ:** It's seconded by Mr. Greene. Any opposition to
47 the minutes? Everyone is okay with that? So, seeing no
48 opposition, we will accept approval of those minutes.

1
2 Our next step is Dr. Froeschke is going to go over what our
3 action guide is and some of the steps that we're going to go
4 through today for the Data Collection Committee, and so, Dr.
5 Froeschke, are you ready to discuss our plan for today?
6

7 **ACTION GUIDE AND NEXT STEPS**
8

9 **DR. JOHN FROESCHKE:** Yes, I am, and good morning, everyone. I
10 am looking at Tab F-3, and it's the Data Collection Action
11 Guide. There are three themes, I guess, that we'll be talking
12 about today. The first is Bob Gill is going to give us a
13 presentation about the NFWF for-hire program, and I think that
14 will be informative on ongoing discussions about the for-hire
15 program that you all are considering.
16

17 Agenda Item V encompasses the for-hire electronic reporting
18 program that we've been working on for some time. We have
19 summaries from public comments, law enforcement comments, and we
20 have recommendations from the technical committee that was
21 convened just recently, and we'll be asking you for some
22 information about tasks and timing and how to move this document
23 forward and what your ideas are as far as the January document
24 and perhaps beyond, and so that's what we will be needing from
25 that.
26

27 The last item, Agenda Item VI, Dr. Ponwith is going to give us a
28 presentation summarizing what they've done to date on the
29 commercial electronic reporting program, and we will be asking
30 you about the possibility of starting a document to implement
31 regulations, if that's the direction you want to go.
32

33 **CHAIRMAN STUNZ:** All right. Thank you, Dr. Froeschke. That
34 will bring us to Mr. Gill's presentation. That's Tab F, Number
35 4. Mr. Gill, are you ready?
36

37 **PRESENTATION ON NFWF FOR-HIRE PILOT PROGRAM**
38

39 **MR. BOB GILL:** Thank you, Mr. Chairman and committee. I
40 appreciate the opportunity to talk to you today about the
41 charter boat electronic logbook program that we have in the
42 Gulf. This is a NFWF grant-funded program. The principal is
43 CLS America, and GSI is acting as a sub to CLS. For the record,
44 I am a member of the board of GSI.
45

46 The goal of the program is basically to take a substantial
47 portion of the active charter fleet and introduce them to and
48 incorporate electronic logbook reporting and build their

1 database for catch and effort as a result. It has obvious side
2 benefits, because of the trip reporting, to reduce uncertainty.

3
4 The structure has largely been designed by members of the
5 charter boat industry. For me, it started back in 2013 and
6 2014, where we held a series of workshops throughout the Gulf
7 with selected members of the charter boat industry to see if
8 there was a path forward for them in some fashion, given all
9 that was going on.

10
11 Recollect that this was prior to Amendment 40, and obviously 41
12 and 42, or serious consideration of the framework that you're
13 currently considering, and so, in those meetings, while they did
14 not get to a position on a management scheme, one thing became
15 abundantly clear, and that was they felt that a data collection
16 system was needed for the charter industry, and it was needed
17 now, and it was independent of any management scheme.

18
19 Once that was determined, then the next question was, okay, what
20 are the important elements, according to the folks at the
21 meeting, and the concept was that, if they could agree, part of
22 the caveat was that they thought that industry would agree with
23 those items as well. The idea was not to split and divide, but
24 the idea was to consolidate and get consensus amongst the
25 industry, and so that was part of the thinking.

26
27 Going through these items, one of the items that was perhaps
28 discussed a lot, but decided upon, was VMS was a necessary part
29 of the system, and they felt it was needed for two reasons. One
30 was because it would give better effort data, and the second one
31 was that it was an accountability tool.

32
33 They also wanted to make sure that it wasn't just purely self-
34 reported data, and so they wanted to have validation done, and
35 done at a trip level, so hopefully it would be reported before
36 they got back to the dock. That, in their minds, necessitated a
37 satellite system.

38
39 One of the differences between this system and some of the
40 others is there is no hail-in and no hail-out. There is no
41 direct link to law enforcement or the dockside samplers. The
42 dockside intercepts are being conducted by the same system
43 that's being done for all of the other fisheries as well, and
44 they hit the boats at random.

45
46 The key difference for this program is that Dr. Stokes at SMU is
47 going to calibrate this data to the MRIP and state data and
48 using a technology that has not been tested before that is

1 similar to fish tagging, and it's a capture/recapture, and so
2 she's working on that, and we'll have results. The question, at
3 the end of the day, will be how much variance do we have in that
4 calibration?

5
6 Obviously, with any voluntary program, you put something in and
7 you get something out. In the case of this program, what the
8 participants get is the equipment, which is a tablet, a junction
9 box, and an antenna. They get that installed, and they get
10 training on it for free. They didn't pay anything for that.

11
12 They also get their database of their trips established offline,
13 so that they can go on the web and access their trips. They can
14 only access their trips. They can access their buddy's or their
15 competitor's trips, but they can access their trips to see, on
16 any trip they like, what they reported and where they went, and
17 they can do it in as fine a scale as they would like to do.

18
19 Of course, in so doing, they have contributed to the overall
20 industry database. The cost to them is that, one, they make the
21 trip report, and, two, that it's accurate. Three, they agree to
22 pay this monthly satellite fee, which is sixty-nine dollars a
23 month.

24
25 I mentioned a screenshot. It's a high-scale screenshot, but,
26 nevertheless, it's something they would see and can pick up on
27 any trip that they put in, and they can go as fine-scale as they
28 like, in terms of locations, and then they can do overlays of
29 any sort. They can do depth contours or sea state, such as you
30 see here, or wind conditions or whatever they do. Again, it's
31 on a scale that they can utilize, so that they can go back and
32 put in context what they did on that trip and how they did, what
33 they caught et cetera.

34
35 Now, this feature has not been utilized very much, and I don't
36 know whether that's because -- I would be interested to hear, if
37 someone like Johnny could jump in, whether it's just simply not
38 useful or we just haven't told them enough about it.

39
40 In terms of the vessels, the project was funded to the level of
41 275 vessels throughout the Gulf. The original project was
42 intended to be the entire Gulf, but funding was limited, and so
43 we had to cut it back, unfortunately, to boats in Mississippi,
44 Alabama, and Florida, and that's where we initiated it.

45
46 We had good participation in the northern Gulf. We did not
47 achieve our targets in the eastern Gulf, and so, this spring, we
48 offered it to Texas boats and stated installing some Texas boats

1 in May. The total is 234. There are still units available that
2 could be utilized, particularly in western Florida and Texas, to
3 increase the density population in those areas.

4
5 This is a shot of the geographic distribution of trip reports,
6 and you can see, right off the bat, there is some anomalies
7 there. For example, not many vessels leave from inland counties
8 in Mississippi and Alabama. It turns out that's a software
9 glitch that has since been corrected, but you can see there is
10 good distribution around the Gulf, concentrated in the northern
11 Gulf. It's light, as I mentioned, in Florida and Texas.

12
13 You will note that Louisiana has no boats, and there are no
14 boats from Louisiana currently participating in the program,
15 but, just recently, a couple of weeks ago, I believe, CLS was
16 awarded another grant from NFWF to implement a similar program
17 in Louisiana, and that is just in the very early stages of
18 getting going, but it's up to a hundred vessels in that program.

19
20 Looking at trip reports, this is a timeline of daily trip
21 reports. Most vessels did not implement very early on, and so
22 you see the slow rise, in terms of number of trip reports. The
23 official date was March 1, but a number of vessels didn't
24 activate until April or May. It obviously peaked during the red
25 snapper season and dropped off thereafter.

26
27 I don't know the reason for it, but it's interesting that the
28 first two weeks of June were noticeably lower in average
29 reporting than the last month of the red snapper season. That
30 may have been due to weather, and it may have been due to
31 something else, but you will note that there's a large number of
32 reports. We're over 6,000 reports thus far. I would guess
33 that, given the number of vessels participating, et cetera,
34 we'll be over 15,000 by the end of the project in October of
35 2017, and so a lot of data coming as a result.

36
37 This is a frequency of report per vessel, and it surprised me.
38 I, frankly, expected it to be skewed to the left, but it's a lot
39 flatter, and it's fairly flat across the board, which I think is
40 good, because the trips differ from operation to operation.

41
42 This is complicated, and I apologize for complex slides. I
43 didn't know a better way to put all the information there, but a
44 couple of caveats on this one. First of all, the data is
45 preliminary. Second of all, that's number of fish and not
46 pounds.

47
48 Looking at the right-hand column, which is how this particular

1 list is arrayed, that is number of fish handled, and, for
2 whatever reason, the total of all is off the screen, but it's in
3 excess of 200,000 fish. It's over 200,000 fish as of the end of
4 August, and so we're talking about a lot of fish here.

5
6 Now, part of the original proposal included observers to try to
7 validate discards, but, unfortunately, that was one of the
8 results of the limited funding, and we had to not include that,
9 and so the discards are self-reported, whereas the retained are
10 the validated numbers.

11
12 From my aspect, a number of interesting features here. One was
13 that the dead discards tended to be constant across the species,
14 which I didn't expect. Secondly, the variance, in terms of
15 discards amongst the species, was a lot higher than I expected.
16 Obviously things like gray triggerfish and red grouper have
17 factors like seasonal closures and allocation limits and
18 regulatory discards, et cetera, but I was surprised to see that,
19 but a lot of information, a lot of fish.

20
21 I guess the final thing, for me, was the amount of discards
22 resulting in total, and these were only the top five species
23 ranked by how many fish were handled. If you did it by the
24 number that were kept, then what happens is king mackerel slides
25 in there in fourth place, and red grouper and gray trigger
26 effectively becomes fifth place. They share that.

27
28 If you do it in terms of number of times they were reported on a
29 trip, gray trigger goes in after the b-liners, and red grouper
30 falls off the trip, and so far more reporting of king mackerel
31 than the red grouper. Graphically, looking at red snapper, you
32 can see discards are about the same as kept. On the other hand,
33 grouper is over five times as many discards as kept.

34
35 Finally, looking at target species. On the form, we asked them,
36 if they wished, to identify their primary target species. We
37 also have a slot for secondary target species, but that's
38 optional. As you can see, not everybody responded to the target
39 species. Whether they didn't have one or they just didn't
40 respond, we don't know the answer to that.

41
42 The first column reflects the frequency of the primary target
43 species, the top target species. The second one would be the
44 secondary target species, and the final one is the frequency of
45 whether it was either a primary or a secondary, and so note, in
46 the secondary, that, first of all, two-thirds of the trips did
47 not report any.

48

1 Second of all, the high numbers there were b-liners and king
2 mackerel, and, effectively, red snapper are never a secondary
3 target. They're always a primary, and so some interesting
4 information, and, effectively, gags are not a significant target
5 species.

6
7 Challenges, we have them, just like every other project. Let e
8 take the second one first, the calibration. One of the things
9 that I had hoped to bring you today, and unfortunately I do not
10 have, is some information from Dr. Stokes in terms of how the
11 calibration effort is looking, and the reason for that is they
12 are still going through and QC'ing the data, and they haven't
13 gotten to a point where they can provide the calibration
14 analysis.

15
16 The fact that I do know is that 27 percent of the vessels in the
17 program have been intercepted at the dock. That, to me, was a
18 fairly high number. Unfortunately, I don't know how many trips
19 have been intercepted. That is yet to come, and I can provide
20 that once I get it.

21
22 As I mentioned, she will be able to calibrate it. The only
23 question is how big is the variance? Is it worth much? That
24 has a lot to do with the coverage that I talked about, the
25 densities. That may be a little light in Florida and Texas and
26 how well they reflect the overall fleet behavior and the
27 compliance, in terms of reporting the trips.

28
29 Going back to the first bullet, participation is a challenge.
30 You noted that we did not achieve our targets in Florida, in
31 terms of number of vessels that participated. We still have
32 units available, and so we're still looking for vessels,
33 particularly off of the west coast of Florida and Texas, and,
34 ongoing, the challenge is to get the trip reports in in a timely
35 fashion.

36
37 Feedback, the third bullet, is probably better named
38 communication. That has been an ongoing issue, to the point at
39 which CLS has hired a new communications specialist to deal with
40 that issue specifically. She just came onboard last week, and
41 GSI has hired an outside firm to help on the outreach and
42 education, and the outreach and education and training have been
43 bigger obstacles, hurdles, than we anticipated.

44
45 One of the feedback for you all is that frontloading heavily the
46 training for whatever program that you come up with is very
47 important. There is a wide range of capabilities amongst the
48 charter captains. Some businesses don't even have a computer,

1 and so the email system doesn't work all that well with those
2 folks.

3
4 Given that they're always going out and doing their charters,
5 we've had a difficult time, in terms of communicating with them
6 to try to find their problems out and to get those resolved, to
7 feed the information to them, et cetera. We did establish
8 something called regional coordinators in specific regions.
9 Folks agreed to act as the go-between between the captains of
10 the boats at the ports they were at and those of us that are not
11 on the boat.

12
13 It turns out the numbers are just too big, and so we're going to
14 cycle down to port coordinators, hopefully to try and get a
15 little bit of communication while we're doing this increased
16 outreach and education and try to improve that data flow,
17 because it's important that we understand the problems and get
18 them corrected. We don't see the problems as clearly as the
19 charter folks do, but we need to be able to talk to do that.

20
21 Finally, relative to the future, as you all know, data is best
22 when it's long and uninterrupted, and so it's my hope that we
23 can find some additional funding, which, relatively speaking,
24 ought to be fairly low cost, to continue the data stream into
25 the future, from beyond October of 2017, to continue that data
26 stream, because it's building up a good-sized database, and,
27 ideally, it will continue until it merges with whatever program
28 you all come up with, so that we've got a good database for the
29 charter industry going forward.

30
31 I think that's important, regardless of how well the calibration
32 turned out. I am expecting that to turn out well. How well is
33 yet to be determined, but that's looking down the road at where
34 we plan to go, and so, before I open this to questions, I did
35 include, in the backend of the briefing book materials, a few
36 slides that I took your tabs from last meeting, F-5(b), and I
37 modified them and put this program in there, so you could see
38 how minimal data elements match for this program versus the
39 other programs, and I was able to put that on a slide.

40
41 I was sufficiently inept that I couldn't do it with 5(c), which
42 was the potential data elements, and so I have a copy of that,
43 and Dr. Froeschke has a copy of that. If that would be helpful
44 to see how this program compares to the other programs that Dr.
45 Froeschke put together, I would be happy to give it to you, one
46 way or the other. With that, I will turn open it up to
47 questions, if anyone has any. Mr. Chairman, thank you.

48

1 **CHAIRMAN STUNZ:** Thank you, Mr. Gill, and I believe that would
2 be important to this committee, that Tab 5(c) that you're
3 talking about, because it would be relevant to some of the
4 discussions we'll have, and so maybe, John, you can go over that
5 when we get to that. Would that help? Dr. Lucas, did you have
6 a question?

7
8 **DR. KELLY LUCAS:** I was looking at a couple of the slides, and I
9 noticed like some vessels -- There were some participants that -
10 - I will just take Mississippi, because it was easy. There was
11 four, but then there was only one report. Are you talking about
12 one person reporting or just one report out of four people who
13 claim to be participating?

14
15 **MR. GILL:** One report was submitted by the vessels from
16 Mississippi during that timeframe, which says that one vessel,
17 one trip.

18
19 **DR. LUCAS:** As a follow-up to that, do you know why some of
20 these people who -- You all may have asked or you all may not
21 know, but why several people who are participating or are
22 enrolled in the program aren't participating in reporting their
23 trips?

24
25 **MR. GILL:** The answer to that is, no, I don't know. It is
26 obviously a concern. You would expect some, because of
27 exigencies of the trip, and we understand that. There are some,
28 as you mentioned Mississippi, that they're not reporting. I
29 don't know the answers for that. I better leave it at that.

30
31 **CHAIRMAN STUNZ:** Mr. Riechers.

32
33 **MR. RIECHERS:** Bob, and I apologize, and I will ask, but did we
34 get this sent, or is it on the stick? I didn't get F-4 in
35 either the stick I just picked up or previously, when I
36 downloaded, and so I don't know if maybe --

37
38 **MR. GILL:** You're talking about my addendum slides?

39
40 **MR. RIECHERS:** Your addendum and even your overall presentation.

41
42 **CHAIRMAN STUNZ:** I could comment to that. Robin, if you guys go
43 out to the Gulf Council webpage and click on the briefing
44 documents, it is linked on the agenda there. That's the only
45 place that I could find it.

46
47 **MR. RIECHERS:** Okay. Maybe we can get it easily all picked up,
48 either on the stick or something like that.

1
2 **EXECUTIVE DIRECTOR DOUG GREGORY:** I think there's a number of
3 presentations this week that we did not get in advance. We're
4 working hard to get things in advance. Once we get them, the
5 first place we will put them is on the website, and we will let
6 you know. The staff will send out an email from Meetings to let
7 you know when we get new material.

8
9 **MR. RIECHERS:** Now I will go with the question part, Bob. As
10 you know, because we've had these conversations, this is a
11 little bit like -- Especially as we try to design a new system,
12 which is going to maybe replace an older system that was MRFSS-
13 based from Florida through Louisiana and now it's Florida
14 through Mississippi, with LA Creel and the Texas system, all of
15 which were land-based with some sort of follow-up, which is not
16 really any different than this, except this is trying to receive
17 a complete coverage, or some level of coverage -- Actually, what
18 you're trying to do is a census of all vessels, and is that
19 correct?

20
21 **MR. GILL:** Well, if we had all vessels, yes, but, no, it's a
22 survey, because it's only 234 vessels, if they're all reporting,
23 and there is 1,278 or something vessels out there.

24
25 **MR. RIECHERS:** Okay, and so, yes, currently -- Maybe I was
26 speaking to what I have heard people suggest they want this to
27 be, as opposed to what it is. It's currently a sample, just
28 like the other sample, and so, basically, you and I are both
29 looking at a sundial, and you're setting the clock on your
30 watch, and I'm over here in Texas setting the clock on my watch,
31 and guess what? We're going to come up with different times.

32
33 We've got two different systems, and we're going to come up with
34 different times, and so it's really important that we're going
35 to be able to see that validation data and what it costs, so
36 that we can make comparisons in one system versus the other,
37 because we're going to come up with a different estimate,
38 there's no doubt.

39
40 We don't know which one is the right estimate, because we are
41 shooting at a target. We don't know if we're just going around
42 the target, and we're going to be right or left of it, or
43 whether one target is over here that we're shooting at and
44 another target is over here.

45
46 Until we can get that validation data and really understand it
47 and understand what it's doing to our variances, as well as
48 understand what the cost is, because we can build a better

1 system. There is no doubt, but it may cost us four times more
2 than we're spending now or five or ten. We don't know, or less.
3 It could cost us ten times less, but when do we expect that
4 though?

5
6 Because we didn't even see, in the presentation, a notion of
7 number of observations. You may have had it, because Kelly
8 spoke to some of it. Again, I didn't get the presentation, and
9 so it may have been in there and I missed it.

10
11 **MR. GILL:** The trip reports, which I believe are what you're
12 calling observations, there is over 6,000 of those, and we had a
13 little over 400 in September, and so we're something over 6,500
14 at this point in time.

15
16 The timing on the calibration data question, Dr. Stokes and her
17 team are working on it. I participate in weekly meetings with
18 them to try and clarify any issues that they may have relative
19 to the data. As soon as she gets that data squared away and
20 runs the calibration, then we will have some information, and I
21 will be happy to bring that to you as soon as it's available. I
22 don't have a timeline for that.

23
24 The other point that you raise is a point that perhaps Dr.
25 Ponwith would like to weigh in on, and that is the issue of, if
26 you're calibrating, you are typically calibrating to a standard,
27 and that's the issue that you're raising, just exactly what is
28 the standard? We've got the MRIP data, and we've got the state
29 data, as you mentioned, which doesn't match one-to-one with the
30 MRIP, and then we're going to have this.

31
32 We're calibrating to the MRIP system, because we're using their
33 dockside validation mechanism to validate our data, with the
34 exception of Texas, of course. There, we're validating to the
35 data that you provide, but exactly what the right number is
36 going to be, that's a question that I can't answer, and perhaps
37 Dr. Ponwith can enlighten me.

38
39 **CHAIRMAN STUNZ:** Dr. Ponwith, to that point.

40
41 **DR. BONNIE PONWITH:** Thank you, Mr. Chair. You know, this is
42 the blessing and the curse of a standardized approach of data
43 collection. If you have a population, and that population is
44 the for-hire fleet of the Gulf of Mexico, and you create a
45 method to measure what it's doing, and that method is
46 standardized across the Gulf of Mexico, you have one method.

47
48 You may love the method or you may hate the method, but there's

1 one method. Whenever you create multiple approaches to
2 measuring the same thing, the real question is, are those
3 approaches additive?
4

5 In other words, if you split that population of that fleet into
6 subsets and you take completely different approaches to
7 measuring them, are they measuring in the same way and creating
8 results that are comparable, so the results are additive? In
9 other words, you take Sub-Section 1, 2, and 3 and add them
10 together and it's a good reflection of what the whole population
11 is doing.
12

13 I think that's the issue that we're getting at. There are some
14 statistical inefficiencies of using multiple approaches to
15 measure one population, and they're not insurmountable. There
16 are statistical approaches to doing it, but it's something that
17 you have to take very seriously, and it's really a two-step
18 process.
19

20 First of all, you have to make sure that each of the methods
21 you're using are validated, that you have a way to look at the
22 data and validate those data. Then the second step, the
23 approach that you talked about, was then taking the results of
24 those subsets and calibrating them against one another, to see
25 how they perform measuring.
26

27 My view is probably the most statistically sound way of doing
28 that is to take Method A and Method B and measure the exact same
29 population and see how similar or how different the results come
30 out, and that would be one way. It would be very expensive, but
31 it would be one way to evaluate the performance of these two
32 methods. Barring that, that's the issue at hand, what do you
33 use as the standard to calibrate against when you're comparing
34 these results, and that's a tricky question.
35

36 **CHAIRMAN STUNZ:** Mr. Gill, there's a few more questions. Dr.
37 Dana is next, and then Ms. Guyas after that.
38

39 **DR. PAMELA DANA:** Thank you, Bob, for the presentation. Did the
40 reports that came back indicate where the fishermen are -- The
41 level of amberjacks that they're catching? I didn't notice it.
42

43 **MR. GILL:** I have that information, but I did not include it,
44 because they weren't a high number of fish handled or reported.
45 I only reported on the top five, but I can provide you with the
46 same information for all of them. They are reporting on twenty-
47 nine species. There are some oddballs at the bottom, and so,
48 yes, amberjack is in there, but it just didn't make the top

1 five.

2
3 **DR. DANA:** I guess I would have thought that it would have been
4 a targeted species, just based on our area.

5
6 **MR. GILL:** Not according to the data we have currently.

7
8 **DR. DANA:** My other is a comment and not a question, but when
9 you had asked about input from Johnny or those in the charter
10 business about that, one slide that shows the depth of the boats
11 and the -- I would almost guarantee that the reason the guys
12 aren't using that is because they don't know how to, or they
13 haven't taken the time to fiddle around.

14
15 They're just dealing with the bare basics of the program, and so
16 that's where your communication officer could train them up a
17 little bit better, so that they can utilize this particular part
18 of the program, because I think it's pretty cool, but I know,
19 for my boats, they don't know how to do this yet.

20
21 **MR. GILL:** Thank you for that input, because that's the first
22 I've had relative to how important it is or it isn't. Recollect
23 that this is a web-based thing. They can do this at home or
24 they can do it any time. They don't have to be at sea to do it.
25 It's not something they have to be on their tablet to access.
26 They could, but they can do it whenever.

27
28 They can say, you know, if I went on a trip two weeks ago, let
29 me tie this together, and I would think that would be
30 interesting. If I was doing charter trips, I think I would be
31 looking at that and trying to get smarter about how I did that,
32 and so I appreciate that input. Thank you.

33
34 **CHAIRMAN STUNZ:** Ms. Guyas.

35
36 **MS. MARTHA GUYAS:** Thanks for acknowledging me, since I'm not on
37 your committee. I had a couple of questions for you, Bob. They
38 have the VMS tablets, right? Are you seeing or do you know if
39 these trip reports are coming in when they're still at sea or
40 when they're back at the dock or after they've gone home for the
41 night and take the tablet home? Do you have an idea?

42
43 **MR. GILL:** The bulk of them are coming in, and I am speaking a
44 little bit off the cuff here, but the bulk of them are coming in
45 before they hit the dock, and one of the anomalies that Dr.
46 Stokes and her team are working on are trying to take the dates
47 that are on the trip reports, which they manually enter, and
48 ensure that it's for the days they say they are, and so we're

1 matching them up against the VMS track, to try and ensure that
2 we have the right vessel on the right trip on the right day,
3 but, as I understand the input, the bulk of them tend to be
4 before they hit the dock or immediately thereafter.

5
6 **MS. GUYAS:** One more question, if you don't mind. You mentioned
7 a couple of times how participation has been a challenge. What
8 do you think has been your biggest challenge in getting some of
9 these vessels to sign up and then actually follow through and
10 make the reports?

11
12 **MR. GILL:** Well, a couple of thoughts, and, again, off the cuff.
13 My reaction is that a major hurdle is the monthly fee for the
14 satellite service, particularly for smaller operations, and many
15 operations, more than I anticipated anyway, tend to open for a
16 few months and then they're shut for the rest of the year, and
17 so they're shut down and they're not going to report, and so I
18 think that's probably one of the major hurdles.

19
20 In terms of participating in general, I can wax a little
21 philosophical here. I found that, when we were trying to see
22 which boats were interested in participating and which were not,
23 you could divide the charter industry into two parts.

24
25 The first part are those that are active and involved and
26 knowledgeable at the regulatory process or the council process.
27 By and large, I think we captured a good bunch of those. Not
28 everybody, and there are those that are opposed to it, but the
29 larger segment of the charter industry are those that don't
30 participate and don't understand and don't know the regulatory
31 system. Their knowledge of this project is the rumor mill, the
32 Harry says this and Joe says that, and, typically, they would
33 hear both sides, and, as a result, most of them did nothing.
34 That is my read.

35
36 I was surprised, because there is not as much communication
37 amongst boats in ports or between ports that I would have
38 expected, of the folks that are not involved. The ones that are
39 involved have good communication. It's the ones that do not,
40 but that's my opinion.

41
42 **CHAIRMAN STUNZ:** Mr. Greene and then Dr. Lucas.

43
44 **MR. JOHNNY GREENE:** I have kind of been a proponent of this for
45 a long time, and my frustration came out of wanting to try
46 something new and something different. Personally speaking,
47 what I saw on the water, as far as what we were catching and
48 what it was seeing on the fish finder, didn't really match up

1 with what was being told to us at this level.
2
3 I really wanted to try something new, and I did use this
4 program. I have used it all year, and it's been a challenge. I
5 mean, it has not been the most user-friendly thing that we've
6 ever tried to do. It has taken a lot of work on behalf of me
7 having to sit down and show David how something goes.
8
9 The first fifteen reports that I put in there, I didn't know
10 what a catch group was, but a catch group is simply your red
11 snapper or gray triggerfish or greater amberjack or whatever,
12 but I didn't catch that until we went back through it, and so it
13 took a while to get there.
14
15 Now, we slowly worked through all of that stuff and moved
16 forward. Now, the screen that you're looking at right now, I
17 can pull that up on my computer and I can see my boat, right
18 this second, in that very screen, and it shows where it's at and
19 what it's doing. My wife has found a lot of useful utility in
20 that, as do I, and so it's one of those things.
21
22 There has been some pleasant surprises, and this is a platform
23 that will do so many things. It's almost hard to kind of break
24 it down and get it to, okay, we just want it to do these three,
25 because it will do these 3,000 things, and there has been a
26 little bit of a struggle with that.
27
28 When we heard about amberjack not going to reopen and that there
29 was 700,000 pounds of fish caught early in the year, that got a
30 lot of fishermen's attention, because now they're thinking,
31 well, gosh, if I had started reporting earlier in the year,
32 maybe some of that would have shown up. Maybe it would have
33 helped, and maybe it wouldn't have helped, but it certainly
34 drove home the fact of, wow, we have gone way over the quota on
35 triggerfish and we have caught all the amberjacks in the world,
36 and, man, I didn't start reporting until June 1.
37
38 If they waited to activate their unit until June 1, obviously,
39 the first ten or fifteen days, it's going to be a struggle to
40 get the information in and so on and so forth. I activated mine
41 in mid-March, I guess, maybe April, and it did take a while to
42 get to use it, and I still have to go through it and do stuff,
43 and they're constantly trying to upgrade and listen and look for
44 feedback and so forth and so on.
45
46 There is twenty-nine species, and trying to go through and
47 explain to people of where a blackfin tuna falls on that has
48 been a little bit of a challenge, and so, yes, there's been some

1 issues with it. Yes, we've tried to work through it, and it's
2 showing improvement. I think people are starting to step up to
3 the plate and they're willing to try it a little bit more,
4 especially in light of some of the recent landings that have
5 come about.

6
7 Now, as far as when people report, personally, I report whenever
8 we get done fishing and I know what time I'm going to be in. I
9 go ahead and do the report right then and submit it and it sends
10 it in. That way, if I do get checked at the dock, they've had
11 an hour or two hours or whatever to look at information, if they
12 so choose, and keep in mind that some states do require that you
13 report your snapper before you hit the dock.

14
15 Fortunately, in my state, I was able to use this program to
16 report my red snappers, in lieu of having to call a 1-800 number
17 or a phone app, and it seemed to work pretty well. There was a
18 little bit of glitches and stuff in the beginning between them
19 all, and we were able to work it out, where we got a
20 confirmation email back that they had received it, because,
21 frankly, the first time I used the tablet, which was about this
22 big, with my big fingers, I kept hitting the button, because I
23 didn't see something come back, and then, about an hour later,
24 Kevin called and said, man, you sent in twenty-seven trip
25 reports.

26
27 It didn't take long for us to say, hey, guys, if you can send us
28 back an email confirmation that it was sent and received, then
29 it was the end of it, and that seemed to really work out the
30 problem.

31
32 We had little issues, like with converting UTC time to current
33 time and all the stuff that went on, and so to say there wasn't
34 any challenges would be just really not correct at all. There
35 was some challenges, and I feel like everybody has worked
36 through it and so on and so forth.

37
38 I was trying to make some notes, as some of you went around the
39 table, and try to answer those questions, and I think I've got
40 most everything, but, if any of you have any specifics of
41 somebody who has used it, I will be glad to try to answer it
42 personally of what I saw and what I used and what I liked and
43 what I didn't like and so on and so forth.

44
45 **CHAIRMAN STUNZ:** Dr. Lucas.

46
47 **DR. LUCAS:** On the people that are actively participating, is
48 there a way to check to make sure they're actively participating

1 like every trip? I mean, do you know that they're not skipping
2 or missing trips? Is there a way to kind of calculate that
3 data, because, I mean, you are going to have some people who
4 sign up and who don't participate at all, or who participate one
5 time and then just get frustrated and pass it off, but, of those
6 that you can narrow down to are actively participating, do you
7 know that they're actively participating ever time, so you can
8 get an accurate gauge?

9
10 **MR. GILL:** We haven't done that work. It's manually very
11 intensive, because it says you're matching up the VMS track with
12 a trip report, or the lack of a trip report, and so, no, we
13 don't know that, and we're really not geared -- As much as I
14 would love to know that information, we're really not geared to
15 handle that workload.

16
17 **CHAIRMAN STUNZ:** Mr. Blankenship.

18
19 **MR. CHRIS BLANKENSHIP:** Mr. Gill, thank you for the
20 presentation. It's good to see you. Do you have the percentage
21 of the reports that have been validated, or is that something
22 that Dr. Stokes is working on? Of the reports that you've
23 received, how many of those were intercepted or validated?

24
25 **MR. GILL:** As I mentioned, Chris, and it's good to see you as
26 well, what we do know is that 27 percent of the vessels in the
27 program, of that 234, have been intercepted at the dock. What I
28 don't know yet, because of things like the time issue, the time
29 of the report doesn't match, I don't know the number of trips
30 that have been validated, and so I'm thinking that's, this week
31 or next week, information that I should have, and I will be
32 happy to share it once I know it.

33
34 **MR. BLANKENSHIP:** Then the second part of that is do you feel,
35 or does Dr. Stokes feel, that the number of intercepts that are
36 being conducted through the MRIP program is going to be adequate
37 for this CLS program, or do there need to be additional
38 validations?

39
40 **MR. GILL:** That's part of the analysis, which says, okay, here
41 is what we've got with the existing program, with the number of
42 intercepts, et cetera, and we've got this much variance, and we
43 really need to do less. The way to do that is greater number of
44 intercepts, and I didn't mention, but as you well know, we are
45 prepared to augment the intercept rate, if that's what needs to
46 be done, and, thus far, until we get feedback from Dr. Stokes
47 analysis as to we don't have enough -- Particularly, if you have
48 a port that has one or two vessels. The likelihood of them

1 getting intercepted is really not good, and so that's part of
2 the feedback information that we'll be getting back from Dr.
3 Stokes, and we will react accordingly.

4
5 **CHAIRMAN STUNZ:** Mr. Boyd.

6
7 **MR. DOUG BOYD:** Thank you, Mr. Chairman. I'm not on this
8 committee, but I did have a question. Bob, if you could put up
9 that chart that showed the releases, the released alive and
10 released dead, I just have an observation. I'm assuming that
11 these are pretty accurate numbers, based on the reporting that
12 you've been talking about.

13
14 **MR. GILL:** They're all the data that have come in. It has not
15 undergone the QC that Dr. Stokes is doing, and so I would expect
16 to see some number changes. I would not expect to see
17 significant number changes.

18
19 **MR. BOYD:** What struck me, and I guess this has to do with
20 accuracy in the program and not necessarily this particular
21 data, but there is approximately 34,000 red snapper that were
22 kept. If you add those other two numbers together, the
23 discards, the released alive and the released dead, that's
24 39,000 that were released, over 100 percent discards in that
25 fishery, based on this reporting. That's a lot of discards.

26
27 **MR. GILL:** I agree, and that's why I showed this, and that
28 surprised me, but I'm not a data -- What is MRIP seeing, in
29 terms of percentages and all? I haven't gone back to look at
30 the MRIP data, to try and do that analysis, in part because,
31 until Dr. Stokes gets done, I want to see the results from all
32 of that, but, yes, I was surprised by the extent of the discards
33 as well.

34
35 **MR. BOYD:** One additional question. The released alive, were
36 those releases done with recompression devices of any kind, or
37 were they just I saw him swim away and so I assume he was alive?

38
39 **MR. GILL:** I don't know the answer to that. I suspect some of
40 both. As I mentioned, this is unobserved. It's self-reported
41 data. Johnny might be able to shed some light, but my suspicion
42 is that it's both.

43
44 **CHAIRMAN STUNZ:** Mr. Greene.

45
46 **MR. GREENE:** Mr. Boyd, I personally do use a descending device
47 to get it back down at some times, especially in deeper water.
48 In shallower water, say fifty, sixty, seventy feet, I did not.

1 It was one of those things. Now, I gave pretty strict
2 instructions to my crew that you keep up with every spot, and
3 you come up in between it. We had a white board, and they wrote
4 it up, and I was surprised.

5
6 I would have just, by running the boat and keeping up with GPS
7 and looking around and watching everything and holding the boat
8 up, I wouldn't have thought the numbers were as high as what
9 they were put in, but, being that we were doing it every spot,
10 it seemed to make it a lot easier at the end of the day. When I
11 left the last spot, all I would do is hit "send" and I was done
12 with it. I could erase the white board and get it ready for the
13 next day.

14
15 As far as when we used it, we did not use a descender device on
16 every single fish. It had to do a lot with the depth of water.
17 Now, if you threw them back and they were obviously dead, they
18 were dead. If they were trying to go back down, then I felt
19 like it was probably released. If I could see the fish go
20 completely out of sight, then I kind of figured he was probably
21 going to be dead.

22
23 That was one of those things that I didn't know where to really
24 draw the line, as far as released dead. If he was obviously
25 dead, then he was dead. If he floated struggling out of sight,
26 I kind of marked him as dead. Maybe I should have marked him
27 alive, but I wasn't sure. There wasn't a lot of guidance from
28 that, but, then again, this is a voluntary program. I didn't
29 want to get too down the road with a lot of guys, as far as
30 trying to make it so complicated that it was overwhelming.

31
32 **CHAIRMAN STUNZ:** I don't see any more questions, and thank you,
33 Mr. Gill, for an informative presentation. Just to summarize, I
34 did have a point or two of my own that I wanted to make, and one
35 just to follow up with the descender device, as a comment to
36 Doug and Johnny.

37
38 I think this obviously isn't the right place to bring this up,
39 but maybe in a different committee or another time. When you
40 look at a number like that 37,000 fish released, that's a little
41 alarming, and we see something similar in a variety of other
42 presentations, and I know this isn't the topic of your
43 presentation, but it does inform that maybe it's about time that
44 we start considering some of these descender devices, and I know
45 we went away from that in the past, but, as I have mentioned in
46 other meetings, we're seeing a lot of utility to these devices
47 in helping with that discard mortality, and so that's just
48 something to keep in mind.

1
2 The question, back to your presentation, Bob, and I think a lot
3 of discussion around this table is it's going to be really
4 important to have that information on the validation, as well as
5 that calibration, because what I see is exactly what you pointed
6 out, sort of this polarized fleet, where one representative gets
7 up and says they've been begging for this for years and they
8 want it at all costs, and then you have someone right behind him
9 that doesn't want it at all.

10
11 That makes, obviously, for a difficult decision for us, but it
12 concerns me a little bit the participation. You're giving away
13 the free device, other than, as you mentioned, the hiccup might
14 have been the monthly fee, and so you have to question what is
15 the desire of the fleet?

16
17 If you have the free device, it doesn't get much better than
18 that, but then the participation could be an issue, and I don't
19 know, and so that's obviously a difficult decision that we're
20 going to have to make here as we're evaluating this amendment
21 and what devices to use, and I don't know, but I'm just kind of
22 making a comment.

23
24 I don't have a point, but my last question is that fee, if that
25 really is a problem, that sixty-nine-dollar fee. Do they pay
26 that every month or if they're -- You mentioned they turn it off
27 after a while, or don't report, and can you pay month-to-month,
28 or is a yearly deal?

29
30 **MR. GILL:** They can do it either way. They can do it for a
31 total year, and there is some discounted amount, which I don't
32 remember, or they could pay monthly. If they deactivate, then
33 there's a reactivation fee down the road, and it pays if you're
34 inactive for two to three months.

35
36 If you're on again and off again, that doesn't work, and so
37 we've tried to work with them on that and encourage them to stay
38 in the program and contribute and build this database and access
39 it for their own usage, unless they're closing down their
40 operation for X months. Then, okay, they deactivate, and so
41 it's one of the factors that goes into how many trip reports
42 you're getting, but I don't know the answer to how many of those
43 are folks that are shutting down, and therefore not reporting,
44 and how many are due to other reasons.

45
46 **CHAIRMAN STUNZ:** Thanks for the informative presentation, Mr.
47 Gill. We will be, obviously, very interested in this
48 informative data you have on this for future discussion around

1 this table on where we want to go with it, and so we'll go ahead
2 and move on in the agenda. Leann, go ahead.

3
4 **MS. LEANN BOSARGE:** Just a little bit of administrative
5 business, but I need to get it on the record. We went into Full
6 Council at the very beginning of this meeting. Full Council was
7 officially recessed in order to go and conduct our committee
8 business until Wednesday after lunch. That's when we will go
9 back into Full Council, and so just, on the record, Full Council
10 recessed.

11
12 **CHAIRMAN STUNZ:** All right. Thank you, Mr. Gill. Moving along
13 in the agenda to Item Number V, Dr. Froeschke is going to lead
14 us through that. While he is getting ready, just to remind
15 everyone, a lot of activity has happened between our last
16 meeting and now, as far as data collection is concerned.

17
18 Just to bring everyone up to speed, the technical committee
19 convened, and we charged them with some things, and I attended
20 that, as well as a lot of others around this table, and John is
21 going to tell us about that, as well as the other big thing was
22 the advisory committee met, which dealt with this, which we will
23 hear some more about, as well as the public hearing webinar that
24 we had, and so there is a lot for Dr. Froeschke to kind of
25 discuss and Dr. Simmons. John, if you're ready to go over this
26 technical committee, that would be great.

27

28 **FOR-HIRE REPORTING AMENDMENT**

29

30 **DR. FROESCHKE:** Yes, I'm ready. What I would like to do first
31 is just quickly reorient everyone on Tab F, Number 5(b), which
32 is the document, and just refresh everyone on the actions and
33 the current preferred alternatives.

34

35 If you go to Action 2.1, Action 2.1 addresses the reporting
36 requirements for charter vessels, and this would modify the
37 frequency and mechanism. There are four alternatives. The
38 council has selected Preferred Alternative 4 that would require
39 trip-level reporting electronically for charter vessels, using
40 NMFS-approved hardware, and the report would be submitted prior
41 to arriving at the dock.

42

43 Action 2 is the exact same structure, except for it applies to
44 headboats rather than charter boats, and so I will skip to
45 Action 3. If you have any questions, please stop me. Action 3
46 addresses the trip notification and reporting requirements.

47

48 We discussed this at length last time. There are three

1 alternatives, and Alternative 2 addresses the hail-out. It
2 states that, prior to departing for each for-hire trip, a vessel
3 is required to declare, i.e., hail-out, a trip, including the
4 expected return time and landing location, as recommended by the
5 technical committee.

6
7 In addition to selecting this as preferred, the council also
8 selected Preferred Option a and b, which would encompass both
9 charter vessels and headboats. Preferred Alternative 3 deals
10 with the hail-in provision, which essentially means that you
11 would submit your information before arriving at the dock at the
12 end of each trip. There are two options. Option a applies to
13 charter vessels and Option b is headboats, and so the council
14 selected Preferred Alternative 3, Option a and b, and so both
15 hail-out and hail-in provisions have been selected as preferred
16 in Action 3.

17
18 Action 4 deals with the hardware and software reporting
19 requirements. As you recall, there are various types of
20 technology that have been discussed, namely cell-phone based
21 technology, where the GPS information is archived and
22 transmitted at sea, once in cellphone range.

23
24 A sort of intermediate software was considered that was a
25 portable VMS type of system, where it was portable like a
26 cellphone or tablet-based technology. However, it used a
27 satellite system, which essentially gives you world-wide access
28 to location reporting and those sorts of things.

29
30 Preferred Alternative 4 would require vessel operators to submit
31 fishing records via NMFS-approved VMS hardware or software that
32 provides vessel position and is permanently mounted to the
33 vessel, and so this is similar to what is currently used in the
34 commercial fleet, and it would remove confusion about if the VMS
35 was attached to the actual unit or to the vessel that was
36 actually fishing. This was considered, in terms of data
37 quality, the best, and this is what you all have selected at
38 this point.

39
40 If there are no questions about that, I can move to Tab 5(a),
41 and this was the technical committee. We had a webinar to
42 discuss details and provide recommendations as to what elements
43 should be reported in this program and the timing, meaning
44 before, after, or during the trip, and so, if you don't have any
45 questions on this, I am prepared to move into that.

46
47 **CHAIRMAN STUNZ:** Are there any questions for Dr. Froeschke?
48 John, I guess you're just sort of giving us the introduction of

1 what's the latest in the document, since the last time that we
2 met, but I guess my recommendation, if it's the pleasure of the
3 committee, is to sort of talk through the technical committee
4 and some of the advisory panels and public hearing comments
5 before we actually get into the meat of the proposal, if that's
6 good with everyone, or the amendment.

7
8 **DR. FROESCHKE:** Yes, and I have the committee report, which is
9 Tab 5(a). It summarizes the specific data elements that were
10 recommended. Do you want to do that now, or do you want to get
11 feedback from the public comments?

12
13 **CHAIRMAN STUNZ:** Unless anyone feels differently, let's go ahead
14 and go through what the technical committee had to say, and then
15 we'll move on to the public comments and then back to the
16 amendment.

17 18 **TECHNICAL COMMITTEE RECOMMENDATIONS**

19
20 **DR. FROESCHKE:** This is Tab F-5(a), if you could bring that up.
21 This was the second meeting of this group. It was held on
22 September 29. The charge of this group was to review a list of
23 elements that have been collected as part of other programs that
24 you reviewed last time, as well as a fairly comprehensive list
25 of elements under consideration, as proposed by the Southeast
26 Regional Office, that you also saw in August, at the last
27 council meeting.

28
29 The way the meeting went, we essentially went through each of
30 these items in turn. We discussed two things, really, how
31 important it was, meaning whether it was essential, whether it
32 was recommended, or not recommended. We tried very hard to not
33 rank everything as essential and high priority, as that does
34 little to help you all.

35
36 The other thing, as I mentioned, is when during the report this
37 would be submitted and how, keeping in mind that we were trying
38 to make this as simple as possible, noting that the software
39 could deal with certain elements, for example the start times
40 and dates and vessel IDs and things like that.

41
42 The way the report is organized, there are three tables, multi-
43 page tables. They are color-coded. This Table 1, which is in
44 yellow, this is sort of a -- There is a list of data elements
45 that the technical committee considered essential. If you look
46 at them in the comments, if you want to scroll down, we tried to
47 provide a brief rationale as to what benefit we felt that would
48 provide to the program.

1
2 On the far right column, it's labeled "submission type", and
3 what that means is, is that something that the vessel operator
4 would have to manually enter? Is that something that would be
5 dealt with by the software, meaning it would be auto-complete,
6 pre-populated, or perhaps something in the middle, and so we
7 tried to provide how we envisioned that.

8
9 What you will notice is that there are a large number of fields.
10 However, many of these are auto-populated. Computers are smart.
11 They are very good at remembering permit numbers and things, and
12 so it isn't something that you would have to type in every time,
13 but things like permit numbers, vessel numbers, trip types, trip
14 identifiers, and these are key elements.

15
16 One, they allow specific vessels to be assigned and matched to
17 specific trips. This is critical in estimating the total effort
18 on a trip-level basis by the fleet. This is the thing that we
19 have been told is most important in improving the quality of the
20 data, is just getting a better estimate on the total number of
21 trips taken.

22
23 The first four on there are this trip type, and, essentially,
24 what we envisioned here is that these would be required and
25 permanently affixed to for-hire vessels, but they may
26 occasionally engage in other activities, either commercial or
27 private recreational fishing, and so they could note that on the
28 software, and then they wouldn't have to have any further
29 obligation as part of this for the for-hire activity. If you
30 have a question, just please interrupt me. Otherwise, I am
31 going to go to page 2. This considers landing location, landing
32 date, landing time, and primary method of fishing.

33
34 **DR. LUCAS:** I do have one question, just on the submission type,
35 where it says auto-complete with custom defaults. Is that like
36 a drop-down menu custom defaults, or is it like always going to
37 populate and they have to correct it otherwise?

38
39 **DR. FROESCHKE:** What we envision is it would be a drop-down
40 menu, but it would be a default to a for-hire trip. If you
41 wanted to do a private recreational, you could just quickly do
42 it, but it would be smart enough to know what you do 95 percent
43 of the time. Continuing on Table 1, the elements --

44
45 **CHAIRMAN STUNZ:** John, can you hold on just a second? Mr.
46 Banks, did you have a question?

47
48 **MR. PATRICK BANKS:** Sorry to interrupt, John, but I have a

1 question about primary method of fishing. Is that meant to be
2 what the target is or what you spent more time doing? Certainly
3 we may go out to target tuna or something, but we end up doing
4 really well and get through with that very quickly and we spend
5 a lot of time bottom fishing, or vice versa.

6
7 **DR. FROESCHKE:** Primary method of fishing was added such that it
8 indicates what gear and how you intended to fish. We recognize
9 that you may have intended to target one species and then either
10 couldn't catch that and so you moved to something else or
11 something else came along, and the reason that we wanted that in
12 there is that, if you intended to catch something and then you
13 ultimately switched to something else, that tells us something,
14 because you may have switched because you couldn't catch them,
15 and so we felt that that was informative as part of the
16 identifying effort for the species-specific levels.

17
18 **MR. BANKS:** So it was the target? Is that right? Is that what
19 you're saying?

20
21 **DR. FROESCHKE:** The primary method, I think, is a gear.

22
23 **MR. BANKS:** Right, but I'm saying if we're trolling for tuna and
24 that's the target, but we ended up switching to bottom fishing
25 for reef fish, what would have gone in there? Would it be
26 trolling or bottom fishing?

27
28 **DR. FROESCHKE:** Trolling.

29
30 **MR. BANKS:** Okay. Thank you.

31
32 **CHAIRMAN STUNZ:** John, just to clarify, and I'm trying to
33 remember on this call too, and correct me if I'm wrong here, but
34 there was also some issues with -- I don't remember if it was
35 CPUE calculations or what, because, if you notice, spearfishing
36 is in there, and there's some other issues of whether you're
37 bottom fishing or spearfishing, and that's a lot of different
38 dynamics that they were trying to capture there, but I don't
39 remember the exact details of that.

40
41 **DR. FROESCHKE:** One thing that comes up fairly often are
42 analyses, for example, of if we want to estimate bag limit
43 reductions and things and what would happen in terms of a
44 reduction in total catch if you went from two fish to one fish,
45 for example.

46
47 Unless you know how many trips were taken targeting that
48 particular species that caught two fish, you can't accurately

1 make that analysis, and so we're trying to -- If you targeted,
2 for example, red snapper, but you didn't catch two and you
3 caught zero, whatever conditions allowed that, if you were to
4 say we switched and our target then became gray triggerfish,
5 that changes the analysis such that you don't get as accurate
6 information about what a bag limit reduction might do.

7
8 In order to understand how many trips are taken, that's always a
9 very difficult thing, because what you get is a logbook of
10 information and a trip was taken and you caught X, Y, and Z
11 species and how many. There is a great number of ways that you
12 can try to estimate what the target species was, but we know
13 that, in general, the total number of trips is not the right
14 number, because not every species is targeted on every trip that
15 we manage, but it's some number less than this, and we can use
16 this to try to get a better estimation of that. That's sort of
17 the nexus of what we talked about. I will go on.

18
19 This next page is landing location, landing date, time, primary
20 method of fishing. Again, these are just things that could be
21 quickly done by the software, and we don't envision those would
22 take three to five seconds. Most of that should be populated.

23
24 This third table on here is anglers, number of crew, hours
25 fished, and primary target species. These are information that
26 -- For example, the number of anglers would be provided at hail-
27 out. We would try to coordinate such that that's easy to do
28 with the software. We could build in auto-populated things, if
29 that was helpful. If you have a six-pack, you could put six or
30 something. Those sorts of things could be worked out.

31
32 Again, this primary target species is continuing on. The same
33 as with the gear type, it helps understand the catch rate for
34 various species, which is useful in estimating how quickly and
35 how many fish of a given species are caught in a given year or
36 time period.

37
38 This next one down really gets to the nuts and bolts of what I
39 think we envision, referring to species retained catch, released
40 catch, and disposition. These would be reported at sea. This
41 is the table that would comprise the bulk of the report, as
42 we're interested in. Essentially, it's the species that you
43 caught, how many, how many were retained, how many were
44 released, and what the disposition was. We would try to make
45 this as simple as possible, and, again, through smart software.

46
47 Then I think there are two more. There are a few more variables
48 here, and this is more to characterize the trip, in terms of

1 area fished. This is something that could either be reported in
2 broad areas or it could be auto-populated from the VMS software.
3 The same thing with the primary depth fished. We have talked a
4 lot about this, and it's one of those things that is easy to get
5 down in the weeds.

6
7 This is used really to understand what proportion of the
8 released catch are likely to die from barotrauma, and,
9 obviously, if you fish multiple depths throughout the day and
10 catch fish, that could be a lot of data collecting and
11 reporting, and we're sensitive to that. The way we have talked
12 about it is just a primary depth fished.

13
14 Obviously things like minimum and maximum and locations and all
15 of that could be used to make it better. I don't think that
16 that is necessary, or at least the technical committee didn't
17 feel that that was necessary for this at this time, and so it's
18 just a primary depth fished in feet.

19
20 The hail-out time and hail-in time, again, this would just be
21 part of the software. You would make those notifications, and
22 the time stamp would be part of the software or part of the
23 report. Then, last on this table, is the trip duration. This
24 is really essential both to note that the trip actually happened
25 and how long it was. Again, this could be part of the software,
26 where the start and end times are known, and so it's pretty
27 simple math to figure that out.

28
29 **CHAIRMAN STUNZ:** John, let me stop you right there. Mr.
30 Riechers has a question for you.

31
32 **MR. RIECHERS:** It's really two questions, John. On the first
33 one, I'm going to kind of dig in a little bit on this, because,
34 for two reasons. One is it's the primary depth fished question,
35 because, as we've talked about using VMS, that's been one of the
36 justifications for VMS versus other less-expensive methods that
37 we've also talked about.

38
39 In our current stock assessment, as I am recalling, we have a
40 fathom line, and we say within that fathom line there is X
41 percent mortality and, beyond that, there is X percent
42 mortality, and we're not any more sophisticated than that in the
43 current stock assessment, are we?

44
45 **DR. FROESCHKE:** That seems reasonable to me.

46
47 **MR. RIECHERS:** I am not saying that we might not find some value
48 in the future for this. We may, but it also seems we may be

1 designing this with more data than we actually can absorb into
2 the system at this time and actually use efficiently at this
3 time.

4
5 Part of it is we just don't have that analysis depth-by-depth-
6 by-depth-by-depth to determine those release mortalities as we
7 do that, and so I think that's one of the things we can think
8 about here, and possibly simplifying, even though, again, I
9 realize this was brought by the technical data committee as a
10 key piece of information.

11
12 The other one that I am thinking about, just as we think about
13 ease of reporting, is the hail-in and hail-out and the hours of
14 fishing time, because there is obviously a pretty proportional
15 value of fishing time to hail-in and hail-out time, based on
16 travel distance, if we can figure that out, and so there may be
17 another way to help with that in that kind of calculation.
18 Those have got to be highly correlated in some way, and so just
19 for thought purposes.

20
21 **CHAIRMAN STUNZ:** Dr. Ponwith.

22
23 **DR. PONWITH:** Thank you, Mr. Chairman. Mr. Riechers is right.
24 It's kind of a chicken-and-egg thing on the depth fished. You
25 may wish to constrain that, based on what is used in the
26 assessment right now, but the flip side of that is what's used
27 in the assessment is based on what is available.

28
29 What we have heard from the headboat fleet, in the design of
30 their data collection forms, is a chronic frustration before on
31 the fact that there was one space to write in what depth you
32 fished at, and everybody knows that nobody fishes at one depth
33 over the course of particularly a long trip.

34
35 It creates the question of what do you put there, and so this
36 is, in part, responsive to that, but the other part of this is
37 that, the more data we can collect by species, by water
38 temperature and what sort of mortality rates we're looking at,
39 the more possible it becomes to actually credit the industry
40 with differential mortality rates, and the same thing is true
41 when we start using descending devices.

42
43 Right now, everybody is encouraged to use these. What would be
44 great is if we could collect enough data on what happens when
45 you use them compared to when we don't that we could actually
46 give the industry a differential mortality rate for successfully
47 using those, but, to do that, you have to be able to quantify
48 what that rate would be.

1
2 I understand the concern. It's a desperate tangle to try and
3 manage these collections so that they're simple enough and we
4 get the core data, but I also want us to be thoughtful about how
5 we make those difficult decisions about what is in versus what
6 is out, and so it's not an easy question, but that's the kind
7 of, I think, forward thinking that we need to apply as we're
8 making those decisions.

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

11
12 **MR. GREENE:** I think this is something that would be very simple
13 to do. In the current CLS thing, we have a minimum depth fished
14 and a maximum depth fished and an average depth fished. It was
15 very simple to keep up with.

16
17 Now, one thing I want to point out, and I agree with Mr.
18 Riechers on his comments about stock assessment and collecting
19 data. However, in my area of the Gulf, off of Alabama, we have
20 tons of artificial reefs out there. If we're in 140 feet of
21 water, typically I will come over and say, okay, guys, drop them
22 down about seventy feet and stop. I was not fishing on the
23 bottom.

24
25 I have heard Mr. Fischer make this argument many, many, many
26 times. At whatever depth the fish are caught versus what the
27 overall depth is is different. You are going to have different
28 mortality rates released on your fish. If you have red snapper
29 swimming around at the top of the water and you catch them out,
30 you don't need a descender device to release them, because they
31 were right there.

32
33 There is room for improvement, and I don't think this would be a
34 big burden, because I think most every fisherman will tell you
35 that. Now, I understand the Gulf is a very big area, and some
36 people catch them in deep water, as do I, and, when those fish
37 come up, you can see they're almost sizzling from the gases
38 coming out of them. They're not going to do so well, and that's
39 where a descender device would come in.

40
41 I think this is a pretty simple compromise, and I applaud the
42 way that this was put together in this document, with the
43 highlighted and essential and so on, and so my compliments to
44 you guys.

45
46 **CHAIRMAN STUNZ:** Dr. Froeschke, go ahead.

47
48 **DR. FROESCHKE:** Now I would like to move to Table 2. Just for

1 your information, the technical committee, the way that we
2 proceeded in arriving at a recommended or essential is we didn't
3 vote. We tried to reach a consensus. It's possible that some
4 members may have felt differently, either that something should
5 have been essential when we have it as recommended or not
6 recommended and we have it.

7
8 If you talk to anybody that's on this, it may vary, but we tried
9 to do this in a way that was meaningful for you without getting
10 more complicated than was necessary, and so these items are what
11 we have as labeled as recommended, meaning that they were not --
12 We didn't feel they were necessary to meet the essential
13 elements of the program, meaning an element is specifically
14 required to calculate an estimate of catch and effort by
15 species.

16
17 However, for reasons that Mr. Greene just mentioned, things like
18 minimum and maximum depth could be very informative, and they
19 may not -- If you're catching fish in ten feet when you're in a
20 hundred, the ten is obviously the relevant number, rather than
21 the hundred, but that wouldn't be captured just by what we have
22 as essential.

23
24 I think the other part of this that I will mention are the fuel
25 quantity and the fuel price. These are the socioeconomic types
26 of inputs that the economists certainly are interested in. We
27 had some discussions about how easy this information would be to
28 collect in a reliable and accurate way, one because we may not
29 have a good way to validate, and two is the vessel operators may
30 not have access to all of this information at the tips of their
31 fingers, either because they don't fuel the boat on a per-trip
32 level basis or that's something that the person is operating the
33 vessel may not have that information, because they don't do it.
34 They're not the owner.

35
36 We don't have those listed as essential for that reason, but
37 they are included, and there may be other opportunities to
38 collect that information, either after the trip is completed or
39 as a subset or something else, and so we would be interested in
40 your feedback on that.

41
42 If you continue to the next page, with these same blue elements,
43 there is passengers and other socioeconomic kinds of
44 information, and then the secondary method of fishing, which
45 addresses what we talked about earlier, when perhaps you
46 switched gears or something like that. If there are no
47 questions on that, let's go to Table 3.

48

1 **CHAIRMAN STUNZ:** John, Dr. McGovern has a question for you.
2
3 **DR. JACK MCGOVERN:** John, my question is you mentioned that the
4 technical committee said information could be provided after,
5 but the amendment itself has all at-sea reporting, and so I am
6 wondering how the amendment would accommodate reports that came
7 in after the trip was completed.
8
9 **DR. FROESCHKE:** The amendment currently, as you note, doesn't
10 address that. I think if there are specific elements that --
11 Again, these are recommendation. If the council wanted to be
12 very specific in what they required or if these are passed
13 along, I am not sure how that could be handled. In looking at
14 the list, the way I guess I was assuming it, it was that we
15 would include the yellow elements and not the blue ones, nor the
16 Table 3 elements, but I have no idea if that is your intent at
17 all. I guess that's up to you all on how you want to proceed.
18
19 **CHAIRMAN STUNZ:** John, maybe we can think about it a little as
20 we go through the table here, but I think that is a good point
21 that Dr. McGovern brings up. To me, it seems like once the
22 captain enters the data that they want to be done with the trip.
23 You don't want to go back with it at a later date, but then we
24 have the at-sea thing going on too, and so I would just keep
25 that on the table in our minds as we're talking back through
26 this, but I know that Mr. Riechers has a question as well.
27
28 **MR. RIECHERS:** John, on Table 2, the second page of Table 2,
29 passengers, and I certainly understand the comments about, in
30 the committee recommendation submission type, regarding whether
31 people have paid or not and how that might introduce some
32 questions regarding economic analysis, but it just strikes me as
33 a little odd that we didn't want to include passengers, so that
34 we could get a bag limit analysis there. Is the belief there
35 that we can get an average number of participants per trip or
36 what was the discussion surrounding that?
37
38 **DR. FROESCHKE:** Our discussion centered largely around whether
39 to include the crew or not. You will notice, in the
40 description, it says not including the crew. The other part of
41 that is we talked about people that were on the trip that
42 weren't fishing, which is allowed, and so we were just trying to
43 have some discussion about how those could be used to estimate
44 catch per unit effort. Ultimately, we noted this as recommended
45 and not essential, and so it may not have got as detailed a
46 discussion of this. It was a four-hour thing, and we had a lot
47 of elements, but that's what I can recall that we talked about.
48

1 **MR. RIECHERS:** You have anglers up top, as I just scrolled up
2 and made sure, because I thought I had seen it up there. Maybe
3 it's in our comments here that just make it a little more
4 confusing, because, yes, what you are -- Maybe it's just the way
5 I read it.

6
7 It's not really about the bag limit analysis. These are
8 seemingly unpaid passengers, and maybe unlicensed passengers,
9 that you're referring to. If they are licensed and on a trip, I
10 think we almost have to consider them an angler, unless -- I
11 mean, if they're boarded, they're going to be considered an
12 angler, at least until they somehow document that they weren't
13 fishing at all, or at least that's what I would think, unless
14 Lieutenant Commander wants to weigh in on this.

15
16 **LCDR DANAHER:** You're bringing up a point that I was going to
17 ask. If you've got these other passengers that are on there,
18 and they're not fishing, the threshold, I am not mistaken, is,
19 what, fifteen or more? Is that what we're looking at for the
20 headboats?

21
22 **CHAIRMAN STUNZ:** Yes, but this would apply to others as well,
23 smaller boats.

24
25 **MR. RIECHERS:** It would be charters as well.

26
27 **LCDR DANAHER:** If they're onboard and they're fishing, it's
28 going to be a permit inspection. We're going to want to know
29 that they're within their bag limits.

30
31 **CHAIRMAN STUNZ:** Mr. Greene.

32
33 **MR. GREENE:** I will speak to that with some knowledge, because,
34 in some areas of the Gulf, you will have passengers. In other
35 words, when you go to get on a vessel, you can buy a ticket to
36 fish or a ticket to ride. You have riders that go along. They
37 are non-fishing anglers that are participating, and I think
38 that's probably along the lines of why you see the difference
39 between anglers and passengers.

40
41 Now, crew and whether or not the crew fished is a whole other
42 level as well, but I think it pretty well encompasses that,
43 because you could simply have anglers and drop box and number of
44 anglers fishing, number of people riding, because, in my mind,
45 an angler and a passenger are different, but I think this
46 captures it, and I think that's where maybe some of the
47 confusion is.

48

1 **CHAIRMAN STUNZ:** Right. That was right, Johnny, and, also, a
2 lot of this was brought up from the economic side of this as
3 well, when they're trying to calculate those parameters. John,
4 maybe what could happen here is just some better definitions and
5 comments, so everybody is really clear, because, having sat in
6 on this meeting myself and reading this document, I was confused
7 at first as well and had to reread it, and so that's probably an
8 indication that we need to clean that up just a little bit, but
9 go ahead, John.

10
11 **DR. FROESCHKE:** Okay. This last section is Table 3, and these
12 are elements that, after some lengthy discussion, we identified
13 as not recommended. Primarily, we felt that the information
14 they provided relative to the effort that was required to
15 provide this information just wasn't a good value, and some of
16 these are pretty far down in the weeds, like number of hooks and
17 types and hook manufacturer and the hook number.

18
19 All these kinds of things can be useful, in terms of selectivity
20 and discards and all of this, but we're not quite there yet.
21 From a management perspective, I don't think we're on the cusp
22 of doing that, and this could be pretty tedious to provide, and
23 so those are the kinds of things that, at some point, had been
24 proposed that we had tried to not to do.

25
26 Then I will just show that -- There is two other ones on here,
27 at the very bottom of the second page on this table. It's
28 charter fee and crew pay. These are two fields that, from an
29 economic perspective and doing economic analysis, they felt
30 there was a lot of value in these.

31
32 However, we discussed that there could be quite a bit of
33 pushback from the industry about providing these on any level.
34 We felt like the ability to validate these would probably be
35 limited, and, given that there may not be a lot of support from
36 the industry to provide this information, we didn't want to
37 compromise the quality of the other data elements to get these
38 kind.

39
40 **CHAIRMAN STUNZ:** Dr. Ponwith.

41
42 **DR. PONWITH:** Thanks very much. What the charter fee was has
43 very little to do with a catch estimate of what was caught. All
44 that aside, that charter fee is absolutely crucial information
45 for understanding the economics of the fishery and the economic
46 impact of that fishery.

47
48 If there is another way to collect those data, I think that it's

1 something that we can talk about, as opposed to doing that as an
2 at-sea data collection, but I can't stress enough how crucial
3 those data actually are to understanding the economics of the
4 recreational fishery, because those fishers are not going to a
5 fish house and selling their catch.

6
7 It's a way for us to understanding willingness to pay and some
8 of the other measures of economic impact of the fishery, and so
9 I wouldn't be troubled about partitioning it from the actual
10 landings estimation process, but it's something we really can't
11 afford to lose. It's really important.

12
13 **CHAIRMAN STUNZ:** Bonnie, there was a lot of discussion on the
14 call to that very comment that you're bringing up, and,
15 essentially, what some of the economists said there was that --
16 Everyone agreed that that's critical information, but they would
17 -- Even if we had this information, they would be getting at it
18 with a separate survey anyway, and so that was kind of where it
19 centered around.

20
21 I still feel like it is something of value, and then also the
22 whole point that some of the captains had mentioned that
23 providing that information created some problems with the trip
24 and that sort of thing, but, Mr. Greene, did you have a
25 question?

26
27 **MR. GREENE:** Just a comment. Several years back, I was notified
28 through HMS to participate. I had been a random draw
29 participant to participate in the economic survey. They mailed
30 me a packet of forms, a packet of pens to write it out with, and
31 it was sent to my house. At any time I was doing an HMS trip, I
32 had to fill it out.

33
34 It was how much I charged for the trip, how many people were
35 onboard, how much bait I used, how much fuel I used, how much I
36 paid for ice, whether or not I had an ice machine on the boat or
37 not, how much my fish box would hold, and it went through this
38 whole thing.

39
40 It was, as with anything paper, it was a little redundant, but
41 every time I did one, I would have to mail it in and send it.
42 They sent self-addressed, stamped envelopes. They made it
43 extremely simple, and I certainly didn't mind doing it, but I
44 just had to remember to do it, because it was something I had
45 never done before.

46
47 I don't know in what capacity HMS used that, but obviously there
48 was a reason, and so it was a third-party person. It was done

1 out of Virginia. They went through it, and there were several
2 of us in my community that were participating in it, and I think
3 it was just a random draw of permits to do that, and so there
4 has been some of that information provided to them. If we find
5 that this is something necessary, maybe we can do a similar type
6 of function, if needed.

7
8 **CHAIRMAN STUNZ:** Yes, and I think that brings up a good point of
9 a general point that I have of, after listening to this call and
10 just all of our discussion here, is that I would recommend that
11 we start off simple, with these critical, essential data
12 elements.

13
14 I feel like we're really going to need to get the buy-in from
15 the fleet and get the system working. In my mind, the beauty of
16 electronic reporting is the adaptability, and I certainly agree
17 and see the value in having long-term consistent datasets, but I
18 envision that we're going to go through a process of a year or
19 two of getting this right, what's working and what's not
20 working, and defining what's a passenger and what's a fisherman
21 or angler on the boat and that sort of thing.

22
23 It will kind of evolve, and, in my mind, I wouldn't want to
24 start off so heavily burdened with a whole lot of data
25 collection that that overburdens the system, but get it working
26 with the essential stuff, and then we can slowly build this type
27 of information in, as needed, but, John, do you have some more
28 comments on the report, or, Dr. Lucas, did you have a question?

29
30 **DR. LUCAS:** I kind of have an overall question, because I
31 noticed when one of our programs for electronic monitoring -- We
32 had to go through MRIP certification, and they bring in
33 independent statisticians that look at things, which is why I
34 asked the question on some of the auto-populate.

35
36 I am assuming this program will follow the same or similar type
37 of pattern, where they install it and then MRIP will essentially
38 have to have like a third-party verification and stuff to accept
39 it into the program.

40
41 **CHAIRMAN STUNZ:** I don't know, John, if maybe you can comment on
42 that. A lot of the committee members on this technical
43 committee are involved in that very process, and so I would
44 assume that would be the case. Plus, I would feel like we would
45 want to have some type of independent review, to make sure we're
46 on the right page, but, John, do have any input on that?

47
48 **DR. FROESCHKE:** I don't have much else. Maybe Dr. Ponwith would

1 know, but I would imagine that it would be something that
2 couldn't be used for the best available data until we had some
3 mechanism to certify that it was the best.

4
5 **DR. PONWITH:** The question is specifically about how to
6 transition to this operationally?

7
8 **CHAIRMAN STUNZ:** I don't know as much as a transition, or is it
9 going to be sort of an example of does it need to get MRIP
10 certification or approval that this going to generate data
11 that's valid for the purpose intended.

12
13 **DR. PONWITH:** I would say absolutely. Again, it would be a
14 matter of looking at the current process and then looking at
15 this getting a complete a review of this, to make sure that the
16 base premise of how this is being carried out is valid.

17
18 Then, once that is done, then it is a matter of doing a
19 calibration, so that it isn't a disruption in the time series,
20 which, of course, to some extent, that time series is used in
21 assessments, and so that's a cherished time series.

22
23 **CHAIRMAN STUNZ:** Dr. Froeschke, is there more that you have for
24 the committee summary report?

25
26 **DR. FROESCHKE:** No, that's all I have for this, unless there are
27 other questions.

28
29 **CHAIRMAN STUNZ:** All right. Any more questions considering the
30 report? John, just to say that I should have led in with this,
31 but this was very enlightening and very thoroughly discussed.
32 There was great participation for a webinar. A lot of thought
33 went into this, and so I appreciate you spearheading this and
34 putting it together, because I think this provided a lot of
35 information that we're going to need as we have these
36 discussions concerning this amendment around the table. Is
37 there any more questions concerning this?

38
39 We are to our break time, and this might be a good spot to take
40 a break. Just to let everyone know sort of where we are, Dr.
41 Simmons -- We will hear some information about the AP comments
42 to this data collection, as well as the Reef Fish Advisory Panel
43 and the summary of the public comments. Maybe, shortly after
44 the break, we could do that, and then we can get back into
45 actually talking about this amendment.

46
47 (Whereupon, a brief recess was taken.)

48

1 **CHAIRMAN STUNZ:** We will get going. I think the best way to
2 proceed here is Dr. Simmons and Dr. Froeschke can give us some
3 information on the comments from these latest APs and public
4 comments that we had, but, before we actually get into that,
5 Lieutenant Commander Danaher wanted to follow up on a comment
6 that Mr. Riechers asked about passengers onboard who were
7 fishing and who weren't fishing that might give us some
8 information on some of the data fields that we were talking
9 about.

10
11 **LCDR DANAHER:** Thank you. The point I want to go back to us,
12 when you look at the CFR, it is pretty vague, because it's just
13 specifying that you're a paying passenger, and so, when you
14 start getting into who is actually an angler and who is on there
15 to suntan up on the bow -- I mean, technically, by the CFR, you
16 could hold bag limits for those other passengers, even if
17 they're not fishing, but that certainly makes it confusing.

18
19 Usually, by how we do the boarding, we are looking for who is
20 technically out here participating in fishing, who is holding
21 permits to do this, but the CFR, you're correct, it makes it a
22 little confusing.

23
24 **CHAIRMAN STUNZ:** Thank you. Bonnie.

25
26 **DR. PONWITH:** Thank you, and I think, if I were to approach
27 this, just from a scientific first principles, the way you word
28 that and the way you collect those data, you want to begin with
29 the end in mind.

30
31 To me, the number one most important thing that you want out of
32 that question is a proper catch per unit effort, how many fish
33 were caught, how many people were catching them, and how long
34 were they at it, to get catch per unit effort, because, for
35 anything, catch per unit effort is one of the most crucial and
36 most basic data elements, particularly when you have situations
37 where you have to expand that to get total catch.

38
39 I think, looking at those questions to get anglers and get at
40 landings, it should be with that statistic in mind, and maybe
41 that can help us make decisions about the best way to word that.
42 Other people on the vessel -- I know that there was interest in
43 getting who else was on the vessel, other than anglers and that
44 may have social science implications, econ implications, but,
45 really, that crucial element is the catch per unit effort.

46
47 **CHAIRMAN STUNZ:** Mr. Greene.

48

1 **MR. GREENE:** I just wanted to weigh in on this. This CLS
2 program is the only one that I have ever participated in that,
3 but, in that, we had a form that came down, and you put your
4 permit and the captain and numbers. Then you swipe over, and
5 the next screen you came to was number of anglers or whether or
6 not it was a fare-paying charter. Then it was the number of
7 anglers, and the number of fishermen onboard was the secondary
8 box.

9
10 In my case, those numbers were always the same. However, in
11 other situations, it may different, and there was an avenue to
12 do that, and it was very simple. Now, whether or not they kept
13 a bag limit for that total of the two or just one, I can't speak
14 to, but Lieutenant Danaher and I were looking at the CFR, and
15 it's certainly within legal parameters that you could keep that
16 bag limit for the total number of people on the boat.

17
18 **CHAIRMAN STUNZ:** So is this then, in your opinion, just a matter
19 of semantics and getting the wording right? Just to be sure
20 what you just said, it's anglers and then the next thing you
21 said were fishers, and so it's anglers and fishers? I thought
22 you were about to say anglers and passengers, anglers and the
23 number of -- I am trying to figure out, to give staff some
24 guidance on what we say here, in terms of what do we call it,
25 but go ahead.

26
27 **MR. GREENE:** I would think that the way you should do it, and I
28 am struggling to remember what it says, because I look at it all
29 the time, and I just go through it so quickly now, but I think
30 the simplest way to do it, and I think it may work for the Coast
31 Guard, is to have a drop-down box with total number of
32 passengers, because that's what he wants to know.

33
34 Then the next thing would be number of anglers, and then that
35 would simplify everything, because, if they're on a fare-paying
36 vessel, they have to have life jackets and flares and all the
37 equipment for that, and so they have to have that. They cannot
38 exceed that, and I think that would really simplify it and make
39 it very simple, because a passenger, it's clearly defined who
40 that is. An angler, maybe not so much, but it would have big
41 implications for Bonnie's office to go forth with that.

42
43 **CHAIRMAN STUNZ:** Okay. John, are you clear on that? Does that
44 make sense for these discussions we've been having?

45
46 **DR. FROESCHKE:** Essentially, you're asking that, under the
47 essential elements, we would require both an element for number
48 of passengers and an essential element for the number of

1 anglers?

2
3 **CHAIRMAN STUNZ:** That's my understanding. If there is no other
4 comments regarding that, Dr. Simmons, do you want to talk us
5 through some of the AP comments?
6

7 **AD HOC RED SNAPPER CHARTER AP COMMENTS**
8

9 **DR. CARRIE SIMMONS:** Yes, and thank you, Mr. Chairman. Good
10 morning, everyone. We had two different APs, two different
11 groups, look at this document, and so what I would like to do is
12 start with the Ad Hoc Red Snapper Charter AP, and that's going
13 to be Tab B, Number 10(b).
14

15 Dr. Dana was our council representative for that meeting. It
16 was held in Kenner on September 26 and 27. Fourteen out of
17 nineteen of the members were present during this meeting, and,
18 after they discussed Amendment 41, they also discussed this
19 document, at the end of the day, and so let's go to page 6 of
20 the report, please.
21

22 Basically, they went through it action-by-action after the staff
23 provided an overview. In Action 1, that addresses the frequency
24 of the electronic reporting for charter vessels, the AP
25 discussed that some members felt it would be difficult to report
26 electronically the catches of their passengers before reaching
27 the dock, but other AP members noted the difficulty to
28 accurately recall landings information following the day of the
29 trip.
30

31 Then, in regards to Action 3, which would require the charter
32 vessels to notify NMFS of the departure hail-out and return
33 hail-in requirements, the AP noted that -- Some of them felt
34 that that could be accomplished already under a VMS system and
35 may not be necessary.
36

37 In regards to Action 1 and Action 3, in Action 1, they supported
38 Alternative 4 as the AP's preferred alternative. I think, if
39 you go to the top of page 7, that's the motion that carried. It
40 was seven to three with one abstention. Then, in regards to
41 Action 3, they supported Alternatives 2 and 3 as the preferred
42 alternatives, and that motion carried nine to two with one
43 abstention.
44

45 It should be noted that they did not make any motions on Action
46 2, because that is in regards to the headboat frequency of
47 reporting, and this panel was charter vessels, and so they
48 abstained from making any motions, I believe, regarding that

1 action, due to that.

2
3 Then, in regards to Action 4, which addresses the hardware and
4 software requirements for submitting fishing records and
5 providing locations, they discussed that they preferred
6 Alternative 3 over Alternative 4 because -- Some of them felt
7 that the equipment should not be permanently affixed to the
8 vessel.

9
10 They raised a point that while catch and effort and spatial
11 information is needed, that information was not needed to be in
12 real time, and they felt that the collection of real-time vessel
13 data collection would be more expensive than the archived GPS
14 capabilities that were in Alternative 2, and so they passed the
15 following motion, which was, in Action 4, to select Alternative
16 2 as the preferred alternative, and that motion carried
17 unanimously.

18
19 I will stop there and see if I have any questions, and then Dr.
20 Dana could always help me if I can't answer them, because I
21 actually didn't attend this meeting in person. Also, I wanted
22 to note that Captain Mike Nugent is also in the audience, and he
23 was on the AP, and so, if you guys have any specific questions,
24 he also could help us answer them.

25
26 **CHAIRMAN STUNZ:** Any comments or questions regarding the AP's
27 recommendations? Seeing none, we will go ahead and move on.
28 Dr. Simmons, are you or Dr. Froeschke going to talk about the
29 Reef Fish AP comments?

30
31 **REEF FISH AP COMMENTS**

32
33 **DR. SIMMONS:** That's me. I will do the Reef Fish, too. If
34 there are no questions on the previous one, we also put this
35 document before the Reef Fish AP, and this is going to be Tab B,
36 Number 13. This meeting was held in Tampa on October 4 and 5,
37 and Mr. Ed Swindell was our council representative at this
38 meeting.

39
40 We had fifteen members present out of twenty-three for this
41 particular meeting. If we start on page 9, this is where the
42 charter/for-hire reporting requirements were discussed. They
43 reviewed the document after staff went through it step-by-step,
44 and they made motions regarding each of the actions. We will
45 start at the bottom of page 9.

46
47 They supported the council's current preferred alternative in
48 Action 1, which is Alternative 4. They also supported, in

1 Action 2, the council's Preferred Alternative 4, and you can see
2 the votes were fourteen to zero with one abstention regarding
3 those two actions.

4
5 Then, if you go to the next page, on page 10, the top of page
6 10, they discussed Action 3, and they supported the council's
7 Preferred Alternative 2 and 3, Options 2a and 2b, and Options 3a
8 and 3b, which is the hail-out and hail-in requirements that the
9 council currently has as preferred alternatives.

10
11 They also discussed the requirement in Action 4 for the VMS and
12 the potential complications, in the event of failure, and so
13 they wanted to emphasize that adequate back-up solutions are in
14 place, such that a trip is not lost due to any problems that may
15 occur due to malfunction of hardware or software, and they
16 passed a motion stating a preference for the development of this
17 type of back-up system that is not currently considered in the
18 document, and so they're asking that the council consider that
19 and have something written in the document regarding this, if
20 something is -- If they move forward with VMS, that, if there's
21 a problem with it, that there's a back-up.

22
23 By a vote of fifteen to zero, and this is at the bottom of page
24 10, the AP recommends that the council adopts Action 4,
25 Preferred Alternative 4, the current preferred. It reads that
26 the council develop a fail-safe emergency method to run for-hire
27 trips if the VMS fails.

28
29 Then, by a vote of thirteen to one and one abstention, the AP
30 recommends that the council use the existing VMS call-in system
31 for hail-in and hail-out in the case of a VMS system failure or
32 in the for-hire electronic logbook program.

33
34 Then they discussed funding, and they discussed the fact that
35 the commercial sector had received assistance regarding the VMS
36 units, and the AP really thought that it was important to allow
37 the for-hire component the same courtesy. The current pilot
38 that Mr. Gill spoke of earlier was discussed during this
39 document review, but they requested that funds be made available
40 to offset the purchase of the VMS units, regarding the hardware
41 and software, and they passed the following motion.

42
43 By a vote of fourteen to zero and one abstention, the AP
44 recommends, in the event that NMFS requires electronic logbooks
45 for the for-hire sector, that funds be made available to offset
46 the purchase of units, hardware and software, as in the case of
47 the commercial industry, and that concludes my report.

48

1 **CHAIRMAN STUNZ:** Any questions or comments concerning the Reef
2 Fish report? Carrie, I am having a little trouble following the
3 Reef Fish versus the For-Hire. The Reef Fish basically wanted
4 everything the same, in terms of what our preferred alternatives
5 were, and is that right?
6

7 **DR. SIMMONS:** Correct. Then they just thought, if the council
8 moved forward with Action 4, Preferred Alternative 4, which
9 requires the VMS, that they consider this fail-safe method, and
10 they also -- The council also consider a fail-safe method and
11 also consider potential funding opportunities, and they passed
12 those following motions.
13

14 **CHAIRMAN STUNZ:** Okay, and that's certainly a point of
15 discussion that we probably need to have a little bit later, is
16 the funding, but can you remind the committee here -- There is
17 obviously a big number difference. We're talking about almost
18 1,300 charter/for-hire versus how many -- What type of subsidy
19 or how many were subsidized for the commercial, do you know,
20 just a ballpark? I am just trying to get a general feel.
21

22 **DR. SIMMONS:** I don't have those numbers off the top of my head.
23 It would probably be around 300 or 400, I would assume, but I
24 don't have that. Maybe Ms. Gerhart. She has her hand raised.
25

26 **CHAIRMAN STUNZ:** Okay, yes, and so a lot less. Go ahead.
27

28 **MS. GERHART:** It was around 800, actually.
29

30 **CHAIRMAN STUNZ:** Around 800? Okay. Thanks. Then, back to the
31 charter/for-hire, and sorry, but we kind of went through that
32 quick, Carrie. I guess maybe we can do this a little bit later,
33 as we discuss it, but was there a summary of which of our
34 preferreds, compared to -- I am trying to reconcile the Reef
35 Fish versus the Charter/For-Hire, which obviously probably were
36 -- I don't know how much overlap was there or wasn't about what
37 they wanted us to change our preferreds to, and could you go
38 over that just quickly one more time, please?
39

40 **DR. SIMMONS:** I believe the difference was that the Red Snapper
41 Charter/For-Hire suggested that a difference could be made in
42 Action 4, which is the archived GPS unit, and I believe that's
43 Alternative 2. That was the difference, whereas the Reef Fish
44 AP was in line with what the council has currently for their
45 preferred alternatives.
46

47 **CHAIRMAN STUNZ:** Okay. Good. Thanks for clarifying that. Any
48 other questions or comments regarding those AP panels? Then the

1 last two are the summary of the public comments and then the Law
2 Enforcement, if you guys want to brief us on those.

3
4 **SUMMARY OF PUBLIC COMMENTS**
5

6 **DR. FROESCHKE:** I can do those. That's going to be Tab F,
7 Number 5(d), and there are two parts to this. The first part
8 here is we held a webinar public hearing on September 28.
9 Emily, from our staff, led this, and then I was there and Greg
10 Stunz and some other staff were there to answer questions.

11
12 We had pretty good participation. We had twenty-three members
13 logged onto the webinar from all over the Gulf. We gave a
14 presentation highlighting the proposed actions and preferred
15 alternatives. We had three members of the public that gave
16 public testimony. One was strongly against this, and he
17 preferred no action be taken on all accounts. We had two others
18 that were supportive of the current preferred alternatives and
19 were in support of this idea to improve the data collection.

20
21 We also received a number of written comments. As of October
22 11, in general, the way they're broken down is action-by-action.
23 What I have found is that you have some of everything. In
24 general, it seems that it can be distilled down to two groups,
25 one group that is strongly supportive of the status quo and
26 would prefer not to have any of this and a second group that
27 supports virtually the program as proposed and is ready to make
28 it happen.

29
30 There are nuances in those, and, if you look through the
31 document, and I won't read all the bullets to you, but that was
32 my interpretation of this. There is some that noted the idea
33 that reporting on days that you didn't fish and things like that
34 could be burdensome, and there, of course, was things that the
35 charter industry is minor compared to the private anglers and
36 all of those kinds of things, but, in general, that's my
37 interpretation of it, and I am happy to answer any questions
38 about that.

39
40 **CHAIRMAN STUNZ:** I am not seeing anything, John. Go ahead.

41
42 **DR. FROESCHKE:** Okay. One thing, which is just my two-cents on
43 the public hearing webinar, is I found it to be very informative
44 discussion. I have discussed this with a number of staff, but
45 what I think is very useful about these is that the participants
46 get to hear the participants all over the Gulf, instead of going
47 to a local public hearing and they only hear a few other people
48 that may be in their same fishing group that strongly believe --

1 They have similar thoughts to them, and so it's hard for them to
2 get the diversity of opinions about everything that you all do,
3 and this gives them an opportunity to hear everybody. Not
4 everybody agrees on everything, and almost nobody agrees on
5 anything, and so that's sort of your perspective, and so it's
6 interesting for them to also hear that as well.

7
8 In terms of participation and things, we can reach out and -- It
9 seems like an efficient way to reach a large number of people in
10 a pretty friendly forum, and so that's what I have about that.

11
12 **CHAIRMAN STUNZ:** Okay. Just to follow up on that, sitting in on
13 that, I agree with what Dr. Froeschke said there completely,
14 but, as it specifically relates to this amendment, and it's
15 captured in Mr. Gill's presentation that we saw too, are these
16 two polarizing groups, so that really want it and some that
17 really don't, and so that obviously is going to be a challenge
18 for us as we start going through this document and seeing, I
19 guess, where we land, but, before we do that, which is how I
20 would like to spend the last hour of this committee, why don't
21 we go ahead and discuss the Law Enforcement Committee, and then
22 I think we'll have the full picture to start our discussions.

23

24 **LEC SUMMARY OF PUBLIC COMMENTS**

25

26 **DR. SIMMONS:** Okay. Thank you, Mr. Chairman. Just before I get
27 into that report, I just wanted to remind everyone, and John may
28 have said this and I missed it, that we did do another federal
29 mail-out for this document prior to -- I think it was at least
30 two weeks prior to the webinar public hearing, and we got a lot
31 of calls and a lot of feedback from that, and I always think
32 that's very useful for us before we have a webinar-type public
33 hearing. It really lets people know what the council is working
34 on, and so we did do that again.

35

36 I will go to the Law Enforcement Committee. It's Tab L, Number
37 4. This was just put up on the website, I believe, last night,
38 and so, if you go to the bottom of page 2, where they discuss
39 the modifications to the charter and headboat reporting
40 requirements, they basically focused, it looks like, on the
41 Action 3, the hail-in and hail-out requirements, and they didn't
42 really have any comments, I guess, on the hail-out requirement,
43 because I guess some of the officers don't receive those
44 notifications.

45

46 Basically, the for-hire vessels are departing and returning from
47 well-known locations, in the same location, on a pretty regular
48 schedule, and most of the --

1
2 **CHAIRMAN STUNZ:** Carrie, can I stop you just real quick there?
3 For those that are following along, just a point of
4 clarification. On the web, I think there might be a little
5 confusion on what tab. This is Tab L, Number 5, and it's
6 specifically on the webpage, if you're trying to find it.
7 Sorry, Carrie, but go ahead.
8
9 **DR. SIMMONS:** I apologize. What did I say? Did I say Tab F?
10 It's Tab L, Number 4.
11
12 **CHAIRMAN STUNZ:** No, you said L, but it's L-5, at least on the
13 webpage, is where I'm finding it.
14
15 **DR. SIMMONS:** I'm sorry. I was looking at the agenda. Okay.
16 L-5. It's the bottom of page 2. It's where they discuss the
17 for-hire modifications. Basically, the committee did not feel
18 that hail-in notifications would help improve enforcement,
19 because officers currently stop for-hire vessels for enforcement
20 purposes, and they did not see a need for additional efforts.
21
22 They were also concerned with being bombarded with an abundance
23 of emails, and they felt that 1,300 vessels with a hail-in
24 requirement could result in an excessive number of emails for
25 officers to sort through, and they were worried about monitoring
26 these notifications and thought it was a lot of work.
27
28 One member stated that there was a lot of notifications that
29 come in regarding the Headboat Collaborative EFP. After
30 discussion, they passed, by consensus, the following motion.
31 The committee recognizes the benefits of hail-in requirements
32 for the purpose of data collection, but it does not recommend
33 the hail-in requirement for law enforcement purposes.
34
35 Next, they focused on Action 4 for the hardware and software
36 requirements. They felt, if location information is to be
37 required, real-time GPS capabilities, which are in Alternative
38 3, would be the most useful for law enforcement, although the
39 location data could allow officers to verify fishing activities
40 occurring in federal or state waters, which would be very
41 useful, based on regulations. By consensus, they passed the
42 following motion. The committee supports the council's
43 Preferred Alternative 4 in Action 4 that requires a VMS that is
44 permanently affixed to the vessel.
45
46 Those were the two motions that were made during that committee,
47 and I believe that Mr. Boyd was at that meeting as well, and so
48 he could help answer any questions, because I actually wasn't --

1 Dr. Lasseter attended this meeting, and maybe also Dave
2 Donaldson could help us as well. Thank you.

3
4 **CHAIRMAN STUNZ:** Would either of you gentlemen like to add
5 anything?
6

7 **MR. BOYD:** Mr. Chairman, there were just a couple of things that
8 were kind of sidebar. One was there was a considerable
9 discussion about vessels without IFQ species or any reef fish
10 and how those would be handled, and NOAA Law Enforcement was in
11 favor of adding the additional plus or minus a hundred boats to
12 that. In other words, they had, if you're coming in and you
13 have no IFQ species, but you do have other reef fish, they would
14 like to include that.

15
16 The other thing they said was that -- We were talking about
17 landings sites, and they said that they would not be in favor of
18 landing sites at any place other than an approved landing site.
19 It would be way too hard on them if somebody is landing in their
20 backyard. There were several other discussions, but those were
21 the two most important ones.

22
23 **CHAIRMAN STUNZ:** Mr. Greene.

24
25 **MR. GREENE:** Mr. Boyd, are your comments directed at the data
26 collection? It sounds like that may be Amendment 36 discussion.

27
28 **MR. BOYD:** Yes, that might have been Amendment 36. You're
29 correct.

30
31 **CHAIRMAN STUNZ:** Mr. Riechers.

32
33 **MR. RIECHERS:** At least from my discussions with our law
34 enforcement folks, I think it is -- The comments here,
35 specifically, I think address Amendment 36, but I think they're
36 also suggesting to us, as we think about the charter/for-hire
37 reporting, that, in some respects, more notifications for them
38 isn't going to be all that helpful, in that they're already
39 bombarded, in some respects, with notifications.

40
41 If we add 1,300 more people who are making some sort of hail-in
42 and hail-out notification, it's not necessarily going to be of
43 assistance to enforcement, to the extent that they're probably
44 not going to be able to get to more locations and more
45 interviews or intercepts of those people as they come ashore.

46
47 I think that's what they're trying to suggest, is they probably,
48 given the current level of enforcement and the current level of

1 notifications coming in, they are probably doing what they can
2 do now is kind of what I've been hearing, and others with state
3 agencies can weigh in on their own, but that's, from both the
4 comments that I've had personally as well as from what I am
5 hearing their summary, is that's kind of the take that I'm
6 getting.

7

8 **CHAIRMAN STUNZ:** Ms. Guyas.

9

10 **MS. GUYAS:** Along the same lines, I think the landing locations
11 also. Even though I think that was a comment in regard to 36, I
12 think that would apply here, if we're going to require the hail-
13 in and hail-out and have that be an enforcement tool, is that
14 they would need -- At least from enforcement's perspective, it
15 would probably be helpful, it sounds like, for those to be at
16 approved locations.

17

18 **CHAIRMAN STUNZ:** Mr. Boyd.

19

20 **MR. BOYD:** Just one other general comment that was made, which I
21 thought was important, is all of the officers that were there
22 representing their states agreed, and this is almost a quote,
23 that any rule should be to make it harder for the bad guy to
24 circumvent the rules. That was their general consensus, and so
25 please don't do anything, and I am reading between the lines
26 here, but please don't do anything that is going to add
27 additional burdens and is not going to stop the bad guy.

28

29 **CHAIRMAN STUNZ:** All right. If there is no other comments, we
30 will go ahead and move on. I guess, at this point, for the rest
31 of the time that we have here, is really talk through the
32 document and see where we are. John, do you want to help us do
33 that? If the committee has some suggestions, by all means let
34 me know on what we have to do, and, John, if you have any
35 comments, in terms of the staff needs of what you need to move
36 this along, in terms of where we are and that sort of thing. I
37 certainly have some discussion on that, as well as the cost
38 that's been brought up as well.

39

40 **MODIFICATIONS TO GENERIC CHARTER VESSEL AND HEADBOAT REPORTING**
41 **REQUIREMENTS**

42

43 **DR. FROESCHKE:** Yes, I'm prepared to give you some thinking
44 points, if you're ready. My first question is on the Technical
45 Committee recommendations. The way I have done it now, I have
46 incorporated that in as an appendix to the document, to provide
47 rationale for the decisions that are made and to provide that
48 information on the process.

1
2 My proposal, I guess, was to modify the specific element on the
3 passengers and the anglers, move those up to required, and leave
4 that in the document, but not incorporate it into the actions
5 and alternatives. That seems to give flexibility, but provide
6 the rationale. Any questions or any comments about that?

7
8 **CHAIRMAN STUNZ:** John, I have one, just so I'm clear. What we
9 just went through with your colored tables, the yellow and blue
10 and so on, all of that would be -- That would just be included
11 in an appendix? Is that right?

12
13 **DR. FROESCHKE:** Yes, that's correct.

14
15 **CHAIRMAN STUNZ:** Then so I guess, and, Bonnie, this may be a
16 question to you, and, if you don't have an answer, that's fine,
17 but I'm just trying to see. If this document was approved and
18 we moved forward, your team would just rely upon that appendix
19 then? I guess I'm trying to see how this would actually really
20 work, from a practical standpoint of implementation.

21
22 **DR. PONWITH:** My strong preference is to -- We've gone back and
23 forth about the minimum data requirements, and we want the
24 industry to understand what kind of data we're going to be
25 collecting, but we don't want to regulate the data collection,
26 and so the notion is to include the types of data that are going
27 to be collected in an appendix or in a document that can evolve
28 with time, so that, if a data need changes, that you don't have
29 to go through the amendment process to make that change.

30
31 Yes, the technical group that is advising on this has created a
32 list. They have created a list and done some compare and
33 contrast and obtained feedback, and that's going to be really
34 useful, and that will be sort of the pool of data elements that
35 we would be collecting, but in a way that doesn't completely
36 constrain that data collection if technology evolves or if
37 something in the fishery evolves, to the point where we need to
38 make a change.

39
40 **CHAIRMAN STUNZ:** That was pretty much my exact question, Bonnie.
41 That would give you the flexibility you need as well. I guess
42 then the question I would have, from a council role, just to
43 give you an example, is there was some discussion at that call
44 that, okay, well, some folks would have really liked to have
45 seen the hook manufacturer in there, because different hook
46 sizes or different basically manufacturers -- That, obviously,
47 is a little too much, in my opinion, and I think it was in the
48 opinion of most on that call, and so how does that -- How do we

1 ensure that something like that doesn't come back up, or are we
2 just -- Where is the exchange going to occur? If the captains
3 or anglers find something very unworkable, how do we reconcile
4 that, I guess would be my question?
5

6 **DR. PONWITH:** I think that feedback is going to be really
7 important, and, if we implement something and we discover that
8 the cost of obtaining the data, in terms of its disruption to
9 fishing, really doesn't offset the value of having those data,
10 that we've got the flexibility to revisit those decisions.
11

12 Again, I think the idea is to avoid regulating the science,
13 which essentially handcuffs us, so that, even if we do have an
14 improvement that we all agree on and think is going to be
15 beneficial, it requires us to actually open this thing back up
16 again and do it by an amendment.
17

18 **CHAIRMAN STUNZ:** Mr. Riechers.
19

20 **MR. RIECHERS:** I will pose the question to Bonnie or whomever
21 around the table, but is there a possibility that we would
22 create, Bonnie -- Because the uneasiness, I think, comes from
23 the fact that there is a concern that we're blessing a document
24 or blessing a set of data collection that we may not, at the
25 end, necessarily see or even have a say in, in some respects.
26

27 I can speak to my own shop and my own office, and I get
28 suggestions about how we should change our data collection from
29 anglers, from commercial interests, from my own biologists and
30 law enforcement every day, and some of which just will not work
31 on our current data collection platforms and we have to say no,
32 or we think it will be too much of a disruption and we have to
33 say no.
34

35 The question is balancing that need to be flexible versus the
36 need to have some dialogue with the council or with a scientific
37 body about what's important and what's not, and so is there a
38 place here, maybe, where we discuss an alternative that provides
39 some sort of review mechanism, but it doesn't have to be the
40 full amendment process, so that we know that we have a place for
41 that input and it's embodied within an amendment and it's not
42 just you all will come and talk with us. Maybe there is an
43 option for alternative somewhere down the road here for
44 something like that, and that's just food for thought.
45

46 **CHAIRMAN STUNZ:** Go ahead, Bonnie.
47

48 **DR. PONWITH:** I guess I'm not troubled by that. What we're

1 trying to do is build trust with the industry on this and not
2 weigh in on something that's essentially sight unseen, and so
3 we're creating the -- I think it's very logical to create these
4 minimum data elements, so that people can see these are the type
5 of data that we are looking at, and so it's actually, in the
6 very process of creating that, we have done some of our
7 troubleshooting already.

8
9 The thing that we don't want to do, again, is harden that as an
10 amendment, so that you have to go through a two-year process to
11 change something that everybody agrees that we really want to
12 do, and so I can get the flip side of that. We also don't want
13 to discover that the Southeast Fisheries Science Center is
14 willy-nilly changing things out from under the process either,
15 and so I can understand a desire to have some sense of checks
16 and balances.

17
18 I think that would be an interesting discussion about what would
19 that process be. My big concern right now is locking this down
20 as part of the amendment, which I think really boxes the science
21 in.

22
23 **CHAIRMAN STUNZ:** Mr. Riechers.

24
25 **MR. RIECHERS:** Bonnie, I agree. To the extent where we can have
26 that flexibility, I think there has been some of us around the
27 table that thought that this could be a Science Center function
28 a long time ago and we could have possibly improved our data
29 collection without going through this process.

30
31 I understand what you're saying about building that trust, but
32 there is many of us who, at state levels, hear also from the
33 other side. As Bob indicated, there is really two sides to the
34 equation out here, those who have taken the effort and time to
35 be completed engrossed in this process and those who might have
36 been involved in this process and got worn out with it many
37 years ago or have just chosen that they don't have time for this
38 process, because it takes a lot of time.

39
40 There are certainly two sides that we hear from routinely, and I
41 think we're just trying to find a middle ground here that we
42 protect that trust with both sides, and so that's all we're
43 trying to do.

44
45 **CHAIRMAN STUNZ:** Mr. Greene.

46
47 **MR. GREENE:** I agree with Robin, a lot of his points that he
48 made, but I think that one of the things that this amendment is

1 giving us the opportunity to do is allow those people who wish
2 to engage in this process the ability to do so and design
3 something.

4
5 It's kind of like sitting at the front of the bus. You have a
6 little bit of control over which way you go. If you sit in the
7 back and you don't do anything, then it's hard to complain about
8 which direction something went, and so, basically, you're trying
9 to do a bunch of things, as Robin noted, but, yet, you're giving
10 -- Maybe it's not the first time something like this has
11 happened. Maybe it's just my knowledge, but I feel like that
12 we're having input going into the Science Center, saying, hey,
13 look, as fishermen, we kind of agree with this.

14
15 Now, you're going to have people who agree with it and people
16 who disagree with it, and you're going to have all of this stuff
17 that goes on, but, at the end of the day, I think that that list
18 of information that Dr. Froeschke presented to us that was
19 highlighted in yellow, I think it's all very reasonable, and I
20 like the way it was laid out.

21
22 I also don't want to get into a situation where we're regulating
23 the science and preventing it from doing it. I have mentioned,
24 on several different occasions, how the South Atlantic handled
25 their portion of this document and included it in an appendix
26 and moved forward with it, and it was over and done with. I
27 think that perhaps we should look into that as well.

28
29 **CHAIRMAN STUNZ:** I think that is fine, and maybe we should have
30 some discussion around this table, or perhaps, if we need time
31 to mull it over between now and the Full Council. Robin's
32 suggestion of a new action would solve that, Johnny, and so we
33 retain some ownership and control at the council and charter
34 captain level, but also that NMFS can do their thing without
35 having to come through this process every time, that is
36 obviously burdensome.

37
38 I don't know what an action like that would look like. I would
39 be in favor of that, but unless somebody -- If there is some
40 more discussion or someone has an idea of an action that we
41 could put in, or maybe, staff, do you guys have any suggestions
42 of what that would look like?

43
44 **DR. FROESCHKE:** No, I don't.

45
46 **CHAIRMAN STUNZ:** Maybe we need to think it over between now and
47 Full Council. Robin, do you have any suggestion? For example,
48 if we were to come up with another action that allowed the

1 council to have some control and ensure that the captains'
2 wishes are being met, but gives Bonnie's group the flexibility
3 that they need to design the appropriate reporting mechanism
4 without coming through this process every time. I agree with
5 that, but I just don't know what an action would look like, and
6 I was wondering if maybe you had an idea or something.

7
8 **MR. RIECHERS:** I can envision -- Someone else may want to take a
9 shot, but I can envision an alternative that would basically say
10 -- It would set up some sort of mechanism for review of those
11 minimum essential data elements or what was initially required
12 in the reporting, and it may be the minimum plus some other
13 level, if someone has a justification, if the Center has a
14 justification, to go collect those other elements, but that
15 somehow we create a -- Whether it's through the SSC or whether
16 it's through a body assigned by the council at the time to
17 consider additional changes, but obviously these changes aren't
18 going to be made too lightly, because, if it's an electronic
19 reporting system, the data collection system is going to have to
20 be established before the start of the data collection year.

21
22 The database programming is going to have to be done to accept
23 that, and so it's not going to be a simple thing to change those
24 elements once we get started, but, in order to assure if there
25 is a change in those elements that there will be some level of
26 review of some our science group in addition or with the Center.

27
28 I am kind of envisioning a motion that would set up an
29 alternative that did that, or at least something in the document
30 that speaks to that. It could be an alternative, or it could
31 even be just a statement of affirmation that this will be done,
32 and so I think, maybe at Full Council, hopefully I might be
33 ready to kind of craft something that would do that.

34
35 **CHAIRMAN STUNZ:** Dr. McGovern.

36
37 **DR. MCGOVERN:** Thank you, Mr. Chairman. I agree with what Robin
38 says, but I don't think it needs to be an action. I think it
39 could be just a statement of affirmation, and I don't think that
40 you need to have an action with alternatives to do all of that.

41
42 **CHAIRMAN STUNZ:** Any other comments or suggestions to that
43 point? John, do you want to keep going then?

44
45 **DR. FROESCHKE:** Yes, and so, just as a reminder on this, before
46 any document is final, you always have the obligation to review
47 and deem the codified text, and so that would always give you
48 the option, and then, again, we always have our APs that review

1 these kinds of things and provide industry input, and perhaps it
2 could be -- Before it's signed, sealed, and delivered, they
3 would be given an additional opportunity to review the document
4 and provide that input, and so those are just thoughts.

5
6 In terms of my questions on this, from broad to narrow, I'm just
7 curious about the plan for moving forward with the document and
8 the timeline for completing it and then a third one about -- The
9 Reef Fish AP discussed this idea of a safety valve or something,
10 in the event of failure. I think did you all want to discuss if
11 there needs to be some discussion or action to reflect that
12 intent.

13
14 **CHAIRMAN STUNZ:** John, just to be clear what you're talking
15 about, you're talking about someone sitting at the dock with
16 clients ready to go and something happens and preventing them
17 from ruining someone's once-a-year vacation or something like
18 that, and so certainly I think that needs to be built in.

19
20 Is it not captured there or what? Sorry, but I'm not familiar
21 with what part of the document addresses that, if any, and, if
22 not, what do we need to do to build that in, assuming that the
23 committee feels that's something that should get done?

24
25 **DR. FROESCHKE:** The document doesn't currently address that in
26 any mechanism, but that was essentially it. They stated that,
27 with the commercial, if there was a failure, they would lose a
28 trip, but they wouldn't have a family of unhappy faces sitting
29 at the dock, and they felt that that was just an unacceptable
30 business practice, and so there were in favor of, in the event
31 of that failure, that there was a phone-in mechanism available,
32 where they could call someone and satisfy the requirements for
33 that day, so they didn't lose a trip over this. I don't know if
34 that could just be added to the discussion in the appropriate
35 place, if that was your intent, or if we need to do something
36 with an action.

37
38 **CHAIRMAN STUNZ:** Any comment to that, if that would be taken up
39 as an action or just in the text? I have heard from a lot of
40 people, through emails and phone calls and also during the
41 public testimony and other places, that this is a big deal, and
42 this is sort of a sticky point with a lot of captains.

43
44 I don't know if it needs to be called out in its own action, an
45 alternative emergency mechanism for reporting. I am not
46 familiar how that was done in a similar system, or is there any
47 recommendation on how we could proceed with that?

1 **DR. FROESCHKE:** Just one thing. In the dealer reporting in the
2 headboat, we have a requirement in there that says, in
3 catastrophic conditions, the Regional Administrator, I think it
4 says, can allow paper-based reporting for this time, and that's
5 something that they can decide, and so I guess there should be
6 some mechanism where they could call in. I think that's what
7 they were envisioning, that there would just a phone number that
8 you could call and take care of the reporting that day.

9
10 **CHAIRMAN STUNZ:** Okay. I guess we would have to define
11 "catastrophic" versus is that a loss of your engine or a
12 hurricane or something, but Mr. Riechers has a comment.

13
14 **MR. RIECHERS:** John, specifically, I think that was intended for
15 the notion of hurricanes, because we had come through some of
16 those events, and knowing that that obviously made reporting
17 problematic in those situations, and we wanted to leave an out
18 for that to occur.

19
20 I think, more specifically, what this one needs to be designed
21 to do is the event of a particular equipment failure on a
22 particular vessel on a particular day, and so I don't really
23 think they're wanting the Regional Director to have to receive a
24 call on that day and make an exception for that one individual.
25 I think they're wanting an alternative fail-safe in case of
26 equipment difficulties.

27
28 You use this form and you call into this number, whatever that
29 is, but an alternative reporting method to deal with those
30 emergency reporting events, especially when we're talking about
31 1,300 vessels across the entire Gulf that could occur on any
32 given day. It seems to me that you're going to want to at least
33 state that as something the council wants to have, if we want to
34 have it in this document.

35
36 **DR. JESSICA STEPHEN:** Just to clarify, in the commercial IFQ
37 program, because I think this is where that concept comes from,
38 they can hail-in through the VMS, through the computer web
39 system, or through a twenty-four-hour call service center. I
40 don't believe that was an action in the amendment, but what we
41 did is we anticipated concepts like that, and that could be
42 something built into an implementation plan for the for-hire
43 reporting, is generating a call service center that could take
44 information.

45
46 **CHAIRMAN STUNZ:** I think this is a big enough issue that it
47 needs to be at least addressed in some way in the amendment,
48 because this has just come up too much, at least with folks

1 asking me about that, and whether it needs to be its own action
2 or addressed somehow differently, maybe similar to the
3 discussion we were just having previously, I don't know. John,
4 do you have a suggestion, or does anyone around the table on the
5 committee have a suggestion of how we address this, because it's
6 elevated enough to where I think we need to do something about
7 it here, but I just don't know the best mechanism. Go ahead,
8 Dr. McGovern.

9
10 **DR. MCGOVERN:** I think that could be just discussion in the
11 document, and it could be discussed how it's handled with the
12 IFQ system, and just address it that way.

13
14 **CHAIRMAN STUNZ:** We can address it that way then. Mr. Greene,
15 did you have a comment?

16
17 **MR. GREENE:** This is something I've thought a lot about, and I
18 certainly do not want to be that guy that doesn't go fishing
19 because my VMS doesn't work or whatever the approved equipment
20 is, but, if something has been recognized in the inception of
21 it, or in the, and I forget the word that Dr. Stephen used, but
22 in the implementation of it, and there is a back-up plan for
23 that, then I certainly -- I am comfortable with that, because
24 there is going to be problems with anything we do. Whatever it
25 is, there is always issues, or we wouldn't have fifty-something
26 amendments to a fishery management plan.

27
28 There is always an issue with something, and so I think that we
29 can cover that. I think that we'll get some public testimony on
30 that and move forward, but, as long as the fishermen know that,
31 okay, my unit is down and I've got to go fishing and I call this
32 number and I fill out this form and I do this, I think it would
33 be a good idea.

34
35 The one thing that I would like to bring up to them is that
36 there should be some type of a limit. In other words, if your
37 unit is down, it needs to be getting repaired. It needs to be
38 worked on. It does not need to be thirty-seven in a row. I
39 mean, there needs to be something, but I feel like that's just
40 reasonable commonsense type of stuff, and I don't think we need
41 to move forward with any type of an action.

42
43 **CHAIRMAN STUNZ:** John, are you capturing this discussion well
44 enough to build this into the document, as we've been discussing
45 it?

46
47 **DR. FROESCHKE:** Yes, I am. My plan would be to work with the
48 IPT after this to incorporate these ideas and bring a revised

1 draft action, and I'm not even certain where I would put it in
2 the document at this time, but we would try to encapsulate this
3 and bring it back in the document to you, which would be my next
4 question, which is about the timeline of the document.
5

6 **CHAIRMAN STUNZ:** Well, John, do you want to remind us sort of
7 where we are? I guess there's a few things to still talk
8 through in this document, even here today, on some of these
9 latter actions, but, I mean, we've done everything that we need
10 to do with this document, in terms of public hearings and that
11 kind of thing, right? I guess I'm trying to see, procedurally,
12 where are we, as well as -- Then, obviously, we need to feel
13 comfortable with the committee and the Full Council around the
14 table with the document, but where are we right now?
15

16 **DR. FROESCHKE:** The document is essentially complete, minus what
17 we've talked about here, and this is well within our capacity.
18 We could certainly bring this back. Just, historically, we
19 first had this up for final action in January of this year, I
20 think, and so then we backtracked on that, to add some
21 additional actions.
22

23 We changed 3 and added 4, but, in terms of all the required
24 elements of the document, we've done public hearings and got
25 input, and the document is essentially complete, and so we could
26 bring it back to final action as soon as the next meeting, if
27 that was your intent.
28

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

31 **MR. RIECHERS:** This is kind of the discussion we've had in past
32 meetings regarding this document. While certainly, John, you're
33 correct that we marched ahead and we're down now, I think, to
34 probably a couple of elements that will come within the
35 document, but part of the question we still have, and it's part
36 of that question that occurred as we heard the presentation from
37 Bob Gill today, which is, is this going to apply to everyone,
38 which it suggests that it will, and is it going to apply to a
39 subset that's drawn randomly every fifth year or every X year?
40

41 I think the difficulty this document has had is what system are
42 we applying this to? It can be different depending on that
43 system that we use, and there may be different decisions one
44 would want to make about VMS, depending on which system you use,
45 which system you go to, whether it's an IFQ for charter vessels
46 or a PFQ or whether it's some current system of sector
47 separation in the current seasons that we have, but we're trying
48 to improve the overall reporting associated with the charter

1 vessels.

2
3 I think the difficulty is we don't know where the money is going
4 to come from to run these two programs side-by-side. National
5 Marine Fisheries Service has put on record that they don't want
6 to go into another change with MRFSS unless they are able to run
7 those side-by-side for some number of years, and so I think
8 that's the difficult challenge with the document right now.

9
10 Yes, I think we've just about gotten it buttoned-up to where we
11 think it's going to be, but we've gotten it buttoned-up for
12 what? What is the next step? Our decisions on preferreds may
13 change, depending on that next step.

14
15 **CHAIRMAN STUNZ:** All right. Other comments? A comment I would
16 have would be following up to Robin. My personal opinion on
17 this amendment would be certain things might change, depending
18 upon where we are with certain other amendments, and so I don't
19 know how we deal with that, in that context, and so any
20 suggestions or recommendations about the table of where we
21 proceed from here? Mr. Sanchez.

22
23 **MR. SANCHEZ:** Thank you, Mr. Chairman. I would like us to
24 proceed with final action in January.

25
26 **CHAIRMAN STUNZ:** Mr. Gregory.

27
28 **EXECUTIVE DIRECTOR GREGORY:** We have to do certain things to
29 bring you a document for final action, which we can do. It
30 doesn't obligate you to take final action, but it would be good
31 for us to prepare for that, just in case. We have done that
32 before, with past amendments.

33
34 **CHAIRMAN STUNZ:** Is that the preference of the committee, is we
35 prepare for that, so staff can do what they need to do? I am
36 not seeing any opposition around the table. Then my next
37 question would be do we need to talk through this document any
38 more or is everyone fine with it, in terms of where we are? We
39 made a lot of progress in Full Council last time, as far as our
40 preferreds and that sort of thing. I am not seeing anything.
41 John, is there other information that you need from the council
42 to help?

43
44 **DR. FROESCHKE:** No, we have -- I think the guidance you've
45 provided to date, right now, is clear, and so we will add in
46 what you have discussed here and bring it back for final action,
47 in case you decide that's what you want to do.

48

1 **CHAIRMAN STUNZ:** Okay. There is still one big thing, at least
2 in my mind, and maybe it is captured and I don't know, but it
3 was the costs, and so I don't know if that's a discussion for us
4 to have here or not and who is going to bear the cost of that.

5
6 We heard some testimony and things about -- Just even some
7 comment around this table about whether we follow some similar
8 pattern in the commercial, where there is some type of subsidy,
9 or the fleet bears the cost. I am not sure where we take up
10 that cost, but obviously there is a substantial cost with this,
11 which is also part of the issue from Mr. Gill's presentation and
12 other comments that were received. It's no small issue for
13 those in the fleet. Mr. Greene.

14
15 **MR. GREENE:** Obviously, if there is money available to fishermen
16 to receive a VMS, I don't think anybody on the council would be
17 opposed to that, but I don't know that that's necessarily up to
18 us to say, National Marine Fisheries, give these guys VMS. I
19 think that's -- If there is funding available in the account
20 that they used to do it initially, which there was 800 or so in
21 that, and, if there is funding available for that, by all means,
22 I don't think any council member would be opposed to stopping
23 something based on that.

24
25 I think that we would all support it, but, as far as utility of
26 what we've designed and what it costs and how we move forward
27 with it, I don't know. I kind of, in some ways, feel like that
28 we are supplying the Science Center, National Marine Fisheries,
29 with what we would like to see, and you guys do what you can do
30 with it from here.

31
32 That's kind of the way I see it. I don't know of anything else
33 that we have ever worked on where I've had to sit here and look
34 at the cost. Now, I understand that we can build the most
35 elaborate thing in the world, and, if we can't ever afford it,
36 then we can't ever afford it. This kind of goes back to the
37 Cadillac and the Buick discussion we've had several times, and I
38 understand all of those ideas.

39
40 Obviously it's one of those things, but we go back and forth on
41 it of should we do it or not do it because of the cost, and I
42 don't want to not do something because of the cost. If I feel
43 like we as a council have done our best and we have put forth
44 what we think we need to get something out of the fishery, then
45 it's kind of out of our purview at that particular point. Those
46 are just my comments, and I'm sure somebody will disagree with
47 me, and I understand that, but I just want to lay that out
48 there, just for consideration.

1
2 **CHAIRMAN STUNZ:** Mr. Riechers.

3
4 **MR. RIECHERS:** Johnny, I don't disagree with your premise that
5 we shouldn't allow cost to give our best recommendation to the
6 Center. Unfortunately though, because we have other amendments
7 moving in here, and they've even been on the record, some
8 people, and not necessarily council members, but others, who
9 would suggest that, by adding cost, this may help consolidate
10 the fleet or keep people who otherwise would continue fishing in
11 the charter fleet from maybe wanting -- That may be the
12 difference that makes them choose to put in their permit or not
13 go on fishing.

14
15 While that is a small difference for many, if you are a part-
16 timer, those certainly, those costs, could create an impediment
17 in a way that you say, okay, that's the tipping point. Because
18 of that, while I don't want to get into the twenty-five cents or
19 a dollar is going to make the difference, I think, overall, we
20 just, as representatives at least from the state fisheries
21 perspective, we do want to try to at least know as much about
22 that as we can.

23
24 I think we do have to think about our data collections, in terms
25 of what we truly expect to be able to fund, because we can
26 create the Taj Mahal. We can create the best data system that
27 we would ever want to create. Now, whether we will ever be able
28 to fund that, I think that's a question we have to answer.

29
30 I think Dave Donaldson has some experience with that at Gulf
31 States, and I think we now know at Gulf States that even though
32 a long time ago we created kind of the Taj Mahal, what we wished
33 we could get, we now known that, and I don't know the exact
34 numbers, Dave, but we can expect to get four or five-million for
35 that data collection, and so now we're probably starting to
36 rethink that to say how do we now change our data collection
37 systems to match the amount of money we're actually going to
38 get.

39
40 Even though we may go to Congress every year and ask for more,
41 we haven't been really getting more, and so we do have to kind
42 of think about the money we receive to make sure that it matches
43 the program that we're building. Otherwise, we're just having a
44 lot of building of programs that are never going to go anywhere,
45 and so I think it's at least worthy for us to have that thought
46 process as we go forward.

47
48 **CHAIRMAN STUNZ:** Bonnie, I have a question for you. If we were

1 to approve this amendment at the next meeting in January, what
2 would be the next step for your office? How would that play
3 out?

4
5 **DR. PONWITH:** Isn't this a crazy conversation, and, yet, I think
6 it's really an important one, and it's one that we talked about
7 when we originally had our very first conversation about
8 electronic reporting in the for-hire, and that is, do you start
9 with the regulations or do you start with the technical aspects?

10
11 The answer is yes, and so we're in that situation of what we're
12 trying to do is work on the regulatory part of this at the same
13 time as we jointly look at the technical aspects of this and try
14 and get them across the finish line at the same time, even
15 though the timing of those processes can be very different.

16
17 I think what we're looking at is the creation of a regulation
18 isn't going to create the program, but the program can't exist
19 without the regulation, and so having a regulatory framework for
20 this on the books enables us, when we finally get to the point
21 where we have the money to do this and we've got all the
22 technical aspects of this worked out, to actually carry it out.

23
24 None of that could happen if the regulations didn't exist,
25 because, essentially, this isn't going to be a voluntary
26 program. It's going to have to be, if we are indeed shifting
27 our business model from a sample-based program to a census-based
28 program, it's going to have to be mandatory.

29
30 There are lots of steps that have to happen on the technical
31 side, and part of that is getting some clarity of, on the agency
32 side, who is responsible for what components of this, getting
33 all of that identified, because, again, we're struggling, I
34 think the same way the council is.

35
36 You could cut a regulation to do it this way if you had one
37 outcome in mind, and you could do it another way, and also we're
38 struggling, I think, in the agency, with the same sort of
39 things. Are we using VMS or are we not? Are we reporting
40 before we get to the dock or are we not?

41
42 It's kind of that iterative process that we're going through,
43 and I think, on the agency side, I guess in summary, is we need
44 to sit down and take a look at this and walk through, I think,
45 kind of our own sense of the roadmap, from a technical
46 standpoint, of what software would have to be written and who
47 would be responsible for overseeing the creation of that
48 software and what's that business model? Does it allow third-

1 parties to do this and then set the guidelines for it, which has
2 been a successful business model, and then walk through the
3 technical aspects and, at the same time, create a roadmap for
4 the financial aspects?
5

6 Just as there are concerns in the industry on what this cost
7 would be for the charter vessels, there are certainly some
8 concerns on the agency side of the costs for the agency and
9 making sure that there is a plan that's executable that would
10 allow us to carry this out.
11

12 **CHAIRMAN STUNZ:** Thanks, Bonnie. Mr. Greene.
13

14 **MR. GREENE:** I wasn't here when the IFQ plan was put in place,
15 but obviously the IFQ came down and said you have to have VMS.
16 Were the same considerations for the commercial IFQ program
17 given to National Marine Fisheries and the Science Center that
18 we're offering to them now?
19

20 **CHAIRMAN STUNZ:** Well, I certainly cannot comment to that.
21 There may be others around the table that can.
22

23 **MR. RIECHERS:** Certainly, Johnny, I don't have the amendment
24 memorized, as it was passed some many, many years ago now, but I
25 think what we really required in the amendment, as I am
26 recalling, was just the requirement for a VMS. Then I think the
27 other data elements were a little clearer, in that it's not as
28 many elements here. It was pounds of fish that you were
29 basically after, with a hail-in and a hail-out.
30

31 I don't recall, but obviously we didn't go in this kind of
32 depth, as far as data elements and those sorts of things, but I
33 think you were basically moving from one system that collected
34 those elements in pounds of fish per trip already and you were
35 just moving it to a more real-time data collection of pounds of
36 fish, in a more real-time fashion, at least as I am recalling
37 it. Like I said, I don't recall exactly whether the amendment
38 referenced an appendix or whether we had those in there.
39

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

42 **CHAIRMAN STUNZ:** Mr. Diaz.
43

44 **MR. DALE DIAZ:** I am indirectly commenting on that, and I'm not
45 on your committee, and thank you for recognizing me. Johnny's
46 question leads to something that I think some of us might be
47 thinking about, in whether we're going to vote on this in
48 January or not.

1
2 We don't know what we're building it for. If we were building
3 it for an IFQ system that is going to pass, and I don't know if
4 41 or 42 will pass. We will vote on those in the future. It
5 might be a lot easier decision to add some expenses to the fleet
6 for VMS and other things that they're going to have to come to.
7 At this point, we don't know what we're building this to, and
8 so, moving this to a vote in January -- In some ways, I am
9 uncomfortable with that. I am trying to sort it out for myself.

10
11 The reaction that I get from fishermen that I have talked to in
12 Mississippi is mixed, similar to what we've heard at public
13 testimony. Some of them are very willing and want better data.
14 They want the Cadillac system, and they're willing to pay for
15 it. Some of them are pretty clear that they do not want
16 additional expenses, and I worry about boats that are not very
17 profitable, and I don't really want to see people give up their
18 reef fish permits or get out of this business because of
19 expenses they get for data collection. Thank you, Mr. Chair.

20
21 **CHAIRMAN STUNZ:** I hear you, Dale, too, and I've had that same
22 concern since the very beginning, to make sure we know what
23 we're designing this for. I guess I would say we've kind of
24 done our work here. As Robin mentioned, we've buttoned this up,
25 and there's a few tweaks here and there to go, but I just don't
26 know at what point do we push this forward, for a final vote, or
27 do we have this in place and ready to go when we act on some of
28 these other amendments? I think that's kind of where I'm
29 falling right now, but I don't know where everyone else is with
30 that. Go ahead.

31
32 **MS. GERHART:** I just wanted to address the question about the
33 commercial program. The VMS requirement was put in before the
34 IFQ program was put in place. It was, I think, one of the
35 Amendment 18s. It was either 18A or 18B was the VMS amendment,
36 where it was put in place, but it was not put in place for data
37 collection. It was put in place for enforcement.

38
39 Then the IFQ, when it was developed, reporting was required, and
40 then there was modifications to the VMS screens, when they
41 became available technologically, to allow fishermen to use
42 them, and so there was a different purpose for the VMS in
43 commercial, to begin with at least, and it was done separately,
44 although near the same time as the IFQ program was developed.

45
46 **CHAIRMAN STUNZ:** Thank you. Mr. Walker.

47
48 **MR. WALKER:** I was just going to add that at the time the

1 commercial industry was -- The funding was provided for the VMS.
2 It was all taken care of, and, currently, what I look at, I pay
3 for mine for one year at a time. Basically, you pay for eleven
4 months and you get one money free, and so it's \$759 a year to
5 service that thing. That includes email and a lot of data.
6 There's a lot of available things, and, actually, I use CLS, and
7 so it has some really good information. You can email, and
8 that's really important.

9
10 **CHAIRMAN STUNZ:** Thank you, Mr. Walker. We are getting close on
11 our time here, and we have some time between now and Full
12 Council to think about where we kind of want to go with this and
13 where we want to leave this amendment, based on some of the
14 discussions here, and I would suggest that we do that.

15
16 We have one other item of business. Dr. Ponwith was going to
17 talk about some cost analyses and things related to the
18 commercial electronic reporting program, and that might actually
19 shed some light on some of these discussions related to the
20 costs and implementation and that sort of thing. Unless there
21 is any pressing comments, Dr. Ponwith, if you're ready to give
22 that presentation, then we can go forward with that.

23
24 **COST ANALYSIS AND REPORTING REQUIREMENTS OF COMMERCIAL**
25 **ELECTRONIC REPORTING PROGRAM**
26

27 **DR. PONWITH:** Excellent, and thank you, Mr. Chair. What we have
28 been working, over the past couple of years, on is an electronic
29 reporting pilot study. The study included vessels from both the
30 South Atlantic and the Gulf of Mexico with different types of
31 gear, and, again, you will recall that the commercial industry
32 is responsible for submitting a paper logbook reflecting, on a
33 trip level, their trip activities.

34
35 The notion here is to be able to create an electronic logbook to
36 be able to manage those data. It makes the data more timely,
37 and it gives us the ability to build the ability to do some
38 quality control on those data at the onset.

39
40 In the process of collecting those data, we were able to get
41 some information about the costs of the instruments that we put
42 on those pilot vessels, and we thought we would share that
43 information with you today, so that you can see what the
44 hardware costs were for the pilot study and what the software
45 costs were for the pilot study. Then the third category would
46 be the data transmission costs. It gives us kind of a leading
47 feel for what this program would cost, if we were to implement
48 it on an operational basis across the industry.

1
2 The second thing that I would like to talk with you about today
3 is voluntary electronic reporting for the commercial vessels,
4 and this comes up because I was at a South Atlantic Council
5 meeting, and one of the participants of the pilot study was so
6 enamored with the pilot that he said, when can I shift and get
7 rid of the paper? I want to go to an electronic immediately,
8 and tell me when that can happen.

9
10 It's an interesting question, and so we looked into that. What
11 would it take to be able to accommodate allowing vessels who so
12 chose to submit their information electronically rather than by
13 the current logbook that's required? Those are the two
14 components of the conversation today.

15
16 Today, what we're going to do is talk about the hardware costs,
17 the software costs, the total vessel costs, by the different
18 types of equipment that we're using, the transmission costs,
19 again, and then kind of an overall summary.

20
21 Hardware costs, let's take a look at that. Right now, what we
22 were using in the pilot was either a Dell, and you can see that
23 the costs of that instrument was between \$300 and \$400, or an
24 Apple iPad, which was a little over \$200.

25
26 For comparison purposes, we have included a list of different
27 types of hardware that could be used on vessels, and, again, our
28 notion is that, if and when we're ready to go to this as a
29 mandatory shift or provide advice to fishermen, if they want to
30 go and join this on a voluntary basis, we could give a list of
31 hardware, what those costs are, as long as those hardware meet
32 the standards for being able to accommodate the software, and we
33 would provide advice on that.

34
35 The second thing is that, in addition to the hardware, there is
36 some supporting hardware that was required for the pilot, and
37 that is a GPS receiver or a Garmin, again, for locational needs,
38 a USB booster, some wiring, things like that for the vessel, and
39 so these are sort of the various and sundry pieces of hardware.

40
41 Looking across the total hardware costs per vessel, you can see
42 a comparison of what the setup using the Dell cost compared to
43 the cost of the iPad, and there are some advantages on the iPad,
44 in terms of the cost, as you can see on this table.

45
46 Now we will talk a little bit about some of the software. The
47 business model for this was to put the data requirements
48 together and then hand those requirements to third-party

1 companies that actually wrote the software, and some examples
2 are given here, including ACCSP. ACCSP was one of the software
3 developers that provided software.

4
5 These companies would have varying licensing costs for the
6 electronic logs, and, again, it's a matter of the individual
7 taking a look at what's under the hood, what can that software
8 do that's above and beyond that you might be interested in and
9 what the cost of that is and weighing the cost to benefit. The
10 choice would be completely up to the individual captain of the
11 vessel, as long as that software met the minimum requirements.

12
13 Again, putting that in a table, if you look at the laptop cost
14 range plus the hardware and the software, you can see sort of an
15 example of low-end, that yearly license of zero, and that's the
16 ACCSP. ACCSP won't charge an annual license fee for that
17 software at this point, and so that's zero.

18
19 Some of the other companies were progressively more expensive,
20 and the same thing is true of the hardware. The hardware and
21 installation costs change, and so we're looking right now at a
22 range of \$400 to up to close to \$2,500 or \$2,600 or \$2,700 to
23 get that set up.

24
25 The iPad tablet costs were pretty modest. Again, this is the
26 iPad coupled with the ACCSP software, which, again, there was no
27 license fee, and that resulted in a fairly modest cost per
28 vessel.

29
30 The data transmission is another potential cost. During the
31 pilot, nearly all the logbooks submitted their data using Wi-Fi,
32 or, if not, when they were physically connected to the network
33 through an Ethernet collection. Logbooks can be developed with
34 a cellular network, but that requires a data plan, and that data
35 plan has an annual fee, and so, again, it would be just a matter
36 of making a decision of, for the individual vessel, what is the
37 most expedient way.

38
39 Typically, when at-dock transmission, Wi-Fi at the docks, was
40 not available, what a vessel can do is download their data to a
41 portable drive. Then, when they get to a place where there is a
42 land-based network, they can submit those data. Again, it's Wi-
43 Fi, and it's a hardwired Ethernet, or it's carrying your data to
44 a place where one of those two are available or a cellular
45 network, which, again, has annual fees.

46
47 Again, a cost summary including all of that is -- You will
48 notice that, on the left, the left-most column, we have a series

1 of cells that say either first year or years two-plus, and that
2 is, the first year, there are some setup costs of buying the
3 laptop or the notebook, buying the additional hardware to get
4 set up.

5
6 The years after that, it's pretty much what those annual costs
7 are, whether it's a license fee or, if you do choose to go
8 cellular, that cellular fee. Again, you can see a fairly wide
9 range of costs, depending upon what choice or combination of
10 choices are made to execute this, but it gives you kind of a
11 ballpark of what we learned through the pilot.

12
13 The second part of the conversation is what would it take for us
14 to get ready to collect data voluntarily electronically instead
15 of on paper. Before I go there, let me ask if there are
16 questions about the cost part of this presentation.

17
18 **CHAIRMAN STUNZ:** Any questions for Dr. Ponwith? Bonnie, go
19 ahead.

20
21 **DR. PONWITH:** All right. Moving on, just to get you up to
22 speed, we estimate that the time required to have this logbook
23 in production for Southeast vessels on a voluntary basis is
24 about six months. There are a combination of steps that have to
25 happen, and I'm just going to walk you through what some of
26 those steps are.

27
28 First of all, we have been working on finalizing what variables
29 the Center needs, working with our data collection partners, and
30 that's been carried out this fall. There are some
31 infrastructure changes that need to happen at ACCSP, and we're
32 in negotiation or discussion with them right now.

33
34 We also have infrastructure needs at the Southeast Fisheries
35 Science Center, and those are beginning now, and we are aiming
36 to have those completed by the end of December. Then
37 modifications to the applications that are in place between
38 October and January, and then, ultimately, there are some
39 changes to the ACCSP software that have to happen to be able to
40 deliver those data to the SAFIS system, and, again, we're
41 looking at the December or January timeframe.

42
43 In more detail, the type of variables that we're looking at, you
44 can see these here, and I can go through these step-by-step, but
45 this is just an example of the type of work that we need to get
46 completed so that we can stand that program up and accept these
47 voluntary data, things like verifying with ACCSP that these
48 additional variables can be integrated into the eTRIPS when it's

1 all done, for example.
2
3 The infrastructure changes was the second thing that we talked
4 about, and we need to set up accounts in the SAFIS system. We
5 need to set up access to the permit information. It all has to
6 be linked in. We need to develop a tool within SAFIS to track
7 those permits as they move from vessel to vessel and develop
8 Southeast list tables to support the database applications.
9 This is the species, the ports, and the gears, again, so these
10 data can talk to one another and accommodate this shift in
11 business model.

12
13 These are the examples of changes that have to happen at the
14 Science Center to be able to do this, for example using the
15 operator card to facilitate digital signature in transmitting
16 those data and developing the software to extract the trip data
17 from SAFIS and pass it to the Southeast, and so it's just --
18 Again, a lot of it is just getting these data systems to talk to
19 one another.

20
21 Again, the next step is the software changes for ACCSP, and I
22 won't go into these in detail, but these are steps that have to
23 happen for this to be able to set up and be ready to accommodate
24 the voluntary data.

25
26 Software changes, again, at the Southeast Fisheries Science
27 Center, one of the most important ones is to develop a system to
28 allow the no-fish reports, and so, again, the issue is, if we
29 don't hear from a vessel, it's impossible to determine whether
30 that's because they owed us a report and they didn't submit it
31 or they just simply did not go fishing, and that is a really
32 crucial piece of information, because the system would behave
33 differently under each of those circumstances, and so that work
34 needs to be developed to accommodate that information
35 electronically.

36
37 Here is the summary of required tasks, and we've got a couple of
38 check-marks there of work that is in progress and then some
39 boxes there of things that still need to happen, but, again, the
40 estimate of how long it would take to be ready to do this is
41 about six months. I guess I can stop there and see if there are
42 any questions.

43
44 **CHAIRMAN STUNZ:** All right. Any questions for Dr. Ponwith? Mr.
45 Walker.

46
47 **MR. WALKER:** This is more of a comment, more than anything. I
48 communicate with a lot of fishermen, and they have expressed the

1 need for an electronic logbook. When you have paper, sometimes
2 you get in from fishing and you do this later. Sometimes there
3 is a delay in that, and sometimes fishermen can't renew their
4 federal permits because they're waiting on them to finish their
5 logbooks. The longer you wait -- Most of them I have talked
6 with they would like to do it, and I would like to do it. I
7 would like to do it right when I get done unloading my fish, so
8 it's real fresh in mind, and I have a list of things to do when
9 I get home that's enough as it is. I think it would be good to
10 have this electronic logbook, and I have not heard anyone
11 opposed to it.

12
13 **DR. PONWITH:** Thank you for that comment. It's exciting to me
14 to hear the industry saying let's move on this and this is
15 better for my business, and that's exciting, because we think
16 that is a twofer then, because it's better for the data business
17 as well to be able to build those quality control measures into
18 the data entry side and have those data a lot faster, and
19 potentially way more efficiently than with paper, and so we're
20 excited to hear that.

21
22 Of course, one of the conversations that is the next one that
23 has to happen is this presentation is dealing with when could we
24 accept those data on a voluntary basis, and the question to the
25 council is are we at a point where we should be thinking about
26 an amendment to make this a mandatory change? Are there enough
27 benefits that we would all gain from having those data in a more
28 timely fashion, in a way that's easier to QA/QC promptly, while
29 the data are still fresh in people's minds, that we could skip
30 that key-punch stage, and that, I think, is going to be an
31 important discussion here at this meeting.

32
33 **CHAIRMAN STUNZ:** Mr. Riechers.

34
35 **MR. RIECHERS:** You just brought up the reporting, but we already
36 now have a trip ticket reporting system in place in all of our
37 states, and so is this shifting the burden from dealer to boat
38 owner and/or are you still going to accept the -- I mean, at
39 this point, how are you rectifying those two reporting systems
40 that are coming in, and, while not on a real-time basis with
41 trip tickets, about as close to real-time as one could expect,
42 unless we go completely to this and put the burden on the actual
43 fisher, in this case.

44
45 **DR. PONWITH:** That's an excellent question, and it gives me a
46 chance to clarify. We do not see this as unseating the dealer
47 reports. Those dealer reports are what we are relying on right
48 now to project when a quota or an ACL is going to be hit, to

1 help manage those ACLs.

2
3 These data, on the trip-by-trip basis, are at a much higher
4 level of resolution than the dealer reports are, and so they
5 give us additional information that's pretty valuable. For
6 example, we're using those logbooks for discard data, and the
7 dealer reports, right now, aren't used for the discard
8 information, and so we would see this as something that is in
9 addition to the dealer reports.

10
11 It's just that, instead of submitting it on paper, they would be
12 submitted electronically, instead of being submitted monthly.
13 They would be then, potentially, submitted on a weekly basis,
14 which would give us the ability, if we saw something of concern
15 or a data issue, we could get back to the industry member
16 earlier and get things corrected faster.

17
18 **CHAIRMAN STUNZ:** All right. Thank you, Dr. Ponwith. We are out
19 of our time for the Data Collection Committee. There is one
20 short order of business. Was there any other business that
21 needs to come before this committee? Thank you for giving the
22 extra time that we needed. I feel like we got a lot of work
23 done, and certainly some things to think about between now and
24 Full Council. With that, our Data Collection Committee is
25 adjourned.

26
27 (Whereupon, the meeting adjourned on October 17, 2016.)

28
29

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