

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

2
3 273RD MEETING

4
5 FULL COUNCIL SESSION

6
7 IP Casino & Resort

Biloxi, Mississippi

8
9 APRIL 3-4, 2019

10
11 **VOTING MEMBERS**

- 12 Kevin Anson (designee for Scott Bannon).....Alabama
- 13 Patrick Banks.....Louisiana
- 14 Susan Boggs.....Alabama
- 15 Leann Bosarge.....Mississippi
- 16 Doug Boyd.....Texas
- 17 Roy Crabtree.....NMFS
- 18 Dale Diaz.....Mississippi
- 19 Jonathan Dugas.....Louisiana
- 20 Phil Dyskow.....Florida
- 21 Tom Frazer.....Florida
- 22 Martha Guyas (designee for Jessica McCawley).....Florida
- 23 Paul Mickle (designee for Joe Spraggins).....Mississippi
- 24 Lance Robinson (designee for Robin Riechers).....Texas
- 25 John Sanchez.....Florida
- 26 Bob Shipp.....Alabama
- 27 Greg Stunz.....Texas
- 28 Ed Swindell.....Louisiana

29
30 **NON-VOTING MEMBERS**

- 31 Glenn Constant.....USFWS
- 32 Dave Donaldson.....GSMFC
- 33 Lt. Mark Zanowicz.....USCG

34
35 **STAFF**

- 36 Assane Diagne.....Economist
- 37 Matt Freeman.....Economist
- 38 John Froeschke.....Deputy Director
- 39 Beth Hager.....Administrative Officer
- 40 Karen Hoak.....Administrative & Financial Assistant
- 41 Lisa Hollensead.....Fishery Biologist
- 42 Ava Lasseter.....Anthropologist
- 43 Mara Levy.....NOAA General Counsel
- 44 Emily Muehlstein.....Public Information Officer
- 45 Ryan Rindone.....Fishery Biologist & SEDAR Liaison
- 46 Bernadine Roy.....Office Manager
- 47 Carrie Simmons.....Executive Director

1 **OTHER PARTICIPANTS**
2 Greg Ball.....Galveston, TX
3 Ryan Bradley.....MS
4 Eric Brazer.....Reef Fish Shareholders Alliance
5 J.P. Brooker.....Ocean Conservancy, St. Petersburg, FL
6 James Bruce.....Magnolia, MS
7 Gary Bryant.....AL
8 B.J. Burkett.....Panama City, FL
9 Shannon Calay.....SEFSC
10 Ron Chicola.....Ruston, LA
11 Laura Deighan.....
12 Jason Delacruz.....FL
13 Traci Floyd.....MS
14 Heather Gamer.....Orange Beach, AL
15 Chris Gardner.....
16 Heather Gardner.....
17 Susan Gerhart.....NMFS
18 Brad Gentner.....CCA
19 Jim Green.....Destin, FL
20 Sara Griffin.....Orange Beach, AL
21 Tim Griner.....SAFMC
22 Buddy Guindon.....Galveston, TX
23 Ken Haddad.....ASA, FL
24 Chad Hanson.....Pew
25 Sepp Haukebo.....MS
26 Scott Hickman.....Galveston, TX
27 Dylan Hubbard.....FL
28 Ralph Humphrey.....Biloxi, MS
29 Robert Jones.....EDF
30 Bobby Kelly.....Orange Beach, AL
31 Captain Patrick Levine.....MS
32 Lawrence Marino.....LA
33 Jack McGovern.....NMFS
34 Bud Miller.....Destin, FL
35 Jay Mullins.....Apalachicola, FL
36 Bart Niquet.....Lynn Haven, FL
37 Ashford Rosenberg.....Reef Fish Shareholders Alliance
38 Clarence Seymour.....Biloxi, MS
39 Bill Staff.....Orange Beach, AL
40 Casey Streeter.....Matlacha, FL
41 Steve Tomeny.....Port Fourchon, LA
42 Dustin Trochesset.....Biloxi, MS
43 Mark Tryon.....Gulf Breeze, FL
44 Charles Tyer.....NOAA OLE
45 Ed Walker.....Tarpon Springs, FL
46 Wayne Werner.....Alachua, FL
47 Johnny Williams.....Galveston, TX
48 Jim Zurbrick.....Steinhatchee, FL
49

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7 include nominations for either an Officer of the Year Award or
8 Team of the Year Award and accept the proposed changes to the
9 eligibility criteria proposed by the LETC. [The motion carried](#)
10 [on page 28.](#)

11
12 [PAGE 71](#): Motion to approve the Replacement of Historical
13 Captain Permits with Standard Federal Charter/Headboat Permits,
14 and that it be forwarded to the Secretary of Commerce for review
15 and implementation and deem the revised codified text as
16 necessary and appropriate, giving staff editorial license to
17 make the necessary changes in the document. The Council Chair
18 is given the authority to deem any changes to the codified text
19 as necessary and appropriate. [The motion carried on page 75.](#)

20
21 [PAGE 75](#): Motion to change the time intervals on black grouper,
22 mutton snapper, yellowtail snapper allocations between the Gulf
23 and South Atlantic Councils from ten years to seven years. [The](#)
24 [motion carried on page 76.](#)

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26 [PAGE 76](#): Motion to change the time intervals on Gulf of Mexico
27 group king mackerel allocations between the recreational and
28 commercial sectors, zones, and gear types from nine years to six
29 years. [The motion carried on page 76.](#)

30
31 [PAGE 76](#): Motion to approve the allocation review triggers
32 letter as revised and submit it to NMFS. [The motion carried on](#)
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34
35 [PAGE 77](#): Motion to direct staff to contact SERO and SEFSC staff
36 to convene an allocation review workgroup to identify criteria
37 that would be appropriate for the species identified in the
38 draft NMFS allocation review triggers letter. [The motion](#)
39 [carried on page 78.](#)

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41 [PAGE 80](#): Motion to direct council staff to incorporate into the
42 FMPs NMFS recommendations as they pertain to the five-year
43 review of essential fish habitat. [The motion carried on page](#)
44 [81.](#)

45
46 [PAGE 83](#): Motion to have SERO/SEFSC develop a presentation for
47 the June 2019 council meeting to explain and discuss specific
48 data elements that will be required for reporting in the for-

1 hire fleet. Additionally, this presentation should include
2 updates on timelines for implementation and way to solves
3 challenges to implementation that were discussed at the April
4 2019 meeting. [The motion carried on page 87.](#)

5
6 [PAGE 99](#): Motion to recommend to NMFS that federal waters be
7 closed out to 200 miles to run concurrent with the date that the
8 State of Texas recommends for the 2019 Texas shrimp closure in
9 the Texas Territorial Sea. [The motion carried on page 99.](#)

10
11 [PAGE 99](#): Motion to recommend the council approve the Shrimp
12 Amendment 18: Evaluation of Shrimp Effort Threshold Reduction in
13 the Area Monitored for Juvenile Red Snapper Bycatch, and that it
14 be forwarded to the Secretary of Commerce for review and
15 implementation and deem the codified text as necessary and
16 appropriate, giving staff editorial license to make the
17 necessary changes in the document. The Council Chair is given
18 the authority to deem any changes to the codified text as
19 necessary and appropriate. [The motion carried on page 101.](#)

20
21 [PAGE 102](#): Motion to invite the U.S. Army Corps of Engineers to
22 an upcoming council meeting to discuss the impacts and overlaps
23 of the permits which come before the Corps for approval and
24 management of fisheries in federal waters. [The motion carried](#)
25 [on page 103.](#)

26
27 [PAGE 104](#): Motion to include funding in the budget to allow for
28 council member attendee at SEDAR meetings. [The motion carried](#)
29 [on page 104.](#)

30
31 [PAGE 104](#): Motion to accept the 2019 proposed budget as amended.
32 [The motion carried on page 105.](#)

33
34 [PAGE 107](#): Motion to recommend the council approve Amendment
35 50A: State Management Program for Recreational Red Snapper, and
36 that it be forwarded to the Secretary of Commerce for review and
37 implementation. [The motion carried on page 109.](#)

38
39 [PAGE 109](#): Motion to recommend the council approve the Amendment
40 50B: Louisiana State Management Program for Recreational Red
41 Snapper, and that it be forwarded to the Secretary of Commerce
42 for review and implementation. [The motion carried on page 111.](#)

43
44 [PAGE 111](#): Motion to recommend the council approve the Amendment
45 50F: Texas State Management Program for Recreational Red
46 Snapper, and that it be forwarded to the Secretary of Commerce
47 for review and implementation. [The motion carried on page 112.](#)

1 [PAGE 112](#): Motion to recommend the council approve the Amendment
2 50E: Florida State Management Program for Recreational Red
3 Snapper, and that it be forwarded to the Secretary of Commerce
4 for review and implementation. [The motion carried on page 114.](#)
5
6 [PAGE 114](#): Motion to recommend the council approve the Amendment
7 50D: Alabama State Management Program for Recreational Red
8 Snapper, and that it be forwarded to the Secretary of Commerce
9 for review and implementation. [The motion carried on page 116.](#)
10
11 [PAGE 116](#): Motion to recommend the council approve Amendment
12 50C: Mississippi State Management Program for Recreational Red
13 Snapper, and that it be forwarded to the Secretary of Commerce
14 for review and implementation. [The motion carried on page 117.](#)
15
16 [PAGE 118](#): Motion to recommend the council deem the codified
17 text for the state management amendments (50A through 50F) as
18 necessary and appropriate, giving staff editorial license to
19 make the necessary changes in the document. The Council Chair
20 is given the authority to deem any changes to the codified text
21 as necessary and appropriate. [The motion carried on page 122.](#)
22
23 [PAGE 123](#): Motion to recommend the council approve the Red
24 Grouper Framework Action to Modify Annual Catch Limits and
25 Annual Catch Targets and that it be forwarded to the Secretary
26 of Commerce for review and implementation and deem the codified
27 text as necessary and appropriate, giving staff editorial
28 license to make the necessary changes in the document. The
29 Council Chair is given the authority to deem any changes to the
30 codified text as necessary and appropriate. [The motion carried](#)
31 [on page 124.](#)
32
33 [PAGE 125](#): Motion in Action 1 to make Alternative 4 the
34 preferred alternative. Alternative 4 is reduce the commercial
35 trip limit to 500 pounds gutted weight (520 pounds whole
36 weight). [The motion carried on page 126.](#)
37
38 [PAGE 126](#): Motion in Action 1 to add an alternative that
39 creates a step-down provision that would be implemented when 75
40 percent of the ACT is projected to be harvested. The trip limit
41 would be reduced to 250 pounds gutted weight per trip. [The](#)
42 [motion carried on page 132.](#)
43
44 [PAGE 132](#): Motion in Action 1 to add an Alternative that would
45 establish a date prior to season start whereby the trip limit
46 would be reduced to 250 pounds gutted weight per trip. [The](#)
47 [motion failed on page 135.](#)
48

1 [PAGE 137](#): Motion to amend the purpose and need to read: To
2 review, evaluate, and modify, as appropriate. [The motion](#)
3 [carried on page 137](#).
4

5 [PAGE 137](#): Motion to postpone further consideration on Amendment
6 52 until August 2019. [The motion carried on page 138](#).
7

8 [PAGE 138](#): Motion to add a statement in Draft Amendment 36B that
9 indicates the elimination of derby fishing as a program goal has
10 been met. [The motion carried on page 138](#).
11

12 [PAGE 139](#): Motion to move Action 4 to Considered but Rejected.
13 Action 4 is accuracy of estimated weights in advance landing
14 notifications. [The motion failed on page 145](#).
15

16 [PAGE 171](#): Motion to start a document to bring to the June 2019
17 council meeting to modify the red snapper for-hire component's
18 buffer between its ACT and ACL at 9 percent, based on the
19 council's ACL/ACT Control Rule. [The motion carried on page 173](#).
20

21
22 - - -
23

1 The Full Council of the Gulf of Mexico Fishery Management
2 Council convened at the IP Casino & Resort, Biloxi, Mississippi,
3 Wednesday morning, April 3, 2019, and was called to order by
4 Chairman Tom Frazer.

5
6 **CALL TO ORDER, ANNOUNCEMENTS, AND INTRODUCTIONS**
7

8 **CHAIRMAN TOM FRAZER:** Welcome everybody to the 273rd meeting of
9 the Gulf Council. My name is Tom Frazer, Chair of the Council.
10 If you have a cell phone or similar device, we ask that you keep
11 it on silent or vibrating mode during the meeting. Also, in
12 order for all to be able to hear the proceedings, we ask that
13 you please have any private conversations outside. Please be
14 advised that alcoholic beverages are not permitted in the
15 meeting room.

16
17 The Gulf Council is one of eight regional councils established
18 in 1976 by the Fishery Conservation and Management Act, known
19 today as the Magnuson-Stevens Act. The council's purpose is to
20 serve as a deliberative body to advise the Secretary of Commerce
21 on fishery management measures in the federal waters of the Gulf
22 of Mexico. These measures help ensure that fishery resources in
23 the Gulf are sustained, while providing the best overall benefit
24 to the nation.

25
26 The council has seventeen voting members, eleven of whom are
27 appointed by the Secretary of Commerce and include individuals
28 from a range of geographical areas in the Gulf of Mexico with
29 experience in various aspects of fisheries.

30
31 The membership also includes the five state fishery managers
32 from each Gulf state and the Regional Administrator from NOAA's
33 Southeast Fisheries Service, as well as several other non-voting
34 members.

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

45
46 **MR. DALE DIAZ:** Dale Diaz, Mississippi.

47
48 **DR. PAUL MICKLE:** Paul Mickle, Mississippi.

1
2 **MS. LEANN BOSARGE:** Leann Bosarge, Mississippi.
3
4 **MR. DAVE DONALDSON:** Dave Donaldson, Gulf States Marine
5 Fisheries Commission.
6
7 **MR. PATRICK BANKS:** Patrick Banks, Louisiana.
8
9 **MR. J.D. DUGAS:** J.D. Dugas, Louisiana.
10
11 **MR. ED SWINDELL:** Ed Swindell, Louisiana.
12
13 **MS. SUSAN BOGGS:** Susan Boggs, Alabama.
14
15 **DR. BOB SHIPP:** Bob Shipp, Alabama.
16
17 **MR. KEVIN ANSON:** Kevin Anson, Alabama.
18
19 **LT. MARK ZANOWICZ:** Lieutenant Mark Zanowicz, U.S. Coast Guard.
20
21 **MR. TIM GRINER:** Tim Griner, South Atlantic Council.
22
23 **MR. GLENN CONSTANT:** Glenn Constant, U.S. Fish and Wildlife
24 Service.
25
26 **MS. MARA LEVY:** Mara Levy, NOAA Office of General Counsel.
27
28 **DR. ROY CRABTREE:** Roy Crabtree, NOAA Fisheries.
29
30 **MS. SUSAN GERHART:** Susan Gerhart, NOAA Fisheries.
31
32 **DR. SHANNON CALAY:** Shannon Calay, Southeast Fisheries Science
33 Center.
34
35 **MR. LANCE ROBINSON:** Lance Robinson, Texas.
36
37 **DR. DOUG BOYD:** Doug Boyd, Texas.
38
39 **DR. GREG STUNZ:** Greg Stunz, Texas.
40
41 **MR. PHIL DYSKOW:** Phil Dyskow, Florida.
42
43 **MR. JOHN SANCHEZ:** John Sanchez, Florida.
44
45 **MS. MARTHA GUYAS:** Martha Guyas, Florida.
46
47 **EXECUTIVE DIRECTOR CARRIE SIMMONS:** Carrie Simmons, council
48 staff.

1
2 **ADOPTION OF AGENDA AND APPROVAL OF MINUTES**
3

4 **CHAIRMAN FRAZER:** All right. Thank you. I am going to try to
5 move this meeting along, and so the first item on the agenda is
6 the Adoption of the Agenda, and that would be Tab A-3 in your
7 briefing materials. Can I get a motion? Motion to adopt the
8 agenda by Mr. Swindell. It's seconded by Patrick Banks.
9

10 **MS. GUYAS:** If I could, I just wanted to add one quick thing to
11 Other Business on the agenda, and that would be blackfin tuna.
12

13 **CHAIRMAN FRAZER:** Okay. We will add that to Other Business.
14 Thank you. Is there any other additions or modifications?
15

16 **MR. DIAZ:** I would like to add, under Other Business also, to
17 discuss the ACT for charter/for-hire.
18

19 **CHAIRMAN FRAZER:** Okay. Noted, and we will add that also to
20 Other Business. Is there any other modifications to the agenda?
21 Seeing none, the motion is approved to adopt the agenda with the
22 modifications. The next item on the agenda is Approval of the
23 Minutes, and that would be Tab A-4 in the briefing materials.
24 Are there any additions or modifications to those minutes?
25 Seeing none, can I get a motion to approve the minutes?
26

27 **MS. GUYAS:** Motion to approve the minutes.
28

29 **CHAIRMAN FRAZER:** We have a motion. Thank you. Any further
30 discussion on that? Seeing none, the minutes are approved. All
31 right, and so the next item on the agenda is a Review of the
32 Exempted Fishing Permit Applications, and I will turn that over
33 to NOAA staff.
34

35 **REVIEW OF EXEMPTED FISHING PERMIT (EFP) APPLICATIONS**
36 **GOLDEN CRAB EFP**
37

38 **MS. GERHART:** Thank you, Mr. Chair. I do have a presentation.
39 This is an exempted fishing permit that we received an
40 application for over a year ago, and the council has seen it
41 before and has asked us to bring this back after some further
42 review.
43

44 What we are looking at specifically is the area that is
45 proposed, but I would like to remind you of the application.
46 The purpose was to explore the viability of a golden crab
47 fishery in the Gulf as well as to gather more data about golden
48 crabs in the Gulf. There hasn't been really much research over

1 the past twenty years.

2

3 The applicants are golden crab fishermen from the South
4 Atlantic, and they would like to come and test four different
5 trap types in the Gulf, less than a hundred traps in the water
6 at any one time, and there are no buoys on these traps, and no
7 buoy lines. They're on a trawl, and so that means they're
8 connected to each other by a line. Then they find that line
9 using their equipment, and then they grapple that line and pull
10 up the trawl that way, and they like to set on mud bottom to
11 capture the crabs.

12

13 The bycatch that they anticipate are red crabs and isopods,
14 which they would be selling commercially as well, and they claim
15 to have little to no reef fish or shrimp, and these are very
16 deepwater areas, in their bycatch, and they will have a
17 biodegradable clasp to prevent any ghost fishing from any traps
18 that might be lost. However, because of the nature of the trawl
19 line that they put these traps in, trap loss is pretty low for
20 them, and these traps do cost about \$250 apiece, and the trawl
21 lines are up to forty traps in a trawl line, and so that's about
22 a \$10,000 loss if they lose one of those, and so they're very
23 good at finding them.

24

25 The reason they need an EFP is that traps are prohibited in the
26 Gulf, with the exception of those used in historical crustacean
27 fisheries, which, at the time that that was put into place,
28 those three fisheries were the blue crab, stone crab, and
29 lobster fisheries, and so the traditional traps used in those
30 fisheries are allowed as an exemption to the trap prohibition.
31 In the South Atlantic, there is a similar trap prohibition, with
32 these same exemptions, plus the golden crab as an exemption as
33 well.

34

35 A little history of how this EFP application has progressed. We
36 received the application from the applicants in early 2018, and
37 they came to the April council meeting and presented to you all,
38 at which time you all felt that there was a reason to go ahead
39 and recommend what they were proposing to do.

40

41 We published a Federal Register notice in October, after working
42 with the applicants, and we had, during that time, some concerns
43 raised from our Protected Resources Division, after consultation
44 with them, and so we changed the area that was proposed for this
45 project, and then we updated the council at the October meeting
46 last year about that, and, at that time, the council raised some
47 concerns about the new area.

48

1 We also, during the public comment on the Federal Register
2 notice, got some concerns from the public and comments, and we
3 had a total of nine comments on that, and they were concerns
4 about bycatch entanglement of marine mammals, as well as other
5 things, and movement of the traps, and so the main concerns we
6 heard were about whales in the area and entanglements, about
7 deepwater corals that could be affected, the longline fleet that
8 may be fishing near that area, and royal red shrimping, which is
9 done in deeper waters as well.

10

11 We started looking at these different areas, and so the bottom
12 area that you see, the smaller square, was the original area,
13 and then the more elongated one was the one that was in the
14 Federal Register notice and was shown to you at the October
15 meeting. Now, there was a lot of concern about this area, that
16 it was a very large area, but I need to point out that this
17 whole box is not the area.

18

19 It's only the area between 1,800 and 2,600 feet, and so the
20 actual area is the -- It's a little difficult to see on here,
21 but there are some dark black lines kind of running diagonally
22 from the northwest corner to the southeast corner, and that's
23 the actual area, and so outside of that strip is not part of the
24 EFP area, but it's a swath enclosed by that box, and so, just to
25 be clear, and I think we weren't very clear about that at the
26 October meeting, and that caused a lot of concerns about the
27 size of that box.

28

29 One of the reasons that we moved that box from the original area
30 had to do with sperm whales, and this is a heat map showing
31 sperm whale abundance, and what you can see down at the bottom
32 box, in the lower-right-hand corner, is that red spot is a
33 hotspot for sperm whales, and so our Protected Resources people
34 asked us to move the area farther north away from that hotspot
35 for the sperm whales, and so that's where that other box came
36 from.

37

38 I am going to look at that a little bit closer, so you can see
39 that, and one of the other concerns is Bryde's whales, and
40 Bryde's whales are in that pink area that is shaded in there, in
41 the northern area, and, although they are outside of the area
42 where the trappers are going to be, they're within this box, and
43 so you can see a little more clearly here the fathom lines that
44 show, or the foot lines that show, where that swath is in
45 between those black lines that they would be fishing in.

46

47 Because of a number of different concerns, we have since
48 determined that we could cut this box down, and so the line you

1 see across that box cuts off a little less than half of that
2 area, and so the area north would not be included with the EFP,
3 if it's approved, and so, south of that black line, within that
4 red box, is where we're looking at.

5
6 In addition, you can see a yellow shaded area, and that is the
7 West Florida Wall, which is one of the new HAPCs that the
8 council put in through Coral Amendment 9, and then the green box
9 in there is Okeanos Ridge, which is, I believe, one of the areas
10 proposed for Coral 10, and so our intention is not to have them
11 in those areas either, and so the new area that we are
12 considering is south of that dark line, and that's, I think, 26
13 degrees, 37 minutes, and then, within the depths of between
14 1,800 and 2,600 feet and outside of those two boxes that are
15 shown there.

16
17 Addressing the corals, NOAA's deep-sea coral group looked at
18 this and mapped out corals in the area of that box, and the EFP
19 area is that dark-purple shading, and so those are the only
20 areas, and they looked all around within the box, the original
21 box, however, and you can see that, if you look north of the
22 line, that there are quite a number of coral areas, and these
23 are corals and sponges, and so that's one of the reasons that
24 we're cutting off that northern area, is to avoid those corals
25 up there.

26
27 The ones that you see just below the black line, that are within
28 that swath of purple, that's where we have the West Florida
29 Wall, and so, again, that area will be off limits to them.
30 Then, a little farther down, you see some circles on top of the
31 purple, and that is that Okeanos Ridge that they will prohibited
32 from as well.

33
34 Concerns about the longliners, we looked at VMS points, and this
35 shows VMS points for the years of early 2007 to mid-2015, and
36 the points you can see within our area -- The lines that are
37 there are not exactly the area. Those show 1,500 and 2,500
38 feet, those lines, but we're talking 1,800 to 2,600, and so just
39 a little bit to the left of where those two lines are would be
40 the EFP area.

41
42 You can see the purple VMS points, and that purple represents
43 eleven to fifty trips that were done in that area, but recall
44 that's an eight-and-a-half-year period that those occurred
45 there, and so each of those really represents a maximum of maybe
46 six trips a year within that area, and so there is a little bit
47 of overlap, but the majority of the longlining is in that light
48 blue area that's farther up on the shelf.

1
2 We also looked at the shrimp ELB points that you see here,
3 because of concerns about the royal red shrimp that are in
4 deeper waters, and, again, if you look north of the black line,
5 you see a pink area, and that pink is where shrimp is in highest
6 concentration for this area, and I believe it's eleven to a
7 hundred trips that are in that pink area, and that is over a
8 ten-year period, and so about ten per year.

9
10 Again, to avoid that, we are not going in that northern area of
11 that box, just in the southern area, and you can see that there
12 is a few points here and there that represent less than ten over
13 a ten-year period, and only, I think, one point actually falls
14 within the swath that would be the EFP area.

15
16 This is what that area looks like. Here's the red outline that
17 shows actually where the EFP would be prosecuted. Again, it's
18 between 1,800 and 2,600 feet, only between those latitudes that
19 you see there and outside of those two boxes where the coral
20 concerns are, and so that is the update on the EFP.

21
22 **CHAIRMAN FRAZER:** Thank you, Sue. Mr. Swindell.

23
24 **MR. SWINDELL:** Sue, you're telling me there's mud bottom that
25 deep in the water out there? I mean, they prefer to put the
26 traps on mud bottom, and this is where they want to put it?

27
28 **MS. GERHART:** We have talked with them extensively about where
29 they would like to fish, and they would just like to try
30 fishing, and so that's the depths that they're used to fishing
31 in, over off the east coast, and, quite frankly, they will fish
32 wherever you tell them to go fish, because they really want to
33 get this working.

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

36
37 **MR. ANSON:** Sue, I certainly understand the benefits of having a
38 contiguous, an open, polygon, but, particularly west of the
39 Florida Shelf and west of Okeanos Ridge, the red lines were very
40 close to one another, and I know they had given some testimony
41 as to how accurate they can place, but does the distances that
42 are represented there kind of fit in with their ability to place
43 gear into those narrow areas?

44
45 **MS. GERHART:** Yes, I think so. The total area is about 217
46 square miles, and that's within that red, but you're right that
47 it is not a distance, but they are very accurate. These guys
48 have been doing this for a really long time, and so they're used

1 to how they have to start deploying to get to where they want in
2 that area, as far as I understand.

3

4 **CHAIRMAN FRAZER:** Ms. Bosarge.

5

6 **MS. BOSARGE:** I just wanted to say that I'm pretty comfortable
7 with this, and I appreciate you all looking into the royal red
8 shrimping and making sure we don't have interactions there,
9 because it is dangerous if you hang up in that depth of water
10 when you're shrimping, and so I'm proud of that, and I think
11 this looks like an excellent compromise, and I know this -- When
12 this particular gentleman presented to us the last time, he does
13 have some history in the Gulf, through his father.

14

15 I think his father actually gave this fishery a shot, many, many
16 years ago, and I don't think it was an issue of being able to
17 catch the species, but it was more how to process them at that
18 point, with the technology, and get them back to shore in the
19 right condition, and so I think he will do a good job, and I'm
20 very comfortable with what you've laid out.

21

22 **CHAIRMAN FRAZER:** Mr. Boyd.

23

24 **MR. BOYD:** A question, Sue. What are the currents like in this
25 area? If they're going to be deploying a line of traps, it
26 looks like, if we have any current at all, they could go any
27 which way.

28

29 **MS. GERHART:** I'm not personally familiar with the currents in
30 that area, and so I can't really answer that question, but I
31 think that was actually posed to them the last time they came
32 here, and they seemed to be fairly confident that they can judge
33 the currents there and get them where they need to.

34

35 **CHAIRMAN FRAZER:** Dr. Crabtree.

36

37 **DR. CRABTREE:** Remember the traps are on the bottom, and they
38 grapple them up, and so it's not like a crab pot, and so you
39 would have to look at -- The currents are complicated.

40

41 **CHAIRMAN FRAZER:** Mr. Sanchez.

42

43 **MR. SANCHEZ:** They have experience fishing in the Gulf Stream on
44 the south side of Florida, and these guys know what they're
45 doing, and they will be able to deal with bottom and location
46 and current and pretty much anything else that comes their way.

47

48 **CHAIRMAN FRAZER:** Okay. Are there any -- Go ahead, Martha.

1
2 **MS. GUYAS:** Just a question, because I feel like, when we talked
3 about this before, we had a number of people from the Coral AP
4 come forward and were really concerned, and I'm just wondering
5 if we're gotten any feedback from I guess some of those
6 individuals, and I know the Coral AP hasn't met, but if we've
7 gotten any reaction from those members on this.
8
9 **CHAIRMAN FRAZER:** Maybe I can throw this over to Emily. Is
10 there any comments?
11
12 **MS. EMILY MUEHLSTEIN:** No, we did not receive any comments on
13 this.
14
15 **CHAIRMAN FRAZER:** Okay. Thank you. Are there any other
16 questions or comments? John Froeschke.
17
18 **DR. JOHN FROESCHKE:** Heather Coleman is from the Deep-Sea Coral,
19 and she sent me an email this morning, just about an hour ago,
20 and it said they might have some additional information, and so
21 I don't know what that is or anything, but they are engaged and
22 aware of this, and so, if there were a group to reach out to, I
23 suppose that we could contact them, and they would probably have
24 better information on the corals.
25
26 **CHAIRMAN FRAZER:** I am just wondering, have you interacted with
27 that group already?
28
29 **MS. GERHART:** This map that's up here was from them, and so they
30 had the box, and they have the depths. This was a while ago
31 that we did this, probably last fall, that they gave this to us,
32 and, if there's something new since then, then we would
33 certainly look at that.
34
35 **CHAIRMAN FRAZER:** Okay. I guess we'll wait to hear from them,
36 and then, when you get that information, we'll share it. Are
37 there any -- Mr. Boyd.
38
39 **MR. BOYD:** A question for you, Tom. You're our coral expert,
40 and is this area -- Does this area have a lot of coral in it and
41 around these designated HAPCs?
42
43 **CHAIRMAN FRAZER:** We had some discussion in previous meetings
44 about this area, and it's a fairly contiguous area with regard
45 to corals. When we were identifying those areas for HAPCs,
46 obviously, those were areas that were identified as particularly
47 dense, or species rich, and so that was the basis for the
48 designation.

1
2 Those were, I guess, based on the information that we had
3 before, special areas, right, but there is certainly hard bottom
4 distributed throughout that region, but, as Roy pointed out, and
5 others, they're not going to set that gear on that habitat if at
6 all possible. They don't want to lose that gear. Roy.

7
8 **DR. CRABTREE:** We have had this EFP request for a while now, and
9 we've already gone through a Federal Register notice and the
10 comment period, and so we can check with the deep-sea coral
11 people and see if there's anything we're missing, but, at this
12 point, it's not our plan, really, Tom, to come back to the
13 council with this again, because we feel like we need to go
14 ahead and make a decision on it, and so I guess, if you guys
15 have -- If you want to see this move forward, then I think now
16 is the time for you to let us know what you think as a council.

17
18 **CHAIRMAN FRAZER:** I am just looking around the council table
19 right now and just, if there are any serious objections to
20 moving this forward, now is the time. Mr. Anson.

21
22 **MR. ANSON:** Just a quick question to refresh my memory. Sue,
23 did they offer working with any researcher, as far as the crabs
24 that were going to be harvested? Was there a research component
25 with that, with the EFP?

26
27 **MS. GERHART:** No, I don't think so. If there was, it probably
28 wouldn't be an EFP.

29
30 **CHAIRMAN FRAZER:** Just give me a second. I'm looking at an
31 email from the coral folks.

32
33 **MS. GERHART:** If I could, while he's doing that, they have been
34 very willing to take aboard anyone who might want to go with
35 them, as well as if there is someone who wants to do some
36 research, and I think they would be very amenable to doing that.

37
38 **CHAIRMAN FRAZER:** The email that we just received essentially
39 says that they might have some more available data, but they're
40 not quite sure, and so that's the best we can do. Mr. Swindell.

41
42 **MR. SWINDELL:** I move approval of this EFP. If we can move on
43 with it, let's move on with it.

44
45 **CHAIRMAN FRAZER:** Okay. Roy, is that something that we need a
46 motion or not?

47
48 **DR. CRABTREE:** Normally, you would make a motion to recommend

1 approval of the EFP, and then Carrie would, or I guess you, Tom,
2 would send us a letter saying the council considered it and
3 recommends approval.

4
5 **CHAIRMAN FRAZER:** Would you like to make that motion then, Ed?

6
7 **MR. SWINDELL:** Yes.

8
9 **CHAIRMAN FRAZER:** The motion on the board is to recommend
10 approval of the golden crab EFP. Is there a second? Second by
11 John Sanchez. Is there any further discussion on the motion?
12 Mr. Boyd.

13
14 **MR. BOYD:** Just one more question. Because of the corals that
15 were know that are in this area, and they are obviously long-
16 lived corals at that depth, how will we know if they do disrupt
17 any coral or destroy any coral? I mean, it appears that we're
18 not going to know, because, at that depth, we're not sending
19 down rovers or anything else, I don't think, to look at the
20 coral while they're there or to see if they're on top of it, and
21 I'm just concerned that we will never know.

22
23 **CHAIRMAN FRAZER:** I think that's a legitimate concern, and I
24 think what I would probably, again, ask Sue, or the folks over
25 at NMFS, is, if there is an opportunity for -- The Deep-Sea
26 Research Program might be able to help with this, actually, if
27 you could contact them.

28
29 **DR. CRABTREE:** We can certainly talk to them and see if they
30 would be interested and have someone ride along and observe. We
31 don't have any funding to put observers. Now, we can ask the
32 applicants to report to us any kind of encounters or things, but
33 that would be self-reported information, but we can see what we
34 can come up with on that.

35
36 **CHAIRMAN FRAZER:** I appreciate that. Just an effort, at least,
37 to see if we can try to gain some type of information with
38 regard to potential habitat disturbance, and I think that's a
39 legitimate request. Are there any further questions or
40 discussion? Go ahead.

41
42 **LT. ZANOWICZ:** Thanks. I just had a quick question. I'm not
43 that familiar with this fishery, but how do they locate and
44 retrieve the traps if they don't have buoys on them?

45
46 **MS. GERHART:** If you want a lot of information about that
47 fishery, Dr. McGovern, in the audience, knows a lot about that,
48 but they have a pinger, basically, on them, so that they can

1 find them, and they can actually see the line between the traps.
2 They can see that through the depth finder stuff, and so they
3 can see where it is and grapple it that way.

4
5 **CHAIRMAN FRAZER:** Any further discussion? Mr. Swindell.

6
7 **MR. SWINDELL:** Is there any time that -- This is an exempted
8 fishing permit, and do we have a time certain of when it has to
9 be reviewed? I mean, this is foregoing approval.

10
11 **CHAIRMAN FRAZER:** Sue.

12
13 **MS. GERHART:** I think they asked for a two-year exempted fishing
14 permit. As far as the approval process, they did submit this to
15 us over a year ago, and so we -- They have been waiting for a
16 while, and they would like to start fishing this year, if it's
17 approved.

18
19 **CHAIRMAN FRAZER:** Any further discussion? **Seeing none, is there**
20 **any opposition to this motion? Seeing none, the motion carries.**
21 Ms. Bosarge.

22
23 **MS. BOSARGE:** I was just going to ask -- I know it's probably
24 outside of the norm for NMFS, but the gentleman that came and
25 presented, that is going to be doing this project, Mr. Brad, I
26 think his name was, maybe could you give him some contact
27 information and some names on some of the longliners that are
28 out there in that area, and maybe even the one royal red
29 shrimper that interacts with our AP sometimes, and, that way, he
30 doesn't have to recreate the wheel. They also know exactly
31 where that coral is, and I think, if they had a good working
32 relationship, that would be helpful to also -- As a secondary
33 safeguard of our resources, and I think that would be great.

34
35 **CHAIRMAN FRAZER:** Okay. Any additional comments? Seeing none,
36 I think we're going to move on. The next item on the agenda is
37 a presentation by Captain Patrick Levine from the Mississippi
38 Department of Marine Resources.

39
40 **PRESENTATIONS**
41 **MISSISSIPPI LAW ENFORCEMENT EFFORTS**

42
43 **CAPTAIN PATRICK LEVINE:** Good morning, council. I'm Patrick
44 Levine from the Mississippi Department of Marine Resources.
45 Today, I'm going to be doing a presentation on the current
46 status of the joint enforcement agreement between NOAA OLE and
47 the Office of Marine Patrol.

1 As of today, we have conducted 1,899 man hours of patrols.
2 While engaged on those patrols, we have encountered 810
3 stakeholders. During outreach events, we have reached
4 approximately 10,000 stakeholders during outreach events, such
5 as fishing tournaments, fishing rodeos, public campaigns, and
6 that enforcement effort broken down, if you look at this pie
7 chart, to date, 65 percent of our efforts have been underway in
8 a vessel, 27 percent of those efforts have been dockside, with
9 the remaining 8 percent outreach.

10
11 When it comes to vessel hours, what do those patrols look like?
12 Those patrols break down that 40 percent of the patrols have
13 been mid-range, 24 percent have been near-shore, and 36 percent
14 have been long-range patrol.

15
16 We have performed many, many vessel boardings, and I am going to
17 break each of them down really quick, what those boardings look
18 like. First of all, the Endangered Species Act, with TEDs, to
19 date, we have had ninety-nine commercial contacts, and we've
20 taken three enforcement actions, and we have observed a 97
21 percent compliance rate.

22
23 For red snapper, we have had 471 recreational contacts, twenty-
24 five commercial contacts, fourteen enforcement actions taken,
25 for a compliance rate of 97 percent.

26
27 Under HMS, Lacey, and general enforcement, we have had 144
28 commercial contacts, sixty-eight recreational contacts, and
29 twenty-six enforcement actions have been taken, for an observed
30 compliance of 88 percent. While I have this slide up, if you
31 notice the picture there, during one of our outreach events, a
32 local rodeo, we had somebody that tried to submit a shark that
33 was prohibited, and so, during that outreach event, it came to
34 our attention, the officers that were down there working, that,
35 hey, somebody has a prohibited species, and so you see that
36 there on notable cases. That is currently under investigation.

37
38 The MDMR is working, and has worked, a joint investigation with
39 NOAA OLE and the Louisiana Department of Wildlife, Fisheries,
40 and Parks pertaining to the illegal harvest, transport,
41 shucking, and sale of oysters. In that particular case, two men
42 were cited, for a total of nine state misdemeanor violations.
43 That case is currently still under investigation, and it's
44 growing.

45
46 The DMR is jointly working a Lacey Act investigation with NOAA
47 OLE and Alabama Marine Resources Division, and that
48 investigation is continually growing, and we expect multiple

1 charges in that case, and so there are a lot of large profile
2 cases that are continually being worked under the joint
3 enforcement agreement.

4
5 Under the 2017 JEA, we purchased this offshore vessel, and it's
6 a thirty-four-foot Cobia, and we powered it with three Suzuki,
7 and this vessel is primarily going to be used for offshore red
8 snapper enforcement in the recreational sector.

9
10 The Marine Patrol's continued success, obviously the continued
11 funding from NOAA, through the joint enforcement agreement and
12 the Office of Law Enforcement with NOAA, we appreciate that, and
13 we're thankful for it, the increased patrols in the EEZ for
14 federal fishery compliance, and then the continued strong
15 partnership with federal and state agencies.

16
17 We can't say enough on the importance of the partnerships we
18 have with the states on the Gulf of Mexico and also with NOAA
19 Office of Law Enforcement. There have been just -- It's been an
20 amazing partnership, working amongst the states, and we're
21 thankful for that. Since I am the only thing standing between
22 you and lunch, that concludes my presentation. Do you have any
23 questions pertaining to this presentation?

24
25 **CHAIRMAN FRAZER:** Thank you, Captain Levine. Are there any
26 questions? Go ahead, Paul.

27
28 **DR. MICKLE:** Thank you, Captain Levine. We really appreciate
29 you giving the presentation, and I'm glad that it was -- It was
30 very well done, and it really showed the different federal acts
31 that JEA provides the ability for the states to do, and my
32 question -- We had some discussion yesterday about JEA and
33 funding specifically, and would you say -- When you're on the
34 water, you're obviously -- I am reading all the acts that OLE
35 and JEA, of course, falls under, and it's Magnuson-Stevens that
36 you're enforcing, the Endangered Species Act, Marine Mammal,
37 National Marine Sanctuaries Act, Lacey Act, and then there's one
38 more, the Northern Pacific Halibut Act of 1982, and I don't know
39 if that's really pertinent, but I just thought that I should
40 mention it, because that's all of them, but would you say, when
41 you're doing dockside intercepts, when you're perusing the
42 terrestrial landings, right, would you say all of these acts,
43 barring the Northern Pacific Halibut Act, you're still trying to
44 -- You're putting forth efforts of enforcing all of those acts,
45 of which you do on the water, and you carry to the dockside
46 intercepts?

47
48 **CAPTAIN LEVINE:** Yes, sir. They do all carry to the dockside,

1 and, thinking this way, ultimately, everything that happens in
2 the Gulf, eventually it has to make its way to land, and so all
3 of our officers make contacts, and, often, we'll receive
4 information, or a tip, and we may not be able to engage that
5 individual on the water, but we can do is we can make that
6 contact on land.

7

8 **DR. MICKLE:** thank you.

9

10 **CHAIRMAN FRAZER:** Are there any other questions for Captain
11 Levine? Go ahead, Dale.

12

13 **MR. DIAZ:** I just want to make a short mention. I just want to
14 applaud you all's organization, Patrick. I work closely with
15 you all from time to time. Chief Davis and you all's management
16 team have really developed a very professional unit, and, every
17 time I interact with you all, I am always appreciative of how
18 professional your folks are, and so thank you all for that.

19

20 **CAPTAIN LEVINE:** Thank you.

21

22 **CHAIRMAN FRAZER:** I would say I think everybody around this
23 council table appreciates the work that your group does, and we
24 appreciate you, and thank you for being here.

25

26 **CAPTAIN LEVINE:** Thank you, sir. Thank you, council.

27

28 **CHAIRMAN FRAZER:** All right, and so we're not going to actually
29 let you go to lunch. I am going to try to go to the Law
30 Enforcement Committee Report and knock that out, and I think
31 it's a good follow-up.

32

33 **LAW ENFORCEMENT COMMITTEE REPORT**

34

35 **MR. BOYD:** Thank you, Mr. Chairman. The Law Enforcement
36 Committee members are Mr. Diaz, Mr. Banks, Mr. Anson, Mr.
37 Donaldson, Mr. Dyskow, and Mr. Robinson and Lieutenant Zanowicz.
38 The first thing on the agenda is to adopt the agenda, and could
39 I have a motion to adopt the agenda with any changes that are
40 necessary? We have a motion and a second, and the agenda is
41 adopted. Approval of the minutes, I will entertain a motion.
42 We have a motion by Mr. Donaldson, and Mr. Dyskow seconds. Dr.
43 Lasseter, if you would go over the Action Guide and the Next
44 Steps.

45

46 **DR. AVA LASSETER:** Yes, and thank you, Mr. Boyd. There is
47 really just one item on the action guide, and it will lead us
48 right into the next agenda item, which is the Law Enforcement

1 Technical Committee meeting summary.

2
3 We will review the report with you, and there were not other
4 comments. There were not other sections of the LETC report that
5 ended up being discussed elsewhere in the committee. Their
6 primary discussion was to develop recommendations for a possible
7 law enforcement team of the year award, and so that's what we'll
8 spend the most time on, and so I will go on into the meeting
9 summary, if that's okay with the committee.

10
11 The summary is located at Tab L, Number 4, and so the LETC met
12 just a couple of weeks ago, and we reviewed the current actions
13 that could have law enforcement implications, and we actually
14 walked them through the council's action schedule as well,
15 showing them where it's located in the briefing book and just
16 kind of connecting them with the council process a little bit
17 more.

18
19 One issue that they did have some discussion on, and this is
20 towards the top of page 2, is the issue of non-permitted vessels
21 taking paying passengers to fish for red snapper in federal
22 waters or illegal charters, as I just discovered that term
23 recently, and so we brought this up because we heard, at the
24 state management public hearings, and our Outreach Officer also
25 has been hearing some complaints, and so the Law Enforcement
26 Committee discussed what they've heard and the fact that some
27 active investigations are going on currently, and they did point
28 out that these are much more complex investigations for them to
29 pursue, and so that does make it more difficult for them to
30 respond to, because it does involve them actually doing an
31 undercover investigation, and they've got to book a trip on one
32 of these vessels, and so it's a little more complex than just
33 doing on-the-water enforcement and checking bag limits and size
34 limits.

35
36 The LETC members did strongly advise other for-hire operators,
37 or people in the public, whoever is concerned about this issue,
38 to communicate regularly with their state agencies about these
39 concerns. They said they can't take any action unless they are
40 hearing about it and they're aware of what's going on, and so
41 they did encourage that.

42
43 The next item, and this will be the bulk of the report, is the
44 development of a possible team of the year award, and so, as we
45 know, every year, the council recognizes its outstanding officer
46 of the year from somewhere in the Gulf, throughout the Gulf, and
47 this group has been discussing that sometimes there is people
48 that they may want to nominate, but they're a part of an

1 enforcement team, and it could include people that are
2 undercover and that could not be identified, and so they have
3 been talking about this for a little while and wanting to expand
4 this award.

5
6 At the end of the report, there is a copy of the council's
7 current Law Enforcement Officer of the Year, and so what the
8 LETC is proposing is that, each year, each state nominates
9 either an officer of the year or a team of the year, and so this
10 could result in the council needing to evaluate some officers
11 and some teams, depending on which states elect to provide which
12 type of nomination.

13
14 Another suggestion is that the LETC itself be the group that
15 reviews these nominations and ranks them and provides a
16 recommendation to the council for the top two recommendations or
17 rankings for the top two people, and then, of course, in closed
18 session, the Law Enforcement Committee would evaluate those
19 rankings and ultimately select from the nominees.

20
21 What we did in the LETC meeting was walked through this
22 nomination form and made all of the recommended changes that
23 they would like to see made, and primarily it's just editorial,
24 to change this from nominee to the potential for plural
25 nominees, and, if we scroll down a little bit to the award
26 criteria, they did modify this somewhat, and they broke out the
27 teamwork and public outreach, such that the teamwork part would
28 have its own stand-alone one, which is both -- I apologize, and
29 this is on page 5.

30
31 They broke out the teamwork and public outreach, the first item
32 under the award criteria, and so now there's a public outreach
33 section, and then there would be a partnership section, just so
34 there is something that more fully reflects the team aspect, and
35 now, if we scroll down to the next page, other recommended
36 changes, proposed changes, we're to the guidelines, and so the
37 LETC is also requesting that, rather than all of these
38 performance reviews and official reports and whatnot be
39 submitted as documentation, that this form itself serve as the
40 primary mechanism for the nominations.

41
42 They would ask that the form be converted into a fillable PDF
43 and that each of these previous award criteria, public outreach,
44 partnerships, excellence and innovation, attitude and
45 leadership, and, finally, achievements and accomplishments, be
46 fillable fields on this electronic form, and then the nominating
47 agency would be able to just fill in these spots electronically,
48 providing a letter as well, and then, finally, they have

1 provided a proposed timeline for themselves, and so they have
2 said that they would provide this nomination for either the
3 Officer of the Year or Team of the Year Award by February 1 of
4 each year.

5
6 Then the LETC, at its March meeting, would discuss these
7 nominations, and, at that time, rank them and make its
8 recommendations to the council. In the event we had some delay,
9 we would be able to accomplish this through a webinar, and we
10 would have to notice it and whatnot, but, should we not be able
11 to get this done in time for the March meeting, we could get
12 have them convene before your April meeting.

13
14 Then we would bring to you, at your April meeting, like now,
15 their report and their nominations, and, in closed session, you
16 would have the opportunity to review those and rank those, and
17 so these are the changes to the form. If we scroll down to just
18 the very, very last page, there is just a comment there, where
19 they recommended modifying the form to be a fillable PDF for the
20 spaces for those reward criteria, and then we also did some
21 editorial changes, on the very, very last page, as far as
22 updating our address to our new council office, and so you can
23 see all those changes.

24
25 The first draft, this is all in track changes. Then, below
26 that, if you keep going down through the report, it's a
27 completely clean copy of what all of this would look like, and
28 then here is all these track changes accepted, so you could take
29 a look and read through it a little more cleanly. I will pause
30 there and see if the committee would like to discuss the LETC's
31 recommendations, and, if we could also go back up to the report,
32 there is a motion specific to this proposal.

33
34 **CHAIRMAN FRAZER:** Mr. Boyd.

35
36 **MR. BOYD:** I would just like to say a couple of things about
37 this. The process that we've had over the years for an award
38 for law enforcement has morphed and moved, and we have been
39 developing criteria and procedures over the years, and I have
40 listened to their comments over the years in the Law Enforcement
41 Committee, and I think this is just a refinement of what we've
42 been trying to do for a long time, and it is recommended by
43 them, and I think it's important that we listen.

44
45 They have a problem, because they can't award sometimes -- As
46 Dr. Lasseter said, they cannot award to an undercover agent, and
47 usually those things are done with a team of people, either from
48 the federal level or undercover, and so it's hard for them to

1 recognize some of the people that they would like to recognize,
2 and so I think it's important, and I would recommend to the
3 committee that we approve it. This is a committee motion, and
4 so it doesn't need a second, Mr. Chairman.

5
6 **CHAIRMAN FRAZER:** Is there a second for that motion? Dale.

7
8 **MR. DIAZ:** This is for Ava or for Doug, either one. Does the
9 motion that was on the board just a second ago -- If we were to
10 adopt that motion, would that do everything that they asked for,
11 including the fillable form, and then they would make the top
12 two recommendations to us, and would that do everything, if we
13 accepted that motion as it's written?

14
15 **DR. LASSETER:** I guess I would just rephrase it a little bit, to
16 be coming from you rather than from the LETC, and so the one
17 recommendation that the LETC did make is provided in your
18 report, which is that the council expand this Officer of the
19 Year Award to include nominations of either Officer or Team of
20 the Year Award and to accept the proposed changes in the
21 eligibility criteria, and I think you could make a motion here
22 to just accept the LETC's proposed changes to this award and
23 approve the proposed changes, correct.

24
25 **MR. DIAZ:** Based on what they just said, if it's all right, I
26 would like to make that motion. If it's worded wrong, please
27 help me wordsmith it, Ava. **The motion is to recommend to the**
28 **council --**

29
30 **CHAIRMAN FRAZER:** We are in Full Council session, and so just
31 make the motion.

32
33 **MR. DIAZ:** Okay. **To expand the Officer of the Year Award to**
34 **include nominations for either Officer of the Year or Team of**
35 **the Year Award and accept the proposed changes to the**
36 **eligibility criteria proposed by the LETC.** The intent of my
37 motion is to accept all of their recommendations. Thank you.

38
39 **CHAIRMAN FRAZER:** We have a second by Mr. Swindell. Is there
40 discussion? Kevin Anson.

41
42 **MR. ANSON:** Just to be clear, one of their recommendations was
43 that they would review the applications and then provide the top
44 two, as they deem it, and so those would be the only two that
45 would be coming to the council for voting on? Okay.

46
47 **MR. DIAZ:** Kevin, what I like about that is I read through all
48 of these things to get ready for the meeting, and you really --

1 It depends on how good the person writing the recommendation is,
2 and these guys are at least closer to them, and they're a little
3 bit more familiar with them, and I feel like they could probably
4 do a better job at making that selection, and then we'll still
5 have two to choose from once it gets here, but I feel like they
6 are closer to them, and it just would be more effective that
7 way.

8

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

10

11 **MR. ANSON:** I think Ava wanted to respond to that.

12

13 **CHAIRMAN FRAZER:** Go ahead, Dr. Lasseter.

14

15 **DR. LASSETER:** Thank you. We would definitely bring to you all
16 five of the application packages, and we would note which were
17 the ones -- We would note the ranking amongst the five, but we
18 will definitely provide everything that was nominated.

19

20 **MR. BOYD:** The discussion in the committee was that they would
21 do the debate among themselves to bring it down from five states
22 to one state, to one applicant, so that we wouldn't have to go
23 through all of those applicants. They would give us a
24 recommendation of one officer and a team.

25

26 **CHAIRMAN FRAZER:** Ava.

27

28 **DR. LASSETER:** The way I understood it was that they would
29 evaluate the five, and they would pick the top two, and it could
30 be in one year an officer, a team, and an officer, but they
31 would select from amongst however the assemblage is, and they
32 would rank the top two, but they would provide you, as the
33 deciding body, all of the information that they had available,
34 which would be all five applications, nominations.

35

36 **CHAIRMAN FRAZER:** Mr. Swindell.

37

38 **MR. SWINDELL:** I think she states what I remember of the
39 meeting, is that they would going to submit at least two from us
40 to choose from.

41

42 **MR. BOYD:** Yes, that's what I was trying to say. They wouldn't
43 come with five officer nominations. They would pare that down,
44 and they would come to us with a possible team, and is that
45 correct, Ava?

46

47 **CHAIRMAN FRAZER:** Ava.

48

1 **DR. LASSETER:** I think this is really probably semantics. There
2 is going to be nominations, and we'll have up to five
3 nominations. Among those nominations, they will rank the top
4 ones that they recommend get the award. We will bring to you
5 all of those nominations with the people identified, or the
6 teams identified, who were the top -- Who they think should get
7 it, but you will have all of the information, including the
8 identified top two ranking nominees. I am saying five, but, of
9 course, NOAA OLE is invited to provide a nomination as well, and
10 so there could be up to six. Excuse me. Also the Coast Guard.
11 Excuse me.

12
13 **CHAIRMAN FRAZER:** All right. I think that it's clear at this
14 point. Are there any further questions or discussion? **Seeing**
15 **none, is there any opposition to this motion? Seeing none, the**
16 **motion carries.**

17
18 **DR. LASSETER:** Okay. That is pretty much the bulk of the
19 report. The Law Enforcement Committee, the Gulf States
20 Commission side, did meet, and they reviewed the usual items,
21 updated in terms of what's going on with the commission profiles
22 for the LETC members, LEC members, and then, the other major
23 discussion that kind of happened, I believe that Lieutenant
24 Zanowicz is going to provide information that he provided to the
25 LETC to the Full Council shortly, and so I will -- It is
26 provided in your report, but I think we'll be hearing that
27 firsthand here shortly, and that concludes the summary report.
28 Thank you.

29
30 **CHAIRMAN FRAZER:** Thank you, Ava, and I appreciate you guys
31 making the time to squeeze this in right before lunch, and, if I
32 look at my clock, we are exactly on schedule at this point, and
33 so thank you, again. Before we go to lunch, Emily Muehlstein
34 has one request. If everybody would, outside those doors, line
35 up for a Full Council picture. This is the first time that
36 we've all been here for a while.

37
38 (Whereupon, the meeting recessed for lunch on April 3, 2019.)

39
40 - - -

41
42 April 3, 2019

43
44 WEDNESDAY AFTERNOON SESSION

45
46 - - -

47
48 The Full Council of the Gulf of Mexico Fishery Management

1 Council reconvened at the IP Casino & Resort, Biloxi,
2 Mississippi, Wednesday afternoon, April 3, 2019, and was called
3 to order by Chairman Tom Frazer.

4
5 **CHAIRMAN FRAZER:** Good afternoon, everyone. Public input is a
6 vital part of the council's deliberative process, and comments,
7 both oral and written, are accepted and considered by the
8 council throughout the process.

9
10 The Sustainable Fisheries Act requires that all statements
11 include a brief description of the background and interest of
12 the persons in the subject of the statement. All written
13 information shall include a statement of the source and date of
14 such information.

15
16 Oral or written communications provided to the council, its
17 members, or its staff that relate to matters within the
18 council's purview are public in nature. Please give any written
19 comments to the staff, as all written comments will also be
20 posted on the council's website for viewing by council members
21 and the public, and it will be maintained by the council as part
22 of the permanent record.

23
24 Knowingly and willfully submitting false information to the
25 council is a violation of federal law. If you plan to speak and
26 haven't already done so, please sign in at the iPad registration
27 station located at the entrance to the meeting room. We accept
28 only one registration per person.

29
30 Each speaker is allowed three minutes for their testimony.
31 Please note the timer lights on the podium, as they will be
32 green for the first two minutes and yellow for the final minute
33 of testimony. At three minutes, the red light will blink, and a
34 buzzer may be enacted. Time allowed to dignitaries providing
35 testimony is extended at the discretion of the Chair.

36
37 If you have a cell phone or similar device, we ask that you keep
38 them on silent or vibrating mode during the meeting. Also, in
39 order for all to be able to hear the proceedings, we ask that
40 you have any private conversations outside, and please be
41 advised that alcoholic beverages are not permitted in the
42 meeting room. Our first speaker is Lawrence Marino, followed by
43 Jason Delacruz.

44
45 **PUBLIC COMMENT**

46
47 **MR. LAWRENCE MARINO:** Good afternoon. I'm Larry Marino, and I'm
48 here on behalf of Louisiana Attorney General Jeff Landry.

1 First, as to the state management amendments, not
2 unsurprisingly, Attorney General Landry full supports those
3 amendments and commends this body for resolving the difficult
4 question of allocation of the quota among the states.

5
6 However, in the what-have-you-done-for-me-lately category, he
7 would like to urge that this body begin developing a separate
8 amendment to enable state management of the for-hire component
9 as well, only for states that want it, as has been discussed
10 during development of Amendment 50. The Louisiana for-hire
11 industry does want it, and the Louisiana Department of Wildlife
12 and Fisheries has proven that it can do a good job of it.

13
14 As to Amendment 36B, Attorney General Landry urges the council
15 to continue to move that amendment forward. As long as the IFQ
16 program is in place, those limited access privileges should be
17 allocated to fishermen and not to non-fishermen. Use-it-or-
18 lose-it is an appropriate standard here.

19
20 Amendment 36B tries to get at this by defining fishermen, and
21 they do it by trying to define it as the reef fish permit
22 holder. As Dr. Crabtree has pointed out, this is likely simply
23 to drive up the price of reef fish permits, as catch
24 shareholders purchase it in order to remain viable. It seems
25 likely to move the problem rather than to solve it.

26
27 We, therefore, urge beginning to explore other ways to define
28 who is a fisherman. Attorney General Landry also urges
29 exploring what to do with catch shares that are divested and
30 suggests that auction is at least one of the appropriate means
31 of dealing with that, limited to fishermen being able to acquire
32 it.

33
34 Alternatively, the exact opposite of divestiture may be explored,
35 should be explored, true intersector transfer, not limited to
36 commercial, or even to for-hire, but also to private angling and
37 actually moving that percentage to the recreational sector.

38
39 Finally, as to the allocation review, now is the time to flesh
40 out what allocation review will be, what will result and under
41 what circumstances, so that we can be prepared, when it's time
42 to implement that, but also to allow this to be done in the
43 abstract, for multiple species at once, rather than in the heat
44 of particular facts. The standards should be as objective,
45 determinable, and as well-defined as possible. The committee
46 has moved to request that this process begin, and Attorney
47 General Landry fully supports that. Thank you.

48

1 **CHAIRMAN FRAZER:** Thank you, Mr. Marino. Our next speaker is
2 Jason Delacruz, followed by Ronald Chicola.

3
4 **MR. JASON DELACRUZ:** Good afternoon. Thank you all very much
5 for being here and giving me the opportunity to speak. First
6 off, I will start real quick with amberjack. As far as that
7 fishery goes, in my eyes, we have already determined it a
8 bycatch fishery, and so one of the things that I would really
9 prefer, and for my guys, would be the 500-pound trip limit, but
10 I also think that we need to consider a step-down technique with
11 that. Once we get to 75 percent of the landings, we drop down
12 to 250 pounds.

13
14 The most important thing in that fishery, at this point, is
15 remaining open, so we're not just discarding dead fish. That
16 fishery needs better management, and I have always advocated for
17 that being one of the next IFQ fisheries, because, right now, if
18 you're -- I mean, there are dedicated amberjack fishermen, and
19 they have a two-month season right now, and so I don't know
20 anybody that can make a living in that timeframe. Let those
21 guys get their historical catch and be able to continue to fish.

22
23 Absent of that, at least the 500 pounds, with the step-down, I
24 think will at least try to keep that fishery open, and I think
25 we need the step-down thrown in there as well, because, like was
26 said yesterday at committee, we have done trip limits and things
27 like that, and we thought, okay, this is going to do the job,
28 and we look up and it still closes, because we did this 1,500
29 pounds, and we have closed every time, and so there's really
30 nothing left to do with that fishery.

31
32 As far as 36B goes, the one thing I am very happy about, and so
33 I'm glad that Susan brought it up yesterday, and then the guys
34 that voted for getting rid of that 10 percent rule, and that's a
35 crazy, punitive rule that's only going to hurt good people for
36 no reason, and I think the unintended consequences in that rule
37 are a little kind of overwhelming, and I've been fortunate
38 enough to have a couple of conversations with law enforcement in
39 the State of Florida, and they never really thought of it that
40 way.

41
42 They didn't see it until we talked about it and were able to
43 talk it through, what the implications of that were. We were
44 unloading a little boat, and they had called in 120 pounds of
45 gag, and, when we actually got the boat all finished, there was
46 only like 2,000 pounds, and they had made a mistake. They had
47 like eighty-six pounds of gag, and so were in a position,
48 standing there with a law enforcement officer, that I said, now,

1 look at this. They didn't do anything wrong. They made an
2 honest mistake, and now we have to fine this person for this. I
3 said, that's not what this program is about.

4
5 The purity of offloading fish is perfect. They want to get paid
6 for everything that they caught, and I don't want to pay them
7 for any more than they caught. That two-party system protects
8 that scenario and makes the data incredibly accurate. We need
9 to maintain that and not do something that causes a ripple in
10 that effect. I think that's really all I've got for today, and
11 I appreciate you guys giving me the opportunity to speak. Thank
12 you.

13
14 **CHAIRMAN FRAZER:** Thank you, Jason. The next speaker is Ronald
15 Chicola, followed by James Bruce.

16
17 **MR. RONALD CHICOLA:** Good afternoon. I want to just talk a
18 little bit about 36B that we were speaking of yesterday. One of
19 the goals in 36B, you all claim, is to let new people into the
20 fishery, and I don't know how that's possible. John made the
21 statement yesterday, and he said that you can buy in.

22
23 I have a twenty-three-year-old son that wants in, and he has a
24 boat, and to buy in, to buy 100,000 pounds, or 1 percent of the
25 quota, costs \$4 million. You think it's all right to strap \$4
26 million of debt on a twenty-three-year-old, or a \$500,000 boat,
27 and so you're looking at four-and-a-half-million dollars to
28 start fishing, and that doesn't make a lot of sense to me. The
29 economics doesn't work out. Since I got up here and started
30 talking, nobody leases me any fish. I can't get any snapper
31 leased. That's about all I've got to say about it. Thank you
32 very much.

33
34 **CHAIRMAN FRAZER:** Thank you, Mr. Chicola. The next speaker is
35 James Bruce, followed by Buddy Guindon.

36
37 **MR. JAMES BRUCE:** I'm James Bruce, a commercial, bonified true
38 fisherman from -- I fish out of Dulac, but I live in
39 Mississippi, and I don't even know how to start this mess, but
40 the first thing I would like to know, and nobody can answer, is
41 the design in our structure of our IFQs. It went from a
42 fisherman assignee system to a vessel assigned system. When I
43 voted for IFQs, I didn't want that. Then, when the groupers
44 joined us in 2010, it went that way.

45
46 As far as 36B, we need licenses, and we need caps on boats, if
47 you all want new entries, about 100,000 pounds a year across-
48 the-board, and we need a lot. We need to -- The other one that

1 you've got, and I ain't got it in front of me, but you've got to
2 stop the licenses at 2012, because, if you give that space
3 between 2012 to 2015, there is other entities that get in, and
4 it's just a mess. You have got quota hoarding, and it's not
5 right.

6
7 The system was designed to help the bycatch of the longliners.
8 When I used to come here, they had a camera thing. I went to
9 British Columbia, and the cameras would work where you could see
10 who needs bycatch and who don't, because you cannot go by
11 paperwork. Paperwork lies, and there is no way. They are
12 manipulating the system. You need stewardship. In the National
13 Standards, you need stewardship for a system like this to work.

14
15 I talked to somebody in California, and they've got a little
16 plan that they borrow fish from each other, and they put it in a
17 system, but it's all fishermen. I told them that you almost
18 have stewardship, and you all aren't out to make money. It's
19 about preserving the fisheries, and doggone it, man, we don't
20 need a bunch of fish houses ruling us, and that's the whole
21 problem.

22
23 I don't want to work for a dollar no more. That don't get it,
24 because what's going to happen is they're going to be derby
25 running again, because they won't be able to control their
26 destiny. When you can't control your destiny, it ain't no good,
27 and, every report you look at, a boat only needs 75,000 pounds,
28 and why not 100,000 across-the-board and put caps. You all need
29 to put some caps and do something, period.

30
31 The bycatch is easy, but you need the science. You all keep on
32 saying the science, the science, and how do you get science? By
33 observers? They're not on the boats all the damned time, and
34 you put cameras, and it's in Amendment 31, I think, that it was
35 considered and rejected, and so I think you all could bring that
36 back.

37
38 When we went to vessel accounting, when I was issued my stuff,
39 and I was issued for each permit I had, and then my boat was
40 associated with the permit. Now I've got to transfer my fish,
41 and it don't make no sense. I freaked when I was coming home,
42 and you've got put some fish in your account, or you're going to
43 get arrested, and I didn't even know nothing about an account.

44
45 **CHAIRMAN FRAZER:** Mr. Bruce, I'm going to have to ask you to
46 wrap it up. Sorry about that.

47
48 **MR. BRUCE:** That's it.

1
2 **CHAIRMAN FRAZER:** Hold on. We've got a question for you from
3 Mr. Banks.
4
5 **MR. BANKS:** Thank you for coming, Mr. Bruce. I can tell that
6 accent is not from Mississippi.
7
8 **MR. BRUCE:** I live in Mississippi.
9
10 **MR. BANKS:** I think what I heard, in part of your comments, is
11 you feel strongly that, to hold allocation, or to hold shares,
12 you have to have a valid permit, and is that correct?
13
14 **MR. BRUCE:** Yes, and, the people who is going to see that they
15 are going to go up, they are probably holding them to make money
16 off of. I bought mine for \$5,000, and I drove from Cutoff all
17 the way to St. Pete to pick it up.
18
19 **MR. BANKS:** How long ago was that?
20
21 **MR. BRUCE:** It's been a while. A long time.
22
23 **MR. BANKS:** All right. Thank you, sir. I appreciate it.
24
25 **CHAIRMAN FRAZER:** Thank you, Mr. Bruce. The next speaker is
26 Buddy Guindon, followed by Bart Niquet.
27
28 **MR. BUDDY GUINDON:** Hello. I'm Buddy Guindon, a commercial
29 fisherman and fish house owner and many other things. Big Fish
30 Texas, I heard somebody talked about that, and what they
31 referred to was the need for fishermen to report to the fish
32 house what they have, so it makes it easy for us to market the
33 fish.
34
35 Well, the only difference between that and the regulation that
36 we're trying to bring up in 36B is I don't take anything away
37 from them if they make a mistake after eighteen days and twenty-
38 four-hour-a-day fishing, where the captain has to be in bed at
39 least six or eight hours a day, and so to put a regulation on a
40 group of folks that work hard enough and spend enough time away
41 from their families that, when they get to the dock, they can
42 have their trip jerked out from underneath them because they
43 made a mistake on counting their fish would be wrong.
44
45 Thank you, Roy, for informing the council, or at least the
46 committee, that this fishery is still overcapitalized. Well, we
47 wouldn't have a \$4.25 lease price on \$5.50 fish, and so, to the
48 chagrin of the man who was up here earlier, he's trying to get

1 in the wrong fishery. We're a market-based system that requires
2 you to buy in, and we still are overcapitalized, or our prices
3 wouldn't be so far out of control.

4
5 There is nothing you can do to fix that without restricting the
6 market-based system that makes this work for the businesses that
7 are left in it to be successful, and not everybody can be
8 successful with a limited amount of fish. Each fisherman has to
9 have enough fish to be successful, and so, when you see this
10 price war going from, at one time, a dollar in the beginning, to
11 \$4.25 is what I have heard was the highest price this year, you
12 really have to think about what is the problem?

13
14 The problem is we haven't reached an equilibrium yet in the
15 fishery. We have not reduced our effort enough to allow the
16 supply to outweigh the demand, and so I hope you consider that
17 the system that we implemented did a great thing for the
18 fishery. We rebuilt these stocks in a very short period of
19 time, and so let's not throw the baby out with the bathwater,
20 and let's look towards implementing the system fully.

21
22 The system that was looked at in the very beginning was a system
23 much like British Columbia has, where we have a full-retention
24 fishery, where we maximize the fish that are in the Gulf, where
25 we bring home every fish, whether it's dead or alive, if it
26 comes aboard the boat, thereby allowing more fish to be in the
27 water to produce a bigger stock of fish. Thank you.

28
29 **CHAIRMAN FRAZER:** Thank you, Mr. Guindon. Our next speaker is
30 Bart Niquet, followed by Ken Haddad.

31
32 **MR. BART NIQUET:** Good afternoon. I'm Bart Niquet. Thanks for
33 letting me speak. I have been fishing for over seventy years,
34 and quite a lot has changed. On 36B, you cannot reduce the
35 capacity of new entries and let new entries come into the
36 fishery. In order to reduce discards, you must issue more
37 allocation. This should lower the lease price, similar to red
38 grouper.

39
40 The last four years I had a longline boat, we didn't try to
41 catch red snapper. We fished for grouper and any other target
42 of opportunity, because it was more practical and profitable,
43 and, to the man on deck, the bottom line is what counts. Before
44 you make any changes in any rules, you should consider that part
45 of it.

46
47 The program proposed yesterday by the council staff looks good
48 on paper, but, in reality, it's a nightmare. It would be

1 disaster to require a reef fish permit again. You did away with
2 them four years ago, if I'm not mistaken, or maybe five, because
3 all it did was create another hassle and more bookkeeping, and
4 to go back to it now, to require a reef fish permit again, would
5 drive the price from where it is now, the \$15,000 or \$20,000
6 range, to the \$60,000 to \$100,000 range.

7
8 Your small boats would be gone. They would be priced out of the
9 seafood restaurant, and you would have to depend on the imports
10 again, and the fish-eating American taxpayer would have to do
11 with no more fresh fish. Obviously, this program fails to look
12 back and see what has been rejected by other councils in the
13 years past, and I hope this council rejects every bit of it.
14 It's a ridiculous farce.

15
16 One other question. Why is it always the law-abiding section of
17 the fishery, the only one that pays taxes, or is being taxed, I
18 should say, and, also, Magnuson says a fishery shall be managed
19 equally throughout its range, and we in the Gulf would like to
20 have our bluefin tuna returned to us. Thank you.

21
22 **CHAIRMAN FRAZER:** Thank you, Mr. Niquet. Our speaker is Ken
23 Haddad, followed by J.P. Brooker.

24
25 **MR. KEN HADDAD:** Thank you, Mr. Chairman and council members.
26 My name is Ken Haddad with the American Sportfishing
27 Association. I'm going to spend most of my time on allocation
28 triggers, and it will be boring.

29
30 The letter to NOAA, Chris Oliver, in our view, doesn't really
31 meet the spirit or intent of the NOAA policy directive on
32 allocation review. We would request that you please either
33 include a statement and timeline in the letter for incorporating
34 public and indicator triggers into your policy or discuss some
35 other way to address our concerns, and I'm going to talk about
36 them a little bit more.

37
38 I hope that everyone will read, or re-read, in detail the policy
39 directive that NOAA put out in 2017. There was so much in there
40 to guide the development of a policy for review triggers, and,
41 again, the letter is very shallow, in our view. It gave three
42 years to develop a worthwhile accountable policy, and, really,
43 if you add up time, the council has only spent a few minutes,
44 basically, on developing this letter, in your discussions.

45
46 We would like to see more thought and a vision put into this to
47 deal with the most simple part of the allocation process, and
48 that is the triggers, and the NOAA policy states that this

1 policy will provide a mechanism to ensure fisheries allocations
2 are periodically evaluated, and you kind of do that, to remain
3 relevant to current conditions. In addition, it will improve
4 transparency and minimize conflict for a process that is
5 controversial. I would argue that the policy letter does not
6 really do much to fortify that policy statement coming out of
7 the NOAA policy.

8
9 Also, the NOAA policy states that National Marine Fisheries
10 Service Regional Administrators and Science Center Directors
11 will be responsible for engaging with the councils to support
12 the development of triggers and thresholds for each. We haven't
13 seen any evidence that this has occurred, and it kind of
14 supports our conclusion that neither the intent nor the spirit
15 of the policy has really been thought well through.

16
17 We do appreciate the motion that Council Member Anson made to
18 begin engagement with NOAA on thresholds and criterion, and we
19 hope that maybe you will build on this and perhaps satisfy our
20 concerns at this meeting, during your Full Council.

21
22 We ask that you make an allocation policy and process a priority
23 and use the resources offered by NOAA and additional experts to
24 actually make a meaningful process, and that is what we believe
25 the directive says. Finally, please pass Amendment 50 and all
26 its pieces, and we are fine with the Reef Fish Committee motion
27 to postpone Amendment 52 until August. Thank you.

28
29 **CHAIRMAN FRAZER:** Thank you, Mr. Haddad. Our next speaker is
30 J.P. Brooker, followed by Dylan Hubbard.

31
32 **MR. J.P. BROOKER:** Thank you, Chairman Frazer, and thank you to
33 the council for the opportunity to give comment. My name is
34 J.P. Brooker, and I'm an attorney with the Ocean Conservancy,
35 based in St. Petersburg, Florida, and I will keep my comments
36 short.

37
38 As I have said in previous testimony, I would like to again
39 affirm that Ocean Conservancy sees a lot of benefit to state
40 management of the private recreational red snapper sector,
41 because we appreciate that good fishing in one state is
42 different from good fishing in another, and this provides an
43 opportunity to fish sustainably while increasing angler
44 satisfaction.

45
46 Ocean Conservancy is not an anti-fishing organization. We focus
47 on sustainability, in order to ensure continued access to the
48 fishery by anglers from all walks of life, while protecting

1 robust and healthy marine ecosystems. State management can
2 facilitate sustainability.

3
4 We recognize and appreciate that the council has really come a
5 long way with issues in Amendment 50, including potential
6 problems with data discrepancies between the states that Ocean
7 Conservancy has raised, and we appreciate that you have taken
8 the time to think through some of these things, even though they
9 are dense and challenging and time is short in order to get
10 something up and running for private recreational anglers for
11 2020.

12
13 Ocean Conservancy would like to underscore that our reasons for
14 raising these issues is to ensure the long-term sustainability
15 of the stock and to continue the successful trajectory of
16 rebuilding for the stock. Additionally, we would like to
17 emphasize that, the more quickly and thoroughly the council and
18 NMFS deal with the common currency calibration issue, the more
19 confidence they can have that overfishing is not occurring in
20 the stock under state management.

21
22 This will also have the benefit of ensuring that the
23 accountability measures in place under the state plans are
24 actually effective. The more delay there is in addressing this
25 issue, the more likely that overfishing will go unnoticed and
26 unaddressed, which would threaten rebuilding and potentially
27 reduce fishing opportunities across the sectors.

28
29 Even with the full delegation concept in place, it will be
30 important to track and encourage regular updates and progress on
31 the calibration issues, to ensure that management is sustainable
32 and MSA compliant. We find it encouraging that NMFS will
33 include some analysis of the common currency issue in the EIS, a
34 Mara mentioned yesterday, and we look forward to seeing that
35 analysis, and we hope that we can find a way to minimize any
36 potential delays in making sure that the common currency problem
37 is dealt with. Thanks for the opportunity to give comment.

38
39 **CHAIRMAN FRAZER:** Thank you, Mr. Brooker. Our next speaker is
40 Dylan Hubbard, followed by Gary Bryant.

41
42 **MR. DYLAN HUBBARD:** Hello. My name is Captain Dylan Hubbard,
43 and my family business has been fishing central west Florida for
44 over ninety years and four generations. We operate six
45 federally-permitted vessels, both charter and headboats, and I'm
46 here today representing my family business, and my family
47 business alone.

48

1 For the for-hire rec buffer, thank you for our 9 percent buffer
2 into this year and the extra eight days on the water. Please
3 allow this 9 percent buffer to extend into 2020, and, if our
4 fleet continues to be easily managed, hitting the ACT nearly
5 right on the head, a continually-decreasing ACT buffer would
6 allow for optimum yield in our fishery.

7
8 Electronic reporting requirements, we're looking forward to this
9 program and improving our data and our industry's data
10 collection. However, we have just spent a lot of time and
11 energy on these workshops across the five Gulf states, and I'm
12 worried that all the captains who took the time to attend and
13 make meaningful inputs and suggestions are not going to be heard
14 by NOAA. I am hoping that we can evaluate some of these
15 sticking points and work on providing some sort of solution or
16 compromises, to allow the program wider acceptance on roll-out.

17
18 Also, I have seen a big issue myself in navigating the proper
19 hardware and software combinations to appease regulations on
20 both charter and headboats. Due to headboats still reporting to
21 the headboat survey, and charters to this new program, we really
22 need all hardware and software providers to be able to
23 accommodate both. CLS has been working with Bluefin, and it's
24 been a hard road to get that to happen, but I feel the council
25 should be made aware of this issue.

26
27 Finally, I would like to emphasize, once again, during outreach,
28 I feel that being upfront and honest and letting fishermen know
29 this data can't be used in an assessment for at least three
30 years, until MRIP calibration is completed, and an emphasis on
31 truthful reporting should be added to the outreach effort as
32 well.

33
34 Illegal charters, illegal charters are becoming a larger and
35 larger issue in the Gulf of Mexico, especially in my area and
36 areas affected by red tide. Our near-shore state guideboats,
37 and even inshore guides, who don't have federal permits, are
38 regularly running fishing charters in federal waters. We need
39 the council to make higher penalties, or urge whoever to make
40 higher penalties, for illegal operators.

41
42 I appreciate NOAA's and OLE's efforts, and I know that everyone
43 knows at least a few, or suspects at least a few, illegal
44 operators, but we have a problem with people reporting, and I
45 feel a simple app or a website could be created to allow people
46 to more easily report suspected illegal operations and provide
47 some evidence, such as photos or screenshots, and I feel that
48 would be a lot easier and more standardized, making it easier

1 for people who aren't as involved in the system to know the
2 right people to report to.

3
4 Then, as far as gray snapper is concerned, mangrove snapper,
5 please move forward with the preferreds currently in Amendment
6 51 to ensure our mangrove snapper fishery is not affected with
7 any new regulatory changes. Thank you.

8
9 **CHAIRMAN FRAZER:** Thank you, Mr. Hubbard. Our next speaker is
10 Gary Bryant, followed by Bill Staff.

11
12 **MR. GARY BRYANT:** Good afternoon. You all must be doing
13 something right. There's not near as many people here, and so
14 that means that people aren't upset, I guess, and so they're
15 trusting you all to kind of -- They're kind of trusting what's
16 going on.

17
18 My comments today -- Gary Bryant, President of the Alabama
19 Charter Fishing Association, charter boat operator, and I also
20 own a commercial permit and boat. As far as permits, what we're
21 for as an association, we want to support 50 going through
22 without the charter boats, and I think that's where you all are
23 headed, and we want to continue our support with ELBs, and we
24 also hope the ELB information will be able to be used to keep
25 our buffer down. We were at the 9 percent this year, and we
26 would like to see that continue low, as low as possible, and
27 hopefully the information you'll be getting from the ELBs will
28 help us to maintain that 9 percent, or possibly even lower.

29
30 Moving forward, we would like to look at the possibility of
31 amberjack, maybe the fractional bag limits, and we would like to
32 look at that as an option and see how that would work, and we
33 also support the historical captain and you all going forward
34 with that, and I believe that's final vote this time.

35
36 For my personal comments, I would personally support the EFP
37 here in Mississippi on the redfish. I support them on that,
38 and, on the commercial side, you had several things yesterday
39 that you all were talking about, and I am a small operator, a
40 relatively new operator, and I was glad to see you all put off
41 the allocation battle, because, as a small commercial operator,
42 I have trouble getting fish, and so I understand the
43 recreational anglers want more access to fish, but, as a small
44 commercial operator that does it on shares, I don't have access
45 to fish, and I don't see an easy solution to that.

46
47 I listened to the comments and came up with stuff in my head,
48 and thought I was going to come up here and make suggestions,

1 but, in talking to people on the social last night, it was like,
2 well, that don't work and that don't work. It's basically been
3 a scenario where we're taking from some people and giving to the
4 others, and we're creating a -- I guess we're taxing the rich
5 and we're going to have welfare system for people like me that
6 don't own anything, and I don't really want to support that, but
7 I do support putting off this allocation battle until we get all
8 the information in. Thank you for your time.

9
10 **CHAIRMAN FRAZER:** Thank you, Mr. Bryant. The next speaker is
11 Bill Staff, followed by Chris Gardner.

12
13 **MR. BILL STAFF:** Bill Staff from the Charter Boat Sea Spray,
14 owner and operator, and I've been fishing, charter fishing, and
15 this will start my thirty-eighth year. I commercial fished in
16 the early years, but I would like to thank the council, and some
17 of the members are still here and some aren't, for helping us
18 get a seven-month fishery in the reef fishery. It's really been
19 huge to the businesses at home and Gulf-wide.

20
21 On the 50 Amendment, let the states take over purely recs, but
22 keep us with the feds. I would like to see sector separation
23 pursued on the four other fish that we have talked about. I
24 think a good reason for this would be the May closure, and we
25 all booked trips, on the pretense that we would have jacks in
26 May, and now there's a lot of people that have cancelled trips,
27 because there is no amberjack, but I also know, if the jacks are
28 in that bad shape, then let them spawn during May, because they
29 do have a lot of eggs in them.

30
31 I can swallow the half a jack per person, if that's what it
32 takes, and it would especially, on a two-day trip, limit
33 everybody to one, because we see a lot of people bringing two
34 in, and it is too many. One is enough.

35
36 No reallocation on snapper at this point. I feel, if you take
37 it from the commercial guys, the charter people would be next.
38 If you do reallocate, the fishermen you take fish from should
39 certainly be benefited, or compensated, fairly.

40
41 Guys, as you all know, and maybe you don't, it is an ungodly
42 amount of pressure in this Gulf of Mexico now. Everybody has
43 got a big boat, and everybody has got a fast boat, and it is
44 hard on the fishery, and there is no doubt. It's just the
45 weather doesn't keep people from going, and distance doesn't
46 keep people from going. Everybody knows the tricks, and
47 everybody knows everything, and so I just think that needs to be
48 taken into effect.

1
2 I tuna fish, mainly, for a living, and I have seen the decline,
3 big time, in the last twenty years, and I know we think that we
4 have waited too late on cobia, and I don't want to wait too late
5 on tunas, if it's not already too late, even the blackfin.
6 They're getting harder and harder to fish and to catch. I fish
7 Green Canyon, which used to be the last frontier, and I do it in
8 the winter, and I just came back from there, and it was
9 horrible. There was no fish, and that's not historically how it
10 is this time of year.

11
12 I support the EFP for the red drum for Mississippi, if that's a
13 possibility, and I appreciate the time for you all letting me
14 speak.

15
16 **CHAIRMAN FRAZER:** Thank you, Mr. Staff.

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

19
20 **CHAIRMAN FRAZER:** We have a question from Dr. Mickle.

21
22 **DR. MICKLE:** Thank you, Mr. Staff. I appreciate your testimony.
23 You said earlier that you could sell trips, amberjack, one per
24 vessel, and you can still sell a trip, and you have complete
25 confidence?

26
27 **MR. STAFF:** Half a fish per person, yes, sir.

28
29 **DR. MICKLE:** If it was down to one fish per boat, and that's my
30 question. Could you sell a trip with one fish per boat?

31
32 **MR. STAFF:** Per day? No, sir.

33
34 **DR. MICKLE:** Okay. Thank you.

35
36 **CHAIRMAN FRAZER:** Thank you, Mr. Staff. The next speaker is
37 Chris Gardner, followed by Mark Tryon.

38
39 **MS. HEATHER GARDNER:** Hi. My name is Heather Garner, and I get
40 to speak for Chris today. He is on a trip, and I am speaking to
41 you about replacing the historical captain permit with the
42 standard federal charter permit. Today is a perfect example.
43 He picked up two trips today, and so he was unable to come and
44 speak. There seems to be a lot of restrictions on him with
45 that, and he has missed school for the kids, their first day,
46 spring break, last days, missed when we're sick, and he's tied
47 to the boat. He loves his job, and we're just asking that we
48 can be considered for what everybody else has. Thank you.

1
2 **CHAIRMAN FRAZER:** Thank you, Ms. Gardner. We have a question
3 from Dr. Crabtree.

4
5 **DR. CRABTREE:** What you would like to see is us take his
6 historical captain permit and issue him a fully-transferable
7 permit?

8
9 **MS. GARDNER:** Yes, please. That would be great. Thank you.

10
11 **CHAIRMAN FRAZER:** Thank you. The next speaker is Mark Tryon,
12 followed by Greg Ball.

13
14 **MR. MARK TRYON:** I'm Mark Tryon, a commercial fisherman and
15 recreational fisherman from Gulf Breeze, Florida. I guess,
16 yesterday, you could say that some sanity finally prevailed, as
17 further action on the reallocation amendment was delayed until
18 August, and then the unfair proposals relating to estimated
19 weights in 36B were rejected, and so that was good news, and I
20 was pleased with that.

21
22 It seems to me that there is -- The vilification of the red
23 snapper shareholders needs to stop. What have we done wrong?
24 We invested in a legal business, and we've been successful, and
25 we've been accountable, and we're stewards of a successful
26 fishery, and so I really don't understand it, and it seems to be
27 ongoing and, if anything, accelerating. I don't know. Maybe
28 I'm a little thin-skinned, but it's upsetting to me.

29
30 The quota bank scheme, which would take quota away from existing
31 shareholders, penalizes most heavily those who have invested
32 money into red snapper shares. For me, over time, since the
33 inception of the program, and I haven't invested millions, but I
34 have got probably \$300,000 in red snapper shares, and so it just
35 kind of doesn't sit well with me that you would be taking away
36 shares from people who have actually laid out money and taken a
37 risk. Sometimes we forget there is risk involved here, plenty
38 of risk.

39
40 I have got money invested in the grouper side of it, which I got
41 into not as a speculator, but to cover bycatch, and the grouper
42 fishing has been terrible in my area over off of Pensacola, and
43 so I'm losing money on that part of my investment.

44
45 Anyway, as far as -- You have heard demand on the recreational
46 side of what it is, and I think, lately, you're starting to
47 realize the demand is equally acute on the commercial side, as
48 evidenced by the value of the fish, share prices, and the lease

1 prices, and so, once again, when we get back into this, at some
2 point, reallocation discussion, please keep that in mind.

3
4 Basically, in the future, as a red snapper IFQ shareholder, and
5 a grouper shareholder, I'm just hoping that we get fair, non-
6 biased treatment from the council going forward on all issues,
7 and not special treatment, but just fair treatment. Thank you.

8
9 **CHAIRMAN FRAZER:** Thank you, Mr. Tryon. We have a question from
10 Dr. Shipp.

11
12 **DR. SHIPP:** Mr. Tryon, thank you for coming. I am just curious.
13 How do you feel about the use-it-or-lose-it aspect of the ITQ
14 system?

15
16 **MR. TRYON:** I would, initially, not be for that. I don't think
17 I would be for that. I would need to know more of the
18 particulars, but you have certain situations where -- Let's say
19 you're a fisherman, and you have a heart attack, and you're not
20 permanently out of the game, but you're disabled for a fairly
21 long time.

22
23 Once again, this is kind of like what I'm saying about what
24 would the particulars be. I mean, would it be -- Or your boat
25 sinks, or there's a hurricane, a natural disaster or whatever,
26 and it could take years to recover from either a physical
27 ailment or a natural disaster, and so I don't know exactly how
28 to respond to that without knowing more about what the nuts-and-
29 bolts of it would be.

30
31 **CHAIRMAN FRAZER:** Thank you, Mr. Tryon. Our next speaker would
32 be Greg Ball, followed by Ryan Bradley.

33
34 **MR. GREG BALL:** Good evening. I am Greg Ball from Galveston,
35 Texas, charterboat operator, and I have a couple of federally-
36 permitted boats, a couple of state-water boats, and I'm
37 President of the Galveston Professional Boatmen Association.

38
39 Our association supports Amendment 50 going through, and we just
40 want to keep it like it is, keep the charter boats out of it,
41 and we're excited about the ELBs coming online and getting
42 better data for all of us, and we don't support, right now,
43 reallocation, until we can get better data from all three
44 sectors, and that's all I've got. Thank you.

45
46 **CHAIRMAN FRAZER:** Thank you, Mr. Ball. The next speaker is Ryan
47 Bradley, followed by Jim Zurbrick.

48

1 **MR. RYAN BRADLEY:** Good evening, council members. My name is
2 Ryan Bradley, and I'm a federally-permitted commercial reef fish
3 fisherman, and I'm the Executive Director of Mississippi
4 Commercial Fisheries United, and it's great to have you all
5 here. I hope you have enjoyed your visit to the great state of
6 Mississippi, and I hope that you're eating some good seafood
7 while you're down here.

8
9 A couple of things that I wanted to talk about, and one was the
10 36B. Believe it or not, our group, and myself included, we were
11 pretty big advocates for doing something with this 36B, but, the
12 way I've seen it go on, and discussions that have taken place, I
13 don't think there is anything in that 36B that could do any good
14 for anybody, and, at this point, I would like to go on the
15 record to say that I think our recommendation would be to take
16 that 36B and put it in the trashcan.

17
18 Now, if you want to do something good for the fishery, as a
19 whole for the red snapper, I have a great idea, and I would like
20 somebody to take it up and talk about it and champion it, and
21 the idea is the discards in the recreational fishery is out of
22 control, and the idea here is we should go to a real bag limit
23 and give the recreational fishermen a bag. Work with the
24 scientists to figure out what size bag it needs to be and put
25 the fish in the bag, and they can keep as many fish that can fit
26 in that bag, and we completely eliminate dead discards.

27
28 That is a real way to help grow this fishery that everybody can
29 benefit from, and so I hope -- I would like to hear some
30 discussions about that, because that is something that could
31 help everybody here today, and so, without further ado, thank
32 you all, and it's been a pleasure seeing you all again today.

33
34 **CHAIRMAN FRAZER:** Thank you, Mr. Bradley. Mr. Bradley, we've
35 got a question from Ms. Bosarge.

36
37 **MS. BOSARGE:** Not a question, but I just wanted to say to you
38 and the other members -- You're from Mississippi, and so I
39 wanted to aim it at you, and thank you very much for the
40 hospitality last night and all the great seafood provided by a
41 lot of Mississippi fishermen, even though some of it may have
42 been caught over off of Florida, as Dr. Crabtree likes to
43 emphasize, but it was wonderful, and thank you.

44
45 **MR. BRADLEY:** I want to clarify that. We did have a Mississippi
46 boat out of Pascagoula that is shrimping down in Florida, and
47 they caught some nice pink shrimp, and they brought them back
48 into Mississippi, and so, once they get here, they are

1 Mississippi, and so we hope that whoever came out enjoyed it,
2 and I would like to thank the Ocean Conservancy and Share the
3 Gulf and the Gulf of Mexico Reef Fish Shareholders Alliance for
4 making that possible last night, and so thank them. Thank you,
5 all.

6
7 **CHAIRMAN FRAZER:** Thank you, Ryan. The next speaker is Jim
8 Zurbrick, followed by B.J. Burkett.

9
10 **MR. JIM ZURBRICK:** Thank you for allowing me to speak. I am Jim
11 Zurbrick from Steinhatchee, Florida. I am a commercial
12 fisherman, active commercial fisherman, and recreational. I was
13 in the charter business for a long time, and I'm one of the
14 directors for Fish for America USA.

15
16 Jason summed up the amberjack issue, and it seems to be pretty
17 predominant among commercial fishermen that it hasn't worked,
18 and it's not your fault, but everything you have thrown against
19 the wall hasn't stuck, and it's not working. Amberjack is --
20 There is so much effort, and everybody -- It's easy to catch,
21 and, unlike red snapper, it hasn't mass produced, and so I'm for
22 a 500-pound amberjack limit. We have got three months of
23 closure for the spawn, and then we get the 200 days, and I think
24 John signified that, and I like the reduction as we get close,
25 so we don't go over.

26
27 That is what the commercial sector is able to do, by the way.
28 The dealers report, and we can actually get so close to not
29 going over, and we're really doing our job commercially, staying
30 within our quotas, and it really upsets me, and I don't think we
31 get enough respect for that. Everybody wants -- I know there's
32 a group that wants to find fault with us, and they didn't like
33 it, and they don't like it. It's kind of like the President
34 right now, but it's about the fish first and then the fishermen,
35 but let's be fair and honest.

36
37 When we look at allocation, reallocation, I am in the camp that
38 we can't use 1991 through 2006. I was restrained. I had both
39 legs tied and both of my hands behind my back, and I couldn't
40 eat, and, because I starved to death -- That's what happened,
41 but a recreational fisherman got 365 days during that entire
42 time, when we were really beating up the fishery pretty bad. We
43 didn't respond, and it's not the individual recreational
44 fisherman's fault. It's not his fault. It was the management,
45 but, still, it doesn't relieve the fact that it's not fair to
46 the commercial sector to reallocate based on years when we were
47 restrained.

48

1 Also, state management, Amendment 50, oh, man, let's get this
2 over the hump here. You're going to hear such an applause that
3 you guys are going to have to put in earplugs, because this is
4 really big. Leave the charter guys out, especially in Florida,
5 because I know how they feel, but let's move forward with this,
6 and let's give the state a chance. Size limits, and they have
7 slot limits, and all kinds of things that can come out of this
8 that could be very good.

9
10 By the way, you talk about reallocation, and do you realize that
11 the recreational sector is decreasing, percentage-wise, of the
12 population? It's growing in numbers, but less young people are
13 fishing, and we're really -- We don't have those new people
14 coming up that are fishing, but the American consumers are
15 increasing in percentage and numbers, and so we have a right to
16 feed American consumers, and that's a Fish for America -- That's
17 right out of their handbook, and so I thank you very much.

18
19 **CHAIRMAN FRAZER:** Thank you, Mr. Zurbrick. Our next speaker is
20 B.J. Burkett, followed by Wayne Werner.

21
22 **MR. B.J. BURKETT:** My name is B.J. Burkett, and I'm from Panama
23 City, Florida. I own and operate Hook'em Up Charters. I also
24 have a dual-permitted vessel, and I also own a commercial
25 fishing vessel based out of Apalachicola, Florida.

26
27 The main reason I'm here today is to talk about the recreational
28 amberjack. It has really bothered me over the last year, from
29 what I have seen, from what the council has made their decisions
30 by. A couple of years back, you all told us that changing from
31 a thirty-inch size limit to a thirty-four, and that we would
32 have a year-round fishery. You all failed us on that one,
33 because that didn't happen.

34
35 Then, this past year, you all did the calendar year change from
36 January to starting now in August, and, well, that has failed
37 us, too. You all swore that we would have a May season, and
38 we're not getting it, and that is killing our business in Panama
39 City. I am just curious. How many times must you all fail
40 before you all start listening to the historical stakeholders of
41 the amberjack fishing?

42
43 The eastern Gulf has always caught the amberjack, and you all's
44 data shows that. We would really appreciate it if you all would
45 start listening to us on what we would like to see regulation-
46 wise. We would like to either see a split season, with a split
47 quota, so we can still have a spring season, or a one fish for
48 two person bag limit, or both, if that's what it takes. We're

1 losing lots of business in the springtime because of amberjack,
2 and I've lost nine trips for May, and that's not counting what I
3 haven't booked yet, because May is not here, and so we would
4 really appreciate some thought into the amberjack, because you
5 all have really let us down in that aspect.

6
7 The main issue here is we need the opportunity to be able to
8 keep these fish. That's all we need, is opportunity. If it's
9 half a fish a person, so be it. I can still sell a half a fish
10 a person.

11
12 The last thing kind of beats on the 36B. There's been a lot of
13 back and forth on that, but, if you all really want to help the
14 price of the leases and all that, and people having to pay \$4.25
15 a pound to lease a snapper, and they can only sell it for \$5.50,
16 put a cap on what you can lease a fish for. Put it at half the
17 value of the fish. That's all I've got. Thank you.

18
19 **CHAIRMAN FRAZER:** Thank you, Mr. Burkett. The next speaker is
20 Wayne Werner, followed by Ed Walker.

21
22 **MR. WAYNE WERNER:** Good afternoon, again. I'm Wayne Werner from
23 Alachua, Florida. I guess I'm a bonified commercial fisherman,
24 too. I've got two things to say. No to reallocation, and a
25 500-pound trip limit is good.

26
27 I think that's about it for today, except for one thing, and
28 I've got to bring it up. You are using these years from 1981 to
29 2006 as a line for the fishery, in the recreational
30 reallocation, and the worst thing about that is that, from 1981
31 to 2003, the charter boats and headboats caught 90 percent of
32 the red snappers. We went into the system, and that's what NMFS
33 paperwork says, 90 percent, and so, half the years, you've got
34 them cut out. The other half, they probably caught 60 percent,
35 and so, if you total that, they probably caught 80 percent of
36 the total amount of fish, and you don't even have them in your
37 document.

38
39 I just don't understand that. I just don't understand how you
40 cut out the people that caught the fish to try to give the fish
41 to people you say that caught the fish, and that's about all I
42 have to say. Thank you.

43
44 **CHAIRMAN FRAZER:** Thank you, Mr. Werner. The next speaker is Ed
45 Walker, followed by Steve Tomeny.

46
47 **MR. ED WALKER:** Thank you, Mr. Chairman. My name is Ed Walker,
48 and I'm from Tarpon Springs, Florida. I'm a charter boat guy

1 and a commercial guy and a recreational guy. Just a couple of
2 things that I would like to touch on today.

3
4 I would like to see you guys continue to try to find a way to
5 have eligibility requirements for shareholders, and I know it's
6 difficult, and there is tricks to get around it, but I think
7 it's important. Outside speculators, if they are allowed to
8 participate in this, run the prices up, to where like an honest,
9 hardworking fisherman can't compete for the opportunity to own a
10 share. Trying to go against an investment group or something
11 like that, which is happening in some stages of this, is -- You
12 know, it's not helping any real commercial fishermen get any
13 closer. I know it's tricky, but I would like to see the council
14 try and continue to develop a program like that.

15
16 Similarly, I think you've heard it from a lot of the other
17 commercial guys here, and red snapper allocation prices are
18 getting out of reach of fishermen that don't own shares. The
19 people at my fish house asked me to bring that up here, and I
20 think you all know it, and I don't have a solution. I wish I
21 did, and I think everybody does, but just be advised that \$4.00,
22 or \$4.25, lease price has become kind of standard in bulk, and
23 so we've got guys that just can't afford it, and I guess a lot
24 of places do, but the guys asked me to bring that up here and
25 mention it to you again.

26
27 I agree with amberjack commercial trip limits, and I think
28 that's pretty universal in the industry now, except for maybe a
29 couple of the guys, and I'm on the Reef Fish Advisory Panel,
30 and, to answer your question yesterday, we have discussed that
31 at the AP, and it was definitely a thumbs-up on that. I don't
32 remember the vote, if we even took a vote, but most of the guys
33 in the house there support a 500-pound trip limit, and most of
34 the guys that I've talked to agree with stepping it down as we
35 get closer, just to avoid discards at the end and make it a non-
36 target fishery anymore.

37
38 On the charter boat side, I support Amendment 50, but I can tell
39 you that, myself and the guys that charter where I am in
40 Florida, we don't want to be included in the state management,
41 in the for-hire part, and I am glad that you voted down the
42 weight reporting thing that you were discussing yesterday. I
43 don't think -- The estimates for the weight on the commercial
44 landings, and I don't think you should make it a federal crime
45 for a guy to be off on his estimate.

46
47 Federal penalties are steep, and to hit a guy up for
48 miscalculating or something like that, or having too much ice in

1 his fish box -- If a mate puts too much ice in the middle and
2 you put the fish on top, it looks like you have 1,000 pounds in
3 there, and then you have a void of ice in the bottom, and you
4 made a mistake, and so thank you very much for your time.

5
6 **CHAIRMAN FRAZER:** Ed, we've got a question from Mr. Dyskow.

7
8 **MR. DYSKOW:** Thank you for coming, Ed. A question. You're not
9 the first speaker to be frustrated over the lack of quota or the
10 available quota or the cost of quota, but I haven't heard a
11 solution. You know, we really need to come up with a solution
12 before we can help you, and have you got any ideas?

13
14 **MR. WALKER:** That's a tough one. I wish I did, but, no I am
15 merely -- I am a red snapper shareholder myself, and so I speak
16 from both sides of it, but I don't think anybody has -- I don't
17 think it's wrong -- If somebody wants to lease a \$4.00 share
18 from you, then, in the system that they gave us, that's how it
19 was set up, and nobody is to blame for getting top dollar for
20 something that they have, I don't think, but I do not know a way
21 to bring it down. My purpose was to report to you the
22 frustration out there among the other commercial guys that don't
23 own it and let you kick it around, and I hope you have it done
24 for us in a couple of months and get that figured out, but
25 anything I can do to help.

26
27 **CHAIRMAN FRAZER:** Thanks, Ed. The next speaker is Steve Tomeny,
28 followed by Scott Hickman.

29
30 **MR. STEVE TOMENY:** Good afternoon. I'm Steve Tomeny, and I have
31 a charter and commercial fishing business in Port Fourchon,
32 Louisiana. First, I think I would like to say that we would
33 like to see Amendment 50 get on past tomorrow, and it's time to
34 do it. We would like to keep the federally-permitted charter
35 boats under federal management and stay out of the state
36 management, and I've been pretty consistent with that, if any of
37 you have listened in the past. That was kind of my big thing
38 that was I going to hit.

39
40 The weights on the fish, I believe there is no reason for that
41 to be punitive. It's very hard to weigh and estimate in the
42 fishing boat, and I never was good at it.

43
44 The lease price thing, I have no real solution, but I -- Price
45 fixing or putting caps kind of -- Then you start messing with
46 the free market economy, and, at some point, if it gets too
47 expensive for people to lease it, the shareholder that is doing
48 the leasing is going to have to get on his boat and go fishing,

1 and so, eventually, something -- I think, like Buddy said, it
2 will hit some equilibrium somewhere, but, as the lease price
3 went up, the sale price of fish goes up, and so, for a lot of
4 people that are leasing, the mark-up, or the amount of
5 difference that they're selling the fish and leasing the fish
6 for, has kind of stayed the same, for some of them. Anyway, I
7 don't have a good answer for it either, but I would love to hear
8 one.

9
10 The 500-pound amberjack trip limit, I think it's a good thing,
11 and I like what Jason Delacruz said, too. If you want to step
12 in at some point, when half or a certain amount of it is caught,
13 to slow it down even more, I would be for that, too, because
14 it's such a waste to throw back a big fish that you didn't
15 target, but you catch him, and sometimes you're throwing one
16 back, and sometimes they don't make it when you throw them back,
17 and it would be much easier to be able to retain it, and so I
18 think that kind of covers it for me today. Thank you.

19
20 **CHAIRMAN FRAZER:** Thanks, Steve. We've got a question from Dr.
21 Shipp.

22
23 **DR. SHIPP:** Steve, thanks for coming, and we've been hearing,
24 over the past few years, a lot about the resurgence of the
25 snapper population off of Florida, but you're from Louisiana,
26 and have you seen any major change, either up or down, in the
27 last say five or ten years off of your area?

28
29 **MR. TOMENY:** It's been up. I mean, especially over the ten
30 years, it's better. I know how hard we used to guard spots and
31 be real careful about letting somebody catch you on it and all
32 of that, and, kind of now, you go, okay, that's just a spot that
33 we catch a lot of snapper on, and it's not as big of a deal as
34 it used to be, and so, yes, they're very plentiful for us.

35
36 **CHAIRMAN FRAZER:** Dr. Mickle.

37
38 **DR. MICKLE:** Steve, real quick, I know that you fish out of
39 Louisiana, and we appreciate your perspective on amberjack for
40 Louisiana, but I know you have a place in Mississippi, and so we
41 claim you here in Mississippi, and so you're a Mississippi boy,
42 and could you provide -- I know you're charter and commercial,
43 and could you provide a perspective for amberjack from the
44 charter side on what's the smallest amount that you can sell a
45 trip for, if you targeted them, and just give that amberjack
46 perspective from the state that I don't claim you for, but I
47 want you to talk about?

48

1 **MR. TOMENY:** It has cost us a lot of spring trips, and I have
2 these larger passenger boats that's a little harder for people
3 to get groups up, and so, when snapper is closed and amberjack
4 is closed, it really limits what we can do, and we have to kind
5 of sell a vermilion snapper or mangrove snapper type trip, and
6 those trips aren't as consistent, and I think the amberjack, in
7 the spring, have always been something that you can really count
8 on putting on the deck.

9
10 You can go out and catch your live bait, and so we are finding
11 it harder to sell trips without it open right now, but we're
12 looking forward to having the August season, and, the way I
13 think I understand it, we'll start the quota over in August, I
14 believe. If we were going to have May, this would have been the
15 tail-end of the 2018, and so, anyway, it's very important to us.

16
17 **CHAIRMAN FRAZER:** I think Dr. Mickle has another question for
18 you.

19
20 **DR. MICKLE:** Super quick. Just I've heard a few comments that
21 you can sell a trip on half a fish per person, and do you share
22 that sentiment, or is that too low?

23
24 **MR. TOMENY:** I am not one of the ones that would be against
25 that. We've always had these large groups, and, if you've got
26 fifteen people, and they get to catch fourteen or sixteen of
27 them and split them up -- We always split all the fish at the
28 end of the day anyway, and so I could live with it. It might
29 not sell trips, exactly, just for amberjack, but I could live
30 with it. Thank you.

31
32 **CHAIRMAN FRAZER:** Thank you, Steve. The next speaker is Scott
33 Hickman, followed by Ashford Rosenberg.

34
35 **MR. SCOTT HICKMAN:** Good afternoon, ladies and gentlemen and Mr.
36 Chairman and esteemed members of the Gulf Council. I'm Captain
37 Scott Hickman from Galveston, Texas, and I'm a commercial boat
38 operator and a long-time charter boat operator.

39
40 First off, I would like to congratulate Dr. Frazer for becoming
41 a Florida fish czar, and there is a lot of great leadership at
42 this table, and I would like to congratulate these folks and
43 their leadership on Amendment 40, the electronic logbook program
44 for the charter/for-hire fleet, the incredible job that
45 everybody has worked and done on Amendment 50 here and getting
46 it to the completion process and leaving the charter/for-hire
47 fleet out of Amendment 50.

1 As far as the golden crab EFP, I would like to say that I am
2 personally against it. Having a lot of background in corals,
3 serving on the Flower Garden Banks National Marine Sanctuary and
4 being involved in the expansion of that sanctuary, which we're
5 ongoing, and we should have a final draft released in May on the
6 expansion, and we should go to the Federal Register in June.

7
8 Corals are dear to my heart, and everybody here knows that
9 you've got to have the habitat to have fish. More coral equals
10 more fish, and less coral equals less fish, and so we've only
11 got a small part of the Gulf of Mexico that has had multibeam
12 surveys done on it. Opening the door for an activity, to where
13 you're going to be driving around the Gulf -- Eventually, after
14 this EFP, if it passes, with full implementation, you are
15 dumping these big steel cages out in the Gulf of Mexico on coral
16 ecosystems that took thousands of years, in some areas, to grow.

17
18 You don't just go back and grow 2,000-year corals in a week
19 after they're damaged, and so, from an essential fish habitat
20 standpoint, from a standpoint of how delicate these ecosystems
21 are, I think it's a real poor decision to move forward with the
22 EFP in its form without a lot more multibeam data throughout the
23 Gulf and wrapping our heads around what will this do long-term
24 to not only our fisheries, but to the coral ecosystems in the
25 Gulf of Mexico.

26
27 As far as the Mississippi possible charter/for-hire EFP for red
28 drum, the scientific harvest program, we would support that.
29 There needs to be a lot more data coming out of federal waters
30 on red drum, and, if the State of Mississippi thinks that would
31 help them out on their science, to see what they've got for red
32 drum, that would be a great thing, and using the charter boat
33 fleet to do that.

34
35 Our industry, we would love to be able to help them do that, and
36 we would support it. As far as greater amberjack size limit
37 increases, or going to half a fish or a whole fish or all this
38 other stuff, until the current greater amberjack size limit
39 increase has been included in the stock assessment, the season
40 adjustments and things like that -- We're making these changes
41 every six months or whatever, and, until we can have the data to
42 really see what the fishery is doing, I think that that's kind
43 of a mistake. We need stay status quo, or where we're at right
44 now.

45
46 The Galveston Professional Boatmen's Association, which I'm a
47 founding member of, is a strong supporter of science-based
48 management decisions made on some type of data, and you've got

1 to have data to make decisions. We keep flip-flopping on how
2 we're managing amberjacks, and we're not going to get anything
3 from it. We're not going to understand what we've really got.

4
5 I do support a 500-pound commercial trip limit on amberjacks,
6 and that could possibly help, and we could get better data from
7 that, possibly, and so that's all I've got to say today. I
8 don't support reallocation at this time of the commercial
9 fishery, and I appreciate you all really thinking that through
10 and taking action on it in August. Thank you very much.

11
12 **CHAIRMAN FRAZER:** Thank you, Scott. The next speaker is Ashford
13 Rosenberg, followed by Jay Mullins.

14
15 **MS. ASHFORD ROSENBERG:** Good afternoon, council, and thank you
16 for the opportunity to speak. My name is Ashford Rosenberg, and
17 I'm with the Gulf of Mexico Reef Fish Shareholders Alliance.
18 First, I would like to express thanks to the Reef Fish Committee
19 for listening to the concerns of commercial fishermen and
20 removing Action 4 from Amendment 36B. This action would punish
21 hard-working, law-abiding commercial fishermen who already
22 operate under a strict set of regulatory requirements.

23
24 We support the reduction of red grouper ACL, and we appreciate
25 the council's continued forward momentum on this issue.
26 Landings have been declining, and commercial fishermen have been
27 concerned about this stock. We appreciate the work of the SSC
28 and the Science Center to recommend a reduced catch limit to the
29 council. Please take final action on this framework tomorrow.

30
31 Regarding amberjacks, we agree that action needs to be taken to
32 help this stock, and we support the reduced commercial trip
33 limit with a quota threshold that would trigger a further trip
34 limit reduction. For example, the trip limit could be set until
35 75 percent of the total quota is reached and then triggering
36 another reduction in that trip limit until the total quota has
37 been landed.

38
39 Lastly, we support the commercial shrimp fleet and the council's
40 discussions around providing them more access to their fishery
41 without impacting the red snapper resource or commercial reef
42 fish fishermen. Thank you for your time.

43
44 **CHAIRMAN FRAZER:** Thank you, Ms. Rosenberg. The next speaker is
45 Jay Mullins, followed by Robert Jones.

46
47 **MR. JAY MULLINS:** Hello. I am Jay Mullins, and I own Grace
48 Fisheries, the Fishing Vessel Blackjack II, and the

1 Resurrection. I came over and spoke to you all last time, over
2 there in Alabama, about sustainability. By the grace of God, I
3 guess I just got to go after that woman there, and this Skyler,
4 for your red grouper assessment, tells me the only reason why I
5 was catching so many fish was because I was fishing in the
6 northern Gulf. Well, I just had recently got on my vessel and
7 went 300 miles to the other end of the Gulf, and the results
8 were exactly the same.

9
10 As I have said before, the people coming into the business, it's
11 impossible. Why our numbers are declining is very simple and
12 basic. We have sixty-one longline endorsements, and, you guys
13 or the government or whoever, how many are active? I come up
14 longlining, and nobody will sell me one. I just offered,
15 recently, three days ago, \$150,000 for one that is sitting in a
16 safe, and I can't continue my livelihood, or pass on my gifts
17 and talents, to the next person. What kind of sustainability is
18 that to fishermen?

19
20 I had some federal agents show up to my home, and I got offered
21 200,000 pounds of red snapper quota, and they wanted \$8.4
22 million cash. Come to find out, you can take \$8.4 million cash
23 and buy 200,000 pounds of red snapper quota and write it down as
24 a gift. The term was money laundering. They were very
25 surprised. Whoever instituted our IFQ program, you can write
26 down "gift" when it says "price", and I don't need to go any
27 further in that conversation.

28
29 We want to talk about sustainability, and why are we open
30 fishing during our roe season? The only law that I can
31 honestly, 100 percent, agree with was to shut us down during our
32 roe season, February 15 to March 15, just how it always has
33 been. Why did we open it back up? It worked. The only one
34 that worked.

35
36 Third-world countries still follow this. Mexico shut down this
37 year for two months, and we can't even follow a third-world
38 country, and we're supposed to be the strongest nation in the
39 world?

40
41 I have people I'm in contact with in Norway and Sweden and
42 Greece, top-of-the-line fishing industries, that care for their
43 fishermen, and we can't even get help to rebuild our boats after
44 we have natural disasters. What is that? It's pure greed.
45 Nobody gives a crap about us.

46
47 You know, there is so much unsustainability, and it's sad.
48 Nobody wants to listen to us, or maybe it's just never been

1 brought to your attention, but the fishermen are the ones that
2 need to be sustained in this. You know, you guys are in control
3 of something that we have no control over. Mr. Crabtree, I
4 appreciate the call, and I appreciate the conversation, but
5 there's no way that we're the best-managed fishery in the world.
6 That's far from the case. Look at what's going on out there.

7
8 I just went 300 miles to the south into the Gulf, down below the
9 twenty-five line off Tortugas Bank, where there never was a red
10 snapper, and I caught 8,500 pounds of fish in six days, and I
11 did not keep one red snapper. I probably threw back 10,000
12 pounds, where there never was one.

13
14 **CHAIRMAN FRAZER:** Mr. Mullins, I'm going to have to ask you to
15 wrap it up.

16
17 **MR. MULLINS:** Is somebody going to do something about our
18 fishery? You know, everybody stands there, and it's all good
19 and great, but who cares about us? If I can't pass on my gifts
20 and talents to the next generation coming up, we're dead. Use
21 it or lose it, 100 percent. I know permits, longline
22 endorsements, that are sitting in safes and permits, reef fish
23 permits, sitting in safes. They have gone from \$5,000 up to
24 \$20,000 now. What has been created? Somebody must take
25 responsibility. I am so grateful that the Attorney General's
26 office is being represented here, and I'm so grateful for all of
27 this. Does anybody have any questions?

28
29 **CHAIRMAN FRAZER:** Thank you. Our next speaker is Robert Jones,
30 followed by Brad Gentner.

31
32 **MR. ROBERT JONES:** Good afternoon, council members. My name is
33 Robert Jones, and I'm the Regional Director for the
34 Environmental Defense Fund. I also serve on the U.S. Secretary
35 of Commerce's, Wilbur Ross, Marine Fish Advisory Committee.

36
37 I appreciate the opportunity to speak to you today as you
38 consider final action on Amendment 50. While we vehemently
39 oppose congressional efforts to remove red snapper from the
40 Magnuson-Stevens Act, we have supported the development of state
41 management under the conservation tenets of Magnuson and via the
42 council process.

43
44 We believe that states may be best suited to manage millions of
45 private anglers, especially as that sector experiences
46 exponential growth. We are cautiously optimistic about the
47 passage of Amendment 50 tomorrow in its current form, with
48 caveats.

1
2 First, Amendment 50 should remain focused on private anglers
3 only. Efforts to forcibly include the charter/for-hire
4 component should continue to be opposed. That industry has been
5 clear about their desires to remain under federal management,
6 and sector separation is working to provide real conservation
7 benefits and more stable access to the tens of thousands of
8 Americans who fish with these captains every year.

9
10 Second, we continue to have strong concerns about the
11 development of a common currency by which we evaluate various
12 state's harvest data with the federal data that is used to set
13 the ACL. That gap that currently exists between these systems
14 could create an opportunity for overages to go unseen, impede
15 reliable stock assessments, and it could lead to exceeding the
16 ACL and OFL, which would be a violation of federal law.

17
18 In committee, Dr. Crabtree stated that the state collaboration
19 model should be completed by the end of the year. That's good
20 news, but that will leave little time to use a common currency
21 to recalculate possible overages from the 2018 and 2019 EFP
22 seasons to determine paybacks for 2020. We encourage NMFS to
23 bring an all-hands-on-deck approach to resolving these
24 differences between the FES and state surveys. The implications
25 are far-reaching, as you know, beyond just the conversation
26 about setting the ACL, but also dealing with the current
27 conversation about reallocation.

28
29 In the interim, we encourage the five state fishery directors to
30 consider incorporating an appropriate buffer to account for the
31 uncertainty that may exist in that gap with the loss of the 20
32 percent buffer that was prompted by the Guindon v. Pritzker
33 case, as that will go away with the passage of Amendment 50.

34
35 Switching topics quickly, we did want to extend a kudos to Kevin
36 Anson and the Alabama DMR for their recent decision to require
37 an offshore permit, in order to better define their universe of
38 offshore anglers. This could play a big role in improving
39 sampling efforts, and it may be a useful tool to boost
40 compliance rates with Snapper Check.

41
42 Finally, we would like to congratulate Chairman Frazer on having
43 just been appointed by Governor DeSantis as the first Chief
44 Science Officer for the State of Florida. With the water
45 quality challenges in your state, that was a smart move by the
46 Governor, and we wish you the best. Thank you, and that
47 concludes my remarks today.

48

1 **CHAIRMAN FRAZER:** Thank you, Robert. Kevin.

2
3 **MR. ANSON:** Just for clarification, Robert, and thanks for
4 providing the kudos to us, but that is not final yet, and that's
5 just something that we have recommended, but thank you.

6
7 **MR. JONES:** Kudos, and we hope it passes. Thank you.

8
9 **CHAIRMAN FRAZER:** Thank you again, Robert. The next speaker is
10 Brad Gentner, followed by Eric Brazer.

11
12 **MR. BRAD GENTNER:** I'm Brad Gentner from Gentner Consulting
13 Group. I am usually here representing CCA. I am also here
14 again representing CCA, but my comments today have nothing to do
15 with the recreational sector. I was sort of completely
16 flabbergasted yesterday that no one could answer Ed Swindell's
17 question about overcapacity. Neither staff nor NMFS could
18 answer that question.

19
20 Overcapacity is the result of a race to fish, and it's a public
21 problem when you have an open-access resource. As you convert
22 to a catch share, it becomes a private problem. Once you have
23 an individual quota, who cares how big your boat is? Who cares
24 how big your factor is to catch those fish, and so I just wanted
25 to point out that, in your purpose and need, you eliminated the
26 objective of managing or trying to control the derby fishery,
27 because there is no derby fishery any longer. Without a derby
28 fishery, you don't have an overcapacity problem, not one that is
29 a public problem anyhow, and no one had the definition for that.

30
31 Here, I also want to talk about 36B. I was really shocked at
32 how little anybody cared about moving that through. There was
33 almost no discussion, almost no interest, and my main business,
34 outside of the work you see me do here, is advising nations on
35 how to build incentive-compatible fishery management tools, and
36 that includes catch shares and property-rights-based systems.

37
38 You have the power to fix these issues. These aren't new
39 issues. They aren't issues that haven't been studied, and they
40 aren't issues that don't already have solutions in practice in
41 the world, and you need to get those people in here to answer
42 those questions.

43
44 You have heard all these people here today talk about lease
45 rates being too high, and they don't have the ability to get
46 fish to cover bycatch, and all of these sorts of things, and
47 those are solvable, and, instead, we have this thing called 36B
48 that no one seems to be really interested in, and it certainly

1 doesn't address those issues, and so I would just like to let
2 the council know that those issues and those solutions are
3 solvable, and those solutions are out there. They just need to
4 start asking the right questions. Thank you.

5
6 **CHAIRMAN FRAZER:** Thank you, Brad. The next speaker is Eric
7 Brazer, followed by Casey Streeter.

8
9 **MR. ERIC BRAZER:** Thank you very much, Mr. Chairman. I'm Eric
10 Brazer, Deputy Director of the Gulf of Mexico Reef Fish
11 Shareholders Alliance. Thank you for the opportunity to speak.
12 I too would like to congratulate you, Mr. Chair, on your new
13 role. We are very happy to continue to work with you.

14
15 I will jump right in. On Amendment 52, question one is what's
16 the goal? Question two is what problem will reallocation
17 supposedly solve? Question three is what's the point? Unless
18 and until these questions can be addressed, this continues to be
19 a solution, a solution, in search of a problem that will, in one
20 way or another, end up hurting one or more groups of fishermen.
21 With the Modern Fish Act results and the recalibration
22 reconciliation still years away, we're still not quite sure why
23 this debate needs to be waged right now.

24
25 I was actually going to end there, but I'm going to say one more
26 thing. You know, there is a corporation out there that is
27 buying up red snapper shares. The corporation doesn't own a
28 boat, and they have an agenda. You know who that corporation
29 is? It's the Shareholders Alliance. We're a non-profit
30 corporation, and our agenda, for the quota bank, is to reduce
31 discards and to help the next generation of fishermen.

32
33 That fish you ate last night, we helped that fisherman get
34 access to that allocation, and every one of you that enjoyed red
35 snapper last night benefitted from that access, and so let's not
36 dismantle a working, successful system based on speculation,
37 fear, and hyperbole. Thank you.

38
39 **CHAIRMAN FRAZER:** Thank you, Eric. The next speaker is Casey
40 Streeter, followed by Johnny Williams.

41
42 **MR. CASEY STREETER:** I want to thank the council for having me
43 and listening. My name is Casey Streeter, and I'm a first-
44 generation fisherman, charter captain, shareholder, end-user
45 wholesaler and retailer, and I know everyone has pretty much
46 touched on everything that I wanted to speak about.

47
48 I am grateful that you guys tabled the reallocation talks for

1 right now. Dr. Crabtree had said something yesterday that stuck
2 with me, and it's about profitability of the fishery for the
3 fisherman and having a profitable fishery that is easy to manage
4 and is a success story.

5
6 Any taking away of allocation from our commercial sector
7 actually takes the fish away from the American public, because
8 we are the conduit to the American public, and this is an
9 American fishery, and everyone has equal access and equal right
10 to these fish, recreational and commercial, but, also, in my
11 shop, I see recreational anglers that enjoy red snapper season,
12 but they come, throughout the wintertime, to purchase red
13 snapper at my fish market, when they have family or company in
14 town, and so I think that, when you guys make these decisions,
15 or talk about them, it's important to recognize that these fish
16 belong to everybody and the access, for most people, are not
17 through a private boat, but through commercial access or retail
18 or wholesale, whether they want to go to restaurant and the
19 economic impact that my shop sees, or restaurants see, and they
20 have to have access to imported fish, because they have
21 restricted access to fish that would come off the docks,
22 typically. In our area, we have issues with access to red
23 snapper, and an emerging red snapper population.

24
25 For the for-hire side, we definitely want to see it stay with
26 the federal, and I think that's important, and we are grateful
27 for what you guys do, and we do have an offshore illegal charter
28 issue in our area, and I know Dylan Hubbard brought that up, and
29 that is something that is definitely going on that needs to be
30 looked at. I guess that's probably about it, and so thank you,
31 again.

32
33 **CHAIRMAN FRAZER:** Thank you, Casey. The next speaker is Johnny
34 Williams, followed by Jim Green.

35
36 **MR. JOHNNY WILLIAMS:** Good afternoon. I'm Johnny Williams from
37 Williams Partyboats, Incorporated. I'm a third-generation
38 partyboat operator in Galveston, Texas. As you all probably all
39 know, I was really pretty disappointed, because we did not get
40 Amendment 42 through. I had high hopes that we would make some
41 progress in that regard, but apparently that's not the case.

42
43 What I'm here to address today is actually Amendment 50, and it
44 may seem a little strange for me to be commenting on Amendment
45 50, because I've always said that I would like to see the
46 recreational fishermen do whatever they think is right for them,
47 but the reason I am commenting on it is because I am now
48 concerned -- Since we didn't get 42, or we're not making any

1 progress on 42, I'm kind of concerned that we might get sucked
2 in, in the partyboat and charter boat industry, into state
3 management in Texas.

4
5 That being said, I was looking at some of the alternatives that
6 we had in Table 2.3.8, and, basically, that's just the
7 allocation. Currently, the preferred alternative is 8, and, in
8 that, Texas gets 6.2 percent of the catch for the recreational
9 fishermen, and, if we get sucked in with the recreational
10 fishermen, I would like for the recreational fishermen to be
11 bringing more fish to the table in our state. Thus, I would
12 like to see you all change the preferred alternative from the
13 Preferred 8 to 5a plus 5d.

14
15 5a plus 5d includes the years 1986 through 2015, and they also
16 have a component for biomass in there, and it's 25 percent
17 biomass and 75 percent for recreational trips. It only makes
18 sense to include the biomass, in my opinion, because, over in
19 Texas, we have different counties that have different rules and
20 regulations, depending on the population of the deer, and you
21 can be more liberal if you have a lot of deer in one county and
22 not as liberal in another county, where the deer are very
23 scarce, and so it's not unheard of to use a component of biomass
24 there.

25
26 If you look at 5a plus 5d, four out of five of the states, the
27 only state excluded would be Florida, would either be marginally
28 or quite a bit better off than they currently are with the
29 preferred alternative, which is Alternative 8. I don't
30 understand how that actually got to be the preferred alternative
31 in the first place, and it seems to me like, if you have four
32 states that are going to benefit more from 5a plus 5d, that that
33 would be an important consideration.

34
35 I mean, if I went to a job, and somebody said, hey, we're either
36 going to give you \$20,000 a year or \$30,000 a year, which would
37 you prefer, and, if I was a rational person, I think I would
38 choose the \$30,000 a year, and that's why I think the states,
39 being rational, probably should choose 5a plus 5d, because, like
40 I said, in every situation, except for the State of Florida, the
41 states would be better off.

42
43 I mean, even if you walk up to a kid on the street that is five
44 years old and said, do you want more candy or less candy, I
45 suspect that they would suggest that they would like more candy,
46 and so please consider 5a plus 5d.

47
48 Like I said, I asked one of the council members why that was the

1 preferred alternative and why Florida was getting such a large
2 share of the fish, and the council member told me that, well,
3 they've got a big coastline.

4
5 My response was, hey, Texas has got a big coastline too, and
6 we're hardly getting anything. Then they said, well, they
7 thought that probably that would pass. Well, if four states are
8 going to be in a better position than they are, with 5a plus 5d,
9 than they currently are with the preferred alternative, it seems
10 to like that's twelve votes right there, and twelve beats four
11 every day, and, even if Roy votes, it's twelve to five, and so
12 it looks like to me like it would pass anyway, and so please
13 look at 5a plus 5d and consider that when you pass Amendment 50.
14 Thank you very much.

15
16 **CHAIRMAN FRAZER:** Thank you, Mr. Williams. Our next speaker is
17 Jim Green, followed by Dustin Trochesset.

18
19 **MR. JIM GREEN:** How are you doing? I'm Jim Green from the
20 Destin Charter Boat Association. I'm from Florida, where we
21 have all the anglers, apparently. When it comes to amberjacks,
22 the DCBA has got some big heartburn over what's going on right
23 now and the lack of success we have had in the past few years,
24 and we believe it's time to take some measures to ensure the
25 proposed seasons have an opportunity of being achieved.

26
27 The DCBA supports a one fish per two anglers, meaning three
28 people could keep two, five people could keep three, and a
29 minimum size limit reduction back to thirty. The thirty-four-
30 inch fish didn't work, and, while we support the August opening,
31 so the western Gulf has the ability to access this fishery,
32 changing it did nothing except shift the effort. All we did was
33 move the deck chairs around.

34
35 Last April, we were here working on moving the opening date to
36 August, and we said that this was going to happen, and now we've
37 watched it come to fruition. I talked to staff a little bit,
38 and I know that we have moved amberjack around a lot, and that
39 creates a bias in the data, but, if we're at a point where going
40 to fractional bag limit won't help extending these seasons to
41 what we are proposing them to be, then maybe we need to look at
42 that data as not being the best available, and maybe we need to
43 go back to some data that we do consider not biased.

44
45 On logbooks, I've heard that we're all pushing them back and
46 doing the whole thing in October, and please make sure that
47 happens. Please don't push it back any further. We're ready.
48 Our fleet is ready for this.

1
2 Amendment 50, we support it going forward as it is, without the
3 federally-permitted vessels in it, and we support the private
4 recs getting something stable and something they want in place.

5
6 When it comes to reallocation, it's hard to think that taking
7 fish out of an accountable fishery and moving it into one that's
8 not is something that should be acceptable, and so I think that
9 everybody should prove their stewardship before we start moving
10 fish around.

11
12 The historical captain permits, please take final action, and
13 please make that happen. It's a very easy thing, and it's a
14 very small group of people, and it would help them out greatly.
15 Thank you so much.

16
17 **CHAIRMAN FRAZER:** Thank you, Jim. The next speaker is Dustin
18 Trochesset, followed by Bobby Kelly.

19
20 **MR. DUSTIN TROCHESSET:** Good afternoon. I'm Dustin Trochesset
21 from here in Biloxi, third generation, Silver Dollar III. I've
22 got a couple of things that I want to hit. A lot of people that
23 I've talked to here in Mississippi -- I haven't got any negative
24 feedback from 50, and we like 50. We would like for the
25 charter/for-hire -- We like it where we are. I think that's a
26 good thing.

27
28 Quickly, on the electronic logbooks, I know it's coming online,
29 and there is money issues, but we supported it, and our Reef
30 Fish AP supported it, and accountability was our big thing, and,
31 originally, it was a red snapper thing, and now it's took off,
32 and it's every fish, and a lot more questions, especially the
33 economic questions, and I've gotten a lot of pushback from
34 people, especially around here, and people from other states, on
35 the economic issues of how much are you charging for a trip and
36 so on, and I think that if -- I don't even think this council
37 wanted that.

38
39 I think it came from somewhere else, and I would ask that you
40 all really look into that before all the rules are set. If you
41 stand a hard line, people are going to lie, and your information
42 is going to be no good anyway, and so I just -- I think you all
43 should look at that, some of the questions, because, at the
44 meetings, it came up, when we were being so well informed about
45 what was going on, and it came up a lot.

46
47 Now, to something that is very near and dear to me, and I know
48 some of you all have heard some talk up here in the last hour or

1 so about an EFP for red drum here in Mississippi. We tried it a
2 few years ago, whenever the public testimony was for sector
3 separation, and we were at a different place down the road, and
4 public testimony lasted forever, and not one person was against
5 it.

6
7 We seemed to think that we had the council for it, because red
8 drum has been closed for a long time, and no fish should be
9 closed forever, and we have a unique situation, where we know
10 there is red drum past our three miles, and we would like the
11 chance to catch them past three miles, to prove that there is
12 fish out there. There is no stock assessment, and we are a
13 perfect place to do that. We really would like to fish outside
14 of the three miles, to prove that there is fish, so we can move
15 forward, because there is no reason why we haven't spent any
16 time investigating red drum.

17
18 I know they're all over the Gulf, and there is no way you can
19 tell me that they know that there's a line three miles from Ship
20 Island and they stay inside of it. Especially here in
21 Mississippi, our fleet is completely for that. Thank you.

22
23 **CHAIRMAN FRAZER:** Thank you, Dustin. We've got a question for
24 you from Mr. Diaz.

25
26 **MR. DIAZ:** I just wanted to ask you -- Dustin, is red drum -- Do
27 you think that's the most important fish to the charter industry
28 for Mississippi?

29
30 **MR. TROCHESSET:** When we're not snapper fishing, it's our bread-
31 and-butter. Snapper fishing is good to us, but we do have a lot
32 of other months, of summer months, and that is our target. We
33 don't bottom fish, like anybody else, and we don't chase tuna
34 fish, and we don't have rigs, and we don't have the bottom to
35 catch anything else on bottom fishing, and we're trolling and
36 catching -- Redfish is our target, yes.

37
38 **CHAIRMAN FRAZER:** We have another question from Dr. Mickle.

39
40 **DR. MICKLE:** This isn't really a question, but it's just
41 clarification. The EFP that came through, it was submitted by
42 the agency of DMR to the council as an EFP, and it actually
43 passed the council, and it was disapproved by NOAA. That's how
44 it went down. Thank you.

45
46 **CHAIRMAN FRAZER:** Thank you, Dustin. The next speaker is Bobby
47 Kelly, followed by Sepp Haukebo.

48

1 **MR. BOBBY KELLY:** Good afternoon, council. How are you all
2 doing this morning? I'm Bobby Kelly, and I live in Orange
3 Beach, Alabama. I'm a charter boat operator and commercial
4 fisherman, or I guess next-generation commercial fisherman.
5
6 I got up a little early this morning to run my little charter
7 fishing trip, so I could be here today to see all of you all's
8 beautiful faces. It was a little rough out there, and I got
9 tossed around, but, first, I want to talk about amberjack.
10
11 Commercially, I think the 500-pound trip limit is responsible to
12 the resource. You can kind of spread the fish out throughout
13 the year. I still would like to see it closed in April and May
14 for commercial also, because that's when the fish is most
15 beneficial -- It's a beneficial time to the fish.
16
17 As far as on the charter/for-hire side, I believe, 100 percent
18 wholeheartedly, that access sells a lot easier than a dead fish
19 does, and so I would be in favor of a fractional bag limit. I
20 was all upset, because we didn't get the time in for the May
21 season this year, and I saw the numbers in 2018, and we caught
22 seven-hundred-thousand-some-odd pounds of amberjack in May of
23 2018, and so that's a lot of fish.
24
25 I am for the historical permits getting turned into full
26 permits. Most of these guys fish their butts off anyway, and
27 just go ahead and give them the permit, or make it full active,
28 fully transferable, whatever phrase you want to put on that.
29
30 Let's go ahead and push 50 across the finish line. Hey, let
31 these guys in Mississippi go harvest a red drum in the EFP. I
32 am with them, and you shouldn't close it forever. What else am
33 I missing? I know I've got a little time here, and I'm going to
34 use all three minutes today.
35
36 Push 50 across the finish line. I think you guys have done a
37 real good job managing the states and mostly keeping the EFPs
38 under the ACT, and so, as far as reallocation goes, let's talk
39 about that, and let's have a serious conversation after that,
40 when all -- When the recreational sector has stayed within their
41 quotas. I think it's wrong to take fish away from an
42 accountable fisheries group and move it to an unaccountable
43 fisheries group, even though I might be a beneficiary.
44
45 What else? I think there is -- You guys are still talking about
46 more restrictions on the being within a certain weight, more
47 restrictions on the commercial fishing limits, or for the call-
48 ins and stuff like that, and, man, odds are, if I fished in the

1 night, I can't even tell you what day it is, and asking me to be
2 within a certain percentage on my landings, and so that's about
3 it. Enjoy your afternoon off, I guess. It's nice to see you
4 all get out of here this early. Thanks.

5
6 **CHAIRMAN FRAZER:** Thank you, Bobby. The next speaker is Sepp
7 Haukebo, followed by Sara Griffin.

8
9 **MR. SEPP HAUKEBO:** Thank you, Dr. Frazer. My name is Sepp
10 Haukebo, and I'm a recreational angler. Today, I will be
11 speaking on my own behalf. Dale, Paul, Leann, and Dave, from
12 this beautiful state with friendly people, and thanks for
13 hosting.

14
15 I wanted to thank the council and the council staff for all you
16 do. It's a hard job, but you're fighting the right fight. We
17 all got into this line of work either by luck or hard work,
18 because we love something about fishing, right, and so I wanted
19 to provide some comments on the council's five-year essential
20 fish habitat review.

21
22 The human population in the Gulf is growing rapidly in great
23 states like Mississippi that are beautiful, and folks are moving
24 here, but the importance of -- As that grows, the importance of
25 protecting essential fish habitat is growing as well. I would
26 say we've all heard about the recent red tide events in
27 southwest Florida, and those have been going on for thousands of
28 years, but they've gotten a lot worse.

29
30 There's a lot of factors that led to the serious red tide last
31 year, and it took place over decades of development that
32 exacerbated these natural events, and so I would encourage the
33 council to look closely at the results of the -- The council and
34 the staff to look closely at the results of the five-year EFH
35 review and look at any opportunities to better inform proposed
36 projects that come across the council's EFH triggers. I
37 appreciate everything you do. Thank you.

38
39 **CHAIRMAN FRAZER:** Thank you, Sepp. Our next speaker is Sara
40 Griffin, followed by Clarence Seymour.

41
42 **MS. SARA GRIFFIN:** Hello. How are you all today? I just wanted
43 to cover pretty much two things that people have already spoken
44 about. My name is Sara Griffin, and I am a new operator and
45 operator of a charter boat, Summer Hunter, out of Orange Beach,
46 Alabama.

47
48 I do want to cover the amberjack. I believe a half a fish per

1 person, and, also, a spring and fall season would be beneficial
2 to our industry and our people, to make money. I try not to
3 base my trips on a certain fish, but it does help a lot of our
4 fisheries that do target certain fish or have those trips that
5 they have done for many years that they already base their
6 livelihood off of making money, and so I would like that.

7
8 I do like the way the snapper is going. The 9 percent is way
9 better than it was, and so I wish that would continue on as
10 well. I am in total support of the electronic logbooks, and so
11 I'm looking forward to working with you guys and helping figure
12 out all that kind of stuff.

13
14 I would like to cover maybe knowing the season a year in
15 advance, if that would ever be something that could possibly
16 happen, and hopefully the electronic logbooks would help, future
17 logs and stuff like that, where we could have it to a year in
18 advance, so that people would know their charters they could
19 book, and you don't have to call three months' worth of charters
20 back and request -- Or let them know that we can't catch or keep
21 certain types of fish. Last, just the historical captain
22 permits, let them do the standard, which is fair. Thank you.

23
24 **CHAIRMAN FRAZER:** Thank you, Sara. The next speaker is Clarence
25 Seymour.

26
27 **MR. CLARENCE SEYMOUR:** Thanks, everybody. I am Captain Clarence
28 Seymour from the Charter Boat Spray You Later here in Biloxi,
29 Mississippi. I made the last on the list. Somehow or other, it
30 didn't go through, but I thank everybody for having me here and
31 you all coming to Mississippi, and I think it was an excellent
32 meeting, and I'm sorry I didn't get to make it all.

33
34 I want to elaborate a little bit on what Dustin said, with the
35 Silver Dollar, and we're pretty well looking for some type of
36 means -- What we're asking for is a -- If it's a special,
37 experimental program with our DMR and what have you, but the
38 three-mile boundary is a tough place for us, because we know the
39 -- We have everything in line for all pelagics, most of us,
40 where that goes, and so the red drum in Mississippi is very
41 important to our industry, being that, when -- I have probably
42 said it before, but they say, well, what we can we expect to
43 catch, and I say, well, we have around five edible fish around
44 here, and the red drum is first, always.

45
46 King mackerel, shark, cobia, and then Spanish mackerel, and that
47 pretty well is a five-species line right out of the door here,
48 and so that kind of helps everybody out. They're not trying to

1 sell amberjacks, a half an amberjack, or a quarter of an
2 amberjack, and we're trying to catch for -- It's mostly
3 Mississippians that come straight down from Tupelo or wherever
4 they come from, but they come straight down 49, and they're here
5 to have a good time and enjoy the water.

6
7 Of course, we do now have -- Putting red snapper back on the
8 market here in Mississippi, which it's very viable to our
9 industry, for sure, and what else? Let me see.

10
11 The Amendment 50, I very well applaud you on getting this passed
12 through, and, of course, we do not want to be part of Amendment
13 50, with the small fleet of for-hire in Mississippi, federally
14 permitted.

15
16 Reallocation, I think that could be held back for a while, too.
17 Let's get Amendment 50 started and let the logbooks come on. As
18 far as logbooks go, I have got part of the -- I am going to go
19 ahead and get at least my vessel on the first pilot program with
20 Bluefin, and I pretty well told them -- I said, our guys here in
21 Mississippi, we want cheap, cheap, and cheap, so we can report.
22 They were like, well, we understand that, and I said, well, we
23 want cheap. We like free, but cheap is what it's going to have
24 to be.

25
26 They understand our pain, because we really only access the EEZ
27 basically -- It's going to be sixty-two days this year, and so
28 it's going to be a challenge to get everybody online, but I
29 think they're willing, as long as it's cheap. Thank you all.
30 I'm out of time, it looks like, and so we're done for the day.
31 Thank you.

32
33 **CHAIRMAN FRAZER:** Thank you, Clarence, and thanks to all the
34 speakers for spending their time sharing their opinions and
35 thoughts with the council. I really appreciate it. We're going
36 to go ahead and close out the public testimony part of the
37 meeting, and we're going to take a fifteen-minute break, and
38 then we're going to come back and try to knock out some of these
39 committee reports.

40
41 (Whereupon, a brief recess was taken.)

42
43 **CHAIRMAN FRAZER:** We'll go into the Sustainable Fisheries
44 Report.

45
46 **COMMITTEE REPORTS**
47 **SUSTAINABLE FISHERIES COMMITTEE REPORT**

1 **MR. DIAZ:** Thank you, Mr. Chairman. The Sustainable Fisheries
2 Committee Report, the committee adopted the agenda and approved
3 the minutes of the January 2019 meeting.

4
5 Presentation on Update on Deepwater Horizon Open Ocean
6 Restoration Planning, Laurie Rounds and James Reinhart of NOAA
7 gave a presentation on open restoration planning. Topics
8 discussed included the Deepwater Horizon settlement, the Open
9 Ocean Trustee Implementation Group, restoration planning, and
10 fish restoration. Ms. Rounds noted that the programmatic
11 restoration plan includes damage assessment, restoration, and
12 governance. The implementation group's restoration planning
13 cycle and the restoration priorities were discussed.

14
15 Dr. Reinhardt discussed the types of projects under
16 consideration. Some of the activities considered include
17 barotrauma reduction in recreational reef fish fisheries,
18 improvements to bycatch reduction devices in shrimp trawls, and
19 bycatch reduction techniques in the pelagic longline fishery.

20
21 Committee members suggested that greater emphasis be placed on
22 projects mitigating the dead zone in the Gulf, and the committee
23 also noted that projects on descending devices should avoid
24 duplicating the council's efforts.

25
26 **CHAIRMAN FRAZER:** Ms. Bosarge.

27
28 **MS. BOSARGE:** I had a discussion offline with the lady that
29 presented to us, and she said that her group just was not the
30 one -- The Open Ocean Trust was not the one to make any efforts
31 towards mitigating the hypoxic zone, the dead zone, in the Gulf
32 of Mexico, and that was very frustrating to me, just because
33 we've had presentations from several different groups within the
34 whole RESTORE Act process and the BP settlement funds, and I
35 have yet to really pinpoint the one that will do something about
36 this, and so I just maybe hope that, at some point in the
37 future, staff can follow up and maybe help find the exact group
38 and the people that have the funds that can actually look at
39 doing something proactive with that, instead of some of the more
40 reactive things that we're doing with these billions of dollars,
41 and get us a presentation on what is being done there.

42
43 I would really like to see, face-to-face, those people that are
44 in charge of those monies, so that we can voice our concerns
45 about how important that is to us as fishermen, and so I hope
46 that maybe you will be able to bring us back some more
47 information at a future date.

1 **CHAIRMAN FRAZER:** Mr. Dyskow.

2
3 **MR. DYSKOW:** The comment that I made about not duplicating
4 efforts, I think probably the biggest challenge we have on the
5 recreational fishing side right now, particularly with red
6 snapper, is the reality or perception, and it doesn't matter
7 which it is, that discards are an extraordinary event right now
8 with recreational anglers.

9
10 We have the tool right now to do the education and outreach, and
11 the Education and Outreach Committee, with the Sea Grant money
12 that many of the members have, they are starting that job. The
13 reason I said that we don't want to duplicate those efforts is
14 we have an opportunity to take a big bite out of this problem.

15
16 For example, with the money they have, that they are willing to
17 devote to this, and I won't say required, but the money that is
18 available to do that, outside of our normal budgeting process,
19 they could literally give a venting tool or a descending device
20 to every recreational red snapper fisherman, and we could
21 provide the education, and we could provide the training, and we
22 can provide the tool.

23
24 Then, if we really wanted to take a great big bite, we, as a
25 council, could require that those tools are used, and so I want
26 to get way outside of the box with this and take a big bite out
27 of that problem, because, potentially, it's the biggest problem
28 we have on the recreational fishing side in federal waters.

29
30 Every meeting, this comes up, and let's make it a little problem
31 instead of a big problem, and so that was my intent, is don't
32 think small. I'm not telling you, but I'm telling -- The reason
33 I made the comment is we don't want to think small on this. We
34 want to think big, because it's our biggest problem, and so
35 let's take a big chunk out of it, and, fortunately, Emily is
36 really up-to-speed on all of this stuff.

37
38 She is linked in with them, and we just need to make sure that
39 we don't think small, because the money is there, and it's got
40 to be spent, and let's spend it wisely and really make this
41 problem go away.

42
43 **CHAIRMAN FRAZER:** Thanks, Phil. Any other comments at this
44 time? Okay, Dale.

45
46 **MR. DIAZ:** Replacement of Historical Captain Permits with
47 Standard For-Hire Permits, the document considering the
48 replacement of historical captain permits with standard federal

1 for-hire permits was revised to include council recommendations
2 made during the January 2019 meeting.

3
4 Only historical captain permits valid as of October 25, 2018,
5 which was the last day of the October council meeting, would be
6 eligible for replacement with standard permits. A newly-issued
7 standard for-hire permit will have the same permit passenger
8 capacity as the historical captain permit it would replace.

9
10 In addition, historical captains may replace their historical
11 captain permits with standard for-hire permits or decide to keep
12 their historical captain permits. Outstanding letters of
13 eligibility will be invalid as of the implementation date of
14 this action.

15
16 **Without opposition, the committee recommends, and I so move, to**
17 **recommend the council approve the Replacement of Historical**
18 **Captain Permits with Standard Federal Charter/Headboat Permits**
19 **and that it be forwarded to the Secretary of Commerce for review**
20 **and implementation and deem the revised codified text as**
21 **necessary and appropriate, giving staff editorial license to**
22 **make the necessary changes in the document. The Council Chair**
23 **is given the authority to deem any changes to the codified text**
24 **as necessary and appropriate.**

25
26 **CHAIRMAN FRAZER:** Okay. Ms. Bosarge.

27
28 **MS. BOSARGE:** Before we vote on that, I just wanted to have a
29 conversation about these two permits that were mentioned as
30 sitting out there, or, let's see. They are the letters that
31 have been submitted to be transferred into a historical captain
32 permit, and so there would be these two historical captain
33 permits. When we switch all these historical captain permits
34 over to regular, standard permits, we know there is already
35 going to be two more sitting out there as historical captain
36 permits that will still need to be maintained in that fashion.

37
38 I just wondered, for expediency -- It seems much more efficient,
39 if we know we have those two, to put them in with these. I
40 mean, if they have turned this in, I have to assume that they
41 are still following fisheries and are somehow involved in it,
42 and not have them sitting out there and still have historical
43 captain permits.

44
45 Yes, people maybe could turn in another letter between now and
46 whenever this actually becomes a regulation, and that's
47 possible, but it might not happen, and then we wouldn't have any
48 of these on the books anymore, and we would be done with them.

1 It just seems expedient, to me, to roll those two into this, but
2 I wanted some feedback on it.

3
4 **CHAIRMAN FRAZER:** Ms. Levy, do you want to comment on that?

5
6 **MS. LEVY:** I was waiting to hear the discussion. I mean, the
7 only thing I will say is it's also optional for the people that
8 have it as to whether they want to make it a transferable
9 historical captain permit, and so the rationale of putting the
10 two people in here to get rid of them, to me, doesn't seem to be
11 the best rationale for doing it, because there is no guarantee
12 that's going to happen, and it also seems to be contrary to what
13 the whole discussion was about doing this in the first place,
14 but I was sort of waiting to see what the discussion was going
15 to be, to see if anybody addressed that.

16
17 I will also note that, if you are going to do that, you're not
18 going to be able to take final action today, because the
19 document does not contemplate that. The purpose and need is for
20 the thirty-two individuals identified, and all the analysis goes
21 towards the thirty-two permits that we have identified, and so
22 it's not impossible for you to do this, but the document would
23 have to be revised, the codified text would have to be revised,
24 and we would have to come back at the next meeting.

25
26 **CHAIRMAN FRAZER:** Ms. Bosarge.

27
28 **MS. BOSARGE:** I would just like to hear some feedback on it. I
29 mean, I have to believe that it wouldn't be totally contrary to
30 the purpose and need. If these individuals realized what was
31 going on around this council table, then they're somehow still
32 involved in fisheries. If you're not involved in fisheries
33 anymore, you have got no reason to be listening in to our
34 meetings and understand what's going on here. You have better
35 things to do with your time, surely, but I just -- It just seems
36 like inefficiency and government waste when we leave these two
37 permits sitting out there that we know are going to be
38 historical captain permits as we're going through this process
39 right now.

40
41 **CHAIRMAN FRAZER:** Dr. Crabtree.

42
43 **DR. CRABTREE:** Well, just a couple of things. I mean, the
44 problem is because we've made it optional, like Mara said, and
45 there is no knowing if this is going to go away or not, because
46 they may decide -- Somebody may decide to keep their historical
47 captain permit, but, when we started talking about this, the
48 idea was that we had people who were fishing on a historical

1 captain permit, and we wanted to go ahead and let them have a
2 regular permit.

3
4 In this case though, you're talking about people who have just
5 had this letter for all these years, and they didn't come in to
6 get a permit off of it until after the October 25, and I think
7 that was the date, and so that's the shift in the rationale, was
8 that wanting to do something that affected the people who had
9 already exercised the letter and gotten a permit.

10
11 I think you're right, Leann, that probably the people who have
12 cashed the letter in are paying attention to what's going on,
13 and so maybe they are involved in the fishery, but they aren't
14 dependent on this permit, because they have never come in to get
15 the permit, and I think this letter was mailed out over a decade
16 ago. I mean, this has been a good while now.

17
18 I don't have strong feelings one way or another about it,
19 although it does concern me that we would put this off for
20 another meeting, but I leave it up to you as to what you want to
21 do with it, but I do agree with Mara that expediency is not the
22 best of rationales to do this.

23
24 **CHAIRMAN FRAZER:** Mr. Diaz.

25
26 **MR. DIAZ:** I mean, when we first started going down this road,
27 and the lady the testified today about the issues her husband
28 had, and they were hoping to get where they were on a level
29 playing field with everybody else, and so I was -- I originally
30 thought we were trying to do this to help folks that were
31 actively fishing, so that they would have the same privileges as
32 the other folks, and so I would be okay with going forward like
33 we are today.

34
35 **CHAIRMAN FRAZER:** Is there any further discussion? Okay. This
36 is a final action item, I believe, and there's a committee
37 motion on the board. If there is no further discussion, we will
38 take a roll call vote for this. Okay. Dr. Simmons.

39
40 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chairman. Dr.
41 Mickle.

42
43 **DR. MICKLE:** Yes.

44
45 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Stunz.

46
47 **DR. STUNZ:** Yes.

48

1 EXECUTIVE DIRECTOR SIMMONS: Mr. Swindell.
2
3 MR. SWINDELL: Yes.
4
5 EXECUTIVE DIRECTOR SIMMONS: Mr. Dyskow.
6
7 MR. DYSKOW: Yes.
8
9 EXECUTIVE DIRECTOR SIMMONS: Ms. Guyas.
10
11 MS. GUYAS: Yes.
12
13 EXECUTIVE DIRECTOR SIMMONS: Mr. Banks.
14
15 MR. BANKS: Yes.
16
17 EXECUTIVE DIRECTOR SIMMONS: Ms. Boggs.
18
19 MS. BOGGS: Yes.
20
21 EXECUTIVE DIRECTOR SIMMONS: Dr. Crabtree.
22
23 DR. CRABTREE: Yes.
24
25 EXECUTIVE DIRECTOR SIMMONS: Mr. Boyd.
26
27 MR. BOYD: Yes.
28
29 EXECUTIVE DIRECTOR SIMMONS: Mr. Dugas.
30
31 MR. DUGAS: Yes.
32
33 EXECUTIVE DIRECTOR SIMMONS: Mr. Diaz.
34
35 MR. DIAZ: Yes.
36
37 EXECUTIVE DIRECTOR SIMMONS: Ms. Bosarge.
38
39 MS. BOSARGE: Yes.
40
41 EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.
42
43 MR. SANCHEZ: Yes.
44
45 EXECUTIVE DIRECTOR SIMMONS: Mr. Robinson.
46
47 MR. ROBINSON: Yes.
48

1 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Shipp.
2
3 **DR. SHIPP:** Yes.
4
5 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Anson.
6
7 **MR. ANSON:** Yes.
8
9 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Frazer.
10
11 **CHAIRMAN FRAZER:** Yes.
12
13 **EXECUTIVE DIRECTOR SIMMONS:** The motion carried unanimously.
14
15 **CHAIRMAN FRAZER:** Thank you. Dale.
16
17 **MR. DIAZ:** Patrick has got something.
18
19 **CHAIRMAN FRAZER:** Excuse me. Patrick.
20
21 **MR. BANKS:** I'm sorry, but I would like to put it on record my
22 appreciation to a former council member about the historical
23 captain issue. Myron Fischer was the one who really pushed to
24 have this done, and he provided all the background for the
25 council to get this accomplished, and I think it's a good thing
26 for those historical captains, and so I just wanted to go on the
27 record thanking Myron.
28
29 **CHAIRMAN FRAZER:** Thanks for those comments, Patrick. Dale.
30
31 **MR. DIAZ:** Selection of Allocation Review Triggers, staff
32 discussed a revised draft letter including potential review
33 triggers for Gulf allocations. Time-based triggers and public
34 interest-based triggers would serve as the primary and secondary
35 triggers, respectively.
36
37 Public-interest-based triggers would rely on the council's
38 public comment process. Committee members noted that the South
39 Atlantic Council submitted a letter requesting the time interval
40 for allocation review be reduced to seven years for mutton
41 snapper, yellowtail snapper, and black grouper.
42
43 **Without opposition, the committee recommends, and I so move, to**
44 **change the time intervals on black grouper, mutton snapper, and**
45 **yellowtail snapper allocations between the Gulf and South**
46 **Atlantic Councils from ten years to seven years.**
47
48 **CHAIRMAN FRAZER:** We have got a committee motion on the board.

1 Is there any further discussion of the motion? Seeing none, is
2 there any opposition to the motion? Seeing none, the motion
3 carries.
4

5 **MR. DIAZ:** Committee members discussed the time interval
6 suggested for the review of Gulf migratory group king mackerel.
7 Without opposition, the committee recommends, and I so move, to
8 change the time intervals on Gulf of Mexico group king mackerel
9 allocations between the recreational and commercial sectors,
10 zones and gear types from nine years to six years.
11

12 **CHAIRMAN FRAZER:** Okay. We've got a committee motion on the
13 board. Is there any further discussion on the motion? Seeing
14 none, is there any opposition to the motion? Seeing none, the
15 motion carries.
16

17 **MR. DIAZ:** Committee members discussed the role of indicator-
18 based criteria for allocation review. A committee member
19 suggested that greater emphasis should be placed on indicator-
20 based triggers.
21

22 With one opposed, the committee recommends, and I so move, to
23 approve the allocation review triggers letter, as revised, and
24 submit it to National Marine Fisheries Service.
25

26 **CHAIRMAN FRAZER:** We have a committee motion on the board. Is
27 there any further discussion of this motion? Kevin Anson.
28

29 **MR. ANSON:** Just, I guess going back to public testimony from
30 Ken Haddad about whether or not there needs to be anything in
31 the letter that would address, with more specificity, I guess,
32 the process going forward and identifying who would be part of
33 the review, to make sure that it kind of fits into the policy
34 directive that came from Headquarters, and that would just be to
35 identify the directors of both the Southeast Regional Office and
36 Science Center, instead of staff, in the current letter, which
37 is the last paragraph, and so I'm just wondering if there needs
38 to be anything in there, again, just to address the concerns
39 that -- More emphasis, again, in the intent of Headquarters to
40 involve the director, and, I mean, Dr. Crabtree can comment and
41 such.
42

43 I mean, I don't necessarily think it's much of a problem, but I
44 just wanted to bring it up, as it was brought up in public
45 testimony, to see if council members agree or have comment on
46 that.
47

48 **CHAIRMAN FRAZER:** I am just taking a quick peek around the

1 table. Would somebody else like to weigh-in on that? I think
2 we will probably, Kevin, leave it as it is, and so we'll go
3 ahead and deal with this motion right now. Again, we have a
4 committee motion on the board. **If there's no further**
5 **discussion, is anybody opposed to the motion? Seeing no**
6 **opposition, the motion carries.**

7
8 **MR. DIAZ:** The committee discussed information that would be
9 required to conduct allocation reviews and suggested that a
10 workgroup could assist in developing the methods and procedures
11 for allocation reviews.

12
13 **Without opposition, the committee recommends, and I so move, to**
14 **direct staff to contact SERO and Southeast Fisheries Science**
15 **Center staff to convene an allocation review workgroup to**
16 **identify criteria that would be appropriate for the species**
17 **identified in the draft National Marine Fisheries Service**
18 **allocation review triggers letter.**

19
20 **CHAIRMAN FRAZER:** We have another committee motion on the board.
21 Is there any further discussion of this motion? Mr. Anson.

22
23 **MR. ANSON:** Just a repeat of my previous comment to the prior
24 motion. Again, if there needs to be any further specificity for
25 identifying who would participate or who would participate in
26 direction, and then, also, a second issue would be whether or
27 not there needs to be any timeline or a schedule for what type
28 of product might be developed within a year, or three council
29 meetings, or something like that, that a workgroup could come
30 with a summary report, if that's the pleasure of the council, or
31 if they have any input on that, as to whether or not we need to
32 try to continue this work and make sure it gets done, because,
33 again, we've got -- The letter is going to go up that we're
34 going to be using time-based triggers, and so we need to start
35 looking at that framework and such, because those triggers are
36 going to start kicking in in a relatively short amount of time,
37 and so we might want to set some fixed date or something on
38 there that would help kind of keep us all on task to that.

39
40 **CHAIRMAN FRAZER:** I would like to have somebody do me the favor,
41 actually, because I was not here for this discussion, to provide
42 a little more insight into the discussion with regard to the
43 workgroup. Could somebody do that? Go ahead, Kevin.

44
45 **MR. ANSON:** It was my motion, and so I will attempt to try to
46 consolidate at least my thoughts from that discussion that was
47 had, and so, again, we have these triggers and the policy
48 letter, or the letter that addresses the policy that we just

1 approved, and it identifies how the council is going to proceed
2 with a review, but that only kind of sets the timetable for a
3 review to occur, but the policy directive that came from
4 Headquarters still wants -- It included other triggers that
5 could be used in evaluation of review, or I should restate that
6 as criteria which can be used in review of allocation.

7
8 That is kind of the purpose of the motion, was to kind of set
9 that ball in motion, if you will, so that staff, the Science
10 Center, council, and SERO office staff, can begin looking at
11 kind of a suite of options and criteria that can be used by the
12 council, not necessarily in application of any species or
13 allocation decision, but at least kind of developing a suite of
14 criteria that can be looked at, and then, also, more
15 specifically looking at the thresholds within those criteria as
16 to -- You know, if you did the criteria, and you came up with an
17 outcome, the threshold then would kind of trigger you to do
18 something in regards to allocation.

19
20 If you're above this certain threshold, you wouldn't do
21 anything. If you were below it, you would start allocation, and
22 you would do a more serious allocation review, and so that's
23 kind of the intent of this, and, again, kind of referring to the
24 letter now, with the time-based triggers and identifying
25 specific years, that's all that I was trying to do, was to try
26 to make sure that we kind of got our ducks in a row, if you
27 will, with trying to have these things waiting in the wings that
28 we can then go to, rather than trying to develop them after a
29 review has already been triggered, based on time.

30
31 **CHAIRMAN FRAZER:** Okay, and so I appreciate that, actually, and
32 I think one of the things that we did earlier in the meeting was
33 to solicit some advice, I guess, or some discussion, about the
34 Modern Fish Act, and, as part of that, I think that there was
35 going to be some discussion about allocation, in particular, and
36 so my preference would be, if it's okay with the council, is to
37 go ahead and move this motion forward and benefit from that
38 discussion that I hope that we might have in June and then
39 perhaps revisit the timeline. Okay. Is there any further
40 discussion on this motion? **Seeing none, is there any opposition**
41 **to the motion? No opposition, and the motion carries.**

42
43 **MR. DIAZ:** Generic Amendment, Carryover of Unharvested Quota,
44 staff reviewed public comments received on the Generic Amendment
45 for Carryover Provisions and Framework Modifications. Dr.
46 Barbieri reviewed the SSC's discussions and request to see new
47 simulations, which also examine the effects of quota overages,
48 along with underages and their combined effect on the rebuilding

1 plans for applicable species (greater amberjack, gray
2 triggerfish, and red snapper).

3
4 The committee acknowledged that payback provisions from a quota
5 overage typically apply to overfished species. Overfished
6 species are presently excluded from carryover in Action 1,
7 Preferred Alternative 2, Preferred Option 2b. Having a payback
8 required for species in rebuilding plans that are also eligible
9 for carryover was viewed favorably by the committee.

10
11 The Southeast Fisheries Science Center stated that simulations
12 could be done for Gulf greater amberjack, gray triggerfish, and
13 red snapper, to show the effects of both quota overages and
14 underages and could be provided to the SSC by May 2019. Staff
15 clarified language in the purpose and need, reviewed the rest of
16 the document with the committee, and noted that the codified
17 text is still outstanding. The committee agreed to refrain from
18 any recommendations to the council until the requested
19 simulations could be reviewed. Mr. Chair, this concludes my
20 report.

21
22 **CHAIRMAN FRAZER:** Thank you, Mr. Diaz. Again, I think we will
23 continue to try to move forward with some of these committee
24 reports, if that's okay, and, Mr. Banks, would you be willing?
25 Okay, and so we will have the report from the Habitat Protection
26 and Restoration Committee.

27
28 **HABITAT PROTECTION/RESTORATION COMMITTEE REPORT**

29
30 **MR. BANKS:** Sure, Mr. Chairman, and thank you. The report of
31 the Habitat Protection and Restoration Committee that met this
32 morning, the agenda and minutes of the October 2017 meeting were
33 approved.

34
35 Then we heard a presentation from NOAA on the results of the
36 council's five-year essential fish habitat review. Mr. Dale
37 from the Southeast Regional Office gave a presentation outlining
38 the results of the council's five-year EFH review. Mr. Dale
39 indicated that the report is complete and noted that the
40 applicable FMPs must be amended with this information for
41 management and future consultation purposes. It was clearly
42 expressed that recommendations of the SERO should be considered
43 by the committee, and the committee should decide at a future
44 meeting how best to incorporate the updated EFH information into
45 council documents.

46
47 The committee inquired how protected species, such as Gulf
48 sturgeon, may be incorporated into future EFH reviews. Mr. Dale

1 and Dr. Crabtree replied that, since Gulf sturgeon is covered
2 under the Endangered Species Act, that NOAA's Protected Resource
3 Division would be the best avenue for working with states to
4 identify critical habitat.

5
6 The committee expressed concern about a possible future
7 directive looking to remove public EFH information for species
8 that are no longer under management, since those EFH
9 delineations would not be updated regularly. The committee
10 recommended that EFH data should still be made available to the
11 public, even if the species are no longer subject federal
12 management. The committee additionally suggested that potential
13 EFH may exist for some species beyond the current 100-fathom
14 boundary and may be worth exploring. Mr. Chair, this concludes
15 my report.

16
17 **CHAIRMAN FRAZER:** Thank you, Mr. Banks. Dr. Mickle.

18
19 **DR. MICKLE:** Thank you, Mr. Chair. At this point, I would like
20 to just introduce a motion, and I sent it to council staff, and,
21 if not, I can read it into the record, but my motion was to
22 direct staff to incorporate into the FMP NMFS's recommendations
23 as they pertain to the five-year review of EFH, or essential
24 fish habitat. If I get a second, I will expound.

25
26 **CHAIRMAN FRAZER:** It's seconded by Mr. Banks. Let's get it up
27 on the board.

28
29 **DR. MICKLE:** So, at this point, it's the recommendations, and
30 we've all reviewed it, and, really, council staff just needs the
31 incentive of a motion to move forward in a clear manner for the
32 methodologies that we go forward.

33
34 **CHAIRMAN FRAZER:** Mr. Banks.

35
36 **MR. BANKS:** My only question, Paul, or maybe more to staff, is,
37 is it better to incorporate these into each of the FMPs, or
38 should we do a separate document that incorporates it as a
39 generic action? Can we get a little bit of guidance on what may
40 be the best way to handle this?

41
42 **CHAIRMAN FRAZER:** Dr. Simmons.

43
44 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. I think we
45 would perhaps like the flexibility to try to figure that out and
46 bring that back to you right now, if possible, to try to figure
47 out the best path forward.

48

1 **CHAIRMAN FRAZER:** Patrick.

2
3 **MR. BANKS:** Well, my only concern is "into the FMP", and, I
4 mean, it doesn't state which FMP.

5
6 **CHAIRMAN FRAZER:** Maybe I can make a suggestion here that, just
7 parenthetically, after the "the FMP", that you put an "s", and
8 so it's "FMPs", and give them the option.

9
10 **MR. BANKS:** As long as this will give them the option, that's
11 good.

12
13 **CHAIRMAN FRAZER:** Mara, do you have any reservations with that
14 language?

15
16 **MS. LEVY:** No, and, even if you do a generic amendment, you
17 would be amending all the applicable FMPs, and so it's really
18 about looking at which FMPs need to be amended and then the best
19 way to go about doing that.

20
21 **CHAIRMAN FRAZER:** Thank you. Is there any further discussion on
22 the motion? **Seeing none, is there any opposition to the motion?**
23 **Seeing none, the motion carries.**

24
25 I'm going to go, if it's okay, to Data Collection, if Dr. Stunz
26 is amenable to that. Okay. Thank you.

27
28 **DATA COLLECTION COMMITTEE REPORT**

29
30 **DR. STUNZ:** Thank you, Mr. Chairman. This is the Data
31 Collection Committee Report for April 1, 2019. The agenda and
32 minutes of the January 28, 2019 meeting were approved.

33
34 For-Hire Electronic Reporting Implementation Update, the
35 committee received an update from Ms. Gerhart about the
36 implementation of for-hire reporting requirements. Ms. Gerhart
37 stated that implementation will occur in one phase that includes
38 electronic logbook reporting, hail-out, and location reporting
39 requirements. She expects the new requirements to be
40 implemented in October 2019.

41
42 The committee stressed the need for efficient, effective, and
43 validated implementation of for-hire reporting requirements,
44 despite budget constraints associated with the survey validation
45 and data integration.

46
47 Ms. Muehlstein presented summaries from the eight for-hire
48 reporting workshops held throughout the Gulf states in early

1 2019. Members of the for-hire sector expressed concerns about
2 survey requirements pertaining to economic inquiries, potential
3 equipment failures or malfunctions while vessels were in storage
4 or underway, deviations in landing timelines, requirements for
5 inactive permits, species-specific catch recording, and trip
6 types subject to reporting.

7
8 After deliberation, the committee decided further discussion
9 would be required to address potential issues, and the committee
10 will consider how to provide formal feedback to NMFS for
11 consideration during the implementation process. I will stop
12 there for a second, Mr. Chairman, if you don't mind.

13
14 **CHAIRMAN FRAZER:** Yes.

15
16 **DR. STUNZ:** I am stopping in case the committee or anyone has
17 something to say, but, if not, I have something to say regarding
18 that. We had some discussions about providing the feedback back
19 and forth between the council and the Regional Office and how
20 that would go.

21
22 In terms of this Data Collection Committee, obviously, we had
23 some discussion about a lot of the concerns that the industry
24 was seeing, and, of course, this hasn't been implemented yet,
25 but -- So we don't know exactly how valid some of those are or
26 are not, and so I thought what would help for that is to have
27 some open communication between us and the Science Center at
28 each meeting, to really keep us closely informed about what's
29 happening and that kind of thing.

30
31 I have an idea of how to do that, which would basically be for,
32 I guess, Sue or whoever in your group that would like to do
33 this, is to present to the council at the next meeting, and I
34 can make a motion on that, if we need to, of what I would need
35 to make it clear, if that's okay with you, Mr. Chairman.

36
37 **CHAIRMAN FRAZER:** Yes, go ahead.

38
39 **DR. STUNZ:** I sent that motion to staff, and I just sent it just
40 a little while ago, and so I don't know if you can pull that up.
41 If not, I can read it.

42
43 **CHAIRMAN FRAZER:** We will give them a second to put it up on the
44 board.

45
46 **DR. STUNZ:** If someone -- I will make the motion, and then we
47 can have some discussion, and I'm happy to modify this, but I
48 think you will see where I'm going with this. While she's

1 putting that up there, I think this will help alleviate some of
2 the concerns, after talking to some other council members and
3 others, and, that way, everybody is just really on the same
4 page, in terms of where we're going with this, timelines for
5 implementation and that kind of thing, as we move forward with
6 this.

7
8 **My motion is to have SERO, or I put in the Science Center, and**
9 **I'm not sure which is appropriate, but either or, to develop a**
10 **presentation for the June 2019 council meeting to explain and**
11 **discuss specific data elements that would be required for**
12 **reporting in the for-hire fleet. Additionally, this**
13 **presentation should include updates on timelines for**
14 **implementation and ways to solve the challenges to**
15 **implementation that were discussed at the April 2019 meeting.**
16 Mr. Chairman, that's my motion.

17
18 **CHAIRMAN FRAZER:** Is there a second for this motion? Seconded
19 by Ms. Guyas. Is there any further discussion on this motion?
20 Ms. Boggs.

21
22 **MS. BOGGS:** I don't know that we need to change the motion, but
23 I did have a question. One of the biggest questions is what is
24 going to be required to be reported, and a lot of people have an
25 issue with, I guess, the socioeconomic questions, and I wanted
26 to see, and I don't know if we need to add it to this motion,
27 but I would like to request that -- Is there a way that we can
28 see what's going to be asked? I understand that it's kind of
29 out of our hands, but it would be nice to know exactly what it
30 is that the captains are going to have to be reporting, and
31 maybe we can go ahead and defuse some of their fears.

32
33 **CHAIRMAN FRAZER:** Dr. Stunz.

34
35 **DR. STUNZ:** To that point, Mr. Chairman. Susan, that's exactly
36 where I was going with this, and maybe I didn't capture it that
37 well, because I just wrote it just a few minutes ago, and so, if
38 there's something that is not clear -- I mean, I think that's
39 the intent. I also would say that what I'm really trying to
40 avoid was what you brought up, is I don't want this to
41 completely get out of hands.

42
43 As I mentioned in the committee, we certainly don't want to
44 micromanage what's going on here, but we also want to make sure
45 we get what we're asking for, and that was the intent, and so if
46 they could just come back with us to provide some guidance, and
47 the economics questions were exactly what I was referring to.

48

1 Now, if we need to modify this, or maybe, Sue, if it's not clear
2 to you or something, feel free to modify as necessary, but I
3 just want to open a line of communication, so everything is on
4 the table.

5
6 **CHAIRMAN FRAZER:** Dr. Crabtree.

7
8 **DR. CRABTREE:** We're happy to do that, and we're happy to update
9 you on challenges to implementation. I mean, I have heard some
10 people, a few people, bring up the socioeconomic questions, and
11 I think all we're asking right now is an estimate of how many
12 gallons of fuel did you burn, what was the price of it, and what
13 was the charge for the trip.

14
15 In my judgment, it will take less than sixty seconds for them to
16 fill it out, but, if you think about it, every time we get into
17 a complicated amendment, we hear that our economic analysis is
18 not -- We hear complaints about it, and you're not accurately
19 reflecting the value of the fishery and all these kinds of
20 things, and, when we get into allocation questions, questions
21 always come up of the value of the different sectors and things,
22 and so this is an opportunity to collect a little information to
23 allow for better economic analysis.

24
25 I really don't think the burden to report those is -- We're just
26 asking for them to give us an estimate of how many gallons they
27 think they burned, what they think they paid, and I think it's
28 fairly simple.

29
30 **CHAIRMAN FRAZER:** Thank you, Dr. Crabtree. Ms. Guyas.

31
32 **MS. GUYAS:** I am definitely supportive of this, because, just in
33 the last week, I've gotten a lot of phone calls, and apparently
34 my name is being circulated as the one to call about this
35 concept.

36
37 **DR. CRABTREE:** I will stop giving your name out.

38
39 **MS. GUYAS:** Somebody did. Actually, I think it might have been
40 one of your staff, because it was like, hey, this really nice
41 guy told me your name, and I'm like, all right. Anyway, there's
42 a lot of confusion around this, and I feel like, if people maybe
43 better understood why we're asking them some of these questions
44 and for these specific data fields, maybe that will help
45 alleviate some of the concerns here, and so I think this
46 presentation maybe can help address some of that.

47
48 I know Emily has made a great impact with all the people that

1 came to those meetings, but clearly there is still work to be
2 done here, in terms of like working with the industry and
3 getting them comfortable with this, because, if this is going to
4 go online in October, that's going to come up quick, and so
5 everything that we can do to alleviate concerns and get people
6 comfortable with what they're going to need to do, let's do it.

7
8 **CHAIRMAN FRAZER:** Dr. Stunz and then Dr. Crabtree.

9
10 **DR. STUNZ:** To Martha and Roy's points, that's exactly why I
11 made the motion, is that, Roy, I don't -- I am not opposed to
12 collecting more data, certainly, and I think the economics are
13 important, but I just wanted to be able to get that out on the
14 table and have some discussion about that, because, to me,
15 that's a perfectly valid reason for having these economic
16 questions that you made, but I think those that are going to be
17 entering this hearing that would feel better if they knew how it
18 was working, and, right now, I think there's just a little bit
19 of unknowns about what they're going to be expected to do, and
20 this, hopefully, will clear that up, through some relatively
21 easy presentation.

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

24
25 **DR. CRABTREE:** I agree with you on that, and that's why I think
26 this is a good idea, and I support it. We also have done
27 frequently asked questions and those types of things, which I
28 don't know if council members have that information or not, but
29 we could certainly -- Carrie, if staff would follow-up with Sue,
30 we can get that to you, and that would give you some talking
31 points and things to use to respond to fishermen when they call.

32
33 You know, my experience with these sorts of things -- I look
34 back at the VMS requirement, in particular, and it creates a lot
35 of anxiety in the fleet, and there always are a lot of
36 questions, and there are always things that no one anticipated
37 and problems that come up, and so we're just going to have to
38 deal with that as best we can and adapt to the issues that come
39 up, because we're requiring people to do something they've never
40 done before, and we're requiring them to put equipment on the
41 boat. That's just part of the growing pains of getting through
42 this.

43
44 The other thing I would ask of everyone is let's be realistic
45 with fishermen that they understand that it's going to take time
46 before this data is going to be useful for catch estimation, and
47 this is a multi-year process of getting this program in place,
48 and my worry is over-expectations that we're going to come in

1 the next red snapper season and be using this to estimate
2 catches, and it's going to take quite a while to do that, and
3 that's not even taking into consideration the fact that we still
4 need a substantial amount of funds to get to where we need to be
5 with the program, and so we need to make sure people don't have
6 unrealistic expectations.

7
8 Then we need to recognize that there are going to be unexpected,
9 unanticipated things that come up that we're going to have to
10 deal with along the way, but we're happy to get you all the
11 information and talking points and all those things that we can
12 to help you respond to your constituents.

13
14 **CHAIRMAN FRAZER:** Mr. Sanchez.

15
16 **MR. SANCHEZ:** I agree wholeheartedly, and I can't stress that
17 enough. At every outreach opportunity, we need to stress that
18 this is going to take time, and it's not going to result in the
19 instant data that I would think the industry was hoping this was
20 leading toward. It's going to take quite a bit of time to iron
21 out all the wrinkles, and just let them know this is going to be
22 an exercise that's going to be worth it, but it's going to take
23 time.

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

26
27 **MR. BANKS:** I wanted to say a few of the things that Dr.
28 Crabtree did, but I think what's going on here is that it's now
29 facing this industry, and it had been so far in the future
30 before, and now they're starting to pay attention, but it's not
31 because we've done a poor job of explaining it.

32
33 I've got the FAQs that they put together, and I've been telling
34 the folks, but now a lot of them are waking up, and so I'm glad
35 that we're going to have the presentation, but I don't want to
36 make it sound like that we have not put the information together
37 and not made it available to this industry, because I know I
38 have, and I know it's available if you go and look for it, and
39 the way our industry finds out some of this information is like
40 they did to Martha, and they call us, and we tell them the
41 information, and so the fact that I'm getting calls doesn't, to
42 me, mean that we haven't done a good outreach.

43
44 I don't want to make it seem like that we have not done our job,
45 because we absolutely have, and the agency has put together fact
46 sheets, and we've talked a lot about this stuff, all around the
47 table, and we've talked about the need for socioeconomic data,
48 and so I just don't want to make it seem like we're getting

1 these calls and that means we haven't done our job, because we
2 have. Thank you.

3
4 **CHAIRMAN FRAZER:** I think those were all really good comments.
5 Roy, I appreciate your willingness to work with your group to
6 prepare a presentation, and there's enough information here, I'm
7 assuming, and we can follow-up with a formal request, and that
8 will be good.

9
10 We have a motion on the board, and it's been seconded. Is there
11 any further discussion? **Seeing none, is there any opposition to**
12 **the motion? Seeing none, the motion carries.** Dr. Stunz.

13
14 **DR. STUNZ:** Thank you, Mr. Chairman. Continuing on with the
15 report, the Commercial Fishing Unique Trip Identifiers, Dr.
16 Gloeckner presented an overview on the challenges and potential
17 benefits of developing unique trip identifiers for commercial
18 fishing trips. A second Southeast Fisheries Science Center
19 presentation outlining solutions for these implementation
20 challenges was scheduled immediately afterwards, but was moved
21 to the Shrimp Committee agenda, due to time constraints. Mr.
22 Chairman, this concludes my report, but I do have a comment to
23 follow-up.

24
25 **CHAIRMAN FRAZER:** Thank you, Dr. Stunz. Go ahead.

26
27 **DR. STUNZ:** Okay. If I can make a comment, and I don't know if
28 it's here or Shrimp to talk about it, because it dealt with the
29 one we moved, and so, Leann, I don't know -- If you recall that
30 presentation, it was a good example of just trying to get data
31 collection where we need to be and all these challenges and
32 things, and I think Dave Donaldson kind of pointed out that
33 there were some solutions, but maybe it wasn't quite as clear in
34 that discussion, and so I wanted to just maybe ask Dave, and
35 what do we need to do to begin to solve some of those issues, or
36 do we have something place or not, or what do you recommend,
37 because I know your shop has been involved with that.

38
39 **MR. DONALDSON:** Well, I guess just a little bit of history.
40 This is not a new issue, and we've talked about it here at this
41 council a number of times, and we've talked about it through
42 GULFIN, our data group, for probably fifteen-plus years, and so
43 remember Joey Shepard, when he was with Louisiana, we were
44 talking about it then, and that was -- He hasn't been with
45 Louisiana for a while, and so it's not a new issue.

46
47 It's something that we have been working on, and we haven't
48 solved it for lack of trying. We are trying to resolve it.

1 There is some frustration within NOAA Fisheries, and we're
2 looking at different approaches and ways to address it, so we
3 can find solutions, and I think that's what prompted this
4 particular set of presentations, and so, in terms of how we move
5 forward and the solution for it, I'm not sure. I think there
6 was a suggestion that we create a workgroup to flesh this out.
7 I mean, that's something that we could potentially do, but, I
8 mean, we're already kind of doing that, and it's not a formal
9 workgroup, but it's something that we're working on.

10

11 After Mike Travis's presentation this morning, I talked with
12 several of the states on ways that we can move this forward, and
13 so I am not sure what the council wants to do, if they want to
14 create a formal charge to have the commission and the states and
15 the Regional Office sit down and come up with solutions or --
16 That may be a better approach, because how we've been going
17 about it in the past hasn't really resolved anything, and so I
18 will leave it there and let any states comment if they would
19 like and leave it up to the council on how to proceed.

20

21 **CHAIRMAN FRAZER:** Ms. Bosarge.

22

23 **MS. BOSARGE:** I guess I will weigh-in a little bit, since part
24 of this presentation was in Shrimp, but I think that's probably
25 a good path forward, Dave, is to have the council give direction
26 to have a workgroup meet that has the parties involved that you
27 just mentioned, and I will let you speak to that again if we
28 need to, and get this ball -- Get this back on track.

29

30 This is something that -- I don't know how it will play out for
31 shrimp. I don't know, and I think there are some other issues
32 there that we can work on, and I don't know that the unique trip
33 identifier is exactly what we need, but I think, if we loop the
34 right people in, like Dr. Travis, who gave us that report, and
35 make sure that he is there to contribute as well, that we can
36 make some progress on this, but I do want to reiterate that this
37 unique trip identifier -- I won't say idea, because it's been
38 there for a long time, but the emphasis for this presentation
39 actually came from our IFQ AP, and they passed a motion to
40 please have the council look back into this again, so that they
41 could have a unique trip identifier that will actually follow
42 that trip from that hail-out at the beginning all the way back
43 through the trip and the hail back in and the landings and the
44 whole thing.

45

46 We get all their data, and I'm not an IFQ fisherman, but, the
47 way they explained it to me is we get a confirmation number when
48 we hail-out, and we get a different confirmation number when we

1 do our hail back in, and then you're going to have your dealer
2 reports, and then you're going to have state trip tickets, and
3 none of it though is -- You have to pull the information from so
4 many different places that, when you get to trying to form an
5 index, like a CPUE index, all of our CPUE indexes for our IFQ
6 species, they are all truncated whenever the IFQs went into
7 place, because we're just really not able to piece all the data
8 together in a way that is very usable for that, and so I think
9 that is one place that, if we could manage to track a trip from
10 beginning to end in an efficient manner, our data would be much
11 more useful to us in the future.

12
13 **CHAIRMAN FRAZER:** Mr. Donaldson.

14
15 **MR. DONALDSON:** Thank you, Mr. Chairman, and, to that point, and
16 this is a bigger issue than just shrimp. It was raised under
17 the Shrimp Committee and Data Collection, but, as Ms. Bosarge
18 pointed out, it is a bigger issue than -- It's dealing with
19 finfish and all commercial fisheries.

20
21 The system that has been developed for GulfFIN addresses that.
22 It doesn't address just shrimp, but it addresses all commercial
23 fisheries, but it's just a matter of getting the state licensing
24 vessel data to be able to populate it and make sure that that
25 system -- Work out the bugs in that system, and so I think maybe
26 having a meeting with all the necessary parties might be the
27 next step.

28
29 **CHAIRMAN FRAZER:** Dr. Hart.

30
31 **DR. RICK HART:** I agree with Dave. The real issue is being able
32 to identify vessels and have like a cross-referenced table, so
33 we know what vessel -- Say a vessel from Louisiana, we can
34 reference that vessel number to the Coast Guard numbers. Right
35 now, we don't have that ability for a lot of these vessels, and
36 so that's really one of the main issues.

37
38 **CHAIRMAN FRAZER:** Kevin Anson.

39
40 **MR. ANSON:** I would just like to add that to get the groups
41 reconvened, or the parties reconvened, to bring this matter up,
42 and there might be some discussion as to those data elements, as
43 to we've got to have these, these would be great to have, these
44 we could definitely live without, although they're included in
45 this suite of data elements that would be requested or needed.

46
47 I guess just another point to maybe bring up is that, Leann, if
48 you described it correctly, as far as the confirmation number

1 for hailing-out and hailing back in are two different
2 confirmation numbers, that seems very problematic, when you're
3 trying to do data merging, and maybe that issue needs to be
4 addressed as well, is to maybe try to fix that and spend some
5 time internally to the various projects, to see if that can be
6 done, if there's improvements that can be done with data
7 management, to help with trying to manage, because it's just
8 going to grow as we get this other data in and trying to match
9 all these things together, and I would see that as relatively
10 low-hanging fruit, is to just create a trip ID number, and then
11 that trip ID, once they hail-out, is the same one that will come
12 in when they go to hail-in. I mean, it just seems like it would
13 be easy to fix that, but that's just me.

14
15 **CHAIRMAN FRAZER:** Thanks, Kevin. I am just listening to the
16 comments, and I think there is a lot of interest, obviously, in
17 pulling the appropriate people together to make this happen. I
18 am listening to Dave talk, and he clearly has been thinking
19 about it and working on it for quite a while, and the Gulf
20 States Marine Fisheries Commission might actually be the
21 appropriate place to do that, to the degree that the council can
22 facilitate that, and perhaps you need to let us know, but maybe
23 we need a motion, and I'm not quite sure, here.

24
25 **MR. DONALDSON:** I don't know. I mean, I don't need a motion. I
26 think that I understand what we need to do, but it's just a
27 matter of does the council need a motion for me to proceed, and
28 I will do -- We will convene the group and report back to the
29 council.

30
31 **CHAIRMAN FRAZER:** Well, I think that, if you're willing to
32 convene the group and report back, then I don't think that a
33 motion is necessary. Thank you, Dave. Give me just a second to
34 figure out which committee report I want to work with next.

35
36 **DR. STUNZ:** Mr. Chairman, Ed Swindell has hand up.

37
38 **CHAIRMAN FRAZER:** I'm sorry. Mr. Swindell.

39
40 **MR. SWINDELL:** Under other items on the Data Collection
41 Committee, one of the things that has been concerning me is the
42 fact that we don't have what we would all consider to be good,
43 reliable data on the recreational fishing of any sort, and, as I
44 heard, it seems to me, and I apologize if I'm mistaken, but I
45 think, at one council meeting, we heard a report about MRIP, and
46 the MRIP person that reported it said that we don't do a good
47 job of getting offshore data from the fisheries that is being
48 done offshore.

1
2 That really upset me, to know that, and here we have a Data
3 Collection Committee, and we now have the Modern Fisheries Act
4 that says the biggest -- One of the biggest things within the
5 Modern Fisheries Act is better data from the recreational
6 community, and I think we need to give some charge to our Data
7 Collection Committee, some way or another, to work on how are we
8 going to improve better data collection from the recreational
9 offshore fishing community.

10
11 You know, we've got to do it some way or another. We need to
12 address it, and the law wants us to address it, and there is no
13 doubt about it, and I think Phil brought it up today, or at some
14 time during the meeting, about our need to do what the Modern
15 Fisheries Act wants us to do. Well, let's do it, and I'm
16 concerned that we're waiting for staff to tell us. Well, that's
17 not what we need. We need to do work in some direction, and, if
18 we had a recreational -- Do we have a recreational fishery
19 advisory panel, or is just red snapper recreational fishing? Do
20 we have any way to get more quick information flowing about
21 improvement in recreational data collection?

22
23 **CHAIRMAN FRAZER:** I am going to look to Dr. Simmons, but I
24 believe that our recreational committee is restricted to red
25 snapper at this point for private anglers.

26
27 **MR. SWINDELL:** Well, we need more than just the recreational red
28 snapper. Recreational fishing in king mackerel and on and on
29 and on. There needs to be some way or another, and we need to
30 start looking at a pure data collection improvement in the
31 recreational fishery, and the Modern Fisheries Act has asked us
32 to do that, and I think we need to attack it. I think we need
33 to give some sort of charge, one way or another, to our Data
34 Collection Committee, which I have already talked to Greg some
35 about, as to how are we going to get this done. What do we do
36 from here on? How do we start moving on it? I don't have a
37 good answer, Mr. Chairman. I just want to see something happen.

38
39 **CHAIRMAN FRAZER:** Sure, and I'm going to go to Dr. Stunz, but
40 I'm going to first point out that we also have a Reef Fish AP
41 that has both a recreational, for-hire, and commercial
42 composition, but go ahead, Dr. Stunz.

43
44 **DR. STUNZ:** Thank you, Mr. Chairman, and I will make this quick,
45 because I guess right now may not be the most appropriate time
46 to discuss it, but I think what Ed is talking too a little bit
47 is something broader.

48

1 We have got a lot of data collection issues facing this council
2 coming up, and, many times, we have a short thirty-minute or
3 hour meeting, and then, of course, we come to the report like
4 this, and there is really not, probably, enough time to discuss
5 all of these issues that might be facing us, and I don't have
6 the solution, Carrie, but maybe to begin some discussions about
7 -- Whether it's light of this Modern Fish Act and being briefed
8 to what that data collection component will look like, but maybe
9 have some broader discussions, and maybe a sub-committee, and I
10 don't know what that would look like, to begin to discuss what
11 are going to be the data collection or data committee challenges
12 coming up in front of this council, so that we can be prepared
13 for that and build our agendas accordingly and that kind of
14 thing.

15
16 Now, I mean, that's a very broad brush, and I don't know about
17 now, and it's going to require some offline discussions, but,
18 that way, we're prepared to address some of what are the biggest
19 challenges, so we can make sure that we're ready for that.

20
21 **CHAIRMAN FRAZER:** I have in front of me the Modern Fish Act, and
22 so one of the charges, I guess, in the Act is this, that
23 recommendations considered shall include, and this is Item 2 in
24 this particular section, evaluating whether the design of the
25 Marine Recreational Information Program, for the purposes of
26 stock assessment and the determination of stock management
27 reference points, is compatible with the needs of in-season
28 management of annual catch limits.

29
30 It would appear to me that there is already direction given in
31 the Modern Fish Act for people to evaluate what type of data
32 that we might need, and so I think that we would probably
33 benefit from that information, and it may in fact, in my
34 opinion, be beyond our scope of activities to decide what is the
35 best type of data to be able to use, and that may fall more in
36 the realm of a statistical group of some kind.

37
38 **MR. SWINDELL:** So do we just use the committee, or do we use
39 NMFS and the Southeast Fisheries Science Center to help us, and
40 our staff to help us, pull things together and to get things
41 moving a little faster than what we're doing? We keep working
42 with recreational fishery data that is old and not necessarily
43 reliable for what we're trying to do in our fishery management
44 plans. Thank you.

45
46 **CHAIRMAN FRAZER:** Sure, and I appreciate those concerns, Ed.
47 Dr. Crabtree.

48

1 **DR. CRABTREE:** I understand those concerns, and let's not lose
2 sight of how much has happened in the last five years on data
3 collection. We have LA Creel in place now, which addresses some
4 of the timeliness issues, and we have the Mississippi Tails 'n
5 Scales, and we have Snapper Check, and we have the Florida GRFS
6 Program.

7
8 We are still grappling to deal with all the new data programs
9 and data that are coming in, and I think some of what the Modern
10 Fish Act is getting at with that language in there is the
11 timeliness issue, if you're going to try and do in-season
12 management, and so we are well down the road of dealing with
13 those issues, in terms of these state programs that we have.

14
15 We have got the charter boat reporting program that we're trying
16 to get in place, and we have, over the last decade, completely
17 revamped the Marine Recreational Information Program, MRIP, and
18 we're still in the process of trying to transition and figuring
19 out how to transition to the new catch estimates that are coming
20 out of that.

21
22 I have not seen as many changes made to recreational data
23 collection in the last twenty years as I've seen in just the
24 past five years, and so there is a tremendous amount of things
25 going on, and I think it's proving difficult for us to digest
26 how to incorporate all of that information into assessments and
27 into management, because we're being hit with so many different
28 data sources, and we're still struggling to figure out how this
29 data collection program ties into this one and how they relate,
30 and so there is a tremendous amount of things going on. Now, I
31 know there is a lot of interest in exploring use of cellphones
32 to report catches and all those kinds of things, but there has
33 been a tremendous amount of work going on.

34
35 **CHAIRMAN FRAZER:** Thank you, Dr. Crabtree. Mr. Swindell.

36
37 **MR. SWINDELL:** So, Roy, is that to say that we need to be
38 satisfied with where we are and that things are moving on and we
39 don't need to push to do it even better and faster?

40
41 **DR. CRABTREE:** No, I think what we need to do now, at least in
42 part, is understand the programs that we've put in place. We
43 have talked about the calibrations and calibration models and
44 how to incorporate the state programs into the assessments, and
45 so there's a lot of work going on, and I worry that we are going
46 to overload the system with so many new programs and new data
47 demands, and a lot of the recreational catch estimation issues
48 are pretty simple, but they require a lot of money to improve

1 them.

2
3 We could improve MRIP catch estimates by doing twice as many
4 dockside intercepts, and that would bring the precision
5 estimates down and help in a lot of ways. The problem is it
6 becomes very expensive, and so it's just a complicated issue,
7 and I'm not suggesting that we need to be satisfied, but I just
8 don't want the impression to be that we're not doing anything,
9 because we're actually doing a tremendous amount.

10

11 **CHAIRMAN FRAZER:** Okay. Ms. Bosarge.

12

13 **MS. BOSARGE:** You know, I think, Ed, if you want to focus on
14 something around this table that, as far as data is concerned,
15 that could be helpful that I don't think we've really gotten
16 into yet, but we'll have to delve into at some point, is trying
17 to -- Maybe have a presentation from the Science Center where
18 they could give us -- They could frontload us and give us a
19 heads-up as to where they feel we may have some gaps when we get
20 ready to do the next stock assessment for red snapper with the
21 five essentially different data collection programs now in five
22 different states.

23

24 Is there any missing information somewhere that may actually
25 increase uncertainty in the stock assessment, things that are
26 actually fixable around this table? If the way something is
27 being asked in one state is actually going to cause a little bit
28 of a data gap, because we can't mesh it with the way it's being
29 asked by a different state, that is something that we might
30 tackle and decrease some of the uncertainty that would go into
31 our next assessment. That might be something that is a
32 productive conversation, as far as data collection, and so maybe
33 we could look at something like that in a Data Collection
34 Committee.

35

36 **CHAIRMAN FRAZER:** Mr. Banks.

37

38 **MR. BANKS:** I would also like to hear from them about what their
39 ideas are to address the timeliness issue for in-season quota
40 monitoring. What we found in LA Creel is it certainly helped us
41 with in-season quota monitoring, but it's clear, from some of
42 our anglers and some of our commissioners, that even having the
43 data available eleven days after that fish was caught is not
44 timely enough, and so that makes it a little bit difficult.

45

46 I mean, they are certainly happy with the way that LA Creel is
47 going, and don't misunderstand me, but they would certainly love
48 to know the landings quicker than eleven days, and one of the

1 ways we have tried to alleviate that is to recommend -- For
2 other purposes as well, but the data is one example, or one
3 reason, why we've recommended using three-day weekends, because
4 it makes it easier for us to get the data we need to help them
5 make in-season adjustments, but what that does is that cuts out
6 the guy who works on the weekend and doesn't work on the
7 weekday, and so it's not perfect for everybody.

8
9 I would like to hear from the Science Center, to know what they
10 think we could do, because I don't think a LA Creel type
11 structure is doable for some of the states with many, many, many
12 ports of entry, namely Florida, and so, in the absence of moving
13 LA Creel into the entire Gulf -- I mean, what can we all do
14 together to deal with this timeliness issue, and it may be -- It
15 may help to hear from Paul and Kevin as well, to see if they
16 think electronic reporting does that, because I think there is
17 some opportunity in electronic reporting, but I think we have
18 some good pilot cases going on, and it would be helpful to also
19 hear from those states, to see if that could help us with the
20 timeliness issue that the Modern Fish Act directs us to deal
21 with.

22
23 **CHAIRMAN FRAZER:** Either Kevin or Paul, do you want to weigh-in
24 on this? Go ahead, Paul.

25
26 **DR. MICKLE:** Sure, and electronic reporting has been a big
27 success in Mississippi, for a lot of reasons that don't really
28 exist in other areas of the Gulf, but I don't know if this is
29 really the place to get into the details of it. I could likely
30 do it, or we could come back and give a presentation of the
31 timeliness of it.

32
33 I know that our fishery staff has the data at the end of the
34 day, because we're at mandatory reporting, and we have trip
35 numbers, and we know when they go out, and we know when they
36 come back, and we have a 95 percent compliance rate, and so
37 there is very little -- The QA/QC is done -- Again, the number
38 of trips each day is very small, comparatively so, and so,
39 again, that's one of the reasons why it works.

40
41 As far as our timelines of the data, our commissioners want it
42 pretty much every Friday, or Monday, for that matter, and the
43 program works that way, but, again, it's a unique situation,
44 because our state is very small, and we were very aggressive,
45 when we launched our program, of making it mandatory, and we
46 have the trip numbers, which no other state has, and so it makes
47 on-the-water enforcement very easy, and we know where they're
48 landing.

1
2 Also, in my mind, and people can argue this, and that's fine,
3 and I will probably win the argument, but I really see Tails 'n
4 Scales as the only data system that can get at private landings
5 right now, and I think that because every person has to make a
6 trip number before they leave, whether it be a public dock or a
7 private dock, and, when they're on the water, they can be in
8 violation when they don't have that trip number, and they have
9 to identify if they're landing privately or publicly, and we
10 have the ability to validate that at every step of the way,
11 because of that trip number, and so bring on the arguments, but
12 I consider Tails 'n Scales the only system that can truly take
13 on private landings through the validation process, which I
14 haven't seen, to this point, another program being able to do
15 so. Maybe, I guess, deer hunting, and I don't know, but,
16 anyway.

17
18 **CHAIRMAN FRAZER:** Dr. Crabtree.

19
20 **DR. CRABTREE:** Well, I will just kind of offer a final thought,
21 but the trick with all of this is we can come up with all sorts
22 of ideas to improve things, but, ultimately, you have to have
23 the money to pay for it, or you can't do it.

24
25 I have seen studies on what would it take to cut the processing
26 time of MRIP in half and do one-month waves, and it can be done,
27 but the problem is it costs a lot more money to do it that way,
28 and we don't have the money.

29
30 Our budgets are, at best, flat, and our cost of doing business
31 is going up every year, and so that's really the issue here, is
32 what can we pay for, and we already, as we've seen with the
33 electronic reporting program, have requirements and programs
34 that we don't have the funding we need to fully implement, and
35 so that's the art of all of this, is it's trade-offs. If you
36 want to spend more on timeliness, then it's going to come out of
37 some other area where you're spending the money, and so the
38 balance becomes is timeliness really worth that investment, if
39 it comes at the expense of other programs, and so just keep that
40 in mind.

41
42 **CHAIRMAN FRAZER:** I think we've had a fair amount of discussion
43 here, and I guess I would try to close, actually, by saying a
44 couple of things. I think that the need for better data
45 collection is recognized by everybody around this table, and I
46 understand that we're often limited, with regard to the
47 resources to implement certain data collection projects, I
48 guess, but, at some point, by increasing the amount of data that

1 we have, we, ultimately, should reduce the uncertainty
2 surrounding some of these estimates, and, when we do that, what
3 will happen is that we're going to potentially make more fish
4 available to all of the sectors, and that should yield a net
5 economic benefit.

6
7 At some point, perhaps through the Modern Fish Act, when people
8 recognize that sometimes you have to invest money in order to
9 make money, then that attitude will change, and so I think, from
10 our perspective as a group here, I think we should look forward
11 to what comes out of the Modern Fish Act and the recommendations
12 that are made.

13
14 With regard to our own committee, I think it would be helpful,
15 actually, perhaps in the Data Collection Committees moving
16 forward, to hear how the individual state programs carried out
17 their programs and what's involved in the data collection
18 efforts, so we can learn from each other and perhaps, at least
19 in the Gulf region, make some contributions in that regard, and
20 so, with that said, Dale, did you have something?

21
22 **MR. DIAZ:** I was just going to mention, if you decide to get
23 people to do presentations, having attended the South Atlantic
24 meeting a few times, every once in a while, they do a workshop,
25 and they did have a very good workshop, where they invited
26 people from around the country to come and talk about different
27 data collection programs, and so we might not just limit
28 ourselves to stuff that's going on in the Gulf. If somebody is
29 doing something somewhere else, and it could potentially be
30 applied here in the Gulf, we might want to think about that,
31 also. Thank you, Mr. Chair.

32
33 **CHAIRMAN FRAZER:** I think that's a very good suggestion, and so
34 I think we can move on from this discussion. Ed, I appreciate
35 you bringing it up, and I think it was a very valuable one, but
36 I think we're going to probably end with particular discussion,
37 and it's five o'clock, and I think that we'll recess for the
38 day, and we'll pick up the committee reports tomorrow morning,
39 and so thank you again, and we'll see you guys all at 8:30 in
40 the morning.

41
42 (Whereupon, the meeting recessed on April 3, 2019.)

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46 April 4, 2019

47
48 THURSDAY MORNING SESSION

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The Full Council of the Gulf of Mexico Fishery Management Council reconvened at the IP Casino & Resort, Biloxi, Mississippi, Thursday morning, April 4, 2019, and was called to order by Chairman Tom Frazer.

CHAIRMAN FRAZER: Good morning, everybody. We've got a couple of committee reports to finish up this morning, and so we're going to start off with the Shrimp Committee Report and Ms. Bosarge.

SHRIMP COMMITTEE REPORT

MS. BOSARGE: Thank you. Good morning. The Shrimp Committee met on April 3, 2019, and the committee adopted the agenda and approved the minutes.

Review of the Updated Stock Assessments, Dr. Hart provided the committee with the updated stock assessments for pink, white, and brown shrimp. All stocks are healthy and are not overfished or undergoing overfishing.

The committee inquired about the downward trend in brown shrimp stock since 2010. Dr. Hart responded that they are working toward incorporating environmental parameters into future models, and this may help to explain the observed changes in stock size over time. Dr. Hart also reviewed catch per unit effort and noted that CPUE in 2017 was still high in all three stocks.

Effort in the juvenile red snapper zone, which is ten to thirty fathoms in Statistical Zones 10 through 21, was reduced by 67.03 percent from the baseline, slightly more than the 67 percent required reduction.

Biological Review of the Texas Closure, Dr. Masi reviewed the results from the Texas closure. For 2018 in Texas, inshore brown shrimp catch in May through August was below the historical average, and 51 percent of the catch during those months occurred in May. Offshore brown shrimp catch in May through August in Texas was also below the historical average. Brown shrimp catch increased after the Texas closure, particularly in the larger sizes. Staff noted that the Shrimp Advisory Panel recommended to continue the Texas closure in 2019.

1 With no opposition, the committee recommends, and I so move, to
2 recommend to National Marine Fisheries Service that federal
3 waters be closed out to 200 miles to run concurrent with the
4 date that the State of Texas recommends for the 2019 Texas
5 shrimp closure in the Texas Territorial Sea.

6
7 **CHAIRMAN FRAZER:** Okay, and so we've got a committee motion on
8 the board. Is there any further discussion on this motion?
9 Seeing none, is there any opposition to the motion? Seeing
10 none, the motion carries.

11
12 **MS. BOSARGE:** Final Action: Shrimp Amendment 18: Evaluation of
13 Shrimp Effort Threshold Reduction in the Area Monitored for
14 Juvenile Red Snapper Bycatch, staff reviewed public comments on
15 Shrimp Amendment 18. Staff then reviewed the council's current
16 preferred options and the Shrimp AP's motions on the two
17 actions.

18
19 The committee requested an updated purpose and need, which
20 incorporated the Shrimp AP's comment regarding optimal yield, be
21 brought to the Full Council, and, Mr. Chairman, if we pause
22 right there, I think staff has that proposed language with the
23 change, adding optimal yield, and I will give them just a second
24 to pull that up, because I know that the Full Council wanted to
25 look at that.

26
27 **CHAIRMAN FRAZER:** Okay. We'll wait to get that up on the board,
28 so people have a chance to look at it.

29
30 **MS. BOSARGE:** Thank you. If you look in that second paragraph
31 of the purpose and need, the part that's in blue and underlined
32 is what staff added, based on the conversation during committee,
33 and so it would now read: The need for this action is to promote
34 an economic stability and achievement of optimum yield in the
35 federal Gulf shrimp fishery by reducing effort constraints and
36 to equitably distribute the benefits from rebuilding while
37 continuing to protect the Gulf red snapper stock.

38
39 They added those couple of words. Is there any discussion on
40 the addition of the words? Is everyone okay with that and
41 comfortable with that, because the next item will be final
42 action on that. Okay. Thank you.

43
44 With no opposition, the committee recommends, and I so move, to
45 recommend the council approve the Shrimp Amendment 18:
46 Evaluation of Shrimp Effort Threshold Reduction in the Area
47 Monitored for Juvenile Red Snapper Bycatch, and that it be
48 forwarded to the Secretary of Commerce for review and

1 implementation and deem the codified text as necessary and
2 appropriate, giving staff editorial license to make the
3 necessary changes in the document. The Council Chair is given
4 the authority to deem any changes to the codified text as
5 necessary and appropriate.

6
7 **CHAIRMAN FRAZER:** Thank you, Leann. We have a committee motion
8 on the board. Is there any further discussion of this motion?
9 Seeing none, it's a final action item, and so we'll take a roll
10 call vote on this. Dr. Simmons.

11
12 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Dr.
13 Crabtree.

14
15 **DR. CRABTREE:** Yes.

16
17 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Stunz.

18
19 **DR. STUNZ:** Yes.

20
21 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Mickle.

22
23 **DR. MICKLE:** Yes.

24
25 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Boggs.

26
27 **MS. BOGGS:** Yes.

28
29 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Diaz.

30
31 **MR. DIAZ:** Yes.

32
33 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Guyas.

34
35 **MS. GUYAS:** Yes.

36
37 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Swindell.

38
39 **MR. SWINDELL:** Yes.

40
41 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dyskow.

42
43 **MR. DYSKOW:** Yes.

44
45 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dugas.

46
47 **MR. DUGAS:** Yes.

1 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Robinson.
2
3 **MR. ROBINSON:** Yes.
4
5 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Banks.
6
7 **MR. BANKS:** Yes.
8
9 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Shipp.
10
11 **DR. SHIPP:** Yes.
12
13 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Anson.
14
15 **MR. ANSON:** Yes.
16
17 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Bosarge.
18
19 **MS. BOSARGE:** Yes.
20
21 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Boyd.
22
23 **MR. BOYD:** Yes.
24
25 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Sanchez.
26
27 **MR. SANCHEZ:** Yes.
28
29 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Frazer.
30
31 **CHAIRMAN FRAZER:** Yes.
32
33 **EXECUTIVE DIRECTOR SIMMONS:** The motion carried unanimously.
34
35 **MS. BOSARGE:** Summary of the Shrimp Advisory Panel Meeting, the
36 staff reviewed the Shrimp Advisory Panel summary report. The AP
37 discussed the updated stock assessments, renewal of federal Gulf
38 of Mexico shrimp permits using the web-based system, and several
39 items under Other Business.
40
41 The committee then discussed how to respond to the AP's motion
42 regarding the two artificial reef zones being proposed in
43 federal waters off the coast of Mississippi. One suggestion was
44 to encourage the Army Corps of Engineers to present relevant
45 permits to the council. Another suggestion was to have the Army
46 Corps of Engineers give a presentation to the council which
47 discusses the permit process.
48

1 The committee noted that there was a thirty-day window for
2 public comments last summer on the permit that the AP had
3 discussed. Dr. Crabtree noted that the Army Corps has to make a
4 determination on the impacts on federally managed species from
5 proposed artificial reefs and that the council has expertise
6 which could be shared.

7
8 **With no opposition, the committee recommends, and I so move, to**
9 **invite the U.S. Army Corps of Engineers to an upcoming council**
10 **meeting to discuss the impacts and overlaps of the permits which**
11 **come before the Corps for approval and management of fisheries**
12 **in federal waters.**

13
14 **CHAIRMAN FRAZER:** We will put that committee motion on the board
15 real quick. We have the committee motion on the board. Is
16 there any further discussion on this motion? Go ahead, Mr.
17 Swindell.

18
19 **MR. SWINDELL:** I was just wondering if we should say in federal
20 waters of the Gulf of Mexico, or do we just want to use "federal
21 waters" and that's good?

22
23 **CHAIRMAN FRAZER:** I think what we can do is we can specify that
24 in the letter, and we'll make it explicit, if you're okay with
25 that. Roy.

26
27 **DR. CRABTREE:** Carrie, we can provide you with some contact
28 names of people at the Mobile District.

29
30 **CHAIRMAN FRAZER:** Paul.

31
32 **DR. MICKLE:** I wasn't on the committee, and so I will talk now,
33 but, really, it's just housekeeping. When we say to discuss
34 impacts and overlaps, is the letter going to say, hey, come and
35 just sit and let's talk, or are you going to formally request a
36 presentation or -- It seems pretty pointed, and there's a charge
37 here for what we want to discuss, but how will that actually
38 play out, and I certainly -- The Corps has strengths and
39 weaknesses, and their strengths are, when you give them
40 something, they dial in on it, and they provide what the charge
41 is, and so I just wonder what exactly that charge is. Is it a
42 discussion or a presentation or any other sort of thing that the
43 committee and the council deems appropriate in this situation?
44 Thank you.

45
46 **CHAIRMAN FRAZER:** I think the intent, Paul, would be to request
47 from the Corps that they provide a presentation that gives some
48 insight into their process and how it might interact with the

1 federal fisheries management process. We'll try to make sure
2 that's explicit in there, what we're asking for. Kevin.

3
4 **MR. ANSON:** Dr. Crabtree mentioned the Mobile District, but, as
5 I recall, I think the Jacksonville District has jurisdiction up
6 to the Florida/Alabama line in the Gulf of Mexico, and so you
7 might want to reach out to them too, or confirm that, at least,
8 because they do operate slightly differently as to how they
9 process their permits. Thank you.

10
11 **CHAIRMAN FRAZER:** Thank you, Kevin. We'll make sure to do that.
12 Is there any further discussion on the motion? **Seeing none, is**
13 **there any opposition to the motion? Seeing none, the motion**
14 **carries.**

15
16 **MS. BOSARGE:** Unique Identifier and Related Issues in the Gulf
17 Shrimp Fishery Data, Dr. Travis provided a presentation
18 regarding unique identifier and related issues in the Gulf
19 shrimp fishery landings data. Dr. Travis discussed several
20 issues, such as an inability to accurately identify vessels,
21 dealers, and fishermen/businesses across states, as well as
22 inaccurate or missing size data.

23
24 These issues have had multiple implications, such as an
25 inability to use recent years of landings data for the Amendment
26 18 analysis and annual economic reports, be responsive to the
27 council's request for an economic analysis of the Texas closure,
28 and reduced accuracy in the stock assessments.

29
30 Suggestions to address these issues included requesting the
31 council to apply current federal dealer and electronic dealer
32 reporting requirements to Gulf shrimp dealers, improved
33 coordination between Fisheries Information Network (FIN)
34 partners to improve data quality, and encourage FIN partners to
35 move towards a data management system comparable to the Atlantic
36 Coastal Cooperative Statistics Program (ACCSP). Mr. Chairman,
37 this concludes my report.

38
39 **CHAIRMAN FRAZER:** Thank you, Ms. Bosarge. I think we're going
40 to move right into the Administrative and Budget Committee
41 Report and Mr. Boyd.

42
43 **ADMINISTRATIVE/BUDGET COMMITTEE REPORT**

44
45 **MR. BOYD:** Thank you, Mr. Chairman. The Administrative/Budget
46 Committee met on April 1. The committee adopted the agenda and
47 approved the minutes of the January 2019 meeting as written.

1 Agenda Item IV, Review of 2019 Budgeted Activities and 2019
2 Anticipated Budget, Dr. Simmons reviewed the meeting activities
3 for work planned in 2019. Ms. Guyas inquired if the current
4 plan included sufficient budget allocation to send a council
5 member to every SEDAR assessment meeting. Staff indicated that
6 the proposed draft budget did not include these costs.

7
8 The committee and staff recalled that this practice had occurred
9 several years ago, but had not been so in recent time. The
10 committee discussed that the selection process for council
11 member attendance at SEDAR stock assessment meetings would be at
12 the discretion of the Council Chair.

13
14 **The committee recommends, and I so move, to include funding in**
15 **the budget to allow for a council member attendee at SEDAR**
16 **meetings.**

17
18 **CHAIRMAN FRAZER:** We've got a committee motion the board. Is
19 there any further discussion on this motion? **Seeing none, is**
20 **there any opposition to the motion? Seeing none, the motion**
21 **carries.** Mr. Boyd.

22
23 **MR. BOYD:** Ms. Hager presented the 2018-funded budget, 2018
24 expenditures, and a proposed draft 2019 budget based on
25 estimated funding level to 2018. Based on the staff proposed
26 2019 activities, current staffing level, and demographics,
27 personnel costs and benefits for 2019 are budgeted to be lower
28 than 2018. Travel and council member compensation may be
29 revised based on the previous committee motion.

30
31 Equipment and supply costs reflect planned replacements and
32 upgrades. Significant savings in operating costs for rent and
33 leased equipment are also anticipated in 2019. Staff intends to
34 bring the amended 2019 budget to the council for review and
35 approval later this year, once final funding levels are known.
36 **The committee recommends, and I so move, to accept the 2019**
37 **proposed budget as amended.**

38
39 **CHAIRMAN FRAZER:** Okay, and so we have another committee motion
40 on the board. Any further discussion on the motion? Seeing
41 none, is there any opposition? Dale, did you have a comment?

42
43 **MR. DIAZ:** I don't know if this is specific to the budget, but I
44 did want to mention something that might impact the budget. I
45 do know that there's a habitat workshop that's being worked out
46 that's going to happen at the end of this year, and I went to a
47 habitat workshop a couple of years ago, when I was the chair of
48 the Habitat Committee, and I think it might be worthwhile if the

1 chair or the vice chair of the Habitat Committee would attend
2 that workshop, just to give them an idea of what's going on in
3 other parts of the country and see what is being worked on and
4 maybe help them figure out a clear path for our Habitat
5 Committee on this council. If there is money in the budget, and
6 we could send the chair or the vice chair of the Habitat
7 Committee to that meeting, I would just suggest that it would be
8 worthwhile.

9
10 **CHAIRMAN FRAZER:** Who is running that meeting, Dale?

11
12 **MR. DIAZ:** That's the habitat workshop that was discussed on the
13 CCC call last week.

14
15 **CHAIRMAN FRAZER:** Dr. Simmons.

16
17 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. I think this
18 is like an internal process for the staffs to get together and
19 come up with the best practices, but I too have the same
20 question about whether council members are going to attend, and
21 so I think we should bring that up at the May CCC meeting,
22 because that meeting is not scheduled until August.

23
24 **MR. DIAZ:** Thank you.

25
26 **CHAIRMAN FRAZER:** Okay. Any further discussion on this motion?
27 **Seeing none, is there any opposition to the motion? Seeing**
28 **none, the motion carries.** Mr. Boyd.

29
30 **MR. BOYD:** There was no further activity, and that would
31 conclude my report, Mr. Chairman.

32
33 **CHAIRMAN FRAZER:** Thank you. Mr. Boyd, do you want to go ahead
34 and announce the Officer of the Year?

35
36 **ANNOUNCEMENT OF 2018 LAW ENFORCEMENT OFFICER OF THE YEAR**

37
38 **MR. BOYD:** Sure. In closed session, this council reviewed the
39 candidates for the Law Enforcement Officer of the Year and
40 selected a law enforcement officer.

41
42 That officer is Lieutenant Jason Marlow from Florida.
43 Lieutenant Marlow is a twenty-year veteran of the FWC, and some
44 of the noted characteristics that were in his profile was that
45 he rose quickly to a level of leadership, and he is a great
46 mentor to fellow officers.

47
48 It was said that he has an unprecedented work ethic, and he has

1 coordinated the JEA program, and he has cultivated a great
2 working relationship with NOAA, and he has captained and crewed
3 the offshore patrol vessels. In 2018, he completed 1,039 hours
4 of offshore patrol, exceeded the JEA contract by 300 hours,
5 issued 200 citations and 192 warnings, and he targeted red
6 snapper enforcement and TED details. Mr. Chairman, we will -- I
7 am assuming that we will make that award at the Florida meeting
8 in June.

9
10 **CHAIRMAN FRAZER:** All right. Thank you, Mr. Boyd. That's
11 great, and I will look forward to that. I think, at this point,
12 we have one remaining committee report, and so, Martha, if
13 you're ready, we'll move right into Reef Fish.

14
15 **COMMITTEE REPORTS (CONTINUED)**
16 **REEF FISH COMMITTEE REPORT**

17
18 **MS. GUYAS:** I'm ready. The agenda was adopted, along with the
19 minutes from the January 2019 Committee meeting. SERO staff
20 reviewed 2018 and preliminary 2019 commercial landings for Gulf
21 greater amberjack and gray triggerfish. Slight overages for
22 both species will result in a payback of the overages. Gray
23 triggerfish is still open, while greater amberjack is closed.

24
25 Recreational landings of greater amberjack in the fall season
26 harvested 101.8 percent of the annual catch target, and the
27 recreational sector will not reopen for its spring season. Gag
28 and red grouper landings for 2018 were under their annual catch
29 limits (ACLs), while gray triggerfish exceeded the ACL by 89.1
30 percent. Because gray triggerfish is not overfished, there is
31 no recreational payback for 2019. However, the fishery will
32 close May 11, 2019, to prevent an overage.

33
34 The 2018 landings of hogfish were 49.7 percent of the ACL, lane
35 snapper were at 111.1 percent, mutton snapper were at 113
36 percent, and vermilion snapper were at 101 percent. Because
37 lane snapper landings exceeded the overfishing limit in 2018,
38 in-season monitoring and subsequent projections will determine
39 if the fishing season should be closed early in 2019 to prevent
40 an ACL overage. In-season monitoring and projections will also
41 be for mutton snapper in 2019.

42
43 Presentation on 2019 For-Hire Red Snapper Season, the for-hire
44 component landed 101 percent of its ACT in 2018, with a 20
45 percent buffer between the ACT and ACL. For 2019 only, the
46 buffer for the for-hire component will be reduced to 9 percent,
47 corresponding to a 2019 fishing season of June 1 through August
48 2.

1
2 The private angling component remains managed under the exempted
3 fishing permits for 2019, with paybacks for Alabama and Florida
4 for overages in 2018. The ACLs for both recreational components
5 increased in 2019, with the quota increase resulting from the
6 SEDAR 52 stock assessment.

7
8 Committee members expressed interest in reducing the buffer on
9 the for-hire component permanently and asked about a path
10 forward for that action. SERO noted that the recreational
11 components are linked by Section 407(d) of the Magnuson-Stevens
12 Act, and the recreational sector must stay under the
13 recreational ACL. Keeping the private angling component under
14 its portion of the ACL is key to meeting that requirement.

15
16 Final Action on Draft Amendment 50, State Management Program for
17 Recreational Red Snapper and Individual State Amendments, staff
18 reviewed the actions and preferred alternatives in the program
19 amendment for state management. Prior to transmitting the
20 amendment for Secretarial review, NMFS staff noted the
21 coordinates for the twenty and thirty-five-fathom federal water
22 closures off Alabama and Florida, and the additional information
23 about the state data collection programs will be added.

24
25 **Without opposition, the committee recommends, and I so move, to**
26 **recommend the council approve Amendment 50A: State Management**
27 **Program for Recreational Red Snapper, and that it be forwarded**
28 **to the Secretary of Commerce for review and implementation.**

29
30 **CHAIRMAN FRAZER:** We've got a committee motion on the board. is
31 there any further discussion of this motion? Dr. Simmons just
32 reminded me that there was some codified text that was sent
33 around, and does anybody want to see that at this point? Mara.

34
35 **MS. LEVY:** We could look at it now, or you have a separate
36 motion for the codified text at the end, and we could look at it
37 then, too.

38
39 **CHAIRMAN FRAZER:** Okay. I think we'll just wait until the end
40 for this. Again, I just want to make sure there is no further
41 discussion on this motion. Seeing none, this is a roll call
42 vote. Dr. Simmons.

43
44 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Dr. Stunz.

45
46 **DR. STUNZ:** Yes.

47
48 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Bosarge.

1
2 MS. BOSARGE: Yes.
3
4 EXECUTIVE DIRECTOR SIMMONS: Mr. Swindell.
5
6 MR. SWINDELL: Yes.
7
8 EXECUTIVE DIRECTOR SIMMONS: Mr. Robinson.
9
10 MR. ROBINSON: Yes.
11
12 EXECUTIVE DIRECTOR SIMMONS: Mr. Dugas.
13
14 MR. DUGAS: Yes.
15
16 EXECUTIVE DIRECTOR SIMMONS: Ms. Boggs.
17
18 MS. BOGGS: Yes.
19
20 EXECUTIVE DIRECTOR SIMMONS: Mr. Boyd.
21
22 MR. BOYD: Yes.
23
24 EXECUTIVE DIRECTOR SIMMONS: Mr. Diaz.
25
26 MR. DIAZ: Yes.
27
28 EXECUTIVE DIRECTOR SIMMONS: Dr. Shipp.
29
30 DR. SHIPP: Yes.
31
32 EXECUTIVE DIRECTOR SIMMONS: Dr. Mickle.
33
34 DR. MICKLE: Yes.
35
36 EXECUTIVE DIRECTOR SIMMONS: Mr. Dyskow.
37
38 MR. DYSKOW: Yes.
39
40 EXECUTIVE DIRECTOR SIMMONS: Dr. Crabtree.
41
42 DR. CRABTREE: Yes.
43
44 EXECUTIVE DIRECTOR SIMMONS: Mr. Anson.
45
46 MR. ANSON: Yes.
47
48 EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.

1
2 **MR. SANCHEZ:** Yes.
3
4 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Banks.
5
6 **MR. BANKS:** Yes.
7
8 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Guyas.
9
10 **MS. GUYAS:** Yes.
11
12 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Frazer.
13
14 **CHAIRMAN FRAZER:** Yes.
15
16 **EXECUTIVE DIRECTOR SIMMONS:** The motion carried unanimously.
17
18 **MS. GUYAS:** The committee reviewed the actions and preferred
19 alternatives in the individual state amendments. **Without**
20 **opposition, the committee recommends, and I so move, to**
21 **recommend the council approve the Amendment 50B: Louisiana State**
22 **Management Program for Recreational Red Snapper, and that it be**
23 **forwarded to the Secretary of Commerce for review and**
24 **implementation.**
25
26 **CHAIRMAN FRAZER:** Okay. We're going to walk through these one
27 at a time, and they will all be roll call votes. I will ask, is
28 there any further discussion on this particular motion? Seeing
29 none, Dr. Simmons.
30
31 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Mr.
32 Robinson.
33
34 **MR. ROBINSON:** Yes.
35
36 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Banks.
37
38 **MR. BANKS:** Yes.
39
40 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Stunz.
41
42 **DR. STUNZ:** Yes.
43
44 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dugas.
45
46 **MR. DUGAS:** Yes.
47
48 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Boyd.

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

1
2 **CHAIRMAN FRAZER:** Yes.
3
4 **EXECUTIVE DIRECTOR SIMMONS:** The motion carried unanimously.
5
6 **CHAIRMAN FRAZER:** All right. Martha.
7
8 **MS. GUYAS:** Without opposition, the committee recommends, and I
9 so move, to recommend the council approve the Amendment 50F:
10 Texas State Management Program for Recreational Red Snapper, and
11 that it be forwarded to the Secretary of Commerce for review and
12 implementation.
13
14 **CHAIRMAN FRAZER:** Okay. We'll get that up on the board, real
15 quick. We've got a committee motion on the board. Any further
16 discussion of this motion? Seeing none, Dr. Simmons.
17
18 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chairman. Ms.
19 Guyas.
20
21 **MS. GUYAS:** Yes.
22
23 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Shipp.
24
25 **DR. SHIPP:** Yes.
26
27 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Boggs.
28
29 **MS. BOGGS:** Yes.
30
31 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Bosarge.
32
33 **MS. BOSARGE:** Yes.
34
35 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Robinson.
36
37 **MR. ROBINSON:** Yes.
38
39 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Banks.
40
41 **MR. BANKS:** Yes.
42
43 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Stunz.
44
45 **DR. STUNZ:** Yes.
46
47 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Boyd.
48

1 MR. BOYD: Yes.
2
3 EXECUTIVE DIRECTOR SIMMONS: Mr. Diaz.
4
5 MR. DIAZ: Yes.
6
7 EXECUTIVE DIRECTOR SIMMONS: Mr. Anson.
8
9 MR. ANSON: Yes.
10
11 EXECUTIVE DIRECTOR SIMMONS: Mr. Dugas.
12
13 MR. DUGAS: Yes.
14
15 EXECUTIVE DIRECTOR SIMMONS: Mr. Swindell.
16
17 MR. SWINDELL: Yes.
18
19 EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.
20
21 MR. SANCHEZ: Yes.
22
23 EXECUTIVE DIRECTOR SIMMONS: Dr. Mickle.
24
25 DR. MICKLE: Yes.
26
27 EXECUTIVE DIRECTOR SIMMONS: Mr. Dyskow.
28
29 MR. DYSKOW: Yes.
30
31 EXECUTIVE DIRECTOR SIMMONS: Dr. Crabtree.
32
33 DR. CRABTREE: Yes.
34
35 EXECUTIVE DIRECTOR SIMMONS: Dr. Frazer.
36
37 CHAIRMAN FRAZER: Yes.
38
39 EXECUTIVE DIRECTOR SIMMONS: The motion carried unanimously.
40
41 CHAIRMAN FRAZER: Ms. Guyas.
42
43 MS. GUYAS: Without opposition, the committee recommends, and I
44 so move, to recommend the council approve the Amendment 50E:
45 Florida State Management Program for Recreational Red Snapper,
46 and that it be forwarded to the Secretary of Commerce for review
47 and implementation.
48

1 **CHAIRMAN FRAZER:** We will wait to put that on the board. Okay.
2 We've got a committee motion on the board. Is there any further
3 discussion on the motion? Seeing none, Dr. Simmons.
4
5 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Mr. Boyd.
6
7 **MR. BOYD:** Yes.
8
9 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Diaz.
10
11 **MR. DIAZ:** Yes.
12
13 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Banks.
14
15 **MR. BANKS:** Yes.
16
17 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Guyas.
18
19 **MS. GUYAS:** Yes.
20
21 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Shipp.
22
23 **DR. SHIPP:** Yes.
24
25 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Robinson.
26
27 **MR. ROBINSON:** Yes.
28
29 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Crabtree.
30
31 **DR. CRABTREE:** Yes.
32
33 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dugas.
34
35 **MR. DUGAS:** Yes.
36
37 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Mickle.
38
39 **DR. MICKLE:** Yes.
40
41 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Swindell.
42
43 **MR. SWINDELL:** Yes.
44
45 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dyskow.
46
47 **MR. DYSKOW:** Yes.
48

1 EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.
2
3 MR. SANCHEZ: Yes.
4
5 EXECUTIVE DIRECTOR SIMMONS: Dr. Stunz.
6
7 DR. STUNZ: Yes.
8
9 EXECUTIVE DIRECTOR SIMMONS: Ms. Boggs.
10
11 MS. BOGGS: Yes.
12
13 EXECUTIVE DIRECTOR SIMMONS: Ms. Bosarge.
14
15 MS. BOSARGE: Yes.
16
17 EXECUTIVE DIRECTOR SIMMONS: Mr. Anson.
18
19 MR. ANSON: Yes.
20
21 EXECUTIVE DIRECTOR SIMMONS: Dr. Frazer.
22
23 CHAIRMAN FRAZER: Yes.
24
25 EXECUTIVE DIRECTOR SIMMONS: The motion carried unanimously.
26
27 CHAIRMAN FRAZER: Ms. Guyas.
28
29 MS. GUYAS: Without opposition, the committee recommends, and I
30 so move, to recommend the council approve the Amendment 50D:
31 Alabama State Management Program for Recreational Red Snapper,
32 and that it be forwarded to the Secretary of Commerce for review
33 and implementation.
34
35 CHAIRMAN FRAZER: We'll put that on the board. We've got a
36 committee motion on the board. Any further discussion on the
37 motion? Seeing none, Dr. Simmons.
38
39 EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. Ms. Boggs.
40
41 MS. BOGGS: Yes.
42
43 EXECUTIVE DIRECTOR SIMMONS: Dr. Shipp.
44
45 DR. SHIPP: Yes.
46
47 EXECUTIVE DIRECTOR SIMMONS: Mr. Boyd.
48

1 MR. BOYD: Yes.
2
3 EXECUTIVE DIRECTOR SIMMONS: Mr. Swindell.
4
5 MR. SWINDELL: Yes.
6
7 EXECUTIVE DIRECTOR SIMMONS: Mr. Anson.
8
9 MR. ANSON: Yes.
10
11 EXECUTIVE DIRECTOR SIMMONS: Ms. Bosarge.
12
13 MS. BOSARGE: Yes.
14
15 EXECUTIVE DIRECTOR SIMMONS: Mr. Dyskow.
16
17 MR. DYSKOW: Yes.
18
19 EXECUTIVE DIRECTOR SIMMONS: Mr. Banks.
20
21 MR. BANKS: Yes.
22
23 EXECUTIVE DIRECTOR SIMMONS: Mr. Robinson.
24
25 MR. ROBINSON: Yes.
26
27 EXECUTIVE DIRECTOR SIMMONS: Ms. Guyas.
28
29 MS. GUYAS: Yes.
30
31 EXECUTIVE DIRECTOR SIMMONS: Mr. Diaz.
32
33 MR. DIAZ: Yes.
34
35 EXECUTIVE DIRECTOR SIMMONS: Dr. Mickle.
36
37 DR. MICKLE: Yes.
38
39 EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.
40
41 MR. SANCHEZ: Yes.
42
43 EXECUTIVE DIRECTOR SIMMONS: Mr. Dugas.
44
45 MR. DUGAS: Yes.
46
47 EXECUTIVE DIRECTOR SIMMONS: Dr. Stunz.
48

1 DR. STUNZ: Yes.
2
3 EXECUTIVE DIRECTOR SIMMONS: Dr. Crabtree.
4
5 DR. CRABTREE: Yes.
6
7 EXECUTIVE DIRECTOR SIMMONS: Dr. Frazer.
8
9 CHAIRMAN FRAZER: Yes.
10
11 EXECUTIVE DIRECTOR SIMMONS: The motion carried unanimously.
12
13 CHAIRMAN FRAZER: Ms. Guyas.
14
15 MS. GUYAS: Without opposition, the committee recommends, and I
16 so move, to recommend the council approve Amendment 50C:
17 Mississippi State Management Program for Recreational Red
18 Snapper, and that it be forwarded to the Secretary of Commerce
19 for review and implementation.
20
21 CHAIRMAN FRAZER: Okay. We'll put that motion on the board. It
22 looks like we're good to go. Is there any further discussion on
23 this motion? Seeing none, Dr. Simmons.
24
25 EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. Mr.
26 Swindell.
27
28 MR. SWINDELL: Yes.
29
30 EXECUTIVE DIRECTOR SIMMONS: Dr. Stunz.
31
32 DR. STUNZ: Yes.
33
34 EXECUTIVE DIRECTOR SIMMONS: Dr. Mickle.
35
36 DR. MICKLE: Yes.
37
38 EXECUTIVE DIRECTOR SIMMONS: Dr. Shipp.
39
40 DR. SHIPP: Yes.
41
42 EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.
43
44 MR. SANCHEZ: Yes.
45
46 EXECUTIVE DIRECTOR SIMMONS: Mr. Robinson.
47
48 MR. ROBINSON: Yes.

1
2 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Guyas.
3
4 **MS. GUYAS:** Yes.
5
6 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dyskow.
7
8 **MR. DYSKOW:** Yes.
9
10 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dugas.
11
12 **MR. DUGAS:** Yes.
13
14 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Diaz.
15
16 **MR. DIAZ:** Yes.
17
18 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Crabtree.
19
20 **DR. CRABTREE:** Yes.
21
22 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Boyd.
23
24 **MR. BOYD:** Yes.
25
26 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Bosarge.
27
28 **MS. BOSARGE:** Yes.
29
30 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Boggs.
31
32 **MS. BOGGS:** Yes.
33
34 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Anson.
35
36 **MR. ANSON:** Yes.
37
38 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Banks.
39
40 **MR. BANKS:** Yes.
41
42 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Frazer.
43
44 **CHAIRMAN FRAZER:** Yes.
45
46 **EXECUTIVE DIRECTOR SIMMONS:** The motion carried unanimously.
47
48 **CHAIRMAN FRAZER:** Ms. Guyas.

1
2 **MS. GUYAS:** Ms. Levy reviewed the codified text reflecting the
3 actions of all six amendments and I will make the motion. If we
4 need to talk about the text more, we can, but I will just put it
5 up there.

6
7 **Without opposition, the committee recommends, and I so move, to**
8 **recommend the council deem the codified text for the state**
9 **management amendments, 50A through 50F, as necessary and**
10 **appropriate, giving staff editorial license to make the**
11 **necessary changes in the document. The Council Chair is given**
12 **the authority to deem any changes to the codified text as**
13 **necessary and appropriate.**

14
15 **CHAIRMAN FRAZER:** While they're putting that up on the board,
16 Ms. Levy.

17
18 **MS. LEVY:** I believe you all got a revised version of the
19 codified text, and so I thought I would just point out the
20 changes, if we could put the revised version up, so you can look
21 at it.

22
23 **CHAIRMAN FRAZER:** Sure. We'll give staff just a minute to do
24 that.

25
26 **MS. LEVY:** This was to address Leann's comments and concerns,
27 and so just with a caveat that we did this fairly quickly, and
28 so, when we go back to the office, we may end up tweaking it
29 some. If there are substantive changes, we'll send it back to
30 the Chair. If it's just wordsmithing, but it's the same thing,
31 we probably won't.

32
33 On page 7 -- We made changes to the three sections that are
34 currently in there, the size limit, season, and bag limit
35 sections, and so we changed the last sentence of each of those,
36 and so this one would now say that a person subject to the
37 private angling bag limit under an active delegation of state
38 management must be in compliance with the fishing license/permit
39 requirements of the state in which they intend to land the fish
40 and may not possess red snapper in the Gulf EEZ when the state
41 season is closed.

42
43 It opens it up a little bit, because where they intend to land
44 is an open question, but, to the extent that they have to then,
45 if stopped, say where they intend to land and be in compliance
46 with the licensing or permits requirements of that state, then
47 they would be telling law enforcement that this is where we land
48 and show that they are in compliance, or not, potentially, and

1 then they would be subject to that state's regulations, and so
2 they wouldn't be allowed to be in the EEZ if that state's waters
3 are closed.

4
5 If you scroll down to the size limit section, there is a similar
6 sentence that we added to that as well, and it starts on page 7
7 and goes to page 8, and it's essentially the same, saying that
8 the person has to be in compliance with the permit requirements
9 of the state in which they intend to land the fish and may not
10 possess red snapper in the Gulf EEZ that are smaller than may be
11 possessed in that state, and we kept the overall language that
12 nothing can be under fourteen inches, no matter what.

13
14 Then, in the bag and possession limit section, which is lower
15 down on that page, it's similar language that you have to be in
16 compliance with the fishing license or permit requirements of
17 the state in which you intend to land and may not possess more
18 red snapper in the Gulf EEZ than may be possessed in that state,
19 and so trying to link it that way.

20
21 **CHAIRMAN FRAZER:** Thank you, Ms. Levy. Ms. Bosarge, are you
22 good with those? All right. Lieutenant.

23
24 **LT. ZANOWICZ:** Thank you, Mr. Chairman. I just have a question
25 regarding this then. For example, in Florida, I know, over
26 sixty-five, they don't need to have a state license, and so how
27 would you know to apply Florida's regulations for those
28 individuals?

29
30 **MS. LEVY:** If, per chance, you came across someone in the EEZ
31 who had red snapper onboard, the question would be where do you
32 intend to land. If they intend to land in Florida, and they're
33 over sixty-five and they don't need a license, fine, but then
34 they need to be in compliance with Florida's bag limit, season,
35 and size limit, is what that's trying to do. It is opening up
36 for them to declare wherever they want to declare, but they have
37 to be in compliance with that state's licensing requirements.

38
39 **CHAIRMAN FRAZER:** Lieutenant.

40
41 **LT. ZANOWICZ:** Thanks for the clarification. I just want to
42 make sure that I understand all of this. When doing a boarding
43 of a vessel in federal waters, we'll be checking -- We'll be
44 asking where that vessel intends to land, checking state
45 licenses to make sure they have a license for that state, making
46 sure that state season is open, and then checking the applicable
47 delegated state regulations for bag limits and size limits for
48 that state, and is that all correct?

1
2 **CHAIRMAN FRAZER:** Ms. Levy.
3
4 **MS. LEVY:** I think that's correct. It increases the burden to
5 know or to be aware of what each state's requirements are. How
6 feasible that is on the water, I don't know, but it's the only
7 way to link it, the way that Leann was saying, to somehow kind
8 of make it so that you at least have that hook if you can get
9 the information.
10
11 **CHAIRMAN FRAZER:** Lieutenant.
12
13 **LT. ZANOWICZ:** Thanks for that clarification. Just, obviously,
14 this makes it a little more confusing for enforcement than what
15 it was earlier in the meeting, where it sounded like it was
16 default federal regulations that were based on state
17 regulations, and so this will definitely be confusing for
18 enforcement. Again, I don't think it's insurmountable, but -- I
19 understand it's kind of just a tradeoff inherent in the
20 amendment, but I definitely wanted to bring that to the
21 council's attention, that there could be some potential for
22 confusion and possible non-compliance as well.
23
24 **CHAIRMAN FRAZER:** Okay. Does anybody have any further comments
25 or discussion on the codified text? Seeing none, we'll return
26 to the motion. Is there any further discussion on the motion
27 specifically? Seeing none, Dr. Simmons.
28
29 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair.
30
31 **CHAIRMAN FRAZER:** Excuse me. Go ahead, Mara.
32
33 **MS. LEVY:** You could certainly do another roll call if you want.
34 I'm not sure that you need to, meaning that you've approved the
35 amendments for a roll call, and you could do this, probably,
36 just by voice, but it's up to you.
37
38 **CHAIRMAN FRAZER:** I think, while we're all geared up, we'll go
39 ahead and finish with a roll call vote. I'm going to do this
40 one right, Mara.
41
42 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Dr. Stunz.
43
44 **DR. STUNZ:** Yes.
45
46 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dugas.
47
48 **MR. DUGAS:** Yes.

1
2 EXECUTIVE DIRECTOR SIMMONS: Ms. Boggs.
3
4 MS. BOGGS: Yes.
5
6 EXECUTIVE DIRECTOR SIMMONS: Mr. Anson.
7
8 MR. ANSON: Yes.
9
10 EXECUTIVE DIRECTOR SIMMONS: Ms. Guyas.
11
12 MS. GUYAS: Yes.
13
14 EXECUTIVE DIRECTOR SIMMONS: Dr. Crabtree.
15
16 DR. CRABTREE: Yes.
17
18 EXECUTIVE DIRECTOR SIMMONS: Mr. Banks.
19
20 MR. BANKS: Yes.
21
22 EXECUTIVE DIRECTOR SIMMONS: Dr. Mickle.
23
24 DR. MICKLE: Yes.
25
26 EXECUTIVE DIRECTOR SIMMONS: Mr. Robinson.
27
28 MR. ROBINSON: Yes.
29
30 EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.
31
32 MR. SANCHEZ: Yes.
33
34 EXECUTIVE DIRECTOR SIMMONS: Mr. Boyd.
35
36 MR. BOYD: Yes.
37
38 EXECUTIVE DIRECTOR SIMMONS: Ms. Bosarge.
39
40 MS. BOSARGE: Yes.
41
42 EXECUTIVE DIRECTOR SIMMONS: Dr. Shipp.
43
44 DR. SHIPP: Yes.
45
46 EXECUTIVE DIRECTOR SIMMONS: Mr. Swindell.
47
48 MR. SWINDELL: Yes.

1
2 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Diaz.
3
4 **MR. DIAZ:** Yes.
5
6 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dyskow.
7
8 **MR. DYSKOW:** Yes.
9
10 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Frazer.
11
12 **CHAIRMAN FRAZER:** Yes.
13
14 **EXECUTIVE DIRECTOR SIMMONS:** The motion carried unanimously. I
15 would just like to be the first one to say congratulations,
16 council, and congratulations, Dr. Lasseter and the IPT. She's
17 been working on this since 2012.
18
19 **CHAIRMAN FRAZER:** Dr. Crabtree.
20
21 **DR. CRABTREE:** Yes, this is great, and I'm glad to see that it
22 all came together and passed unanimously. A lot of people
23 worked a long time, and I want to thank all of our staff, Ava
24 and Lauren and Sue and Mara and everyone else who worked so hard
25 on this. It was years getting there, but we got it done.
26
27 **CHAIRMAN FRAZER:** Yes, and thank you, everybody. It was a lot
28 of work. All right. Mr. Diaz.
29
30 **MR. DIAZ:** I want to chime in and concur with the staff and the
31 IPT and Ava, but I think I might have mentioned Patrick at the
32 last meeting, but, Patrick, I want to commend you. In June,
33 three years ago, you got this started, and it seemed like a
34 pretty good uphill battle, because regional management had
35 failed just shortly before that, and I think a lot of folks were
36 skeptical about whether or not we could work through this, but I
37 do want to thank you for having the foresight to bring this up
38 and push us in this direction. Having said that, that's in the
39 past, and we expect some more fresh, new ideas from you very
40 soon. Thank you, Patrick.
41
42 **CHAIRMAN FRAZER:** All right. Ms. Guyas.
43
44 **MS. GUYAS:** Final Action: Red Grouper Framework Action to Modify
45 Annual Catch Limits and Annual Catch Targets, staff reviewed the
46 action and the council's preferred alternative, which is
47 identical to that specified in the emergency rule being
48 finalized by NMFS.

1
2 The preferred alternative reduces the ACLs and ACTs for
3 recreational and commercial red grouper based on the 2017
4 combined landings and amounts to approximately a 61 percent
5 reduction in the stock ACL. This reduction would remain in
6 place until a future action by the council. The results of the
7 SEDAR 61 stock assessment on red grouper will be available for
8 review by the council at its October meeting in Galveston.
9 Public comments were generally in favor of the council's
10 preferred alternative, but there were some dissenting opinions.

11
12 **Without opposition, the committee recommends, and I so move, to**
13 **recommend the council approve the Red Grouper Framework Action**
14 **to Modify Annual Catch Limits and Annual Catch Targets and that**
15 **it be forwarded to the Secretary of Commerce for review and**
16 **implementation and deem the codified text as necessary and**
17 **appropriate, giving staff editorial license to make the**
18 **necessary changes in the document. The Council Chair is given**
19 **the authority to deem any changes to the codified text as**
20 **necessary and appropriate.**

21
22 **CHAIRMAN FRAZER:** Okay. We've got a committee motion on the
23 board. Is there any further discussion on this motion? Seeing
24 none, this is our final roll call vote for the Reef Fish
25 Committee. Dr. Simmons.

26
27 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Dr. Mickle.

28
29 **DR. MICKLE:** Yes.

30
31 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Boggs.

32
33 **MS. BOGGS:** Yes.

34
35 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Sanchez.

36
37 **MR. SANCHEZ:** Yes.

38
39 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Anson.

40
41 **MR. ANSON:** Yes.

42
43 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Banks.

44
45 **MR. BANKS:** Yes.

46
47 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Robinson.

48

1 MR. ROBINSON: Yes.
2
3 EXECUTIVE DIRECTOR SIMMONS: Mr. Swindell.
4
5 MR. SWINDELL: Yes.
6
7 EXECUTIVE DIRECTOR SIMMONS: Mr. Diaz.
8
9 MR. DIAZ: Yes.
10
11 EXECUTIVE DIRECTOR SIMMONS: Ms. Bosarge.
12
13 MS. BOSARGE: Yes.
14
15 EXECUTIVE DIRECTOR SIMMONS: Mr. Dugas.
16
17 MR. DUGAS: Yes.
18
19 EXECUTIVE DIRECTOR SIMMONS: Mr. Boyd.
20
21 MR. BOYD: Yes.
22
23 EXECUTIVE DIRECTOR SIMMONS: Mr. Dyskow.
24
25 MR. DYSKOW: Yes.
26
27 EXECUTIVE DIRECTOR SIMMONS: Dr. Shipp.
28
29 DR. SHIPP: Yes.
30
31 EXECUTIVE DIRECTOR SIMMONS: Ms. Guyas.
32
33 MS. GUYAS: Yes.
34
35 EXECUTIVE DIRECTOR SIMMONS: Dr. Stunz.
36
37 DR. STUNZ: Yes.
38
39 EXECUTIVE DIRECTOR SIMMONS: Dr. Crabtree.
40
41 DR. CRABTREE: Yes.
42
43 EXECUTIVE DIRECTOR SIMMONS: Dr. Frazer.
44
45 CHAIRMAN FRAZER: Yes.
46
47 EXECUTIVE DIRECTOR SIMMONS: The motion carried unanimously.
48

1 **CHAIRMAN FRAZER:** Ms. Guyas.
2
3 **MS. GUYAS:** Draft Framework Action to Modify Greater Amberjack
4 Commercial Trip Limits, council staff reviewed the draft
5 framework action to modify the Gulf greater amberjack commercial
6 trip limit. Of the five alternatives presented, the committee
7 selected Alternative 4 as the preferred.
8
9 **Without opposition, the committee recommends, and I so move, in**
10 **Action 1, to make Alternative 4 the preferred alternative.**
11 **Alternative 4 is reduce the commercial trip limit to 500 pounds**
12 **gutted weight.**
13
14 **CHAIRMAN FRAZER:** We're going to get that -- It looks like it's
15 up on the board. It's a committee motion. Is there any further
16 discussion on this motion? Ms. Boggs.
17
18 **MS. BOGGS:** I don't know if this is the appropriate time, if we
19 need to vote on this motion, but there was a lot of comment
20 yesterday about the 500-pound trip limit and then a reduction
21 when they reached a certain point, and would that be a separate
22 motion to introduce that as an alternative?
23
24 **CHAIRMAN FRAZER:** Mr. Diaz.
25
26 **MR. DIAZ:** To that point, I had been thinking about that too,
27 Ms. Boggs, and I wonder if we could add an Alternative 6 to this
28 document that could be introducing a step-down option once the
29 fishery reaches 75 percent of the ACL and step it down to 250
30 pounds, or if that needs to be in a completely separate action,
31 and so I would ask that question of staff. What would be the
32 best way to accomplish that step-down?
33
34 **CHAIRMAN FRAZER:** Ms. Levy, can you provide some guidance here?
35
36 **MS. LEVY:** I guess you could add it as an alternative here. I
37 mean, it all deals with trip limits, and so it seems reasonable,
38 but you should probably vote on your other motion first.
39
40 **CHAIRMAN FRAZER:** Mr. Diaz.
41
42 **MR. DIAZ:** If Ms. Boggs doesn't mind, I will take a stab at a
43 motion. If you will help me a little bit, I would appreciate
44 it.
45
46 **CHAIRMAN FRAZER:** Hold on. I think we're going to have to --
47 Hold on real quick. We're going to sort this out. Ryan.
48

1 **MR. RYAN RINDONE:** Can you guys not offer a substitute motion?
2
3 **MS. LEVY:** But this is to make one of them a preferred, and so
4 either vote that down or up, and then you can do something to
5 add an alternative.
6
7 **MR. DIAZ:** But what I am considering is this could be a
8 preferred, and then we could have another preferred that would
9 go along and work in tandem with this one, is the way I was
10 considering doing it.
11
12 **CHAIRMAN FRAZER:** Okay. I think I understand, and I think that
13 can work, and so, I guess at this point, is there any further
14 discussion on the motion on the board? **Seeing none, is there**
15 **any opposition to the motion? Seeing none, the motion carries.**
16 Mr. Diaz, do you want to do that now?
17
18 **MR. DIAZ:** Yes, I can take a stab at it. **I would like to make a**
19 **motion to add an Alternative 6 to create a step-down provision**
20 **that would be implemented when 75 percent of the ACL is**
21 **projected to be harvested. The trip limit would be reduced to**
22 **250 pounds per trip.** That probably needs some wordsmithing, and
23 so any help would be appreciated.
24
25 **CHAIRMAN FRAZER:** I'm going to just re-read it. The motion on
26 the board is, in Action 1, to add an alternative that creates a
27 step-down provision that would be implemented when 75 percent of
28 the ACL is projected to be harvested. The trip limit would be
29 reduced to 250 pounds per trip. **Mr. Rindone is suggesting that**
30 **we add "gutted weight" to the poundage.** That's a nice
31 suggestion. Thank you, Ryan. Dr. Crabtree.
32
33 **DR. CRABTREE:** One thing to think about -- One problem with
34 these step-downs is you could, in theory, get to a situation
35 where you are very close to the end of the fishing year, and you
36 probably weren't going to catch it anyway, but you did catch the
37 75, and you stepped the quota down, and so it could result in
38 leaving fish on the table, and so one way to get at that would
39 be to say -- To put a time certain, and so, if you hit it before
40 you're in the last two months of the fishing year, you step it
41 down, but, if you get to the last quarter or something like
42 that, then you leave it alone. I think that's something that
43 staff could kind of think about as they develop the option, and
44 we could talk about that next time.
45
46 **CHAIRMAN FRAZER:** Mr. Rindone.
47
48 **MR. RINDONE:** Thank you, Mr. Chair. Our current season

1 projections, based on the different options for the trip limits,
2 show that, with a 500-pound trip limit, the season would be
3 about 161 days long, which is six months, and so, if we kept it
4 at 500 pounds, the season would close after six months, and so,
5 if there was a step-down, it would happen well before the last
6 couple months of the year, based on the information we have so
7 far.

8

9 **CHAIRMAN FRAZER:** Thank you, Mr. Rindone. Ms. Guyas.

10

11 **MS. GUYAS:** Just in the committee, we talked about potentially
12 taking this final in June, and I just want to make sure that
13 adding this action doesn't complicate that or extend that
14 timeline.

15

16 **CHAIRMAN FRAZER:** Dr. Crabtree, do you see any problems with
17 that?

18

19 **DR. CRABTREE:** I would defer to staff, but, if staff can get it
20 in there and analyzed, I don't see a problem.

21

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

23

24 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. I guess my
25 question would be, and maybe Sue or Ryan knows this, but are the
26 projections done for the commercial fishery on the ACT or on the
27 ACL for this fishery, because it looks like there is a
28 difference, there is a buffer, there.

29

30 **MS. GERHART:** I know that there is a buffer, yes, and it seems
31 that it is on the ACT.

32

33 **CHAIRMAN FRAZER:** Mr. Diaz.

34

35 **MR. DIAZ:** It would probably be better to change the motion then
36 to when 75 percent of the ACT is projected to be harvested. Are
37 you okay with that, Ms. Boggs?

38

39 **CHAIRMAN FRAZER:** Okay. We'll make that friendly amendment. Is
40 there any further discussion? Mr. Swindell.

41

42 **MR. SWINDELL:** I guess I would have a little concern that how
43 are you going to get this information out to the people that are
44 involved in harvesting this resource at the time? It's going to
45 be a problematic thing, I believe. At the beginning of the
46 season, they will know what they can harvest, and, here, all of
47 a sudden, one day, we're going to change it, change the limit
48 that they can get, and you believe that they are going to have

1 to abide by it, and, otherwise, they're going to be in
2 violation?

3
4 I really question the ability to do it that quickly and have it
5 reasonably with the amount of people that are involved in the
6 fishery. I don't think it's practical to do it, and I don't
7 really see the big need to do it. I mean, suppose this happens
8 in the last ten days of the season. I just don't know that the
9 -- If you're worried about overharvesting, then you ought to
10 shorten the days to start with, rather than to let it go on.
11 Thank you.

12
13 **CHAIRMAN FRAZER:** Mr. Diaz, to that point.

14
15 **MR. DIAZ:** Thank you, Mr. Swindell, and, as far as notifying
16 people, I share your concerns, and I know that's always
17 difficult to do, but we did have several people at public
18 testimony, commercial fishermen, say that they thought that this
19 was a good idea, and the reason I like the idea is this is
20 something that could potentially help with dead discards.

21
22 The longer that they have some fish that they could potentially
23 keep, if they happen to have a fish that they reel in that would
24 not survive if they put it back, this is a way to help with our
25 dead discard problems in this fishery, and so that's kind of my
26 motivation for following through on that, and, like I said, we
27 did hear several people at public testimony that said that they
28 thought that this would work good in their fishery. Thank you.

29
30 **CHAIRMAN FRAZER:** Dr. Crabtree and then Martha.

31
32 **DR. CRABTREE:** We do a lot of these step-downs in the South
33 Atlantic, and they are kind of administratively burdensome, and
34 we project that 75 percent is going to be caught at some point,
35 because we have to get the step-down to the Federal Register,
36 and then you've got to give people notice that the quota -- That
37 it's going to step down, and you send out a Fishery Bulletin,
38 and then you find out more than you thought was actually already
39 caught, and then, by the time you notify -- I have seen
40 situations where we step down the trip limit and then the
41 fishery shut down four days later.

42
43 It can get burdensome, and it can get confusing on people, and
44 it can result in changing a lot of things fast, and so I don't
45 really have any objection to it, and you can do it, but it has
46 been kind of a pain in the neck in the South Atlantic, where we
47 do this on fishery after fishery, and, a lot of times, by the
48 time you get to the point where you're stepping it down, there's

1 not much left, and it doesn't really gain you a whole lot
2 anyway, and so it's up to you guys, but I'm not a huge fan of
3 these things.

4
5 **CHAIRMAN FRAZER:** Is there any further discussion? Ms. Levy.

6
7 **MS. LEVY:** Well, I'm just wondering if you're interested in
8 looking at any other percentages, meaning, if you want this in
9 the document and analyzed and ready to take final action in
10 June, would you be interested in a step-down that would happen
11 at 50 percent, so that you could see sort of what the impact of
12 that is, rather than just only one of 75 percent?

13
14 **CHAIRMAN FRAZER:** Kevin, to that point?

15
16 **MR. ANSON:** Kind of sort of, but not really.

17
18 **CHAIRMAN FRAZER:** Perfect. We'll go with it.

19
20 **MR. ANSON:** Okay. I wonder, administratively, Mara -- I mean,
21 this is a question to you, Mara, and, Roy, of course you can
22 chime in, but would you have the ability to just set a season,
23 if you will, or set a time that you would reach maybe 50 percent
24 or 75 percent of the quota and then just, at that date, set it
25 up, in the first Federal Register notice, that, hey, after this
26 point, it will go down to a 250-pound trip limit, but, prior to
27 that date, it would be a 500-pound trip limit, because, as Ryan
28 pointed out, with a 500-pound trip limit, you can get a six-
29 month season, and so you could maybe project three or four
30 months of that six months at 500 pounds, and then, after that
31 date, going down to the 250 pounds, and it sounds like there's
32 enough months left in the year that they would still remain open
33 and still be able to utilize -- Harvest the rest of the pounds
34 and not leave any on the table, necessarily.

35
36 **CHAIRMAN FRAZER:** Dr. Crabtree.

37
38 **DR. CRABTREE:** I think you could do that. I guess you could, at
39 the beginning of the season, project when you think they would
40 catch 75 percent, and so announce the season is going to open,
41 and the trip limit will step down on this date, but then I would
42 say there is a high probability that you will be wrong about
43 when they catch that much of it.

44
45 **CHAIRMAN FRAZER:** To that point, Kevin?

46
47 **MR. ANSON:** I think we've done that one other time since I've
48 been on the council, that we've been wrong. Kidding.

1
2 **DR. CRABTREE:** But I am just saying that, the longer out you
3 project, the higher the likelihood that they may have caught the
4 whole quota by the time you step it down, or they may be way
5 below, and you step it down, and then they can't even catch the
6 quota, and it sounds like, from what Ryan said, right now,
7 that's not likely, but that's the problem with projecting.
8 Normally, in the South Atlantic, when we've done these step-
9 downs, we try to give them like a few days' notice that,
10 effective X day, the quota will be stepped down.

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

13
14 **MS. GUYAS:** I am not so worried about this, and so I was going
15 to bring up that this happens all the time in the South
16 Atlantic, and one of the fisheries where it occurs is Spanish
17 mackerel, and the scenario that Roy is talking about, where it
18 gets a little hairy, happens in that fishery, but it's a
19 targeted fishery.

20
21 When the fishing is hot, like people are jumping in all over the
22 place, and so that is a situation where, yes, things can get
23 caught quickly and things can get hairy quickly, but the way
24 that we have this set up, where we're starting with 500 pounds,
25 that's kind of a bycatch limit from the start, and so I think
26 it's going to be a little bit of a different situation than with
27 Spanish mackerel in the Atlantic, where the trip limits are
28 dropping down and down quickly, and so I'm comfortable with
29 this, and let's look at it, and I think this might be the way to
30 go.

31
32 **CHAIRMAN FRAZER:** Is there any further discussion on the motion?
33 Kevin Anson.

34
35 **MR. ANSON:** I guess, going back to my comment, depending upon
36 how strictly you read this, you could do it the way that it was
37 originally described when the motion was made, or you could do
38 it the way that I had proposed, generally the same, or do you
39 not see it that way?

40
41 Again, I am looking at the beginning of the season and setting a
42 date when you would transition to 250, and this could read that
43 you're going to actually monitor it, and then, as Roy described,
44 try to -- As you are monitoring the landing in-season, then you
45 would kind of identify when that date would be and then try to
46 get the notice out at that time, and so, if that's not the case,
47 if you don't see it that way, then I will make a motion then to
48 add a motion that would more line up with what I was trying to

1 do.

2

3 **CHAIRMAN FRAZER:** To that point, Dr. Crabtree?

4

5 **DR. CRABTREE:** The way this is written, I am reading this that
6 we're going to monitor the quota, and then, when we're very
7 close to having caught 75 percent of it, we're going to announce
8 a trip limit reduction. If you want something else, you better
9 add that into it now.

10

11 **CHAIRMAN FRAZER:** Kevin, would you like to make a substitute
12 motion then?

13

14 **MR. ANSON:** Not necessarily. I mean, I don't want to preempt
15 everyone else, if they feel like this is something they're
16 passionate about or want, but I would just go ahead, if you
17 don't mind, and go with the motion and see how it goes, and then
18 I will speak after that.

19

20 **CHAIRMAN FRAZER:** Okay. Mr. Swindell.

21

22 **MR. SWINDELL:** We lowered to 500 pounds from what? What were we
23 on at the beginning of this discussion? Was it 1,500 pounds?

24

25 **CHAIRMAN FRAZER:** It was 1,500 pounds.

26

27 **MR. SWINDELL:** So, already, we're lowering this to 500 pounds,
28 and I guess we feel that, from the data collection, that we have
29 an accurate data collection of this, which it seems to be that
30 we don't necessarily agree with the data sometimes, and we're
31 going to have the data collected fast enough that we can make
32 good decisions with it, and I think we're lowering it quite a
33 bit, one-third of what the limit was before, and now we're
34 looking at doing another 25 percent reduction, or another 50
35 percent reduction, at the end of the harvest, and I just don't
36 see it, Mr. Chairman. I'm sorry. I will vote against this
37 thing.

38

39 **CHAIRMAN FRAZER:** Okay. Ms. Boggs.

40

41 **MS. BOGGS:** After the comments yesterday, I was looking, and you
42 all did this with red grouper, I believe, in 2005, and, to
43 Kevin's point, it was a certain limit would take effect, and, if
44 by this date, it hadn't been landed, then it would step down to
45 another percentage, and maybe we look at it that way, is add a -
46 - As Dr. Crabtree said, a time certain where you step it down.

47

48 **CHAIRMAN FRAZER:** Mr. Sanchez.

1
2 **MR. SANCHEZ:** I speak in support of this. We heard testimony
3 that wanted this. The whole goal was to stretch out the season
4 and address discards, and I think this adds a little tail-end of
5 a potential buffer to do that, and maybe do that well. We don't
6 know until we get into it, because we don't know how effort is
7 going to change, but I think it's a good starting point, and
8 it's in line with what the industry folks have requested.

9
10 **CHAIRMAN FRAZER:** Dr. Mickle.

11
12 **DR. MICKLE:** It's interesting to see, and I like this motion,
13 because it allows the step-down approach to be initiated upon
14 catch rate of the season. The other scenario of setting it all
15 up prior to the season obviously adds uncertainty, and Roy
16 confirmed that with his comments, and let's get this in the
17 document, and we'll hear from the fishermen about it.

18
19 We have an alternative, and this is an additional alternative.
20 If we want to add another motion for Kevin's scenario of pre-
21 dating the entire season, as well as a step-down, that's fine to
22 get input on it, but, again, it's going to slow the document
23 down, and my question is, is there a giant rush to do this,
24 which I think there is. My other point that I want to make is
25 our record on amberjack ain't that good, and so I say we look at
26 it real close, and I'm interested to see what this analysis
27 would show. Thank you.

28
29 **CHAIRMAN FRAZER:** I think there's a couple of things going on
30 here. I do think there is some urgency to consider what's going
31 on, and I do think we want to make sure that we don't -- If we
32 want to move this forward in a timely manner, we don't want to
33 have too many alternatives, but certainly there is no harm in
34 putting this in the document and getting the analysis done, and
35 so I'm going to try to move this particular motion forward. **Is**
36 **there any opposition to the motion? One opposed. The motion**
37 **carries.** Kevin Anson.

38
39 **MR. ANSON:** Thank you, Mr. Chair. I am trying to send it right
40 now. It is short, but I am sending it to staff right now.
41 While they're getting it on the board, I will just talk to it
42 and address Dr. Mickle's comments.

43
44 I agree there is some uncertainty there, and I also agree that
45 we have not done a very good job with managing the fishery, and
46 I agree that the fishery is still probably a little bit in
47 peril, and so trying to align Dr. Crabtree's comments relative
48 to the timing, administratively, to implement a change in the

1 trip weight in-season, while you're trying to monitor those
2 seasons, with a season that could be caught within six months,
3 is a challenge as well, and so my motion, as I was sitting and
4 listening to the discussion and everything, and realizing that
5 we do have all these issues relative to amberjack, is to maybe
6 think a little bit differently and just try something and do
7 some analysis on an alternative.

8
9 I also recognize that we're on a little bit of a time fuse on
10 this, to try to get something implemented for next year, and so
11 I will just put it out there as an opportunity for us to look at
12 and maybe try to do something a little different, and that's
13 all.

14
15 **CHAIRMAN FRAZER:** Dr. Mickle.

16
17 **DR. MICKLE:** Thank you, Kevin. I appreciate that. Really, we
18 haven't gotten into the data, and I have no idea how steady the
19 catch is in this fishery from the commercial side, and so it
20 seems like we're kind of talking at real high altitudes of
21 uncertainty, because we haven't looked at the numbers yet, and
22 that makes me nervous.

23
24 I have uncertainty about the uncertainty, and so let's go ahead
25 and get in the weeds on this and see the analysis that staff
26 comes up with and let the fishermen comment about which option
27 they like best, because these -- Both of these motions will
28 radically influence the way they fish, in my opinion, but,
29 again, I want to hear that from them and also move forward on
30 looking at the numbers, and so I agree with everything you said,
31 Kevin. Thank you.

32
33 **CHAIRMAN FRAZER:** Before we have any further discussion, is
34 there a second to this motion? It's seconded by Ms. Boggs. Any
35 further discussion? Ms. Bosarge.

36
37 **MS. BOSARGE:** I guess maybe Sue will have to answer this,
38 because Roy stepped out. If we don't take final action on this
39 in June, if we add these -- I have a feeling, when we add these
40 and we get the document back in June, we're going to say that
41 we're going to need some more information on whether this is
42 going to work or not, and we're going to want some more
43 analysis. If we do that, and we don't take final action until
44 August, will this be implemented in time? Does that still give
45 you enough time?

46
47 **CHAIRMAN FRAZER:** Ms. Gerhart.

48

1 **MS. GERHART:** In time meaning by January 1? I would say no.
2
3 **CHAIRMAN FRAZER:** Ms. Bosarge.
4
5 **MS. BOSARGE:** Okay. Then I -- There is not a whole lot of those
6 fishermen left in the room right now, but I did see a couple of
7 them shake their head no, that this probably isn't going to be
8 very efficient for them. We have a pretty decent data
9 collection program on the commercial side, and we get their data
10 in a timely fashion, and we can see when they hit a certain
11 percentage and do a step-down, rather than setting a date before
12 they ever start fishing as to when we're going to do this, and I
13 just don't know that that meshes very well with the way that
14 they fish, and so I'm not sure, at this point, that I'm wanting
15 to add this alternative in there.
16
17 **CHAIRMAN FRAZER:** Mr. Sanchez.
18
19 **MR. SANCHEZ:** I would agree with that. I think this is going to
20 slow down the likelihood of getting this implemented by time we
21 would like it to do. We are getting hung up looking at trees
22 instead of the forest, and there is a very reliable data
23 collection in commercial, and so I think you'll be able to
24 pretty much hone-in on that 75 percent in a meaningful time,
25 barring some unforeseen calamity, and this will work, rather
26 than trying to chase a date that you're throwing out ahead of
27 the unknown.
28
29 **CHAIRMAN FRAZER:** Ms. Boggs.
30
31 **MS. BOGGS:** In talking about slowing it down, I have a notation
32 made that, during committee, one of the council members
33 requested the AP to have an opportunity to review this. Is that
34 even going to be viable prior to June?
35
36 **CHAIRMAN FRAZER:** Dr. Simmons.
37
38 **EXECUTIVE DIRECTOR SIMMONS:** It says in the report that we're
39 going to try to convene them by probably a conference call, just
40 to look at this one action, and we'll do our best. The problem
41 is whether we can get this analysis done and in the document in
42 time for them to look at it and to also go to the council
43 meeting, and so, the more that we add to it, the more unlikely
44 that would be to occur.
45
46 **CHAIRMAN FRAZER:** Ms. Guyas.
47
48 **MS. GUYAS:** I was just going to note that one of the people

1 yesterday, in public testimony, did mention that the Reef Fish
2 AP has at least already discussed reducing the trip limit in
3 general, and so, at some point, if this doesn't work out, and we
4 aren't able to get the Reef Fish AP together, I think we at
5 least need to figure out when that was and try to capture that
6 information in the amendment, but there's been some discussion
7 of this already by that group, or at least a former iteration of
8 that group.

9
10 **CHAIRMAN FRAZER:** Ms. Gerhart.

11
12 **MS. GERHART:** Thank you. I just wanted to remind the council
13 that we did have something very similar to this for king
14 mackerel previously, and we did do it during the season. We
15 watched it, and the Science Center gave us a projection at the
16 appropriate time of when the step-down should occur, but the
17 council did get rid of that eventually.

18
19 **CHAIRMAN FRAZER:** Thank you. Is there any further comments or
20 discussion? Okay. I think there's a fair number of opinions on
21 this particular one. **All those in favor of the motion, signify**
22 **by raising your hand, three in favor; all those opposed. The**
23 **motion fails.** Ms. Guyas.

24
25 **MS. GUYAS:** The committee then tasked staff to include west
26 Florida harvest-per-trip data from 2016 through 2018 in the
27 document and to convene the Reef Fish Advisory Panel to provide
28 feedback on this document before presenting the final draft at
29 the June 2019 council meeting.

30
31 **CHAIRMAN FRAZER:** Hold on. Ms. Bosarge.

32
33 **MS. BOSARGE:** While we're on amberjack, I just wanted to throw
34 one thing out, kind of on the record, for Dr. Cass-Calay to
35 maybe follow-up on. When we did our last amberjack assessment -
36 - I was actually at the SSC when they reviewed it, and it was
37 very in-depth, but we do have some areas where we would love to
38 have a little bit more information, research-wise, and I just
39 wanted to mention that one of those areas was on -- We had a lot
40 of discussion when we did our last recreational amberjack
41 amendment, and we talked about the peak spawn, spawning season
42 and peak spawn, and there was a study done, actually by Dr.
43 Benny Gallaway, and he's in the audience right now, if you want
44 to follow-up with him in a little bit.

45
46 He did a study, and it was actually a study from BOEM or BSEE,
47 and so the government entity that houses the oil industry and
48 regulates them, but he did a lot of work in the western Gulf,

1 sampling I think like over a two-year period, and, in his work,
2 there is some data on amberjack and how many of those fish were
3 spawning when captured, and I think that could be something that
4 could supplement part of our research database that may be a
5 little more sparse, and so maybe if we could reach out to BOEM
6 or BSEE and see if they would see if they would share some of
7 that information with us.

8
9 **CHAIRMAN FRAZER:** Dr. Calay.

10
11 **DR. SHANNON CALAY:** Thank you. I will reach out, and, if there
12 is information that we need to consider that requires a change,
13 for example, to the stock assessment, we can add that into the
14 terms of reference.

15
16 **CHAIRMAN FRAZER:** Thank you. Ms. Guyas.

17
18 **MS. GUYAS:** The Western and Central Atlantic Fisheries
19 Commission (WECAFC) is one of the regional fisheries bodies
20 established under the UN Food and Agriculture Organization
21 (FAO), which serves only in an advisory role.

22
23 At its last biennial meeting in 2016, WECAFC agreed to revise
24 its framework to enable it to develop binding conservation and
25 management measures, and its members met last week to discuss
26 this strategic reorientation.

27
28 Members recommended addressing core issues including: scientific
29 functions, data collection and information systems, technology
30 transfer, capacity building, trade-related issues such as
31 traceability and catch certification of fisheries products,
32 conservation and management measures, co-management, and
33 combatting illegal and underreported fishing in the region,
34 while having flexibility to respond to new and emerging needs.

35
36 A broad convention area and a regulatory area outside national
37 EEZs where binding measures can be implemented was recommended,
38 including selected straddling, highly migratory, or
39 transboundary stocks within the EEZ without prejudice of the
40 sovereign rights of the member states.

41
42 Members agreed that duplicate regulations should be avoided.
43 Regional cooperation should continue through existing regional
44 fishery bodies. Discussions will continue to flesh out these
45 recommendations and a roadmap at the next WECAFC meeting, which
46 the United States is planning to host in July in Miami or Fort
47 Lauderdale. The SERO will look into the procedure for council
48 attendance at this meeting in July.

1
2 Draft Reef Fish Amendment 52, Red Snapper Reallocation, staff
3 presented the revised purpose and need. **Without opposition, the**
4 **committee recommends, and I so move, to amend the purpose and**
5 **need to read: To review, evaluate, and modify, as appropriate.**
6

7 **CHAIRMAN FRAZER:** We have got a committee motion on the board.
8 Is there any further discussion on this motion? **Seeing none, is**
9 **there any opposition to the motion? Seeing none, the motion**
10 **carries.**
11

12 **MS. GUYAS:** Staff then reviewed the alternatives in Action 1 and
13 discussed why red snapper landings data from 1979 to 1980 had
14 not been included in Alternative 2. Red snapper landings data
15 prior to 1986 are inconsistent with post-1986 landings data, due
16 to a shift the assignment of commercial landings between the
17 Gulf and South Atlantic from the Miami-Dade/Monroe County line
18 to U.S. 1 in the Florida Keys.
19

20 The committee discussed overages in red snapper landings and how
21 inclusion of historical landings when overages occurred may be
22 viewed as rewarding a particular sector. The committee stated
23 that reallocation considerations need not be limited to
24 historical landings, since the sectors operate and have been
25 managed differently.
26

27 The committee then noted that, given the number of ongoing
28 developments related to reallocation of red snapper, such as the
29 Modern Fish Act and data recalibration issues, they may have
30 better insight later in the year regarding the alternatives and
31 how to proceed.
32

33 **By a vote of nine to four, the committee recommends, and I so**
34 **move, to postpone further consideration on Amendment 52 until**
35 **August 2019.**
36

37 **CHAIRMAN FRAZER:** Okay. We will put that motion on the board.
38 We have a committee motion. Is there any further discussion on
39 the motion? Dr. Simmons.
40

41 **EXECUTIVE DIRECTOR SIMMONS:** Just a question from the staff
42 perspective. If this motion carries, then staff would not do
43 any work on this until -- They would make a few minor
44 modifications to the purpose and need and then put this on the
45 August council meeting agenda, and is that correct?
46

47 **CHAIRMAN FRAZER:** That's correct, but I think we should have
48 some discussion at the June meeting having to deal with

1 allocation issues. Ms. Boggs.

2
3 **MS. BOGGS:** When do we intend, or when does the staff intend, to
4 give us a report on the Modern Fish Act, since it's kind of
5 holding this up?

6
7 **CHAIRMAN FRAZER:** We have made a request to Sam Rauch's office
8 to try to get a presentation in June, but we haven't gotten
9 confirmation of that yet, but we'll keep everybody posted on
10 that. Is there any further discussion? Mr. Swindell.

11
12 **MR. SWINDELL:** As I have stated before, I don't really see any
13 need to postpone any further consideration until August. I
14 don't see that as a necessity. I think that we ought to have
15 every option available to us, as much as we can, to help our
16 fishery resources and to reach the meaning of the Act to utilize
17 the resources as much as we can. Thank you.

18
19 **CHAIRMAN FRAZER:** Thank you. Is there any further discussion?
20 Seeing none, this one was a mix in committee, and we'll raise
21 hands. **All those in favor of the motion, signify by raising**
22 **your hand, thirteen in favor; all those opposed, two opposed.**
23 **The motion carries.** Ms. Guyas.

24
25 **MS. GUYAS:** Draft Amendment 36B, Modifications to Commercial IFQ
26 Programs, staff reviewed the amendment's purpose and need and
27 the goals of the IFQ programs, including those added by the
28 council at previous meetings. Discussing the current program
29 goals, the committee noted that the IFQ programs provide the
30 opportunity for a year-round fishery.

31
32 **Without opposition, the committee recommends, and I so move, to**
33 **add a statement in Draft Amendment 36B that indicates the**
34 **elimination of derby fishing as a program goal has been met.**

35
36 **CHAIRMAN FRAZER:** Okay. We've got a committee motion on the
37 board. Is there any further discussion of that motion? **Seeing**
38 **none, is there any opposition to the motion? Seeing none, the**
39 **motion carries.** Ms. Guyas.

40
41 **MS. GUYAS:** Staff reviewed the actions in the amendment. The
42 committee expressed interest in receiving presentations on
43 industry-led quota banks. Staff presented data on the
44 differences between estimated and actual landed weights. Agent
45 Tyler indicated that, from NOAA OLE's perspective, discrepancies
46 between the estimated and actual landed weights were not a
47 significant issue. The committee discussed the accuracy of
48 estimated weights in advanced landing notifications.

1
2 By a vote of nine to six, the committee recommends, and I so
3 move, to move Action 4 to Considered but Rejected. Action 4 is
4 the accuracy of estimated weights in advance landing
5 notifications.

6
7 **CHAIRMAN FRAZER:** We've got that committee motion on the board.
8 Is there any further discussion? Mr. Anson.

9
10 **MR. ANSON:** We were all at the table when we discussed it on
11 Tuesday, and I find it, I guess, slightly ironic that we just
12 passed some reduction in trip limits and using weight to monitor
13 amberjack, but, when we talk about getting a little bit more
14 tighter on the reporting, because of some potential issues that
15 could exist, some loopholes that are currently in the system in
16 regards to the fishermen allocation and the dealer reporting of
17 red snapper, that it seems to be much more of a problem, because
18 the violations are essentially the same, the structure at least.

19
20 If you go over your amberjack trip limit, there is a reporting
21 violation and if you were to report under or over your 10 or 20
22 percent limit on the red snapper reports, and so it's just --
23 You know, I see it as trying to close a loophole that exists,
24 because there might be situations where a dealer has the shares
25 and also has the vessels that transfers that allocation to the
26 vessels, and so there is not that independence, as was common
27 during public testimony that one is watching the other.

28
29 Dealers may actually own the vessels, and captains are reporting
30 on behalf of the vessel, but then the dealer is then turning in
31 a report, and so that's all -- Again, the state fisheries guys
32 have some concerns, and they are certainly on the dock a lot and
33 see some things, and so it was just -- The motion was added in
34 there originally to try to, again, kind of close a potential
35 loophole.

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

38
39 **MS. BOGGS:** Some of the testimony I've heard, and some of the
40 conversation I've heard, is the offenders are known, and so you
41 need to look for that, but, again, this is estimation, and I can
42 no more estimate how many pieces of candy are in that jar than I
43 could how many pounds of fish I have on a boat, and I will just
44 reiterate that, during the headboat EFP, there were issues when,
45 if it's rough, and the boat is rocking, and you miscount your
46 fish, as long as you've got the fish in your account, and you're
47 not, in that case, over your limit, I don't understand what the
48 problem is, but an estimation is just that. It's an estimation,

1 and trying to make these guys try to estimate these fish within
2 a percentage I think is just ridiculous.

3
4 **CHAIRMAN FRAZER:** Is there any further discussion? Let me just
5 kind of recap this a little bit in my own mind. I appreciate
6 the tension, right, and there's always a struggle on part of the
7 committee, or the council, excuse me, to make sure that we're
8 doing our best to hold people accountable and do the right
9 thing.

10
11 At the same time, there's a recognition that people are working,
12 and we're trying not to burden them, and it's a bit of a
13 tradeoff there, and so I appreciate all the comments around the
14 table, and it's not a perfect system, but we'll do the best that
15 we can, and so, with that said, we'll go ahead. Mr. Swindell.

16
17 **MR. SWINDELL:** It goes back to data. As Greg has constantly
18 worked on, it's trying to improve our knowledge of data and get
19 data more reliable, and I think what Susan is pointing out is
20 that this data is not reliable. We are trying to make a
21 decision on it, and we don't have good data, and so I don't know
22 how to improve it. I really don't. You're asking these people
23 to estimate what it is they caught, and they're not doing a good
24 job at it, and so I agree with Susan that I don't think it's
25 good data for us to try to use to make a decision with.

26
27 **CHAIRMAN FRAZER:** Ms. Bosarge and then Mr. Diaz.

28
29 **MS. BOSARGE:** There is an estimation that happens at sea, right,
30 and so you're out at sea, and sometimes you haven't even
31 finished fishing yet, because we require you to send this
32 estimation in three hours before you get to the dock.

33
34 You've got a basket of fish, and you're trying to estimate how
35 many pounds are in that basket, or you've got a box of fish, and
36 you're trying to estimate how many pounds are in that box, but,
37 when you get to the dock, where you're not on a boat that's
38 rocking and rolling and you actually have a scale, that is what
39 actually goes into the system, is what you landed, and that is
40 pretty damned accurate, and it's got a lot of checks and
41 balances to it, and law enforcement is at the dock, a lot of
42 times, watching that.

43
44 I guess that's what frustrates me about this, is are we worried
45 about the data, because, if we are, then we need to put some
46 other sampling protocols in, or are we worried about the
47 enforcement piece, because this piece is enforcement, and it's
48 just like on the recreational side, where you have intercepts at

1 the dock and you separate the biological and data piece from the
2 enforcement piece.

3
4 If you get there and you're intercepting it for the biological
5 parameters and for the landing, you're not writing them tickets
6 right there, too. We've had that discussion, but you have to
7 separate those two things, and so this frustrates me, because
8 you want to have an estimation of weight, but then you want to
9 penalize somebody for that and change it to enforcement, change
10 it from data collection to enforcement, and I think those two
11 things have to be separate, and I think you have to understand
12 that it is an estimation before the man has finished fishing,
13 and that he is at-sea, in an environment that is not conducive
14 to getting you an accurate weight, to that degree.

15
16 **CHAIRMAN FRAZER:** Mr. Diaz.

17
18 **MR. DIAZ:** Thank you, Mr. Chair. I want to start this by saying
19 that my experience, working with a lot of commercial fishermen
20 over many years, is that the vast majority of commercial
21 fishermen are very honest, hardworking people, and they will not
22 knowingly violate the rules, and I'm talking about a very high
23 percentage.

24
25 However, there are a percentage of people that will violate
26 rules, and the story that was told to me by a law enforcement
27 officer that gives me pause with this is there is a particular
28 person that calls in notifications, and his regular notification
29 call is for 500 pounds. When law enforcement shows up, he
30 unloads 2,000 pounds, and it's happened several times. When law
31 enforcement doesn't show up, 500 pounds is what is reported, and
32 so that's just one instance, and law enforcement had several
33 instances that they talked about.

34
35 This might not be the best way to handle this problem, and there
36 is more than one way to deal with an issue, and maybe the path
37 we're on is not the one. Going around the table, I see there's
38 a lot of problems with it.

39
40 I do also think that high lease fees is a motivator for people
41 right now, and I don't know that high lease fees has caused one
42 person to try to try to circumvent this rule, but, with a four-
43 dollar-a-pound lease fee, I mean, that's a pretty big
44 motivation, and I don't know that that has caused that, but it
45 would be a pretty big motivator, but I just wanted to bring that
46 law enforcement story out.

47
48 That is a story that a law enforcement person told me, and I

1 know that's real, and I think it's probably a very small
2 percentage of the people, like I said earlier, but that's one
3 thing that just makes this particular issue something that
4 concerns me. Thank you.

5
6 **CHAIRMAN FRAZER:** Mr. Anson.

7
8 **MR. ANSON:** Just a comment on the enforcement versus the data.
9 I think, for any of the programs, any of the species we
10 regulate, we want the best data we have available, and,
11 oftentimes, there's an enforcement component about it. We
12 talked about that with the recreational red snapper.

13
14 Where was the enforcement? It was on the water. I mean, we've
15 got to have the enforcement in order for us to get the data, and
16 so they go hand-in-hand, and they should be separate, in the
17 sense that you don't do biological activities with enforcement,
18 but, in order for the program to work and function the way you
19 want it to, there needs to be equal science and equal
20 enforcement, to help make sure that, one, they're operating
21 efficiently, and so that's all this is trying to do, was to keep
22 some sort of buffer on there, as Dale described, and that's one
23 instance of what could happen when you've got, granted, a small
24 number of folks that might be doing this, but it's a number that
25 could add up.

26
27 As Dale mentioned, this isn't small potatoes. There's an
28 account, and everybody has got an account, and they're going to
29 be tracked against what's in their balance, and so that's --
30 They have got to have fairly accurate landings on at least the
31 last trip, when they close out the account, or, if they go over
32 10 percent, then they're in trouble, and so, I mean, they're
33 already working -- At least on their last trip, they're already
34 working within a limit that's 10 percent over what they are
35 allowed to turn in, and so they at least have to be fairly
36 accurate on that last trip, and so all this is trying to do is
37 make them fairly accurate on all the trips, so that the program
38 has a little bit more integrity and the data that we have, that
39 we're looking at and analyzing, has more integrity.

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

42
43 **MS. BOSARGE:** Just one more question. We saw the number of
44 trips that go both over and under, and so we knew there was no
45 malicious intent in trying to underreport, because there is just
46 as many people that overreport by 10 to 20 percent as there are
47 underreport.

48

1 When you get a citation for this, because it seems like there's
2 whole lot of people out there that are in this boat, that are
3 having this same problem, those people are no longer eligible
4 for our APs?

5
6 **CHAIRMAN FRAZER:** Ms. Boggs.

7
8 **MS. BOGGS:** Pardon my ignorance, but, when they are over and/or
9 under, are they cited and fined, and how right is that? Again,
10 it's an estimation.

11
12 **CHAIRMAN FRAZER:** At present, there is not a citation for an
13 estimated weight.

14
15 **CHAIRMAN FRAZER:** Ms. Bosarge.

16
17 **MS. BOSARGE:** But when this becomes a regulation on the books,
18 yes, they're going to get fined. They're going to get cited and
19 fined. It will be the same thing when we turn it around on the
20 for-hire industry and we require you all to tell us about how
21 many fish you have, and I'm sure the next step coming is, well,
22 we need that in pounds. We really kind of need to know how many
23 pounds you're landing, right, because we want to keep up with
24 this in-season and start doing this in-season monitoring
25 eventually, and so you're going to be trying to eyeball all
26 these fish and come up with an estimated weight, and then we're
27 going to fine you when you get to the dock when you are 10
28 percent off.

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

31
32 **MR. ANSON:** It depends on the situation. I asked NOAA OLE,
33 Cynthia, to kind of guide me into what the fine would be, and it
34 just depends on the situation. It depends on how egregious it
35 is, what the intention was, and did it appear to be intentional,
36 as far as the violation or not, according to the officer in the
37 field, and so, I mean -- But, again, as I mentioned, we just did
38 a trip limit in pounds for greater amberjack, and it's the same
39 situation there.

40
41 It's only over in that instance, because there is no reporting
42 requirement in advance, but, if you were to come in with 1,505
43 pounds of greater amberjack now, you potentially are in --
44 You're in violation, but it's up to the officer to determine
45 whether or not it's a simple mistake or what have you, and so
46 there is some flexibility on the ground that the officer has, as
47 far as whether or not they go forward with an actual violation
48 and start that process.

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

3
4 **MS. BOGGS:** I just have to say that now we're dealing with
5 opinions to go along with estimations.

6
7 **CHAIRMAN FRAZER:** Okay, and so we're going to try to keep the
8 conversation on track a little bit here, and there is certainly
9 strong opinions on both sides of this, and I think that we've
10 heard -- We will have one more from Mr. Boyd.

11
12 **MR. BOYD:** Thank you, Mr. Chairman. I don't want to go too long
13 on this, but I do have several comments that I would like to
14 make. One is I don't think we're as worried about what's coming
15 off the boat as what is staying on the boat. That's the
16 question that law enforcement has, and Dale alluded to that,
17 where there is, at certain times, more fish left on the boat
18 than there are coming off the boat.

19
20 The other thing is we have heard testimony from NOAA Law
21 Enforcement that they don't think there's a problem. They have
22 ten to twenty officers in the Gulf, something like that, maybe
23 twenty-five officers, and there are several hundred state
24 officers who do these dockside intercepts and who actually count
25 the fish coming off of the boats, and I think we need to pay
26 attention to that, and I would like to ask the council, before
27 we do away with this action, to have state law enforcement come
28 and give us a presentation on what they think. We have heard
29 three times now from NOAA Law Enforcement their opinions, and I
30 would like to hear something from the states.

31
32 The other thing is that, when someone violates this law, they
33 are killing fish, number one, and those fish, if they stay on
34 the boat and go someplace else, they are probably black-market.
35 They are going to somebody's restaurant or someplace else and
36 being sold into commerce, and the allocation for that particular
37 person is not reduced, and so they can do this again and again,
38 and they can extend the amount of fish that they catch for a
39 long time, if they continue to do it and they're not caught.

40
41 It seems to me that if a commercial fisherman is out there and
42 he, all of sudden, realizes that he needs more quota and wants
43 to call in and get it put in his account before he gets there,
44 he has to have an account. He has to know how many fish he's
45 got and how much additional quota he needs if he is going to
46 call somebody and lease it. He is probably doing this anyway.

47
48 As far as penalties, nobody has established any penalties for

1 this. One of my ideas would be that, if there is a -- Let's
2 assume we do a 20 percent, and a person misses it a bunch of
3 times and we find out about it, and why not have them offload,
4 for the next year, with a law enforcement officer there present,
5 and that's one way to do it without a fine. Thank you, sir.

6
7 **CHAIRMAN FRAZER:** Okay. I think we're still early on in this
8 document, even though it's been around for a long time, and, if
9 I think that there is additional considerations of how to deal
10 with the problem, then we have some time to reformulate,
11 perhaps, another action that would bear on this issue, but let's
12 see how this particular motion bears out today, and I think I
13 will bring the discussion to a close, and we will vote on it.
14 **All those in favor of the motion, signify by raising your hands,**
15 **seven in favor; all those opposed, eight opposed. The motion**
16 **fails.** Ms. Guyas.

17
18 **MS. GUYAS:** SSC Summary Report, the SSC reviewed the gray
19 snapper projections update, which evaluated projections at F26
20 percent SPR, F30 percent SPR, and F40 percent SPR. Because the
21 SEDAR 51 stock assessment could not freely estimate FMSY, the
22 SSC previously recommended F30 percent SPR.

23
24 Based on the updated projections, which use the actual 2016 and
25 2017 landings and assume the ACL was caught in 2018, each FMSY
26 proxy did not result in a stock that was overfished or
27 experiencing overfishing as of 2018.

28
29 The SSC limited the projections time period for each proxy to
30 three years, due to the uncertainty inherent in projections.
31 The SSC affirmed that the projections for each proxy were done
32 appropriately and in accordance with the best scientific
33 information available. The SSC still recommended an FMSY proxy
34 of F30 percent SPR for gray snapper.

35
36 NOAA General Counsel clarified that the resultant respective OFL
37 and ABC corresponding to the FMSY proxies reviewed by the SSC
38 would become the codified OFL and ABC once an FMSY proxy is
39 specified in Amendment 51. I will pause there, because Mara's
40 hand is up.

41
42 **CHAIRMAN FRAZER:** Ms. Levy.

43
44 **MS. LEVY:** Well, I guess I just want to clarify my comments. I
45 don't know, and "codified", to me, isn't the right term, because
46 we don't codify those, which means we don't put them in the
47 regulations, but what I was clarifying was that the SSC's ABC
48 recommendations were actual recommendations that would apply,

1 based on the MSY proxy chosen, and so I just wanted to be clear
2 that those were actual ABC recommendations, catch level
3 recommendations, because the motion from the SSC was not super
4 clear on that point.

5
6 **CHAIRMAN FRAZER:** Okay. Ms. Levy, did you want to suggest an
7 alternative wording of this?

8
9 **MS. LEVY:** Not right now, no, but I just wanted to clarify, on
10 the record, that I wasn't talking about codifying OFLs and ABCs
11 or anything like that.

12
13 **CHAIRMAN FRAZER:** Thank you. Noted. Ms. Guyas.

14
15 **MS. GUYAS:** The SSC discussed new operating procedures, which
16 would see the SSC Chair assign topics to members who would serve
17 as discussion leaders, resulting in more efficient discussions.

18
19 The Southeast Fisheries Science Center and council staff will be
20 working on a stock assessment summary report with the critical
21 information from the stock assessment for rapid digestion of
22 information by most readers, an effort lauded by the SSC.

23
24 The SSC provided feedback and suggested edits on the fishery
25 management plan objectives for the six FMPs. The SSC will begin
26 reviewing an alternative ABC control rule. Updates on NOAA
27 RESTORE work were provided to the SSC, covering ecosystem
28 modeling for fishery management and a red snapper management
29 strategy evaluation tool, and it may be valuable for the council
30 to review also. Mr. Chair, this concludes my report.

31
32 **CHAIRMAN FRAZER:** Thank you, Ms. Guyas. Mr. Boyd.

33
34 **MR. BOYD:** I don't think I need to make a motion on this, but I
35 wanted to ask if we could -- If staff could ask the head of the
36 Law Enforcement Committee to come to the next meeting and give
37 us the reasoning behind their motions to do the 20 percent or 10
38 percent or whatever it is, or 50 percent, and tell us the
39 reasons they would like to have that, and I would like to hear
40 that from them, and I can put that in the form of a motion, if I
41 need to.

42
43 **CHAIRMAN FRAZER:** Dr. Simmons, do you want a motion for that, or
44 is that enough direction for the staff?

45
46 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. I think I
47 understand, and so the percentages you're referring to are the
48 percentages that are currently presented in the Amendment 36B

1 presentation that was laid out, as far as the estimated weights
2 under and over, based on those pounds? Are those the
3 percentages that you're speaking of?

4
5 **MR. BOYD:** What we just voted on a minute ago.

6
7 **EXECUTIVE DIRECTOR SIMMONS:** Based on the current options in
8 Amendment 36B. Yes, I think we can do that.

9
10 **MR. BOYD:** Do we need a motion, or can you just ask the head of
11 the Law Enforcement Committee to come and give us a report?

12
13 **EXECUTIVE DIRECTOR SIMMONS:** I think we can ask them to give a
14 report. I have to ask Dr. Lasseter where those percentages
15 originated from, if that was an IPT proposal or if it actually
16 came from law enforcement, but we can certainly dig into that
17 some more and bring you -- Ask them to provide a presentation
18 with staff or something like that, sure.

19
20 **MR. BOYD:** Okay. Well, I'm not asking them to recommend a
21 percentage or to support one of these percentages that's in this
22 draft amendment. I am just asking them to report on what they
23 see as the activities that are happening and their reasons for
24 their motions that have come forward.

25
26 **CHAIRMAN FRAZER:** Is that okay with you, Dr. Simmons?

27
28 **EXECUTIVE DIRECTOR SIMMONS:** It's okay with me. Is it okay with
29 the council members?

30
31 **CHAIRMAN FRAZER:** Mr. Dyskow.

32
33 **MR. DYSKOW:** Mr. Boyd clarified his request. Thank you.

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

36
37 **MS. BOSARGE:** If we're going to bring something like that to the
38 council, I would also like a summary of the dollars involved in
39 the fines when this becomes a regulation, and I want the dollars
40 federally, because you can get a federal fine, and that can also
41 be supplemented by state fines, and I want to see exactly how
42 much it's going to cost, if it's a per-pound fine somewhere, if
43 it's not in the standard, and I know we have an outline that
44 they go by for federal fines, but, if there's going to be a per-
45 pound fine, and we don't know how much it is, well, give us a
46 range. I want to know.

47
48 **CHAIRMAN FRAZER:** Dr. Crabtree, can I ask a question? Would

1 those fines be discretionary, or is there a standard formula?
2 With regard to Leann's question about the fines and the monetary
3 value of the fines, I guess, are those fines discretionary, or
4 is there a standard procedure for that?

5
6 **MS. LEVY:** Well, there's a penalty schedule. Cynthia Fenyk is
7 here, and she might be able to answer, or we can go back and
8 look at it, and I don't know how all of the enforcement fines
9 shake out, but we could certainly look at it and see what
10 information we could provide.

11
12 **CHAIRMAN FRAZER:** Okay, and so I guess what I'm hearing around
13 the table at this point is that we're going to direct staff to
14 have a presentation by the Law Enforcement Technical Committee,
15 and is that correct? Dr. Lasseter.

16
17 **DR. LASSETER:** Would it be acceptable if we just reach out to
18 the LETC and allow them to select a person that's maybe
19 accessible and could come to the meeting, rather than being the
20 head, but let them decide amongst themselves who is able to
21 travel to the meeting, and we will be in Florida for the next
22 meeting, and perhaps it would be the Florida representative that
23 would be most convenient, but, if we could have that leeway,
24 that would be helpful.

25
26 **CHAIRMAN FRAZER:** Mr. Boyd.

27
28 **MR. BOYD:** I think I would feel more comfortable if it was the
29 chairman of the committee. That's just my preference.

30
31 **CHAIRMAN FRAZER:** All right. We can make the request that the
32 chairman of the committee come, but, at the same time, I guess
33 there is additional information that we're looking for during
34 that June meeting that has to do with the penalty schedules, the
35 federal penalty schedules, and possibly what the state penalties
36 might be as well. Mr. Boyd.

37
38 **MR. BOYD:** Mr. Chairman, I am not trying to stop anybody from
39 coming that has to have a substitute, but I just think that it
40 would be better to have the chairman of the committee. That
41 way, the chairman of the committee can poll all of the states
42 and collect the data that he needs to give the report.

43
44 **CHAIRMAN FRAZER:** Sure. We can make a request for the chairman
45 of the committee, but, as our discretion, he may indicate
46 somebody else in his place. Is there any other further
47 discussion on this? Okay. Seeing none, we will probably -- Dr.
48 Shipp.

1
2 **DR. SHIPP:** I don't want to leave 36B, and is that your intent,
3 Mr. Chair, to leave 36B, because I have a few comments that I
4 would like to make regarding it.

5
6 **CHAIRMAN FRAZER:** Okay. Now is the time, for sure.

7
8 **DR. SHIPP:** 36B is replete with comments on trying to get new
9 entrants, or smaller commercial operations, into the system,
10 and, yet, it really does not offer any alternatives that are
11 particularly effective in moving in that direction, and so I
12 would like to request that staff provide the council with some
13 additional options, including the use-it-or-lose-it proposals
14 that we've heard before, as well as some other ideas on how we
15 can have quota shares available to new entrants in the fishery.

16
17 **CHAIRMAN FRAZER:** Okay, and so I'm going to let Mr. Dyskow make
18 a quick comment, and then I'm going to Dr. Lasseter.

19
20 **MR. DYSKOW:** The two areas that we're concerned about are not
21 only additional quota for new entrants, but also quota to
22 address the discard issue, and so those are the two buckets that
23 we've been discussing over and over again, but, yet, we fully
24 distribute all of the quota, and so there is no quota hold-back
25 for a bank or whatever, and so, if we currently are utilizing
26 all of the quota, then how do we address that issue?

27
28 That is, I think, the key thing that Dr. Shipp is saying, and
29 there is two buckets we want to address. One is how do we
30 reduce discards by making some additional quota available and
31 how do we address new entrants or people that are outsiders
32 looking in and trying to get into this fishery?

33
34 **CHAIRMAN FRAZER:** Dr. Lasseter.

35
36 **DR. LASSETER:** I guess we'll start with these three, the new
37 entrants, small participants, and this idea of addressing the
38 discards in the eastern Gulf. There are sections in the
39 document that have potential characteristics for how you guys
40 want to define those. We are trying to get a sense of who are
41 you looking for and how would you want to define those people,
42 and then we could flesh out some alternatives.

43
44 Do you want to allow -- Do you want to base it on recent
45 landings histories, and I would have to call up the documents to
46 look at all these different alternatives, but we do have a lot
47 of different potential ways that you could approach this, and,
48 if you could give us some guidance on which of those potential

1 characteristics you would like to pursue, we could more -- We
2 could bring you some information on those.

3
4 As for where the quota would come from, there is an action in
5 that that would allow you to establish -- To decide what would
6 be a threshold. Below that threshold of quota, the shares could
7 still be -- The allocation would be distributed based on
8 existing shareholders. Above that threshold, you could use that
9 quota for addressing these three groups, and you could add
10 different thresholds, but we do have an action that would
11 address this.

12
13 **CHAIRMAN FRAZER:** Mr. Dyskow.

14
15 **MR. DYSKOW:** Thank you. I don't want to beat the subject to
16 death, but I just want to make sure that I understood what you
17 said, because what I have heard from people that are active in
18 this fishery, that are currently struggling with the quota, they
19 would like to see maybe 80 percent of the quota distributed to
20 shareholders, and I'm just throwing that number out there, and I
21 don't know what the number should be, but, just for example
22 purposes, let's say we distribute 80 percent of the quota to
23 shareholders, the people that are part of the alliance that have
24 quota, and then 20 percent would go into a NMFS quota bank that
25 could be used to address these and potentially other issues, and
26 that's an example of what we're looking for. The numbers aren't
27 right, and the methodology might be right, and I can't defend
28 it, but that's an example of what we're looking for.

29
30 **CHAIRMAN FRAZER:** Dr. Lasseter.

31
32 **DR. LASSETER:** If you would like to make a motion to add that as
33 an alternative that would fit into this particular action.
34 Currently, we provided you the thresholds of the quota at the
35 time that the programs were approved, and we could easily add
36 another alternative here that says 80 percent, and 80 percent is
37 the threshold then, and then the top 20 percent would go into
38 this quota bank.

39
40 **CHAIRMAN FRAZER:** Dr. Simmons and then Dr. Shipp.

41
42 **EXECUTIVE DIRECTOR SIMMONS:** I think what we're trying to get at
43 is maybe when the projections are increasing or changing for red
44 snapper, have some threshold where above some value a percentage
45 would go to those new entrants, potentially. Is that what we're
46 proposing here?

47
48 **MR. DYSKOW:** I don't know where it should go. It might go back

1 to the original shareholders, but there is a -- There would be a
2 reserve account, and call it what you want, to address these
3 issues we have, like the discards, like new entrants, or
4 outsiders that want to enter the fishery, or the shares might go
5 back to the original shareholders, but, right now, we have no
6 ability to address any of these things, and the only way it's
7 addressed is if those shareholders are willing to lease their
8 allocation, and, right now, that's in excess of four-dollars per
9 pound, which is challenging to use it as a tool to address these
10 issues, and I personally don't want to make a motion at this
11 time, but I would like that concept to be part of the next
12 discussion on 36B and get some feedback from people that are
13 more qualified than I am to make that motion.

14

15 **CHAIRMAN FRAZER:** Dr. Shipp.

16

17 **DR. SHIPP:** I just want to follow up on that. My intent is to
18 just open this issue up for further discussion. Again, I go
19 back to the use-it-or-lose-it concept. When this program first
20 was initiated, the fishermen were wholeheartedly in favor of
21 use-it-or-lose-it. Since then, the program has morphed, and we
22 have people holding shares that are not commercial fishermen.
23 My goal is to have these shares in the hands of bonified
24 commercial fishermen, to the extent possible, and I think that
25 issue warrants a much wider discussion of what are we going to
26 do with the quota shares.

27

28 (Whereupon, a brief recess was taken.)

29

30 **CHAIRMAN FRAZER:** I think, at this point, I think we've had some
31 discussion, and I don't think that it necessarily has a pointy
32 end to it, but I think it's a topic that needs to be discussed
33 in greater detail.

34

35 We have knocked a number of things off of our plate at this
36 particular meeting, and what I'm hoping that we can do at the
37 June meeting is to schedule some discussion time, and we're
38 often reacting to specific documents in this meeting, but we
39 will schedule some time, and I'll get with Carrie and staff, to
40 have an open discussion, but a structured discussion, related to
41 some of these issues in 36B as well as the reallocation issues,
42 and I think that will be very helpful in moving us forward,
43 unless there are any objections to that way of operating. Okay.
44 Seeing none, we've got a couple of other items here. If we can,
45 we can go to the liaison reports. Sorry. Patrick.

46

47 **MR. BANKS:** I just wanted to ask about this crew size issue with
48 dually-permitted boats. We heard a lot about that in public

1 testimony at the last meeting, and we didn't hear a peep about
2 it at this meeting, for some reason, and I have gotten some
3 calls in Louisiana from dually-permitted boats who are
4 struggling with the crew size issue, and I was wondering if -- I
5 am not asking to start something right now, but, at the next
6 meeting, can we at least have something on the agenda to discuss
7 that issue?

8
9 **CHAIRMAN FRAZER:** Yes, we can put something on the agenda.
10 Thank you, Patrick. Greg.

11
12 **DR. STUNZ:** Thank you, Mr. Chairman, and maybe I missed it, but
13 did we finalize this exempted fishing permit out of committee,
14 or is there going to be any more discussion on that? I just had
15 a few minor things, but I don't know if we're taking that up or
16 not.

17
18 **CHAIRMAN FRAZER:** Roy, do you want to comment on where we want
19 to go with that?

20
21 **DR. CRABTREE:** The golden crab?

22
23 **CHAIRMAN FRAZER:** Correct.

24
25 **DR. CRABTREE:** I believe we -- Didn't we pass a motion in Full
26 Council on that?

27
28 **CHAIRMAN FRAZER:** We did do that. The question, I guess, is
29 whether or not there's an ability to comment at any point moving
30 forward.

31
32 **DR. STUNZ:** Sorry. I forgot that was in part of the Full
33 Council yesterday.

34
35 **DR. CRABTREE:** I think, if you want to comment, this is your
36 chance, because we may issue it, or we may make a final
37 determination, let's say, before the next council meeting.

38
39 **CHAIRMAN FRAZER:** Okay, Roy. Given that statement, Dr. Stunz
40 and then Mr. Dyskow.

41
42 **DR. STUNZ:** Well, thanks, Roy, and I do want to make a brief
43 comment, and I should have done it yesterday, I guess, but I
44 hadn't done my due diligence, and then, after some public
45 testimony and other things as well -- But I know it's up to your
46 shop, Roy, to do this, but I was having a little bit of second
47 thoughts, in a sense, just to get this on the record, and I
48 don't know how many hours we talked around this committee about

1 coral amendments and dropping gear on these very sensitive,
2 thousand-year-old habitats and that sort of thing, but sort of
3 this EFP, we're just going to kind of do that with big traps,
4 that seem big, at least, in my mind, and I'm not that sure, but
5 connected with ropes and then grappling hooks to re-locate them.

6
7 At least in my mind, Roy, when the damage is done, it's done. I
8 mean, there's no going back to fix some of those deepwater
9 coral, and I know they're going to try to drop it in these open-
10 water bottoms, but that seems a little skeptical to me in 2,000
11 feet of water. It's just bringing up some concerns that I would
12 have, and then are storms going to move these around in a linked
13 group of traps moving in a storm or something like that, and
14 that's going to really cause some damage, and so I had to do
15 some research on my own in the meantime, just to figure it out.

16
17 I see that like the highest abundance of these golden crabs
18 happen to be in these rocky outcrop areas, and so I don't -- I
19 mean, maybe they're going to try to avoid that, but that's where
20 the highest abundance occurs, and so, obviously, if you want to
21 catch those, you're probably going to move to the areas of
22 highest abundance, and so that's a little bit of a concern that
23 I would have.

24
25 Then, as I was researching it, I found it kind of ironic, when I
26 looked at some of the ROV video from NOAA ships, and I was just
27 trying to figure out what a golden crab even looked like, and it
28 shows all the golden crabs crawling over rocks, and in the
29 background are all these deepwater corals.

30
31 Anyway, it just sort of brought up that I hope we're not really
32 jumping the gun, or this is really controlled, and we're not
33 doing some damage that's going to be too late to repair, and so
34 I just wanted to get that on the record, is at least that I have
35 some more concerns than I did a few days ago.

36
37 **CHAIRMAN FRAZER:** Thank you, Dr. Stunz. Mr. Dyskow.

38
39 **MR. DYSKOW:** Thank you, Mr. Chair. Just a similar concern to
40 Greg's. This has been well thought out, and it's a small-scale
41 exempted fishing permit of 250 traps, and so the concern isn't
42 necessarily this as much as what is the next step, because this
43 idea may not scale up very well. Just to your point, where are
44 they going to -- If they are successful, what's the next step,
45 and we haven't even talked about that, but, just because 250
46 traps in a very defined area aren't a problem, what is the next
47 step?

48

1 I know, on the east coast, these guys have a much larger
2 operation, and so are we talking 5,000 traps, 10,000 traps, and
3 I don't know, but, whatever it is, that's where the concern is.
4 It's where does this go from here?

5
6 **CHAIRMAN FRAZER:** I think that's a legitimate question. Roy, do
7 you want to address that?

8
9 **DR. CRABTREE:** Well, I mean, we would come to that if the EFP
10 was approved and see, one, if it's an economically-viable
11 fishery to begin with, and then, if the council wants to have a
12 fishery for golden crabs in the Gulf, we would need to develop a
13 golden crab FMP.

14
15 Now, in the South Atlantic, we've had a viable golden crab
16 fishery for over twenty years, and I don't know when the FMP
17 went into place, but longer than I've been involved in this.
18 What we've done over there is we have designated an allowable
19 fishing area, and it's broken up into some zones, and so they
20 have done a great deal of work, in the South Atlantic, of
21 identifying areas where they believe the corals are and then
22 areas where it's okay to fish, and they have kind of zoned it
23 out in that way, and it seems to be pretty effective.

24
25 We revisit it periodically and juggle the zones, but that is the
26 approach, and so I would think, if this goes anywhere, that
27 would be the kind of approach we would want to take over here,
28 but the next step would be for the council to develop an FMP, if
29 this is going to go anywhere and develop into a full-fledged
30 fishery.

31
32 **CHAIRMAN FRAZER:** Mr. Sanchez.

33
34 **MR. SANCHEZ:** When that was being developed in the South
35 Atlantic, we didn't know much, I guess, about the biology or how
36 many people, and, of course, it was kind of like the gold rush.
37 People thought there was crabs, and let's get in it, and there
38 were people that probably didn't have the right equipment, and I
39 don't mean gear, but just boats, that probably weren't suited,
40 and so we quickly realized that, oh, we need to do a limited
41 entry program until we sort out the biology, so they don't wear
42 these things out, and maybe they take forever to reproduce and
43 this and that, and so I would say we have the benefit of all of
44 those experiences in the South Atlantic twenty years ago that
45 you could bring here, and, obviously, if this is something that
46 looks like, okay, it's feasible to proceed with, then we
47 probably, from the jump, should limit entry and make this a very
48 small universe of people, to avoid these impacts with corals and

1 all these things and address that, but at least we're not
2 starting from nowhere. There is some history of information on
3 the South Atlantic that could be very useful.

4
5 **CHAIRMAN FRAZER:** I think that there is certainly two questions,
6 and one has to do with the viability of the fishery and the
7 other one has to do with the potential degradation or
8 disturbance of the habitat, and, after the exempted fishing
9 permit, I think, moving forward, you would want to have some
10 information on both of those things, and so one of the things
11 that we might consider is trying to get some information from
12 the fishers themselves, some documentation that they are in fact
13 not having an adverse impact on the environment. I don't know
14 quite how to do that, but, if you could encourage that, I think
15 that would be a very good thing. Is there any more discussion
16 on the golden crab EFP? Okay.

17
18 Seeing none, we're going to move forward, and we will hit the
19 liaison reports, and so, in no particular order, and, Tim, do
20 you want to do the South Atlantic Council Report?

21
22 **SUPPORTING AGENCIES UPDATES**
23 **SOUTH ATLANTIC COUNCIL LIAISON**
24

25 **MR. GRINER:** Sure. Thank you, Mr. Chairman. First, I wanted to
26 commend your council and your staff for such a well-run and
27 efficient meeting, a four-day meeting. We can't seem to get in
28 line with four-day meetings, but I do think you guys do a great
29 job, and you have a great staff. I also wanted to extend a
30 heartfelt thanks for all the hospitality. It's always nice to
31 come down here and be with you guys.

32
33 I also wanted to thank you for your consideration on altering
34 your time criteria, to help us out a little bit, and switch the
35 black grouper and mutton and yellowtail to seven years. That
36 was a big help for us.

37
38 There is a report in here of some of the things we're working
39 on, and so I won't touch on everything, but just a couple of
40 highlights. We are going to have a whopping five-day
41 recreational red snapper season, and so that's something that,
42 even though it's only five days, people are pretty excited about
43 it.

44
45 On the commercial side, we are going to get a seventy-five-pound
46 trip limit until we blow through a whopping 125,000 pounds, but
47 it is better than nothing, and it does help us with our bycatch
48 issues as well, because we do have some bycatch with red

1 snapper, especially in our shallow-water grouper fishery, and so
2 that will help us out quite a bit.

3
4 While I'm thinking about groupers, we're continuing to have
5 problems with our red grouper, and so we have -- We are working
6 on an amendment to extend our spawning closures for red grouper
7 for an additional month off of the Carolinas, and that's where
8 we seem to be not aligning our season with the completion of the
9 spawn for that fish, and so we're going to extend that for
10 another month, and so it will close January, February, March,
11 April, and May now. In addition to that, we're going to drop
12 the commercial trip limit down to 200 pounds, and so it truly
13 will be just a bycatch fishery, and we do catch them while we're
14 scamp fishing, and so we need something there.

15
16 The other thing that has kind of come up that is kind of new for
17 us in the South Atlantic is we're starting to have a lot more
18 directed effort with commercial spearfishing, and our bottom is
19 a little bit different, and so our fish are concentrated on very
20 small areas, and we're concerned that we're having such
21 explosive growth in the spearfishing that it's starting to be a
22 little bit detrimental to these small areas, where it's actually
23 altering the behavior of the fish.

24
25 They are leaving, and so we're going to start taking a harder
26 look at spearfishing, and I don't know exactly where it will go
27 or what we'll end up doing, but those are just a couple of
28 highlights of things that we're working on right now, and,
29 again, thank you for having me.

30
31 **CHAIRMAN FRAZER:** Thank you, Tim. I think we have a question
32 from Mr. Diaz.

33
34 **MR. DIAZ:** Thank you for coming, Tim. You all have started a
35 new process to figure out your staff's workload, and just how do
36 you think that's going over there, and I just wanted to ask you
37 if you could comment on that real quickly.

38
39 **MR. GRINER:** Certainly. It's kind of an -- It's a neat little
40 process that they've come up with. It's actually sort of a -- I
41 guess it's called a Survey Monkey, and so we do a little survey,
42 and everybody fills it out, and you kind of rank and prioritize
43 what amendments are most important, and it's a rough ranking,
44 but it just -- It's really just as simple as a bar. You move
45 the bar to whether you're at the far end of the bar or the
46 middle or the end of the bar, and that kind of helps the council
47 look at what is everybody really, really interested in. From
48 there, we can rank and prioritize and lay out what the staff

1 really needs to start focusing on.

2

3 **CHAIRMAN FRAZER:** Kevin Anson.

4

5 **MR. ANSON:** Thanks, Tim. Thanks for coming and seeing you two
6 meetings in a row, and so we appreciate it, but I think this is
7 for Dr. Crabtree, a question. In the report, it showed the red
8 snapper season on the east coast, in the South Atlantic, and it
9 listed the recreational season in numbers of fish. Can you
10 refresh my memory as to why the numbers of fish are used in the
11 Atlantic?

12

13 **DR. CRABTREE:** Well, we set the ACL in the Atlantic in numbers
14 of fish, and we have had a lot of discussions over there about
15 this, but, essentially, it was to avoid the additional
16 uncertainties thrown in by using weight conversions for it, and
17 so, right now, that's the basis for the ACL, is numbers of fish.

18

19 **CHAIRMAN FRAZER:** Is there any other questions, anything
20 directed to Tim? Mr. Swindell.

21

22 **MR. SWINDELL:** Thank you for coming, and I was just reading your
23 report here about the recreational and the commercial catches
24 for red snapper, and you have no minimum size limit, and I find
25 that very unusual. Any particular reason why you are able to
26 eliminate the minimum size limit, or is there a benefit that you
27 see to doing that?

28

29 **MR. GRINER:** I think there is a benefit to it, and, for us,
30 again -- The reason that we have not had a red snapper season is
31 because our discards are greater than our quota, and so, by
32 eliminating that minimum size, we are taking care of the
33 discards, and so it's basically no discards during the season.

34

35 **CHAIRMAN FRAZER:** Dr. Crabtree.

36

37 **DR. CRABTREE:** The assessment over there has generally had a
38 higher release mortality rate used than in the Gulf of Mexico,
39 and I guess the thought has been the fishing is taking place in
40 deeper water than it is here. The big difference between the
41 South Atlantic is I think the estimate of MSY in the South
42 Atlantic right now is on the order of 700,000 or 800,000 pounds,
43 whereas, in the Gulf, we're harvesting fifteen-million pounds,
44 and so the Gulf stock is way more productive than the South
45 Atlantic stock.

46

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

48

1 **MR. SWINDELL:** Roy, thank you. I'm just looking at it and
2 wondering -- Over time, we have all talked about eliminating the
3 minimum size limit and increasing the recreational catch from
4 two to three, to try to help attack the issue of discarding
5 fish, which the vast majority, even using venting tools, you
6 still have too much discarding going on. I think it would be
7 easier to manage and so forth, but I don't think we're going to
8 go there any time soon, but I just thought -- That was the
9 reason for even asking the question. Thank you.

10
11 **CHAIRMAN FRAZER:** Thank you, Mr. Swindell. Okay. Tim, again,
12 thank you for being here.

13
14 **MR. GRINER:** Thank you, Mr. Chairman.

15
16 **CHAIRMAN FRAZER:** At this time, I would like to give an
17 opportunity to the NOAA Office of Law Enforcement, and I believe
18 Charles Tyer is here. Come on up.

19
20 **NOAA OFFICE OF LAW ENFORCEMENT**

21
22 **MR. CHARLES TYER:** Thank you, all, very much for your dedication
23 and your service to the living marine resources. I really
24 appreciate it. I am Charles Tyer. Again, I'm with NOAA
25 Fisheries Office of Law Enforcement, and staff is bringing up
26 our report.

27
28 Our report is a first-quarter report, and the second-quarter
29 report is delayed, due to the government shutdown, and the
30 report will be sent to the entire council, if it hasn't already.
31 However, the report is for our entire Southeast Division, which
32 is this council, the Caribbean Council, and the South Atlantic
33 Council, and so I'll just focus on the Gulf of Mexico part of
34 the report.

35
36 Our efforts, law enforcement efforts, during this quarter was
37 divided between patrols, meetings, and outreach, and, if you
38 scroll down just a little bit, there's a chart, and it will --
39 Our offshore patrols, there were, in fact, twenty-one of those
40 that allowed face-to-face interaction between our officers and
41 the fishing public.

42
43 There were thirty-four documented outreach instances, and this
44 includes phone calls, dockside visits, trade shows, things of
45 that nature, and then there were ten meetings, council meetings,
46 and it could be workshop meetings and those types of meetings,
47 where we have that interaction. That's just to give you an
48 overview of our efforts were divided.

1
2 For the Gulf Council, this chart shows it broken down by state
3 and the number of incidents or cases or investigations that we
4 had, and the numbers are there, and, obviously, there is no need
5 for me to reach each number, but, for this quarter, this kind of
6 shows you our -- Not kind of, but it shows you the breakdown of
7 the exact number of cases. Florida west on the chart is west
8 coast, the Gulf side of Florida.

9
10 These cases are incidents where the Marine Sanctuaries Act, the
11 Marine Mammal Protection Act, Lacey Act, HMS violations, ESA
12 violations, and they're all together in that chart. In fact, if
13 you scroll down just a little, there is a colored chart that
14 will break it down even further, to show you, for example, the
15 largest number of our cases are Magnuson Act cases.

16
17 Just a couple of highlights, and we use our knowledge, skills,
18 abilities, and tools to assist in federal disasters when they
19 occur, and the top highlight there is just an example. In this
20 case, it was Hurricane Florence, and we sent our officers and
21 vessels and tools to assist in those floods at that time.

22
23 The next example is a sanctuary grounding case in the Florida
24 Keys National Marine Sanctuary. That vessel had 3,000 gallons
25 of diesel fuel onboard, and we worked with the Coast Guard to
26 have that offloaded.

27
28 There is another Florida Keys National Marine Sanctuary example
29 there of just a possible historical anchor that someone had drug
30 up on their fishing vessel, and so these are kind of to give you
31 some highlights of things we do other than just going out and
32 writing tickets kind of thing. There is a myriad of things that
33 we do.

34
35 On page 11, I will just highlight quickly that we do a lot of --
36 You all are likely very familiar with IUU, illegal, unreported,
37 and unregulated fishing, and we do a lot of port inspections for
38 that type of activity, and we put a lot of effort toward IUU,
39 and just below that is outreach.

40
41 This report will give you examples of some outreach events. The
42 first one is Charleston, and so that's not going to affect the
43 Gulf Council here, and just below that is another example of
44 some outreach, the Endangered Species Act, where we sent our
45 officers and their vessel with a team of our guys to Texas to
46 conduct TED patrols with Texas Parks and Wildlife state
47 officers. The weather, in that case, turned out pretty bad for
48 us, and we didn't get as much accomplished as we wanted, but it

1 happens, right? That will conclude my report, as far as my
2 actual report, and the entire report is there for anyone to
3 read, and I will gladly entertain any questions.

4
5 **CHAIRMAN FRAZER:** Thank you, Mr. Tyer. Are there any questions?
6 I've got a real quick one. In your first table, you had
7 thirteen incidents in the Florida region involving marine
8 mammals, and is there a pattern to those incidents?

9
10 **MR. TYER:** Yes, sir. During that quarter, we had a high number
11 of complaints regarding dolphin feeding, dolphin
12 feeding/harassment, in some particular marinas or areas in
13 Florida, on the Gulf side of Florida, and that's why -- We went
14 out and did an extensive patrol and made a lot of contacts with
15 individuals, and some were educational, and there were some
16 violations found, and that's why they were shown on this chart.

17
18 **CHAIRMAN FRAZER:** Thank you. Any other questions? Thank you,
19 Mr. Tyer, for being here.

20
21 **MR. TYER:** You're welcome.

22
23 **CHAIRMAN FRAZER:** All right. Next on the list would be Gulf
24 States Marine Fisheries Commission and Dave Donaldson.

25
26 **GULF STATES MARINE FISHERIES COMMISSION**

27
28 **MR. DONALDSON:** Thank you, Mr. Chairman. I had a couple of
29 items that I wanted to mention, but they came up during the
30 discussions during this week, and so I don't have anything else
31 to add.

32
33 **CHAIRMAN FRAZER:** Excellent report, Mr. Donaldson. Excellent.
34 Moving right along, Coast Guard and Lieutenant Zanolwicz.

35
36 **U.S. COAST GUARD**

37
38 **LT. ZANOWICZ:** Thank you, Mr. Chairman, and I just have an
39 accompanying picture for the presentation as well. I don't have
40 a full presentation this time, but just a picture and a few
41 talking points.

42
43 As always, the Coast Guard is continuing to see a lot of
44 activity on the U.S./Mexico Maritime Boundary Line off the coast
45 of south Texas. For Fiscal Year 2019, our current fiscal year,
46 as of the end of March, we had fifty lanchas interdicted. At
47 this same point in Fiscal Year 2018, we had thirty-three
48 interdictions. We set a record month in January, with fifteen

1 interdiction, and then we immediately broke that record the
2 following month, in February, with sixteen interdictions.

3
4 The total for the last fiscal year, which was a record year for
5 us, we had sixty lanchas interdicted by the end of the year,
6 and, as of about 9:40 p.m. last night, we just interdicted our
7 fifty-first lancha for Fiscal Year 2019, and we're only slightly
8 over halfway through the year, and so we're definitely
9 interdicting at much quicker rates than in previous years. Our
10 number of detections have also remained comparable to previous
11 years, and so we're definitely not seeing any decrease in
12 activity.

13
14 This picture here was taken a few weeks ago at Station South
15 Padre Island, and it shows the lanchas being held at the station
16 at that time, and this is actually the overflow storage, and so
17 our main holding yard is over to the left, and so we were
18 actually storing them on the road to the main holding yard.

19
20 As I mentioned, obviously, this certainly indicates that we're
21 not seeing any apparent decrease in activity on the maritime
22 boundary line. However, we have devoted more resources to the
23 problem this year, which likely has some correlation with the
24 increased interdictions.

25
26 Additionally, we partnered with Customs & Border Patrol to
27 utilize the capability of one of their prototype assets during
28 this testing phase earlier this year, which also contributed
29 significantly to the increase in detections and interdictions.

30
31 In addition to activity on the Maritime Boundary Line, our
32 Operations Analysis Branch is currently working on an update to
33 the lancha economic impact analysis, which some of you may
34 remember was originally published in 2014. This update is going
35 to focus strictly on the number of lancha incursions, as opposed
36 to the previous one, which also had estimates of total catch and
37 estimates of the dollar figures that the lancha problem was
38 estimated to have an impact.

39
40 As mentioned in previous updates, once complete, this updated
41 analysis, along with the pounds and type of catch recovered from
42 interdicted lanchas, will be routed to NOAA Southeast Region for
43 potential use in future red snapper stock assessments, and that
44 concludes my update, pending any questions.

45
46 **CHAIRMAN FRAZER:** Thank you. It looks like we have several
47 questions, and I will start with Greg Stunz and then John
48 Sanchez.

1
2 **DR. STUNZ:** Thank you for the report. That was good, and I was
3 just curious as to why, in that follow-up report, you're not
4 going to include catches, or is that just because you feel like
5 you kind of got that from the other report?
6
7 **LT. ZANOWICZ:** The previous report that the Coast Guard
8 published, the feedback we received on that was that, as an
9 enforcement agency, it wasn't appropriate for us to include
10 total catch estimates and ascribe a dollar figure to the lancha
11 problem, and so, as a result of that feedback, this report is
12 focusing strictly on number of incursions, which, according to
13 the feedback that we received, seems to be within our purview as
14 an enforcement agency and then relying on NOAA Southeast Region
15 to incorporate the catch assessments into the stock assessment.
16
17 **CHAIRMAN FRAZER:** A quick follow-up, Greg?
18
19 **DR. STUNZ:** Just a quick follow-up. I mean, I understand maybe
20 the report of you all modeling that and estimating how many it
21 is as a part of the fishery, but I think it's still very
22 important to know the average fish that are onboard these
23 vessels that you're capturing or whatever.
24
25 **CHAIRMAN FRAZER:** Lieutenant.
26
27 **LT. ZANOWICZ:** Yes, absolutely, and so, every time we interdict
28 a lancha, we will take off all the fish and lay them out and
29 count them and measure the weights and record that data, and
30 that is part of the data that we will be providing to NOAA
31 Southeast Region, and so we are capturing data on how much catch
32 we're recovering from them.
33
34 **CHAIRMAN FRAZER:** Mr. Sanchez.
35
36 **MR. SANCHEZ:** Dr. Stunz hit on kind of what I wanted to ask, and
37 I am just curious. Who dissuaded from this information, because
38 it's very important for us, I think, to know how much fish are
39 actually coming from these interdictions.
40
41 **CHAIRMAN FRAZER:** Lieutenant.
42
43 **LT. ZANOWICZ:** Sorry, but I missed that question.
44
45 **MR. SANCHEZ:** I guess you have been dissuaded from providing
46 these kinds of landings estimates from these interdictions, and
47 I am curious as to who kind of dissuaded the Coast Guard from
48 reporting these figures.

1
2 **LT. ZANOWICZ:** That occurred before my time in this position.
3 My understanding was the feedback we received was from NOAA
4 itself, and I don't know if that was NOAA Headquarters or where
5 it would be in NOAA, and, again, the intent is for the stock
6 assessment to still incorporate lancha data. It's just the
7 Coast Guard is not going to be providing total catch estimates
8 of lancha data, because, according to what we've been told,
9 that's outside of our role as an enforcement agency.

10
11 **CHAIRMAN FRAZER:** Do we have any additional questions? Shannon.

12
13 **DR. CALAY:** Thank you very much. It is very critical that we
14 receive that information in a timely fashion, because we will
15 have to consider how to create a catch estimate from the data
16 that we receive, and so I just wanted to make sure that -- You
17 did say that you would be sending it to the Southeast Regional
18 Office. It would be good, also, to make sure that there's a
19 communication with the Science Center, since we would typically
20 be the body responsible for creating a catch estimate, unless
21 SERO plans to do that, which is -- Thank you.

22
23 **CHAIRMAN FRAZER:** Lieutenant.

24
25 **LT. ZANOWICZ:** Sorry. I guess I was just kind of using the term
26 colloquially. My understanding was that the Southeast Fisheries
27 Science Center was a part of the Southeast Regional Office, but
28 we'll definitely work with the appropriate NOAA entity when we
29 provide that data.

30
31 **CHAIRMAN FRAZER:** Dave Donaldson.

32
33 **MR. DONALDSON:** Lieutenant, I understand that it's outside of
34 your purview about developing catch estimates, but would you be
35 able to provide like average number of fish encountered per
36 lancha or something, just so we have an idea of the magnitude?

37
38 **LT. ZANOWICZ:** Yes, I can absolutely do that. At previous
39 meetings, you might remember that I did present on total pounds
40 of catch and type of catch recovered per year, and so
41 incorporating an average that we recover, say over several years
42 or over the current year, is definitely something I can do at a
43 future meeting.

44
45 **CHAIRMAN FRAZER:** Kevin Anson.

46
47 **MR. ANSON:** Just to go back and touch upon some of those
48 conversations, Lieutenant, I think, at the time, you had

1 mentioned that you were getting weights, but you weren't getting
2 measurements of the individual fish, and is that correct?

3
4 **LT. ZANOWICZ:** That's correct, and so we weigh the total catch,
5 and, prior to, I want to say roughly a year ago, the catch was
6 being weighed as one unit, all the catch on the lancha, and then
7 we were counting the red snapper and the sharks separately, or
8 whatever other kinds of species there were, and so we would have
9 total number of red snapper, total number of other species, and
10 then total catch weight.

11
12 About a year ago, we started separating the catch and weighing
13 them separately, and so we will have, going ahead, separate
14 weights for total weight of red snapper, total counts of red
15 snapper, and, again, the same for other species.

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

18
19 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. I just
20 wanted to remind the council that you sent a letter asking the
21 Coast Guard to do that for the Science Center so that it could
22 be input into the stock assessments at a future date.

23
24 **CHAIRMAN FRAZER:** Okay. Are there any further questions for
25 Lieutenant Zanolowicz? All right. Thank you, Lieutenant, for
26 being here. Next on the list is U.S. Fish and Wildlife Service
27 and Glenn Constant.

28
29 **U.S. FISH AND WILDLIFE SERVICE**

30
31 **MR. CONSTANT:** No report, Mr. Chair, but I just did have a
32 mention. We recently got a new Regional Director in the region,
33 and I used to sit here as a designee for Cindy Dohner, and she
34 retired, and so Leo Miranda took over a few months ago, and so I
35 just wanted to mention that, for the record. That's it.

36
37 **OTHER BUSINESS**

38 **NOI TO USE NEW GEAR TYPE IN THE GULF OF MEXICO TO COLLECT**
39 **LIONFISH**

40
41 **CHAIRMAN FRAZER:** Thanks for that update. All right, and so I
42 don't believe we have a representative from the Department of
43 State, and so we will move on to Other Business. It's about
44 11:30, and I'm going to try to power through, if that's all
45 right with everybody here.

46
47 The first on the list is the presentation of a new gear type to
48 collect lionfish in the Gulf of Mexico, and we have a short

1 video, if we could load that up. The reason is that I guess we
2 have to make a decision, certainly by the June meeting, whether
3 or not this is an allowable gear type, I guess, and so, rather
4 than get there at June and just put everybody on the spot, at
5 least they can see what's going on and be prepared to ask some
6 questions at that point, but, still, June is getting pretty
7 close to the deadline, and we have ninety days to make a
8 decision on that.

9

10 (Whereupon, a video was shown.)

11

12 **CHAIRMAN FRAZER:** All right, and so, again, I just wanted to
13 make sure that people had a visual. In the briefing materials,
14 there is a letter from the company that would like to do this,
15 Atlantic Lionshare, and so you can go back and review the letter
16 in the briefing materials, and we can discuss it at the June
17 meeting. Ms. Levy.

18

19 **MS. LEVY:** I guess they have given you their notice, right, and
20 so, after ninety days, if there is nothing to prohibit it, they
21 can move forward, and so -- I don't know that there will be,
22 but, if there is some strong objection and wanting to prohibit
23 it, if you wait until June, there is going to be a time when
24 it's probably not prohibited, is all I'm saying. It's going to
25 be too late to do it before the ninety days.

26

27 **CHAIRMAN FRAZER:** Mr. Swindell.

28

29 **MR. SWINDELL:** What I'm wondering is whether or not -- This
30 equipment appears to be floating in the sea, maybe hanging by
31 cables or something, but does it ever attach? Does it ever sit
32 on the bottom or anything? I mean, it definitely -- Or is part
33 of it sitting on the bottom and regulating it, and I just don't
34 know what the full mechanism of this thing is, and it's only
35 doing -- I guess it's a directed fishery, and you've got to see
36 the lionfish in order to catch it, and that's going to be a lot
37 to do. Thank you.

38

39 **CHAIRMAN FRAZER:** Ms. Gerhart.

40

41 **MS. GERHART:** We were contacted by this group to find out what
42 they needed to do to be able to use it, and we saw something
43 similar to this, and Mr. Bruce McCormick came, and he had a
44 remotely-operated vehicle, where he was suctioning the lionfish,
45 and this is very similar. It's a remotely-operated vehicle from
46 a vessel at the surface, and it has a tether, and it comes down,
47 and, instead of, however, being completely suction, it has the
48 spear, and there are a couple of laser beams that allow them to

1 judge the distance from the fish.

2
3 They need to be between two and four feet from the fish, and
4 then it spears it, and then the spear pulls it back into the
5 ROV. When they are full in the ROV, they come back to the
6 surface, and they empty it out, but there's a person at the
7 surface on the vessel that is controlling that remotely-operated
8 vehicle, and so it doesn't sit on the bottom. It is tethered to
9 the boat, but it's moving around.

10

11 **CHAIRMAN FRAZER:** Tim.

12

13 **MR. GRINER:** Do you have an update on how Bruce did, or is he
14 still operating? Whatever happened to that?

15

16 **CHAIRMAN FRAZER:** Ms. Gerhart.

17

18 **MS. GERHART:** I have heard from him occasionally, I don't think
19 in a while, and I know he was trying to do some testing still,
20 but I don't think he was actually out in the open yet testing
21 this. To follow-up on that, this group has been using this in
22 the Bahamas successfully.

23

24 **CHAIRMAN FRAZER:** I just want to circle back to Mara real quick.
25 I appreciate the counsel there, and, if there are some strong
26 objections, they need to be voiced sooner than later. My
27 question, at this point, is when is the time stamp on this?
28 It's ninety days from -- When did they make this request? Was
29 it March 18?

30

31 **EXECUTIVE DIRECTOR SIMMONS:** March 18, 2019.

32

33 **CHAIRMAN FRAZER:** Okay, and so I think we will just barely
34 squeak in under that, but I'm not sure -- Unless there is some
35 serious objections, we'll probably just let it roll through.
36 Kevin.

37

38 **MR. ANSON:** There was some discussion, I think last time that
39 they brought this forward, or the previous, Mr. McCormick, and
40 so, if the gear is approved for the harvest of lionfish and the
41 sale, there is -- Anyone can go out and acquire this type of
42 gear, as long as it meets the specifications that you might
43 outline, and they don't need a permit or anything for sale of
44 lionfish, since it's not a managed species, and is that correct?

45

46 **CHAIRMAN FRAZER:** Ms. Levy.

47

48 **MS. LEVY:** Last time, with the other proposal, there was a lot

1 of discussion about the council either recommending that it be
2 prohibited or approved, right, and so added to the list of
3 fisheries and approved gear, and, ultimately, the council
4 decided not to make a recommendation about prohibiting or
5 approval, and so, ultimately, the agency would need to decide,
6 and what happened was the agency decided not to add it to the
7 list of gears at this time, but, basically, that meant that the
8 person who gave the notice was allowed to go out and use it
9 after the ninety days, and so, in the same way, if you add it to
10 the list of fisheries as an approved gear, then anybody in I
11 guess what we would call a non-FMP lionfish fishery, this would
12 be an approved gear under that fishery.

13
14 We don't have that now in the table, but we would add it, and
15 then you're right that anybody with this particular gear,
16 however it was described, would be able to use it. If we do
17 nothing, then this particular person or group that gave notice
18 would be able to use their gear after the ninety days, but it
19 wouldn't be an approved gear for some lionfish fishery.

20
21 **CHAIRMAN FRAZER:** Dr. Simmons.

22
23 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Mara, just
24 for clarification, again, if the council did want to disallow
25 it, what is the process, again? They would make a motion for
26 that, and I would notify the applicants, and then that's it?

27
28 **MS. LEVY:** Well, so, I think we would have to do a couple of
29 things. The council could vote for the -- Ask the agency to
30 publish an emergency rule to prohibit the gear, because, right
31 now, it's not prohibited, and so, if you want to prohibit it, we
32 have to find a way to prohibit it. We have to add it to a list
33 of prohibited gear, and so that would require some sort of
34 council action, and the regulations contemplate that the agency
35 could take emergency action to prohibit it while the council
36 develops some other prohibition, general prohibition.

37
38 **CHAIRMAN FRAZER:** Is there any additional discussion? Kevin.

39
40 **MR. ANSON:** I don't mind the gear so much, but I guess I'm just
41 looking at a way that, if more people want to get involved, as
42 to how to keep track of them or regulate them or give them
43 guidance and that type of thing, and so I don't necessarily want
44 to stop this particular group, but, programmatically or such, if
45 we need to, we might want to, if we're going to contemplate
46 going to some sort of FMP which specifies it's just for lionfish
47 and maybe identifies a couple of different gears or something,
48 and I don't know, and that's kind of what I'm trying to

1 reconcile, is what would be, long-term, what will be the best
2 vehicle to handle this request as well as future requests that
3 might come up.

4
5 **CHAIRMAN FRAZER:** Sure, and I appreciate that, and I guess, if
6 we just let it roll forward, then it doesn't give a blank slate
7 for anybody else to come into the fishery. What I don't
8 understand at this point is whether or not there will be any
9 data generated or information collected that would allow us in
10 the future to evaluate that, and that's a bit of a concern, I
11 guess. Ms. Guyas.

12
13 **MS. GUYAS:** If this individual, or the other individual, is
14 going to be selling the lionfish that they harvest, at least in
15 Florida, they're going to have to have a commercial license, and
16 they're going to have to write up trip tickets, and so we
17 already have this happening with other gears, and so there's
18 that, but, I mean, I don't know that I really want to do a
19 lionfish FMP for the Gulf of Mexico. Mara and Roy clearly want
20 to jump in on that as well.

21
22 **CHAIRMAN FRAZER:** I am going to first go to Dr. Stunz and then
23 Dr. Crabtree.

24
25 **DR. STUNZ:** I mean, I would support this device. Also, Kevin,
26 if this helps, the barriers to entry here are pretty high.
27 Those devices, those ROVs, you're probably looking at no less
28 than \$150,000 and then whatever modifications and R&D and the
29 vessel that you need to operate that off of, and it's not
30 something that -- It's pretty expensive to get into.

31
32 **CHAIRMAN FRAZER:** Dr. Crabtree.

33
34 **DR. CRABTREE:** We are looking at possibly allowing some gears as
35 non-FMP gear for lionfish, and I don't think an FMP is
36 appropriate, because that's generally for conservation, and this
37 isn't -- We don't want to conserve lionfish.

38
39 I think our main concern with this is we don't want habitat
40 damage, and we don't want a lot of bycatch, but this gear, to
41 me, appears to be pretty bycatch free, and so, at any rate, I
42 don't think the FMP route is appropriate, but we are looking at
43 the potential for modifications to the list of allowable gear
44 for a non-FMP lionfish fishery.

45
46 **CHAIRMAN FRAZER:** Mr. Anson.

47
48 **MR. ANSON:** I kind of caught on to Mara's comment regarding the

1 FMP, and I agree that we don't need to do that, necessarily,
2 but, to the extent that we have a lot of interest from various
3 folks, various stakeholders and just private citizens that are
4 concerned about the environment and concerned about lionfish and
5 what it would do to the environment, it's to -- How to promote
6 this and make sure that the public is aware that these type of
7 activities are going on and that there are potential solutions
8 that are -- That people are offering and such, and that there is
9 an avenue, through some process that can be identified, and
10 that's more outreach, I guess, and an FMP, certainly, would --
11 As we work toward one, if we were to do one, that would
12 certainly bring a lot of interest and such, and outreach, but
13 that's all. If there's a way -- If you don't have a lionfish
14 page, potentially, on the EFP portion of your website, maybe to
15 have something like that, and, again, just get the word out.

16
17 **CHAIRMAN FRAZER:** Okay. What's the pleasure of the committee
18 here? Does anybody have any strong objections at this time?
19 Seeing none, we'll revisit this at the June meeting, briefly,
20 but I think we're probably going to let it roll. Okay. We may
21 or may not revisit it, unless somebody brings some strong
22 objections to the table. All right, and so we had two other
23 items of business, and I think we'll go -- Martha, you had
24 blackfin tuna?

25

26 **BLACKFIN TUNA DISCUSSION**

27

28 **MS. GUYAS:** Yes, and so I wanted to let folks know, particularly
29 fishermen that are either in the room or listening to the
30 meeting, that our agency has gotten a lot of comments, really
31 over the past several years, about blackfin tuna, particularly
32 in the Keys and southeast Florida, and people feel like they are
33 catching fewer and smaller blackfin tuna, and there is people
34 taking large quantities of them at the same time, because it is
35 an unregulated fishery, which, in Florida, means that you can
36 either have two fish or a hundred pounds, whichever is greater,
37 and so that's a lot of fish per person, and that's
38 recreationally.

39

40 Anyway, we're going to be hosting some public workshops on this
41 topic, to get feedback from people and observations, and the
42 first one is coming up on April 8 in Destin, and there's also
43 one in St. Pete on April 16, and then we've got a couple in the
44 Keys, one in Key West on May 7 and then Islamorada on May 8. If
45 you go to our website, you can find more information, or just
46 contact me, and I can forward it to you, but we also have an
47 online portal, where people can submit comments, and that's at
48 myfwc.com/saltwatercomments, and so that's all I've got on that.

1
2 **CHAIRMAN FRAZER:** All right. Thank you, Martha. Any comments
3 or questions? Susan Boggs.
4
5 **MS. BOGGS:** I just wanted to comment too that, before I came to
6 this meeting, I had a couple of captains that reached out to me
7 and said, specifically, there was an issue with the blackfin as
8 well as the yellowfin tuna off of Alabama.
9
10 **CHAIRMAN FRAZER:** Okay, and so you're going to report back after
11 those meetings, Martha?
12
13 **MS. GUYAS:** I can. I think our plan is that we'll have these
14 public meetings, and this will probably come before our
15 commission, and I think maybe like this summer, and that would
16 be the soonest, and then they will figure out what, if anything,
17 they would like to do, and so just to remind everybody that
18 blackfin tuna is not regulated by NOAA HMS, and so the state has
19 the ability to regulate in state and adjacent federal waters.
20
21 **CHAIRMAN FRAZER:** Thank you for that update. Another item on --
22 Shannon, I'm sorry.
23
24 **DR. CALAY:** But I do believe that blacktip is included in the
25 list of small tuna species managed by ICCAT.
26
27 **CHAIRMAN FRAZER:** A clarification. Did you mean blackfin?
28
29 **DR. CALAY:** Blackfin and yellowfin.
30
31 **CHAIRMAN FRAZER:** Okay. Thank you for that clarification.
32 Dale, you wanted to talk a little bit about the ACT for the
33 charter/for-hire sector in red snapper?
34
35 **CHARTER/FOR-HIRE ACT DISCUSSION**
36
37 **MR. DIAZ:** What I would like to happen, and hopefully we can
38 just discuss this and put it on the agenda, but I would like to
39 get the staff to take the document that we passed last year and
40 to update it and bring it to us at the June meeting, where we
41 can review that document and discuss it at the June meeting for
42 potentially doing something else to eliminate the problem with
43 the ACT for the charter/for-hire. If we can just put that on
44 the meeting, that would be great. If it takes a motion, just
45 let me know, and I will do that.
46
47 **CHAIRMAN FRAZER:** Dr. Simmons.
48

1 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. I think a
2 motion would be great for us, if you could.
3
4 **MR. DIAZ:** I had sent you a motion, I think a couple of days
5 ago, Ms. Roy.
6
7 **CHAIRMAN FRAZER:** Dale, do you want to read that?
8
9 **MR. DIAZ:** Sure. It says to start a document to fix the for-
10 hire component buffer between its ACT and ACL at 9 percent,
11 based on the council's ACL/ACT control rule. Actually, have
12 staff re-run that rule and make sure that 9 percent is still
13 accurate and update that document. I would like this to happen
14 in June, and I could add to start a document to bring to the
15 June meeting. There you go. That's my motion, Mr. Chair.
16
17 **CHAIRMAN FRAZER:** Before we get into discussion, do we have a
18 second for this motion? Susan Boggs seconded. Is there
19 discussion? Susan.
20
21 **MS. BOGGS:** Dale, do we need to add red snapper somewhere in
22 there?
23
24 **MR. DIAZ:** Yes, ma'am, we do. Thank you, Susan. I guess
25 between "components" and "buffer", add "red snapper". Thank
26 you, Susan.
27
28 **CHAIRMAN FRAZER:** Susan.
29
30 **MS. BOGGS:** I am wordsmithing, and so meaning to modify the for-
31 hire red snapper component's buffer, and maybe that would be
32 better, to put the "red snapper" with the "for-hire", so we know
33 who we're working with here.
34
35 **MR. DIAZ:** That's fine.
36
37 **CHAIRMAN FRAZER:** Mr. Anson.
38
39 **MR. ANSON:** Mara, in our other documents, generally favor is
40 given for multiple alternatives, and this makes it look like
41 there is just going to be one alternative, staying at the status
42 quo, for this coming year at least.
43
44 **CHAIRMAN FRAZER:** Mr. Diaz, to that point?
45
46 **MR. DIAZ:** I believe the document that they brought to us had
47 other alternatives in it, and I'm pretty sure. I haven't looked
48 at it in quite a while, but I believe it had some other

1 alternatives in it, and so if they would just update that
2 document and bring it back to us in an updated form, and so what
3 I would hope to do is I would hope that we would at least look
4 at this and address this before the charter/for-hire season next
5 year, which they generally start fishing on June 1, and so, if
6 we can at least take it up in June and look at it, and, if we've
7 got any problems, deal with it. Then, from the June meeting, if
8 it moves forward, we could figure out what kind of timeline to
9 move it forward. Thank you.

10

11 **CHAIRMAN FRAZER:** Dr. Crabtree.

12

13 **DR. CRABTREE:** Just be aware -- I mean, you're going to have to
14 look at this in the context of the overall recreational quota
15 and the overall recreational harvest, and so, in order to do
16 this in a defensible way, you may have to get into the private
17 component buffer and how we're dealing with that, and a lot of
18 it is going to depend on how the states do this year.

19

20 The other complication with all of this is going to be the
21 calibrations and the rest of it, and so I'm sympathetic to the
22 desire to keep this buffer -- I guess it's at 9 percent now, but
23 it's a complicated issue, and we're going to have to be careful
24 with it.

25

26 **CHAIRMAN FRAZER:** Dr. Stunz.

27

28 **DR. STUNZ:** To that point, Dale, and I'm going to support your
29 motion, and I want to get these discussions out on the table,
30 because I certainly am a proponent of reducing buffers, and so
31 don't get me wrong, but, at the same time, we have a lot of
32 things happening with -- We've got the data reporting looming
33 here, and it looks like it will be after this season, but the
34 following year, and that's certainly going to incentivize at
35 least some people to maximize that catch, and I guess that won't
36 matter whether there is a buffer or not, essentially, but
37 there's a lot of moving parts here, but I think this does open
38 the door to begin discussing that and at least -- I am more than
39 a little concerned, sort of, about a race for the fish in this
40 industry when documenting your catch becomes advantageous.
41 Anyway, I just want to make sure we sort of get that on the
42 record.

43

44 **CHAIRMAN FRAZER:** Thank you, Dr. Stunz. Dale.

45

46 **MR. DIAZ:** Thank you, Dr. Stunz and Dr. Crabtree, and I have
47 those same concerns, and my intention here is definitely not to
48 disadvantage or harm anyone, and I just want us to look at this

1 and try to come up with the most -- With the fairest outcome
2 that we can, and I think the points that you all raised are very
3 valid, and we need to work through those, and so thank you.

4
5 **CHAIRMAN FRAZER:** Is there any further discussion on the motion?
6 **Seeing none, is there any opposition to the motion? The motion**
7 **carries.** At this point, I want to know if there is any other
8 business to take care of. Mr. Swindell.

9
10 **MR. SWINDELL:** You mentioned a while ago, or Carrie mentioned,
11 about writing a letter to the Coast Guard about asking for
12 reporting to the Southeast Science Center, and does that need a
13 motion, or can you do that just -- I would like to have it done
14 and about fishery reporting too, the Southeast Science Center,
15 the fish that they're getting anywhere in the Gulf, not just the
16 Texas area, but anywhere in the Gulf that they catch fish, they
17 ought to report it at least to the Southeast Science Center.

18
19 **CHAIRMAN FRAZER:** I am going to kick this over to Dr. Simmons.

20
21 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. I was trying
22 to find -- Maybe Ava can find it in the file, when we sent the
23 letter, but I believe the request was for the interdictions --
24 It was to the Coast Guard, and it was for the interdictions of
25 red snapper and the estimated sizes of those fish by year that
26 were interdicted goes to the Science Center, so that they can
27 include that in the assessment, because, before, the size of the
28 fish was not available, and maybe somebody back there could pull
29 up the date that we sent that letter, but we have sent that.
30 Regarding other interdictions, I don't think that letter
31 addressed those.

32
33 **CHAIRMAN FRAZER:** Lieutenant.

34
35 **LT. ZANOWICZ:** Thank you, Mr. Chairman. Part of the Coast
36 Guard's response to that letter was a presentation that I did at
37 a previous meeting, which included the catch we have recovered
38 from lanchas as well as the weight. As I mentioned in my
39 update, we are planning on going ahead to continue weighing the
40 catch we recover from the lanchas and continue counting the
41 number of fish.

42
43 What I will say though is that anything beyond that is putting a
44 burden on the Coast Guard and is probably outside of what we
45 perceive as being expected of us, and so, if there's an intent
46 to provide more details beyond that information, we would be
47 asking for support from another agency to do that, and I'm
48 thinking specifically of measuring individual fish or any other

1 data that might be needed.

2

3 Then, just in response to -- In terms of interdictions from
4 other areas of the Gulf, aside from the southwest border, any
5 time we have a fisheries case, unless we're partnered with
6 another agency, for example NOAA or a state agency, at which
7 point we might turn it over to them, but, if it's specifically
8 the Coast Guard, we do a full case package, including the total
9 number of catch that was recovered in that case package, and we
10 send it to NOAA for prosecution, and so that data is being
11 transmitted to them already.

12

13 On the southwest border, it's a little different, because we're
14 talking about foreign citizens, and so those case packages don't
15 go to NOAA for prosecution. Those case packages get sent
16 through our Headquarters to the Mexican Embassy, and we rely on
17 Mexico to prosecute those individuals.

18

19 **CHAIRMAN FRAZER:** Ed, is that sufficient information for you?
20 All right. Is there any further -- John Froeschke.

21

22 **DR. FROESCHKE:** I found the letter. We sent it last July 17,
23 and I can -- I will send it to Carrie, if you guys want to look
24 at it.

25

26 **CHAIRMAN FRAZER:** Thank you. Is there any other business? All
27 right. Seeing none, can I get a motion to adjourn the meeting?
28 It's moved and seconded. You guys have a nice, safe travel
29 home.

30

31 (Whereupon, the meeting adjourned on April 4, 2019.)

32

33

34

- - -