

Gulf Council Motions Report
August 15-18, 2016
New Orleans, LA

ADMINISTRATIVE/BUDGET

Review and Approval of the Updated Regional Operating Agreement with NMFS

Motion: To adopt the Regional Operating Agreement with the changes discussed in Full Council.

Motion carried with no opposition.

Discussion of SSC Members also being a State Designee

Motion: To change the SOPPs to indicate that members or designees of the Gulf Council cannot simultaneously serve on the SSC.

Motion carried with no opposition.

Consider Merging Some Committees

Motion: To recommend that the Council merge the Habitat and Artificial Reef Committees into a single Habitat Protection and Restoration Committee.

Motion carried with no opposition.

Motion: To recommend that the Council divide the current Sustainable Fisheries and Ecosystem Committee, and form a Sustainable Fisheries Committee and an Ecosystem Committee that contains the subject areas of Marine Reserves, Ad Hoc Restoration, and the current Ecosystem Committee.

Motion carried with no opposition.

Review of Administrative Handbook Revisions

Motion: To add the revised paragraph in Section 2, Page 3 of the Administrative Handbook.

Section 2, Page 3

“The Council seeks to resolve workplace conflicts in a prompt, impartial, confidential, nondiscriminatory, and constructive manner, and without fear of reprisal. Any issues that arise should be brought to the attention of one’s supervisor. If the supervisor is unable to

resolve the situation then the supervisor should consult with the Council’s officers (Executive Director, Deputy Executive Director, and Administrative Officer). The final decision regarding personnel issues rests with the Executive Director, after consulting with the Council Chair, Council Vice-Chair, Personnel Committee Chair, and Personnel Committee Vice-Chair to determine a course of action. If deemed necessary, the Council Chair may convene the Personnel Committee to review the issue.”

Motion carried with no opposition.

Motion: To accept the language as proposed in the Administrative Handbook, 3.0 Compensation Policies; Section 3.4 Merit Awards.

3.4 Merit Awards

Merit awards are awarded annually based on exemplary performance during the past year. The supervisor, in concurrence with the Executive Director, can award up to \$4,000 to each employee in recognition of outstanding performance. These awards are in addition to, but are not part of, the employee’s base salary. All awards must be approved by the Executive Director, in consultation with the Council Chair, and contingent upon the availability of funds.

Motion carried with no opposition.

Motion: To revise the following paragraph in Section 2, Page 3 of the Administrative Handbook, as follows.

Section 2, Page 3

“The Council seeks to resolve workplace conflicts in a prompt, impartial, confidential, nondiscriminatory, and constructive manner, and without fear of reprisal. Any issues that arise should be brought to the attention of one’s supervisor. If the supervisor is unable to resolve the situation then the supervisor ~~should~~ **shall** consult with the Council’s officers (Executive Director, Deputy Executive Director, and Administrative Officer). The final decision regarding personnel issues rests with the Executive Director, after consulting with the Council Chair, Council Vice-Chair, Personnel Committee Chair, and Personnel Committee Vice-Chair to determine a course of action. If deemed necessary, the Council Chair may convene the Personnel Committee to review the issue.”

Motion carried with no opposition.

DATA COLLECTION

Modifications to Generic Charter Vessel and Headboat Reporting Requirements

Motion: In Action 3, to make Alternative 2, Options a and b the Preferred Alternative.

Hail out

Alternative 2. Prior to departing for each for-hire trip, a vessel is required to declare (hail out) a trip including the expected return time and landing location. (Technical Committee Recommendation)

Option a. Charter vessels

Option b. Headboats

* Note: The mechanism for hailing out has yet to be determined.

Motion carried 16 to 0.

Motion: In Action 3, to make Alternative 3, Options a and b the Preferred Alternative.

Hail in

Alternative 3. Prior to arriving at the dock/port at the end of each for-hire trip, require the vessel operator to hail in and submit fishing records via electronic reporting. (Technical Committee Recommendation)

Option a. Charter vessels

Option b. Headboats

* Note: The mechanism for hailing in has yet to be determined.

Motion carried 11 to 5.

Motion: In Action 4, to make Alternative 4, Options a and b the Preferred Alternative.

Alternative 4. Require vessel operators to submit fishing records via NMFS approved vessel monitoring system hardware/software that provides vessel position.

Option a. Charter vessels

Option b. Headboats

Motion carried 11 to 5.

JOINT CORAL/HABITAT PROTECTION

Summary of the Joint Shrimp AP/Coral SSC/AP Meeting

Motion: To set up scoping meetings after the October 2016 Council meeting for the recommended Coral HAPCs in the following locations:

Brownsville, TX
Galveston, TX
Palacios, TX

Houma, LA
D'Iberville/Biloxi area, MS
Mobile, AL
Madeira Beach, FL
Panama City, FL
Key West, FL

Motion carried with no opposition.

Motion: To redraw the boundaries of Viosca Knoll 862/906 with input from Steve Ross, Erik Cordes, and Johnny Nelson.

Motion carried with no opposition.

Motion: To convene a working group to discuss the Pulley Ridge site made of the following people:

Walter Jaap
Sandra Brooke
Rob Ruzicka
Robert Spaeth
Jay Lucas
Scott Daggett
J.P. Brooker or Joseph Weatherby

Motion carried with no opposition.

Letter regarding the Flower Garden Banks National Marine Sanctuary Draft Environmental Impact Statement

Motion: To approve and send the letter on the Flower Garden Banks National Marine Sanctuary expansion draft environmental impact statement.

Motion carried with no opposition.

MACKEREL

CMP Amendment 29

Motion: In Action 1, to accept the IPT-Proposed changes to remove Alternatives 2, 3, and 5 and add Alternative X.

IPT-Proposed Alternative X: Conditionally transfer a certain percentage (*Options Xa-Xd*) of the allocation to the commercial sector in the next fishing year, if the minimum recreational landings threshold is not met (*Options Xe-Xg*). If the commercial sector does

not land at least 90% of its ACL, this transfer will not occur. Landings data from two years prior will be used to determine allocation transfers.

Conditional Quota Transfer (MUST CHOOSE ONE):

Option Xa: Conditionally transfer 5% from the stock allocation to the commercial allocation.

Option Xb: Conditionally transfer 10% from the stock allocation to the commercial allocation.

Option Xc: Conditionally transfer 15% from the stock allocation to the commercial allocation.

Option Xd: Conditionally transfer 20% from the stock allocation to the commercial allocation.

Recreational ACL Minimum Threshold (MUST CHOOSE ONE), if the recreational sector landings are:

Option Xe: less than 50% of its ACL.

Option Xf: less than 65% of its ACL.

Option Xg: less than 75% of its ACL.

Motion carried with no opposition.

Motion: In Action 2, to accept the IPT-proposed changes to add Alternative 4 and remove Alternative 2.

IPT-Proposed Alternative 4: Replace the current in-season AM with a post-season AM. If both the recreational ACL *and* the stock ACL are exceeded in a fishing year, the length of the following recreational fishing season will be reduced by the amount necessary to ensure the landings do not exceed the recreational ACL.

Motion carried with no opposition.

Motion: To take CMP Amendment 29 out to Public Hearings after the October 2016 Council meeting to the following locations:

Brownsville, TX

Galveston, TX

Port Aransas or Corpus Christi, TX

Houma, LA

Pascagoula, MS

Mobile, AL

Tampa area, FL

Panama City, FL

Key West, FL

Motion carried with no opposition.

REEF FISH

Draft Amendment 36A – Commercial IFQ Program Modifications

Motion: In Action 2.1, to move Alternative 4 to Considered but Rejected.

Alternative 4: For shares in both the red snapper and grouper-tilefish IFQ program accounts that have never been activated in the current system, return the shares to NMFS:

Option 4a: on the effective date of the final rule implementing this amendment.

Option 4b: one year following the effective date of the final rule implementing this amendment.

Motion carried with no opposition.

Motion: In Action 2.2, to amend Alternative to 5 to read, “redistribute the shares from each share category to the allocation only account holders with a commercial Reef Fish permit and landings but not related to other accounts with shares in that category.”

Motion carried with no opposition.

Motion: In Action 2.2, to move Alternative 6 to Considered but Rejected.

Alternative 6: Do not redistribute shares, but distribute the annual allocation associated with the shares to participants through a NMFS quota bank each year.

Option 6a: Distribute the allocation equally among participants.

Option 6b: Distribute the red snapper allocation equally among participants who are fishing and landing red snapper in the eastern Gulf.

Motion carried with no opposition.

Motion: To add another Action to Amendment 36A for a dealer notification of intent to off load requirement.

Motion carried with no opposition.

Draft Amendment 46 – Modify Gray Triggerfish Rebuilding Plan

Motion: In Action 2, to move Alternative 3 to Considered but Rejected.

Alternative 3: Use the SSC’s recommended rebuilding period of 8 years from SEDAR 43 (2015) that corresponds with the annual ABC’s recommended for 2017 through 2019 that are estimated to rebuild the gray triggerfish stock in 8 years or by the end of 2024. Use the ACL/ACT control rule buffer for each sector based on landings from 2012

through 2015. This results in an 8% buffer between the ACL and ACT for the commercial sector and a 20% buffer between the ACL and ACT for the recreational sector.

Motion carried with no opposition.

Motion: To move Action 6 (Modify the Commercial Fixed Closed Season for Gray Triggerfish) to Considered but Rejected.

Motion carried with no opposition.

Motion: In Action 7, to add the IPT Proposed Alternative.

IPT Proposed Alternative X: Increase the commercial trip limit for gray triggerfish to 20 fish per vessel per day.

Substitute Motion: In Action 7, to add an Alternative to establish a 75 lb ww commercial trip limit per vessel for gray triggerfish.

Substitute Motion carried with no opposition.

Draft Amendment 42 – Reef Fish Recreational Management for Headboat Survey Vessels

Motion: To move Action 13.1 (Distribution of Quota Increases) to the Considered but Rejected section.

Motion carried with no opposition.

Draft Amendment 41 – Red Snapper Management for Federally Permitted Charter Vessels

Motion: In Action 1, to move Alternative 3, Option 3a to Considered but Rejected.

Substitute Motion: In Action 1, to move Alternative 3 and Alternative 4 to Considered but Rejected.

Alternative 3: Establish a Permit Fishing Allocation (PFA) program (Section C) that provides annual allocation only. Annual allocation will be calculated

Option 3a: each year.

Option 3b: every 3 years.

Option 3c: every 5 years.

Alternative 4: Establish a harvest tag program (Section D) that provides participants

with annual allocation distributed in the form of harvest tags.

Second Substitute Motion: In Action 1, to move Alternative 3 to Considered but Rejected.

Alternative 3: Establish a Permit Fishing Allocation (PFA) program (Section C) that provides annual allocation only. Annual allocation will be calculated

Option 3a: each year.

Option 3b: every 3 years.

Option 3c: every 5 years.

Second Substitute Motion carried 10 to 5.

Motion: In Action 1, to move Alternative 4 to Considered but Rejected.

Alternative 4: Establish a harvest tag program (Section D) that provides participants with annual allocation distributed in the form of harvest tags.

Motion failed 7 to 9.

Motion: In Action 1, Alternative 4 to add Options to calculate annual allocation every 3 years and every 5 years.

Option 4a: every 3 years.

Option 4b: every 5 years.

Motion carried with one in opposition.

Motion: In Action 2, to move Alternative 2, Option 2b to Considered but Rejected.

Alternative 2: Establish a voluntary red snapper management program for charter vessels. The program would include only charter vessels with a valid or renewable Gulf Charter/Headboat permit for Reef Fish that did not opt-out of the red snapper management program for charter vessels. An endorsement to the federal for-hire permit for reef fish would be issued to those for-hire permit holders who did not opt-out of the red snapper management program for charter vessels. Any charter vessel that opts out of the red snapper management program will not be able to harvest red snapper. Opportunities to opt-out from the red snapper management program for charter vessels are offered:

Option 2b: every year.

Motion carried with no opposition.

Motion: In Action 3, to move Alternative 2 to Considered but Rejected.

Alternative 2: Distribute quota equally among charter permit holders.

Motion carries 13 to 0.

Motion: In Action 3, to move Alternative 3 to Considered but Rejected.

Alternative 3: Distribute quota based on the passenger capacity of charter vessels.

Motion carried with no opposition.

Motion: To instruct staff to add an Action in Amendment 41 similar to Amendment 42 that includes the addition of the following species:

Gray triggerfish
Greater Amberjack
Red grouper
Gag grouper

Motion failed 7 to 9.

Motion: To combine the regions of Alabama and Mississippi in Table 1.1.1. for the purpose of quota distribution based on geographic regions.

Motion carried with no opposition.

VOTE ON EXEMPTED FISHING PERMIT (EFP) APPLICATIONS

Motion: To recommend that NMFS approve the Exempted Fishing Permit request submitted by the Florida Keys Commercial Fisherman's Association titled "Cooperative Lionfish Containment Device Testing Program in the Southeastern United States."

Motion carried with no opposition.

ELECTION OF CHAIR AND VICE CHAIR

Motion: To nominate Leann Bosarge for the position of Council Chairman.

Leann Bosarge accepted as Council Chairman by acclamation.

Motion: To nominate Johnny Greene for the position of Council Vice Chairman.

Motion: To nominate Greg Stunz for the position of Council Vice-chairman.

Johnny Greene voted as Council Vice-chairman.