

**Gulf Council Motions Report
October 17-20, 2016
Biloxi, Mississippi**

Review and Adoption of proposed 2016-2017 Council Committee Roster

Motion: To adopt the proposed Council Committee Roster for 2016-2017.

Motion carried with no opposition.

DATA COLLECTION

Modifications to Generic Charter Vessel and Headboat Reporting Requirements

Motion: In Action 4, to make Alternative 2, Options a and b, the Preferred Alternative.

Alternative 2. Require vessel operators to submit fishing records via NMFS approved hardware/software with minimum archived GPS capabilities that provides vessel position. (Technical Committee Recommendation).

Option a. Charter vessels

Option b. Headboats

Motion carried 9 to 7.

Motion: To develop an amendment to implement mandatory electronic reporting for commercial vessels.

Motion carried 16 to 0.

MACKEREL

Final Draft: CMP Amendment 30: Atlantic Cobia Recreational Fishing Year

Motion: In Action 1, to make Alternative 2 the Preferred Alternative.

Alternative 2. Modify the recreational fishing year for Atlantic cobia to be May 1 through April 30.

Motion carried with no opposition.

Motion: To approve CMP Amendment 30 and that it be forwarded to the Secretary of Commerce for review and implementation, and deem the codified text as necessary and appropriate, giving staff editorial license to make the necessary changes in the document. The

Council Chair is given the authority to deem any changes to the codified text as necessary and appropriate.

Mr. Diaz	Yes
Ms. Guyas	Yes
Mr. Banks	Yes
Mr. Walker	Yes
Mr. Sanchez	Yes
Mr. Swindell	Yes
Mr. Greene	Yes
Dr. Lucas	Yes
Dr. McGovern	Yes
Dr. Frazer	Yes
Mr. Boyd	Yes
Mr. Robinson	Yes
Dr. Dana	Yes
Mr. Matens	Yes
Dr. Stunz	Yes
Mr. Blankenship	Yes
Ms. Bosarge	Yes

Motion carried by Roll Call Vote with no opposition.

Final Draft: CMP Framework Amendment 5: Modifications to Pelagic Commercial Permit Restrictions in the Gulf of Mexico and Atlantic

Motion: To approve CMP Framework Amendment 5 and that it be forwarded to the Secretary of Commerce for review and implementation, and deem the codified text as necessary and appropriate, giving staff editorial license to make the necessary changes in the document. The Council Chair is given the authority to deem any changes to the codified text as necessary and appropriate.

Mr. Swindell	Yes
Mr. Walker	Yes
Mr. Diaz	Yes
Dr. McGovern	Yes
Mr. Greene	Yes
Mr. Boyd	Yes
Dr. Dana	Yes
Dr. Frazer	Yes
Mr. Matens	Yes
Mr. Sanchez	Yes
Mr. Robinson	Yes

Dr. Stunz	Yes
Ms. Guyas	Yes
Dr. Lucas	Yes
Mr. Blankenship	Yes
Mr. Banks	Yes
Ms. Bosarge	Yes

Motion carried by Roll Call Vote with no opposition.

Public Hearing Draft: CMP Amendment 29: Allocation Sharing and Accountability Measures for Gulf King Mackerel

Motion: In Action 1, to make Alternative 2, Option 2b and Option 2g the Preferred Alternative.

Alternative 2: Conditionally transfer a certain percentage of the allocation to the commercial sector in the next fishing year, if the minimum recreational landings threshold is not met. If the commercial sector does not land at least 90% of its annual catch limit (ACL), this transfer will not occur. Landings data from two years prior will be used to determine allocation transfers.

Conditional Quota Transfer:

Option 2b: Conditionally transfer 10% from the stock allocation to the commercial allocation.

Recreational ACL Minimum Threshold, if the recreational sector landings are:

Option 2g: less than 75% of the recreational ACL.

Motion carried 14 to 2 with one abstention.

Motion: In Action 2, to make Alternative 3 the Preferred Alternative.

Alternative 3: 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 15 to 0.

Motion: To develop an allocation exchange/sharing discussion paper for presentation at the spring 2017 Council meeting that includes but is not limited to the following:

- Types or methods of allocation exchange/sharing
- Benefits and detriments (i.e. biologic, social, economic, etc.)
- Difficulties in implementation
- Other issues and considerations

Motion carried 16 to 0.

SHRIMP

Revised Options Paper for Shrimp Amendment 17B

Motion: To move Action 3, Alternative 6 and Action 5 to Considered but Rejected.

Action 3 – Minimum Threshold Number of Gulf Shrimp Vessel Permits

Alternative 6. Set a threshold number of valid or renewable Gulf shrimp vessel permits equal to the number of valid permits at:

Option 6a. the end of 2013 (1,501 permits)

Option 6b. the end of 2014 (1,470 permits)

Option 6c. the end of the initial moratorium, October 26, 2016 (number of permits unknown).

Action 5 – Issuance and Maintenance of Reserved Gulf Shrimp Vessel Permits

Alternative 1. No action. Individuals must submit a completed application to NMFS to be issued a Reserved Gulf Shrimp Vessel Permit. Applicants with complete applications will receive a Gulf Shrimp Vessel Permit Reserve Pool permit if one is available.

Alternative 2. NMFS will maintain a waiting list for Reserved Gulf Shrimp Vessel Permits and notify individuals in the order in which they appear on the list when a Reserved Gulf Shrimp Vessel Permit becomes available. Once notified, the individual must submit a completed and up-to-date application to NMFS to be issued a Reserved Gulf Shrimp Vessel Permit. To be eligible for a Reserved Gulf Shrimp Vessel Permit the applicant must meet the requirements selected below. A Reserved Gulf Shrimp Vessel Permit may only be transferred to an individual who also meets the eligibility requirement. **AP Preferred**

Option a – no eligibility requirements

Option b – be a U.S. citizen or business

Option c – assign the permit to a vessel with a valid United States Coast Guard (USCG) Dockside Safety Exam for fishing activity beyond 3 miles

Option d – after receiving a Reserved Gulf Shrimp Vessel Permit, the permit holder must show proof of shrimp landings from the Gulf associated with the vessel through trip tickets or other applicable landings data programs within 12 months of the initial issuance of the permit or the permit will not be renewed or approved for transfer

Alternative 3. The Reserved Gulf Shrimp Vessel Permits will be available from NMFS once per year and will be issued to applicants in the order in which applications are received after the availability of permits is announced. Individuals must submit a completed application to NMFS to be eligible for a Reserved Gulf Shrimp Vessel Permit. To be eligible for a Reserved Gulf Shrimp Vessel Permit the applicant must meet the requirements selected below. A Reserved Gulf Shrimp Vessel Permit may only be transferred to an individual who also meets the eligibility requirement.

Option a – no eligibility requirements

Option b – be a U.S. citizen or business

Option c – assign the permit to a vessel with a valid United States Coast Guard (USCG) Docksides Safety Exam for fishing activity beyond 3 miles

Option d – after receiving a Reserved Gulf Shrimp Vessel Permit, the permit holder must show proof of shrimp landings from the Gulf associated with the vessel through trip tickets or other applicable landings data programs within 12 months of the initial issuance of the permit or the permit will not be renewed or approved for transfer

Alternative 4. The Reserved Gulf Shrimp Vessel Permits will be available from NMFS *once per year*. If the number of applicants is greater than the number of Reserved Gulf Shrimp Vessel Permit, NMFS will conduct a lottery to determine which individuals may be issued the available permits. Individuals must submit a completed application to NMFS by the published deadline to be eligible for the lottery. To be eligible for a Reserved Gulf Shrimp Vessel Permit, the applicant must meet the requirements selected below. A Reserved Gulf Shrimp Vessel Permit may only be transferred to an individual who also meets the eligibility requirement.

Option a – no eligibility requirements

Option b - be a U.S. citizen or business

Option c – assign the permit to a vessel with a valid United States Coast Guard (USCG) Docksides Safety Exam for fishing activity beyond 3 miles

Option d – after receiving a Reserved Gulf Shrimp Vessel Permit, the permit holder must show proof of shrimp landings from the Gulf associated with the vessel through trip tickets or other applicable landings data programs within 12 months of the initial issuance of the permit or the permit will not be renewed or approved for transfer

Motion carried with no opposition.

Motion: In Action 6, to change Alternative 2 to read as follows and remove Alternative 4.

Alternative 2. A vessel possessing shrimp may transit Gulf federal waters without a federal vessel permit if fishing gear is appropriately stowed. Transit means non-stop progression through the area; fishing gear appropriately stowed means trawl doors and nets must be out of the water and the bag straps must be removed from the net.

Alternative 4. A vessel possessing shrimp may transit Gulf federal waters without a federal vessel permit if fishing gear is appropriately stowed. Transit means non-stop progression through the area; fishing gear appropriately stowed means a trawl net may remain on deck, but the bag straps must be removed from the net.

Motion carried with no opposition.

Motion: In Action 6, to make Alternative 3 read as follows:

A vessel possessing shrimp may transit Gulf federal waters without a federal vessel permit if fishing gear is appropriately stowed. Transit means non-stop progression through the area; fishing gear appropriately stowed means a trawl net and doors shall remain on deck, but trawl doors (if present) must be disconnected from the trawl gear and must be secured.

Motion carried with no opposition.

ADMINISTRATIVE /BUDGET

Review of State, Council, and NMFS Annual Leave Policies

Motion: Beginning December 31, 2017, accrued annual leave in excess of 480 hours at the end of each calendar year will be converted to sick leave.

Motion carried with no opposition.

Motion: Upon separation of employment or upon retirement, leave can be paid out either as a lump sum or as a payment every two weeks, at the employee's discretion. Upon separation of employment due to cause leave will be paid as a lump sum payment only. When leave is paid out as a payment every two weeks, due to separation from employment, accrual of further leave will not be allowed during the pay-out period. Any person hired after December 31, 2016, upon separation of employment, will be paid any applicable unused leave in a lump sum payment.

Motion carried with no opposition.

LAW ENFORCEMENT

Review and Approval of Gulf of Mexico Cooperative Law Enforcement Operations and Strategic

Motion: The Council approve the 2017-2018 Gulf of Mexico Cooperative Law Enforcement Operations Plan, and the 2017-2020 Gulf of Mexico Cooperative Law Enforcement Strategic Plan.

Motion carried with no opposition.

REEF FISH

Review of Proposed Regulations on the Flower Garden Banks National Marine Sanctuary

Motion: To forward the White Paper with the suggested changes to the proposed fishing regulations for the proposed FGBNMS expansion.

Motion carried with no opposition.

Draft Framework Action – Mutton Snapper ACL and Management Measures and Gag Commercial Size Limit

Motion: To move Action 3 to Considered but Rejected.

Action 3 - Modify Mutton Snapper Commercial Trip Limit in the Gulf of Mexico

Alternative 1: No action. There is no trip limit for the commercial sector in the Gulf of Mexico.

Alternative 2. Establish a commercial trip limit for mutton snapper during the regular season (i.e., non-spawning months in the Gulf of Mexico).

Option 2a. 300 pounds whole weight

Option 2b. 400 pounds whole weight

Option 2c. 500 pounds whole weight

Alternative 3. Specify a commercial trip limit for mutton snapper during the spawning months of May and June in the Gulf of Mexico.

Option 3a. 2 fish/person/day

Option 3b. 3 fish/person/day

Option 3c. 10 fish/vessel/day

Option 3d. 12 fish/vessel/day

Option 3e. No retention

Motion carried with no opposition.

Motion: In Action 4, to move Alternatives 2 and 4 to Considered but Rejected.

Action 4 - Modify mutton snapper minimum size limit in the Gulf of Mexico

Alternative 2: Increase the minimum size limit for mutton snapper in the Gulf of Mexico to 17 inches TL.

Alternative 4: Increase the minimum size limit for mutton snapper in the Gulf of Mexico to 19 inches TL.

Motion carried with no opposition.

Draft Amendment 42 – Reef Fish Management for Headboat Survey Vessels

Motion: In Action 5, to include in Alternatives 2, 3, and 4 an Option to exclude 2015.

Action 5. Allocation of Annual Catch Limit to the Landings History Vessel Program

Alternative 2. Allocate a portion of the recreational ACL for each species to the LHV Program based on average landings from the most recent five years (2011-2015), according to the Southeast Region Headboat Survey.

Option a. Use all years

Option b. Exclude 2014

Alternative 3. Allocate a portion of the recreational ACL for each species to the LHV Program based on average landings from the longest time series (2004-2015), according to the Southeast Region Headboat Survey.

- Option a.** Use all years
- Option b.** Exclude 2010
- Option c.** Exclude 2014

Alternative 4. Allocate a portion of the recreational ACL for each species to the LHV Program based on 50% average landings from the most recent five years (2011-2015) and 50% average landings from the longest time series (2004-2015), according to the Southeast Region Headboat Survey. **(AP Preferred)**

- Option a.** Use all years
- Option b.** Exclude 2010
- Option c.** Exclude 2014

Motion carried with no opposition.

Draft Amendment 42 Final Action – Referendum eligibility requirements

Motion: To adopt Alternative 2, Option b as the Preferred Alternative.

Alternative 2: Restrict participation in the referendum to persons who have a valid or renewable federal reef fish for-hire permit issued to a landings history vessel (LHV) and who have substantially fished for red snapper, gray triggerfish, greater amberjack, red grouper, or gag based on landings submitted to the SRHS during the qualifying years. A vessel qualifies as a LHV if it has individual landings history recorded by the Southeast Region Headboat Survey by December 31, 2015. For-hire federal permit holders whose vessels landed an annual average of at least **100 fish** of all species combined are considered as having substantially fished. Annual average landings are based on landings recorded by the SRHS between 2011 and 2015.

Option b: Each eligible permit will have one vote regardless of the relative size of the vessel's catch history.

Motion failed 2 to 14 with one abstention.

Draft Amendment 46 – Gray Triggerfish Rebuilding Plan

Motion: In Action 1, to make Alternative 4 the Preferred Alternative.

Alternative 4: Establish a rebuilding time period of 9 years or by the end of 2025.

Motion carried with no opposition.

Motion: In Action 2, to make Alternative 1 the Preferred Alternative.

Alternative 1: No Action. Retain the gray triggerfish sector ACLs and ACTs as developed

in Amendment 37 and have been in effect since 2012.

ABC	Commercial ACL	Recreational ACL
305,300	64,100	241,200
	Commercial ACT (quota)	Recreational ACT
	60,900	217,100

Motion carried with no opposition.

Motion: In Action 3.1, to make Alternative 4 the Preferred Alternative.

Alternative 4: January 1 through February and June 1 through July 31

Motion carried with no opposition.

Motion: In Action 3.2, to make Alternative 2 the Preferred Alternative.

Alternative 2: Reduce the recreational daily bag limit to 1 gray triggerfish per angler per day within the 20-reef fish aggregate bag limit.

Motion carried 15 to 1.

Motion: In Action 3.3, to make Alternative 2 the Preferred Alternative.

Alternative 2: Increase the recreational minimum size limit for gray triggerfish to 15 inches FL.

Motion carried 16 to 0 with one abstention.

Motion: In Action 4, the commercial trip limits be expressed in numbers of fish.

Motion carried with no opposition.

Motion: In Action 4, to add an Alternative to increase the commercial trip limit to 16 fish.

Motion carried with no opposition.

Draft Amendment 46 – Gray Triggerfish Rebuilding Plan Selection of Public Hearing Locations:

Alabama: Spanish Fort (Five Rivers Facility)

Florida: Destin, St. Pete Area

Louisiana: Via Webinar Only

Mississippi: Via Webinar Only

Texas: Galveston, Corpus Christi

Locations approved. (No Motion made)

Draft Amendment 36A – Modifications to Commercial IFQ Programs

Motion: In Action 1, to modify the Alternatives to reflect that landings occur at a preapproved site.

Motion carried with no opposition.

Motion: In Action 1, to make Alternative 2 the Preferred Alternative.

Alternative 2: The owner or operator of a commercial reef fish permitted vessel landing commercially caught reef fish from the Gulf is responsible for ensuring that NMFS is contacted at least 3 hours, but no more than 24 hours, in advance of landing. If IFQ species are to be landed, all IFQ advance notice of landings regulations must be followed. If no IFQ species are to be landed, information required with the advance notice of landings will include date, time, location of landing, and vessel identification number (Coast Guard certificate of documentation or state registration number).

Motion carried 15 to 1 with 1 abstention.

Motion: In Action 2.1, to make Alternative 2, Option 2a and Alternative 3, Option 3a be the Preferred Alternatives.

Alternative 2: For shares in red snapper IFQ program accounts that have never been activated in the current system, return the shares to NMFS:

Option 2a: on the effective date of the final rule implementing this amendment.

Alternative 3: For shares in grouper-tilefish IFQ program accounts that have never been activated in the current system, return the shares to NMFS:

Option 3a: on the effective date of the final rule implementing this amendment.

Motion carried 15 to 0.

Motion: In Action 2.2, to move Alternative 4 to Considered but Rejected.

Action 2.2 – Method of Redistributing Shares from Inactivated Accounts

Alternative 4: Redistribute red snapper shares among grouper-tilefish shareholders in proportion to their shareholdings and redistribute grouper-tilefish shares among red snapper shareholders in proportion to their shareholdings.

Motion carried with no opposition.

Motion: In Action 2.2 to make Alternative 3 the Preferred Alternative.

Alternative 3: Redistribute the shares from each share category according to the proportion of shares held by shareholders of that share category at the time the shares are redistributed by NMFS.

Substitute Motion: In Action 2.2, to make Alternative 2 the Preferred Alternative.

Alternative 2: Redistribute the shares from each share category equally among all shareholders of that share category.

Substitute Motion carried with no opposition.

Motion: To move Action 4 to Considered but Rejected.

Action 4 – Dealer notification requirement for beginning to offload IFQ species

Alternative 1: No Action. Do not require IFQ dealers to provide notification to NMFS specifying when a vessel will offload IFQ species.

Alternative 2: Require IFQ dealers to notify NMFS when a vessel will offload IFQ species. The notification must be made at least 1 hour, and no more than 24 hours, before offloading begins.

Alternative 3: Require IFQ dealers to notify NMFS when a vessel will offload IFQ species. The notification must be made at least 3 hours, and no more than 24 hours, before offloading begins.

Motion failed 7 to 8.

Motion: In Action 4, to make Alternative 1 the Preferred Alternative

Alternative 1: No Action. Do not require IFQ dealers to provide notification to NMFS specifying when a vessel will offload IFQ species.

Motion carried 16 to 0.

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

Alternative 2: Provide the Regional Administrator the authority to withhold the amount of red snapper or grouper-tilefish annual allocation before distribution at the beginning of a year in which a commercial quota reduction is expected to occur. Withheld red snapper and grouper-tilefish annual allocation will be distributed to shareholders if the effective date of the final rule implementing the quota reduction has not occurred by:

Option a: June 1.

Motion carried 15 to 1.

JOINT CORAL/HABITAT

Final Draft of 5-year EFH Review

Motion: To forward this 5-year EFH Review to NMFS by the end of 2016 and give editorial license to staff to modify the document as needed with approval of the Chair.

Motion carried with no opposition.

Appointments for the Ad Hoc Private Recreational Red Snapper AP

Motion: To populate the Ad Hoc Private Recreational Red Snapper AP with five representatives from each Gulf state.

Motion carried with no opposition.

The following were appointed:

Bryan Anderson	Florida
Hughes Andry	Texas
William M. Blankenship	Alabama
Ray Box	Texas
James A. Brown	Florida
Charlie Caplinger	Louisiana
Kenneth D. Creel	Florida
Chris Duca	Florida
Jonathan Dugas	Louisiana
Nathaniel Duvall	Mississippi
Marcus Kennedy	Alabama
John Kimbrough	Alabama
Ed Landgraf	Louisiana
Mark R. Luitjen	Texas
John T. Marquez Jr.	Mississippi
Michael B. McDermott Jr.	Mississippi
Charles McVea Jr.	Mississippi
Bradford J. Miller	Louisiana
Ronald J. Moser	Texas
Benjamin R. Payton	Alabama
Kellie R. Ralston	Florida
Charles W. Taylor	Mississippi
Mark Turner	Alabama
Rodolfo C. Valenciano	Louisiana
Troy B. Williamson II	Texas

Motion: To provide recommendations to the Council on private recreational red snapper management measures which would 1) provide more quality access to the resource in federal

waters, 2) reduce discards, and 3) improve fisheries data collection. Management measures to be considered are, but not limited to, regional management, harvest tags, days-at-sea, and seasonal framework adjustments.

Substitute Motion: To provide recommendations to the Council on private recreational red snapper management measures which would 1) provide more quality access to the resource in federal waters, 2) reduce discards, and 3) improve fisheries data collection.

Substitute Motion carried 14 to 1.