

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

2  
3 SHRIMP MANAGEMENT COMMITTEE

4  
5 Doubletree by Hilton Austin Austin, Texas

6  
7 APRIL 4, 2016

8  
9 **VOTING MEMBERS**

10 Leann Bosarge.....Mississippi  
11 Jason Brand.....USCG  
12 Steve Branstetter (designee for Roy Crabtree).....NMFS  
13 Dave Donaldson.....GSMFC  
14 Myron Fischer (designee for Patrick Banks).....Louisiana  
15 Kelly Lucas (designee for Jamie Miller).....Mississippi  
16 Lance Robinson (designee for Robin Riechers).....Texas  
17 David Walker.....Alabama

18  
19 **NON-VOTING MEMBERS**

20 Kevin Anson (designee for Chris Blankenship).....Alabama  
21 Martha Bademan (designee for Nick Wiley).....Florida  
22 Doug Boyd.....Texas  
23 Dale Diaz.....Mississippi  
24 John Greene.....Alabama  
25 Campo Matens.....Louisiana  
26 John Sanchez.....Florida  
27 Greg Stunz.....Texas  
28 Ed Swindell.....Louisiana  
29 Roy Williams.....Florida

30  
31 **STAFF**

32 Steven Atran.....Senior Fishery Biologist  
33 Douglas Gregory.....Executive Director  
34 Beth Hager.....Administrative Officer  
35 Karen Hoak.....Administrative and Financial Assistant  
36 Morgan Kilgour.....Fishery Biologist  
37 Ava Lasseter.....Anthropologist  
38 Mara Levy.....NOAA General Counsel  
39 Emily Muehlstein.....Fisheries Outreach Specialist  
40 Ryan Rindone.....Fishery Biologist/SEDAR Liaison  
41 Bernadine Roy.....Office Manager  
42 Carrie Simmons.....Deputy Director

43  
44 **OTHER PARTICIPANTS**

45 Pam Anderson.....PCBA, Panama City, FL  
46 Patrick Banks.....LA  
47 J.P. Brooker.....Ocean Conservancy, St. Petersburg, FL  
48 Gary Bryant.....Gulf Shores, AL

1 Chris Conklin.....SAFMC  
2 Nick Farmer.....NMFS  
3 Toby Gascon.....Baton Rouge, LA  
4 Jim Green.....FL  
5 Ken Haddad.....American Sportfishing Association, FL  
6 Chad Hanson.....Pew  
7 Rick Hart.....NMFS  
8 Bill Kelly.....FKCFA, FL  
9 Mark Kinsey.....  
10 Ed Lello.....Austin, TX  
11 Kari MacLauchlin.....SAFMC  
12 Corky Perret.....MS  
13 Clay Porch.....SEFSC  
14 Brandi Reeder.....TPWD  
15 Clarence Seymour.....

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18

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PAGE 12: Motion to recommend that the Texas closure run concurrent with the date that the State of Texas recommends, out to 200 miles, for the 2016 season. The motion carried on page 13.

PAGE 24: Motion to follow the IPT's suggestion and remove Alternative 3. The motion carried on page 26.

PAGE 26: Motion to remove Option 6b and Option 6c from Alternative 6 in Action 3. The motion carried on page 29.

PAGE 31: Motion to remove Option 7a, 7b, and 7c in Alternative 7, Action 3. The motion carried on page 33.

PAGE 38: Motion to move Action 5 to an appendix in the document for possible future consideration. The motion carried on page 42.

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1 The Shrimp Management Committee of the Gulf of Mexico Fishery  
2 Management Council convened at the Doubletree by Hilton Hotel,  
3 Austin, Texas, Monday morning, April 4, 2016, and was called to  
4 order at 10:30 a.m. by Chairman Leann Bosarge.

5  
6 **ADOPTION OF AGENDA**  
7 **APPROVAL OF MINUTES**  
8 **ACTION GUIDE AND NEXT STEPS**  
9

10 **CHAIRMAN LEANN BOSARGE:** Shrimp Committee, if you look on Tab D,  
11 Number 1, you will find our agenda. Our committee members are  
12 Dave Donaldson, Myron Fischer and Mr. Patrick Banks, Jason is  
13 not here, Dr. Crabtree and Dr. Branstetter, Dr. Lucas, and Lance  
14 and Mr. Walker. We have everybody pretty much here.

15  
16 Are there any changes to the agenda as presented? I have one  
17 item that I may discuss during Other Business if we have time.  
18 If not, it's not a pressing, pressing matter. We can always  
19 wait and take it up at a later date. Seeing no other revisions,  
20 can I get a motion to approve the agenda?

21  
22 **MR. DAVE DONALDSON:** So moved.

23  
24 **CHAIRMAN BOSARGE:** All right. We have a motion by Dave and it's  
25 seconded by Myron. Any opposition to the motion? Seeing none,  
26 the motion carries. The minutes from our last Shrimp Committee  
27 meeting are under Tab D, Number 2. Were there any revisions to  
28 the minutes? Mara.

29  
30 **MS. MARA LEVY:** Thank you. I just saw one correction. Page 12,  
31 line 28, it says "we can only charge administrative feeds" and I  
32 think it should be "fees". Thanks.

33  
34 **CHAIRMAN BOSARGE:** Thank you, Mara. So noted. Any other  
35 revisions to the minutes? Seeing none, do I have a motion to  
36 approve the minutes with Mara's revision? Motion by Dr. Lucas  
37 and it's seconded by Lance. Any opposition to the motion?  
38 Seeing none, the motion carries.

39  
40 Our Action Guide and Next Steps is located on Tab D, Number 3.  
41 The first thing that we are going to go through today is the  
42 Biological Review of the Texas Closure, which you will find  
43 under Tab D, Number 4(a) and 4(b).

44  
45 I believe that we have Dr. Hart on the phone that's going to  
46 lead us through that. The stage is yours. Dr. Hart, bear with  
47 us. We are getting you ready.

1 **BIOLOGICAL REVIEW OF THE TEXAS CLOSURE**

2  
3 **DR. RICK HART:** I am going to today just briefly go over the  
4 results of the Texas closure. The fishery management plan  
5 implemented in 1981 initiated this Texas closure and so some of  
6 you folks, Corky, who is probably in the audience, has seen this  
7 similar presentation for thirty-five years.

8  
9 The primary goal of the Texas closure was to increase the yield  
10 of brown shrimp harvested from those waters of offshore Texas.  
11 Historically, the closure runs from the middle of May through  
12 mid-July. Since 1990, it has also included that near-shore area  
13 less than forty-fathoms. That has also been closed.

14  
15 Offshore production for July and August was about ten-million  
16 pounds of brown shrimp. This total catch for this period  
17 represents a below-average level when compared to catch values  
18 since those EEZ closures were initiated in 1981. The long-term  
19 catch is about 13.6-million pounds, and so 10.3 for last year  
20 was about three-and-a-half-million pounds lower than that  
21 average.

22  
23 When we look at the size composition, we can see that during  
24 July and through August of last year, of 2015, the size  
25 composition was pretty large shrimp. Only one-and-a-half  
26 percent were in that greater than sixty-seven count size  
27 category. In that respect, the closure is working well.

28  
29 When we look at distribution of landings through the Texas  
30 ports, we can see, when we look at the upper Texas ports, that  
31 Jefferson and Kemah had a slight decrease in landings during  
32 2015 relative to those other ports, with Jefferson County having  
33 the highest percentage of landings for all ports in Texas again  
34 in 2015.

35  
36 When we look at the middle Texas ports, landings at Brazoria,  
37 Matagorda, Seadrift, and Port Lavaca, they were all relatively  
38 stable compared to 2014, but Palacios had a rather large  
39 increase relative to those other ports.

40  
41 This is the lower Texas ports. Two of the lower Texas ports,  
42 Brownsville and Port Isabelle, experienced slight to moderate  
43 increases, while Aransas and Nueces showed slight decreases in  
44 landings compared to the previous year.

45  
46 We also look at white shrimp for the closure. Looking at July  
47 white shrimp catch, most of the white shrimp landed in July were  
48 in that smaller count, with a below-average level of production.

1 When we look at August, August of last year was slightly greater  
2 landings, or catch, than in 2014, with still most of those  
3 shrimp in those bigger size count categories, fifteen to twenty.

4  
5 As we know, the environmental factors are important for the  
6 growth and abundance for shrimp. Those factors, as we use in  
7 our models and predictions, were below average this year. Brown  
8 shrimp catch off of Texas was a little below the long-term  
9 average, with only about one-and-a-half percent in the greater  
10 than sixty-seven size count category, and so the shrimp were  
11 able to grow larger before harvest, which was really one of the  
12 main objectives of the closure.

13  
14 We saw some changes in the shrimp landings distribution, but not  
15 really any major shifts. We did see an increase in pounds, in  
16 yield, with the 2015 closure between zero and 7 percent, and so  
17 having that closure increased yield up to 7 percent. White  
18 shrimp catch off of Texas was a little below average in both  
19 July and August over the long-term average, but really not that  
20 far off. With that, I will take questions. That's really all I  
21 have for the Texas Closure Report. It's pretty simple and  
22 straightforward.

23  
24 **CHAIRMAN BOSARGE:** Thank you, Dr. Hart. Any questions from the  
25 committee? Dr. Hart, I believe you're going to take us through  
26 the next presentation as well, right, the stock assessments for  
27 brown, white, and pink?

28  
29 **DR. HART:** That's correct.

30  
31 **CHAIRMAN BOSARGE:** All right. I don't see any questions from  
32 the committee, and so if you want to go right into your next  
33 presentation, that would be wonderful. Thank you.

34  
35 **REVIEW OF THE UPDATED STOCK ASSESSMENTS FOR BROWN, WHITE, AND**  
36 **PINK SHRIMP**

37  
38 **DR. HART:** While she's queuing that up, I ran the assessments  
39 again this year. I primarily just did updates from last year.  
40 I don't want to steal the thunder from it, but there's really no  
41 big changes. The models are running well, and the assessment  
42 looks to be functioning quite well.

43  
44 **CHAIRMAN BOSARGE:** Go ahead, sir.

45  
46 **DR. HART:** These are Stock Synthesis. We've moved to that  
47 model. It's been accepted, and we have developed updates for  
48 spawning stock biomass and FMSY reference points. Pink shrimp,

1 again, is modeled from Statistical Zones 1 through 11. Brown  
2 shrimp, using those data from Stat Zones 7 through 21, and white  
3 shrimp also is Statistical Zones 7 through 21. This is just a  
4 figure of the statistical zones. You're all pretty familiar  
5 with that.

6  
7 I am going to go through each of the shrimp stocks. I am going  
8 to go through pink first. The assessment model for 2015 is  
9 using 1984 through 2014 monthly catch, in pounds of tails. We  
10 also use monthly catch by size category and monthly catch rate,  
11 CPUE.

12  
13 For the pink shrimp model, we have fishery-independent index,  
14 which is the 1987 through 2014 SEAMAP summer and fall survey  
15 data. From those surveys, we use the pink shrimp catch by size  
16 and the nominal CPUE index, and then we also use the delta log  
17 normal CPUE index for 2008 through 2014 SEAMAP summer and fall  
18 survey data. We would prefer to use that delta log normal, but  
19 they don't have enough data going back to 1987 for that, and so  
20 we're using both of those indices in the assessment.

21  
22 For the brown shrimp, again, it's 1984 through 2014 monthly  
23 catch, monthly catch by size, and monthly catch rates. For the  
24 fishery-independent surveys, we use 1984 through 2014 Louisiana  
25 monthly shrimp trawl surveys, the western subset of those  
26 surveys, and those, we use catch by size as well as their delta  
27 log normal CPUE index. In addition, we use the 1987 through  
28 2014 SEAMAP summer and fall survey data with catch by size and  
29 delta log normal catch rate index.

30  
31 For white shrimp, again, 1984 through 2014 monthly catch in  
32 pounds of tails, monthly catch by size, and monthly catch rate,  
33 and we also use the Louisiana monthly shrimp trawl surveys for  
34 the white shrimp assessment model, again using the western  
35 subset with catch by size and the delta log normal catch rate  
36 index. In addition to the Louisiana fishery-independent  
37 surveys, we use the SEAMAP surveys as well, 1987 through 2014  
38 summer and fall survey data, catch by size, and delta log normal  
39 catch rate index.

40  
41 For pink shrimp spawning stock biomass, MSY, and fishery  
42 mortality at MSY estimates, in the -- Pink shrimp spawn and  
43 recruit throughout the year, and so the current assessment model  
44 uses these parameters on a continuous basis. The way that our  
45 assessment works is we can estimate a terminal year or a  
46 benchmark spawning stock biomass at MSY. We multiply that by  
47 twelve to get it annualized.

48



1 This results in an annual spawning stock biomass estimate at MSY  
2 of 23,686,465 pounds of tails. The FMSY model -- The model also  
3 estimates an FMSY value, and this terminal benchmark year, FMSY,  
4 is also multiplied times twelve to get an annual FMSY. Then  
5 what we do to compare the annual assessment runs to that FMSY is  
6 we just sum the monthly F standard estimates calculated in the  
7 annual assessment to compare against the FMSY estimates. This  
8 results in an annual FMSY of 1.35.

9  
10 This is just landings and effort for the time series. We can  
11 see that effort is still pretty low. It's been plateaued. This  
12 is directed effort for pink shrimp. Landings went up a little  
13 bit last year, but they're still rather low compared to the time  
14 series.

15  
16 Here we have the estimates of spawning stock biomass in the time  
17 series, and then the straight line, the red, is the spawning  
18 stock biomass at MSY estimate. I should note that the pink  
19 shrimp model is run in biological years, and so this goes from  
20 July of 2013 through 2014 was the last year's assessment run.  
21 We can see that spawning stock biomass did go down quite a bit  
22 from last year, but it's still well above the reference point.

23  
24 It's similar with the F estimate. The solid line is the  
25 reference point. We can see that dotted line. The last year's  
26 F estimate is way below the reference point, and so fishing  
27 mortality is pretty low.

28  
29 The brown shrimp model is parameterized a little different than  
30 the pink and the white. It's parameterized as an annual model  
31 with seasons, and we end up with a spawning stock biomass to MSY  
32 equal to 6,098,824 million pounds of tails, with an FMSY equal  
33 to 9.12. That's the annual reference point.

34  
35 This is landings and effort. Effort is still low over the time  
36 series. It increased a little bit the last few years. Landings  
37 for brown shrimp declined a little bit, but still not a large  
38 decrease, as in a few years ago.

39  
40 Spawning stock biomass last year declined a little bit, but  
41 still above the reference point, and so we don't see an  
42 overfished situation at all, and so no real concerns there.  
43 Fishing mortality, F, is quite a bit below the reference point  
44 for fishing mortality rate.

45  
46 When we look at white shrimp, the model's parameter is similar  
47 to the pink shrimp, where we get a benchmark year, terminal year  
48 spawning stock biomass at MSY, and we multiply that estimate by

1 twelve to get an annual adjusted spawning stock biomass at MSY  
2 equal to 365,611,862 pounds of tails.

3  
4 For FMSY, similarly, we get a terminal year FMSY. We multiply  
5 that times twelve to get the FMSY reference point for white  
6 shrimp. It's 3.48, and you compare that to the model output.

7  
8 This is directed effort. White shrimp landings effort increased  
9 quite a bit last year for white shrimp. Landings increased  
10 some, but not proportionately the same as effort. Spawning  
11 stock biomass last year did decline, but it's still above the  
12 reference point, and so we don't see any real problems with this  
13 stock as far as overfished. Similar with fishing mortality. F  
14 was quite a bit below the reference point, and so no overfishing  
15 concerns with this stock.

16  
17 All three stocks, according to the assessments, are healthy and  
18 not overfished or undergoing overfishing, based on the newly-  
19 accepted reference points. Spawning stock biomass for all three  
20 stocks is greater than their overfished reference points, and  
21 mortality rates are less than the F rate overfishing reference  
22 point.

23  
24 Just some acknowledgements: Doctors Methot and Nance for help  
25 with the assessment modeling and the estimation of reference  
26 points; James Primrose and Joanne Williams from NMFS with the  
27 maps; and Louisiana Wildlife and Fisheries and Joe West for  
28 helping with providing their survey results; and especially the  
29 Gulf of Mexico commercial shrimp fishermen for their work and  
30 their acceptance of the electronic logbooks, which are a big  
31 part of these assessments. I greatly appreciate all of their  
32 cooperation with this. With that, I will be happy to take any  
33 questions that you may have. Thank you, Madam Chairman.

34  
35 **CHAIRMAN BOSARGE:** Thank you, sir. Do we have any questions  
36 from the committee on our presentations that we've just seen? I  
37 have a question. Can we go back to the slide on pink shrimp,  
38 where we saw the two graphs? It's the pink shrimp landings and  
39 effort from 1984 to 2014.

40  
41 On the other two, on the white shrimp and the brown shrimp, when  
42 we saw this decrease in effort, which is happening around the  
43 early 2000s and then it's starting to kind of level off a little  
44 bit, when we saw that, there was a large gap between landings  
45 and effort.

46  
47 In other words, we saw this effort trail off, but landings did  
48 not follow the trail-off in effort. The landings still remain

1 relatively high, and that's true on the brown and the white. On  
2 this pink shrimp graph though, when you see that decrease in  
3 effort, which looks like it kind of flat lines and stabilizes  
4 somewhere around 2007-ish, maybe, on the graph, and I can see  
5 where we may have had a little bit of a gap there, where we  
6 still had landings that were above it, but not significantly  
7 above where they have been in the past.

8  
9 Do we have any idea? I mean I can see that the effort is still  
10 there, but these landings have really trailed off on the pink  
11 shrimp. Are there some environmental factors that are  
12 contributing to this? Do we have any ideas as to what's causing  
13 this?

14  
15 **DR. HART:** I think it primarily is more environmental than the  
16 other two stocks. That being said, brown and white also are  
17 greatly influenced by the environment, but pink shrimp primarily  
18 is the -- The environmental conditions really drives that stock.

19  
20 **CHAIRMAN BOSARGE:** Okay, and thank you. I just wondered,  
21 because I can see where we're still putting our days in out  
22 there on the water and trying to harvest those pink shrimp, but  
23 the landings were still trailing off, and that was kind of  
24 concerning to me, that there may be some environmental changes  
25 going on, possibly even --

26  
27 **DR. HART:** That's one thing with the new assessment models, with  
28 Stock Synthesis. It is conducive to adding environmental  
29 indices in there, which I am working on for all of the stocks.  
30 It's closer for the brown and white, because we've had some  
31 research funded on those, through the improving stock assessment  
32 program, but pink shrimp really is affected by environmental  
33 conditions, and that's well documented in the literature, and  
34 I'm sure the fishermen can attest to that as well.

35  
36 **CHAIRMAN BOSARGE:** Thank you, sir. I appreciate that input.  
37 Any other questions from the committee? I think we're done with  
38 you for the moment, sir. We appreciate your time, and I guess  
39 we'll call upon you if we need you.

40  
41 **DR. HART:** I would much prefer to give these talks in person. I  
42 enjoy coming to the committee meetings.

43  
44 **CHAIRMAN BOSARGE:** We'll do our best to get you here next time,  
45 because we like to see your shining face as well.

46  
47 **DR. HART:** Everyone asked me and said we're in Austin and you're  
48 right next door. Well, yes and no. actually, Austin is

1 probably almost as far away as, we are in Texas after all, as  
2 Miami, but thank you.

3  
4 **CHAIRMAN BOSARGE:** Thank you. Committee, we've had our  
5 Biological Review of the Texas Closure and our Updated Stock  
6 Assessments. The good news is that we're not overfished or  
7 undergoing overfishing. The Texas closure is still having an  
8 appreciable effect as far as the yield that's landed, and so  
9 good news all around from that perspective.

10  
11 Typically, at this meeting, this time of year, after we review  
12 the Texas closure, we will possibly entertain a motion to  
13 continue that Texas closure. Lance.

14  
15 **MR. LANCE ROBINSON:** To that point, I will make a motion. That  
16 motion would be to recommend that the Texas closure run  
17 concurrent with the date that the State of Texas recommends, out  
18 to 200 miles, for the 2016 season.

19  
20 **CHAIRMAN BOSARGE:** Thank you. We have a motion on the board by  
21 Lance. Do we have a second to the motion? It's seconded by  
22 Myron. Dr. Branstetter, did you have something pertinent to  
23 this motion?

24  
25 **DR. STEVE BRANSTETTER:** Yes, ma'am. Would you want to go  
26 through the recommendations of the Shrimp Advisory Panel before  
27 we make this motion?

28  
29 **CHAIRMAN BOSARGE:** Can we take that particular item off of the  
30 advisory panel summary and just quickly summarize what their  
31 thoughts were on that, Morgan?

32  
33 **DR. MORGAN KILGOUR:** I was just going to suggest the same thing.  
34 It's the very first thing in the advisory panel summary, and  
35 they recommended that the Texas closure go out to 200 miles,  
36 concurrent with the State of Texas recommends.

37  
38 **CHAIRMAN BOSARGE:** Thank you. Morgan has informed us that the  
39 advisory panel also had this motion. They passed the same  
40 motion as what we're working on here. Is there any other  
41 discussion on the motion? Myron.

42  
43 **MR. MYRON FISCHER:** If Texas could refresh us, when does the  
44 season open back up, when the shrimp attain a certain size, when  
45 they get up to some marketable size, sixty-seven?

46  
47 **MR. ROBINSON:** We utilize count and abundance and also look at  
48 lunar phase. It's generally around the middle of July, but,

1 statutorily, we have a seventy-five-day window, I think, that we  
2 have to open.

3  
4 **CHAIRMAN BOSARGE:** Any other discussion on this motion? **All in**  
5 **favor of the motion signify by saying aye; all opposed. The**  
6 **motion carries.**

7  
8 Morgan, I believe the next item on our agenda is the Summary of  
9 the Shrimp Advisory Panel Meeting, under Tab D, Number 6(a) and  
10 6(b). Are you going to lead us through that?

11  
12 **SUMMARY OF THE SHRIMP ADVISORY PANEL MEETING**  
13

14 **DR. KILGOUR:** I am, and Corky is here to give rationale if the  
15 committee has any questions about the Shrimp AP meeting, but he  
16 wanted me to give the report.

17  
18 We already went over the biological review of the Texas closure,  
19 and so I'm going to skip down to the end of page 1 and look at  
20 the review of the updated stock assessments for brown, white,  
21 and pink shrimp. The AP reviewed those. They did not make a  
22 motion on them. They asked Dr. Hart a couple of questions, but  
23 they were happy with the status of the stock assessments.

24  
25 The AP was also updated about the status of Shrimp Amendment  
26 17A. It has been submitted, and so they were notified of the  
27 council's preferred alternatives of extending the moratorium on  
28 the shrimp permits and continuing the royal red shrimp  
29 endorsement.

30  
31 A majority of the discussion was regarding Shrimp Amendment 17B.  
32 The day before the Shrimp Advisory Panel meeting, we had the  
33 MSY/OY Working Group convene, and they recommended an aggregate  
34 MSY and an aggregate OY. That's I believe Item D-8 for us to  
35 discuss.

36  
37 Anyway, I was able to give them updated what the aggregate MSY  
38 and the aggregate OY that was determined by the working group.  
39 They spent a significant amount of time discussing how those  
40 were calculated. We luckily had Jim Nance there to go over the  
41 working group's rationale.

42  
43 After they went over the working group's summary, and it was a  
44 brief summary, because I hadn't had time to write the written  
45 report, they made the motion that in Action 1 in Shrimp  
46 Amendment 17B that the preferred alternative be Alternative 2,  
47 which is that the aggregate MSY is 109,237,618 pounds of tails.  
48 I can kind of quickly go through 17B, if that's okay, and we can

1 come back to the Shrimp AP motions, if you would like, when I  
2 have the 17B document open. It's up to you, Madam Chair, what  
3 you would like me to do.

4  
5 **CHAIRMAN BOSARGE:** That may be a good way to progress through  
6 it, so that as we go through each one, you can tell us what the  
7 AP recommendations and discussion was. That's fine, Morgan.

8  
9 **DR. KILGOUR:** It's also in the document already on what the  
10 preferred alternatives are in 17B for the AP. The AP also  
11 looked at the aggregate OY and the rationale for that from the  
12 MSY/OY Working Group, and they recommended that in Action 2 to  
13 accept the working group's recommendation for setting OY and  
14 that the aggregate OY be set at 85,368,059 pounds of tails.

15  
16 Action 3 was where the bulk of the discussion was, and that is  
17 regarding the threshold number of permits for the shrimp  
18 moratorium permits. There are verbatim minutes available to  
19 you. That was requested by one of the AP members, and that is  
20 Item Number D-6(b).

21  
22 There was a lot of concern on what would be the appropriate  
23 number of permits. There was a lot of discussion after the  
24 rationale was provided by the Shrimp MSY/OY Working Group on  
25 what the appropriate OY would be. It was determined that the  
26 year 2009 was kind of a golden year, and so the Shrimp AP  
27 discussed whether a number of valid and renewable permits would  
28 be a more appropriate threshold or the number of active vessels  
29 that would be needed to -- The number of estimated active  
30 vessels would be the more appropriate threshold number.

31  
32 In the end, the AP made the motion in Action 3 that the  
33 preferred alternative be Alternative 2, which sets a threshold  
34 number of Gulf shrimp vessel permits based on the expected  
35 number of active vessels needed to attain the aggregate OY in  
36 the offshore fishery.

37  
38 In Action 4, again, that's dealing with Shrimp 17B. They  
39 discussed whether or not a permit pool should be created. There  
40 were initially two alternatives, and they thought that it should  
41 be a combination of two of the alternatives that were provided  
42 in the document. Again, I can go more in depth in this when we  
43 go through the 17B, and so I'm going to give you just a brief  
44 rundown, to save time, since we were running a little behind.

45  
46 In Action 5, they also discussed what the criteria should be.  
47 There was one thing that was discussed, and that was the U.S.  
48 Coast Guard Certificate of Documentation, which I think is a

1 little less rigorous, in that it can be applied to vessels  
2 smaller than five metric tons. If I am not correct, please  
3 correct me.

4  
5 They thought that there shouldn't be a limit and that it has to  
6 be a five-metric-ton vessel and that there should be a -- As  
7 long as the vessel is shrimping, they should be able to apply  
8 for a shrimp permit pool permit.

9  
10 The AP made a few recommendations, that the vessel be from the -  
11 - The permit go to a U.S. citizen or business, that it has a  
12 U.S. Coast Guard safety inspection with fishing activity beyond  
13 three miles, and that the vessel have proof of shrimp landings  
14 within twelve months of the issuance of a permit. That's  
15 something we need to clarify with the Shrimp 17B IPT, because  
16 that would have to be to renew your permit and to get the  
17 initial permit pool permit.

18  
19 In Action 6, that the preferred alternative be Alternative 2,  
20 which is the less rigorous. This action deals with the transit  
21 provision through federal waters for state shrimping vessels  
22 that don't have a federal permit, and so the AP felt that having  
23 the trawl doors detached would be too much for the fishermen,  
24 but the nets out of the water would be the preferred  
25 alternative, but they also asked if we could come up with  
26 something in the middle, and so not necessarily just nets out of  
27 the water, but not as time-intensive as removing the trawl  
28 doors. We have provided that in 17B, and you will see that when  
29 we get there.

30  
31 The last thing that the AP reviewed was the coral HAPCs that  
32 have been presented to the council. I had also presented them  
33 with modified boundaries based on where the shrimp ELB pings had  
34 been, and they pretty much just shaved off corners of a lot of  
35 the coral HAPCs. The AP reviewed those areas. There was  
36 limited time. I had allotted for about two hours of the eight-  
37 hour day, but some of the AP members needed to leave a little  
38 bit early.

39  
40 We also brought in a member of the Coral SSC to help answer any  
41 questions about the rationale for those HAPCs, and the AP was  
42 notified of the Flower Garden Banks National Marine Sanctuary --  
43 They are currently in the process of developing an EIS for  
44 adding new areas to the national marine sanctuary, but the  
45 Florida Keys National Marine Sanctuary is also in the process of  
46 developing an EIS for adding new areas, and that particular  
47 presentation had the AP concerned, because one of the areas that  
48 was proposed by the Florida Keys would significantly reduce the

1 trawlable bottom for pink shrimp off the coast of Florida.

2  
3 I was urged by Corky to remind the council that when the EIS is  
4 presented to you to take a special look at that part of those  
5 areas, because they would really affect the pink shrimp fishery.

6  
7 After the coral HAPCs were presented and the AP discussed them,  
8 they made the motion that the Shrimp Advisory Panel meet with  
9 the Coral Advisory Panel, including coral scientists, royal red  
10 shrimpers, and other appropriate participants to consider the  
11 proposed coral areas in the Gulf.

12  
13 Then, in Other Business, there was some discussion about TEDs  
14 and TED compliance. Overall, it looks like the outreach and  
15 education for TED compliance has done a really good job and  
16 there's a lot of good TED compliance. That would be the  
17 conclusion of the AP summary, and did I skip over anything,  
18 Corky? Okay.

19  
20 **CHAIRMAN BOSARGE:** Thank you, Dr. Kilgour. In that last motion  
21 that they had passed about the coral, that was what I was going  
22 to address in Other Business if we have time, but we'll get  
23 there later. I believe that the next item on our agenda would  
24 be the Shrimp MSY/OY Working Group Summary. Dr. Kilgour, are  
25 you going to lead us through that as well? Okay and go ahead.

26  
27 **OPTIONS PAPER FOR SHRIMP AMENDMENT 17B**  
28 **SHRIMP MSY/OY WORKING GROUP SUMMARY**

29  
30 **DR. KILGOUR:** Yes, and I will try and be quick about that one as  
31 well, so we can get to 17B. The Shrimp MSY/OY Working Group  
32 Summary, they met on March 2, and it was a group of shrimp  
33 experts, mainly from NMFS. We had economists, social  
34 scientists, and fishery biologists attend.

35  
36 The charge was to develop an aggregate MSY and an aggregate OY  
37 for the whole penaeid shrimp fishery. Initially, the group  
38 talked about the aggregate MSY, and they decided that the  
39 methodology developed by the Ad Hoc Shrimp Effort Working Group  
40 that met in 2006 that came up with the initial aggregate MSY was  
41 still appropriate, and Rick Hart had run the model and came up  
42 with an aggregate MSY.

43  
44 The aggregate MSY that was developed that came out of that model  
45 was 109,237,618 pounds of tails. After they decided that this  
46 was still the appropriate methodology to use for the penaeid  
47 shrimp fishery, they moved on to OY, which was the majority of  
48 the discussion.



1  
2 The group decided to not use a complicated biosocioeconomic  
3 model, which would have a lot of weighting and qualitative  
4 inputs, and instead looked at the historical catch and predicted  
5 values for the shrimp fishery, and I want to get you to the  
6 right table, and that's on page 8.

7  
8 Looking at the historical values for the shrimp fishery, in  
9 particular after the shrimp permit moratorium went into effect,  
10 2009 had a high catch per unit effort balanced with a high  
11 predicted landings. It also is the effort year that is used in  
12 the biological opinion for the shrimp fishery with regard to sea  
13 turtle bycatch and the juvenile red snapper bycatch area closure  
14 was not triggered with the effort in this year.

15  
16 Those were the four goals that the working group thought would  
17 balance on what the optimum yield would be. It would be to keep  
18 effort below those two bycatch triggers, the red snapper bycatch  
19 and the sea turtle bycatch, and also to have high CPUE and high  
20 landings.

21  
22 When they looked at the historical data, and that's on page 8,  
23 and 2009, they felt like that was the year that balanced all of  
24 these objectives, and so they set the aggregate OY at the  
25 predicted landings, which is in the fifth column, at 85,368,059  
26 pounds of tails. They opted not to do a complicated  
27 biosocioeconomic model, because they felt that those would be  
28 qualitative inputs and qualitative weightings and might not come  
29 up with a better estimate, and so that was the aggregate OY that  
30 the MSY Working Group recommended. Are there any questions on  
31 that?

32  
33 **CHAIRMAN BOSARGE:** Any questions from the committee or  
34 discussion? All right, Morgan. Go ahead.

35  
36 **DR. KILGOUR:** That was pretty much the summary of the group.  
37 Those were the two values that they were charged with  
38 determining, and that's what they determined. We incorporated  
39 those into Amendment 17B, and those will be Actions 1 and 2, and  
40 so if we want to move on over into Amendment 17B.

41  
42 **CHAIRMAN BOSARGE:** Morgan, as we go through Amendment 17B, will  
43 you also update us on the LETC comments for that action item as  
44 we get to those?

45  
46 **DR. KILGOUR:** Sure. Let me look at the LETC comments, to make  
47 sure I'm not misspeaking, but pretty much the only action that  
48 the LETC really commented on was Action 6, which was the transit

1 provision. Am I incorrect, Steven?

2  
3 **MR. STEVEN ATRAN:** That's correct.

4  
5 **DR. KILGOUR:** That was that they thought that -- I can go over  
6 that when we get to that action. How does that sound?

7  
8 **CHAIRMAN BOSARGE:** Perfect.

9  
10 **COMMITTEE RECOMMENDATIONS**

11  
12 **DR. KILGOUR:** Just to review, the purpose and need, which is on  
13 page 11, we added to maintain -- We added without increasing  
14 bycatch to the purpose, because that was one of the objectives  
15 that we felt was important for the threshold number of permits.  
16 That's the only thing that's changed in the purpose and need  
17 since the last time that you saw this document. Would you like  
18 me to review the purpose and need, or can we skip to Action 1?

19  
20 **CHAIRMAN BOSARGE:** You can just read through it real quick.

21  
22 **DR. KILGOUR:** Okay. The purposes are to define the optimum  
23 yield, determine the appropriate number of permits to achieve  
24 optimum yield on a continuing basis, consider measures to  
25 maintain the appropriate number of permits for the federal Gulf  
26 shrimp fishery without increasing bycatch, and to develop  
27 provisions for the non-federally-permitted shrimping vessels to  
28 transit through federal waters while not actively shrimping.

29  
30 The needs for this action are to ascertain the appropriate  
31 metrics to manage the shrimp fishery, maintain increases in  
32 catch efficiency without substantially reducing landings,  
33 promote economic efficiency and stability in the fishery,  
34 provide flexibility for state-registered shrimp vessels, and to  
35 protect federally-managed shrimp stocks.

36  
37 **CHAIRMAN BOSARGE:** Thank you, Morgan, and before we get into the  
38 action items, I found one little -- I think it's just a typo on  
39 page 1, on the background information, on the introduction.  
40 That second paragraph, the first sentence, where it says after  
41 the establishment of the federal permit in 2006, the shrimp  
42 fishery experienced economic losses and so on, but I think it  
43 means 2001 right there. I think that's when we established the  
44 actual permit. Either that or what they meant to say was the  
45 moratorium, because the moratorium went into effect, I think, in  
46 2006. One way or the other, but I think it's just a little  
47 typo.

1 **DR. KILGOUR:** I will add the clarification. It was the  
2 moratorium permit, and so I will add that clarification. Thank  
3 you.

4

5 **CHAIRMAN BOSARGE:** Go ahead, Morgan. That was my only revision.

6

7 **DR. KILGOUR:** No problem. Action 1 establishes the aggregate  
8 maximum sustainable yield for the Gulf of Mexico shrimp fishery,  
9 and aggregate means all federally-managed shrimp species  
10 combined. MSY for each species is already established, and  
11 aggregate MSY does not equal the sum of the individual species  
12 MSY.

13

14 The Alternative 1 would be no action, do not establish an  
15 aggregate MSY, and Alternative 2 would be to establish an  
16 aggregate MSY using the method developed by the Shrimp Effort  
17 Working Group, and that was in 2006, for the federal commercial  
18 Gulf shrimp fishery. Aggregate MSY would be 109,237,618 pounds  
19 of tails, and that was the AP's preferred alternative of those.

20

21 **CHAIRMAN BOSARGE:** Morgan, are you wanting preferreds picked at  
22 this meeting or are we just going through the document or -- I  
23 don't know what our timeline is.

24

25 **DR. KILGOUR:** It's up to you. We don't need to preferreds.  
26 This is an options paper, and so no, but if you would like me to  
27 add another alternative or delete alternatives as we go through  
28 the actions, this would be an appropriate time to do that, but  
29 no, I don't think you need to pick preferred alternatives today.

30

31 **CHAIRMAN BOSARGE:** All right. Continue on.

32

33 **DR. KILGOUR:** Let's go to Action 2 then. Maybe this won't be as  
34 long as we thought it was going to be. The aggregate optimum  
35 yield for the Gulf shrimp fishery, that's Action 2. Alternative  
36 1 would be no action, do not establish an aggregate OY.  
37 Alternative 2 would be, for the offshore fishery, the aggregate  
38 OY would be 85,368,059 pounds of tails, in which MSY is reduced  
39 for certain biological, social, and economic factors. This is  
40 the AP's preferred alternative.

41

42 **CHAIRMAN BOSARGE:** Any feedback or discussion from our  
43 committee? Myron, I know you kind of have a timeframe that you  
44 were hoping to accomplish 17B on. If you want to have  
45 discussion and pick preferreds today, we're more than willing to  
46 do that.

47

48 **MR. MYRON FISCHER:** I guess it depends on when we're going out

1 for hearings. If we're not going to go out for hearings until  
2 after the next meeting, that's your call. I don't think we are  
3 accelerating the hearings on this.

4  
5 **CHAIRMAN BOSARGE:** Do we have a timeline on sending this out to  
6 the public at this point?

7  
8 **DR. KILGOUR:** Not yet, and I was going to go over the timeline  
9 for this document. I don't think I will be able to have a  
10 public hearing draft to the council until the August meeting,  
11 because of the analyses that are going to be required for the  
12 next two actions. They are pretty significant, and there is  
13 time constraints on the economists, for sure, because of how  
14 many alternatives we have and how much information we need to  
15 analyze to get an appropriate discussion for those.

16  
17 **CHAIRMAN BOSARGE:** All right. Mara.

18  
19 **MS. LEVY:** Thank you. My advice would be not to pick  
20 preferreds. You have an options paper. You don't have any  
21 analysis, and especially in the more, I guess, difficult  
22 actions, which are the ones about the permit pool and all that  
23 sort of stuff, you really don't have any analysis, and so it  
24 would be better to wait until you get the public hearing draft  
25 that's actually going to have that analysis before you look at  
26 picking preferreds.

27  
28 **CHAIRMAN BOSARGE:** Thank you. Dr. Kilgour, are you going to  
29 carry on?

30  
31 **DR. KILGOUR:** Certainly. If we scroll down to Action 3, this is  
32 one of the juicy ones. This is the minimum threshold number of  
33 Gulf shrimp vessel permits. A note is that this is not an  
34 active reduction in the number of permits. This is passive, and  
35 so this would only be used for establishing a threshold where  
36 the council may decide to take action. It may trigger the  
37 council to take action.

38  
39 Alternative 1 is no action, do not set a threshold number of  
40 Gulf shrimp vessel permits. Alternative 2 is set the threshold  
41 number of valid or renewable Gulf vessel shrimp permits based on  
42 the predicted number of active permitted vessels, and those are  
43 those with landings from offshore waters, needed to attain an  
44 aggregate OY in the offshore fishery. For Action 2, Alternative  
45 2, that means 1,074 permits. This is the AP's preferred  
46 alternative.

47  
48 Alternative 3 is set a threshold number of valid or renewable

1 Gulf shrimp vessel permits based on the predicted number of  
2 active permitted vessels, those with landings from offshore  
3 waters, during 2009, which is the threshold level of effort for  
4 the incidental take statement for sea turtles in the 2014  
5 Biological Opinion. Again, that's 1,074 permits.

6  
7 The IPT suggests that maybe we remove this alternative, as it  
8 results in the same number as Alternative 2, though the  
9 rationale is different. That rationale is incorporated in the  
10 rationale for that aggregate OY, and so it's encompassed in  
11 where that 1,074 came from.

12  
13 Alternative 4 is to set the threshold number of valid or  
14 renewable Gulf shrimp vessel permits based on the predicted  
15 number of active permitted vessels during 2011, when effort was  
16 highest during the moratorium in the area monitored for red  
17 snapper juvenile mortality, but without reaching the bycatch  
18 reduction threshold and triggering permanent closures, and  
19 that's 938 permits.

20  
21 Alternative 5 sets that threshold number during 2008, when the  
22 catch per unit effort was the highest during the moratorium, and  
23 that's, again, for active permitted vessels, and that is 882  
24 permits.

25  
26 Alternative 6 sets the threshold number in a year with  
27 relatively high catch per unit effort in the offshore fishery  
28 without substantially reduced landings, and there are three  
29 options here, because there are three years that have high CPUE  
30 and high landings, and that's 2007, which is 1,133 permits;  
31 2012, which is 990 permits; and 2013, which is 909 permits.

32  
33 Alternative 7 is set the threshold number of valid or renewable  
34 Gulf shrimp vessel permits based on the number of valid permits  
35 at -- 7a is the beginning of the moratorium, 1,933 permits; 7b  
36 is the end of 2009, 1,722 permits; Option 7c is the end of 2011,  
37 which is 1,582 permits; 7d is the end of 2013, which is 1,501  
38 permits; and 7e is the end of 2014, which is 1,470 permits.  
39 Then Option f is at the end of the initial moratorium, which  
40 will be October 26 of 2016. The number of permits at that date,  
41 we won't know until we hit that date.

42  
43 This alternative is different than all the previous  
44 alternatives, in that the previous alternatives are based on the  
45 number of active permitted vessels, and this is the number of  
46 valid or renewable permits in a given year.

47  
48 **CHAIRMAN BOSARGE:** All right. Any feedback from the committee?

1 Seeing none, we will continue on.  
2  
3 **DR. KILGOUR:** Okay.  
4  
5 **CHAIRMAN BOSARGE:** Wait a minute. We had a hand go up. Dr.  
6 Branstetter and Myron and then David has a comment as well.  
7  
8 **MR. DAVID WALKER:** On the AP preferred, what was the vote on  
9 that?  
10  
11 **DR. KILGOUR:** It was six to four.  
12  
13 **CHAIRMAN BOSARGE:** We have our AP Chairman, our distinguished AP  
14 Chairman, in the audience, if he wants to come up and discuss  
15 the discussion or how the meeting went and the rationale.  
16 You're more than welcome to come to the podium, sir.  
17  
18 **MR. CORKY PERRET:** Thank you, Madam Chair. You all look  
19 different from this angle. I just have to say that it's good to  
20 see Mr. Swindell sitting up there. He and I were at the first  
21 ever Gulf Council meeting and here we are, both of us attending  
22 whatever number this one is, and I'm not sure.  
23  
24 This minimum threshold number, let me just say this. The AP  
25 committee had a tremendous amount of discussion on this issue,  
26 and there was disagreement on what number to choose. All the  
27 other votes, I think, were unanimous votes. On this issue, it  
28 was six to four. All states were represented, except one state,  
29 unfortunately. There was no one there from Alabama.  
30  
31 I think, at least for me, to clarify how the AP got to where it  
32 got on this issue, I would like to tell you there were three  
33 motions made. The first motion was for Alternative 7b, set the  
34 number at 1,722 permits, and there was a lot of discussion, and  
35 then a second substitute motion was made, and that currently is  
36 the AP preferred, to set that Alternative 2. That would be  
37 comparable to 1,074 permits, and then the second substitute  
38 motion that was made was Alternative 7d, to set it at 1,501  
39 permits.  
40  
41 I've got in my notes a list of rationale for and against these  
42 motions, and I think if I read or comment about each one that it  
43 might help you with a little bit better understanding of why the  
44 advisory panel reached the decision they reached on this. Now,  
45 keep in mind this threshold number is not taking any permit away  
46 from anybody.  
47  
48 It's a goal. The purpose and need, which I often mentioned when

1 we deliberated on amendments and plans, Morgan read, and,  
2 keeping that purpose and need in mind, this was some of the  
3 discussion issues relative to rationale.

4  
5 Some members did not want to diminish the fleet. They wanted to  
6 see the fleet grow. They felt that a reduced number of permits  
7 could restrict the fleet's ability to achieve OY.

8  
9 Now, keep in mind the ten-year moratorium has just been extended  
10 by this council, and the goal of the moratorium initially was to  
11 reduce the fleet. We all heard for years how the fleet was  
12 overcapitalized, the shrimp fleet, and to improve efficiency and  
13 increase catch per unit effort. The moratorium was just  
14 extended for another ten years. The AP recommended that and the  
15 council concurred.

16  
17 If you go with any motion or with any option that's above the  
18 number of permits that are there now, which I think is 1,455,  
19 give or take, if you go with anything higher, then you're  
20 putting NMFS in a position to have to issue new permits up to  
21 whatever higher level. Like the first motion that was made was  
22 for 1,722, but you've got a real problem, because you've got a  
23 moratorium. How do you issue new permits when you've got a  
24 moratorium when the number is only fourteen-hundred-and-whatever  
25 I just said? Steve and Sue, please correct me if I'm giving  
26 some inaccurate information. That's an issue or that's a  
27 problem that's created if you consider going to anything above  
28 1,405.

29  
30 Two of the really large issues the AP members were concerned  
31 with was, one, the Endangered Species Act exemption for sea  
32 turtles and the possibility of exceeding that level. The  
33 fishery could be shut down, and that was a big, big concern to  
34 many of them, and also the remaining target levels, staying  
35 below the target levels, for juvenile red snapper. The highest  
36 level of effort legally allowed to operate with under the  
37 Endangered Species Act would be that 76,508 days in 2009, I  
38 think it is.

39  
40 You set an OY of eighty-five-million-some-odd pounds, and the  
41 amount of effort to achieve that, any additional amount could  
42 possibly jeopardize that. That, I think, was all the rationale  
43 I have in my notes. Morgan, anything else? Again, sea turtles  
44 and red snapper, juvenile red snapper, were a major concern, and  
45 so I'm here if anybody has got any questions.

46  
47 **CHAIRMAN BOSARGE:** Thank you, Mr. Perret. Any questions for  
48 Corky while we have him at the podium? All right.

1  
2 **MR. PERRET:** I will say that I think the Mississippi people were  
3 on the same page. There was some disagreement with the Florida  
4 people, if I'm not mistaken, and Louisiana had a mixed bag, and  
5 Texas was all together on what they wanted. Anyway, it was a  
6 six-to-something vote. All other votes were unanimous. Thank  
7 you, all, very much. It's a pleasure to see you from this  
8 angle.  
9  
10 **CHAIRMAN BOSARGE:** It's always a pleasure to see you too, Corky.  
11 Now, let's see. David, you commented and I think Dr.  
12 Branstetter had a comment and then Myron on this action. Before  
13 Corky got up, we had you all in that line.  
14  
15 **DR. BRANSTETTER:** Thank you, Madam Chair. Following Corky's  
16 excellent summary, if it's appropriate at this time, I think I  
17 would like to make a motion. **That would be to follow the IPT's**  
18 **suggestion and remove Alternative 3.** I will wait for a second.  
19  
20 **CHAIRMAN BOSARGE:** Do you want the rest of the wording on that,  
21 ladies? I think what Dr. Branstetter is suggesting is to follow  
22 the IPT's suggestion and remove Alternative 3 in Action 3.  
23 Would it be to considered but rejected? Is that what your  
24 thought process is or to simply just remove it?  
25  
26 **DR. BRANSTETTER:** Just remove it. There is no considered but  
27 rejected at this point. It hasn't really been considered.  
28  
29 **CHAIRMAN BOSARGE:** Okay. We have a motion on the board. Do we  
30 have a second? It's seconded by David Walker. Is there  
31 discussion on the motion? Dr. Branstetter.  
32  
33 **DR. BRANSTETTER:** As noted here in the highlighted material,  
34 this basically is the same alternative as -- It's the same  
35 number of permits as Alternative 2. The logic behind  
36 Alternative 2 is that, as Morgan pointed out, 2009 was kind of  
37 the sweetheart-deal year. We were under the red snapper  
38 threshold by a substantial amount and we were under the turtle  
39 threshold by a substantial amount, and we also achieved OY.  
40 This one is that same year, that same number of permits, and  
41 it's simply focusing on one reason and not all three.  
42  
43 **CHAIRMAN BOSARGE:** Myron and then Doug.  
44  
45 **MR. FISCHER:** I'm in favor of streamlining. I think what we  
46 want to do is the same amount of permits, but save the  
47 discussion. I think it's valuable to know, down the road, that  
48 2009 was under the biological take, and so I don't think we



1 should discard the discussion of it. We don't need an  
2 Alternative 3, but I think we have to save the discussion.

3

4 **CHAIRMAN BOSARGE:** Doug and then Dr. Lucas.

5

6 **EXECUTIVE DIRECTOR DOUGLAS GREGORY:** I was going to point out  
7 the same thing that Myron just said. The turtle part will be  
8 part of the discussion of the Alternative 2, and so we're not  
9 going to lose it completely, that information.

10

11 **CHAIRMAN BOSARGE:** Okay, and I had the same concern, you know  
12 are we still going to have this analysis and this discussion,  
13 and I guess I may have taken it a step further, in my mind. If  
14 we remove 3, which does specifically speak to the turtle  
15 thresholds in the actual alternative, then can we elaborate a  
16 little bit further in 2, so that if all you're reading, at face  
17 value -- I'm thinking about the public. They get the snapshot  
18 version when we go out to the public.

19

20 Can we specify in Alternative 3 that need -- The number of  
21 active permitted vessels, blah, blah, blah, to meet OY and state  
22 that this is taking into account your economic, your biological,  
23 which is turtle and red snapper is what was considered here,  
24 those constraints, so that at a snapshot view it's very obvious  
25 what is included in this OY.

26

27 **DR. KILGOUR:** Not a problem.

28

29 **CHAIRMAN BOSARGE:** Any further discussion? Myron.

30

31 **MR. FISCHER:** I know we're speaking in different languages when  
32 we speak about valid and then active, and I think somewhere we  
33 have to come to a consensus that no matter how many active boats  
34 they have, you do need a buffer above that of inactive or just  
35 valid permits.

36

37 On page 18, there's a chart showing that we probably average in  
38 the upper thirties, 30 percent or close to 40 percent, of  
39 vessels that are inactive. Now, I know there's the fear that if  
40 all these boats decide to go fish in one day, but history has  
41 shown that's never happened.

42

43 I think whenever we discuss these numbers of how many active  
44 permits, we always have to remember that there are many valid  
45 permits above that and that those boats are tied to the dock  
46 while the other boats are out fishing.

47

48 **CHAIRMAN BOSARGE:** Dr. Branstetter.

1  
2 **DR. BRANSTETTER:** I think that gets into that point in the next  
3 action.  
4  
5 **CHAIRMAN BOSARGE:** Any more discussion relative to the motion  
6 that's on the board in front of us? **All those in favor of the**  
7 **motion, signify by saying aye; all those opposed same sign. The**  
8 **motion passes.** Morgan, are you ready to -- Dr. Branstetter.  
9  
10 **DR. BRANSTETTER:** I am going to bite the elephant one chew at a  
11 time here, but, based on what Myron just said and what Corky  
12 recommended, I took Corky's recommendation to heart as to the  
13 number of vessels and valid vessels and active vessels.  
14  
15 If you look back at this summary of the tables of landings and  
16 CPUEs and actual landings versus projected landings and the  
17 number of vessels, and I'm not sure how to do this, but it  
18 doesn't seem to me that selecting some of these alternatives,  
19 where the number of active vessels is down substantially lower  
20 than the number of active vessels currently operating -- If it  
21 took a thousand vessels actively operating to catch OY, all of  
22 these others that are a lot lower, like 850 vessels caught  
23 seventy-two-million pounds, I mean they're substantially off of  
24 OY.  
25  
26 We have several options in here, and I don't know what the  
27 committee's pleasure is. I mean Alternatives 4 and 5 are both  
28 high CPUE, which makes some money for the vessel, but, for the  
29 fishery as a whole, it did not land a whole lot of shrimp for  
30 the entire shrimp industry.  
31  
32 Similarly, some of the options in Alternative 6 are much lower.  
33 **At this point, I think I would like to make a recommendation to**  
34 **simplify Alternative 6 of Action 3 so that it is only Option 6a,**  
35 **2007, 1,133 permits.** If I can get a second, I will try to make  
36 a supporting rationale for that.  
37  
38 **CHAIRMAN BOSARGE:** We have a motion. It's coming up on the  
39 board. Do we have a second to that motion? Myron seconds the  
40 motion.  
41  
42 **DR. BRANSTETTER:** I am being advised by my lawyer to make this  
43 motion say to remove 6b and 6c.  
44  
45 **CHAIRMAN BOSARGE:** So your motion would be to remove Option 6b  
46 and Option 6c from Alternative 6 in Action 3?  
47  
48 **DR. BRANSTETTER:** Yes, ma'am.

1  
2 **CHAIRMAN BOSARGE:** To remove Option 6b and 6c from Alternative 6  
3 in Action 3. Is that your motion now, Dr. Branstetter?

4  
5 **DR. BRANSTETTER:** That's my motion.

6  
7 **CHAIRMAN BOSARGE:** We have a second by Myron. Is there  
8 discussion on the motion?

9  
10 **DR. BRANSTETTER:** As I mentioned, I think we seem to be having  
11 this threshold of active permits that are achieving close to OY  
12 at somewhere around a thousand permits or better. Keeping in  
13 the vein of Myron's comments of there is always going to be a  
14 buffer, and, again, I realize we get into that again in the next  
15 action, where the buffer is much more prevalent in the  
16 activities, but, looking back again at this table, that 1,133  
17 vessels caught slightly greater than OY with a much lower CPUE,  
18 or a slightly lower CPUE than 2009.

19  
20 Maybe each boat didn't make the money, but the industry made the  
21 money, because we actually did put more -- Depending on the  
22 prices, I understand, and that can be a big difference, but the  
23 other values landed much less in value to the fishery. The  
24 CPUEs are in between there, but this would put that buffer of  
25 active and inactive vessels in the system.

26  
27 **CHAIRMAN BOSARGE:** Any other feedback from the committee on this  
28 motion? I was going to try and be quiet, but I guess I will  
29 give my feedback on this particular one. I don't know that I  
30 necessarily have a problem with removing them. My problem is  
31 the rationale behind how we're starting to hone in on options.

32  
33 It sounds like we're looking at the end result, which is the  
34 number of permits, as opposed to the rationale for setting the  
35 threshold. In other words, I want to make sure that we're not  
36 looking at Alternative 6 and saying, well, we want a buffer here  
37 and a buffer there.

38  
39 Alternative 6 looks at CPUE, the number of active permitted  
40 vessels in years with relatively high CPUE. Now, if there is a  
41 rationale for why we should hone in on specifically one year of  
42 CPUE versus three, I'm okay with that, but I don't know that I'm  
43 okay with saying, well, we don't want to -- We want to get rid  
44 of 990 and 909, the actual numbers, because we're wanting to be  
45 able to have a buffer and that won't supplement that management  
46 goal. Mara.

47  
48 **MS. LEVY:** Just to keep in mind that you have this potential OY

1 and that when you got that number, then you were able to do an  
2 analysis of about how many permits you needed to achieve that  
3 OY, and, so assuming that you go with the OY that the working  
4 group recommended, which in both the MSY and OY actions you only  
5 have two alternatives, don't do it or do it, the reason for that  
6 being is that the working group was put together to sort of  
7 figure out what the best mechanism was to establish these status  
8 determination type criteria and what OY should be.

9  
10 That's fine, but I'm assuming that we're likely going to go with  
11 the option to do it, with respect to the working group, and so  
12 you have that that OY has translated into an estimated number of  
13 permits to achieve it.

14  
15 I think what this action is trying to do is to say, look, we  
16 know approximately how many permits we think we're going to need  
17 to actually achieve OY, which is the gold standard of what we're  
18 trying to do here, and so let's get rid of the options that are  
19 below that in this particular action, or much below that,  
20 because they're probably not going to achieve OY on a continuing  
21 basis and we don't need to consider all three of them in terms  
22 of the high CPUE. We can consider this one that's closer to the  
23 number that's going to achieve the OY.

24  
25 In that way, the number is related to the OY now. Do you see  
26 what I'm saying? It's not just that it's the number of permits,  
27 but it's that we have an estimate of the number that's going to  
28 achieve OY.

29  
30 **CHAIRMAN BOSARGE:** Dr. Branstetter.

31  
32 **DR. BRANSTETTER:** To that end, I mean I guess my concern is that  
33 this nine-hundred-some-odd vessels didn't achieve OY with  
34 extremely high catch rates, and, as Mara has pointed out, that  
35 is our goal, is to try and keep this closer to achieving OY  
36 without having to really depend on a high catch rate to do it as  
37 well.

38  
39 **CHAIRMAN BOSARGE:** Myron.

40  
41 **MR. FISCHER:** Thank you, Madam Chair. My question would be what  
42 would happen if the fleet exceeds OY? We have an annual catch  
43 and the harvest is -- The tonnage is almost based solely on  
44 environmental factors. If nature just gave us these grand  
45 environmental factors of high salinity in the estuarine area and  
46 high temperatures and the shrimp grow, and it's an annual crop,  
47 what happens if we reach OY? Do we actually shut the fishery  
48 down?

1  
2 **CHAIRMAN BOSARGE:** Dr. Branstetter.  
3  
4 **DR. BRANSTETTER:** No, there is no quotas. There is no ACLs.  
5 That's just more power to us.  
6  
7 **MR. FISCHER:** Right, and so it's just a target to try to  
8 establish the correct amount of boats, of active permits.  
9  
10 **CHAIRMAN BOSARGE:** Dr. Branstetter, in the MSY/OY Working Group  
11 document that we have, they did give us some information on the  
12 CPUEs, and they kind of translated that into some actual dollar  
13 values per boat, and I guess what concerns me here is that we're  
14 talking about looking at this particular alternative and doing  
15 away with a 2012 CPUE option and a 2013 CPUE option, which would  
16 leave us with just a 2007 option.  
17  
18 In 2007, the net revenue per vessel was in the red. It was a  
19 negative \$16,893 per boat. In 2012, it was in the red, not  
20 quite as far, but negative \$7,856 per boat. In 2013, actually  
21 it was in the black. Not by much, but at least it's in the  
22 black. It's \$1,212 as a net revenue per vessel.  
23  
24 Maybe when we look at it just as CPUE, it seems like this far-  
25 flung concept that there's not really that big of a difference,  
26 but when you get down to the actual boat level and that man out  
27 there working on that CPUE, it does make a big difference. I  
28 mean that's the difference between being in the red and being in  
29 the black. It's not a highly-profitable fishery, and so every  
30 incremental change there in that CPUE does matter. I guess  
31 that's my concern with removing two alternatives and leaving  
32 nothing but a year where we were pretty far in the red. That's  
33 all I'm going to say on that. Any other comments on this  
34 particular motion? All in favor of this motion, signify by  
35 saying aye; all opposed. We're going to have to do hands. **All**  
36 **in favor of the motion on the board, signify by raising your**  
37 **hand.**  
38  
39 **EXECUTIVE DIRECTOR GREGORY:** Five.  
40  
41 **CHAIRMAN BOSARGE:** All opposed.  
42  
43 **EXECUTIVE DIRECTOR GREGORY:** One.  
44  
45 **CHAIRMAN BOSARGE:** The motion carries. All right. Yes, sir,  
46 Dr. Branstetter.  
47  
48 **DR. BRANSTETTER:** Now this one is going to be a little bit more

1 fun. Under Alternative 7, our AP Chairman has indicated the  
2 problems and the issues with issuing more permits than what we  
3 currently have and to start creating that pool immediately, and  
4 we've just had a long discussion on exactly what the number of  
5 permits is to achieve OY, and this is, I recognize, this is  
6 valid permits and not active permits, but, right now, with about  
7 1,450 vessels, we're still staying pretty close there, at a  
8 thousand vessels that are active.

9  
10 Maybe I would like to hear some rationale as to why some of  
11 these really high numbers are in here. I wouldn't mind keeping  
12 this at Option 7d, e, and f, but they're close to the number of  
13 permits we have today, and, again, recognizing the difference  
14 between valid and active, but why would we want to go back to  
15 1,600, 1,700, and 1,900 permits, when a thousand vessels  
16 obviously can do -- A thousand active vessels is what we can do.

17  
18 Again, I'm keeping in mind what's going to be discussed in the  
19 next action, but maybe I would like to hear some discussion on  
20 that before I make a motion.

21  
22 **CHAIRMAN BOSARGE:** Myron.

23  
24 **MR. FISCHER:** Thank you, Madam Chair. Dr. Branstetter, that's a  
25 good point, and this was my motion, and the dates corresponded  
26 to some of the high CPUE years. It was also to give a range of  
27 alternatives, being all the other alternatives were below the  
28 present amount of permits. In our state, our Shrimp Task Force  
29 supported a measure to create a reserve pool of permits, and it  
30 was to get permits into that pool.

31  
32 With all that said, I could see streamlining this and  
33 eliminating some of the higher numbers, but I would like to see,  
34 if you made a motion, to add the 1,300 permits that the AP came  
35 up with, to add that as one of the options, because the AP did  
36 deliberate on this, and, out of 1,300 valid permits, and we're  
37 running somewhere around 35 percent inactivity, that would put  
38 us just under the thousand boats you were looking for for OY,  
39 and so I would second the motion when you make it.

40  
41 **CHAIRMAN BOSARGE:** Dr. Branstetter.

42  
43 **DR. BRANSTETTER:** That is a recommended Alternative 4 under  
44 Action 4.

45  
46 **MR. FISCHER:** I'm aware it is, but it could also fit right here.  
47 If you wanted to streamline this, you could add it.

48

1 **DR. BRANSTETTER:** I guess, to that point, I'm kind of wondering,  
2 do we need to have a -- If we're going to consider Action 4, do  
3 we really need an alternative in here that says valid permits,  
4 because we're going to go after valid permits in the next  
5 action.

6  
7 **CHAIRMAN BOSARGE:** Any other discussion on Alternative 7?  
8 Myron, the AP did -- I thought they had a good recommendation in  
9 their discussion. Go ahead.

10  
11 **MR. FISCHER:** I was baiting Steve to make the motion. I thought  
12 it might have a better chance of passing than if I make it, but  
13 I think some of these -- You know other than go to the public  
14 and hear what people have to say about the higher numbers, I  
15 think we all know it's unrealistic and we're not going to have  
16 1,900 or 1,700 permits again.

17  
18 I would be in favor of eliminating it, but, being I made the  
19 motion originally, I was hoping someone else on the committee  
20 would proceed to chop it, but I would like to add their 1,300  
21 here. You caught me in the middle of going to Action 4 to read  
22 the verbiage again, but are you looking for me to make a motion?

23  
24 **CHAIRMAN BOSARGE:** Dr. Branstetter, you had a --

25  
26 **DR. BRANSTETTER:** Since Myron made the motion, I won't make him  
27 pull it back. **I would move that we remove Option 7a, 7b, and 7c**  
28 **in Alternative 7, Action 3.**

29  
30 **CHAIRMAN BOSARGE:** Okay. Your motion is to remove Option 7a,  
31 7b, and 7c from Alternative 7 in Action 3. We have a motion on  
32 the board. Do we have a second to the motion? David seconds  
33 the motion. Mr. Fischer.

34  
35 **MR. FISCHER:** Thank you, Madam Chair. This motion is great, but  
36 it's not the greatest, and I would like to make an amendment to  
37 the motion to add the 1,300 permits, as mentioned by the AP, as  
38 one of the alternatives.

39  
40 **CHAIRMAN BOSARGE:** Okay. We haven't talked to Dr. Branstetter  
41 yet. I don't know if he's willing to do that or not, but it  
42 could be an amendment or it can be a substitute or it can be a  
43 motion that follows this one, when we dispense with it. Dr.  
44 Kilgour.

45  
46 **DR. KILGOUR:** I just wanted to do a little clarification. That  
47 1,300 number that the AP came up with was so that it would  
48 trigger a panel or some type of committee before that 1,074 was

1 hit, so that a permit pool could be in place that was  
2 appropriate for that time in the fishery.

3  
4 The AP had discussed that they don't think that it's going to  
5 get to 1,074 anytime soon, and that potentially establishing a  
6 permit pool with all of the requirements might not be  
7 appropriate at this time, because of the passive reduction in  
8 the fishery that's currently going on.

9  
10 Last year, we lost fifteen permits. If that continues, it's  
11 going to be twelve years before we hit 1,074. That was where  
12 that 1,300 came from, was they wanted a review panel triggered  
13 well before that threshold was hit and not necessarily that that  
14 be the threshold, but I just wanted to put that out there.

15  
16 **CHAIRMAN BOSARGE:** Thank you, Morgan. I think the AP was trying  
17 to be very proactive, and I thought, really, it was a great  
18 suggestion that had not come up at the council level. We're  
19 looking at these thresholds, and then we're looking at  
20 establishing a permit pool, and yes, we'll give you some  
21 feedback on what we would want the requirements to get a permit  
22 out of that pool would be, but, understanding that this may take  
23 a while to get to that level, we think it would be good if we  
24 could revisit the requirements in the permit pool. Go ahead and  
25 establish it when it hits whatever, but to revisit it and look  
26 at where the industry is now and what requirements do we want to  
27 put on those permits that are issued out of that pool.

28  
29 I'm not sure that it was to create a new alternative to  
30 establish the threshold at 1,300 permits, but it was more of a  
31 forward-thinking, proactive approach to revisiting the  
32 requirements to get the permit out of the pool as we near  
33 whatever we choose as a threshold. If we add it here, then it  
34 seems a little strange. It kind of negates it. Myron.

35  
36 **MR. FISCHER:** Two issues. When we talk about the permits  
37 reducing, passively reducing, and it may have been fifteen this  
38 past year, but just a few years ago, in 2010, it was eighty-  
39 eight. The next year it was fifty-one. Some years it's a lot  
40 of permits.

41  
42 I don't know if I had my motion seconded, but I was very willing  
43 to withdraw it at this time and stay with Steve's motion.

44  
45 **CHAIRMAN BOSARGE:** I don't know that -- You said an amendment to  
46 the motion. We didn't amend the motion, and we didn't have a  
47 second to a formal motion from you. That wipes that off the  
48 board. We are back to Dr. Branstetter's motion. Let's make



1 sure we have this correct. I believe that is your motion,  
2 right, Dr. Branstetter?

3  
4 **DR. BRANSTETTER:** Yes, ma'am, and I will try to offer a little  
5 bit of rationale for it, and I appreciate Myron's concerns, but  
6 I wasn't going to support the amendment, because I thought it --  
7 I have concerns that that buffer be big enough and that we have  
8 at least 300 or 400 boats that can be inactive during a year,  
9 but I also have concerns of those higher numbers.

10  
11 I don't see 1,500 permits being all that different than 1,450 or  
12 1,470, but I do have concerns with some of those other higher  
13 numbers, and this keeps us around that. If we want to set a  
14 threshold -- Again, I am focusing more on the next action than  
15 this one, but we seem to be not achieving OY, and I would hate  
16 to see the number of permits -- If we wanted to go at this from  
17 a valid versus an active permit, I would hate to see this number  
18 drop much lower.

19  
20 **CHAIRMAN BOSARGE:** We have a motion on the board. Do we have  
21 any further discussion on the motion? **All in favor of the**  
22 **motion, signify by saying aye; all opposed same sign. The**  
23 **motion carries.** Do we have any further discussion from the  
24 committee on Action 3? Dr. Branstetter.

25  
26 **DR. BRANSTETTER:** I'm on a roll, man. I'm not going to give up.  
27 I think I would like some discussion. At least I've been  
28 bumping my gums here on the number of permits we need and the  
29 number of active permits we need. I guess I would like to hear  
30 some discussion from the committee for at least Alternative 5.  
31 I realize that's a very high catch per unit effort, but do we --  
32 We've been talking about a thousand permits and valid permits of  
33 1,500. Do we really want to talk active permits of kind of a  
34 lesser value?

35  
36 **CHAIRMAN BOSARGE:** Mara.

37  
38 **MS. LEVY:** I was kind of struggling a little bit with this once  
39 we got the OY recommendation and the number of permits to  
40 achieve that OY recommendation, which is supposed to incorporate  
41 the turtle bycatch, the red snapper bycatch, and the higher  
42 CPUEs.

43  
44 We had that and then we had these other things that sort of  
45 teased out those separate questions and come up with different  
46 numbers, but I think one of the things that keeping Alternative  
47 4 and 5 do is give the chance for the discussion about why the  
48 OY alternative is different than just looking at CPUE or just

1 looking at the red snapper bycatch issue.

2  
3 We took out the turtle one because it resulted in the same  
4 number of permits, and that's really what you're trying to do,  
5 but with the idea that the discussion is still going to be in  
6 there about how that meets the turtle bycatch requirement. I  
7 guess, after thinking about it, I came to the conclusion that it  
8 might be helpful to keep Alternative 4 and 5 in there.

9  
10 Obviously that's your decision, but it is sort of an interesting  
11 circumstance that you have this OY alternative that incorporates  
12 all these other things, but it gives you different numbers when  
13 you sort of flesh them out individually.

14  
15 **CHAIRMAN BOSARGE:** Dr. Branstetter.

16  
17 **DR. BRANSTETTER:** I understand Mara's concerns. What I'm  
18 wondering is -- I will defer this to the IPT, but I mean talking  
19 about it as an alternative or talking about it as an option  
20 under Alternative 6 -- Alternative 6 is the number of active  
21 permits with high CPUE.

22  
23 That gets to Mara's point of we're looking at not just OY, but  
24 we're looking at CPUE, and I guess I don't see a -- I don't see  
25 why we couldn't add Alternative 5 to change just to be an  
26 option, and I don't know that we need a motion for that, to make  
27 it an option under Number 6.

28  
29 **CHAIRMAN BOSARGE:** I guess my only concern with making it an  
30 option under 6 is that -- I mean you would have to change the  
31 wording in 6, because 6 says a year with relatively high CPUE,  
32 relatively high, during the moratorium without substantially  
33 reduced landings, and I'm not sure that -- I guess you could  
34 make the case that it may fit there, when you look at the  
35 landings. I guess it depends on how you define it.

36  
37 I certainly don't want to see it go away completely, because the  
38 moratorium was put into place because we had overcapitalization  
39 in the fishery, in the hopes that at some point the  
40 overcapitalization would run off naturally, due to economic  
41 conditions, and the fleet would experience higher CPUEs and  
42 hopefully make it a viable fleet for the future.

43  
44 This document relates to the moratorium. We don't want to  
45 nullify what we've done with the moratorium. We want to say  
46 what's a good spot and where do we want to be in the future. If  
47 the moratorium has a high emphasis on CPUE, those vessels and  
48 that overcapitalization, to throw out Alternative 5, which hones

1 in specifically on CPUE, is a little bothersome to me. Any  
2 other feedback? Dr. Lucas.

3  
4 **DR. LUCAS:** You had access to something earlier, which I could  
5 flip through this document and find, or you might can just  
6 provide it. When we were looking at Alternative 6 and  
7 eliminating b and c, you pointed to the shrimp fleet operating  
8 in the red in Option b and c that we eliminated. What is the  
9 case for those same number of permits for Alternative 4, the 938  
10 and the 882? If you knew what number it was on, I will flip to  
11 it.

12  
13 **CHAIRMAN BOSARGE:** For Alternatives 4 and 5?

14  
15 **DR. LUCAS:** Yes.

16  
17 **CHAIRMAN BOSARGE:** Where I found is in the handout, Tab D,  
18 Number 8, Shrimp Aggregate MSY/Aggregate OY Working Group  
19 Summary. These pages are not numbered, but towards the back of  
20 the document, it gives you a chart of gross revenue, ex-vessel  
21 price, fuel price, and net revenue per active permitted vessel  
22 in the offshore Gulf shrimp fishery, 1990 to 2013. 2011, which  
23 is your Alternative 4, the fleet, on a net revenue per vessel,  
24 is in the black, \$1,113. 2008, they're in the red, \$7,313.

25  
26 **MR. FISCHER:** Could you refresh me what we're discussing? Do we  
27 have a seconded motion on the floor? If not, just a point of  
28 order. Let's move on.

29  
30 **CHAIRMAN BOSARGE:** We don't have a motion. Is there any further  
31 discussion? Okay. Seeing none, is there any further discussion  
32 in general on Action 3? Seeing none, Dr. Kilgour, would you  
33 like to continue?

34  
35 **DR. KILGOUR:** Sure. If we go on to Action 4, which is the  
36 response when the threshold number of permits is reached,  
37 Alternative 1 is there's no action, nothing will happen.  
38 Alternative 2 is if the number of valid or renewable permits  
39 reaches a threshold set in Action 3, any permits that are not  
40 renewed within one year of the expiration date on the permit  
41 will go into a Gulf shrimp vessel permit reserve pool.

42  
43 Alternative 3 is if the number of valid or renewable permits  
44 reaches the threshold set in Action 3, the council will form a  
45 review panel to review the threshold and determine if action is  
46 needed.

47  
48 The Shrimp AP recommended a fourth alternative, which would be a

1 combination of Alternative 2 and 3. When the number of permits  
2 reaches 1,300, the council will form a review panel to review  
3 the details of a permit pool and other options. If the number  
4 of permits reaches the threshold set in Action 3, any permits  
5 that are not renewed within one year of the expiration date on  
6 the permit will go into a Gulf shrimp vessel reserve permit  
7 pool. The panel will consist of Shrimp AP members, SSC members,  
8 and NMFS and council staff.

9  
10 **CHAIRMAN BOSARGE:** Thank you, Dr. Kilgour. Any discussion on  
11 the recommended new alternative from the Shrimp AP? We're on  
12 Action 4, that 1,300 threshold that you were talking about  
13 earlier.

14  
15 **MR. FISCHER:** My only point is we could have put 1,300 in Action  
16 3 and then reworded the remainder of Alternative 3, with the  
17 last sentence, and, that way, even if we don't choose 1,300 and  
18 we choose another number, we could still come to Action 4 and  
19 choose Alternative 3 if we choose. It works both ways. It just  
20 gets to the same number in a roundabout way.

21  
22 **CHAIRMAN BOSARGE:** Dr. Branstetter.

23  
24 **DR. BRANSTETTER:** Do we need a motion to do that, or just ask  
25 the IPT to come back with a revised Alternative 3 that reflects  
26 the AP's interests and intent?

27  
28 **CHAIRMAN BOSARGE:** Is there anybody that's opposed to adding the  
29 Shrimp AP's recommended alternative? I don't hear any  
30 opposition. If you want a formal motion, we can craft a formal  
31 motion to add it. I'm going to leave that up to the IPT and  
32 Morgan.

33  
34 **DR. KILGOUR:** We can just add it.

35  
36 **CHAIRMAN BOSARGE:** All right, Morgan. Do you want to carry on?

37  
38 **DR. KILGOUR:** Okay. In Action 5, this is the issuance of the  
39 reserve Gulf shrimp vessel permits. This action only considers  
40 eligibility requirements for the reserve permit pool permits.  
41 No action would be that individuals must submit a completed  
42 application to NMFS to be issued a reserve Gulf shrimp vessel  
43 permit. Applicants with completed applications will receive a  
44 Gulf shrimp vessel reserve pool permit if one is available.

45  
46 Alternative 2 is NMFS will maintain a waiting list for the  
47 reserve Gulf shrimp vessel permits and notify individuals in the  
48 order in which they appear on the list when a reserve Gulf

1 shrimp vessel permit becomes available. Once notified, the  
2 individual must submit a completed and up-to-date application to  
3 NMFS to be issued a reserve Gulf shrimp vessel permit. To be  
4 eligible for a reserve Gulf shrimp vessel permit, the applicant  
5 must meet the requirements selected below. A reserve Gulf  
6 shrimp vessel permit may only be transferred to an individual  
7 who also meets the eligibility requirement.

8  
9 There are several options. Option a is no eligibility  
10 requirements. Option b is be a U.S. citizen or business. The  
11 IPT recommends removing Option b, due to legal issues. Option c  
12 is assign a permit to a vessel that is of at least X length on  
13 the application. Option d is assign the permit to a vessel with  
14 a United States Coast Guard Certificate of Documentation on the  
15 application, and that's a five-net-ton minimum.

16  
17 The Shrimp AP recommended a change to Option d. Instead, assign  
18 the permit to a vessel with a United States Coast Guard Safety  
19 Inspection for fishing activity beyond three miles. The IPT-  
20 recommended wording is assign a permit to a vessel with a United  
21 States Coast Guard Dockside Safety Exam for the fishing activity  
22 beyond three miles.

23  
24 The Shrimp AP also recommended an Option e. The permit holder  
25 must show proof of shrimp landings, through trip tickets or  
26 other applicable landings data programs, within twelve months of  
27 the issuance of a permit. The IPT-recommended wording is after  
28 receiving a Gulf shrimp vessel permit, the permit holder must  
29 show proof of shrimp landings associated with the vessel,  
30 through trip tickets or other applicable landings, within twelve  
31 months of the issuance of the permit or the permit will not  
32 renewed.

33  
34 Then Alternative 3 is that the permits will be available at NMFS  
35 once per year and will be issued to applicants in the order in  
36 which they were received. Again, those are the same options and  
37 eligibility requirements.

38  
39 Alternative 4 would be the Gulf shrimp vessel permits will be  
40 available from NMFS once per year and this will be by lottery.  
41 It's similar to Alternative 2 and Alternative 3, except for it  
42 will be by lottery and it has, again, the same eligibility  
43 requirements. Are there any questions?

44  
45 **CHAIRMAN BOSARGE:** Dr. Branstetter.

46  
47 **DR. BRANSTETTER:** I am going to go back to Action 4 for a  
48 minute, where we have an alternative to create a vessel pool.

1 We have two other alternatives, one of which is recommended by  
2 the AP, to -- When we hit some sort of a trigger, long before we  
3 get to the threshold, that the council will form a review panel  
4 to do this, to look at what do we want to do in the future.

5  
6 Getting down to 1,300 vessels right now is probably five years  
7 down the road. The whole world could have changed. As you  
8 pointed out, there's enough fluctuations in that economic table  
9 to do a lot of things, and the AP discussed this.

10  
11 I was at the AP meeting, and I appreciate the interest and the  
12 effort they put into Action 5, but given that what -- We seem to  
13 be in Action 4, and it's not a logical follow-through from  
14 Action 4, which is to form a review panel to see what we want to  
15 do five to ten years down the road from now.

16  
17 Why do we need to have Action 5 that spells out entirely how  
18 we're going to do it and what weeds we're going to part to get  
19 there? I mean this is -- Action 5 is extremely detailed, and I  
20 will make a motion to -- I think I want to do this one. Action  
21 5, to be put into considered but rejected. I don't want to lose  
22 it out of the document.

23  
24 **If we go back in Action 4 and we pick Alternative 2 as a**  
25 **preferred, then I don't want to lose this and have to rebuild**  
26 **it, but I would suggest that, at this point in time, we don't**  
27 **consider Action 5 any further in this document.**

28  
29 **CHAIRMAN BOSARGE:** Is that your motion, Dr. Branstetter?

30  
31 **DR. BRANSTETTER:** Yes, ma'am.

32  
33 **CHAIRMAN BOSARGE:** Is there a second to the motion? Myron  
34 seconds it. You had a comment, Myron?

35  
36 **MR. FISCHER:** Sure, and I think Steve is correct. We are  
37 creating a panel that might not even take effect for many years.  
38 The face of this entire council will be different. The only  
39 caveat I see is that I would like in Action 4 -- It only states  
40 it in Alternative 2 that it will go into a shrimp vessel permit  
41 pool, and maybe we could just friendly this out. That should be  
42 in all of the alternatives, that when the trigger is reached  
43 that it goes into a pool to be decided upon by some future  
44 council, when most of all of us -- I'm trying to see who is the  
45 youngest. I guess Martha will still be here.

46  
47 I support what Steve is trying to do, but we just have to make  
48 sure in Action 4 that we don't lock ourselves into not -- We

1 have to remember this discussion, that there was going to be a  
2 reserve pool. It will just be created at some future time.

3

4 **CHAIRMAN BOSARGE:** Dr. Lucas.

5

6 **DR. LUCAS:** I have a question. Earlier, we had this discussion  
7 about removing something and we couldn't have a considered but  
8 rejected, because we're not there yet, and so how are we now  
9 considering having a considered but rejected?

10

11 **MR. FISCHER:** We didn't add most of these. A lot of the items  
12 were added by the Shrimp AP and so they weren't even added by  
13 the council.

14

15 **CHAIRMAN BOSARGE:** Mara, can we have a considered but rejected?

16

17 **MS. LEVY:** I think you can have it. The issue was, in terms of  
18 NEPA considered but rejected, we're not even at a NEPA document  
19 stage yet. We're at an options paper, and so, in terms of  
20 having some sort of draft environmental impact statement, which  
21 then we move things to considered but rejected, that's not what  
22 we're doing here, and so I think that's where the we don't need  
23 to put things in considered but rejected came from.

24

25 If you want to have an appendix that says we looked at this, but  
26 have decided not to do it yet, I mean that's a considered but  
27 rejected too, but I think it's just a different type of  
28 considered but rejected than the NEPA that we normally think  
29 about when we say that.

30

31 **CHAIRMAN BOSARGE:** Dr. Branstetter.

32

33 **DR. BRANSTETTER:** Based on that, I will amend my motion, if  
34 that's okay, to just say to move Action 5 to an appendix in the  
35 document for possible future consideration.

36

37 **CHAIRMAN BOSARGE:** Okay. Any further discussion on this motion?  
38 Myron, I want you to repeat -- Because I didn't grasp what you  
39 were saying about Action 4. How does this relate to Action 4  
40 and what were you saying?

41

42 **MR. FISCHER:** It's just that we discuss in Action 4 a Gulf  
43 vessel permit reserve pool. In Action 5, if we delete this or  
44 put it in just for future consideration, we do have to remember  
45 that Action 4 tells us that it's going to be considered by this  
46 reserve pool that we now -- At least we're not deleting it.  
47 We're just putting it in the appendix. We can't vote something  
48 in to be taken up in Action 5, but we did away with Action 5.

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**CHAIRMAN BOSARGE:** Mara.

**MS. LEVY:** One of the alternatives you have in Action 4 is to create the permit pool when a certain threshold is met, and then the other options sort of go to creating a panel at some point in time.

I think, if you remove what's going to happen with the permits that go into the pool, that you're essentially automatically creating a panel, because if you reach whatever threshold you have and things start going into a pool, you could potentially go that way, and so they would be in a pool, but we wouldn't know what to do with them until you actually created this panel and told the agency or developed the document that says how you're going to distribute them, or you could potentially have that panel happen sooner than when you start putting things into the pool, like the recommended Alternative 4 said in Action 4. Again, you would still have to come up with a mechanism for how to distribute them.

I think keeping Action 4 there still allows you to have this pool idea and permits could go into it whenever you decide that's appropriate. The idea would be that you would have to do something else to let people access them, because we haven't set up a mechanism to actually distribute whatever permits go into that pool.

That's what taking Action 5 out does. It means that you have to take action in the future to actually let people access these permits, to the extent they end up going into a pool.

**CHAIRMAN BOSARGE:** Okay, but if we delete all of Action 5, we're not only taking out the mechanism part, which would we have to go back and figure out the lottery versus this versus that, but we're also taking out the requirements for those permits. In other words, once we figure out the mechanism, then there are certain requirements that you have to meet to apply for the permit and be issued it.

The AP put a lot of time and effort into that, to try and ensure, in my opinion, that their ultimate goal with this pool, which were new entrants to the fishery that would possibly have an increase in landings and effort in this fishery, to make sure that that -- Those were the people that those permits actually went to, as opposed to some sort of speculation. If we take that part of Action 5 out of there, it's kind of like writing that blank check that we talked about earlier. Mara.



1  
2 **MS. LEVY:** Because you could consider that when you decide how  
3 you're going to distribute what's in the pool. You've  
4 potentially created this pool and all of these permits are going  
5 into it, however many go into it. There is no mechanism to  
6 distribute them, and so basically what you're doing is down the  
7 road, once you either hit a threshold or know that permits are  
8 going to be in the pool, you're now deciding how you're going to  
9 distribute them and what the requirements are to get them.

10  
11 You can decide that later on. It seems to me if you go with  
12 what they're recommending, Alternative 4 in Action 4, which is  
13 essentially to establish this review panel at this threshold  
14 that's above what you want to actually establish the pool that  
15 you're getting rid of Action 5 anyway, because why else would  
16 you have a review panel?

17  
18 They're saying, when you hit this number, establish a review  
19 panel to decide how we're going this. If you do that, then you  
20 don't need Action 5, because you're going to have this review  
21 panel to decide how to do it.

22  
23 I wasn't at the meeting. I don't know what they were getting at  
24 with this new Alternative 4, but it seems to me that they were  
25 getting at make these decisions down the road, at some other  
26 point, before you reach the threshold at which you want to  
27 actually have this pool come into effect.

28  
29 **CHAIRMAN BOSARGE:** Dr. Branstetter.

30  
31 **DR. BRANSTETTER:** Leann, I think that's what I was getting at  
32 with my last motion. I don't want to lose that effort that the  
33 AP made. They put a lot of time and effort and thought into  
34 that, and, looking at Action 4, if we accept the Alternative 4,  
35 it talks about a permit pool. Alternative 2 talks about a  
36 permit pool. Alternative 3 is the only one that doesn't say  
37 anything about a permit pool, and I think we can ask the IPT to  
38 address something like that, but they're still going to form a  
39 panel.

40  
41 Again, this is, at a minimum, five years down the road, maybe  
42 more, and especially to hit not the trigger to form the review  
43 panel, but to hit that threshold, it's maybe ten. We may have a  
44 totally different world out there. Like Myron said, there's not  
45 going to be anybody on this council. We may have a totally  
46 different world, and to set up now what the process is going to  
47 be of a five-net-ton vessel, this whole fishery may have changed  
48 over to two-net-ton vessels fishing in state waters.

1  
2 We don't know, and to set that up now I think is premature, but  
3 I don't want to throw the baby out with the bathwater. The AP  
4 did a lot of work on that, and so that was the intent of my  
5 motion.

6  
7 **CHAIRMAN BOSARGE:** Okay. We have a motion on the board. Any  
8 further discussion on the motion? **All those in favor of the**  
9 **motion, signify by saying aye; all those opposed, same sign.**  
10 **The motion carries.** Dr. Kilgour.

11  
12 **DR. KILGOUR:** The last action in the document is Action 6, and  
13 this talks about a transit provision. At the August council  
14 meeting, it was brought to the council's attention that some  
15 state-permitted vessels would like to be able to travel through  
16 federal waters, but they don't have a federal shrimp permit.

17  
18 The first alternative is no action. For a person aboard a  
19 vessel to fish for shrimp or possess shrimp in the Gulf federal  
20 waters, a federal vessel permit for Gulf shrimp must have been  
21 issued to the vessel and must be onboard.

22  
23 Alternative 2 is a vessel possessing shrimp may transit Gulf  
24 federal waters without a federal vessel permit if fishing gear  
25 is appropriately stowed. "Transit" means non-stop progression  
26 through the area. "Fishing gear appropriately stowed" means  
27 trawl doors and nets must be out of the water. This is the AP  
28 preferred, but I should put in the caveat that we did not  
29 provide them with Alternative 4.

30  
31 Alternative 3 is a fishing vessel possessing shrimp may transit  
32 Gulf federal waters without a federal vessel permit if fishing  
33 gear is appropriately stowed. "Transit" means non-stop  
34 progression through the area. "Fishing gear appropriately  
35 stowed" means a trawl net may remain on deck, but trawl doors,  
36 if present, must be disconnected from the trawl gear and must be  
37 secured.

38  
39 Alternative 4 is a vessel possessing shrimp may transit Gulf  
40 federal waters without a federal vessel permit if fishing gear  
41 is appropriately stowed. "Transit" means non-stop progression  
42 through the area. "Fishing gear appropriately stowed" means a  
43 trawl net may remain on deck, but the bag straps must be removed  
44 from the net and must be secured.

45  
46 I should also point out that this is the only action that the  
47 Law Enforcement Technical Committee commented on, and they felt  
48 that Alternative 3 was really the only enforceable alternative

1 for them. Do I need to provide any more rationale?  
2

3 **MR. ATRAN:** I think that's enough, but they didn't have  
4 Alternative 4 to consider.  
5

6 **DR. KILGOUR:** Also, the Law Enforcement Technical Committee did  
7 not have Alternative 4. That's correct. The Shrimp AP thought  
8 that Alternative 3 would be way too time-consuming for  
9 fishermen, because it's a substantial burden to remove the trawl  
10 doors, but, again, they weren't provided with Alternative 4,  
11 which I believe was suggested by Madam Chairman at one of the  
12 meetings to one of the IPT members.  
13

14 **CHAIRMAN BOSARGE:** Okay, and so in Action 6, we have a new  
15 alternative there, kind of a middle-of-the-road alternative.  
16 Any comments or discussion on Action 6? Okay. All right, Dr.  
17 Kilgour.  
18

19 **DR. KILGOUR:** Just to clarify, I am taking it from the committee  
20 that I should be adding Alternative 4 to the document?  
21

22 **CHAIRMAN BOSARGE:** Is there any opposition to adding Alternative  
23 4 to the document? No? Seeing none, Morgan.  
24

#### 25 **LETC COMMENTS**

26  
27 **DR. KILGOUR:** All right. That's the conclusion of 17B. The  
28 next thing on the agenda, I believe, was the Law Enforcement  
29 Technical Committee Comments, and I think that was under 17B.  
30 The only other thing that the Law Enforcement Technical  
31 Committee commented on was the TED compliance.  
32

33 **MR. ATRAN:** The issue with the TED compliance was brought  
34 forward by Brandi Reeder, who is the Texas representative on the  
35 Law Enforcement Technical Committee, and is also here today as  
36 their representative as the council. Since she brought the  
37 issue up at the technical committee, I thought she would be the  
38 best person to explain what the issues are. With your  
39 permission, I would like to have her explain this issue.  
40

41 **CHAIRMAN BOSARGE:** Yes, and we're a little over schedule, but I  
42 think we -- We started a little late too, and so we've got just  
43 a little bit of time, but you go ahead, ma'am.  
44

45 **COMMANDER BRANDI REEDER:** Thank you very much. I will be quick.  
46 The main thing is that the TED compliance policy has been  
47 drafted based upon the last biological opinion of 2014. Issues  
48 or concerns have arisen. Some of the main things are that the

1 small sample size is going to lead to potential closures. I  
2 realize that the closure is based upon a compliance rating of  
3 less than 84 percent over two sampling periods, which are four-  
4 month sampling periods.

5  
6 With that, we have concerns about how they -- The request has  
7 been for Protected Resources to understand that there will be a  
8 thirty-day data compilation period, and so we would not be able  
9 to see the results of the prior sampling period until thirty  
10 days after the original sampling period expired, and so we would  
11 start that window, and we would finally find out what the  
12 compliance rating is, and then our estimate is that it would  
13 take another thirty days to get any kind of education or  
14 outreach in place, and so we're already sixty days into the next  
15 sampling period.

16  
17 There is a little bit of concern there, but the main concern,  
18 however, right now is in regards to courtesy inspections. We  
19 appreciate, in the Law Enforcement Technical Committee, we have  
20 really appreciated you all's drafting a letter and requesting  
21 the notation on the TED boarding form to be included whether or  
22 not it's a courtesy inspection.

23  
24 The problem, however, is that Protected Resources intends to  
25 still use the level of violation detected through those boarding  
26 forms -- They intend to use, however it rates in a level of  
27 violation, the same for courtesy would be included as if that  
28 gear was fishing.

29  
30 The problem that we're going to have is that industry is going  
31 to quit requesting those courtesy inspections. In our  
32 estimation, it's going to end up with just a lack of cooperation  
33 overall and a potential for more interactions, due to their  
34 unwillingness to either report each other or to actually submit  
35 to those checks prior to the season, and so we have that  
36 concern.

37  
38 We also have the problem of that -- One thing that we would like  
39 to see is further clarification in the compliance policy  
40 document as to how closures will be handled. It's very  
41 difficult to understand right now, because there is no guideline  
42 currently as to what areas will be closed.

43  
44 With a migrant fleet, if our compliance off of Texas is rated  
45 low, or any other state, and yet the majority of that lower  
46 compliance rating is due to other state boats, how will that be  
47 handled? Will it be penalized against the originating state?  
48 If that's the case, then that state no longer has control over

1 that boat whenever it's off of my state waters, and vice versa.

2

3 Anyway, the Law Enforcement Committee would really like to see a  
4 little bit more clarification within that, and that was  
5 something that we had discussed within our meeting itself.

6

7 **CHAIRMAN BOSARGE:** Thank you. I appreciate that. It sounds  
8 like you all had a pretty robust discussion and a really  
9 thoughtful one, thinking about things that affect both  
10 enforcement and the fleet itself, and so I appreciate that.

11

12 We're over time. I think we need to have some further  
13 discussion on what you were just commenting on. I also had an  
14 item under Other Business, and so I hope that maybe at full  
15 council that maybe we can revisit some of these issues as we go  
16 through our committee reports. Thank you, and thank you for  
17 being here. I think that concludes the committee.

18

19 (Whereupon, the meeting adjourned on April 4, 2016.)

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