

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

2
3 SHRIMP MANAGEMENT COMMITTEE

4
5 Hilton Clearwater Beach Resort Clearwater Beach, Florida

6
7 June 20, 2016

8
9 **VOTING MEMBERS**

- 10 Leann Bosarge.....Mississippi
- 11 Roy Crabtree.....NMFS, SERO, St. Petersburg, Florida
- 12 Dave Donaldson.....GSMFC
- 13 Myron Fischer (designee for Patrick Banks).....Louisiana
- 14 Kelly Lucas (designee for Jamie Miller).....Mississippi
- 15 Robin Riechers.....Texas
- 16 David Walker.....Alabama

17
18 **NON-VOTING MEMBERS**

- 19 Kevin Anson (designee for Chris Blankenship).....Alabama
- 20 Doug Boyd.....Texas
- 21 Pamela Dana.....Florida
- 22 Dale Diaz.....Mississippi
- 23 John Greene.....Alabama
- 24 Martha Guyas (designee for Nick Wiley).....Florida
- 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 Assane Diagne.....Economist
- 34 John Froeschke.....Fishery Biologist - Statistician
- 35 Douglas Gregory.....Executive Director
- 36 Morgan Kilgour.....Fishery Biologist
- 37 Ava Lasseter.....Anthropologist
- 38 Mara Levy.....NOAA General Counsel
- 39 Emily Muehlstein.....Fisheries Outreach Specialist
- 40 Kathy Pereira.....Meeting Planner/Travel Coordinator
- 41 Charlene Ponce.....Public Information Officer
- 42 Ryan Rindone.....Fishery Biologist/SEDAR Liaison
- 43 Bernadine Roy.....Office Manager
- 44 Charlotte Schiaffo.....Research and Human Resource Librarian
- 45 Carrie Simmons.....Deputy Director

46
47 **OTHER PARTICIPANTS**

- 48 Patrick Banks.....LA

1 Luiz Barbieri.....GMFMC SSC
2 Jeff Barger.....Ocean Conservancy, Austin, TX
3 Anna Beckwith.....SAFMC
4 Randall Bibler.....FWC DLE
5 Chris Blankenship.....AL
6 Steve Branstetter.....NMFS
7 J.P. Brooker.....Ocean Conservancy, St. Petersburg, FL
8 Jim Clements.....Carrabelle, FL
9 Lee Crockett.....Pew Charitable Trusts
10 Jocelyn D'Ambrosio.....NOAA GC
11 Martin Fisher.....St. Petersburg, FL
12 Matthew Freeman.....FWC DLE
13 Susan Gerhart.....NMFS
14 Chad Hanson.....Pew Charitable Trusts
15 Frank Helies.....Tampa, FL
16 Representative David Jolly.....FL
17 Bill Kelly.....FKCFA
18 Michael Kelly.....CLS America
19 Benny Gallaway.....LGL, TX
20 Mike Larkin.....NMFS
21 Rich Malinowski.....NMFS
22 Sharon McBreen.....Pew Charitable Trusts, Orlando, FL
23 Jack McGovern.....NMFS
24 C. Melancon.....Baton Rouge, LA
25 Cynthia Meyer.....NOAA
26 Daniel Padron.....Key West, FL
27 Todd Phillips.....Ocean Conservancy, Austin, TX
28 Bonnie Ponwith.....SEFSC
29 Lance Robinson.....TX
30 Sunny Snider.....NMFS
31 Jessica Stephen.....NMFS
32 Andy Strelcheck.....NMFS
33 Michael Travis.....NMFS
34 Tom Wheatley.....Pew Charitable Trusts, Tampa, FL
35 Marlon White.....NOAA/NMFS, St. Petersburg, FL
36 Roger Young.....FWC DLE
37
38 - - -
39

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1 The Shrimp Management Committee of the Gulf of Mexico Fishery
2 Management Council convened at the Hilton Clearwater Beach
3 Resort, Clearwater Beach, Florida, Monday afternoon, June 20,
4 2016, and was called to order at 1:52 p.m. by Chairman Leann
5 Bosarge.

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

10
11 **CHAIRMAN LEANN BOSARGE:** Let's call the Shrimp Committee to
12 order. If you look on Tab D, Number 1, our agenda is there.
13 Are there any changes or additions to the agenda as presented?
14 Seeing none, can I get a motion to adopt the agenda?

15
16 **MR. DAVE DONALDSON:** So moved.

17
18 **CHAIRMAN BOSARGE:** All right. Motion by Dave. Is there a
19 second?

20
21 **DR. KELLY LUCAS:** Second.

22
23 **CHAIRMAN BOSARGE:** Okay. The minutes are in Tab D, Number 2.
24 Are there any amendments to the minutes that are presented?
25 Seeing none, do I have a motion to approve the minutes?

26
27 **MR. DONALDSON:** So moved.

28
29 **CHAIRMAN BOSARGE:** So moved and we have a second by Dr. Lucas.
30 Any opposition to that motion? Seeing none, the motion carries.
31 Our Action Guide and Next Steps, Tab D, Number 3, I believe Dr.
32 Kilgour is going to lead us through that.

33
34 **DR. MORGAN KILGOUR:** Sure. Pretty much we're just going to have
35 an overview by Dr. Branstetter about the modifications to the
36 BRD Testing Manual, and then we will go over the options paper
37 after you hear an SSC report, and I can just make sure that
38 everything is covered.

39
40 **CHAIRMAN BOSARGE:** Okay. Dr. Branstetter, are you still going
41 to lead us through the Agenda Item Number IV, Overview of
42 Modifications to the Bycatch Reduction Device Testing Manual?

43
44 **OVERVIEW OF MODIFICATIONS TO THE BYCATCH REDUCTION DEVICE**
45 **TESTING MANUAL**

46
47 **DR. STEVE BRANSTETTER:** Yes, ma'am. Thank you, Madam Chair.
48 This Tab D-4 in your briefing book. When all the BRDs started

1 being certified back in the late 1990s, we developed the BRD
2 certification regulations. We also developed this BRD Testing
3 and Certification Protocol Manual. This made a standardized
4 format for anybody to be able to go out and test a BRD and then
5 get it certified.

6
7 I can promise you, when Dr. Leard and I wrote that protocol in
8 1998, we never thought that it would ever need to come to a
9 proposed and final rule stage to make administrative changes.
10 We were thinking of changing the criteria from red snapper to 30
11 percent finfish and that kind of stuff, and that, we felt,
12 needed to go before the council and it needed to be a proposed
13 and final rule.

14
15 Anyway, over time -- Let me back up a little bit. Back then,
16 there was no shrimp observer program, and so, to test these
17 BRDs, we had been using forms that the Galveston Lab had made
18 up, and so we just included those forms as part of the manual
19 itself. They weren't required to use them, but they were there
20 if people wanted to use them. That was the kind of information
21 we wanted to collect.

22
23 Over time, a lot of those forms have been updated or they've
24 been deleted and they're now obsolete, and so what we've decided
25 to do -- They've been incorporated into the standardized
26 observer program now.

27
28 We're going to take those forms out of the manual itself, and
29 so, while I was at it, I went through and cleaned up some of the
30 other text. If you scroll down just a little bit farther on
31 that page, I will give you a good example of a change. If you
32 notice it says the applicant must submit a completed Appendix A.
33 Well, Appendix A no longer exists, and so now we have to tell
34 the people to please submit your name, phone number, and
35 address.

36
37 These are the kinds of changes that are being made in this
38 manual at this time, and, unfortunately, we will have to do a
39 proposed and final rule to get it done. That's the gist of the
40 changes we're making.

41
42 **CHAIRMAN BOSARGE:** All right. Any questions for Dr. Branstetter
43 on the proposed changes? Mara, do we need to pass any sort of
44 motion here to bless Dr. Branstetter's changes or can the simple
45 fact that we have no opposition voiced suffice?

46
47 **MS. MARA LEVY:** I think as long as we have it on the record that
48 the committee and the council agree with the proposed

1 modifications. The framework says that the council will advise
2 the RA in writing of any suggested changes to the proposed
3 modifications, and so, as long as you don't indicate that you
4 have any changes to what is proposed, I think we're okay.

5
6 **CHAIRMAN BOSARGE:** Thank you. Moving right along, that takes us
7 to Agenda Item Number V, which is going to be our Options Paper
8 for Shrimp Amendment 17B, as well as the Special Shrimp SSC
9 Summary Report. Dr. Kilgour, I will turn it over to you.

10
11 **DR. KILGOUR:** If I could have Luiz give the SSC report on this
12 first, before we go through 17B, I think that would be helpful.

13
14 **CHAIRMAN BOSARGE:** Okay.

15
16 **SPECIAL SHRIMP SSC SUMMARY REPORT**

17
18 **DR. LUIZ BARBIERI:** Thank you. I was actually, again, going to
19 just present a few points. I don't have a formal presentation.
20 Hopefully you have a copy of the amendment in front of you, on
21 your screens, so you keep track of Action 1, 2, and 3 in Shrimp
22 Amendment 17B.

23
24 There were several actions that were envisioned in this or are
25 envisioned in this amendment, optimum yield, maximum sustainable
26 yield, a cap on the number of permits, use of a permit pool, and
27 transit provisions. I am not going to be able to comment on all
28 of those, but the SSC actually weighed in on a number of these
29 issues that had technical details that we felt would be good for
30 the committee to review for you.

31
32 First would be the methodology used, the criteria and
33 methodology used, for estimating the aggregate MSY and OY that
34 are being proposed in Shrimp Amendment 17B. The SSC really had
35 no concerns about those methodologies and accepted those
36 estimates as presented and blessed the methodological approach
37 as the best scientific information available.

38
39 We then reviewed Actions 1, 2, and 3, and we had no issues with
40 Action 1, which basically proposes the new aggregate MSY. For
41 Action 2, the SSC thought -- There was a comment and some
42 discussion about the fact that we needed to have some additional
43 options presented, perhaps. It wasn't really a methodological
44 or scientific-based comment, but just the fact that the way the
45 options are presented there, you just don't have enough of them
46 to differentiate between the no action and the action being
47 proposed.

1 Then we had some discussions on Action 3, which proposes a
2 minimum threshold for the number of Gulf shrimp vessel permits.
3 By and large, the committee did not have a problem with this
4 action as well, the methodologies used to propose those metrics.
5 However, we felt that we would like to see more detail in the
6 rationale for the numbers that are presented in terms of the
7 thresholds, the options, for the different levels of those
8 thresholds.

9
10 We were told that there was more detail on that that was
11 available in the appendix to this report, but we felt that that
12 discussion could be expanded to be more detailed, but no major
13 concerns from the committee regarding any of the actions
14 provided in Shrimp Amendment 17B. That, Madam Chair, concludes
15 my presentation.

16
17 **CHAIRMAN BOSARGE:** Are there any questions for Dr. Barbieri? I
18 have a question, Luiz. Has the SSC weighed in yet with some
19 sort of risk assessment regarding the thresholds and turtles?
20 Have they weighed in with a risk assessment? Have they
21 conducted a risk assessment yet?

22
23 **DR. BARBIERI:** The short answer is no, the SSC has not weighed
24 in on that. I know that -- I am aware of the fact that there
25 has been a biological opinion. My understanding of that is that
26 it incorporates some level of risk assessment related to turtle
27 bycatch.

28
29 I don't remember, and I haven't missed any SSC meetings in quite
30 a while, but I don't remember us going through that risk
31 assessment in detail. I know that the quantities, in terms of
32 the fishing effort that is being proposed for the levels of OY
33 are pretty much around that 75,000 days that really puts the OY
34 level pretty much at that threshold. I don't know how close, if
35 it's a little over or a little under. I haven't seen the
36 details, and I don't believe that the committee has either.

37
38 **CHAIRMAN BOSARGE:** Thank you, sir. Any other questions for Dr.
39 Barbieri? Ed.

40
41 **MR. ED SWINDELL:** Excuse my newness to this whole effort
42 business, but what is the effort? What is the terms for the
43 effort? Is it vessel length or is it vessel tons or vessel
44 days? What is it?

45
46 **DR. BARBIERI:** It depends on what exactly was in the process
47 you're talking about. Within the assessment is one thing, but
48 there are other metrics that are used. In this case, in this

1 amendment, it's number of days.
2
3 **MR. SWINDELL:** I am looking at an MSY curve here that gives me
4 catch and effort, and the catch is in what number? Is that in
5 tons or is it thousands of fish or is it what? What is the
6 catch?
7
8 **DR. BARBIERI:** You're going to see that the -- I don't have it
9 in front of me, but perhaps, Bernie, if you can --
10
11 **MR. SWINDELL:** It's on page 9.
12
13 **DR. BARBIERI:** Yes, on page 9 is the Graham-Schaefer surplus
14 production model estimate. It's relating catch and effort to
15 propose an estimate of MSY, and that is the metric that was used
16 to generate the reduction to OY. You're going to have catch on
17 the Y-axis and effort.
18
19 **MR. SWINDELL:** Yes, but what is catch in? Is it tons? What is
20 the --
21
22 **DR. BARBIERI:** The units?
23
24 **CHAIRMAN BOSARGE:** I believe it's pounds of tails, Ed.
25 Typically, our catch is measured in pounds of tails.
26
27 **MR. SWINDELL:** Pounds, total pounds?
28
29 **CHAIRMAN BOSARGE:** Pounds of tails, right.
30
31 **MR. SWINDELL:** Pounds of tails and not heads on.
32
33 **CHAIRMAN BOSARGE:** Typically, it is in tails, most of the time,
34 yes.
35
36 **MR. SWINDELL:** Heads off, tails. What is the effort, in units
37 of effort?
38
39 **CHAIRMAN BOSARGE:** Effort is typically measured in days, twenty-
40 four-hour days, fished.
41
42 **MR. SWINDELL:** Vessel days. Okay. Thank you.
43
44 **CHAIRMAN BOSARGE:** Any other questions for Dr. Barbieri? Thank
45 you, Luiz.
46
47 **DR. BARBIERI:** Thank you, Madam Chair.
48

1 **CHAIRMAN BOSARGE:** Dr. Kilgour, I will turn it over to you to
2 lead us through Amendment 17B, please, ma'am.

3
4 **OPTIONS PAPER FOR SHRIMP AMENDMENT 17B**
5

6 **DR. KILGOUR:** If we can go ahead and scroll ahead to Action 1.
7 Again, the aggregate MSY for the Gulf of Mexico shrimp fishery,
8 there were two alternatives that were presented for the
9 aggregate MSY. One is no action, don't establish one, and the
10 other was to use the working group's methodology to set
11 aggregate MSY to just over 109-million pounds of tails.

12
13 This, again, is the AP-preferred alternative, and the committee
14 does not need to make a recommendation. We're still at the
15 options paper stage, and so, if there aren't any questions about
16 this one, we can move ahead or I can answer questions.

17
18 **CHAIRMAN BOSARGE:** Are there any questions or comments on Action
19 1 from the committee? I see none. Morgan, I would just like to
20 back up for just a second. In the history of management
21 section, I read through it, and I mentioned last time, the last
22 time we had a committee meeting on this document, I would like
23 to see a little bit of verbiage in the document about the
24 management measures relative to TEDs that were implemented in
25 the industry, and I think it was added to the document.

26
27 I think it's further along, in one of the later chapters, but I
28 think that probably should be highlighted in the history of
29 management. I think it was one of the most significant changes
30 to our industry, and I think it probably hits the highlight reel
31 there in the history of management. That's just my personal
32 opinion, but, other than that, let's go ahead and proceed on.

33
34 **DR. KILGOUR:** Okay. Action 2, this is the action that addresses
35 the aggregate OY for the Gulf shrimp fishery. The Alternative 1
36 is no action, don't establish an aggregate OY. Alternative 2 is
37 to have the aggregate OY equal to just over eighty-five-million
38 pounds of tails, which is the aggregate MSY reduced for certain
39 biological, social, and economic factors.

40
41 Again, we went through the rationale for how the working group
42 established this at the April council meeting, and the SSC
43 didn't have any problems with that rationale, but they did feel
44 that we needed to provide an additional alternative.

45
46 The IPT has not met since the SSC met. Some of the members have
47 been discussing that perhaps we should set OY equal to different
48 years, based on the CPUE or just like we have in Action 3, and

1 so I guess, from the IPT and staff standpoint, does the
2 committee have any recommendations for an alternate method of
3 calculating OY, so that you have another alternative, or would
4 you like the IPT to produce something and bring it back to the
5 August council meeting?
6

7 **CHAIRMAN BOSARGE:** Dr. Crabtree.
8

9 **DR. ROY CRABTREE:** From what I can tell from the SSC, they
10 seemed to just have an issue that there were only two
11 alternatives here, and there's been some long-standing notion
12 floating around that you have to have at least three
13 alternatives, but, in fact, there is nothing in NEPA that says
14 anything like that, and so I think there is an explanation in
15 here of why these are the alternatives we have.
16

17 I think we can come up -- If we can come up with another
18 reasonable alternative that has some rationale for why it is
19 reasonable, then that would be fine to add, but I don't think we
20 need to just create a new alternative just for the sake of
21 having a new alternative, and I can't tell, from the SSC report,
22 that they actually had an alternative that they thought we
23 should put into it.
24

25 **CHAIRMAN BOSARGE:** Dr. Kilgour.
26

27 **DR. KILGOUR:** Thank you, Madam Chair. The SSC didn't make a
28 specific recommendation. They did discuss potentially having an
29 alternative that incorporated confidence limits about that OY
30 that was recommended, but there was no specific motion, and so
31 Dr. Crabtree is correct.
32

33 **CHAIRMAN BOSARGE:** Okay. Any other comments on Action 2?
34 Myron.
35

36 **MR. MYRON FISCHER:** I have a comment about the entire document
37 in general. On our proposed actions through 2016, earlier in
38 the documents, and not in shrimp, but in mean in council
39 documents, there is no schedule for this 17B after this meeting.
40 I think if we had a discussion first of where we're going down
41 the road, where we're going in August and where we're going in
42 the fall, it might accelerate some of the actions we have to do
43 now, and so I would like to -- Maybe if staff could comment on
44 what's the progress going to be.
45

46 **CHAIRMAN BOSARGE:** Dr. Kilgour.
47

48 **DR. KILGOUR:** Sure. It's my understanding that we will have a

1 public hearing draft ready for you in October. The economic
2 analyses that are going to be required for that draft are taking
3 some time, and I have been informed that that is when they will
4 be ready.

5
6 **MR. FISCHER:** Thank you, and so I would almost assume, with a
7 couple more meetings, we're not making any drastic changes to
8 the document at this time and we're just maybe reviewing the SSC
9 findings and how that falls into MSY and OY, but we're not
10 making a complete overhaul. Would you feel that's safe?

11
12 **CHAIRMAN BOSARGE:** Yes, we're going through the document and any
13 feedback we have for staff and the IPT, we need to put it on the
14 record and let them know where we want this to go. Is there any
15 other feedback on Action 2? All right, Dr. Kilgour, we can
16 continue.

17
18 **DR. KILGOUR:** Okay, and so now we're on to Action 3, which is
19 the action that establishes a threshold for the minimum number
20 of permits. It does not actively remove any Gulf shrimp
21 permits, and this is only for monitoring purposes.

22
23 The first alternative is do not set a threshold number of
24 permits. The second alternative sets the number of valid or
25 renewable Gulf shrimp vessel permits equal to the predicted
26 number of active permitted vessels, those with landings from
27 offshore waters, needed to attain the aggregate OY, which was
28 set in Action 2. The aggregate OY accounts for relatively high
29 CPUE in landings while reducing the risk of exceeding the sea
30 turtle and juvenile red snapper bycatch. This was the AP
31 preferred alternative.

32
33 Alternative 3 sets a threshold number of valid or renewable Gulf
34 shrimp permits equal to the predicted number of active permitted
35 vessels during 2011, when effort was highest during the
36 moratorium in the area monitored for red snapper juvenile
37 mortality, but without reaching the bycatch reduction threshold
38 and triggering closures.

39
40 Alternative 4 sets a threshold number of valid or renewable Gulf
41 shrimp vessel permits equal to the predicted number of active
42 permitted vessels during 2008, when catch per unit effort in the
43 offshore fishery was highest during the moratorium.

44
45 Alternative 5 sets a threshold number of valid or renewable Gulf
46 shrimp vessel permits equal to the predicted number of active
47 permitted vessels in a year with relatively high CPUE in the
48 offshore fishery without a substantially reduced landings and

1 with effort that is close to the effort needed to achieve OY,
2 and so this is in 2007 or in 2012.

3
4 Alternative 6 is the only alternative that's the number of valid
5 permits, and it sets a threshold number of valid or renewable
6 Gulf shrimp vessel permits equal to the number of valid permits
7 at either the end of 2013, the end of 2014, or the end of the
8 initial moratorium on October 26, 2016. Is there any discussion
9 about these alternatives?

10
11 **CHAIRMAN BOSARGE:** Is there any feedback or discussion or
12 comments from the committee on Action 3 in the document, in the
13 proposed alternatives? Okay, Morgan, you can proceed on.

14
15 **DR. KILGOUR:** If we move ahead to Action 4, this is the action
16 that I would actually -- It's the response when the threshold
17 number of shrimp moratorium permits is reached. Alternative 1
18 is no action, nothing happens.

19
20 Alternative 2 is if the number of valid or renewable shrimp
21 moratorium permits reaches the threshold set in Action 3, any
22 permits that are not renewed within one year of the expiration
23 date will go into a permit pool.

24
25 Alternative 3 is if the number of valid or renewable shrimp
26 moratorium permits reaches the threshold set in Action 3, the
27 council will form a review panel to review the threshold and
28 determine if action is needed.

29
30 Alternative 4, which is the AP-preferred alternative, is when
31 the number of valid or renewable shrimp moratorium permits
32 reaches 1,300, the council will form a review panel to review
33 the details of a permit pool and other options. If the number
34 of permits reaches the threshold set in Action 3, any permits
35 that are not renewed within one year of the expiration date on
36 the permit will go into a Gulf shrimp vessel permit reserve
37 pool. The panel would consist of Shrimp AP members, SSC
38 members, and NMFS and council staff.

39
40 **CHAIRMAN BOSARGE:** Okay. Is there any feedback from the
41 committee on this action? All right, Morgan, go ahead.

42
43 **DR. KILGOUR:** Action 5 is the issuance of the reserve Gulf
44 shrimp vessel permits in that permit pool, and I do need some
45 committee feedback on some of the areas that are highlighted in
46 yellow, specifically with the length requirements when we get
47 there.

48

1 Alternative 1 is no action. Individuals must submit a completed
2 application to NMFS to be issued a reserved Gulf shrimp vessel
3 permit. Applicants with complete applications will receive a
4 Gulf shrimp vessel permit reserve pool permit if one is
5 available.

6
7 Alternative 2 is NMFS will maintain a waiting list for the
8 permits in the permit pool and will notify individuals in the
9 order in which they appear on the list when a permit pool permit
10 becomes available. Once notified, the individual must submit a
11 completed and up-to-date application to NMFS to be issued a
12 reserved Gulf shrimp vessel permit. To be eligible for a
13 reserved Gulf shrimp vessel permit, the applicant must meet the
14 requirements selected below, and a reserved Gulf shrimp vessel
15 permit may only be transferred to an individual who also meets
16 the eligibility requirements.

17
18 Option a is there are no eligibility requirements. Option b is
19 the applicant must be a U.S. citizen or business. Option c is
20 assign the permit to a vessel that is of at least X in length on
21 the application. Option d is to assign the permit to a vessel
22 with a U.S. Coast Guard dockside safety exam for the fishing
23 activity beyond three miles. Option e is, after receiving a
24 reserved Gulf shrimp vessel permit, the permit holder must show
25 proof of shrimp landings from the Gulf associated with the
26 vessel through the trip ticket or other applicable landings
27 programs within twelve months of the issuance of the permit or
28 the permit will not be renewed.

29
30 We should note that any of the options -- The council should
31 discuss the type of proof required for meeting the eligibility
32 requirements.

33
34 **CHAIRMAN BOSARGE:** Okay, committee, we need some feedback on
35 this one. Myron.

36
37 **MR. FISCHER:** Thank you, Madam Chair. If we have to discuss --
38 I am discussing type of proof required. Under Option c, the
39 length, they would have to furnish their document, and the
40 length of their vessel is going to be stated on their document.
41 For proof of length, it would be document. I really can't speak
42 to the others.

43
44 **CHAIRMAN BOSARGE:** Dr. Crabtree.

45
46 **DR. CRABTREE:** I think the question is what's the minimum length
47 that goes in the X?

48

1 **MR. FISCHER:** I was on the note on the bottom, where she was
2 asking for a little more conversation, a little more dialogue,
3 on discussing these eligibility requirements. I am not in favor
4 of a length, and so I wouldn't support a length. I don't like
5 Option c, because I feel that we shouldn't be dictating to
6 fishermen what size vessels they should be using. When this
7 comes to fruition, come October and we're voting on it, I
8 wouldn't be supporting Option c either way.

9
10 **CHAIRMAN BOSARGE:** Dr. Crabtree.

11
12 **DR. CRABTREE:** I think that troubles me about it is that we're
13 potentially a decade away from hitting this threshold, and so
14 would we want to -- I mean conditions could change so much then
15 that it just seems, to me, to set all the ways this would work
16 is kind of premature. It would make more sense to set the
17 threshold and then the council figures out, with a review panel,
18 what to do with it when and if we actually get to it.

19
20 If we did it that way, then it doesn't seem to me that this
21 action becomes essential to any of this, and we would figure
22 this out when we get there, because I can tell you -- I mean
23 we've all watched how economic conditions in the shrimp fishery
24 have changed over the last ten to fifteen years, and I suspect
25 that, in the world we live in now, that things will be very
26 different a decade from now than they are today.

27
28 **CHAIRMAN BOSARGE:** I have to agree with you that we could be a
29 very long way away, and I think, during our last committee
30 meeting, we actually took this out, but then decided to put it
31 back in, I believe.

32
33 The reason that we put it back in at this point was because, in
34 Action 3, we actually have alternatives that will create a
35 permit pool immediately, and so, when this document is finalized
36 and implemented, a pool would be formed. As long as we have
37 those alternatives still standing in that action, then I think
38 this conversation is a valid one.

39
40 Now, if at some point all of the alternatives are actually
41 creating a permit pool at some point in the future, in other
42 words at some lower level of permits than what we are right now,
43 then this conversation could move to an appendix in the
44 document, to at least give some idea of what the conversation
45 was and what this body was hoping to achieve from this permit
46 pool, which I think is what these Options a through e are
47 getting at.

1 It's essentially that we're looking to bring new entrants into
2 the fishery that would get this permit and actually fish it, and
3 that's what a lot of this is getting at, in addition to entrants
4 that will be responsible stewards.

5
6 I think that's what Option d gets to, that they will meet all
7 the safety requirements that are required to operate beyond the
8 three-mile line, and so I think that's what this is getting at,
9 but as long as we have alternatives in that Action 3 that would
10 create a pool immediately, then I think we have to go through
11 this exercise at some point or another.

12
13 **DR. CRABTREE:** I guess, although it does seem to me that we
14 could go through all of the decisions and create the threshold
15 and then, if this all gets approved and put in place, then there
16 is a pool.

17
18 Then we would know at that point how many vessels are in the
19 pool and potentially how many permits are we going to issue, and
20 then we could bring in an advisory panel to talk to us about how
21 to deal with that, and we would have a better sense then of
22 we're talking about permits now versus permits in a decade and
23 how many permits are we talking about and all that kind of
24 thing.

25
26 It's hard to think about it now, when it could be -- Like you
27 said, it could be we're already there and the pool is created,
28 or it could be ten years out, because the way we might want to
29 structure how we do it could be very different, and then it gets
30 really complicated, and so I'm thinking of it as step one is to
31 decide on the threshold and create the pool and then step two is
32 what are we going to do with the pool and who gets them.

33
34 **CHAIRMAN BOSARGE:** I concur. I think once we get far enough
35 along in this document that we can see what direction we're
36 headed in Action 3, I think then, at that point, we can make
37 some more decisions and go from there, most definitely, but I
38 think it is going to be a step-wise approach, and one is going
39 to kind of dictate the other. Mara.

40
41 **MS. LEVY:** Just a comment on the note about discussing the type
42 of proof required. Obviously we're a way down the road, but I
43 think a main decision point is whether to require proof. You
44 could have, if you did have a vessel length requirement, you
45 have to be forty feet or whatever, that could be a check-box on
46 the application, which you are signing under the penalty of
47 perjury, or we could require them to submit an extra piece of
48 paper proving that their vessel has been measured at that

1 length, and so I think that's a decision point, when you come to
2 those, that you could either -- You could go either way, making
3 the submission of a separate document or adding it to the
4 application, which is sort of self-certified.

5
6 **CHAIRMAN BOSARGE:** I will weigh in on that one. It had been my
7 intention that you would have to submit an additional document.
8 In other words, if Option d went into the final document and was
9 implemented, then the Coast Guard actually gives you a form,
10 where you have gone through your safety inspection, and that
11 would have to be submitted, and it shows that you are legal to
12 fish outside of three miles, and that would have to be submitted
13 with your application to get one of these permits. That is the
14 way I had always envisioned it. Any other feedback on this
15 action? All right, Dr. Kilgour.

16
17 **DR. KILGOUR:** Just to kind of breeze through the remaining
18 alternatives, they all have the same Options a through e. If
19 it's all right with the committee, I will save my voice and not
20 say them all, but Alternative 3 would be different than
21 Alternative 2 in that the reserved Gulf shrimp vessel permits
22 will be available from NMFS once per year and will be issued to
23 applicants in the order in which applications are received after
24 the availability of permits is announced.

25
26 It is slightly different than -- One is the order in which they
27 appear on the list and the other is the order in which they are
28 received.

29
30 Then Alternative 4 is the reserved Gulf shrimp vessel permits
31 will be available from NMFS once per year. If the number of
32 applicants is greater than the number of reserved Gulf shrimp
33 vessel permits, NMFS will conduct a lottery to determine which
34 individuals may be issued the available permits. Those are the
35 three differences from these. Other than that, the Options a
36 through e are all the same.

37
38 **CHAIRMAN BOSARGE:** All right. Any further comments? Dr.
39 Kilgour, you had your hand raised?

40
41 **DR. KILGOUR:** I just wanted to reiterate that we have
42 additionally highlighted in the document, in Table 2.5.1, two
43 methodologies for coming up with that vessel length for Option
44 c, because we will need something to help with our discussion
45 and our review of the alternatives on what this vessel length
46 is, and so it would be helpful if the committee could help with
47 -- If there is going to be a vessel length option, we need to
48 have a value there.

1
2 We have two methods. One is less than sixty feet or greater
3 than sixty feet and the other is in twenty-five-foot increments
4 up to seventy-five feet or more.

5
6 **CHAIRMAN BOSARGE:** Committee, that's on page 27 of the document,
7 Table 2.5.1, that Morgan is referring to. Is there a pleasure
8 of the committee as far as a length requirement at this point in
9 time? I hear a lot of mumbling going on, Morgan, and so I'm
10 assuming that people are kind of going through that table at
11 this point and maybe they can examine it a little bit more
12 before full council and maybe give us a little bit of feedback
13 as we go through that committee report. Dr. Crabtree.

14
15 **DR. CRABTREE:** Yes, because I think, in order for staff to
16 analyze all of this, we're going to have to give them some
17 lengths and things and some specifics. If you're not
18 comfortable with it, that's fine, but, at some point, we're
19 going to have to get there or we're not going to be able to
20 complete the document.

21
22 **CHAIRMAN BOSARGE:** Lance.

23
24 **MR. LANCE ROBINSON:** Morgan, I have a question, or maybe someone
25 here on the committee can help me. In these two methods here,
26 where you're breaking it down by two sizes, would the permit --
27 If a smaller vessel -- In the case of the first option, Method
28 1, if a forty-foot vessel had a vacant permit, could it be
29 increased up to fifty-nine feet? Is there any limit on the size
30 movement within the categories?

31
32 **CHAIRMAN BOSARGE:** Wait a minute. Can you say that again now?

33
34 **MR. ROBINSON:** Under Method 1, where you have a permit that's
35 less than sixty feet, correct, a vessel that's less than sixty
36 feet, if that vessel happens to be -- Let's go to an extreme.

37
38 On your Method 2, you've got some vessels less than twenty-five
39 feet. If you had a vessel that's in that Method 1 that's
40 twenty-five feet in size, and that permit is available, can it
41 go on a vessel larger than twenty-five feet, if it's under
42 Method 1?

43
44 **CHAIRMAN BOSARGE:** Yes, I think what you're getting at -- If you
45 look back, on page 24, there's permits that are out there
46 already right now, moratorium permits, and this is not going to
47 apply to those permits. This is permits that are in this
48 reserve pool that you can go and get.

1
2 The Option c says that those permits in the pool would only be
3 assigned to a vessel that is of a certain length on the
4 application or on the documentation paperwork, and so what we're
5 saying is -- In other words, whatever we put in this blank, if
6 we say it's fifty feet, then if you have a vessel and you want
7 to go get a permit, that vessel has got to be of at least fifty
8 feet or greater for you to apply for the permit. We're setting
9 the minimum vessel length.

10
11 Before, if I remember correctly, one iteration of this document
12 actually, instead of length, was thinking about requiring a net
13 tonnage, a five-net-tonnage requirement, and that was having to
14 do with being documented. If you step outside into federal
15 waters and you're five net tons, you have to be a documented
16 vessel.

17
18 If you have a documented vessel, that would work, and that kind
19 of gets around a little bit of the length, but we took that out
20 and we've gone back to this length requirement, or maybe the
21 length requirement was always there, but we've gone back and
22 forth about how to get at this length and try and make sure that
23 the vessel that's getting the permit is one that will actively
24 fish, as opposed to a skiff in someone's backyard. Dr.
25 Crabtree.

26
27 **DR. CRABTREE:** Then, on the landings requirement, it just says
28 show proof of landings, and so it could be proof of I landed
29 five shrimp. It's any amount of landings.

30
31 **CHAIRMAN BOSARGE:** At this point, yes, and so you would probably
32 need to show a trip ticket of some sort from state that is proof
33 of landings, and that would need to be submitted in order to
34 renew that permit on that one-year renewal date, but that is
35 something that we can definitely look at.

36
37 Yes, there is a landings threshold, but what is it? Is it one
38 pound or is it 1,000 pounds or is it some other number, and so
39 that's an option as well.

40
41 **DR. CRABTREE:** That requirement is every year to renew and not
42 just a one-time, the way I'm reading it.

43
44 **CHAIRMAN BOSARGE:** Dr. Kilgour.

45
46 **DR. KILGOUR:** I don't believe so, and I think in the discussion
47 that it should say that it's a one-time proof of landings.
48 That's all that it is. Once you prove that you have landed

1 shrimp that first year, you can continue to renew the reserve
2 permit.

3
4 **DR. CRABTREE:** All right. As long as that's clear in the
5 document, I've got you.

6
7 **CHAIRMAN BOSARGE:** I did get to actually speak to one of the
8 individuals on the council from Western Samoa that we kind of
9 looked at that permit system that has a permit pool, and their
10 permits are a use-it-or-lose-it every year. I mean I'm not
11 saying that we should go that way, but I happened to speak to
12 them, and that is the way theirs is. Dr. Lucas.

13
14 **DR. LUCAS:** I know Myron is the one that put this in here, but I
15 think he was going for, and Myron maybe could speak to this, but
16 it was kind of more along the lines of use-it-or-lose-it, where
17 every year they would have to show the proof of landings or the
18 permit would revert back to the pool.

19
20 **MR. FISCHER:** Especially for these permits, because these were
21 something special that you were getting, and so you had to --
22 You couldn't apply for it if you had no intent to use it or if
23 you were going to put it on a shelf. It would be a non-
24 transferable permit that you had to fish. If you didn't fish
25 it, you lost the permit. It's just that simple. That was the
26 theory behind what I was trying to do. I know that didn't
27 answer your question.

28
29 **DR. LUCAS:** I was just wondering, since it wasn't structured as
30 such in the document, if you wanted discussion, so that it would
31 be structured that way for that argument.

32
33 **CHAIRMAN BOSARGE:** Thank you, Dr. Lucas. Any other -- Mara.

34
35 **MS. LEVY:** So I guess it's not clear to me which way that option
36 is going, and maybe you don't need to decide right now, but, at
37 some point, I think the alternatives should be very clear about
38 whether it's an annual requirement or a one-time deal.

39
40 **CHAIRMAN BOSARGE:** All right. Any further discussion? Dr.
41 Kilgour.

42
43 **DR. KILGOUR:** I guess I am going to ask for some clarification,
44 because I seem to recall that Option a was developed by the
45 Shrimp AP and they had some concerns that if you -- They can't
46 always fish every year. Sometimes your vessel breaks down and
47 sometimes you have health things, and so you would lose that
48 permit. I just need to make sure that I'm capturing what the

1 council wants and that this is a you have to renew every year,
2 so that we can make sure that we capture that in the discussion.

3
4 **CHAIRMAN BOSARGE:** Yes, and I was thinking about that as we were
5 having this discussion. In the document somewhere, it talks
6 about inactive permits, for the ones that are on the books now,
7 and that that happens for a multitude of reasons. Someone may
8 have issues with their vessel or may become sick or things like
9 that, and so I think this is something we're probably going to
10 have to have some discussion on and figure out which way we're
11 going to lean on it.

12
13 Really, Action 3 may kind of drive us in one direction or the
14 other, depending on how many permits are in this pool. If
15 there's a larger number of permits in this pool, then we may be
16 more apt to do a use-it-or-lose-it, where we feel that people
17 would still -- There would still be excess permits in the pool
18 and people would be able to go and get another one, once their
19 vessel is back up and operating or whatever the case may be that
20 drove them to not have landings. I think that may drive the
21 discussion on this item as well.

22
23 **DR. KILGOUR:** I guess that will be a later decision from the
24 council for me. Has the committee decided on a length? That
25 Table 2.5.1 gives you the percentage of vessels in each of those
26 length categories, but, for there to be adequate discussion and
27 analyses on that, we do need a length from the committee.

28
29 **CHAIRMAN BOSARGE:** The table that you have in front of us,
30 Morgan, shows us that essentially, when you break the fleet down
31 into a sixty-foot or under or sixty-foot or over boat length
32 categories, that about 76 percent of the boats fall into that
33 sixty-foot and greater. Then you went a step further and tried
34 to break it down into a few more categories for us.

35
36 If we do a fifty-foot break point, essentially, then we capture
37 round about 83 percent of the entire fleet falls into that
38 greater than fifty-feet category.

39
40 It seems to me that it would be more restrictive to go with the
41 sixty rather than the fifty. The fifty would allow more of
42 those vessels that are currently out there to be eligible for
43 one of these permits in a permit pool that might be created, but
44 I'm only one person on the committee trying to give you a little
45 feedback.

46
47 I think that when we had a discussion, when Commander Brand was
48 here and we were asking about the five net tons, he said,

1 generally speaking, that's going to be a vessel that was -- I
2 hope I quote him right, but I think he said thirty-five feet or
3 greater is five net tons, and that's kind of a threshold that
4 we've looked at in the past, and so that's those last two
5 brackets. Johnny.

6
7 **MR. JOHNNY GREENE:** I certainly don't anticipate speaking for
8 the Coast Guard very often, but this is one thing that I do know
9 a little something about. A vessel of any net tonnage is a
10 cubic measurement. It has nothing to do with length. It has to
11 do with number of bulk heads, et cetera, et cetera, and so on.

12
13 I do think that Mr. Perkins will be here for this meeting, was
14 the intent, and he can clarify it. I do know there are some
15 rather small boats that would qualify under five tons. When I
16 qualified my initial captains license, I was writing off center-
17 console-type boats at five gross tons, and it was completely
18 within the parameter of the law, and so just be careful with
19 that definition and seek some clarification because you go any
20 further.

21
22 **CHAIRMAN BOSARGE:** That was Commander Brand's rule of thumb is
23 what he said. There is not a strict definition for it, but he
24 said rule of thumb, generally speaking, is around thirty-five
25 feet. Any more discussion from the committee? Is anybody
26 willing to throw out a minimum length, based on those two
27 methods? Mr. Fischer.

28
29 **MR. FISCHER:** I would move we eliminate the entire section on
30 **minimum lengths.** I think if a vessel wants to go offshore and
31 have landings during that calendar year, I think he should try
32 whatever size boat he's on. That's his business prerogative.

33
34 **CHAIRMAN BOSARGE:** Dale.

35
36 **MR. DALE DIAZ:** I am not on your committee, Madam Chairman, but
37 something is going through my mind and I figured I would bring
38 it up. In certain parts of the Gulf, the shelf tapers off very
39 slowly, and we've still got this three-mile/nine-mile dispute.
40 All three center states are claiming nine miles, and the feds
41 recognize three miles.

42
43 I could think of several areas off the State of Louisiana where
44 the bottom tapers off very gradually and it's not a big deal for
45 these smaller boats to get out there, and I'm sure there's a lot
46 of areas in the Gulf that are like that, and so I would just
47 point out that that might be something that folks might want to
48 consider whenever they are pondering this. Thank you.

1
2 **MR. FISCHER:** So can Dale second my motion, being he's not on
3 the committee?
4
5 **DR. LUCAS:** I will second your motion.
6
7 **CHAIRMAN BOSARGE:** Is there discussion on the motion?
8
9 **MR. FISCHER:** Leaving it in might answer the question I'm about
10 to ask, but we're trying to get these permits to real legitimate
11 fishermen, and I don't know if a vessel length makes you a real
12 fisherman. I think there is other methods, and the fact that
13 you're actually landing shrimp.
14
15 Now, we may have to tweak the language on landing shrimp, as Roy
16 brought out to me, but I just don't think the criteria of vessel
17 length is doable, because I just see a lot of small boats that
18 far out.
19
20 **CHAIRMAN BOSARGE:** Dr. Crabtree.
21
22 **DR. CRABTREE:** What did the AP recommend? Did they want a
23 length, and did they suggest a particular length?
24
25 **CHAIRMAN BOSARGE:** I would have to refer to Morgan as to whether
26 they suggested a specific length. I know that they have had a
27 lot of discussion about having a minimum length requirement,
28 and, generally speaking, and correct me if I'm wrong, but that
29 was to keep it from -- Right now in the industry, we have some
30 moratorium permits that are on skiffs in somebody's yard
31 somewhere. It's not a vessel that is rigged to shrimp, nor will
32 it ever be rigged to shrimp.
33
34 It was to get away from someone being able to take a permit and
35 put it on a boat that wouldn't truly operate in federal waters
36 and increase landings for our federal fishery. That's
37 essentially my take on it.
38
39 **DR. KILGOUR:** That length requirement was, again, an AP
40 recommendation a couple of years ago, but, since then, they
41 prefer Option b, Option d, and Option e. They felt that the
42 U.S. Coast Guard dockside safety exam would be more sufficient
43 than having a length, because they couldn't decide on an
44 appropriate length.
45
46 **CHAIRMAN BOSARGE:** We have a motion on the board from Mr.
47 Fischer and seconded by Dr. Lucas. Do we have any further
48 discussion on the motion? **Any opposition to the motion? Seeing**

1 **none, the motion carries.** All right, Dr. Kilgour, we can try
2 and wrap it up. I think we're just about at time.

3
4 **DR. KILGOUR:** Yes, we're right at time. Action 6 hasn't changed
5 since the time the committee saw the document, and that's that
6 transit provision. We added Alternative 4, as you recommended,
7 which is the only change in the transit provision, and that's to
8 identify the bag straps as needing to be removed from the net.

9
10 hat was a lot easier for the fishermen to do, and so I will just
11 read the alternative. A vessel possessing shrimp may transit
12 through Gulf federal waters without a federal vessel permit if
13 fishing gear is appropriately stowed. Transit means nonstop
14 progression through the area. Fishing gear appropriately stowed
15 means the trawl net may remain on deck, but the bag straps must
16 be removed from the net.

17
18 **CHAIRMAN BOSARGE:** All right. Any feedback for Dr. Kilgour on
19 this action? All right, Dr. Kilgour.

20
21 **DR. KILGOUR:** That's the end.

22
23 **CHAIRMAN BOSARGE:** I believe that brings us to the end of our
24 committee agenda. The Shrimp Committee is adjourned.

25
26 (Whereupon, the meeting adjourned at 2:47 p.m., June 20, 2016.)

27
28 - - -